



Afrikaanse Baptiste Kerke
'n Lewende refleksie van die lewende God

Official Policy Document of the Afrikaanse Baptiste Kerke

Policy Name:

**MANUAL IN TERMS OF SECTION 51 OF
THE PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000
AND
THE PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013**

Policy No.:

()

Proposed by:

The Executive Committee



TABLE OF CONTENTS

1. DEFINITIONS	2
2. PURPOSE OF THE MANUAL	3
3. INTRODUCTION	3
4. AVAILABILITY OF THE MANUAL	4
5. ORGANISATION DETAILS	5
6. CONTACT DETAILS OF THE INFORMATION OFFICER	5
7. THE ACT (Section 51(1) (b))	5
8. PUBLICATION AND AVAILABILITY OF CERTAIN RECORDS IN TERMS OF PAIA	6
9. GROUNDS FOR REFUSAL OF ACCESS TO RECORDS IN TERMS OF PAIA	6
10. INFORMATION OR RECORDS NOT FOUND	7
11. REMEDIES AVAILABLE TO THE REQUESTER UPON REFUSAL OF A REQUEST FOR ACCESS IN TERMS OF PAIA	7
12. PROCEDURE FOR A REQUEST FOR ACCESS IN TERMS OF PAIA	8
13. FEES	8
14. DECISION TO GRANT ACCESS TO RECORDS	9
15. PROTECTION OF PERSONAL INFORMATION PROCESSED BY THE ORGANISATION	9
16. THIRD PARTIES	12
APPENDIX A: FEES	13
APPENDIX B: SCHEDULE OF RECORDS	15
APPENDIX C: APPLICABLE LEGISLATION	23
APPENDIX D: ACCESS REQUEST FORM	25
APPENDIX E: PROCESSING OF PERSONAL INFORMATION IN ACCORDANCE WITH POPI	28
APPENDIX F: OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION...	33
APPENDIX G: REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION...	34

1. DEFINITIONS

1.1 “Client” refers to any juristic or natural person, including a Congregant or Visitor, who deals with the Organisation and or received or receives a service from the Organisation or who utilises the Organisation’s premises;

1.2 “Conditions for Lawful Processing” means the conditions for the lawful processing of Personal Information as fully set out in chapter 3 of POPI;

1.3 “Congregant” means an individual who voluntarily associates with the Organisation and has formally joined as a member;

1.4 “Constitution” means the Constitution of the Republic of South Africa, 1996;

1.5 “Data Subject” has the meaning ascribed thereto in section 1 of POPI;

1.6 “Head of the Organisation” means the “head” as defined in section 1 of PAIA and referred to in clause 4;

1.7 “Information Officer” means the Chief Executive as referred to in clause 5;

1.8 “Manual” means this manual prepared in accordance with section 51 of PAIA and regulation 4(1) (d) of the POPI Regulations;

1.9 “Organisation” means Afrikaanse Baptiste Kerke, with registration number 930013664, a nonprofit organisation duly registered and incorporated in accordance with the Nonprofit Organisation Act 71 of 1997 and having its registered address at 1 van Riebeeck Road, Allen Grove, Kempton Park, 1619.

1.10 “PAIA” means the Promotion of Access to Information Act, 2 of 2000;

1.11 “Personal Information” has the meaning ascribed thereto in section 1 of POPI;

1.12 “Personnel” refers to

1.12.1 any person who works for, or provides services to or on behalf of the Organisation, and receives or is entitled to receive remuneration and any other person who assists in carrying out or conducting the business of the Organisation, which includes, without limitation, directors (executive and non-executive), all permanent, temporary and part-time staff as well as contract workers;

1.12.2 any person who voluntarily works for, or provides services to or on behalf of the Organisation, and receives no remuneration.

1.13 “POPI” means the Protection of Personal Information Act, 4 of 2013;

1.14 “POPI Regulations” mean the regulations promulgated in terms of section 112(2) of POPI;

1.15 “Private Body” has the meaning ascribed thereto in sections 1 of both PAIA and POPI;

1.16 “Processing” has the meaning ascribed thereto in section 1 of POPI;

- 1.17 “Responsible Party” has the meaning ascribed thereto in section 1 of POPI;
- 1.18 “Record” has the meaning ascribed thereto in section 1 of PAIA and includes Personal Information;
- 1.19 “Requester” has the meaning ascribed thereto in section 1 of PAIA;
- 1.20 “Request for Access” has the meaning ascribed thereto in section 1 of PAIA; and
- 1.21 “SAHRC” means the South African Human Rights Commission;
- 1.22 “Visitor” means an individual other than a Congregant who visits the Organisation for purposes of utilising its services and who may or may not ostensibly associate with the Organisation.
- 1.23 Capitalised terms used in this Manual have the meanings ascribed thereto in section 1 of POPI and PAIA as the context specifically requires, unless otherwise defined herein.

2. PURPOSE OF THE MANUAL

This Manual:

- 2.1 for the purposes of PAIA, details the procedure to be followed by a Requester and the manner in which a Request for Access will be facilitated; and
- 2.2 for the purposes of POPI, details the purpose for which Personal Information may be processed; a description of the categories of Data Subjects for whom the Organisation Processes Personal Information as well as the categories of Personal Information relating to such Data Subjects; and the recipients to whom Personal Information may be supplied.

