



BOSA

BUILD ONE SA

MANUAL IN TERMS OF THE PROMOTION OF ACCESS TO INFORMATION

ACT NO. 2 OF 2000 (“PAIA”)

(hereinafter referred to as “The Act”)

1 INTRODUCTION

This document has been compiled in accordance with section 51 of the Act and is subject to updates and amendments from time to time. The most recent version of this document shall be published and distributed in accordance with the provisions of the Act.

2 PURPOSE

Build One with Mmusi Maimane (“hereinafter referred to as “BOSA”) is committed to protecting the privacy of data subjects and will adhere to strict compliance with the Act. This document sets out the privacy policy of BOSA and provides user friendly guidelines to facilitate requests for access to information records of BOSA as provided for in the Act.

3 CONTACT INFORMATION

Private Body’s name : BUILD ONE SA WITH MMUSI MAIMANE

Physical address : 106 JOHAN AVENUE,
DENNEHOF,
SANDTON,
JOHANNESBURG
2196

Postal address : 106 JOHAN AVENUE,
DENNEHOF,
SANDTON,
JOHANNESBURG
2196

Telephone : 062 366 8852

Email : bosa@bosa.org.za

Website : www.bosa.co.za

4 INFORMATION OFFICER

NOBUNTU HLAZO-WEBSTER : **INFORMATION OFFICER**

Contact number : 062 366 8852

Email : nobuntu@bosa.org.za

5 OFFICIAL GUIDE

The Information Regulator must update and make available the existing guide that has been compiled containing such information, in an easily comprehensible form and manner, as may be required by a person who wishes to exercise any right contemplated in the Act and the Protection of Personal Information Act, No 4 of 2013.

This guide is available at:

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

Website : www.justice.gov.za/inforeg

Telephone number : 010 023 5200

Email : enquiries@inforegulator.org.za / inforeg@justice.gov.za

6 APPLICABLE LEGISLATION

1. Basic Conditions of Employment Act 75 of 1997
2. Compensation for Occupational Injuries and Diseases Act 130 of 1993
3. Constitution of the Republic of South Africa 1996
4. Consumer Protection Act 68 of 2008
5. Electoral Act 73 of 1998
6. Electoral Commission Act 51 of 1996
7. Electronic Communications and Transactions Act 25 of 2002
8. Employment Equity Act 55 of 1998
9. Financial Intelligence Centre Act 38 of 2001

10. Income Tax Act 58 of 1962
11. Labour Relations Act 66 of 1995
12. Municipal Systems Act 32 of 2000
13. Municipal Structures Act 117 of 1998
14. Pension Funds Act 24 of 1956
15. Political Party Funding Act 6 of 2018
16. Prevention of Organised Crime Act 121 of 1998
17. Promotion of Access of Information Act 2 of 2000
18. Protection of Personal Information Act 4 of 2013
19. Unemployment Insurance Act 63 of 2001

7 CATEGORIES OF RECORDS HELD WHICH ARE AVAILABLE TO ACCESS

The following categories of information held by BOSA are available. These records may either be available freely to the public or will be made available upon an official request in terms of the Act and may be subject to the payment of a prescribed fee:

<p>POLITICAL PARTY INFORMATION</p> <ul style="list-style-type: none"> • Foundational documents • Internal rules • Identification information • Codes of Conduct • Compliance • Policies • Election manifesto • PAIA Manual • Records pertaining to members / volunteers / champs / activists.
<p>ACCOUNTING, FINANCE AND ADMINISTRATION RECORDS</p> <ul style="list-style-type: none"> • Bookkeeping records • Banking • Correspondence • Statements • Donations report
<p>STATUTORY EMPLOYEE RECORDS</p> <ul style="list-style-type: none"> • Contracts • Personal information

AGREEMENTS

- Shareholders
- Employment
- Lease

LEGAL

- Licenses, permits and authorizations

8 RECORDS THAT CANNOT BE FOUND OR DO NOT EXIST

8.1 Should BOSA not be able to find the records requested despite taking all reasonable steps to find the requested record, and there are reasonable grounds for believing that the record:

- i. cannot be found; or
- ii. does not exist,

8.2 the information officer shall notify the requester in writing affirming that it is not possible to give access to that record and the reasons why access cannot be given;

8.3 If the record in question is found, the requester concerned will be given access to the requested record, unless access is refused in terms of the Act.

