



<http://www.elasa.co.za>

## PAIA MANUAL

PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000

MANUAL FOR THE ENVIRONMENTAL LAW ASSOCIATION (a private body)

IN TERMS OF SECTION 51

### 1. Introduction

The Environmental Law Association (ELA) is a public benefit organisation registered in terms of South African law. It furthers the development and teaching of environmental law and practice. This manual has been compiled in accordance with the requirements of the Promotion of Access to Information Act, Act No. 2 of 2000 (PAIA). The secretary of the ELA is the Information Officer.

2. **Address** : ELA Secretariat, Faculty of Law (NWU), P Bag X6001 Potchefstroom 2520

**Email** : [enviro.association.sa@gmail.com](mailto:enviro.association.sa@gmail.com)

**Website** : [www.elasa.co.za](http://www.elasa.co.za)

The elected ELA Secretary is registered as the Information Officer and is committed to protecting your privacy and ensuring that your personal information is collected and used properly, lawfully, and transparently.

**Information Officer** : Prof Willemien du Plessis ([Willemien.DuPlessis@nwu.ac.za](mailto:Willemien.DuPlessis@nwu.ac.za))

**Deputy Information Officer** : Saritha Marais ([enviro.association.sa@gmail.com](mailto:enviro.association.sa@gmail.com))

**Deputy Information Officer** : Alison Petersen ([ptrall003@gmail.com](mailto:ptrall003@gmail.com))

### 3. Section 10 Guide

The Human Rights Commission (“the Commission”) has, in terms of section 10 of the PAIA, published a Guide (“the Guide”) to assist persons wishing to exercise any rights in terms of the PAIA.

The Guide may be obtained from the Commission. Any person wishing to obtain the Guide may either access it through the Commission's website at [www.sahrc.org.za](http://www.sahrc.org.za) or at the offices of the SA Human Rights Commission, 29 Princess of Wales Terrace, cnr York and St Andrews Street, Parktown, Johannesburg

**4. Section 52(2) notice**

Records that are automatically available: documents on the ELA website.

**5. Description of the records of the body which are available in accordance with any other legislation:**

Protection of Personal Information Act 4 of 2013 (POPI)

**6. Details on POPI information:**

- (i) the purpose of the processing: to register and contact members, to compile and maintain a membership list, to send messages and information via email, our website and social media.
- (ii) a description of the categories of data subjects and of the information or categories of information relating thereto: members; student members, website and social media users.
- (iii) the recipients or categories of recipients to whom the personal information may be supplied: service providers.
- (iv) planned transborder flows of personal information: website use; email use; could storage.
- (v) a general description allowing a preliminary assessment of the suitability of the information security measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information which is to be processed:
  - Physical security;
  - Computer and network security;
  - Access to personal information;
  - Secure communications;
  - Security in contracting out activities or functions, including secure cloud storage outside the RSA on Dropbox;
  - Retention and disposal of information;
  - Acceptable usage of personal information;
  - Governance and regulatory issues;

- Monitoring access and usage of private information;
- Investigating and reacting to security incidents.

**7. Details on how to make a request**

A requester must complete Form C (below) and submit this form together with a request fee to the head of the private body at the address, fax or email address above.

**8. Fees**

The fee payable is as set out in Item 1 of Part III of Annexure A to G.N. No R. 187 dated 15 February 2002 (further below).

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## FORM C

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**

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:

Fax number:

Telephone 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 <i>ONLY</i> if a request <i>for information</i> is made on behalf of <i>another</i> person.
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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 <i>than</i> a record containing personal information about yourself, will be processed only after a request fee has been paid.           |
| (b) | You will be <i>notified of</i> the amount required to be paid as the request fee.  |
| (c) | The fee payable for access to a record depends <i>on</i> the form <i>in which</i> access is required and the reasonable time <i>required</i> to search for and prepare a record. |
| (d) | If you qualify for exemption <i>of</i> the payment <i>of</i> 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 hereunder, state your disability and indicate in which form the record is required.
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Disability:	Form in which record is required
Form in which record is required:	
Mark the appropriate box with an X.	
<p>NOTES:</p> <p>(a) Compliance with your request in the specified form may depend on the form in which the record is available.</p> <p>(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.</p> <p>(c) The fee payable for access for the record, if any, will be determined partly by the form in which access is requested.</p>	

**1. If the record is in written or printed form:**

<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record
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**2. If record consists of visual images**  
this includes photographs, slides, video recordings, computer-generated images, sketches, etc)

<input type="checkbox"/>	view the images	<input type="checkbox"/>	copy of the images"	<input type="checkbox"/>	transcription of the images*
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**3. If record consists of recorded words or information which can be reproduced in sound:**

<input type="checkbox"/>	listen to the soundtrack audio cassette	<input type="checkbox"/>	transcription of soundtrack* written or printed document
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**4. If record is held on computer or in an electronic or machine-readable form:**

<input type="checkbox"/>	printed copy of record*	<input type="checkbox"/>	printed copy of information derived from the record"	<input type="checkbox"/>	copy in computer readable form* (stiffy or compact disc)
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'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:
2. Explain why the record requested is required for the exercise or protection of the aforementioned right:

**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 of .....20

SIGNATURE OF REQUESTER / PERSON ON  
WHOSE BEHALF REQUEST IS MADE

**PART III  
FEES IN RESPECT OF PRIVATE BODIES**

1. The fee for a copy of the manual as contemplated in regulation 9 (2) (c) is R1,10 for every photocopy of an A4-size page or part thereof.

2. The fees for reproduction referred to in regulation 11 (1) are as follows:

	R
(a) For every photocopy of an A4-size page or part thereof	1,10
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,75
(c) For a copy in a computer-readable form on—	
stiffy disc	(i) 7,50
compact disc	(ii) 70,00
(d) For a transcription of visual images, for an A4-size page or part thereof	(i) 40,00
For a copy of visual images	(ii) 60,00
(e) For a transcription of an audio record, for an A4-size page or part thereof	(i) 20,00
For a copy of an audio record	(ii) 30,00

3. The request fee payable by a requester, other than a personal requester, referred to in regulation 11 (2) is R50,00.

4. The access fees payable by a requester referred to in regulation 11 (3) are as follows:

	R
(1) (a) For every photocopy of an A4-size page or part thereof	1,10
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,75
(c) For a copy in a computer-readable form on—	
stiffy disc	(i) 7,50
compact disc	(ii) 70,00
(d) For a transcription of visual images, for an A4-size page or part thereof	(i) 40,00
For a copy of visual images	(ii) 60,00
(e) For a transcription of an audio record, for an A4-size page or part thereof	(i) 20,00

- (ii) 30,00
  - For a copy of an audio record
- (f) To search for and prepare the record for disclosure, R30,00 for each hour or part of an hour reasonably required for such search and preparation.
- (2) For purposes of section 54 (2) of the Act, the following applies:
  - (a) Six hours as the hours to be exceeded before a deposit is payable; and
  - (b) one third of the access fee is payable as a deposit by the requester.
- (3) The actual postage is payable when a copy of a record must be posted to a requester.