3. INTRODUCTION

- 3.1 The Organisation is a Christian faith-based church engaged in the practice of Christian theology.
- 3.2 The main objective of the Organisation is to constitute a place of worship for its Congregants and Visitors and to provide pastoral counselling to Clients. In addition, the Organisation provides for the solemnisation of Christian marriages and for funeral services.
- 3.3 PAIA gives third parties the right to approach Private Bodies and the government to request information held by them, which is required in the exercise and/or protection of any rights. On request, the Private Body or government is obliged to release such information unless PAIA expressly states that the Records containing such information may or must not be released. This Manual informs Requestors of procedural and other requirements which a Request for Access must meet as prescribed by the PAIA.

3.4 POPI provides for:

3.4.1 promotion the protection of Personal Information processed by public and private bodies;

3.4.2 certain conditions so as to establish minimum requirements for the processing of Personal Information;

3.4.3 to provide for the establishment of an Information Regulator to exercise certain powers and to perform certain duties and functions in terms of the POPI and the PAIA;

3.4.4 to provide for the issuing of codes of conduct;

3.4.5 to provide for the rights of persons regarding unsolicited electronic communications and automated decision making;

3.4.6 to regulate the flow of Personal Information across the borders of the Republic; and to provide for matters connected therewith.

3.5 Section 14 of the Constitution provides that everyone has the right to privacy. The right to privacy includes a right to protection against the unlawful collection, retention, dissemination and use of Personal Information.

3.6 POPI gives Data Subjects the right to, in the prescribed manner, request a Responsible Party to correct or delete Personal Information about the Data Subject in its possession or under its control that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading or obtained unlawfully; or destroy or delete a record of Personal Information about the Data Subject that the Responsible Party is no longer authorised to retain access and/or request the correction or deletion of any Personal Information held about them that may be inaccurate, misleading or outdated.

3.7 The Organisation endorses the spirit of the PAIA and POPI and believes that this Manual will assist Requesters in exercising their rights. The Act seeks, inter alia, to give effect to the constitutional right of access to any information held by the state or by any other person where such information is required for the exercise or protection of any right.

3.8 This Manual was compiled in terms of Section 51 of the PAIA to facilitate access to records held by the Organisation. It contains information required by a person wishing to exercise any right, contemplated by the PAIA. It is available in English.

4. AVAILABILITY OF THE MANUAL

4.1 This Manual is made available in terms of PAIA and section 4 of the Regulations to POPI.

4.2 This Manual is further available at the offices of SAHRC and at the offices of the Organisation for inspection during normal business hours. No fee will be levied for inspection as contemplated in this clause.

4.3 Copies of the Manual can be obtained from the Information Officer. A fee will be levied for copies of the manual in accordance with Appendix A.

5. ORGANISATION DETAILS

5.1 The details of the Organisation are as follows:

Persons designated/duly authorised persons:

Directors

Physical address:

Telephone number:

Email address:

6. CONTACT DETAILS OF THE INFORMATION OFFICER

The Information Officer's contact details are as follows:

Information Officer: Gary Plant

Physical address: 1 van Riebeeck Road, Allen Grove, Kempton Park, 1619.

Telephone number: 074 721 3022

Email address: abk@abk.co.za

7. THE ACT (Section 51(1) (b))

7.1 PAIA 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.

7.2 Requests in terms of PAIA 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 PAIA.

7.3 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: Private Bag 2700, Houghton, 2041

Telephone Number: 011-877 3600

Fax Number: 011-403 0625

Website: www.sahrc.org.za

8. PUBLICATION AND AVAILABILITY OF CERTAIN RECORDS IN TERMS OF PAIA

8.1 Schedule of Records

The Schedule of Records as contained in Appendix B of this Manual details the Records that are held and/or Processed by the Organisation for the purposes of PAIA and POPI respectively. Such Access to such Records may not be granted if they are subject to the grounds of refusal which are specified in clause 9 below.

8.2 List of applicable legislation

8.2.1 The Organisation retains records which are required in terms of legislation other than PAIA.

8.2.2 Certain legislation provides that private bodies shall allow certain persons access to specified records, upon request. Legislation that may be consulted to establish whether the Requester has a right of access to a record other than in terms of the procedure set out in the PAIA are set out in Appendix C.

9. GROUNDS FOR REFUSAL OF ACCESS TO RECORDS IN TERMS OF PAIA

9.1 The following are the grounds on which the Organisation may, subject to the exceptions contained in Chapter 4 of PAIA, refuse a Request for Access in accordance with Chapter 4 of PAIA:

9.1.1 mandatory protection of the privacy of a third party who is a natural person, including a deceased person, where such disclosure of Personal Information would be unreasonable;

9.1.2 mandatory protection of the commercial information of a third party, if the Records contain:

9.1.2.1 trade secrets of that third party;

9.1.2.2 financial, commercial, scientific or technical information of the third party, the disclosure of which could likely cause harm to the financial or commercial interests of that third party; and/or

9.1.2.3 information disclosed in confidence by a third party to the Organisation, the disclosure of which could put that third party at a disadvantage in contractual or other negotiations or prejudice the third party in commercial competition;

9.1.3 mandatory protection of confidential information of third parties if it is protected in terms of any agreement;

