

INFORMATION SYSTEMS AUDIT AND CONTROL  
ASSOCIATION SOUTH AFRICA CHAPTER NPC  
T/A ISACA SOUTH AFRICA CHAPTER

Registration number: 2003/004050/08

THE PROMOTION OF ACCESS TO  
INFORMATION MANUAL  
(PAIA MANUAL)

## **The Promotion of Access to Information (PAIA) Manual**

PREPARED IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000

This manual applies to:

Information Systems Audit and Control Association South Africa Chapter NPC (Trading as "ISACA South Africa Chapter")

Registered Office Physical Address: Unit 1, Bellfour Office Park, c/o Edmar & Rogers Streets, Bellville, 7600

Registered Office Postal Address: Postnet Suite #235, Private Bag X22, Tygervally, 7536

### **1. Introduction**

ISACA South Africa Chapter is committed to the observance of and compliance with the directives of the South African Constitution and national legislation which endorse the key principles of good corporate governance, transparency and accountability.

The Promotion of Access to Information Act No. 2 of 2000 (PAIA) gives effect to carry out section 32 of the South African Constitution, which focuses on the right to access information i.e. everyone has the right of access to information held by the state or a private body to enforce a culture of transparency and accountability.

Section 51 of PAIA obliges private bodies (including ISACA South Africa Chapter) to compile a manual to enable a person to obtain access to information held by such private body and stipulates the minimum requirements that the manual has to comply with.

This manual constitutes ISACA South Africa Chapter's PAIA manual. This manual is compiled in accordance with section 51 of PAIA as amended by the Protection of Personal Information Act, 2013 (POPIA). POPIA promotes the protection of personal information processed by public and private bodies, including certain conditions so as to establish minimum requirements for the processing of personal information. POPIA amends certain provisions of PAIA, balancing the need for access to information against the need to ensure the protection of personal information.

This PAIA manual also includes information on the submission of objections to the processing of personal information and requests to delete or destroy personal information or records thereof in terms of POPIA.

### **2. Availability of the Manual**

This manual will be updated as required or when the relevant legislation changes. The latest copy of this manual is available on public facing ISACA South Africa Chapter website, <https://engage.isaca.org/southafricachapter/home>. Alternatively, this manual can be requested from the Information Officer.

### **3. ISACA South Africa Chapter Contact Details**

All requests for access to records in terms of PAIA must be in writing and must be addressed to:

ISACA South Africa Chapter

Postnet Suite #235

Private Bag X22

Tygervally, 7536

Website: [www.isaca.org.za](http://www.isaca.org.za) and <https://engage.isaca.org/southafricachapter/home>

Information Officer

Email: [info@isaca.org.za](mailto:info@isaca.org.za) (Please address your request clearly "For Attention Information Officer")

Deputy Information Officer  
Email: [admin@isaca.org.za](mailto:admin@isaca.org.za)

President  
Email: [president@isaca.org.za](mailto:president@isaca.org.za)  
Tel: +27 (87) 550 9289

Postal address:  
Postal Physical  
Postnet Suite #235  
Private Bag X22  
Tygervally, 7536

Physical address:  
Unit 1 Bellfour Office Park  
C/o Edmar and Rogers Streets  
Bellville, 7536

#### **4. Guide of the South African Human Rights Commission**

The South African Human Rights Commission ("SAHRC") is mandated under PAIA to promote the right of access to information, monitor the implementation of PAIA, make recommendations to strengthen PAIA and to report annually to Parliament. The SAHRC has compiled a guide that contains information which would be reasonably required of any person wishing to exercise any rights set out in the Act. The guide is available in all of the country's official languages and can be viewed at [www.sahrc.org.za](http://www.sahrc.org.za).

