

PAIA MANUAL

*In compliance with the Promotion of Access to Information Act 2 of 2000 (“PAIA”) as amended by
the Protection of Personal Information Act 4 of 2013 (“POPI”)*

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1. INTRODUCTION

This is the PAIA Manual of the Freedom Front Plus (“the FF Plus”).

The FF Plus is a political party registered with the Electoral Commission of South Africa in terms of the Electoral Commission Act, 1996 (Act No. 51 of 1996).

2. CONTACT DETAILS OF THE FREEDOM FRONT PLUS

Private Body’s Name:	Freedom Front Plus
Postal Address:	PO Box 67391 Highveld 0169
Street Address:	Block 8 11 Charles de Gaulle Crescent, Highveld, Centurion
Telephone Number:	012 665 0564
Email:	<u>informationofficer@vfplus.org.za</u>
Website:	<u>www.vfplus.org.za</u>

INFORMATION OFFICER:

Information Officer:	Mr Pieter de Necker
Email:	<u>informationofficer@vfplus.org.za</u>
Tel:	012 665 0564

3. INFORMATION REGULATOR (EXTERNAL)

- 3.1 The ACT grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.
- 3.2 Requests in terms of the ACT shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in paragraphs 6 and 7 of the Act.
- 3.3 Requesters are referred to the Guide in terms of Section 10 which has been compiled by the South African Human Rights Commission, which will contain information for the purposes of exercising Constitutional Rights. The Guide is available from the SAHRC.

The contact details of the Commission are:

Postal Address: **PO Box 31533
Braamfontein
2017**

Physical Address: **27 Siemens Street
Braamfontein
2017**

Tel Number: **010 023 5200**

Fax Number: **011 403 0625**

Website: <https://www.justice.gov.za/inforeg>

Email Address: inforeg@justice.gov.za

4. APPLICABLE LEGISLATION

In compliance with section 51(1)(c) of PAIA, a list of legislation applicable to the Freedom Front Plus is:

Constitution of South Africa, 1996
The Electoral Act 73 of 1998
The Electoral Commission Act 51 of 1996
Political Party Funding Act Act 6 of 2018
The Municipal Systems Act 32 of 2000
The Municipal Structures Act 117 of 1998
Basic Conditions of Employment Act 75 of 1997
Labour Relations Act 66 of 1995
Compensation for Occupational Injuries and Diseases Act 130 of 1993
Consumer Protection Act 68 of 2008
Electronic Communications and Transactions Act 25 of 2002
Employment Equity Act 55 of 1998
Financial Intelligence Centre Act 38 of 2001
Income Tax Act 95 of 1967
Pension Funds Act 24 of 1956
Prevention of Organised Crime Act 121 of 1998
Promotion of Access of Information Act 2 of 2000
Protection of Personal Information Act 4 of 2013
Unemployment Insurance Act 30 of 1996

5. SCHEDULE OF RECORDS

The inclusion of any subject or category of records should not be taken as an indication that records falling within those subjects and/or categories will be made available under PAIA. In particular, certain grounds of refusal as set out in PAIA may be applicable to a request for such records.

In compliance with section 51(1)(d) of PAIA, herewith a list of records kept by the Freedom Front Plus. These records may either be available freely to the public or will be made available the Requester, subject to a successful request in terms of the relevant PAIA provisions.

- Statutory association information.
- Financial and tax records.
- Banking details.
- Human resources / Employment records.
- Intellectual property.
- Permits and licenses.
- Insurance records.
- Immovable and movable property.
- Information technology.
- Specific agreements relating our business activities.
- Policy documents.
- Miscellaneous agreements.
- Internal and external correspondence.
- Information relating to legal proceedings.
- Records pertaining to members / voters / volunteers / activists / supporters.