9.1.4 mandatory protection of the safety of individuals and the protection of property;

9.1.5 mandatory protection of Records that would be regarded as privileged in legal proceedings;

9.1.6 protection of the commercial information of the Organisation, which may include:

9.1.6.1 trade secrets;

9.1.6.2 financial/commercial, scientific or technical information, the disclosure of which could likely cause harm to the financial or commercial interests of the Organisation;

9.1.6.3 information which, if disclosed, could put the Organisation at a disadvantage in contractual or other negotiations or prejudice the Organisation in commercial competition; and/or

9.1.6.4 computer programs which are owned by the Organisation, and which are protected by copyright and intellectual property laws;

9.1.6.5 research information of the Organisation or a third party, if such disclosure would place the research or the researcher at a serious disadvantage; and

9.1.6.6 Requests for Records that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources.

10. INFORMATION OR RECORDS NOT FOUND

10.1 If the Organisation cannot find the Records that the Requester is looking for despite reasonable and diligent search and it believes either that the Records are lost or that the Records are in its possession but unattainable, the Requester will receive a notice in this regard from the Information Officer in the form of an affidavit setting out the measures taken to locate the document and accordingly the inability to locate the document.

11. REMEDIES AVAILABLE TO THE REQUESTER UPON REFUSAL OF A REQUEST FOR ACCESS IN TERMS OF PAIA

11.1 The Organisation does not have internal appeal procedures. As such, the decision made by the Information Officer is final, and Requesters will have to exercise such external remedies at their disposal if the Request for Access is refused.

11.2 In accordance with sections 56(3) (c) and 78 of PAIA, a Requester may apply to a court for relief within 180 days of notification of the decision for appropriate relief.

12. PROCEDURE FOR A REQUEST FOR ACCESS IN TERMS OF PAIA

12.1 A Requester must comply with all the procedural requirements as contained in section 53 of PAIA relating to a Request for Access to a Record.

12.2 A Requester must complete the prescribed Request for Access form attached as Appendix D, and submit the completed Request for Access form as well as payment of a request fee (if applicable) and a deposit (if applicable), to the Information Officer at the physical address or electronic mail address stated in clause 4 above.

12.3 The Request for Access form must be completed with enough detail so as to enable the Information Officer to identify the following:

12.3.1 the Record/s requested;

12.3.2 the identity of the Requester;

12.3.3 the form of access that is required, if the request is granted;

12.3.4 the postal address or email address of the Requester; and

12.3.5 the right that the Requester is seeking to protect and an explanation as to why the Record is necessary to exercise or protect such a right.

12.4 If a Request for Access is made on behalf of another person, the Requester must submit proof of the capacity in which the Requester is making the request to the reasonable satisfaction of the Information Officer.

12.5 If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally.

12.6 The Organisation will voluntarily provide the requested Records to a Personal Requester (as defined in section 1 of PAIA). The prescribed fee for reproduction of the Record requested by a Personal Requester will be charged in accordance with section 54(6) of PAIA and paragraph 11 below.

13. FEES

13.1 When the Request for Access is received by the Information Officer, the Information Officer will by notice require the Requester, other than a Personal Requester, to pay the prescribed request fee (if any), before further processing of the Request for Access.

13.2 Prescribed request fees are set out in Appendix A.

13.3 If the search for a Record requires more than the prescribed hours for this purpose, the Information Officer will notify the Requester to pay as a deposit, the prescribed portion of the access fee (being not more than one third) which would be payable if the Request for Access is granted.

13.4 The Information Officer will withhold a Record until the Requester has paid the fees set out in Appendix A.

13.5 A Requester whose Request for Access to a Record has been granted, must pay an access fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the Record for disclosure, including making arrangements to make it available in a requested form provided for in PAIA.

13.6 If a deposit has been paid in respect of a Request for Access which is refused, the Information Officer will repay the deposit to the Requester.

14. DECISION TO GRANT ACCESS TO RECORDS

14.1 The Organisation will decide whether to grant or decline the Request for Access within 30 days of receipt of the Request for Access and must give notice to the Requester with reasons (if required) to that effect.

14.2 The period referred to above may be extended for a further period of not more than 30 days if the Request for Access is for a large number of Records or the Request for Access requires a search for Records held at another office of the Organisation and the Records cannot reasonably be obtained within the original 30 day period.

14.3 The Organisation will notify the Requester in writing should an extension of time as contemplated above be required.

14.4 In addition to a written reply from the Information Officer, the Requester wishes to be informed of the decision on the Request for Access in any other manner, the Requester must state the manner and particulars so required.

15. PROTECTION OF PERSONAL INFORMATION PROCESSED BY THE ORGANISATION

15.1 Chapter 3 of POPI provides for the minimum Conditions for Lawful Processing of Personal Information by a Responsible Party. These conditions may not be derogated from unless specific exclusions apply as outlined in POPI.

15.2 The Organisation needs Personal Information relating to both individual and juristic persons in order to carry out its business and organisational functions. The manner in which this information is Processed and the purpose for which it is Processed is determined by the Organisation. The Organisation is accordingly a

Responsible Party for the purposes of POPI and will ensure that the Personal Information of a Data Subject:

15.2.1 is processed lawfully, fairly and transparently. This includes the provision of appropriate information to Data Subjects when their data is collected by the Organisation, in the form of privacy or data collection notices. The Organisation must also have a legal basis (for example, consent) to process Personal Information;

15.2.2 is processed only for the purposes for which it was collected;

15.2.3 will not be processed for a secondary purpose unless that processing is compatible with the original purpose.

