



## **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 Purpose of the Promotion of Access to Information Act Manual (“PAIA”) is as follows:

- check the categories of records held by a body which are available without a person having to submit a formal PAIA request;
- have a sufficient understanding of how to make a request for access to a record of the body, by providing a description of the subjects on which the body holds records and the categories of records held on each subject;
- know the description of the records of the body which are available in accordance with any other legislation;
- access all the relevant contact details of the Deputy Information Officer who will assist the public with the records they intend to access;
- know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- know if the body will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;
- know the description of the categories of data subjects and of the information or categories of information relating thereto;
- know the recipients or categories of recipients to whom the personal information may be supplied;
- know if the body has planned to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied; and
- know whether the body has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

### **Section 1:**

#### **CONTACT PERSONS AND ADDRESS DETAILS**

The Deputy Information Officer, Alistair Shaw, of the Party has been 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 Information Regulator has compiled a guide, in terms of section 14 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 Information Regulator at [www.inforegulator.org.za](http://www.inforegulator.org.za) , or a hard copy can be obtained directly from the Information Regulator.

The Information Regulator contact details are as follows -

Physical Address:     The Information Regulator  
                              27 Steimens St  
                              Braamfontein  
                              Johannesburg

Telephone:             (010) 023 5200

E-mail address:       [enquiries@inforegulator.org.za](mailto:enquiries@inforegulator.org.za)

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

<b>Category of Records</b>	<b>Applicable Legislation</b>
Interim Constitution of ActionSA	Electoral Commission Act, 1996
PAIA Manual	Promotion of Access to Information Act, 2000
POPIA Policy	Protection of Personal Information Act, 2013

## **Section 5:**

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

Any request for access to records should be submitted on the prescribed **FORM 2** (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 2** (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 3** (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.

## **Section 7:**

### **PROTECTION OF PERSONAL INFORMATION**

#### **Purpose**

The Party is a political party and registered as such, Personal Information is solicited from Data Subjects and used to solicit new members and keep databases of current members and is accordingly required to comply with the provisions of Protection of Personal Information Act.

#### **Description of Data Subject**

For the purposes of this manual Data Subject means a natural or juristic person to whom Personal Information relates, such as employees, Party members, or a company that supplies the Party with goods or services.

The following Personal Information from Data Subjects is processed:

<b>Categories of Data Subjects</b>	<b>Personal Information that may be processed</b>
Prospective Members	names, address, identity numbers, employment status and bank details
Members	names, address, and bank details
Employees	address, banking details, qualifications, gender and race
Service Providers	names, registration number, vat numbers, address, trade secrets and bank details

#### **Personal Information**

For the purpose of this manual Personal Information means information relating to an identifiable, living, natural person, and where it is applicable, an existing, identifiable juristic person and may include but is not limited to: -

information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person;

information relating to the education or the medical, financial, criminal or employment history of the person; and

any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person; the biometric information of the person; the personal opinions, views or preferences of the person; correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence; information regarded as confidential business information; the views or opinions of another individual about the person; and the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person.

### **Recipients of Personal Information**

Personal Information received from Data Subjects is received by the following categories of recipients:

<b>Categories of Personal Information</b>	<b>Recipients or Categories of Recipients to whom the personal information may be supplied</b>
Names, addresses, identity numbers, sex and race	Independent Electoral Commission of South Africa for the capturing of prospective public representatives and office bearers
Names, addresses and identity numbers	The Party's auditors, for auditing the Party's Annual Financial Statements
Names, addresses and identity numbers	The Party's payroll administrator, for payroll administration
Names, addresses and identity numbers	IT service providers, for the maintenance of our membership records.

### **Transborder Flows of Personal Information**

The Personal Information collected, via our IT service provider, is stored on servers located in the Federal Republic of Germany.

The remainder of Personal Information is stored within the Republic of South Africa ("the Republic").

Our Data is stored on servers in a physically secure data center facility, located in the Federal Republic of Germany. The data stored on the servers are fully managed by our IT Service providers. They maintain the firewall, secured remote access and secured web server access (nginx). The servers are all run on Ubuntu Linux and are routinely scanned with anti-malware software – Chkrootkit.

### **Storage of Personal Information**



All Personal Information submitted by prospective members and members, via out IT service provider, is stored on the Party's IT service providers' secure servers, located in the Federal Republic of Germany.

Any hard copies of documents are stored at secure locations within the Republic.

Records of Personal Information which the Party is required to keep, will not be retained any longer than is strictly necessary for operational or archiving purposes, unless the retention of the thereof is required or authorised by law. Records of Personal Information may be retained for periods in excess of those contemplated for historical, statistical or research purposes, subject to the Party establishing the appropriate safeguards against the records being used for any other purpose and the Party has de-identified the records in question.

# FORM 2

## REQUEST FOR ACCESS TO RECORD

[Regulation 7]

**NOTE:**

1. Proof of identity must be attached by the requester.
2. If requests made on behalf of another person, proof of such authorisation, must be attached to this form.

**TO:** The Information Officer


*(Address)*

E-mail address:

Fax number:

Mark with an "X"

- Request is made in my own name
                         
  Request is made on behalf of another person.