6. REQUESTING ACCESS TO INFORMATION NOT PUBLICLY AVAILABLE

- 6.1 Use the prescribed form, available on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at www.sahrc.org.za.
- 6.2 The application form must be to the Information officer, at the particulars indicated above.
- 6.3 The prescribed form must be completed with enough detail to at least enable the Information Officer to identify the record, the identity of the requester, which form of access is required and the postal address or fax of the requester.
- 6.4 The requester must identify the right that needs to be exercised or protected and specify why the record is necessary to exercise or protect such a right.
- 6.5 The Information Officer will process the request within 30 days, unless the requestor has stated special reasons which would satisfy the Information Officer that circumstances dictate that the above time periods not be complied with.

- 6.6 The requester will be informed in writing whether access is granted or denied. If, in addition, the requester requires the reasons for the decision in any other manner, he or she must state the manner and the particulars so required.
- 6.7 If a request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of the Information Officer.
- 6.8 If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally.
- 6.9 The application form is attached hereto, as well as available on request.
- 6.10 The completed form must be accompanied by proof of payment of the prescribed application fee, as described below.
- 6.11 Upon receipt of the application form and proof of payment, as aforesaid, the Information Officer will consider the request.
- 6.12 If the request is approved, the Information Officer will provide the applicant with a summary of fees payable in respect of the application. Upon receipt of payment the requested information will be supplied.
- 6.13 In the event of the application being denied, the Information Officer will inform the applicant and provide reasons for the decision.

7. GROUNDS FOR REFUSAL OF ACCESS TO CERTAIN RECORDS

- 8.1. In terms of Part 3, Chapter 4 of PAIA there are a number of grounds that warrant the refusal to release certain records. Such instances include mandatory protection of –
 - 8.1.1 records that cannot be found or that do not exist;
 - 8.1.2 privacy of a third party who is natural person;
 - 8.1.3 commercial information of a third party;
 - 8.1.4 certain confidential information of a third party;
 - 8.1.5 information relating to the safety of individuals, and protection of property;
 - 8.1.6 records privileged from production in legal proceedings;
 - 8.1.7 commercial information of a private body; and
 - 8.1.8 research information of third parties, and protection of research information of private bodies.
 - 8.1.9 Requests for records which are clearly frivolous, vexatious or involve an unreasonable diversion of resources may also be refused.

8. DECISION TO GRANT OR DENY ACCESS

- 8.1 Our Information Officer will deliberate and decide on the request of the Requester within 30 (THIRTY) days of receipt of the request for access.
- 8.2 In cases where the request for access is for a large number of records or the request requires a search at more than one of our offices the period may be extended for a further period of up to 30 (THIRTY) days.
- 8.3 The company will make use of the information provided in Annexure C hereto to inform the relevant Requester of such an extension in writing.

9. REMEDIES FOR REFUSAL OF ACCESS TO INFORMATION REQUEST

9.1 INTERNAL APPEAL:

The decision of the Information Officer is final in terms of our internal procedures for access to information. The external remedies set out below remain available to the Requester, however there is no internal appeal procedure.

9.2 EXTERNAL APPEAL:

The Requester may in terms of sections 56(3)(c) and 78 of PAIA apply to a court within 180 days of notification of the decision for appropriate relief.

10. FEES

10.1 REQUEST FEE

The fees applicable to an application for information shall be as per the prescribed fees. A schedule of these fees is attached hereto. The schedule attached is subject to change in accordance with changes to the prescribed fees. An application fee of R50.00 is payable in respect of each application for information. Proof of payment of the said fee must accompany the completed application form. No fees are payable by persons who request information pertaining to their own affairs.

10.2 REQUEST FEE

Records successfully requested will only be released to the Requester once all fees have been paid in full.

10.3 FEE STRUCTURE

The fee structure is available on the website of the South African Human Rights Commission at: www.sahrc.org.za.

11. THE MANUAL

This manual is available on request as well as at the principal place of business of the Freedom Front Plus for public inspection during normal business hours. This manual is available to any person and upon payment of a reasonable amount. This manual is available to the Information Regulator upon request.