15.2.4 is adequate, relevant and not excessive for the purposes for which it was collected;

15.2.5 is accurate and kept up to date;

15.2.6 will not be kept for longer than necessary;

15.2.7 is processed in accordance with integrity and confidentiality principles; this includes physical and organisational measures to ensure that Personal Information, in both physical and electronic form, are subject to an appropriate level of security when stored, used and communicated by the Organisation, in order to protect against access and acquisition by unauthorised persons and accidental loss, destruction or damage;

15.2.8 is processed in accordance with the rights of Data Subjects, where applicable. Data Subjects have the right to:

15.2.8.1 be notified that their Personal Information is being collected by the Organisation. The Data Subject also has the right to be notified in the event of a data breach;

15.2.8.2 know whether the Organisation holds Personal Information about them, and to access that information. Any request for information must be handled in accordance with the provisions of this Manual;

15.2.8.3 request the correction or deletion of inaccurate, irrelevant, excessive, out of date, incomplete, misleading or unlawfully obtained personal information;

15.2.8.4 object to the Organisation's use of their Personal Information and request the deletion of such Personal Information (deletion would be subject to the Organisation's record keeping requirements);

15.2.8.5 object to the processing of Personal Information for purposes of direct marketing by means of unsolicited electronic communications; and

15.2.8.6 complain to the Information Regulator regarding an alleged infringement of any of the rights protected under POPI and to institute civil

proceedings regarding the alleged non-compliance with the protection of his, her or its personal information.

15.3 Purpose of the Processing of Personal Information by the Organisation

15.3.1 As outlined above, Personal Information may only be Processed for a specific purpose. The purposes for which the Organisation Processes or will Process Personal Information is set out in Part 1 of Appendix E.

15.4 Categories of Data Subjects and Personal Information/special Personal Information relating thereto

15.4.1 As per section 1 of POPI, a Data Subject may either be a natural or a juristic person. Part 2 of Appendix E sets out the various categories of Data Subjects that the Organisation Processes Personal Information on and the types of Personal Information relating thereto.

15.5 Recipients of Personal Information

15.5.1 Part 3 of Appendix E outlines the recipients to whom the Organisation may provide a Data Subjects Personal Information to.

15.6 Cross-border flows of Personal Information

15.6.1 Section 72 of POPI provides that Personal Information may only be transferred out of the Republic of South Africa if the:

15.6.1.1 recipient country can offer such data an “adequate level” of protection. This means that its data privacy laws must be substantially similar to the Conditions for Lawful Processing as contained in POPI; or

15.6.1.2 Data Subject consents to the transfer of their Personal Information; or

15.6.1.3 transfer is necessary for the performance of a contractual obligation between the Data Subject and the Responsible Party; or

15.6.1.4 transfer is necessary for the performance of a contractual obligation between the Responsible Party and a third party, in the interests of the Data Subject; or

15.6.1.5 the transfer is for the benefit of the Data Subject, and it is not reasonably practicable to obtain the consent of the Data Subject, and if it were, the Data Subject, would in all likelihood provide such consent.

15.6.2 Part 4 of Appendix E sets out the planned cross-border transfers of Personal Information and the condition from above that applies thereto.

15.7 Description of information security measures to be implemented by the Organisation

15.7.1 Part 5 of Appendix E sets out the types of security measures to implemented by the Organisation in order to ensure that Personal Information is respected and protected. A preliminary assessment of the suitability of the

information security measures implemented or to be implemented by the Organisation may be conducted in order to ensure that the Personal Information that is processed by the Organisation is safeguarded and processed in accordance with the Conditions for Lawful Processing.

15.8 Objection to the Processing of Personal Information by a Data Subject

15.8.1 Section 11 (3) of POPI and Regulation 2 of the POPI Regulations provides that a Data Subject may, at any time object to the Processing of his/her/its Personal Information in the prescribed form attached to this manual as Appendix F subject to exceptions contained in POPI.

15.9 Request for correction or deletion of Personal Information

15.9.1 Section 24 of POPI and Regulation 3 of the POPI Regulations provides that a Data Subject may request for their Personal Information to be corrected/deleted in the prescribed form attached as Appendix G to this Manual.

15.10 Automatic deletion of Personal Information

15.10.1 The Organisation has implemented an internal measure by which any and all Personal Information is automatically deleted once it becomes irrelevant or when the Data Subject ceases to engage with the Organisation.

16. THIRD PARTIES

16.1 If the request is for the record pertaining to the third party, the Deputy Information Officer of the Organisation must take all reasonable steps to inform the third party of the request. This must be done within 21 (twenty-one) days of receipt of the request. The manner in which this is done must be by the fastest means reasonably possible, but if orally, the Deputy Information Officer of the Organisation must thereafter give the third party a written confirmation of the notification.

16.2 The third party may within 21 (twenty-one) days thereafter either make representation to the Organisation as to why the request should be refused; alternatively grant written consent to the disclosure of the record.

