



**MUSCULAR DYSTROPHY FOUNDATION, NATIONAL OFFICE**

# **PAIA MANUAL**

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

Date of compilation: 11/11/2015  
Date of revision

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## 1. List of acronyms and abbreviations

"CEO"	Chief Executive Officer
"DIO"	Deputy Information Officer;
"IO"	Information Officer;
"MDFSA"	Muscular Dystrophy Foundation of South Africa;
"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
"SSP"	Social Services Professional

## 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 and Deputy Information Officer who will assist the public with the records they intend to access; know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- 2.5. 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;
- 2.6. know the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.7. know the recipients or categories of recipients to whom the personal information may be supplied;
- 2.8. 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
- 2.9. 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 MDFSA

#### 3.1. Chief Information Officer

Name: Gerda Brown

Tel: 011 4729703

Email: gmnational@mdsa.org.za

#### 3.2. Access to information general contacts

Email: gmnational@mdsa.org.za

#### 3.3. 3.4 National or Head Office

Postal Address: PO Box 605, Florida Hills, 1716

Physical Address: 12 Botes street, Florida Park, 1709

Telephone: 011 4729703

Email: gmnational@mdsa.org.za

Website: [www.mdsa.org.za](http://www.mdsa.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 PAIA<sup>1</sup> and section 56 of POPIA<sup>2</sup>;
  - 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 11<sup>3</sup>; and
    - 4.3.3.2. access to a record of a private body contemplated in section

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<sup>1</sup> 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.*

<sup>2</sup> 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.*

<sup>3</sup> 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.*

50<sup>4</sup>;

- 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 decision by the Regulator or a decision of the head of a private body;
- 4.3.7. the provisions of sections 14<sup>5</sup> and 51<sup>6</sup> 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 15<sup>7</sup> and 52<sup>8</sup> 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 22<sup>9</sup> and 54<sup>10</sup> regarding fees to be paid in relation to requests for access; and
- 4.3.10. the regulations made in terms of section 92<sup>11</sup>.

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<sup>4</sup> 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.

<sup>5</sup> 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.

<sup>6</sup> 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.

<sup>7</sup> 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

<sup>8</sup> 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

<sup>9</sup> 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.

<sup>10</sup> 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.

<sup>11</sup> 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.”

4.4. 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-

4.5.1. upon request to the Information Officer;

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

**5. CATEGORIES OF RECORDS OF THE MDFSA WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS**

Category of records	Types of the Record	Available on Website	Available upon request
Financial	Financial statements Financial & Tax records Asset register Management accounts Annual reports		X X X X
Personal	Details of EXCO members		X
Public	Constitutional documents Registration documents PAIA Manual Contact details and office locations	X x	X X
HR	Details of employees Details of volunteers Details of people working on behalf of MDFSA Policies and forms intended for public use Vacancy advertisements and volunteer opportunities		X X X X X
Media	Information brochures and pamphlets Newsletters and media statements Educational and awareness material Publications and research documents intended for public distribution Manuals, fact sheets, emergency cards and publicly available support resources Advocacy and awareness resources Event notices and public announcements	X X X X X X x	X

**6. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY THE MDFSA**

<b>Subjects on which the body holds records</b>	<b>Categories of records</b>
Governance and Administration	Founding documents, constitution, registration documents, policies, strategic plans, annual reports, meeting agendas and minutes, organisational charts
Human Resources	Employment contracts, job descriptions, personnel records, leave records, disciplinary records, payroll information, training records
Financial Records	Accounting records, budgets, bank statements, invoices, receipts, financial statements, audit reports, donor funding records
Service User and Beneficiary Records	Membership records, beneficiary information, support service records, case notes, communication records, assistance applications
Medical and Research Information	Educational materials, fact sheets, emergency cards, research participation records, neuromuscular disorder information, survey data
Fundraising and Donor Relations	Donor databases, sponsorship agreements, fundraising campaign records, grant applications, donor correspondence
Communications and Public Relations	Newsletters, media releases, website content, social media records, awareness campaign materials, promotional content
Events and Programmes	Event planning documents, attendance registers, programme reports, training workshop records, awareness event records
Information Technology	Website records, electronic databases, software licences, system access records, backup records
Legal and Compliance	Contracts, legal opinions, compliance records, insurance documents, PAIA records, POPIA records
Asset and Operational Records	Asset registers, vehicle records, equipment inventories, maintenance records, supplier agreements
Correspondence	Internal and external correspondence, emails, letters, memoranda, stakeholder communications

**7. DESCRIPTION OF THE RECORDS OF MDFSA WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION**

<b>Category of Records</b>	<b>Applicable Legislation</b>
Constitution	Nonprofit Organisations Act 71 of 1997
PAIA Manual	Promotion of Access to Information Act 2 of 2000
Registration of SSP	Social Service Professions Act 110 of 1978
Personal information	Children's Act 38 of 2005

**8. PROCESSING OF PERSONAL INFORMATION**

**8.1. Purpose of Processing Personal Information**

MDFSA is a non-governmental organisation providing support to people, and their families, affected by muscular dystrophy.

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

<b>Categories of Data Subjects</b>	<b>Personal Information that may be processed</b>
Customers / Clients	Registration numbers or identity numbers, employment status and bank details, name, address
Service Providers	Names, registration number, vat numbers, address, bank details
Employees	Address, identity number, tax number, qualifications, gender, race, bank details
Beneficiaries	Names, identity numbers, address, gender, race, diagnosis
Governance body	Names, identity numbers, address, qualifications, gender, race
Volunteers	Names, identity numbers, address, qualifications, gender, race, bank details

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

<b>Category of personal information</b>	<b>Recipients or Categories of Recipients to whom the personal information may be supplied</b>
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**

Personal information will be shared with Jones Laboratory (University of Nevada, America) and Treat-NMD (England) for research purposes.

Type of information: Names, identity numbers, address, gender, race, medical history, diagnosis.

#### **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**

- 2 factor authentication
- Secure servers for storing data

### **9. AVAILABILITY OF THE MANUAL**

9.1. A copy of the Manual is available-

9.1.1. on [www.mdsa.org.za](http://www.mdsa.org.za);

9.1.2. office of MDFSA for public inspection during normal business hours;

9.1.3. to any person upon reasonable request ; and

9.1.4. to the Information Regulator upon request.

### **10. UPDATING OF THE MANUAL**

The Director of a MDFSA will on a regular basis update this manual.

**Issued by**

**Gerda Brown  
Director**