

# PAIA MANUAL

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*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 ACCRONYMS AND ABBREVIATIONS**

- “VF Plus” Vryheidsfront Plus
- “FF Plus” Freedom Front Plus
- “CEO” Chief Executive Officer
- “DIO” Deputy Information Officer;
- “IO” Information Officer;
- “Minister” Minister of Justice and Correctional Services;
- “PAIA” Promotion of Access to Information Act No. 2 of 2000 (as amended);
- “POPIA” Protection of Personal Information Act No.4 of 2013;
- “Regulator” Information Regulator; and
- “Republic” Republic of South Africa.

## **2. 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).

## **3. CONTACT DETAILS OF THE FREEDOM FRONT PLUS**

Private Body’s Name: **Vryheidsfront Plus | Freedom Front Plus**

Postal and Street Address: **Block 8  
11 Charles de Gaulle Crescent,  
Highveld, Centurion**

Telephone Number: **012 665 0564**  
Email: **plus@vfplus.org.za**  
Website: **www.vfplus.org.za**

### **INFORMATION OFFICER:**

Information Officer: **Mr. Pieter de Necker**  
Email: **informationofficer@vfplus.org.za**  
Tel: **012 665 0564**

## **4. PURPOSE OF THIS PAIA MANUAL**

This PAIA Manual is useful for the public to –

- 4.1. check the categories of records held by a body which are available without a person having to submit a formal PAIA request;
- 4.2. 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;
- 4.3. know the description of the records of the body which are available in accordance with any other legislation;
- 4.4. access all the relevant contact details of the Information Officer and Deputy Information Officer who will assist the public with the records they intend to access;
- 4.5. know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- 4.6. 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;
- 4.7. know the description of the categories of data subjects and of the information or categories of information relating thereto;
- 4.8. know the recipients or categories of recipients to whom the personal information may be supplied;
- 4.9. 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
- 4.10. know whether the body has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

## **5. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE**

- 5.1. 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.
- 5.2. The Guide is available from the Regulator in each of the official languages and in braille.
- 5.3. The aforesaid Guide contains the description of -
  - 5.3.1. the objects of PAIA and POPIA;
  - 5.3.2. the postal and street address, phone and fax number and, if available, electronic mail address of -
    - 5.3.2.1. the Information Officer of every public body, and
    - 5.3.2.2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA and section 56 of POPIA;
  - 5.3.3. the manner and form of a request for -
    - 5.3.3.1. access to a record of a public body contemplated in section 11; and
    - 5.3.3.2. access to a record of a private body contemplated in section 50;
  - 5.3.4. the assistance available from the IO of a public body in terms of PAIA and POPIA;
  - 5.3.5. the assistance available from the Regulator in terms of PAIA and POPIA;
  - 5.3.6. 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 -
    - 5.3.6.1. an internal appeal;
    - 5.3.6.2. a complaint to the Regulator; and
    - 5.3.6.3. an application with a court against a decision by the information officer of a public body, a decision on internal appeal or a decision by the Regulator or a decision of the head of a private body;
  - 5.3.7. the provisions of sections 14 and 51 requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
  - 5.3.8. the provisions of sections 15 and 52 providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
  - 5.3.9. the notices issued in terms of sections 22 and 54 regarding fees to be paid in relation to requests for access; and
  - 5.3.10. the regulations made in terms of section 92.
- 5.4. 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.
- 5.5. The Guide can also be obtained -
  - 5.5.1. upon request to the Information Officer;
  - 5.5.2. from the website of the Regulator (<https://www.justice.gov.za/inforeg/>).

## 6. 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

## **7. TYPES OF RECORDS OF THE FREEDOM FRONT PLUS WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS**

The categories of records held by the body which are available without a person having to request access by completing Form C, types of the records and how the records can be accessed.

These are mostly records that are available on the website and a person may download or request telephonically or by sending an email or a letter.

TYPES OF RECORDS	Available on website	Available on request
Certificate as registered political party		X
Names of party leadership	X	X
Names of national and provincial public representatives	X	X
Names of local government public representatives		X
Names of senior management of the party		X
Constitution of the Party	X	X
Policies of the Party		X
Internal party procedures		X
Election manifesto's	X	X
PAIA Manual	X	X
Donations reports	X	X
Banking details		X

## **8. DISCRPTION OF RECORDS OF THE FREEDOM FRONT PLUS WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION**

All the records which are created and available in accordance with any of the South African legislation.

TYPE OF RECORD	APPLICABLE LEGISLATION
Certificate as registered political party	Electoral Act 73 of 1998
Constitution of the Party	Electoral Act 73 of 1998
Financial records	Party Political Funding Act 6 of 2019 Financial Management of Parliament Act 10 of 2009
PAIA Manual	Promotion of Access to Information Act 2 of 2000
Human resources / Employment records	Basic Conditions of Employment Act 7 of 2018
Health and safety	Occupational Health and Safety Act 85 of 1993

## **9. PROCESSING OF PERSONAL INFORMATION**

### **9.1. PURPOSE OF PROCESSING PERSONAL INFORMATION**

The FF Plus is processing personal data in accordance with section 31 of the PAIA of voters / potential voters for the purpose of expanding the political party; participating in its activities; engaging in the recruitment of members; canvassing supporters or voters for an election or a referendum and campaigning for a political cause.

