

PROMOTION OF ACCESS TO INFORMATION ACT SECTION 51 MANUAL FOR A ROCHA SOUTH AFRICA (NON-PROFIT ORGANISATION)

1. ABOUT A ROCHA SOUTH AFRICA

A Rocha South Africa is a non-profit organisation which was established in 2002. They are an interdenominational Christian organisation which, inspired by God's love, engages in scientific research, community-based conservation projects, environmental education and theological training in KwaZulu-Natal and the Western Cape and Gauteng.

2. AVAILABILITY OF THIS MANUAL

This Manual is published available in terms of Section 51 of the Promotion of Access to Information Act 2 of 2000, ("the Act") and Regulation 4 of Regulations Pertaining to the Protection of Personal Information Act, 2017 ("POPI Regulations"). The Act gives effect to the provisions of Section 32 of the Constitution of the Republic of South Africa, 1996, which provides for the right of access to information held by the State and to information held by another person or entity, whether such information is required by someone to protect his/her rights. This Manual serves to inform members of the public of the categories of information held by A ROCHA SOUTH AFRICA, and which may, subject to the grounds of refusal listed in the Act, be disclosed after evaluation of an access application made in terms of the Act. A copy of this Manual is available to the Information Regulator and to any person upon request and upon payment of the required amount. A copy of this Manual is available:

- On request from our Information Officer, Melanie Rood, via email at info@arocha.org.za
 - On our website: <https://www.arocha.org.za/>
 - From the South African Human Rights Commission ("SAHRC") or once the Protection of Personal Information Act, 2013 ("POPI Act") comes into effect, from the Information Regulator: <http://www.justice.gov.za/inforeg/about.html>
- This Manual will be updated from time to time, as and when required.

3. A ROCHA SOUTH AFRICA INFORMATION OFFICER

Our Information Officer is: Melanie Rood A ROCHA SOUTH AFRICA administrator

Telephone number: 084 694 1093 E-mail: info@arocha.org.za Postal Address: P.O. Box 13138, Cascades, KZN, 3202.

Our deputy information office is: Telephone number: 082 497 7887 Godfrey Harris Email: godfrey.howard.harris@gmail.com

4. HOW TO REQUEST ACCESS TO RECORDS HELD BY A ROCHA SOUTH AFRICA

4.1. Requests for access to personal records held by A ROCHA SOUTH AFRICA must be made on the request forms that are available from our website or office, or from the SAHRC website (www.sahrc.org.za) or on the website of the Department of Justice at http://www.justice.gov.za/forms/paia/J752_paia_Form%20C.pdf and attached hereto as Annexure A, ("Request Form").

4.2. The request must be addressed to our Information Officer.

4.3. When a record is requested, the following will apply:

4.3.1. A fee or fees which are prescribed by the Act and regulations may be payable. The current fee schedule is stated later in this document. Kindly note that the fees can change from time to time as and when the laws are amended.

4.3.2. The Requester must complete all the details on the Request Form, including the right the requester wants to exercise or protect by requesting the information and the reason the access to the information is required.

4.3.3. If the requester is acting on behalf of someone else, the signature of the person on whose behalf he/she is acting authorising the request to be made must be provided in order for us to verify the validity of the authority and further proof to that effect may be required by A ROCHA SOUTH AFRICA.

4.4. The requester must specify the format, (inspection of copy, paper copy, electronic copy, transcript, etc.) in which s/he wants to access the information.

4.5. If the record is part of another record, the requester will only be given access the part(s) that pertain(s) to the information s/he has requested or is entitled to, and not the entire record. All requests will be evaluated against the provisions of the Act. And the Information Officer may refuse access on the basis or grounds provided by the Act. Access another person's confidential information, or trade or commercial secrets of a business, for example, may not be accessed. A ROCHA SOUTH AFRICA must respond to a request for information within 30 (thirty) days of the request, in accordance with the Act and if not granted, and the requester is not satisfied s/he may approach the courts within 30 (thirty) days of the decline decision.

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5. HOW THE ACT WORKS AND INFORMATION PUBLISHED BY THE SAHRC

5.1. The Act provides that a requester may be provided access to records of a private body, if the record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the interest of the public.

5.2. Requests under the Act must be made in terms of the procedures prescribed by the Act, at the rates provided. The forms and tariff are dealt with under section 53 and 54 of the Act.

5.3. Additional information regarding how requesters can exercise their Constitutional Rights is contained under the Guide in terms of Section 10 of the Act which has been compiled by the South African Human Rights Commission, ("SAHRC"). The Guide and all other additional information on how the Act works can be obtained from the SAHRC at: Postal Address: Private Bag 2700, Houghton, 20141 Telephone Number: +27 11 877 3600 Fax number: +27 11 403 0625 Website: www.sahrc.org.za There are also provincial SAHRC offices in all provinces.

