

# PAI ACT MANUAL

**BADISA NPO (with registration number NPO 011-891)**

**BADISA PBO (with registration number PBO 930 006 348)**

**THE BADISA CHILDREN FOUNDATION NPC (with registration  
number 2017/528019/08)**

**Published in terms of Section 51 of The Promotion of Access to  
Information Act 2 of 2000 ("the Act")**

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## 1. Introduction

This information manual ("Manual") provides an outline of the types of records held by BADISA and explains how one may submit Requests for access to these records in terms of the Promotion of Access to Information Act 2 of 2000 ("PAI Act", "Act").

This Manual has been prepared in accordance with Section 51 of the Act, giving effect to everyone's constitutional right of having access to information held by private sector bodies (i.e. companies) or public bodies (i.e. Government institutions) where such access is needed for the exercise and/ or protection of the Requester's rights; this Manual aims to facilitate Requests for access to the relevant or applicable records.

## 2. Definitions And Interpretation

- 2.1. Unless the context clearly indicates otherwise, the following terms shall have the meanings assigned to them hereunder -
- 2.1.1. "**Badisa**" means Badisa as Non-Profit Organisation (NPO 011 891), Badisa as a Public Benefit Organisation (PBO 930 006 348) and The Badisa Children Foundation NPC (2017/528019/08);
  - 2.1.2. "**Competent person**" means any person who is legally competent to consent to any action or decision being taken in respect of any matter concerning a child;
  - 2.1.3. "**Data Subject**" means the person to whom personal information relates;
  - 2.1.4. "**Data Subject Request**" means a request by a Data Subject as allowed under the POPIA;
  - 2.1.5. "**Information Officer**" means the person acting on behalf of BADISA and discharging the duties and responsibilities assigned to the head of BADISA by the Act. The Information Officer is duly authorised to act as such, with such authorisation having been confirmed by the head of BADISA in writing;
  - 2.1.6. "**Information Regulator**" means the Information Regulator established in terms of section 39 of POPIA;
  - 2.1.7. "**Manual**" means this manual published in compliance with Section 51 of the Act;
  - 2.1.8. "**PAI Act**" means the Promotion of Access to Information Act 2 of 2000, as amended from time to time;
  - 2.1.9. "**POPIA**" means the Protection of Personal Information Act 4 of 2013, as amended from time to time;
  - 2.1.10. "**Privacy Policy**" means the policy that explains how BADISA Processes Personal Information as published on the BADISA website or as available from the Information Officer;
  - 2.1.11. "**Record**" means any recorded information, regardless of form or medium, which is in the possession or under the control of BADISA, irrespective of whether or not it was created by BADISA;
  - 2.1.12. "**Request**" means a Request for access to a Record held by BADISA;
  - 2.1.13. "**Requester**" means any person, including a public body or an official thereof, making a Request for access to a Record held by BADISA and includes any person acting on behalf of that person;
  - 2.1.14. "**Responsible Party**" means a public or private body or any other person which, alone or in conjunction with others, determines the purpose of and means of processing personal information
  - 2.1.15. "**SAHRC**" means the South African Human Rights Commission; and
  - 2.1.16. "**SARS**" means the South African Revenue Service.
- 2.2. Unless a contrary intention clearly appears, words signifying:
- 2.2.1. the singular includes the plural and vice versa;
  - 2.2.2. any one gender includes the other genders and vice versa; and
  - 2.2.3. natural persons include juristic persons.

- 2.3. Unless otherwise stated, terms defined in the PAI Act and the POPIA shall have the same meaning in this Manual.

### 3. Overview Of Badisa

BADISA is a registered Non-Profit Organisation (NPO 011-891) and a Public Benefit Organisation (PBO 930006 348). BADISA is devoted to social development by means of their 145 community-based programmes which may be found in the Western, Northern and Eastern Cape. BADISA has various programmes providing social services to anyone in need regardless of age, gender, nationality or religion making BADISA services inclusive to all (see <https://badisa.org.za/about-us/>)

BADISA has also registered a non-profit company ("NPC) under the name The Badisa Children Foundation NPC, an independent entity to raise funds for the child protection services rendered by Badisa.

BADISA has an online presence through its website (<https://badisa.org.za/>) where it introduces and promotes various of its services, programmes, news and invents as well as describes how one may get involved or make a donation. BADISA's broad spectrum of social services focus on four main areas including: i) Children and Families; ii) Older Persons; iii) Persons with Disability; and iv) Substance Dependence.