Furthermore, the FF Plus is processing personal data of its members, public representatives, personnel and service providers in terms of the general operations and business practices.

### **9.2. DISCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY THE FREEDOM FRONT PLUS**

Herewith the categories of data subjects in respect of whom the Freedom Front Plus processes personal information and the nature or categories of the personal information being processed.

<b>CATEGORIES OF DATA SUBJECTS</b>	<b>PERSONAL INFORMATION THAT MAY BE PROCESSED</b>
Members, volunteers, supporters and voters	Full names, ID numbers, addresses, contact details, banking details, language preference, gender, race, occupation
Candidates and office bearers	Full names, ID numbers, addresses, contact details, banking details, language preference, gender, race, occupation, criminal records, qualification, financial records, full cv
Employees	Full names, ID numbers, addresses, contact details, banking details, language preference, gender, race, occupation, criminal records, qualification, financial records, full cv
Service providers	Business names, contact persons, registration number, vat numbers, address, trade secrets and bank details
Permits, licenses, insurance records and specific agreements relating to business activities	Business names, contact persons, registration number, vat numbers, address, trade secrets and bank details, terms and conditions
Internal minutes of meetings	Names of participants, contact details of participants, opinions and decisions taken



## **10. SCHEDULE OF RECORDS KEPT BY THE FREEDOM FRONT PLUS AVAILABLE ON SUCCESSFUL REQUEST IN TERMS OF THE RELEVANT PAIA PROVISIONS**

- Complete financial records.
- Human resources and employment records.
- Permits and licenses.
- Insurance records.
- Immovable and movable property.
- Information technology.
- Specific agreements relating to business activities.
- Miscellaneous agreements.
- Internal and external correspondence.
- Minutes and recording of meetings.
- Information relating to internal disciplinary proceedings.
- Information relating to internal and external legal proceedings.
- Information relating to nomination and selection of candidates for public office.
- Records pertaining to members / voters / volunteers / activists / supporters.

## **11. REQUESTING ACCESS TO INFORMATION NOT PUBLICLY AVAILABLE**

- 11.1. Use the prescribed form, available on the website of the INFORMATION REGULATOR at <https://inforegulator.org.za/wp-content/uploads/2020/07/InfoRegSA-PAIA-Form02-Reg7.pdf>
- 11.2. The application form must be to the Information officer, at the particulars indicated above.
- 11.3. 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.
- 11.4. 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.
- 11.5. 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.
- 11.6. 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.
- 11.7. 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.
- 11.8. If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally.
- 11.9. The application form is attached hereto, as well as available on request.
- 11.10. The completed form must be accompanied by proof of payment of the prescribed application fee, as described below.

- 11.11. Upon receipt of the application form and proof of payment, as aforesaid, the Information Officer will consider the request.
- 11.12. 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.
- 11.13. In the event of the application being denied, the Information Officer will inform the applicant and provide reasons for the decision.

## **12. GROUNDS FOR REFUSAL OF ACCESS TO CERTAIN RECORDS**

- 12.1. In terms of Part 3, Chapter 4 of PAIA there are several grounds that warrant the refusal to release certain records. Such instances include mandatory protection of –
  - 12.1.1. records that cannot be found or that do not exist;
  - 12.1.2. privacy of a third party who is natural person;
  - 12.1.3. commercial information of a third party;
  - 12.1.4. certain confidential information of a third party;
  - 12.1.5. information relating to the safety of individuals, and protection of property;
  - 12.1.6. records privileged from production in legal proceedings;
  - 12.1.7. commercial information of a private body; and
  - 12.1.8. research information of third parties, and protection of research information of private bodies.
  - 12.1.9. Requests for records which are clearly frivolous, vexatious or involve an unreasonable diversion of resources may also be refused.

## **13. DECISION TO GRANT OR DENY ACCESS**

- 13.1. Our Information Officer will deliberate and decide on the request of the Requester within 30 (THIRTY) days of receipt of the request for access.
- 13.2. 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.
- 13.3. The company will make use of the information provided in Annexure C hereto to inform the relevant Requester of such an extension in writing.

## **14. REMEDIES FOR REFUSAL OF ACCESS TO INFORMATION REQUEST**

### 14.1. 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.

An internal appeal form can be downloaded from the REGULATOR's website:  
<https://info regulator.org.za/wp-content/uploads/2020/07/InfoRegSA-PAIA-Form04-Req9.pdf>

#### 14.2. 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.

### 15. FEES

The fees applicable to an application for information shall be as per the prescribed fees. A schedule of these fees can be found on the INFORMATION REGULATOR'S website at <https://info regulator.org.za/wp-content/uploads/2020/07/Form-3-PAIA.pdf>

The schedule is subject to change in accordance with changes to the prescribed fees. 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.

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

### 16. 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.