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MANUAL IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT, NO 2 OF 2000 AS AMENDED

for

RISE MZANSI

and its subsidiaries (Hereinafter referred to as “RISE”)

This manual aims to uphold, promote and protect the
underpinning principles of the PAIA Act

TABLE OF CONTENTS

CLAUSE NUMBER AND DESCRIPTION	Page
1. INTRODUCTION	3
2. SCOPE AND OBJECTIVE OF MANUAL	4
3. AVAILABILITY OF THE MANUAL.....	4
4. CONFIDENTIALITY.....	5
5. CATEGORIES OF APPLICANTS	5
6. GUIDE IN TERMS OF SECTION 10 OF PAIA.....	5
7. ORGANISATIONAL STRUCTURE	6
8. CORPORATE GOVERNANCE	6
9. RECORDS AND INFORMATION AVAILABLE WITHOUT FORMAL REQUEST IN TERMS OF PAIA	7
10. RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION.....	7
11. RECORDS THAT MAY BE REQUESTED IN ACCORDANCE WITH THE PROVISIONS OF PAIA OR POPIA	7
12. PROCEDURE.....	8
13. PRESCRIBED FEES IN TERMS OF THE REGULATIONS REGARDING THE PROMOTION OF ACCESS TO INFORMATION.....	8
14. GRANTING OR REFUSAL OF REQUESTS.....	10
15. APPEAL.....	10
16. SUMMARY OF POPIA REQUIREMENTS.....	10
17. REVIEW	11
18. ANNEXURE A	12

1. INTRODUCTION

- 1.1. The Constitution of the Republic of South Africa, 1996 entrenches the rights to privacy and the right of access to information.
- 1.2. The Promotion of Access to Information Act, 2 of 2000 (hereinafter referred to as “PAIA”) came into effect on the 9th of March 2001 and seeks to advance the values of transparency and accountability in South Africa and provides mechanisms for applicants to exercise their constitutional right of access to information.
- 1.3. The Protection of Personal Information Act, 4 of 2013 (hereinafter referred to as “POPIA”) came into effect on 1 July 2021 and establishes a legal obligation on RISE Mzansi, its third parties and stakeholders to protect its data subjects’ personal information and comply with the lawful processing thereof. POPIA amends certain provisions of PAIA and balances the need for access to information against the need for personal information to be protected. POPIA also establishes an Information Regulator to exercise certain statutory powers and perform certain duties and functions in terms of POPIA and PAIA. This manual serves to uphold the respective legislations’ objectives of transparency, openness, participation and accountability.
- 1.4. PAIA and POPIA establish a statutory right of access to information to any record held by the State or a private body if:
 - 1.4.1. that record is required for the exercise or protection of any of the data subject’s legal rights;
 - 1.4.2. the applicant complies with all the procedural requirements; and/or
 - 1.4.3. access is not refused in terms of any grounds referred to in either POPIA or PAIA.

- 1.5. Applicants who experience difficulty using this manual should contact RISE Mzansi's Information Officer and/or Deputy Information Officer/s whose details are set out in this manual.
- 1.6. The following words shall bear the following meanings for the purposes of this manual:
 - 1.6.1. "PAIA" – The Promotion of Access to Information Act, 2 of 2000
 - 1.6.2. "POPIA" – The Protection of Personal Information Act, 4 of 2013
 - 1.6.3. "SAHRC" – The South African Human Rights Commission
 - 1.6.4. "RISE Mzansi" – RISE Mzansi a Political party registered as such with the Electoral Commission (IEC)
 - 1.6.5. "Manual" – this manual together with all annexures hereto as amended and made available from time-to-time

2. SCOPE AND OBJECTIVE OF MANUAL

- 2.1. This manual has been prepared by the Legal and Compliance Department of RISE Mzansi.
- 2.2. This manual is published in accordance with the provisions and requirements set out in section 51 of PAIA and section 17 of POPIA in order to facilitate access to records held by RISE Mzansi in terms of PAIA.
- 2.3. More specifically, this manual makes provision for information on:
 - 2.3.1. The contact details of the Information Officer and Deputy Information Officer/s who will deal with requests for information.
 - 2.3.2. The structure and functions of RISE Mzansi.
 - 2.3.3. Records and information that are available without formal request.
 - 2.3.4. Records that are available in terms of any other legislation.
 - 2.3.5. Records and information that should be formally requested in terms of PAIA.
 - 2.3.6. The procedure that needs to be followed to obtain access to records.