BADISA's social services are described more in detail below (according to the four focus areas):

#### 3.1. Children and Families

- 3.1.1. Prevention and early intervention services;
- 3.1.2. Statutory and reuniting services; and
- 3.1.3. Badisa Children Foundation (raising funds for the child protection services by BADISA).

#### 3.2. Disability Care

- 3.2.1. Counselling and referrals by social workers;
- 3.2.2. Home-based care;
- 3.2.3. Day care;
- 3.2.4. Skills development and economic empowerment; and
- 3.2.5. Residential care.

#### 3.3. Elderly Care

- 3.3.1. Assessment, referral and counselling by social workers;
- 3.3.2. Information and awareness campaigns;
- 3.3.3. Support to family members;
- 3.3.4. Service centres that provide meals, transport, medical support and socialisation to enable older persons to live independently;
- 3.3.5. Home-based care; and
- 3.3.6. Safe, appropriate and affordable residential care or assisted-living accommodation.

#### 3.4. Substance Dependency

- 3.4.1. Prevention via Information and awareness programmes;
- 3.4.2. Counselling and referral services;
- 3.4.3. Community-based treatment services in Beaufort West, Wolseley, Koue Bokkeveld, Worcester and Rawsonville in collaboration with Toevlug Treatment Centre;
- 3.4.4. In-patient treatment for youth and adults;
- 3.4.5. Aftercare and support services ; and
- 3.4.6. Training of social workers and other role players.

### 4. Particulars In Terms Of Section 51

- 4.1. BADISA Contact Details (Section 51(1)(a)):

Physical Address: Marturia Centre, 11 Pastorie Street, Bellville, Western Cape, 7535  
Postal Address: Marturia Centre, 11 Pastorie Street, Bellville, Western Cape, 7535  
Telephone Number: + 27 (0)21 957 7130  
E-mail: [info@badisa.org.za](mailto:info@badisa.org.za)  
Website: [BADISA HOME PAGE](#)

4.2. Contact details of Designated Information Officer (Section 51(1)(a)):

Designated Information Officer: **Christine Quickfall (CEO of Badisa)**  
Physical Address: **Marturia Centre, 11 Pastorie Street, Bellville, Western Cape, 7535**  
Postal Address: **Badisa, Private bag X8, Bellville, 7530**  
Telephone Number: **+27 21 957 7130**  
E-mail: **info@badisa.org.za**

## 5. Guide to the PAI Act (Section 51(1)(b) read with section 10)

- 5.1. In terms of the PAI Act, a Requester may be granted access to records held by a private body. This access is subject to the records being required for the exercise or protection of any right. Should a public body lodge a complaint, in order to receive access, the public body must be acting in the public interest.
- 5.2. The Information 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.
- 5.3. The Guide is available in each of the official languages and in braille.
- 5.4. The aforesaid Guide contains the description of-
  - 5.4.1. the objects of PAIA and POPIA;
  - 5.4.2. the manner and form of a request for access to a record of a private body contemplated in section 50;
  - 5.4.3. the assistance available from the IO in terms of PAIA and POPIA;
  - 5.4.4. the assistance available from the Regulator in terms of PAIA and POPIA;
  - 5.4.5. 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-
    - 5.4.5.1. an internal appeal;
    - 5.4.5.2. a complaint to the Regulator; and
    - 5.4.5.3. an application with a court against a decision on internal appeal or a decision by the Regulator or a decision of the head of a private body;
  - 5.4.6. the notices issued in terms of section 54 regarding fees to be paid in relation to requests for access; and
  - 5.4.7. the regulations made in terms of section 92.
- 5.5. Members of the public can inspect or make copies of the Guide from the offices of, including the office of the Information Regulator, during normal working hours.
- 5.6. The Guide can also be obtained-
  - 5.6.1. upon request to the Information Officer;
  - 5.6.2. from the Regulator:-

Postal Address: P.O. Box 31533  
Braamfontein  
Johannesburg  
2017

E-mail: [complaints.IR@justice.gov.za](mailto:complaints.IR@justice.gov.za) (complaints)  
[info@justice.gov.za](mailto:info@justice.gov.za) (general enquiries)

Website: <https://www.justice.gov.za/info@/>

## **6. Voluntary disclosure and automatic availability- Categories Of Records Available Without Having To Request Access (Section 51(1)(c))**

