

MANUAL ON ACCESS TO INFORMATION HELD BY AFRIFORUM

COMPILED IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION
ACT 2 OF 2000 (AS AMENDED)

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Section 51 Manual for AfriForum

1. INTRODUCTION

This manual is compiled in terms of the Promotion of Access to Information Act 2 of 2000 (“the Act”; abbreviated as PAIA). The Act gives effect to the constitutional right of access to information contained in section 32 of the Constitution of the Republic of South Africa, 1996.

In terms of the Act, private bodies are required to compile a manual as a guide to requesters of information. This manual further serves to indicate the type of records held by AfriForum and the availability of such records from AfriForum as a private body.

2. INFORMATION REQUIRED UNDER SECTION 51(1)(a) OF THE ACT

Business name: **AfriForum**

Business registration number: **2005/042861/08**

Postal address: **P O Box 17216, Lyttleton, 0140**

Street address: **58 Union Road, Kloofsig, Centurion, 0140**

Tel. no Head Office: **086 10 200 30**

Initials and surname of the Information Officer: **Frik Dreyer**

E-mail address: **navrae@afirforum.co.za**

Website: **<https://afirforum.co.za/>**

Requests for information and access to records not readily available may be made by contacting the Information Officer.

3. DESCRIPTION OF THE ACTIVITIES OF AFRIFORUM

AfriForum is a nongovernmental organisation – registered as a nonprofit company – with the aim of protecting the rights of minorities. While the organisation functions on the internationally recognised principle of the protection of minorities, AfriForum specifically focuses on the rights of Afrikaners as a community living on the southern tip of the continent. Membership is not exclusive to this group, however, and any person may join

who can associate themselves with the contents of the Civil Rights Manifest of the organisation.

Since AfriForum is a nonprofit organisation that places great emphasis on its independence, the organisation receives no financing from the South African government. Income is derived from members' contributions; members are requested to contribute a monthly members' fee to an amount of their own choice.

4. MANAGEMENT STRUCTURE

AfriForum is managed by a dynamic team:

- Chief Executive Officer – Kallie Kriel
- Head: Cooperative Compliance – Nic Arnold
- Head: Organisation Building – William Waugh
- Head: Cultural Affairs:– Alana Bailey
- Head: Policy and Actions – Ernst Roets
- Head: Intercultural Liaison – Barend Uys
- Head: Operational Matters – Frik Dreyer

5. DESCRIPTION OF GUIDE REFERRED TO IN SECTION 10: SECTION 51(1)(b)

A guide has been compiled by the Human Rights Commission in terms of section 10 of PAIA. It contains information required by a person wishing to exercise any right contemplated by PAIA. It is available in all of the official languages on request.

The guide is available for inspection at the offices of the Human Rights Commission.

The South African Human Rights Commission

The Research and Document Department

PAIA Unit

Private Bag 2700

Houghton 2041

Telephone: +27 11 877 3600

Fax: +27 11 403 0625

Website: www.sahrc.org.za

E-mail: PAIA@sahrc.org.za

6. THE LATEST NOTICE IN TERMS OF SECTION 52(2) (IF ANY):

At this stage, no notice(s) has/have been published on the categories of records that are automatically available without a person having to request access in terms of PAIA.

7. RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION: SECTION 51(1)(d)

Records to be made available in terms of other legislation are set out in the following statutes:

- Labour Relations Act 66 of 1995
- Employment Equity Act 55 of 1998
- Basic Conditions of Employment Act 75 of 1997
- Compensation for Occupational Injuries and Disease Act 130 of 1993
- Companies Act 61 of 1973
- Unemployment Insurance Act 63 of 2001
- Value Added Tax Act 89 of 1991
- Income Tax Act 58 of 1962
- Skills Development Act 97 of 1998

8. SUBJECTS AND CATEGORIES OF RECORDS HELD BY AFRIFORUM:

SECTION 51(1)(e)

Records held by AfriForum are generated through the administration of its core functions and processes. These records include strategic records and those of various support functions within AfriForum.

The functions and categories of records held by AfriForum are listed and classified below according to the respective AfriForum divisions.

COMPANY STRATEGIC RECORDS

- 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
- Accounting records
- Banking records

- Bank statements
- Electronic banking records
- Asset register
- Rental agreements

INCOME TAX RECORDS

- PAYE Records
- Documents issued to employees for income tax purposes:
 - Records of payments made to SARS on behalf of employees
 - Records of all other statutory compliances:
 - Skills Development Levies
 - Contributions to the Unemployment Insurance Fund (UIF)
 - Workmen's Compensation

PERSONNEL DOCUMENTS AND RECORDS

- Employment contracts containing all Personal Information of employees
- Disciplinary records
- Salary records
- Disciplinary code
- Leave records

MEMBERS' PERSONAL INFORMATION - ELECTRONIC RECORDS

- Title
- Full names
- Surname
- Call name
- ID number
- Cell phone number
- Work number
- Home number
- Alternative number
- E-mail address
- Marriage status
- Gender
- Date of birth
- Home language
- Membership number
- Membership type

