



PROMOTION OF ACCESS TO INFORMATION AND PROTECTION OF  
PERSONAL INFORMATION

# PAIA MANUAL

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

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## 1. LIST OF ACRONYMS AND ABBREVIATIONS

|                      | Definition   |
|----------------------|--|
| Chair                | Chairperson of Hermanus Animal Welfare Society   |
| DIO                  | Deputy Information Officer   |
| HAWS                 | Hermanus Animal Welfare Society, NPO Registration Number 002-950   |
| IO                   | Information Officer  |
| Minister             | Minister of Justice and Correctional Services  |
| PAIA                 | Promotion of Access to Information Act No. 2 of 2000 as Amended  |
| POPIA                | Protection of Personal Information Act No. 4 of 2013   |
| Regulator            | Information Regulator  |
| Republic             | Republic of South Africa   |
| Access Fee           | A fee prescribed for reproduction, search and preparation of a record for disclosure   |
| Data Subject         | The person to whom personal information relates  |
| Personal Information | Information relating to an identifiable, living, natural person, and where applicable, an identifiable, existing juristic person, as defined in Section 1 of POPIA |
| Personal Requester   | A requester seeking access to a record containing personal information about that requester  |
| Record               | Any recorded information, regardless of form or medium, in the possession or under the control of HAWS   |
| Request Fee          | A fee prescribed in terms of Section 54(1) of PAIA, payable before a request for access to information is processed  |

## 2. DEFINITIONS AND KEY TERMS

In this Manual, unless the context indicates otherwise, the following terms shall bear the meanings assigned to them:

|                     |   |
|---------------------|---|
| <b>Access Fee</b>   | A fee prescribed for the purposes of reproduction and for search and preparation, and for time reasonably required in excess of the prescribed hours to search for and prepare a record for disclosure. |
| <b>Constitution</b> | The Constitution of the Republic of South Africa, Act 108 of 1996.  |
| <b>Data Subject</b> | The person to whom personal information relates.  |

|                              |   |
|------------------------------|---|
| <b>HAWS</b>                  | Hermanus Animal Welfare Society, registered as a non-profit organisation under NPO number 002-950.  |
| <b>Head of Private Body</b>  | The General Manager of HAWS, or a person duly authorised by the General Manager.  |
| <b>Information Officer</b>   | The General Manager of HAWS, designated as the Information Officer in terms of PAIA and POPIA.  |
| <b>Information Regulator</b> | The body established in terms of Section 39 of POPIA, responsible for the enforcement of PAIA and POPIA.  |
| <b>PAIA</b>                  | The Promotion of Access to Information Act 2 of 2000 (as amended).  |
| <b>Personal Information</b>  | Information relating to an identifiable, living, natural person, and where applicable, an identifiable, existing juristic person, as defined in Section 1 of POPIA.   |
| <b>Personal Requester</b>    | A requester seeking access to a record containing personal information about that requester.  |
| <b>POPIA</b>                 | The Protection of Personal Information Act 4 of 2013.   |
| <b>Private Body</b>          | A natural person who carries on any trade, business, or profession, but only in that capacity; or a juristic person.  |
| <b>Processing</b>            | Any operation or activity, whether automated or not, concerning personal information, including collection, receipt, recording, organisation, collation, storage, updating, modification, retrieval, alteration, consultation, use, dissemination, distribution, merging, linking, restriction, degradation, erasure, or destruction. |
| <b>Record</b>                | Any recorded information, regardless of form or medium, in the possession or under the control of HAWS.   |
| <b>Request Fee</b>           | A fee prescribed in terms of Section 54(1) of PAIA, payable before a request for access to information is processed.  |
| <b>Requester</b>             | Any person, including a public body or an official thereof, making a request for access to a record of HAWS.  |

### 3. INTRODUCTION AND PURPOSE

This Manual is compiled in compliance with Section 51 of the Promotion of Access to Information Act 2 of 2000 (“PAIA”), as amended, read together with the Protection of Personal Information Act 4 of 2013 (“POPIA”).

Section 32 of the Constitution of the Republic of South Africa, 1996, guarantees the right of access to any information held by another person that is required for the exercise or protection

of any rights. PAIA was enacted to give effect to this constitutional right, while POPIA was enacted to give effect to the constitutional right to privacy contained in Section 14 of the Constitution.

The purpose of this Manual is to:

1. Foster a culture of transparency and accountability within HAWS;
2. Inform members of the public of the categories of records held by HAWS, including those available without a formal request, those available under other legislation, and the subjects on which records are held;
3. Provide the contact details of the Information Officer and Deputy Information Officer who will assist requesters;
4. Describe the Guide on how to use PAIA as updated by the Regulator, and how to obtain access to it;
5. Outline the procedures and fees applicable to requests for access to records;
6. Describe the grounds upon which HAWS may refuse a request for access; and
7. Inform data subjects of how HAWS processes personal information — including the purpose of processing, the categories of data subjects and information, the recipients to whom information may be supplied, any planned transborder flows, and the security measures in place — and of the rights available to them under POPIA.