Reference: <https://www.sahrc.org.za/home/21/files/Section%2010%20guide%202014.pdf>

Any enquiries regarding the above guide and its contents should be directed to:  
The South African Human Rights Commission  
PAIA Unit (the Research and Documentation Department)  
Postal address: Private Bag 2700, Houghton, 2041  
Telephone: +27 (11) 484 8300  
Fax: +27 (11) 484 7146  
Website: [www.sahrc.org.za](http://www.sahrc.org.za)  
Email: [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)

#### **5. Information Regulator**

Any queries where you believe the ISACA South Africa Chapter has not adequately dealt with your request, or to lodge a complaint should be directed to:  
The Information Regulator (South Africa)  
33 Hoofd Street  
Forum III, 3<sup>rd</sup> Floor Braampark  
Braamfontein, Johannesburg  
Website: [www.justice.gov.za](http://www.justice.gov.za)  
Email: [infoereg@justice.gov.za](mailto:infoereg@justice.gov.za)

#### **6. Records Available in terms of any Other Legislation**

ISACA South Africa Chapter keeps information and records in accordance with the following legislation, which includes, but is not limited to the following legislation:

- Basic Conditions of Employment Act 75 of 1997
- Companies Act 61 of 1973
- Compensation for Occupational Injuries and Health Diseases Act 130 of 1993

- Employment Equity Act 55 of 1998
- Electronic Communications and Transactions Act 25 of 2002
- Income Tax Act 58 of 1962
- Labour Relations Act 66 of 1995
- Non-Profit Organisations Act 71 of 1997
- Non-Profit Organisations Amendment Act of 2000
- Occupational Health & Safety Act 85 of 1993
- Skills Development Act 97 of 1998
- Skills Development Levies Act 9 of 1999
- Unemployment Contributions Act 4 of 2002
- Unemployment Insurance Act 30 of 1966
- Value Added Tax Act 89 of 1991

From time to time, ISACA South Africa Chapter may be required to comply with other legislation as a result of the products and services being provided to customers operating in different sectors.

## **7. Categories of Requestors**

The capacity under which a Requestor makes a request for records defines the category in which the Requestor will fall into. There are four categories of Requestors:

- 7.1. A Data Subject who makes requests about themselves;
- 7.2. A Representative who makes a request on behalf of the Data Subject(s);
- 7.3. A Third Party who requests information about a Data Subject; or
- 7.4. A Public Body who requests information in the public interest.

## **8. Categories of Records held by ISACA South Africa Chapter**

This manual sets out a description of the subjects on which ISACA South Africa Chapter holds records, and categories of records held on each subject (refer to Appendix B). These include operational records utilised in the day to day running and administration of the business. Access to the listed records /information per Appendix B does not guarantee access requests will be approved / granted.

## **9. Automatically available information**

Information that is obtainable via the ISACA South Africa Chapter website about ISACA South Africa Chapter is automatically available and need not be formally requested in terms of this manual.

The following categories of records are automatically available for inspection, purchase or photocopying:

- 9.1. brochures;
- 9.2. press releases;
- 9.3. publication; and
- 9.4. various other marketing and promotional material.

## **10. Request Process**

POPIA provides that a data subject may, upon proof of identity, request ISACA South Africa Chapter to confirm, free of charge, all the information it holds about the data subject and may request access to such information, including information about the identity of third parties who have or have had access to such information. POPIA provides that a data subject may object, at any time, to the processing of personal information by ISACA South Africa Chapter, on reasonable grounds relating to his/her particular situation, unless legislation provides for such processing.

A data subject may also request ISACA South Africa Chapter to correct or delete personal information about the data subject in its possession or under its control that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading or obtained unlawfully; or destroy or delete a record of personal information

about the data subject that ISACA South Africa Chapter is no longer authorised to retain in terms of POPIA's retention and restriction of records provisions.

A data subject that wishes to:

- object to the processing of their personal information must complete the form attached hereto as Appendix C; or
- request a correction or deletion of personal information or the destruction or deletion of a record of personal information must complete the form attached hereto as Appendix D and submit it to the Information Officer.

The purpose of this section is to provide directive and guidance on the process to follow when requesting information from ISACA South Africa Chapter.

