



IkamvaYouth Promotion of Access to Information (PAIA) manual

**Prepared in accordance with Section 51 of
the Promotion of Access to Information Act
(PAIA), number 2 of 2000**

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1. INTRODUCTION

- 1.1. The Promotion of Access to Information Act, 2 of 2002 (PAIA) ensures that people can exercise their right to access any information held by the state or another person, where that information is required to protect any right of the person requesting the information.
- 1.2. Section 51 of PAIA requires a private Organisation to provide such information to a requester who can demonstrate that a specific record is required for the exercise or protection of any of their legal rights and they have complied with the procedural requirements.
- 1.3. IkamvaYouth is a Private Organisation as defined by PAIA.

2. IKAMVAYOUTH CONTACT DETAILS

Street/postal address	47 Westminster Road, Salt River 7925 Cape Town
Phone	+27 (021) 820 7444
Email	info@ikamvayouth.org
Website	www.ikamvayouth.org
Information officer	Hope Chidawanyika
Deputy Information Officer	Shuvai Finos

3. PURPOSE OF PAIA MANUAL

- 3.1. This manual provides information to the public to understand:
 - 3.1.1. The categories of records held by IkamvaYouth (the organisation), which are available without having to submit a formal PAIA request.
 - 3.1.2. The categories of records held by the organisation which may be availed after approval of a submitted PAIA request.
 - 3.1.3. How to request access to a record or records of the organisation.

4. IKAMVAYOUTH RECORDS AVAILABLE TO THE PUBLIC

- 4.1. IkamvaYouth holds certain records or categories of records which are freely available to the public and do not need a PAIA request. These are as follows:

RECORD TYPE	WHERE TO ACCESS
Annual reports	IkamvaYouth website
Audited Annual Financial Statements	
Evaluations of our programmes	
Matric pass rates and placement rates	

- 4.2. Additionally, all information or records published on the IkamvaYouth website and social media pages are automatically available, without having to submit PAIA requests.
- 4.3. Details of the above may be found at the website or upon request to the deputy information officer.

5. CATEGORIES OF IKAMVAYOUTH RECORDS THAT MAY BE REQUESTED IN TERMS OF PAIA

The records indicated below may be requested in terms of PAIA and availed to requesters, subject to the applicable provisions of the Protection of Personal Information Act (POPIA).

- 5.1. Records of internal governance (AGM minutes, NatCom, board, board subcommittees).
- 5.2. Records of individual beneficiaries.
- 5.3. Records of individual staff and personnel.
- 5.4. Financial records, reports, contracts and asset registers.
- 5.5. Organisational policies.
- 5.6. Any other organisational records as needed by a requester in terms of PAIA.

6. REQUESTS FOR INFORMATION

- 6.1. A person who requests access to a record of IkamvaYouth must be given access if the requester complies with the following:
- 6.1.1. All procedural requirements in PAIA relating to the request for access to that record; and
 - 6.1.2. Access to that record is not refused on any ground of refusal mentioned in the Act.
- 6.2. Records requested in terms of PAIA must be requested on the Request Form attached to this manual. See Annexure A.

- 6.2.1. Where a representative requests the record on behalf of someone else, a signed mandate must be submitted with the request.
 - 6.2.2. It must be specified in which form (inspection of copy, paper copy, electronic copy, transcript, etc.) access is required.
 - 6.2.3. Where the record requested forms part of another record, the requester will only be granted access to that part of the record that pertains to the information that was requested.
 - 6.2.4. Access to information shall only be granted where the requester can clearly demonstrate that he/she/it needs the information to exercise or protect a legal right and where a ground for refusal of access does not exist. The grounds for refusal are set out in sections 34 to 45 of PAIA.
 - 6.2.5. The Organisation is obliged under PAIA to respond to the request for access to information held by it within 30 days of receipt of the request.
 - 6.2.6. Proof of identity is required to authenticate the request and the requester. A requester will therefore be required to submit acceptable proof of identity such as a certified copy of their Identity Document or other legal form of identification.
 - 6.2.7. Information will not be furnished unless a person clearly provides sufficient particulars to enable the Organisation to identify the right the requester is seeking to protect, an explanation of why the requested information is required for the exercise or protection of that right and the record is identified with sufficient clarity to enable the Organisation to identify it.
- 6.3. A requestor may be required to pay the prescribed fees for access to the record as prescribed by the Minister from time to time and is published in the Guide.
- 6.4. The following are the fees payable for the corresponding record requests. Also see Annexure 2 of this manual.

RECORD TYPE	FEES PAYABLE
Copy per A4 page	R1.10
Printing per A4 page	75 cents

Copy on a CD	R70
Transcription of visual images per A4 page	R40
Copy of a visual image	R60
Transcription of an audio recording per A4 page	R20
Copy of an audio recording	R30
Search and preparation of the record for disclosure	R30 per hour or part thereof, excluding the first hour, reasonably required for the search and preparation
If requesting record to be posted	Actual postage fee

7. UPDATING OF THE MANUAL

7.1. The Information Officer will keep this manual current.

Issued by the Information Officer



Hope Chidawanyika

Date: 31 December 2021

REPUBLIC OF SOUTH AFRICA

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:

Telephone number: (.....) Fax 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:

[illegible]

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:

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2. Reference number, if available:

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3. Any further particulars of record:

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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 for exemption.