#### **4. KEY CONTACT DETAILS**

In terms of Sections 51 and 55 of PAIA, read with Section 56 of POPIA, the following individuals are designated as the Information Officer responsible for facilitating requests for access to information and ensuring compliance with PAIA and POPIA.

##### **4.1. CHIEF INFORMATION OFFICER:**

|               |   |
|---------------|---|
| <b>Name:</b>  | Shana Essakow                           |
| <b>Tel:</b>   | 079 322 9722                            |
| <b>Email:</b> | chairperson@hermanusanimalwelfare.co.za |

##### **4.2. DEPUTY INFORMATION OFFICER:**

|              |               |
|--------------|---------------|
| <b>Name:</b> | Rinaldi Meyer |
| <b>Tel:</b>  | 082 473 2234  |

|               |  |
|---------------|--|
| <b>Email:</b> | generalmanager@hermanusanimalwelfare.co.za |
|---------------|--|

#### **4.3. ACCESS TO INFORMATION GENERAL CONTACTS:**

|               |                                       |
|---------------|---------------------------------------|
| <b>Email:</b> | adoptions@hermanusanimalwelfare.co.za |
|---------------|---------------------------------------|

#### **4.4. HEAD OFFICE:**

|                                       |   |
|---------------------------------------|---|
| <b>Physical &amp; Postal Address:</b> | 4 Steenbras Street, Industria, Hermanus |
| <b>Telephone:</b>                     | 028 312 1281                            |
| <b>Clinic Telephone:</b>              | 028 312 3770                            |
| <b>Emergency After-Hours:</b>         | 072 360 0101                            |
| <b>Email:</b>                         | adoptions@hermanusanimalwelfare.co.za   |
| <b>Website:</b>                       | www.hermanusanimalwelfare.co.za         |

#### **4.5. THE INFORMATION OFFICER IS RESPONSIBLE FOR:**

- Receiving and coordinating responses to PAIA requests;
- Ensuring that HAWS complies with PAIA and POPIA;
- Ensuring that this Manual is updated and made available; and
- Reporting to the Information Regulator where required.

### **5. GUIDE PUBLISHED BY THE INFORMATION REGULATOR**

In terms of Section 10 of PAIA, the Information Regulator has compiled and made available a Guide containing information to assist persons wishing to exercise their rights under PAIA and POPIA. The Guide is available in each of the official languages and in braille.

#### **5.1. THE GUIDE CONTAINS INFORMATION REGARDING:**

- The objects of PAIA;
- How to make a request for access to a record of a public or private body;
- How to lodge a complaint to the Information Regulator or an application with a court against a decision of a private body;
- The fees payable for accessing records; and
- All remedies in law regarding acts or omissions in relation to rights and duties conferred or imposed by PAIA.

## **5.2. RELEVANT EXTRACTS FROM PAIA FOR PUBLIC INFORMATION:**

*Section 17(1) of PAIA – For the purposes of PAIA, each public body must, subject to legislation governing the employment of personnel of the public body concerned, designate such number of persons as deputy information officers as are necessary to render the public body as accessible as reasonably possible for requesters of its records.*

*Section 56(a) of POPIA – Each public and private body must make provision, in the manner prescribed in section 17 of the Promotion of Access to Information Act, with the necessary changes, for the designation of such a number of persons, if any, as deputy information officers as is necessary to perform the duties and responsibilities as set out in section 55(1) of POPIA.*

*Section 11(1) of PAIA – A requester must be given access to a record of a public body if that requester complies with all the procedural requirements in PAIA relating to a request for access to that record; and access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*

*Section 50(1) of PAIA – A requester must be given access to any record of a private body if: (a) that record is required for the exercise or protection of any rights; (b) that person complies with the procedural requirements in PAIA relating to a request for access to that record; and (c) access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*

*Section 92(1) of PAIA provides that the Minister may, by notice in the Gazette, make regulations regarding: (a) any matter which is required or permitted by this Act to be prescribed; (b) any matter relating to the fees contemplated in sections 22 and 54; (c) any notice required by this Act; (d) uniform criteria to be applied by the information officer of a public body when deciding which categories of records are to be made available in terms of section 15; and (e) any administrative or procedural matter necessary for the proper administration or application of this Act.*

