



## **ACTIONSA**

**("the Party")**

Compliance manual prepared in terms of Section 51(1) of the  
Promotion of Access to Information Act, 2 of 2000

**("the Act")**

The purpose of this document is to further the manual  
of the Party as required in terms of the Act and to provide a  
reference as to the records held and the procedures that need  
to be followed to request access to such records.

## **INTRODUCTION**

The Party has duly authorized the contact person below to be the information officer of the Party and to ensure that the Act is complied with.

This manual covers the records held by the Party.

### **Section 1:**

#### **CONTACT PERSON AND ADDRESS DETAILS**

The President, Herman Mashaba, of the Party has duly authorized the contact person below to ensure that the Act is complied with -

Contact Person: Alistair Shaw

Physical Address: 3<sup>rd</sup> Floor, Fredman Towers, 13 Fredman Drive, Sandton Johannesburg.

Postal Address: 3<sup>rd</sup> Floor, Fredman Towers, 13 Fredman Drive, Sandton Johannesburg.

Telephone: 081 492 8066

E-mail address: [alistair@actionsa.org.za](mailto:alistair@actionsa.org.za)

### **Section 2:**

#### **GUIDE ON HOW TO USE THE ACT**

The Human Rights Commission has compiled a guide, in terms of section 10 of the Act, containing information which may reasonably be required by a person who wishes to exercise any right contemplated in the Act. This guide was published in the first half of 2005 and acts as to it and to any amended versions thereof can be found on the website of the South African Human Rights Commission at [www.sahrc.org.za](http://www.sahrc.org.za), or a hard copy can be obtained directly from the South African Human Rights Commission.

The Human Rights Commission's contact details are as follows -

Physical Address:     The South African Human Rights Commission  
                              2nd Floor Braampark Forum 3  
                              33 Hoofd Street  
                              Braamfontein  
                              Johannesburg

Telephone:             (011) 877 3750

E-mail address:       [info@sahrc.org.za](mailto:info@sahrc.org.za)

Website:               [www.sahrc.org.za](http://www.sahrc.org.za)

### **Section 3:**

## **CATEGORIES OF RECORDS AVAILABLE**

The following categories of records are automatically available without a person having to request access in terms of this Act -

1. Statutory Records

Interim Constitution of ActionSA  
Registration Certificate issued by the Independent Electoral Commission  
Report on Donations Received over the Threshold in Respect of the Political Party Funding Act, 2018

2. Human Resources

Code of Conduct for Members, Staff and Public Representatives

3. Auditors

The Party's auditors are YD Maharaj Inc

### **Section 4:**

#### **RECORDS AVAILABLE IN ACCORDANCE WITH LEGISLATION**

Records are available, where applicable, in accordance with the following current South African legislation (only to the extent that the relevant Act makes disclosure of records compulsory).

### **Section 5:**

#### **DETAIL TO FACILITATE A REQUEST FOR ACCESS TO RECORDS**

Any request for access to records should be submitted on the prescribed **FORM A** (a copy of which is attached hereto) which should be sent to the information officer and/or deputy information officer, whose name and address details appear in Section 1 hereof.

The Party has in its possession the following categories of records on the subject matters referred to hereunder -

#### **MARKETING & COMMUNICATIONS DEPARTMENT**

- General correspondence
- Internet reports and communications
- Policy documents
- Strategy documents

## FINANCIAL DEPARTMENT

The Financial department maintains financial and management accounts for the Party. The Financial department records comprise the following main categories -

- Accounting records
- General correspondence
- Management reports
- PAYE records
- Consolidation records
- Internal reports and communications
- Technical records
- Departmental administration records
- Risk management records
- General administration records
- Audit reports and supporting working papers
- Financial reports

## COMPANY SECRETARY

The Party Secretarial functions are provided by Alistair Shaw, who can be contacted at [alistair@actionsa.org.za](mailto:alistair@actionsa.org.za). The Party Secretary records held by them comprise of the following main categories -

- General correspondence
- Statutory records
- Minute books
- Internal reports and communications

## INTERNAL AUDIT

The Party's internal audit function is being exercised by Vincent Mofakeng. This department's purpose is to provide independent assurance that risks are being appropriately managed. Internal Audit Records pertaining to the Party comprise the following main categories -

- Risk management records
- General correspondence
- Audit practice records
- General administration records
- Audit reports and supporting working papers

## HUMAN RESOURCE (HR) DEPARTMENT

The Human Resource Department's primary objective is to develop and implement a competitive human resource strategy that will support the Party and its operating divisions. The Human Resource records comprise the following main categories -

- General correspondence
- Employee records
- General HR policies and procedures
- Training records
- Labour relations records
- Statutory records
- Contracts
- Payroll records

## **Section 6:**

### **ACCESS REQUEST PROCEDURE AND PRESCRIBED FEES**

A request for access to records must be made in the prescribed **FORM A** (a copy of which is attached) which should be sent to the address or electronic mail address.