16.3 The third party must be advised of the decision taken by the Deputy Information Officer of the Organisation whether to grant or to decline the request. A third party who is dissatisfied with the Deputy Information Officer of the Organisation's decision to grant a request for

APPENDIX A: FEES

1. The fee for a copy of the manual as contemplated in regulation 9(2)(c) is R1,10 for every photocopy of an A4-size page or part thereof.

2. The fees for reproduction referred to in regulation 11(1) are as follows:

a)	For every photocopy of an A4-size page or part thereof	R 1,10
b)	For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	R 0,75
c)	For a copy in a computer-readable form on -	
	i) stiffy disc or flash disc drive	R 7,50
	ii) compact disc	R 70,00
d)	For a transcription of visual images -	
	i) for an A4-size page or part thereof	R 40,00
	ii) For a copy of visual images	R 60,00
e)	For a transcription of an audio record -	
	i) for an A4-size page or part thereof	R 20,00
	ii) For a copy of an audio record	R 30,00

3. The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2) is R50,00.

4. The access fees payable by a requester referred to in regulation 11(3) are as follows:

1)	a)	For every photocopy of an A4-size page or part thereof	R 1,10
	b)	For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	R 0,75
	c)	For a copy in a computer-readable form on -	
		i) stiffy disc or flash disc drive	R 7,50
		ii) compact disc	R 70,00
	d)	For a transcription of visual images -	

		i) for an A4-size page or part thereof	R 40,00
		ii) For a copy of visual images	R 60,00
	e)	For a transcription of an audio record -	
		i) for an A4-size page or part thereof	R 20,00
		ii) For a copy of an audio record	R 30,00
	f)	To search for and prepare the record for disclosure, for each hour or part of an hour reasonably required for such search and preparation	
2)		For purposes of section 54(2) of the Act, the following applies:	
	a)	Six hours as the hours to be exceeded before a deposit is payable; and	
	b)	one third of the access fee is payable as a deposit by the requester	
3)		The actual postage is payable when a copy of a record must be posted to a requester.	

The Organisation accepts the following methods of payment:

- Direct Transfer (EFT)
- Bank Deposit

Banking details will be provided upon request.

APPENDIX B: SCHEDULE OF RECORDS

The list(s) below depict records of information which the Organisation has available in terms of laws applicable to the Organisation:

Records	Title/Subject	Availability
1. Client Records	<ul style="list-style-type: none"> • Name and surname; • Contact details (telephone, cellphone, email); • Physical address; • Correspondence; • Client files; • Client accounts and banking details; • Client contracts; • Client business information; • Legal documentation; • Standard terms and conditions of supply of goods and/or services; • Working papers. 	Request in terms of PAIA
2. Congregants and Visitors	<ul style="list-style-type: none"> • Name and surname; • Contact details (telephone, cellphone, email); • Physical address; • Gender; • Age; • Birthdays; • Marital status; • Identity of spouse (if any); • Identity of relatives in the organisation; 	Request in terms of PAIA

	<ul style="list-style-type: none"> • Occupation; • Membership status; • Photo; • Video material (recorded during services / CCTV); • Correspondence; • Congregant files; • Religious views and convictions. 	
<p>3. Pastoral Counselling Clients</p>	<ul style="list-style-type: none"> • Name and surname; • Contact details (telephone, cellphone, email); • Physical address; • Gender; • Age; • Birthdays; • Marital status; • Identity of spouse (if any); • Identity of relatives in the organisation; • Occupation; • Membership status; • Photo; • Video material (recorded during services / CCTV); • Correspondence; • Counselling file; • Consultation notes; • Information relating to physical or mental health; • Counselling history; 	<p>Request in terms of PAIA</p>

	<ul style="list-style-type: none"> • Religious views and convictions 	
4. Marriage Solemnization Clients	<ul style="list-style-type: none"> • Name and surname; • Contact details (telephone, cellphone, email); • Physical address; • Gender; • Age; • Birthdays; • Marital status; • Identity of spouse (if applicable); • Identity of relatives in the organisation; • Occupation; • Membership status; • Photo; • Video material (recorded during services / CCTV); • Correspondence; • Religious views and convictions; • Identification document; • Proof or marriage property regime; • Marriage registration 	Request in terms of PAIA
5. Corporate Governance	<ul style="list-style-type: none"> • Organisation's Constitution • Codes of conduct; • Corporate social investment records; • Board meeting minutes; 	Request in terms of PAIA

	<ul style="list-style-type: none"> • Legal compliance records; • Internal policies and procedures; • Applicable statutory documents, including but not limited to, certificates of registration and tax registration certificates; • Corporate structure documents; • Statutory returns to relevant authorities; • Minutes of Resolutions passed. 	
<p>6. Finance and Administration</p>	<ul style="list-style-type: none"> • Accounting records; • Annual financial statements • Agreements; • Banking records; • Correspondence; • Purchase orders. • Remittances; • Invoices and statements; • Tax records and returns; • Statistics SA returns; 	<p>Request in terms of PAIA</p>
<p>7. Human Capital</p>	<ul style="list-style-type: none"> • Career development records; • Personnel information; • Employment equity reports; • General terms of employment; • Letters of employment; 	<p>Request in terms of PAIA</p>

