



The Centre for Development and Enterprise

PAIA MANUAL

**Prepared in terms of section 51 of the
Promotion of Access to Information Act
2 of 2000 (as amended)**

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1. LIST OF ACRONYMS AND ABBREVIATIONS

NB: please insert relevant applicable acronyms and abbreviations

- | | | |
|-----|--------------------|--|
| 1.1 | “ED” | Executive Director |
| 1.2 | “DIO” | Deputy Information Officer |
| 1.3 | “IO” | Information Officer |
| 1.4 | “Minister” | Minister of Justice and Correctional Services; |
| 1.5 | “PAIA” | Promotion of Access to Information Act No. 2 of 2000 (as Amended); |
| 1.6 | “POPIA” | Protection of Personal Information Act No.4 of 2013; |
| 1.7 | “Regulator” | Information Regulator; and |
| 1.8 | “Republic” | Republic of South Africa |

2. PURPOSE OF PAIA MANUAL

This PAIA Manual is useful for the public to-

- 2.1 check the categories of records held by a body which are available without a person having to submit a formal PAIA request;
- 2.2 have a sufficient understanding of how to make a request for access to a record of the body, by providing a description of the subjects on which the body holds records and the categories of records held on each subject;
- 2.3 know the description of the records of the body which are available in accordance with any other legislation;

- 2.4 access all the relevant contact details of the Information Officer who will assist the public with the records they intend to access;
- 2.5 know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- 2.6 know if the body will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.7 know the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.8 know the recipients or categories of recipients to whom the personal information may be supplied;
- 2.9 know if the body has planned to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied; and
- 2.10 know whether the body has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

3. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF THE CENTRE FOR DEVELOPMENT AND ENTERPRISE

3.1. Chief Information Officer

Name: Tanja Makanec
Tel: 011 482 5140
Email: finance@cde.org.za

3.2. Deputy Information Officer

Name: Brenda Lunda

Tel: 011 482 5140
Email: info@cde.org.za

3.3 Access to information general contacts

Email: info@cde.org.za

3.4 National or Head Office

Postal Address: P O Box 72445, Parkview, 2122
Physical Address: 5 Eton Road, Parktown, Gauteng
Telephone: 011 482 5140
Email: info@cde.org.za
Website: www.cde.org.za

4. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

4.1. The Regulator has, in terms of section 10(1) of PAIA, as amended, updated and made available the revised Guide on how to use PAIA ("Guide"), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.

4.2. The Guide is available in each of the official languages and in braille.

4.3. The aforesaid Guide contains the description of-

4.3.1. the objects of PAIA and POPIA;

4.3.2. the postal and street address, phone and fax number and, if available, electronic mail address of-

4.3.2.1. the Information Officer of every public body, and

- 4.3.2.2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA²;
- 4.3.3. the manner and form of a request for-
 - 4.3.3.1. access to a record of a public body contemplated in section 11³; and
 - 4.3.3.2. access to a record of a private body contemplated in section 50⁴;
- 4.3.4. the assistance available from the IO of a public body in terms of PAIA and POPIA;
- 4.3.5. the assistance available from the Regulator in terms of PAIA and POPIA;
- 4.3.6. all remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging-
 - 4.3.6.1. an internal appeal;
 - 4.3.6.2. a complaint to the Regulator; and
 - 4.3.6.3. an application with a court against a decision by the information officer of a public body, a decision on internal appeal or a

¹ Section 17(1) of PAIA- *For the purposes of PAIA, each public body must, subject to legislation governing the employment of personnel of the public body concerned, designate such number of persons as deputy information officers as are necessary to render the public body as accessible as reasonably possible for requesters of its records.*

² Section 56(a) of POPIA- *Each public and private body must make provision, in the manner prescribed in section 17 of the Promotion of Access to Information Act, with the necessary changes, for the designation of such a number of persons, if any, as deputy information officers as is necessary to perform the duties and responsibilities as set out in section 55(1) of POPIA.*

³ Section 11(1) of PAIA- *A requester must be given access to a record of a public body if that requester complies with all the procedural requirements in PAIA relating to a request for access to that record; and access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*

⁴ Section 50(1) of PAIA- *A requester must be given access to any record of a private body if-*

- a) *that record is required for the exercise or protection of any rights;*
- b) *that person complies with the procedural requirements in PAIA relating to a request for access to that record; and*
- c) *access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*

decision by the Regulator or a decision of the head of a private body;

- 4.3.7. the provisions of sections 14⁵ and 51⁶ requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
- 4.3.8. the provisions of sections 15⁷ and 52⁸ providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
- 4.3.9. the notices issued in terms of sections 22⁹ and 54¹⁰ regarding fees to be paid in relation to requests for access; and
- 4.3.10. the regulations made in terms of section 92¹¹.

4.4. Members of the public can inspect or make copies of the Guide from the offices of the public and private bodies, including the office of the Regulator, during normal working hours.

4.5. The Guide can also be obtained-

⁵ Section 14(1) of PAIA- The information officer of a public body must, in at least three official languages, make available a manual containing information listed in paragraph 4 above.

⁶ Section 51(1) of PAIA- The head of a private body must make available a manual containing the description of the information listed in paragraph 4 above.