- The Requestor should contact ISACA South Africa Chapter's Information Officer to obtain guidance on the process to follow when sending documentation containing personal information. This includes application forms and proof of identification documents.
- The prescribed form must be used and completed to make the request for access to a record. The form can be downloaded from the Department of Justice website (refer to Appendix A).
- Proof of identification of the Requestor (and related third parties acting on behalf of the Requestor) must be provided on submitting the request form.
- The requestor must specify the right that they are seeking to protect or that they wish to exercise and provide an explanation as to why the requested records are required for the protection or exercise of that right.
- If the request is made on behalf of another person, then proof is required of the capacity in which the requester is making the request.
- Proof of identity must be provided in the form of a certified copy of the Requestor's and/or delegate's identity document or passport via secure methods provided by the Information Officer in the initial correspondence.
- An initial response to a request will take approximately 30 days. The Information Officer may extend the period by an additional 30 days depending on the complexity of the request requirements.
- Please note that an application for access to information can be refused in the event that the application does not comply with the requirements of PAIA and/or POPIA.
- The successful completion and submission of the access request does not automatically allow the Requestor access to the requested records.
- If access to a record/information is granted, the Requestor will be notified, and the notification will include the following:
  - An indication of the access fee that should be paid upon gaining access (if any).
  - An indication of the form in which the access will be granted.
- If access to a record/information is denied, the Requestor will be notified, and will include the following:
  - Adequate reasons for the refusal.
  - Process to appeal the refusal.
- Should the requester not be satisfied with the decision of the Information Officer, the Requester may apply to court for relief. In terms of PAIA, the said application must be made within 180 days after the decision has been made by the Information Officer.

## **11. Prescribed Request Fees**

Prescribed fees were published by the Minister of Justice and Constitutional Development in the Government Gazette No. 23119, General Notice No. 187 of 15 February 2002. Please refer to Appendix E for ISACA South Africa Chapter's fee structure.

## **12. Information available in terms of POPIA**

Information available in terms of POPIA, personal information must be processed for a specified purpose. The purpose for which data is processed by ISACA South Africa Chapter will depend on the nature of the data and the particular data subject. This purpose is ordinarily disclosed, explicitly or implicitly, at the time

the data is collected. Please also refer to the ISACA South Africa Chapter's Privacy Policy for further information.

#### Categories of personal information collected by ISACA South Africa Chapter

ISACA South Africa Chapter may collect information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to-

- names;
- contact details;
- company information;
- date of birth;
- education;
- gender;
- identity number and passport numbers;
- language;
- race;
- disability
- nationality;
- physical and postal addresses; and
- other designation information.

#### Business Information

- Documents of Incorporation
- Memorandum and Articles of Association
- Minutes of Board of Directors meetings
- Records relating to the appointment of directors/ auditor / secretary / public officer / and other officers
- Share Register and other statutory registers

#### Financial Records

- Annual Financial Statements
- Tax Returns
- Accounting records
- Banking Records Bank Statements Paid Cheques Electronic banking records
- Asset Register
- Rental Agreements
- Invoices
- Contracts
- General correspondence

#### Income Tax Records

- PAYE Records
- Documents issued to employees for income tax purposes
- Records of payments made to SARS on behalf of employees
- All other statutory compliances: -
  - VAT - Regional Services Levies - Skills Development Levies
  - UIF
  - Workmen's Compensation

#### Member Records

##### Human Resources

- Employment contracts
- Employment equity plan (If applicable)
- Medical aid records

- Disciplinary records
- Salary records
- SETA records
- Disciplinary code
- Leave records
- Training records
- Training manuals

In terms of POPIA, data must be processed for a specified purpose. The purpose for which data is processed by ISACA South Africa Chapter will depend on the nature of the data and the particular data subject. The type of personal information that we process will depend on the purpose for which it is collected. We will disclose to you why the personal information is being collected and will process the personal information for that purpose only.

Please refer to the ISACA South Africa Chapter [Privacy Policy](#) and [Privacy Notice](#) for further details.

#### Categories of data subjects

ISACA South Africa Chapter holds information and records on the following categories of data subjects:

- employees / personnel of ISACA South Africa Chapter;
- members of ISACA South Africa Chapter;
- suppliers of ISACA South Africa Chapter; and
- any third party with whom ISACA South Africa Chapter conducts business.