3. AVAILABILITY OF THE MANUAL

- 3.1. This manual is available in both hard-copy and Portable Document Format (PDF) versions.
- 3.2. A printed version of the manual is available against payment of the prescribed fees as set out herein.
- 3.3. The Chairperson of RISE Mzansi has delegated her powers in terms of PAIA to the Information Officer and Deputy Information Officer/s, who will endeavor to handle all requests in terms of PAIA on her behalf.
- 3.4. All requests in terms of PAIA must be addressed to:

THE INFORMATION OFFICER AND/OR DEPUTY INFORMATION OFFICERS

Contact person: Boitumelo Mpakanyane

Physical address: 1st Floor Lumley House, 177 Jan Smuts Road, Rosebank, Johannesburg.

Tel: 072 400 5602

E-mail: tumi@risemzansi.org

E-mail: vuyiswa@risemzansi.org

E-mail: makashule@risemzansi.org

For attention: The Information Officer and/or Deputy Information Officer/s

4. CONFIDENTIALITY

- 4.1. RISE Mzansi takes its data subjects privacy seriously and protects the information provided to it by any third-party service provider, subject to RISE Mzansi' obligations to disclose such information as mandated in any applicable law or court order requiring such disclosure of information.
- 4.2. Records requested for purposes of any civil or criminal proceedings, so requested after the commencement of such proceedings, and the production of access to such records does not fall within the scope of POPIA or PAIA.

5. CATEGORIES OF APPLICANTS

- 5.1. An applicant may only request information in terms of PAIA if the information is required for the protection of legal rights, and as such, only requests for access where the applicant furnishes sufficient particulars as to the right sought to be protected will be considered.
- 5.2. An applicant can request information in different capacities, such as:
 - 5.2.1. A person requesting information on his/herself.
 - 5.2.2. A person requesting information on behalf of another.
 - 5.2.3. A public body requesting information in the public interest.

The category of applicant will determine the fees payable in accordance with the manual herein.

6. GUIDE IN TERMS OF SECTION 10 OF PAIA

- 6.1. A guide on how to access and benefit from PAIA has been compiled by the SAHRC in accordance with Section 10.
- 6.2. Any queries can be directed to the South African Human Rights Commission located at Braampark Forum 3, 33 Hoof Street, Braamfontein, Johannesburg; or via registered mail at P O Box 2700, Houghton, 2014.

Telephone: (011) 877 3750

Fax (011) 403 0668

Email:paia@sahrc.org.za
info@sahrc.org.za

- 6.3. Applicant's may request a review of Rise Mzansi's response or non-response to a request for access to records under the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) ("PAIA") by contacting the Information Regulator of South Africa at:

Physical address: JD House, 27 Stiemens Street Braamfontein, Johannesburg, 2001

Postal address: P.O. Box 31533 Braamfontein, Johannesburg, 2017

Telephone : 010 023 5200

Email:PAIAComplaints@infoRegulator.org.za

7. ORGANISATIONAL STRUCTURE

7.1. RISE Mzansi is registered with the IEC as a political party under the Electoral Act, registration certificate no: 1755. RISE Mzansi is a Political Party duly registered under the Laws of the Republic of South Africa.

7.2. Organisation Facts:

Sector: Political
Nature of Business: Political Party
Permanent Staff: 12 as of August 2024 - Total staff: 35
Telephone: 072 400 5602
Email: rise@risemzansi.org
Website: www.risemzansi.org
Physical address: 1st Floor, Lumley House, 177 Jan Smuts Avenue, Rosebank, Johannesburg

8. CORPORATE GOVERNANCE

8.1. RISE Mzansi is committed to the principles of fairness, accountability, responsibility and transparency in its dealings with all stakeholders.