- 6.1. Records that are automatically available to the public are:
- 6.1.1. All records of BADISA lodged in terms of government requirements with various statutory bodies, including the Registrar of Companies, and the Registrar of Deeds.
  - 6.1.2. All records in booklets, brochures, pamphlets, and magazines (if any) published by BADISA or any of its agents or representatives for distribution to the public relating BADISA services.
  - 6.1.3. News and other Marketing Information.
  - 6.1.4. All records on BADISA's website <https://badisa.org.za/>.
- 6.2. A Requester may request a copy of a Record referred to under 6.1 and must be provided with such copy, upon payment of the fee for reproduction, as provided for in Items 2 to 8 of Annexure 2 to this Manual.

## **7. Records Available In Terms Of Other Legislation (Section 51(1)(d))**

- 7.1. BADISA is required to keep particular records, in terms of certain statutes. Insofar as may be applicable, BADISA keeps records of information to the extent required in terms of the following legislation, as amended, and codes of best business practice:
- 7.1.1. Children's Act 38 of 2005
  - 7.1.2. Companies Act 61 of 1973.
  - 7.1.3. Constitution of South Africa Act 108 of 1996.
  - 7.1.4. Consumer Protection Act 68 of 2008.
  - 7.1.5. Corporate Laws Amendment Act 24 of 2006.
  - 7.1.6. Electronic Communications & Transactions Act 25 of 2002.
  - 7.1.7. Employment Equity Act 55 of 1998.
  - 7.1.8. Employment Equity Regulations of 2006.
  - 7.1.9. Financial Advisory and Intermediary Services Act 37 of 2002.
  - 7.1.10. Financial Intelligence Centre Act 38 of 2001.
  - 7.1.11. Hazardous Substances Act 15 of 1973.
  - 7.1.12. Income Tax Act 58 of 1962.
  - 7.1.13. King IV Report on Corporate Governance.
  - 7.1.14. Labour Relations Act 66 of 1995.
  - 7.1.15. Medical Schemes Act 121 of 1988.
  - 7.1.16. Medicines and related substances Act 101 of 1965.
  - 7.1.17. National Credit Act 34 of 2005.
  - 7.1.18. Non-profit Organisations Act 71 of 1997.
  - 7.1.19. Promotion of Access to Information Act 2 of 2000.
  - 7.1.20. Protected Disclosures Act 26 of 2000.
  - 7.1.21. Protection of Personal Information Act 4 of 2013.
  - 7.1.22. Regulation of Interception of Communications and Provision of Communication-Related Information Act Revenue Laws Amendment Act 45 of 2003.
  - 7.1.23. Revenue Laws Amendment Act 31 of 2005.
  - 7.1.24. Skills Development Act 97 of 1998.
  - 7.1.25. Skills Development Levies Act 9 of 1999.
  - 7.1.26. Tax Administration Act 28 of 2011.

- 7.1.27. Unemployment Contributions Act 4 of 2002.
- 7.1.28. Unemployment Insurance Act 63 of 2001.
- 7.1.29. Value-Added Tax Act 89 of 1991.

7.2. Information and records held by BADISA in terms of any of the abovementioned legislation will be made available in terms of the provisions of the relevant legislation, but without prejudice to the provisions of the Promotion of Access to Information Act. The above list is non exhaustive.

## 8. Types Of Records Held By BADISA (Section 51(1)(e))

BADISA maintains records on the following categories and subject matters. **Please note** that recording a category or subject matter in this Manual does not imply that a Request for access to such records would be granted. All Requests for access will be evaluated on a case by case basis in accordance with the provisions of the PAI Act and POPIA. Please further note that the below listed records are not exhaustive.

### 8.1. Personnel Documents and Records.

8.1.1. "Personnel" refers to any person who works for or provides services to or on behalf of BADISA, and receives or is entitled to receive remuneration and any other person who assists in carrying out or conducting the business of BADISA. This includes, without limitation, board members (executive and non-executive), all permanent, temporary and part-time staff, as well as contract workers or volunteers / helpers / champions.