PERSONAL INFORMATION			
Full Names			
Identity Number			
Capacity in which request is made <i>(when made on behalf of another person)</i>			
Postal Address			
Street Address			
E-mail Address			
Contact Numbers	Tel. (B):		Facsimile:
	Cellular:		
Full names of person on whose behalf request is made <i>(if applicable)</i> :			
Identity Number			
Postal Address			

Street Address			
E-mail Address			
Contact Numbers	Tel. (B)		Facsimile
	Cellular		
<b>PARTICULARS OF RECORD REQUESTED</b>			
<i>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. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)</i>			
Description of record or relevant part of the record:			
Reference number, if available			
Any further particulars of record			
<b>TYPE OF RECORD</b> <i>(Mark the applicable box with an "X")</i>			
Record is in written or printed form			
Record comprises virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>			
Record consists of recorded words or information which can be reproduced in sound			
Record is held on a computer or in an electronic, or machine-readable form			

**FORM OF ACCESS**  
*(Mark the applicable box with an "X")*

Printed copy of record <i>(including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)</i>	
Written or printed transcription of virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>	
Transcription of soundtrack <i>(written or printed document)</i>	
Copy of record on flash drive <i>(including virtual images and soundtracks)</i>	
Copy of record on compact disc drive <i>(including virtual images and soundtracks)</i>	
Copy of record saved on cloud storage server	

**MANNER OF ACCESS**  
*(Mark the applicable box with an "X")*

Personal inspection of record at registered address of public/private body <i>(including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)</i>	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format <i>(including transcriptions)</i>	
E-mail of information <i>(including soundtracks if possible)</i>	
Cloud share/file transfer	
Preferred language <i>(Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available)</i>	

**PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED**

*If the provided space is inadequate, please continue on a separate page and attach it to this Form. The requester must sign all the additional pages.*

Indicate which right is to be exercised or protected	

Explain why the record requested is required for the exercise or protection of the aforementioned right:	

<b>FEES</b>	
a) A request fee must be paid before the request will be considered. b) You will be notified of the amount of the access fee to be paid. 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 for exemption	
Reason	

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

Postal address	Facsimile	Electronic communication (Please specify)

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

\_\_\_\_\_  
*Signature of Requester / person on whose behalf request is made*

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**FOR OFFICIAL USE**

Reference number:	
Request received by: (State Rank, Name And Surname of Information Officer)	
Date received:	
Access fees:	
Deposit (if any):	

\_\_\_\_\_  
*Signature of Information Officer*

# FORM 3

## OUTCOME OF REQUEST AND FEES PAYABLE

[Regulation8]

**NOTE:**

1. If your request is granted the—
  - (a) amount of the deposit, (if any), is payable before your request is processed; and
  - (b) requested record/portion of the record will only be released once proof of full payment is received.
2. Please use the reference number hereunder in all future correspondence.

Reference number: \_\_\_\_\_

**TO:** \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Your request dated \_\_\_\_\_, refers.

**1. You requested:**

Personal inspection of information at registered address of public/private body ( <i>including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form</i> ) is free of charge. You are required to make an appointment for the inspection of the information and to bring this Form with you. If you then require any form of reproduction of the information, you will be liable for the fees prescribed in Annexure B.	
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**OR**

**2. You requested:**

Printed copies of the information ( <i>including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form</i> )	
Written or printed transcription of virtual images ( <i>this includes photographs, slides, video recordings, computer-generated images, sketches, etc</i> )	
Transcription of soundtrack ( <i>written or printed document</i> )	
Copy of information on flash drive ( <i>including virtual images and soundtracks</i> )	
Copy of information on compact disc drive ( <i>including virtual images and soundtracks</i> )	
Copy of record saved on cloud storage server	

**3. To be submitted:**

Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format ( <i>including transcriptions</i> )	
E-mail of information ( <i>including soundtracks if possible</i> )	
Cloud share/file transfer	
Preferred language: ( <i>Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available</i> )	

Kindly note that your request has been:

Approved

Denied, for the following reasons:

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**4. Fees payable with regards to your request:**

Item	Cost per A4-size page or part thereof/item	Number of pages/items	Total
Photocopy			
Printed copy			
For a copy in a computer-readable form on:			
(i) Flash drive	R40.00		
• To be provided by requestor			
(ii) Compact disc	R40.00		
• If provided by requestor	R60.00		
• If provided to the requestor			
For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on the quotation of the service provider		
Copy of visual images			
Transcription of an audio record, per A4-size	R24.00		
Copy of an audio record			
(i) Flash drive	R40.00		
• To be provided by requestor			
(ii) Compact disc	R40.00		
• If provided by requestor	R60.00		
• If provided to the requestor			
Postage, e-mail or any other electronic transfer:	Actual costs		
<b>TOTAL:</b>			

**5. Deposit payable (if search exceeds six hours):**

Yes

No

Hours of search	Amount of deposit (calculated on one third of total amount per request)

The amount must be paid into the following Bank account:

Name of Bank: \_\_\_\_\_  
Name of account holder: \_\_\_\_\_  
Type of account: \_\_\_\_\_  
Account number: \_\_\_\_\_  
Branch Code: \_\_\_\_\_  
Reference Nr: \_\_\_\_\_  
Submit proof of payment to: \_\_\_\_\_

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

\_\_\_\_\_  
*Information officer*