	<ul style="list-style-type: none"> • Leave records; • PAYE records and returns; • Performance management records; • Assessments; • Policies and procedures; • UIF returns; • Retirement benefit • Medical Aid records; • Records of grievances and disciplinary proceedings • Biometric data records • Timesheets • Attendance and absenteeism records 	
<p>8. Information Management and Technology</p>	<ul style="list-style-type: none"> • Agreements; • Equipment registers; • Information policies; • Standards, procedures and guidelines. • Disaster Recovery Policy and Plans • Root Cause Analyses • Facilities • Security Access • ICT Policies, Standards, Procedures and Templates • Software Licences • Information, Communication and Technology 	<p>Request in terms of PAIA</p>

	<ul style="list-style-type: none"> • CCTV and audio records • Video recordings & publications 	
9. Learning and Education	<ul style="list-style-type: none"> • Training material; • Training records and statistics; • Training agreements; • Attendance registers; and • Learnership Programmes. 	Request in terms of PAIA
10. Information and Research	<ul style="list-style-type: none"> • External publications; • Internal publications; • Reference works; • Periodicals; and • Research files and articles • Newsletters 	Request in terms of PAIA
11. Marketing and Communication	<ul style="list-style-type: none"> • Proposal documents; • New business development; • Brand information management; • Marketing strategies; • Communication strategies; • Agreements; • Client relationship programmes; • Marketing publications and brochures; and • Sustainability programmes. 	Request in terms of PAIA
12. Operations	<ul style="list-style-type: none"> • Access control records; 	Request in terms of PAIA

	<ul style="list-style-type: none"> • Agreements; • Archival administration documentation; • Communication strategies; • General correspondence; • Insurance documentation; • Service level agreements; • Standard trading terms and conditions of supply of services and goods; • Travel documentation; • Procurement agreements and documentation; • Used order books; • Vehicle registration documents; and • Cellular phone registration documents, including RICA; • Operations policies and procedure; • Health & Safety Protocols; • Emergency Protocols 	
<p>13. Intellectual Property:</p>	<ul style="list-style-type: none"> • Patents and Trade Mark documents; • Intellectual property pertaining to solutions and products developed (including, but not limited to, operation management, course materials, video and audio recordings handbooks and lyrics) • Know-how 	<p>Request in terms of PAIA</p>

<p>14. Business Interactions with other entities</p>	<ul style="list-style-type: none"> • Agreements with third parties (clients, vendors, suppliers) • Licensing and Support Agreements • Client Satisfaction Surveys • Service Level Agreements 	<p>Request in terms of PAIA</p>
<p>15. Insurance</p>	<ul style="list-style-type: none"> • Insurance Declarations • Insurance Claim Files • Insurance Policies 	<p>Request in terms of PAIA</p>
<p>16. Regulatory:</p>	<ul style="list-style-type: none"> • Applications • Registrations • Licenses • Submissions 	<p>Request in terms of PAIA</p>

APPENDIX C: APPLICABLE LEGISLATION

No	Ref	Act
1	No 68 of 1981	Alienation of Land Act
2	No 75 of 1997	Basic Conditions of Employment Act
3	No 71 of 2008	Companies Act
4	No 130 of 1993	Compensation for Occupational Injuries and
5	No 108 of 1996	Constitution of South Africa Act
6	No 68 of 2009	Consumer Protection Act
7	No 98 of 1978	Copyright Act
8	No 25 of 2002	Electronic Communications and Transactions Act
9	No 55 of 1998	Employment Equity Act
10	No 37 of 2002	Financial Advisory and Intermediary Services Act
11	No 38 of 2001	Financial Intelligence Centre Act
12	No 95 of 1967	Income Tax Act
13	No 66 of 1995	Labour Relations Act
14	No 28 of 2014	Legal Practice Act
15	No 32 of 1944	Magistrates' Courts Act
16	No 34 of 2005	National Credit Act
17	No 71 of 1997	Nonprofit Organisations Act
18	No 85 of 1993	Occupational Health and Safety Act
19	No 2 of 2000	Promotion of Access of Information Act
20	No 4 of 2013	Protection of Personal Information Act
21	No 10 of 2013	Superior Courts Act
22	No 40 of 1949	Transfer Duty Act
23	No 30 of 1996	Unemployment Insurance Act
24	No 89 of 1991	Value Added Tax Act



Although we have used our best endeavours to supply a list of applicable legislation, it is possible that this list may be incomplete. Whenever it comes to our attention that existing or new legislation allows a Requester access on a basis other than as set out in PAIA, we shall update the list accordingly. If a Requester believes that a right of access to a record exists in terms of other legislation listed above or any other legislation, the Requester is required to indicate what legislative right the request is based on, to allow the Information Officer the opportunity of considering the request in light thereof.