### 8.2. Client Related Records.

8.2.1. A "client" refers to any natural or juristic entity that receives services from Badisa. These records include but are not limited to:

- 8.2.1.1. Records provided by clients in relation to the specific services required by the client, medical information and personal and/or special personal information, and in terms of the contractual arrangements between BADISA and clients.
- 8.2.1.2. Records generated by or within Badisa related to its clients, including transactional records.
- 8.2.1.3. Records pertaining to third-party information provided by clients.
- 8.2.1.4. Records provided by third parties in the course of doing business with Badisa.

### 8.3. Statutory Records/ Corporate Records.

- 8.3.1. Minutes of executive and other decision-making operational bodies.
- 8.3.2. Documents of Incorporation.
- 8.3.3. Memorandum and Articles of Association.
- 8.3.4. Minutes of Board of Directors' Meetings and Board sub-committee Meetings.
- 8.3.5. Delegations of authority.
- 8.3.6. Other statutory documents of a legal and commercial nature.

### 8.4. Other Records.

- 8.4.1. Documents relating to the operational, commercial and financial interests of BADISA.
- 8.4.2. Commercial and other legal contracts or agreements.
- 8.4.3. Client and other data bases.
- 8.4.4. Information on existing and past litigation.
- 8.4.5. Trade Mark and Intellectual Property applications and information.
- 8.4.6. Administrative Information.
- 8.4.7. Licenses.
- 8.4.8. Human Resources Information.
- 8.4.9. Insurance Policies.
- 8.4.10. Marketing records.
- 8.4.11. Internal and external correspondence.
- 8.4.12. Disaster recovery plans.
- 8.4.13. BADISA services records.
- 8.4.14. Internal policies and procedures.

8.4.15. Records held by officials of the BADISA.

8.5. Where any of the above records contain Personal Information and a Request is submitted, the provisions of the PAI Act as well as the POPIA will apply accordingly. Take note that: "Personal information", as defined in the POPIA means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to those categories as defined in section 1 of the POPIA [POPIA].

## 9. Other Information As May Be Prescribed (Section 51(1)(f))

BADISA may possess records pertaining to other parties, including without limitation contractors, suppliers, subsidiary/ holding/ sister companies, joint venture companies and service providers. Alternatively, such other companies may possess records that can be said to belong to BADISA.

9.1. These records include but are not limited to:

- 9.1.1. Personnel, customer or private records which are held by another party as opposed to the records held by BADISA.
- 9.1.2. Records held by BADISA pertaining to other parties, including but not limited to, financial, commercial, operational and legal records, contractual records, correspondence, records provided by the other party, and records provided by third parties about contractors/ suppliers.

## 10. Processing of Personal Information (including and Special Personal Information (Section 11, Section 26 – Section 33) or Children Information (section 34 – section 35) of POPIA)

Processing of Personal Information be processed by BADISA in accordance with the BADISA Privacy Policy.

## 11. Information Regulator

Section 39 of POPIA establishes the Information Regulator and section 40 identifies the functions of the Regulator. The Regulator is responsible for monitoring compliance with POPIA and PAI Act and is tasked, amongst other powers, duties and functions, to handle complaints about the protection of personal information and access to information held by BADISA. For complaints or general enquiries contact the Regulator using the contact information under **Error! Reference source not found.**

## 12. Data Subject Participation and Information Officer Duties and Responsibilities under the POPIA

This PAI Manual as well as the BADISA Privacy Policy gives effect to sections 23 and 55 of POPIA.

12.1. Section 23(1) of POPIA states that:

"A data subject, having provided adequate proof of identity, has the right to -

- (a) request a Responsible Party to confirm, free of charge, whether or not the Responsible Party holds Personal Information about the data subject;
- (b) request from a Responsible Party the record or a description of the personal information about the data subject held by the Responsible Party, including information about the identity of third parties, or categories of third parties, who have, or have had, access to the information-
  - (i) within a reasonable time;
  - (ii) at a prescribed fee, if any;
  - (iii) in a reasonable manner and format; and
  - (iv) in a form that is generally understandable."

12.2. Section 55(1)(b) of POPIA refers to the duties and responsibilities of the Information Officer when Requests for information are made to BADISA. It reads as follows:

"An Information Officer's responsibilities include dealing with Requests made to the body."