9. RECORDS AND INFORMATION THAT IS AVAILABLE WITHOUT FORMAL REQUEST IN TERMS OF PAIA

9.1. RISE Mzansi routinely makes information available to the public where same is necessary for the purposes of carrying on its business in the political sector.

9.2. General and specific information that may be of interest to potential clients, investors, applicants for employment etc. is readily available on the RISE Mzansi website.

10. RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION

- a. Basic Conditions of Employment Act, 75 of 1997 Companies Act, 61 of 1973
- b. Electronic Communications and Transactions Act, 25 of 2002

- c. Employment Equity Act, 55 of 1998
- d. Intellectual Property Laws Amendment Act, 38 of 1997
- e. Labour Relations Act, 66 of 1995
- f. Occupational Health and Safety Act, 85 of 1993
- g. Protection of Personal Information Act, 4 of 2013

This list, although detailed, may not be exhaustive. It will be periodically updated.

**11. RECORDS THAT MAY BE REQUESTED IN ACCORDANCE WITH THE PROVISIONS OF PAIA OR POPIA
COMPANIES ACT RECORDS:**

- a. Registration documents
- b. Constitution
- c. Records relating to the appointment of auditors/ public officer and other officers
- d. Other statutory registers

FINANCIAL RECORDS:

- e. Annual Financial Statements
- f. Accounting Records
- g. Banking Records/Bank Statements/Paid Cheques/Electronic Banking Records
- h. Asset Registers
- i. Rental Agreements
- j. Invoices

PERSONNEL DOCUMENTS AND RECORDS:

- k. Employment contracts or offer letters
- l. Disciplinary Records
- m. Salary records
- n. Disciplinary codes or internal HR Policies

- o. Leave records
- p. Training records
- q. Training manuals

12. PROCEDURE

- 12.1. In order to facilitate access to a record, applicants need to complete the prescribed access form attached to this manual marked as Annexure “A”. The form must be completed in full. Failure to submit the full and complete form to the addresses shall result in the process being delayed and/or not attended to.
- 12.2. Proof of identity is required to authenticate the request and the applicant. Therefore, in addition to the access form, applicants are required to supply a recently certified copy of the applicant’s identification document, or any other means of identification acceptable to the Information Officer and/or Deputy Information Officers.
- 12.3. If the applicant is acting as an agent on behalf of a third party, the applicant must provide proof of the identity of the person on whose behalf the request is made, the authority or mandate given to the applicant by such person and proof of the identity of the applicant.
- 12.4. The Information Officer and/or Deputy Information Officers will not process any requests until he/she is satisfied that these requirements have been met.

13. PRESCRIBED FEES IN TERMS OF THE REGULATIONS REGARDING THE PROMOTION OF ACCESS TO INFORMATION

- 13.1. Please take note that a request will not be considered until the prescribed fees have been paid as set out in the table below. The below fees are not VAT-inclusive.

- 13.2. Personal applicants (or data subjects) seeking access to their personal information are strictly exempt from paying the required fees.
- 13.3. Once the Information Officer and/or Deputy Information Officers have made a decision regarding the request, the applicant will be notified in writing and advised of the reproduction, access and search fees payable.
- 13.4. A fee for a copy of this manual is R1.10 for every photocopy of an A4 page or part thereof, or every printed A4 page or part thereof.
- 13.5. The request fee payable by applicants, other than personal applicants/data subjects, is R50.00.
- 13.6. The reproduction fees payable by applicants, other than personal applicants/data subjects, is as follows and is not VAT-inclusive (VAT will be added to the prescribed fees below):

NO. ITEM	PRESCRIBED FEE
i. Every photocopy of an A4 page or part thereof	R1.10
ii. Every printed page of an A4 page or part thereof held on a computer or in electronic or machine-readable form	R0.75
iii. For a copy in computer-readable form: Compact Disc or Flash Drive	R70.00
iv. A transcription of visual images, for an A4 page or part thereof	R40.00
v. Copy of visual images	R60.00
vi. A transcription of an audio record, for an A4 page or part thereof	R20.00
vii. Copy of an audio record	R30.00

- 13.7. The access fees payable are as follows:

NO. ITEM	PRESCRIBED FEE
i. Every photocopy of an A4 page or part thereof	R1.10
ii. Every printed page of an A4 page or part thereof held on a computer or in electronic or machine-readable form	R0.75

iii.	For a copy in computer-readable form: Compact Disc or Flash Drive	R70.00
iv.	A transcription of visual images, for an A4 page or part thereof	R40.00
v.	Copy of visual images	R60.00
vi.	A transcription of an audio record, for an A4 page or part thereof	R20.00
vii.	Copy of an audio record	R30.00

13.8. To search and prepare the record for disclosure, R30.00 for each hour or part-thereof reasonably required for such search and preparation.