APPENDIX D: ACCESS REQUEST FORM

COMPLETION OF ACCESS REQUEST FORM

1. The Access Request Form must be completed.
2. Proof of identity is required to authenticate the identity of the requester. Attach a copy of the requester's identification document.
3. Type or print in BLOCK LETTERS an answer to every question.
4. If a question does not apply, state "N/A".
5. If there is nothing to disclose in reply to a question, state "nil".
6. When there is insufficient space on a printed form, additional information may be provided on an attached folio, and each answer on such folio must reflect the applicable title

FORM C

ACCESS REQUEST FORM - RECORD OF PRIVATE BODY

(Section 53(1) of the Promotion of Access to Information Act, 2 of 2000)

[Regulation 10]

A. Particulars of Private Body	
The Information Officer: Mr Gary Plant ABK, 1 van Riebeeck Road, Allen Grove, Kempton Park, 1619. Tel: 074 721 3022 Email: abk@abk.co.za	
B. Particulars of person requesting access to the record	
(a) The particulars of the person who requests access to the record must be given below. (b) The address and/or fax number in the Republic to which the information is to be sent must be given. (c) Proof of the capacity in which the request is made, if applicable, must be attached.	
Full names and surname:	
Identity number:	
Postal address:	
Telephone number:	Fax Number:
E-mail address:	
Capacity in which request is made, when made on behalf of another person:	
C. Particulars of person on whose behalf request is made	
This section must be completed ONLY if a request for information is made on behalf of another person.	
Full names and surname:	
Identity number:	

D. Particulars of record			
(a) 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.			
(b) If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.			
1. Description of record or relevant part of the record:			
2. Reference number, if available:			
3. Any further particulars of record:			
E. Fees			
(a) A request for access to a record, other than a record containing personal information about yourself, will be processed only after a request fee has been paid.			
(b) You will be notified of the amount required to be paid as the request fee.			
(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.			
(d) If you qualify for exemption of the payment of any fee, please state the reason for exemption.			
Reason for exemption from payment of fees:			
F. Form of access to record			
If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 below, state your disability and indicate in which form the record is required.			
Disability:		Form in which record is required:	
Mark the appropriate box with an X.			
NOTES:			
(a) Compliance with your request for access in the specified form may depend on the form in which the record is available.			
(b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.			
(c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.			
1. If the record is in written or printed form:			
copy of record		inspection of record	
2. If record consists of visual images - (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):			
view the images		copy of the images*	transcription of the images*
3. If record consists of recorded words or information which can be reproduced in sound:			
listen to the soundtrack (audio cassette)		transcription of soundtrack* (written or printed document)	

4. If record is held on computer or in an electronic or machine-readable form:					
printed copy of record*		printed copy of information derived from the record*		copy in computer readable form* (stiffy or compact disc)	
*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.			Yes	No	
G. Particulars of right to be exercised or protected					
If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.					
1. Indicate which right is to be exercised or protected:					
2. Explain why the record requested is required for the exercise or protection of the aforementioned right:					
H. Notice of decision regarding request for access					
You will be notified in writing whether your request has been approved / denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.					
How would you prefer to be informed of the decision regarding your request for access to the record?					
Signed at:		This day		of	20
SIGNATURE OF REQUESTER / PERSON ON WHOSE BEHALF REQUEST IS MADE					

APPENDIX E: PROCESSING OF PERSONAL INFORMATION IN ACCORDANCE WITH POPI

Part 1

Purpose of the Processing of Personal Information	Type of Processing
<p>1. To effectively provide services and communication to the Clients, Congregants and Visitors;</p> <p>2. To undertake activities related to the provision of services and transactions, including, but not limited to: 2.1 to fulfil legal, regulatory and compliance requirements and comply with any laws or regulations applicable to the Organisation;</p> <p>2.2 to verify the identity of the Clients, Congregants and Visitors who contact the Organisation or may be contacted by the Organisation;</p> <p>2.3 for risk assessment, information security management, statistical, trend analysis, demography analysis and planning purposes;</p> <p>2.4 to monitor and record calls and electronic communications with the Clients, Congregants and Visitors for quality, training, investigation and fraud prevention purposes;</p> <p>2.5 for crime detection, prevention, investigation and prosecution;</p> <p>2.6 to enforce or defend the Organisation's rights; and</p> <p>2.7 to manage the Organisation's relationship with the Clients, Congregants and Visitors.</p> <p>3. The purposes related to any authorised disclosure made in terms of agreement, law or regulation;</p> <p>4. Any additional purposes expressly authorised by the Clients, Congregants and Visitors; and</p> <p>5. Any additional purposes as may be notified to the Clients, Congregants and Visitors or Data Subjects in any notice provided by the Organisation.</p>	<p>Collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destructi</p>

Part 2

CATEGORIES OF DATA SUBJECTS AND CATEGORIES OF PERSONAL INFORMATION RELATING THERETO

Categories of Data Subjects of and categories of Personal Information relating thereto	Data Subject	Personal Information Processed
<p>Clients: Name and surname, contact details (telephone, cellphone, email), physical address, correspondence, client files, client correspondence, client files, client accounts and banking details, client contracts, client business information, legal documentation, standard terms and conditions of supply of goods and/or services, working papers.</p>	<p>Natural / Juristic Persons.</p>	<p>Personal Information as per first column.</p>
<p>Congregants and Visitors: Name and surname, contact details (telephone, cellphone, email), physical address, gender, age, birthdays, marital status, identity of spouse (if any), identity of relatives in the organisation, occupation, membership status, photo, video material (recorded during services / CCTV), correspondence, congregant files, religious views and convictions.</p>		
<p>Pastoral Counselling Clients: Name and surname, contact details (telephone, cellphone, email), physical address, gender, age, birthdays, marital status, identity of spouse (if any), identity of relatives in the organisation, occupation, membership status, photo, video material (recorded during services / CCTV), correspondence, counselling file, consultation notes, information relating to physical or mental health, counselling history, religious views and convictions.</p>		
<p>Marriage Solemnization Clients: Name and surname, contact details (telephone, cellphone,</p>		