**ADDRESS YOUR DATA SUBJECT REQUEST AS PER OUR PRIVACY POLICY, ALTERNATIVELY TO OUR INFORMATION OFFICER AT THE CONTACT DETAILS AS STATED UNDER 4.2 above.**



### 13. Steps To Consider Before Submitting A Request

13.1. STEP 1: The following steps must be considered before submitting a Request:

13.1.1. Please note that Section 7(1) states that:

“This Act does not apply to a record of a public body or a private body if –

- (a) that record is Requested for the purpose of criminal or civil proceedings;
- (b) so Requested after the commencement of such criminal or civil proceedings, as the case may be; and
- (c) the production of or access to that records for the purpose referred to in Paragraph (a) is provided for in any other law”.

13.1.2. If Section 7(1) applies, the Requester may not bring a Request in terms of this Act. The Requester must use the rules and procedures for discovery of information of the relevant legal forum and proceedings that he/ she is involved in.

13.1.3. BADISA reserves the right to claim all expenses and other damages incurred as a result of a Requester submitting a Request in contravention of Section 7(1).

13.2. STEP 2: Does the information Requested exist in the form of a record?

13.2.1. The Act only applies to documents that are in existence at the time of receiving the Request.

13.2.2. The Act does not compel anyone to create a record which is not yet in existence at the time the Request is made.

13.3. STEP 3: Is the document in the possession or under the control of BADISA?

13.3.1. The Act provides that the Requested record must be in BADISA's possession or under its control. If the document is not in BADISA's possession, the Requester must Request the record from the party under whose possession or control it is.

### 14. Electronic Communication

14.1. The provisions of the Electronic Communications and Transactions Act, 2002, are applicable to all forms, records, documents or any information, which are electronically communicated.

### 15. Access: Procedure, Availability And Prescribed Fees

15.1. How to Request a Record (PAI Act Section 53):

15.1.1. Requests for access to Records contemplated in section 53(1) of the Act, must be made on a form that corresponds substantially with Form 2 of Annexure 1 to this Manual, to the Information Officer.

15.1.2. The Information Officer must –

15.1.2.1. assist a Requester with any Request with regards to a Request for access to information; and

15.1.2.2. if a Request for access to information is made orally as a result of illiteracy or a disability of a Requester, complete Form 2 of Annexure 1 to the Manual on behalf of the Requester and provide a copy thereof to the Requester, as contemplated in section 18(3) of the Act.

15.1.3. The Request fee payable by every Requester referred to in section 54(1) of the Act, is prescribed in Item 1 of Annexure 2 to the Manual.

15.1.4. The prescribed form (generic template) is also available on the website of the South African Human Rights Commission at <https://www.sahrc.org.za/>.

15.1.5. Failure to make use of the prescribed form could result in your Request being refused or delayed.

- 15.1.6. Should the Information Officer be of the opinion that fulfilment of the Request will require more time than the prescribe hours, the Requester will be informed to pay a deposit, of no more than a third of the above Request fee. In the event that the Request is denied, the deposit will be refunded to the Requester.
- 15.1.7. The Requester must provide sufficient detail on the Request Form to enable the Information Officer to clearly identify:
- 15.1.7.1. The record(s) Requested.
  - 15.1.7.2. The Requester (positive proof of identification).
  - 15.1.7.3. The format of access required:
    - i. the postal address, email address and telephone number of the Requester in the Republic; and
    - ii. if the Requester wishes to be informed of the decision in any manner (in addition to written), the manner and particulars thereof.
- 15.1.8. Access is not automatic. The Requester must therefore identify the right he/ she is seeking to exercise or protect and provide an explanation as to why the Requested Record is required for the exercise or protection of that right.
- 15.1.9. If a Request is made on behalf of a person, the Requester must then submit proof, to the satisfaction of the Information Officer, of his/ her authority to make the Request. Failure to do so will result in the Request being rejected.
- 15.2. Decision on Request (Section 56):
- 15.2.1. The Requester will be notified, within 30 (thirty) days, in the manner indicated by him/ her of the outcome of his/ her Request, alternatively whether an extension not exceeding 30 (thirty) days is required to deal with the Request.
  - 15.2.2. If the Request for access is granted, a further access fee must be paid for the search, preparation and reproduction of the Records as well as for any time that has exceeded the prescribed hours to search and prepare the Record for disclosure. Access will be withheld until the Requester has made payment of the applicable fee(s).
  - 15.2.3. If the Request for access is refused, reasons for the refusal will be provided and the Requester will be advised that he/ she may lodge an application with a court against the refusal of the Request, as well as the procedure for lodging the application.
  - 15.2.4. The main grounds for refusal of a Request relates to:
    - 15.2.4.1. the unreasonable disclosure of personal information about a third party, including a deceased person (subject to section 63(2) of the Act);
    - 15.2.4.2. disclosure that could reasonably be expected to endanger the life or physical safety of an individual;
    - 15.2.4.3. the disclosure that would likely prejudice or impair, inter alia -
      - i. the security of a building, structure or system, including but not limited to, a computer or communication system;
      - ii. a means of transport; or
      - iii. any other property;
    - 15.2.4.4. mandatory protection of the privacy of a third party who is a natural person, which would involve unreasonable disclosure of personal information of that natural person;
    - 15.2.4.5. mandatory protection of commercial information of a third party, if the record contains:
      - i. trade secrets of that third party;
      - ii. financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interest of that third party; or
      - iii. information disclosed in confidence by a third party to BADISA, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition;
    - 15.2.4.6. mandatory protection of confidential information of third parties if it is protected in terms of any agreement;