13.9. If, in the opinion of the Information Officer and/or Deputy Information Officers, the search and preparation will require more than six (6) hours, the applicant will be required to pay a deposit equal to one-third of the access fee upfront.

13.10. Where a copy of the record needs to be sent via prepaid registered mail, the actual cost of posting the item will be payable in full by the applicant.

14. GRANTING OR REFUSAL OF REQUESTS

14.1. All requests for information that meet the requirements as set out in this manual will be processed by the Information Officer and/or Deputy Information Officers within the time limits set out in PAIA.

14.2. PAIA requests may be refused on the following grounds:

- 14.2.1. Mandatory protection of privacy of any third party who is a natural person
- 14.2.2. Mandatory protection of commercial information of a third party
- 14.2.3. Mandatory protection of certain confidential information of a third party
- 14.2.4. Mandatory protection of records privileged from production in legal proceedings
- 14.2.5. Commercial information of the private body; and
- 14.2.6. Mandatory protection of research information of a third party and of the private body.

15. APPEAL

- 15.1. There is no right of appeal against the final decision of the Information Officer and the only recourse available to an applicant or third party who is aggrieved by the Information Officer's decision is by way of application to a court for the appropriate relief in terms of Section 78 of PAIA.

16. SUMMARY OF POPIA REQUIREMENTS

- 16.1. In terms of POPIA, personal information must be processed for a specific purpose only. This purpose is the purpose for which information is initially provided.
- 16.2. POPIA provides that data subjects, i.e. the person to whom the personal information relates, may request RISE Mzansi to confirm that it holds personal information about the data subject and, if so, may request access to such information.

- 16.3. POPIA provides that data subjects may object to the processing of personal information by RISE Mzansi on reasonable grounds relating to their specific situation, unless legislation mandates the processing of said information.
- 16.4. Requests for data subjects must be made in terms of this PAIA manual.
- 16.5. RISE Mzansi's privacy policy, POPIA manual and POPIA consent forms may all be accessed on the RISE Mzansi's website at <https://risemzansi/privacy-policy/>

17. REVIEW

This manual will be reviewed by the RISE Mzansi Legal team and/or its legal representatives as and when it becomes appropriate and/or necessary to do so.

ANNEXURE A

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY

(Section 53(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))

[Regulation 10]



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A. PARTICULARS OF PRIVATE BODY The Information Officer (RISE Mzansi)

Address: 1st Floor Lumley House, 177 Jan Smuts Road, Rosebank, Johannesburg.

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

B. PARTICULARS OF PERSON REQUESTING ACCESS TO THE 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 (when made on behalf of another person)			
Postal Address			
Street Address			
E-mail Address			
Contact Numbers	Tel. (B):		Facsimile: <div></div>
	Cellular:		
Full names of person on whose behalf request is made (if applicable):			
Identity Number			
Postal Address			

Street Address			
E-mail Address			
Contact Numbers	Tel. (B)		Facsimile
	Cellular		
PARTICULARS OF RECORD REQUESTED <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			
TYPE OF RECORD <i>(Mark the applicable box with an "X")</i>			
Record is in written or printed form			
Record comprises virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)			
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 (including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)	
Written or printed transcription of virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)	
Transcription of soundtrack (written or printed document)	
Copy of record on flash drive (including virtual images and soundtracks)	
Copy of record on compact disc drive (including virtual images and soundtracks)	
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 (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)	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format (including transcriptions)	
E-mail of information (including soundtracks if possible)	
Cloud share/file transfer	
Preferred language (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)	

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:	

FEES	
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

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