<p>email), Physical address, Gender, Age, Birthdays, Marital status, Identity of spouse (if applicable), Identity of relatives in the organisation, Occupation, Membership status, Photo, Video material (recorded during services / CCTV), Correspondence, Religious views and convictions, Identification document, Proof or marriage property regime, Marriage registration</p>		
<p>Payment Beneficiaries: Bank Account Currency Code, Bank Account Id, Bank Account Name, Bank Account Number, Bank Account Type; beneficiary address, transaction details; payment narrative and, for certain data transferred from the UK only, National Insurance numbers.</p>	<p>Natural Persons; Juristic Persons.</p>	<p>Personal Information as per first</p>
<p>Personnel: Name and surname, ID number; business contact details (address/telephone number/email address), personal contact details (residential address/telephone number/email address), tax information, career development records, personnel information, employment equity reports, general terms of employment, letters of employment, leave records, PAYE records and returns, performance management records, assessments, policies and procedures, UIF returns, retirement benefit, medical aid records, records of grievances and disciplinary proceedings, biometric data records, timesheets, attendance and absenteeism records.</p>	<p>Natural Persons.</p>	

Part 3

RECIPIENTS OF PERSONAL INFORMATION

The Organisation, its affiliates and their respective representatives.

Part 4

CROSS BORDER TRANSFERS OF PERSONAL INFORMATION

When making authorized disclosures or transfers of personal information in terms of section 72 of POPI, Personal Data may be disclosed to recipients located in countries which do not offer a level of protection for those data as high as the level of protection as South Africa.

Part 5

DESCRIPTION OF INFORMATION SECURITY MEASURES

The Organisation instituted and maintain the below data protection measures to accomplish the objectives outlined below. The details given are to be interpreted as examples of how to achieve an adequate data protection level for each objective. The Organisation may use alternative measures and adapt to technological security development, as needed, provided that the objectives are achieved.

1. Access Control of Persons

The Organisation have implemented suitable measures in order to prevent unauthorized persons from gaining access to the data processing equipment where the data are processed.

2. Data Media Control

The Organisation have implemented suitable measures to prevent the unauthorized manipulation of media, including reading, copying, alteration or removal of the data media used by the Organisation and containing personal data of Customers.

3. Data Memory Control

The Organisation have implemented suitable measures to prevent unauthorized input into data memory and the unauthorized reading, alteration or deletion of stored data.

4. User Control

The Organisation have implemented suitable measures to prevent its data processing systems from being used by unauthorized persons by means of data transmission equipment.

5. Access Control to Data

The Organisation represents that the persons entitled to use the Organisation's data processing system are only able to access the data within the scope and to the extent covered by their respective access permissions (authorization).

6. Transmission Control

The Organisation shall be obliged to enable the verification and tracing of the locations / destinations to which the personal information is transferred by utilization of the Organisation's data communication equipment / devices.

7. Transport Control

The Organisation have implemented suitable measures to prevent Personal Information from being read, copied, altered or deleted by unauthorized persons during the transmission thereof or during the transport of the data media.

8. Organization Control

The Organisation shall maintain its internal organization in a manner that meets the requirements of this Manual.



APPENDIX F: OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION...

OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION IN TERMS OF SECTION 11(3) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018

Note:

1. Affidavits or other documentary evidence as applicable in support of the objection may be attached.
2. If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.
3. Complete as is applicable.

A	DETAILS OF DATA SUBJECT
Name(s) and surname/ registered name of data subject:	
Unique Identifier/ Identity Number	
Residential, postal or business address:	
Contact number(s):	
Fax number / E-mail address:	
B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname/ registered name of data subject:	
Residential, postal or business address:	
Contact number(s):	
Fax number / E-mail address:	
C	REASONS FOR OBJECTION IN TERMS OF SECTION 11(1)(d) to (f) (Please provide detailed reasons for the objection)

Signed at this day of20.....

.....
**Signature of Data Subject/
 Designated Person**



APPENDIX G: REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION...

REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION OR DESTROYING OR DELETION OF RECORD OF PERSONAL INFORMATION IN TERMS OF SECTION 24(1) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018

[Regulation 3]

Note:

1. Affidavits or other documentary evidence as applicable in support of the request may be attached.
2. If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.
3. Complete as is applicable.

Mark the appropriate box with an "X".

Request for:

Correction or deletion of the personal information about the data subject which is in possession or under the control of the responsible party.

Destroying or deletion of a record of personal information about the data subject which is in possession or under the control of the responsible party and who is no longer authorised to retain the record of information.

A	DETAILS OF DATA SUBJECT
Name(s) and surname/ registered name of data subject:	
Unique Identifier/ Identity Number	
Residential, postal or business address:	
Contact number(s):	
Fax number / E-mail address:	
B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname/ registered name of data subject:	
Residential, postal or business address:	
Contact number(s):	
Fax number / E-mail address:	
C	REASONS FOR OBJECTION IN TERMS OF SECTION 11(1)(d) to (f) (Please provide detailed reasons for the objection