- 15.2.4.7. mandatory protection of the safety of individuals and the protection of property;
  - 15.2.4.8. mandatory protection of records which would be regarded as privileged in legal proceedings;
  - 15.2.4.9. commercial activities of BADISA, which may include:
    - i. financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interest of BADISA;
    - ii. information which, if disclosed, could put BADISA at a disadvantage in negotiations; or
    - iii. the research information of BADISA or a third party, if its disclosure would disclose the identity of BADISA, the researcher or the subject matter and would place the research at a serious disadvantage; or
  - 15.2.4.10. requests for information which is clearly frivolous or vexatious, or which involve unreasonable diversion of resources.
  - 15.2.5. The Requester may lodge an internal appeal or an application to court against the tender or payment of the Request fee.
- 15.3. The Information Officer must, if a Request for access to a Record referred to under 15.1 to 15.1.3 above is granted or refused, inform the Requester of-
- 15.3.1. his or her decision; and
  - 15.3.2. the fees payable as provided for in Annexure 2 of the Manual: Provided that a Request for a copy of the guide may not be refused.
- 15.4. A person who Requests-
- 15.4.1. a copy of a record contemplated 6.2; or
  - 15.4.2. access to a Record as contemplated in 15.1.1 to 15.1.3 above of the Manual, may be charged the fee for reproduction and postage as prescribed in Annexure 2 of the Manual, if the Request is granted.
- 15.5. If-
- 15.5.1. the search for the Record in respect of which a Request for access has been made; and
  - 15.5.2. the preparation of the Record for disclosure, including any arrangement contemplated in section 29(2)(a) and (b)(i) and (ii)(aa) of the Act, would, in the opinion of the Information Officer, require more than 6 (six) hours for these purposes, the Information Officer must, in a form that corresponds substantially with Form 3 of Annexure 2 to this Manual, inform the Requester to pay a deposit, must not exceed one third of the amount payable, if the Request is granted.
  - 15.5.3. The fee for the search for and preparation of the Record contemplated in section 29(2)(a) and (b)(i) or 54(2)(a) and (b)(i) of the Act is provided for in Item 9 of Annexure 2 to this Manual.
- 15.6. Records that cannot be found or that are lost:
- 15.6.1. If all reasonable steps have taken to find a Requested Record, and there are reasonable grounds to believe the Record is in BADISA's possession but cannot be found or does not exist, BADISA's Information Officer will notify the Requester, by way of affidavit or affirmation as prescribed by the Act, that it is not possible to give access to the Requested Record.
  - 15.6.2. If, after notice is given as per 15.6.1 above, the Record is found, the Requester concerned must be given access to the Record, unless access is refused on any of the refusal grounds provided for in the Act.
- 15.7. Remedies Available when a Request is Refused:
- 15.7.1. BADISA does not have an internal appeal procedure.
  - 15.7.2. Any decision made by the Information Officer is final.
  - 15.7.3. Should the Requester not be satisfied, the Requester should exercise the external remedies provided for in the Act.

15.8. Limitation of Liability:

15.8.1. BADISA is relieved from liability and shall have no duty whatsoever in relation to:

15.8.1.1. the integrity or accuracy of the information Requested;

15.8.1.2. any delay associated with the delivery except to comply with the procedures stipulated herein; and/ or

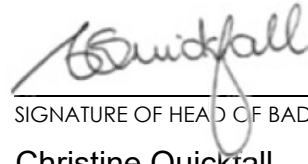
15.8.1.3. that the information Requested will conform with the requirements of the Requester except that it should correspond with the title and description provided by the Requester.