6. VOLUNTARY DISCLOSURE

The following information is made accessible automatically on the A ROCHA SOUTH AFRICA website, and persons do not have to request such information:

- A ROCHA SOUTH AFRICA POPI Manual.
- Annual reports and audited annual financials

7. RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION

Information is available in terms of the following legislation to the persons or entities specified in such legislation, as well as the specific protections offered by such laws. As legislation changes from time to time, and new laws may stipulate new manners and extend or limit the scope of access by persons specified in such entities, this list should be read as not being a final and complete list.

Business legislation (including all regulations issued in terms of such legislation): Income Tax Act 58 of 1962; Value Added Tax Act 89 of 1991; Labour Relations Act 66 of 1995; Basic Conditions of Employment Act 75 of 1997; Employment Equity Act 55 of 1998; Skills Development Levies Act 9 of 1999; Unemployment Insurance Act 63 of 2001; Electronic Communications and Transactions Act 25 of 2002; Telecommunications Act 103 of 1996; Electronic Communications Act 36 of 2005; Consumer Protection Act 68 of 2008;

8. RECORDS HELD BY A ROCHA SOUTH AFRICA IN RELATION TO DATA SUBJECTS

A ROCHA SOUTH AFRICA holds records in the following categories:

Internal records relating to our business, which includes minutes and policies; annual and other reports; financial records; operational records, policies and procedures; contracts; licences, any intellectual property; marketing records; internal correspondence; statutory records; etc. Personnel records, which may include records relating to temporary employees, fixed term employees, part-time employees, contractors, directors, executive directors, non-executive directors. It includes personal files and similar records, records provided by third parties regarding their personnel; employment contracts, conditions of employment; workplace policies; disciplinary records; termination records; performance management records and systems and all employment-related records and correspondence. Supplier, service provider, benefactor records, which may include supplier registrations; contracts; confidentiality agreements and non-disclosure agreements, communications; logs; delivery records; deliverables/output of the contracts; commissioned work; and similar information, some of which might be provided to us by such suppliers and providers under service and other contacts. Technical records, which may include submissions to government, statutory and other bodies, manuals, logs, electronic and cached information, statutory body records, approvals, conditions and requirements. Third party information, which may be in our possession, but which would be subject to the conditions set in relation to such possession and use or purpose limitations. Note: The fact that we list a record type here does not necessarily mean that we will disclose such records, and all access is subject to the evaluation processes outlined herein, which will be exercised in accordance with the requirements of the Act.

9. THE PURPOSE OF PROCESSING THE INFORMATION:

A ROCHA SOUTH AFRICA processes information for the following purposes:

9.1. Communication with and payment for services.

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- 9.2. To drive research and conduct surveys to improve our conservation work;
- 9.3. A ROCHA SOUTH AFRICA records and agreements;
- 9.4. Employment records and agreements; and
- 9.5. Provision of services and supply of goods.

10. CATEGORIES OF RECIPIENTS TO WHOM THE PERSONAL INFORMATION MAY BE SUPPLIED

- 10.1. Board of A ROCHA SOUTH AFRICA
- 10.2. Professional associations- for peer review and eligibility confirmation.
- 10.3. A Rocha International
- 10.4. National Department of Social Development
- 10.5. SARS
- 10.6. Everlytic database exclusively for ARZA use
- 10.7. Dulverton Financial Services
- 10.8. National Director
- 10.9. Book keepers of A Rocha SA
- 10.10. A Rocha auditors *Savunde Accountants / AHvR*

11. PLANNED TRANS-BORDER FLOW OF PERSONAL INFORMATION

A ROCHA SOUTH AFRICA reports annually to A Rocha International in the form of a Review of actions and the individuals involved in the work.

12. GENERAL DESCRIPTION OF SECURITY

Records held by A ROCHA SOUTH AFRICA are stored as follows:

- 12.1. Electronic Records stored on the A ROCHA SOUTH AFRICA laptop are secured by protected by a commercially approved and up to date antivirus software.
- 12.2 Password protected access in place on back-ups on external hard drive as well as computers.
- 12.3. Paper documents are in a locked office which is accessible only to the A ROCHA SOUTH AFRICA administrator and national director.
- 12.4. Database is *stored by a* commercially approved and secure Database 3rd party.
- 12.5. Cloud storage services are password protected

13. PRESCRIBED FEES

The following applies the request other than personal requests:

- 13.1. The requestor is required to pay the prescribed fee of R50 before the request will be processed.
- 13.2. If the preparation of the record requested requires more than the prescribed 6 (six) hours, a deposit of not more than one third of the access fee which would be payable if the access was granted, shall be payable.
- 13.3. Records may be withheld until fees have been paid.

Annexure A fees payable for reproduction in terms of the Act are as follows: (refer www.sahrc.org.za)

Description Fee in Rands

- (a) For every photocopy of an A4 size or part thereof R1,10
- (b) For every printed copy of a A4 size page or part thereof held on a computer or electronic machine readable form R0,75
- (c) For a copy on a Removable flash drive R70,00
- (e) For a transcript of audio record
 - i. For an A4 size R20,00
 - ii. For a copy of the audio record R30,00
- (f) To search for the record for disclosure R50,00 for each hour or part thereof reasonably required for such as search