Reason for exemption from payment of fees:

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F. Form of access to 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 below, state your disability and indicate in which form the record is required.

Disability: Mark the appropriate box with an X . NOTES: (a) Compliance with your request for access 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 access to the record, if any, will be determined partly by the form in which access is requested.	Form in which record is required:
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1. If the record is in written or printed form:					
	copy of record*		inspection of record		
2. If record consists of visual images - (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):					
	view the images		copy of the images*		transcription of the images*
3. If 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)		
4. If record is held on computer or in an electronic or machine-readable form:					
	printed copy of record*		printed copy of information derived from the record*		copy in computer readable form* (stiffy or compact disc)

*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.	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:

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

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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..... ofyear

.....
SIGNATURE OF REQUESTER /
PERSON ON WHOSE BEHALF REQUEST IS MADE

SOUTH AFRICAN HUMAN RIGHTS COMMISSION

Tel: (011) 877 3600

Fax: 011 403 0625

Physical Address
33 Hoofd Street
Braampark Forum 3
Braamfontein
2198

Postal Address
Private Bag X 2700
Houghton
2041



NOTICE IN TERMS OF THE PROMOTION OF ACCESS TO INFORMATION 2 OF 2000
RE: FEES ASSOCIATED WITH PAIA REQUESTS ARE DETERMINED BY THE
REGULATIONS ONLY AND NOT THROUGH OTHER APPLICABLE LAWS OR POLICIES

This Notice serves to state that the South African Human Rights Commission (the Commission) hereby confirms that the costs associated with all requests made under the Promotion of Access to Information Act 2 of 2000 (PAIA) are determined by the Regulations relating to PAIA only, and not by any other laws or regulations. Therefore, any demands made by a public or private body for the payment of additional fees with respect to PAIA requests are invalid.

The Commission is an independent public body currently mandated under PAIA to monitor the implementation of the Act. In accordance with its responsibilities to ensure compliance with PAIA, the Commission issues this notice to bring clarity to all interested parties that it is *only* the Minister of Justice and Constitutional Development who has the power to make decisions regarding fees associated with PAIA requests. The Commission further confirms that Value-Added Tax (VAT) is only payable by institutions who have registered as VAT vendors.

1. The Promotion of Access to Information Act

PAIA gives effect to the constitutional right to access of information, as provided for under section 32 of the Constitution. Although responding to requests and reproducing records in an accurate and orderly manner takes time and resources, section 9 of the Act specifically calls for the establishment of mandatory mechanisms and procedures to ensure that access to records of both public and private bodies is "as swiftly, *inexpensively* and effortlessly as reasonably possible." [emphasis added].

Furthermore, section 92 of the Act grants the Minister of Justice and Constitutional Development the power to make regulations pertaining to fees associated with requests made to both public and private bodies.

2. Regulations to PAIA

In February 2002, the Minister of Justice and Constitutional Development published a schedule of fees for PAIA requests in the Gazette, which provided for the following:

Fees for Requesting Records

Requesters are required to pay a fee for requesting access to records from both public and private bodies. The fee for requesting records from a public body is R35, while the fee for requesting records from a private body is R50. It is important to note that people who are requesting access to their personal information are exempt from paying a fee. Furthermore, people who earn less than R14,712 per annum (if single) and R27,192 per annum (if married or have a life partner), are also exempt from paying the request fees.

Fees for Accessing Records

Requesters are also required to pay fees for accessing the records of public and private bodies, which include fees associated with the search for, preparation of, and reproduction of documents. The breakdown of fees for requests to both public and private bodies are as follows:

Public Bodies:

- Copy per A4 page – 60 cents
- Printing per A4 page – 40 cents
- Copy on a CD – R40
- Transcription of visual images per A4 page – R22
- Copy of a visual image – R60
- Transcription of an audio recording per A4 page – R12
- Copy of an audio recording – R17
- Search and preparation of the record for disclosure – R15 per hour or part thereof, excluding the first hour, reasonably required for the search and preparation
- Actual postage fee

Private Bodies:

- Copy per A4 page – R1.10
- Printing per A4 page – 75 cents
- Copy on a CD – R70
- Transcription of visual images per A4 page – R40
- Copy of a visual image – R60
- Transcription of an audio recording per A4 page – R20
- Copy of an audio recording – R30
- Search and preparation of the record for disclosure – R30 per hour or part thereof, excluding the first hour, reasonably required for the search and preparation
- Actual postage fee

3. Registered VAT Vendors

The Commission further confirms that Value-Added Tax (VAT) is only payable by institutions who have registered as VAT vendors, as required under section 23 of the Value-Added Tax Act of 1991.

Sincerely,

Advocate L M Mushwana

Chair of the South African Human Rights Commission

Transforming society. Securing rights. Restoring dignity.