## **5.3. CONTACT DETAILS OF THE INFORMATION REGULATOR**

|                         |  |
|-------------------------|--|
| <b>Physical Address</b> | JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001 |
| <b>Postal Address</b>   | P.O. Box 31533, Braamfontein, Johannesburg, 2017               |
| <b>Telephone</b>        | (+27) 010 023 5200   |

|                                 |                                       |
|---------------------------------|---------------------------------------|
| <b>Email (General)</b>          | enquiries@infoeregulator.org.za       |
| <b>Email (PAIA Complaints)</b>  | PAIAComplaints@infoeregulator.org.za  |
| <b>Email (POPIA Complaints)</b> | POPIAComplaints@infoeregulator.org.za |
| <b>Website</b>                  | www.infoeregulator.org.za             |

## 6. APPLICABLE LEGISLATION

HAWS holds records that may be subject to the provisions of the following legislation. Requesters may, where applicable and insofar as they comply with the requirements of the relevant Act, request information available in terms of these statutes:

| <b>Category of Records</b>                 | <b>Applicable Legislation</b>  |
|--|--|
| <b>Fundraising</b>                         | <ul style="list-style-type: none"> <li>• Fundraising Act 107 of 1978</li> </ul>  |
| <b>PAIA Manual</b>                         | <ul style="list-style-type: none"> <li>• Promotion of Access to Information Act 2 of 2000</li> </ul>   |
| <b>NPO Administration &amp; Governance</b> | <ul style="list-style-type: none"> <li>• Nonprofit Organisations Act 71 of 1997</li> <li>• Income Tax Act 58 of 1962</li> <li>• King IV Report on Corporate Governance</li> </ul>  |
| <b>Animal Welfare &amp; Protection</b>     | <ul style="list-style-type: none"> <li>• Animals Protection Act 71 of 1962</li> <li>• Animals Protection Amendment Act 7 of 1972</li> <li>• Animals Protection Amendment Act 54 of 1983</li> <li>• Animals Protection Amendment Act 20 of 1985</li> <li>• Animals Protection Second Amendment Act 84 of 1985</li> <li>• Protection of Animals Amendment Act 7 of 1991</li> <li>• Animal Matters Amendment Act 42 of 1993</li> <li>• Performing Animals Protection Act 24 of 1935</li> <li>• Veterinary and Para-Veterinary Professions Act 19 of 1982</li> <li>• Animal Diseases Act 35 of 1984</li> </ul> |
| <b>Labour &amp; Human Relations</b>        | <ul style="list-style-type: none"> <li>• Basic Conditions of Employment Act 75 of 1997</li> <li>• Occupational Health and Safety Act 85 of 1993</li> <li>• Labour Relations Act 66 of 1995</li> </ul>  |
| <b>Municipal</b>                           | <ul style="list-style-type: none"> <li>• Overstrand Municipal By-laws pertaining to the keeping of Dogs and Cats as amended 12/7/2024</li> </ul>   |

| Category of Records       | Applicable Legislation   |
|---------------------------|--|
| Data Protection & Privacy | <ul style="list-style-type: none"> <li>• Protection of Personal Information Act 4 of 2013</li> </ul> |
| Consumer Protection       | <ul style="list-style-type: none"> <li>• Consumer Protection Act 68 of 2008</li> </ul>               |
| Emergency Management      | <ul style="list-style-type: none"> <li>• Disaster Management Act 57 of 2002</li> </ul>               |

## 7. CATEGORIES OF RECORDS HELD BY HAWS

HAWS holds records falling within the following broad categories. Please note that the inclusion of a category does not imply that a request for access to such records will be granted. All requests will be assessed on their merits and in accordance with the provisions of PAIA.

| Subjects on which the body holds records | Categories of records  |
|--|--|
| Operational                              | <ul style="list-style-type: none"> <li>• Policies &amp; Procedures</li> <li>• Adoptions, Fosters registers</li> <li>• Municipal Pound Animals registers</li> <li>• Health &amp; Safety Incidents Reports</li> <li>• Volunteers register</li> <li>• Lost and Found Records</li> <li>• Animal Intake/Impound Forms</li> <li>• Intake Log Sheets</li> <li>• Cage Cards/Animal Identity Forms</li> <li>• Animal Surrender Forms</li> <li>• Behaviour Evaluation Forms</li> <li>• Euthanasia Authorisation Forms</li> <li>• Microchip Data Capture Forms</li> <li>• Fostering Agreements</li> <li>• Adoption Screening Forms and Agreements</li> <li>• Home Check Forms</li> <li>• Other Rescue Agreements</li> <li>• Vehicle Check Sheets and Log Sheets</li> <li>• Asset Registers</li> <li>• Incident Reports</li> <li>• Emergency Response Protocols</li> </ul> |
| Human Resources                          | <ul style="list-style-type: none"> <li>• Policies &amp; Procedures</li> </ul>  |