Please note that an initial, non-refundable request fee of R57,00 (fifty-seven rand) (inclusive of VAT) is payable on submission. This fee is not applicable to personal requests, i.e. individual seeking access to records pertaining to those individuals themselves. For the full schedule of fees payable for each request, please see **FORM B** (a copy of which is attached).

In the event that a request for access is successful, an access fee will be payable for the search, reproduction and/or preparation of records and will be calculated based on the fee prescribed under the Act. The access fee must be paid prior to access being given to the requested record.

Request for information will be evaluated and the applicant will be notified within 30 (thirty) days after receipt of the request in the prescribed format of the following -

#### *Notification of extension period (if required)*

Applicants must take note that in terms of the Act the 30 (thirty) days period mentioned above may be extended for a further period of not more than 30 (thirty) days under certain circumstances (details will be provided together with the notification of such extension).

#### *The access fee and/or deposit*

The applicant will be informed of the access fee (if any) which is payable for having access to the records. In addition, a deposit may be requested which is fully refundable in the event that the application is ultimately refused.

#### *Decision on request*

The applicant will be informed whether or not the application for access has been denied or granted. In the event that it is granted the information referred to above pertaining to the access fee, any deposit payable and any other relevant matters will be advised. In the event that the applicant is refused, the applicant will be given adequate reasons for the refusal and will be informed that the applicant may lodge an application

with a Court against the refusal of the application, as well as the procedure (including the period) for lodging such application.

#### *Grounds for refusal*

The Party may legitimately refuse to grant access to a requested record that falls within a certain category. Grounds on which the Party may refuse include -

- Protecting personal information that the Party holds about a third person (who is a natural person), including a deceased person, from unreasonable or unauthorised disclosure;
- Protecting commercial information that the Party holds about a third party or the Party (for example, trade secrets, financial, commercial, scientific or technical information that may harm the commercial or financial interests of the Party or the third party);
- If disclosure of the record would result in a breach of a duty of confidence owed to a third party in terms of an agreement;
- If disclosure of the record would endanger the life or physical safety of an individual;
- If disclosure of the record would prejudice or impair the security of property or means of transport;
- If disclosure of the record would prejudice or impair the protection of a person in accordance with a witness protection scheme;
- If disclosure of the record would prejudice or impair the protection of the safety of the public;
- The record is privileged from production in legal proceedings, unless the legal privilege has been waived;
- Disclosure of the record (containing trade secrets, financial, commercial, scientific, or technical information) would harm the commercial or financial interests of the Party;
- Disclosure of the record would put the Party at a disadvantage in contractual or other negotiations or prejudice it in commercial competition;
- The record is a computer programme; and
- The record contains information about research being carried out or about to be carried out on behalf of a third party of the Party.

#### *Records that cannot be found or do not exist*

If the Party has searched for a record and it is believed that the record either does not exist or cannot be found, the requester will be notified by way of an affidavit or affirmation. This will include the steps that were taken to try to locate the record.

#### *Third party information*

If access is requested to a record that contains information about a third party, the Party is obliged to attempt to contact this third party to inform them of the request. This enables the third party the opportunity of responding by either consenting to the access or by providing reasons why the access should be denied.

In the event of the third-party furnishing reason for the support or denial of access, our designated contact person will consider these reasons in determining whether access should be granted, or not.

**FORM A**

**REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY**

**A. PARTICULARS OF PRIVATE BODY**

The Head:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**B. PARTICULARS OF PERSON REQUESTING ACCESS TO THE RECORD**

- (a) The particulars of the person who requests access to the record must be given below*
- (b) The address and/or fax number in the Republic to which the information is to be sent must be given*
- (c) Proof of the capacity in which the request is made, if applicable, must be attached.*

Full names and surname: \_\_\_\_\_

\_\_\_\_\_

Identity number: \_\_\_\_\_

Postal address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ Fax number: \_\_\_\_\_

Telephone number: \_\_\_\_\_ E-mail address: \_\_\_\_\_

Capacity in which request is made, when made on behalf of another person: \_\_\_\_\_

\_\_\_\_\_

**C. PARTICULARS OF PERSON ON WHOSE BEHALF REQUEST IS MADE**

This section must be completed ONLY if a request for information is made on behalf of another person.