- Residential address
- Postal address
- Bank details
- Monthly/Yearly contribution amounts
- Active branch name
- Neighbourhood watch member status
- Citizenship
- Disability

COMPANY INFORMATION – MEMBERS

- Documents of incorporation
- Contact person name
- Contact person surname
- Residential address
- Postal address
- E-mail address of company contact person
- Cell phone number
- Landline number
- Fax number
- Bank details
- Home language
- Membership type
- Membership number
- Monthly/Yearly contribution amount
- Active branch

INFORMATION READILY AVAILABLE

- Financial service providers
- Insurance service providers
- Retirement fund providers
- Medical aid providers
- Code of conduct
- List of company directors and leadership
- Media statements
- Blogs

9. *DETAILS ON HOW TO MAKE A REQUEST FOR ACCESS – SECTION 51(e)*

Requests for access to records of AfriForum may be made to the relevant person listed in paragraph 2 above:

The requester must apply in writing and pay the required fees as per section 54 of the Act to the Information Officer of the private body. On receiving the request, the Information Officer of the private body will determine as per section 54 of the Act, the cost for the preparation of the record for disclosure (including any arrangements contemplated in section 29(2)(a) and (b)(i) and (ii)(aa)). If, in the opinion of the Information Officer of the private body concerned, it would require more than the hours prescribed for this purpose for requesters, the Information Officer must by written notice require the requester, other than a personal requester, to pay as a deposit the prescribed portion (being not more than one third) of the access fee which would be payable if the request were granted.

The request must be submitted to the head of the private body at his or her electronic mail address in the following manner:

- The request must:—
 - provide sufficient particulars to enable the Information Officer of the private body to identify the record(s) requested and to identify the requester.
 - indicate which form of access is required, and specify a postal address or an e-mail address of the requester in the Republic of South Africa.
 - identify the right that the requester is seeking to exercise or protect, and explain why the requested record is required for the exercise or protection of that right.
- If in addition to a written reply, the requester wishes to be informed of the decision on the request in any other manner, that manner should be stated as well as the necessary particulars needed for the requester to be informed in the other manner.
- If the request is made on behalf of another person, proof should be submitted of the capacity in which the requester is making the request, to the reasonable satisfaction of the head of AfriForum.

10. PAYMENT OF FEES

A request fee is payable for PAIA requests, and proof of payment of this fee must be sent to the Information Officer together with the request. Once AfriForum has decided to grant the requested access to information, access fees may be imposed by AfriForum to the requester subject to the following conditions:

- The request fee is aligned to the Regulations published in terms of PAIA for private bodies.
- Bank deposit is the only accepted payment method for PAIA requests, using the following AfriForum banking details:

First National Bank
Account No.: 62349898398
Branch Name: CENTURION
Branch Code: 261550
Ref: PAIA request – NAME OF REQUESTER

- A request is only deemed to have been received once a written request and proof of payment of the prescribed request fee have been received by the Information Officer.
- Upon receipt of the PAIA request, AfriForum shall endeavour to consider and provide a response to each request within the prescribed thirty (30) days. When necessary, AfriForum may extend the period of thirty (30) days for a further period of thirty (30) days in order to finalise the request.

11. CONSIDERING THE REQUEST

Requests for records for the purpose of criminal or civil proceedings are dealt with in terms of Chapter 2, Section 7 of the Act. Section 7(1) provides as follows:

“[T]he Act does not apply to a record of a private body if

- that record is requested for the purpose of criminal or civil proceedings;
- so requested after the commencement of such criminal or civil proceedings, as the case may be;
- the production of or access to that record for the purpose referred to in the first bullet above is provided in law.”
- If section 7(1) applies to a request, then the requester must use the rules and procedures for the discovery of information related to the legal proceedings.
- AfriForum may refuse access where requests are frivolous and/or vexatious.

12. DECISION OF AFRIFORUM

As prescribed in section 25 of the Act, the Information Officer shall decide whether to grant the requested access to information and inform the requester accordingly. The requester shall be notified of the decision in the most expedient manner possible.

If the request for access to information is refused by the Information Officer, the requester shall be provided with written reasons for such refusal.

13. RIGHT TO CHALLENGE DECISION

- If a requester does not agree with the decision, the requester may apply, within 180 days of being advised of the Information Officer's decision, to the High Court having jurisdiction, for an appropriate order.
- A requester may also seek relief from any court with appropriate jurisdiction in respect of the following decisions of the Information Officer:
 - the fees required to be paid; and/or
 - the extension of the period within which the information will be provided.

14. AVAILABILITY OF THE MANUAL

This manual has been drafted to show AfriForum's commitment to leading by example in compliance with the Constitution, laws and regulations of the Republic of South Africa. The availability of this manual is not only in compliance with the requirements of PAIA, but also is an effort to truly run a transparent institution that is compliant and promotes the constitutional right of access to information.

15. UPDATING OF THE MANUAL

This manual will be updated periodically but not less frequent than once a year.