#### Categories of recipients to whom personal information may be supplied

Depending on the nature of the personal information, ISACA South Africa Chapter may supply information or records to the following categories of recipients:

- statutory oversight bodies, regulators or judicial commissions of enquiry making a request for data;
- any court, administrative or judicial forum, arbitration, statutory commission, or ombudsman making a request for data or discovery in terms of the applicable rules;
- South African Revenue Services, or another similar authority;
- anyone making a successful application for access in terms of PAIA or POPIA; and

#### Transborder flows of personal information

ISACA South Africa Chapter may need to transfer a data subject's information to service providers in countries outside South Africa, these countries may not have data-protection laws which are similar to those of South Africa. Where this is done, ISACA South Africa Chapter does so in accordance with applicable laws.

### 13. Appendices

#### Appendix A: Request Form

The application form can be obtained from:

[http://www.justice.gov.za/forms/paia/J752\\_paia\\_Form%20C.pdf](http://www.justice.gov.za/forms/paia/J752_paia_Form%20C.pdf)

#### Appendix C: POPIA Form 1

FORM 1 OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION - SECTION 11(3) REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018

See POPIA Form 1 [here](#).

## Appendix D: POPIA Form 2

REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION OR DESTROYING OR DELETION OF RECORD OF PERSONAL INFORMATION IN TERMS OF SECTION 24(1) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013) REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018

See POPIA Form 2 [here](#).

## Appendix E: Fees Payable

Request fees:

- Where a Requestor submits a request for access to information held by ISACA South Africa Chapter relating to a person other than the Requestor, a request fee in the amount of R50.00 is payable up-front. Upon receipt of payment, ISACA South Africa Chapter will further process the received request.
- If access to a record/s is granted by ISACA South Africa Chapter, the Requestor may be required to pay an access fee for the search for, the preparation and for the re-production of the record/s. The access fees which apply are set out below.
- An access fee is payable in all instances where a request for access to information is granted, except in those instances where payment of an access fee is specially excluded in terms of PAIA or an exclusion is determined by the Minister in terms of Section 54 (8). This includes the following:
  - A single person whose annual income does not exceed R14,712.00; or
  - Married persons or a person and his/her life partner whose annual income does not exceed R27,192.00
- ISACA South Africa Chapter, as a registered Private Body, will add VAT to all aforementioned fees in terms of the Value Added Tax (VAT) Act.
- A Requestor may lodge a complaint with a court of law against the payment of the request fee.
- All payments shall be made in the form of an Electronic Funds Transfer (EFT) to the ISACA South Africa Chapter bank account. Banking details to be obtained from ISACA South Africa Chapter's Information Officer.
- ISACA South Africa Chapter is entitled to withhold a record until the required access fees have been paid. The applicable access fees which will be payable are:

Access Fees for Reproduction	
Each photocopy of A4 sized part or a part thereof	R1.10
Each photocopy of A4 sized page or part thereof held on a computer or in electronic or machine-readable form	R0.75
Copy of a computer readable memory stick	R7.50
Copy of a computer readable compact disc	R70.00
Transcript copy of visual images of an A4 sized page or part thereof	R40.00
Copy of visual images	R60.00
Transcription of an audio record on an A4 sized page or part thereof	R20.00
Copy of the audio record	R30.00



Times reasonably spent to locate a record and preparation for the disclosure or part thereof	R30.00 per hour
Request Fees	
Access to a record containing personal information of the Requestor	Free
Any other access to a record as a public body made by a Requestor and another person other than the Requestor	R50.00
Postal Fees	
Postage of a record to the Requestor	R9.75
Courier of a record to the Requestor	R99.00

**Deposits:**

- Where ISACA South Africa Chapter receives a request for access to information held on a person other than the Requestor himself/herself and the Information Officer upon receipt of the request is of the opinion that the preparation of the required record/s of disclosure will take more than 6 (six) hours, a deposit is payable by the Requestor.
- The Requestor may make an application to Court to be exempted from the requirement to pay this deposit.
- If a deposit is made and access to the record/s requested is subsequently refused, the deposit will be repaid to the Requestor. The amount of the deposit is equal to a 1/3 (one third) of the amount of the applicable access fee.