⁷ Section 15(1) of PAIA- The information officer of a public body, must make available in the prescribed manner a description of the categories of records of the public body that are automatically available without a person having to request access

⁸ Section 52(1) of PAIA- The head of a private body may, on a voluntary basis, make available in the prescribed manner a description of the categories of records of the private body that are automatically available without a person having to request access

⁹ Section 22(1) of PAIA- The information officer of a public body to whom a request for access is made, must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

¹⁰ Section 54(1) of PAIA- The head of a private body to whom a request for access is made must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

¹¹ Section 92(1) of PAIA provides that –“The Minister may, by notice in the Gazette, make regulations regarding-
(a) any matter which is required or permitted by this Act to be prescribed;
(b) any matter relating to the fees contemplated in sections 22 and 54;
(c) any notice required by this Act;
(d) uniform criteria to be applied by the information officer of a public body when deciding which categories of records are to be made available in terms of section 15; and
(e) any administrative or procedural matter necessary to give effect to the provisions of this Act.”

4.5.1. upon request to the Information Officer;

4.5.2. from the website of the Regulator (<https://www.justice.gov.za/inforeg/>).

4.6 A copy of the Guide is also available in the following two official languages, for public inspection during normal office hours-

4.6.1 English and Isizulu.

5. CATEGORIES OF RECORDS OF THE CENTRE FOR DEVELOPMENT AND ENTERPRISE WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

5.1. At this stage no notices have been published by the Regulator on the categories of records automatically available without a person having to request access thereto in terms of PAIA.

5.2. The records that are located on the Centre for Development and Enterprise website, however, are automatically available and are freely accessible to any person requesting this information. It is therefore not necessary to apply for access thereto in terms of PAIA. The Centre for Development and Enterprise website address is <https://cde.org.za>.

6. DESCRIPTION OF THE RECORDS OF THE CENTRE FOR DEVELOPMENT AND ENTERPRISE WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION

Category of Records	Applicable Legislation
Certificate of Incorporation	Companies Act 71 of 2008
PAIA Manual	Promotion of Access to Information Act 2 of 2000

7. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY THE CENTRE FOR DEVELOPMENT AND ENTERPRISE

Subjects on which the body holds records	Categories of records
Company records	Records relating to the appointment of auditors and directors Minutes of meetings of the Board of Directors Resolutions passed by the Board of Directors, and Annual Returns
Financial records	Accounting Records Annual Financial Reports Annual Financial Statements Asset Registers Bank Statements Banking details and bank accounts Banking Records Debtors / Creditors statements and invoices General ledgers and subsidiary ledgers General reconciliation Invoices Rental Agreements, and Tax Returns
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, PAYE, UIF and Workmen's Compensation
Personnel documents and records	Disciplinary Code and Records Employee benefits arrangements rules and records Employment Contracts Forms and Applications Grievance Procedures Leave Records Medical Aid Records Payroll reports/ Wage register Safety, Health, and Environmental records Salary Records Standard letters and notices

Subjects on which the body holds records	Categories of records
	Training Records
Subscriptions database	Attendance of events Subscription preferences

8. PROCESSING OF PERSONAL INFORMATION

8.1 Purpose of Processing Personal Information

- 8.1.1 To support security functions and activities,
- 8.1.2 To support resident/ member administration functions,
- 8.1.3 To support management of staff,
- 8.1.4 To support engagement with service providers and suppliers
- 8.1.5 To communicate with subscribers of events and publications

8.2 Description of the categories of Data Subjects and of the information or categories of information relating thereto

Categories of Data Subjects	Personal Information that may be processed
Clients	name, address, registration numbers or identity numbers, employment status and bank details
Service Providers	names, registration number, vat numbers, address and bank details
Employees	address, qualifications, gender and race
CDE subscribers	names, designation, contact number, email address, company affiliations

8.3 The recipients or categories of recipients to whom the personal information may be supplied

Category of personal information	Recipients or Categories of Recipients to whom the personal information may be supplied
Identity number and names, for criminal checks	South African Police Services
Qualifications, for qualification verifications	South African Qualifications Authority
Credit and payment history, for credit information	Credit Bureaus

8.4 Planned transborder flows of personal information

The Centre for Development and Enterprise may transfer your personal information to recipients outside of the Republic of South Africa. We will ensure compliance with POPIA in relation to any cross-border transfers of personal information. For example, we will ensure that the third party who is the recipient of the information is subject to a law or binding agreement which provides for an adequate level of protection similar to POPIA.

8.5 General description of Information Security Measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information

The Centre for Development and Enterprise takes reasonable, appropriate and adequate technical and organisational measures to ensure that your personal information is kept secure and is protected against unauthorised or unlawful processing, accidental loss, destruction, damage, alteration, disclosure or unauthorised access. We contractually mandate any third parties to which your personal information is transferred to do the same.

The Centre for Development and Enterprise regularly reviews our security controls and related processes to ensure that your personal information is secure. However, where there are reasonable grounds to believe that your personal information has been accessed or acquired by any unauthorised person, we will notify the Regulator

and you, unless the Regulator or a public body responsible for detection, prevention or investigation of offences, informs us that notifying you will impede a criminal investigation.

9. AVAILABILITY OF THE MANUAL

9.1 A copy of the Manual is available-

9.1.1 on www.cde.org.za ;

9.1.2 head office of the Centre for Development and Enterprise for public inspection during normal business hours;

9.1.3 to any person upon request and upon the payment of a reasonable prescribed fee; and

9.1.4 to the Information Regulator upon request.

9.2 A fee for a copy of the Manual, as contemplated in annexure B of the Regulations, shall be payable per each A4-size photocopy made.

10. UPDATING OF THE MANUAL

The head of the Centre for Development and Enterprise will on a regular basis update this manual.