Full names and surname: \_\_\_\_\_

Identity number: \_\_\_\_\_

#### D. PARTICULARS OF RECORD

- (a) Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.  
(b) If the provided space is inadequate, please continue on a separate folio and attach it to this form. **The requester must sign all the additional folios.**

1. Description of record or relevant part of the record: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

2. Reference number, if available: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

3. Any further particulars of record: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

#### E. FEES

- (a) A request for access to a record, other than a record containing personal information about yourself, will be processed only after a **request** fee has been paid.  
(b) You will be notified of the amount required to be paid as the request fee.  
(c) The **fee payable for access** to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.  
(d) if you qualify for exemption of the payment of any fee, please state the reason therefore.

Reason for exemption of payment for the fee: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_



**F. FORM OF ACCESS TO THE RECORD:**

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.

Disability \_\_\_\_\_ Form in which record is required \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Mark the appropriate box with an "X"

**NOTES:**

- (a) Compliance with your request in the specified form may depend on the form in which the record is available.
- (b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.
- (c) The fee payable for the access to the record, if any, will be determined partly by the form in which access is requested.

**1. If the record is in written or printed form:**

copy of record*		Inspection of record	
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**2. If the record consists of visual images: (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.)**

View the images		Copy the images*		Transcription of the images*	
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**3. If the record consists of recorded words or information which can be reproduced in sound:**

Listen to the soundtrack (audio cassette)		Transcription of soundtrack* (written or printed document)	
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**4. If the record is held on computer or in an electronic or machine-readable form:**

Printed copy of record*		Printed copy of information		Copy in computer readable form* (stiffy or compact disc)	
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		derived from the record*			
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* If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you?  <b>Postage is payable.</b>	Yes	No
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**G. PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED:**

If the provided space is inadequate, please continue on a separate folio and attach it to this form.

**The requester must sign all the additional folios.**

1. Indicate which right is to be exercised or protected: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

2. Explain why the record requested is required for the exercise of protection of the aforementioned right: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**H. NOTICE OF DECISION REGARDING REQUEST FOR ACCESS:**

You will be notified in writing whether your request has been approved / denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_

\_\_\_\_\_

**Signature of requester/person on whose behalf request is made**

**FORM B**

**PROMOTION OF ACCESS TO INFORMATION ACT FEES PAYABLE IN RESPECT OF PRIVATE BODIES**

1. The fee for a copy of the manual as contemplated in regulation 9(2)(c) is R1,10 for every photocopy of an A4-size page or part thereof.
2. The fees for reproduction referred to in regulation 11(1) are as follows: -

a) For every photocopy of an A4-size page or part thereof	R1,10
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	R0,75
(c) For a copy in a computer-readable form on -	
(i) compact disc	R70,00
(d) For a transcription of visual images -	
(i) for an A4-size page or part thereof	R40,00
(ii) for a copy of visual images	R60,00
(e) For a transcription of an audio record -	
(i) for an A4-size page or part thereof	R20,00
(ii) for a copy of an audio record	R30,00

3. The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2) is R57,00 (fifty-seven rand) (inclusive of VAT).
4. The access fees payable by a requester referred to in regulation 11(3) are as follows: -

(a) For every photocopy of an A4-size page or part thereof	R1,10
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	R1,10
(c) For a copy in a computer-readable form on -	
(i) compact disc	R70,00
(d) For a transcription of visual images -	
(i) for an A4-size page or part thereof	R40,00
(ii) for a copy of visual images	R60,00
(e) For a transcription of an audio record -	
(i) for an A4-size page or part thereof	R20,00
(ii) for a copy of an audio record	R30,00

5. For purposes of section 54(2) of the Act, the following applies: -
  - 5.1. Six hours as the hours to be exceeded before a deposit is payable; and
  - 5.2. one third of the access fee is payable as a deposit by the requester.
6. The actual postage is payable when a copy of a record must be posted to a requester.