**16. Availability**

16.1. This manual is available on the BADISA website, <https://badisa.org.za/>, alternatively at: Marturia Centre, 11 Pastorie Street, Bellville, Western Cape, 7535, during office hours: 08:00 - 17:00, Monday to Friday, excluding Public Holidays and Weekends in the Republic of South Africa.

16.2. Fees:

The fees payable in respect of access to Records are attached as [Annexure 2](#).



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SIGNATURE OF HEAD OF BADISA

**Christine Quickfall**  
CEO of Badisa

**ANNEXURE 1:**

**FORM 1  
REQUEST FOR A COPY OF THE GUIDE  
[Regulation 3]**

**TO:** The Information Officer

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I,

Full names:				
In my capacity as (mark with "x"):	Information officer		Other	
Name of private body (if applicable)				
Postal address:				
Street address:				
E-mail address:				
Facsimile:				
Contact numbers:	Tel (B):		Cellular:	

hereby request the following copy(ies) of the guide:

Language (mark with "X")	No of copies	Language (mark with "X")	No of copies
<input type="checkbox"/> Sepedi		<input type="checkbox"/> Sesotho	
<input type="checkbox"/> Setswana		<input type="checkbox"/> siSwati	
<input type="checkbox"/> Tshivenda		<input type="checkbox"/> Xitsonga	
<input type="checkbox"/> Afrikaans		<input type="checkbox"/> English	
<input type="checkbox"/> isiNdebele		<input type="checkbox"/> isiXhosa	
<input type="checkbox"/> isiZulu			

Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
*Signature of requester*

**FORM 2**  
**REQUEST FOR ACCESS TO RECORD**  
[Regulation 7]

(Section 53(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))

Note:

1. Proof of identity must be attached by the requester.
2. If requests made on behalf of another person, proof of such authorisation, must be attached to this form.

**TO:** The information officer

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(Address)

E-mail address:	
Fax number:	

Mark with an "X"

Request is made in my own name       Request is made on behalf of another person

PERSONAL INFORMATION			
Full names:			
Identity number:			
Capacity on which request is made (when on behalf of another person):			
Postal address:			
Street address:			
E-mail address:			
Contact numbers:	Tel (B):		Facsimile:
	Cellular:		
PARTICULARS OF RECORDS REQUESTED			
<i>Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.</i>			
Description of record or relevant part of the record:			

Reference number, if available:	
Any further particulars of record:	
<b>TYPE OF RECORD</b> <i>(Mark the applicable box with an "X")</i>	
Record is in written or printed form	
Record comprises virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>	
Record consists of recorded words or information which can be reproduced in sound	
Record is held on a computer or in an electronic, or machine-readable form)	
<b>FORM OF ACCESS</b> <i>(Mark the applicable box with an "X")</i>	
Printed copy of record <i>(including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)</i>	
Written or printed transcription of virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>	
Transcription of soundtrack <i>(written or printed document)</i>	
Copy of record on flash drive <i>(including virtual images and soundtracks)</i>	
Copy of record on compact disc drive <i>(including virtual images and soundtracks)</i>	
Copy of record saved on cloud storage server	

<b>MANNER OF ACCESS</b> <i>(Mark the applicable box with an "X")</i>	
Personal inspection of record at registered address of private body <i>(including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)</i>	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format <i>(including transcriptions)</i>	
E-mail information <i>(including soundtracks if possible)</i>	
Cloud share/ file transfer	
Preferred language:	

(Note that if the record is not available in the language that you prefer, access may be granted in the language in which the record is available)

<b>PARTICULARS OF RIGHT TO BE EXECUTED OR PROTECTED</b>	
<i>If the provided space is inadequate, please continue on a separate page and attach it to this Form. The requester must sign all the additional pages.</i>	
Indicate which right is to be exercised or protected:	
Explain why the record requested is required for the exercise or protection of the aforementioned right:	

<b>FEES</b>	
<p>a) A request fee must be paid before the request will be considered.</p> <p>b) You will be notified of the amount of the access fee to be paid.</p> <p>c) The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.</p> <p>d) If you qualify for exemption of the payment of any fee, please state the reason for the exemption.</p>	
Reason:	

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

Postal address	Facsimile	Electronic communication <i>(Please specify)</i>

Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
Signature of requester/ person on whose behalf request is made



**FOR OFFICIAL USE**

Reference number:	
Request received by: <i>(state rank, name and surname of information officer)</i>	
Date received:	
Access fee:	
Deposit (if any):	

---

*Signature of Information Officer*

**FORM 3**  
**OUTCOME OF REQUEST AND OF FEES PAYABLE**  
 [Regulation 8]

Note:

1. If the request is granted the-
  - a) amount of the deposit, (if any), is payable before your request is processed; and
  - b) requested record/ portion of the record will only be released once proof of full payment is received.
2. Please use the reference number hereunder in all future correspondence.