9 OFFICIAL REQUEST FOR ACCESS TO INFORMATION NOT PUBLICLY AVAILABLE

9.1 Form of request:

9.1.1 A request for access to records held by BOSA must be made using the prescribed form and submitted at the physical address, fax number or email address of BOSA. See "ANNEXURE 1" for the prescribed form;

9.1.2 The prescribed form must be completed with sufficient particulars to enable the information officer to:

- a) identify the record(s) requested and the requestor of the record(s)
- b) indicate which form of access is required;
- c) specify a postal address or facsimile number of the requestor;

- d) identify the right the requestor is seeking to protect and why the requested record is required for the exercise or protection of that right;
- e) if in addition to a written reply, the requestor requests to be informed of the decision on the request in any other manner, to state that manner and the necessary particulars to be so informed; and
- f) if the request is made on behalf of another person, to submit proof of the capacity in which the requestor is making the request, to the reasonable satisfaction of the information officer.

9.2 Procedure:

9.2.1 Comply with the requirements detailed in paragraph 11.1 of this document;

9.2.2 Submit the completed form and the payment of the applicable fee to the information officer at one of the following:

- a) Postal address;
- b) Physical address;
- c) Facsimile number; or
- d) Electronic mail address.

9.2.3 Decision on the request and notice thereof shall be given by the information officer as soon as is reasonably possible, and within 30 days after the request has been received:

- a) Decide whether to grant access;
- b) Notify the requestor of the decision;
- c) Provide reasons as soon as is reasonably possible (if requested);
- d) The applicable fees (if any) should access be given;
- e) Form in which access will be given if granted;
- f) Notice that the requester may lodge a complaint with the information regulator or an application with the court against the payable fees (if any), or the form of access granted, and the procedure, including the period allowed, for lodging a complaint to the information regulator or the application.

9.2.4 If the request for access is refused, the notice shall:

- a) State adequate reasons for the refusal, including the provisions of the Act relied on for refusal;
- b) Exclude, from any such reasons, any reference to the content of the record; and;
- c) State the requestor may lodge a complaint with the information regulator or an application with a court against the refusal of the request, and the procedure, including the period, for lodging a complaint to the information regulator or the application.

9.2.5 If the information officer fails to give a decision on a request for access to the requester for access to the requester concerned within the prescribed period, the information officer is deemed to have refused the request.

9.3 Request and Reproduction fees

(a)	Request fee	R50.00
(b)	For every photocopy of an A4 size page or part thereof	R1.10
(c)	For every printed copy of an A4 size page or part thereof held on a computer or in electronic or machine-readable form	R0.75
(d)	For a copy in a computer-readable form on:	
i.	Transcription of visual images, for an A4 size page or part thereof	R40.00
ii.	Copy of visual images	R60.00
iii.	Transcription of an audio record, for an A4 size page or part thereof	R20.00
iv.	Copy of an audio record	R30.00

A deposit of one third of the applicable fee shall be payable by the requestor where the preparation for the request shall exceed 6 (Six) hours,

A postage fee shall become applicable where it is necessary to post requested records to the requestor.

10 REFUSAL OF ACCESS

The information officer must refuse a request for access to a record of the body if its disclosure would involve:

- a) The unreasonable disclosure of personal information about a third party, including a deceased individual;
- b) Records containing commercial information of a third party;
- c) Constitute an action for breach of a duty of confidence owed to a third party in terms of an agreement;
- d) Reasonable expectation of the endangerment of lives or personal safety of an individual;
- e) Records containing information that is subject to legal privilege, unless the person entitled thereto has waived the privilege;
- f) Records containing the commercial information of BOSA;
- g) Records containing information about research being or to be carried out by or on behalf of a third party which would lead to exposure in terms of section 69 of the Act.

11 AVAILABILITY OF THE PAIA MANUAL

This document is made available:

- a) At BOSA's office during office hours;
- b) On BOSA's website.

“ANNEXURE 1”

[FORM]

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]

A. Particulars of private body

NOBUNTU HLAZO-WEBSTER : INFORMATION OFFICER

Physical address : 106 JOHAN AVENUE,
DENNEHOF,
SANDTON,
JOHANNESBURG
2196

Contact number : 062 366 8852

Email : nobuntu@bosa.org.za

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.

Natural Person:

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:

.....

OR

Legal Entity

Name:

.....

Registration Number:

.....

Postal Address:

.....

Fax Number:

.....

Telephone Number:

.....

Email Address:

.....

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:

.....

Identity number:

.....

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:

.....
.....
.....
.....
.....

2. Reference number, if available:

.....
.....
.....

3. Any further particulars of record:

.....
.....
.....

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:

.....
.....
.....
.....
.....

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:
Form in which record is required:.....
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.

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?			YES	NO

Postage is payable.		
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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:

.....
.....
.....
.....

2. Explain why the record requested is required for the exercise or protection of the 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..... on this.....day of..... of the
year.....

.....

SIGNATURE OF REQUESTER /
PERSON ON WHOSE BEHALF REQUEST IS MADE