Reference number: \_\_\_\_\_

**TO:**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Your request dated \_\_\_\_\_ refers.

**1. You requested:**

Personal inspection of information at registered address of private body ( <i>including listening to recorded to words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form</i> ) is free of charge. You are required to make an appointment for the inspection of the information and to bring this Form with you. If you then require any form of reproduction of the information, you will be liable for the fees prescribed in Annexure B.	
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**OR**

**2. You requested:**

Printed copies of the information ( <i>including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form</i> )	
Written or printed transcription of virtual images ( <i>this includes photographs, slides, video recordings, computer-generated images, sketches, etc</i> )	
Transcription of soundtrack ( <i>written or printed document</i> )	
Copy of information on flash drive ( <i>including virtual images and soundtracks</i> )	
Copy of information on compact disc drive ( <i>including virtual images and soundtracks</i> )	
Copy of record saved on cloud storage server	

**3. To be submitted:**

Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format ( <i>including transcriptions</i> )	
E-mail of information ( <i>including soundtracks if possible</i> )	
Cloud share/ file transfer	

Preferred language: <i>(Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available)</i>	
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Kindly note that your request has been:

Approved

Denied, for the following reasons:


4. Fees payable with regard to your request:

Item	Cost per A4-size page or part thereof/ item	Number of pages/ items	Total
Photocopy			
Printed copy			
For a copy in a computer-readable form on:			
(i) Flash drive	R40.00		
• To be provided by requester			
(ii) Compact disc	R40.00		
• If provided by requester			
• If provided to the requester	R60.00		
For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on the quotation of the service provider		
Copy of visual images			
Transcription of an audio record, per A4-size	R24.00		
Copy of an audio record			
(i) Flash drive	R40.00		
• To be provided by requester			
(ii) Compact disc	R40.00		
• If provided by requester			
• If provided to the requester	R60.00		
Postage, e-mail or any other electronic transfer:	Actual costs		
<b>TOTAL:</b>			

**5. Deposit payable (if search exceeds six hours):**

Yes

No

Hours of search		Amount of deposit <i>(calculated on one-third of total amount per request)</i>	
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The amount must be paid into the following Bank account:

Name of Bank: \_\_\_\_\_

Name of account holder: \_\_\_\_\_

Type of account: \_\_\_\_\_

Account number: \_\_\_\_\_

Branch code: \_\_\_\_\_

Reference number: \_\_\_\_\_

Submit proof of payment to: \_\_\_\_\_

Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

**ANNEXURE 2:**

**FEES**

<b>Item</b>	<b>Description</b>	<b>Amount</b>
<b>1.</b>	The request fee payable by every requester	R140.00
<b>2.</b>	Photocopy/ printed black & white copy of A4-size page	R2.00 per page or part thereof.
<b>3.</b>	Printed copy of A4-size page	R2.00 per page or part thereof.
<b>4.</b>	For a copy in a computer-readable form on: (i) Flash drive (to be provided by requester) (ii) Compact disc • If provided by requester • If provided to the requester	R40.00 R40.00 R60.00
<b>5.</b>	For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on quotation from Service provider.
<b>6.</b>	Copy of visual Images	
<b>7.</b>	Transcription of an audio record per A4-sized page	R24.00
<b>8.</b>	Copy of an audio record on: (i) Flash drive (to be provided by requester) (ii) Compact disc • If provided by requester • If provided to the requester	R40.00 R40.00 R60.00
<b>9.</b>	To search for and prepare the record for disclosure for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation.	R145.00
	To not exceed a total of:	R435.00
<b>10.</b>	Deposit: If search exceeds six hours	One third of the amount per request calculated in terms items 2. to 8.
<b>11.</b>	Postage, e-mail or any other electronic transfer	Actual expense, if any.