| <b>Subjects on which the body holds records</b> | <b>Categories of records</b>  |
|---|---|
|   | <ul style="list-style-type: none"> <li>• Advertised Posts</li> <li>• Employees records</li> <li>• Employment Contracts</li> <li>• Job Descriptions</li> <li>• Disciplinary Records</li> <li>• Leave Records</li> <li>• Payroll</li> <li>• Code of Conduct</li> <li>• Training Records</li> </ul>  |
| <b>Financial</b>                                | <ul style="list-style-type: none"> <li>• Legacy Donations</li> <li>• Monthly Accounts</li> <li>• Annual Accounts</li> <li>• Budgets – Monthly &amp; Annually</li> <li>• Receipt Books and Transaction Records</li> <li>• Payment Plan Agreements</li> <li>• Fee Schedules</li> <li>• Bank Statements and Reconciliations</li> <li>• Audit Reports</li> </ul>  |
| <b>Animal Clinic</b>                            | <ul style="list-style-type: none"> <li>• Policies &amp; Procedures</li> <li>• Client information</li> <li>• Patient information &amp; procedures</li> <li>• Drug Registers</li> <li>• Treatment Sheets and Medication Sheets</li> <li>• Consent for Sterilisation Forms</li> <li>• Vaccination Records</li> <li>• Sterilisation Records and Certificates</li> <li>• Isolation and Quarantine Protocols</li> </ul> |
| <b>Governance &amp; Statutory</b>               | <ul style="list-style-type: none"> <li>• NPO Registration Documents</li> <li>• Constitution of HAWS</li> <li>• Management Committee Minutes</li> <li>• Annual Reports (Narrative and Financial)</li> <li>• Insurance Records</li> <li>• Compliance Records</li> </ul>   |

| Subjects on which the body holds records | Categories of records  |
|--|--|
| <b>Compliance &amp; Legal</b>            | <ul style="list-style-type: none"> <li>• Cruelty Investigation Records</li> <li>• By-law Enforcement Records</li> <li>• Correspondence with Overstrand Municipality Law Enforcement</li> <li>• Legal Correspondence</li> </ul> |

## 8. RECORDS AVAILABLE WITHOUT A REQUEST

In terms of Section 52 of PAIA, the following records are automatically available to the public without a formal PAIA request:

| Category of records | Types of the Record   | Available on Website | Available upon request |
|---------------------|---|----------------------|------------------------|
| <b>Statutory</b>    | Constitution updated 27/8/2025  | X                    |                        |
|                     | AGM Chairperson's Report 2025   | X                    |                        |
|                     | AGM Minutes of Meeting 27/8/2025                                      | X                    |                        |
| <b>Financial</b>    | Annual Financial Statements 2025                                      | X                    |                        |
|                     | AGM Treasurer Report 2025   | X                    |                        |
| <b>Operational</b>  | Codes of Good Practice for NPO  | X                    |                        |
|                     | Policies and Procedures Manual  |                      | X                      |
|                     | Fee Schedules   |                      | X                      |
|                     | Operating Hours   | X                    |                        |
| <b>Law</b>          | Animals Protection Act 71 of 1962                                     | X                    |                        |
|                     | Overstrand Municipal By-laws Relating to the Keeping of Dogs and Cats | X                    |                        |
|                     | PAIA/POPIA Manual   | X                    |                        |

## 9. PROCESSING OF PERSONAL INFORMATION

In terms of Section 51(1)(c) of PAIA, read with Section 17 of POPIA, HAWS is required to provide a description of the categories of personal information it processes.

## 9.1. PROCESSING OF PERSONAL INFORMATION

HAWS processes personal information for the following purposes in compliance with the conditions for lawful processing set out in Chapter 3 of POPIA:

- Records of all individuals surrendering, fostering or adopting animals
- Records of all volunteers who assist with caring for animals
- Records of all members of the community who register for the Community Food Program
- Records of all Clients who bring animals to our Animal Clinic for treatment
- Records of all HAWS Members
- Records of all HAWS Committee Members

## 9.2. CATEGORIES OF DATA SUBJECTS

| Categories of Data Subjects                            | Personal Information that may be processed   |
|--|--|
| <b>Clients, Members, Volunteers, Committee Members</b> | Name, address, contact numbers, identity numbers, employment status  |
| <b>Animal Owners and Surrenderers</b>                  | Full name, address, contact details, ID number, pet ownership history, surrender reasons                             |
| <b>Adopters and Foster Carers</b>                      | Full name, address, contact details, employment details, home environment details, pet ownership history, references |
| <b>Finders of Stray Animals</b>                        | Full name, contact details, location where animal was found  |
| <b>Complainants and Reporters of Cruelty</b>           | Full name, contact details, details of complaint, evidence provided  |
| <b>Community Food Program Members</b>                  | Full name, address, contact details, registration details  |
| <b>Donors and Supporters</b>                           | Full name, contact details, donation amounts, tax certificate details  |
| <b>Service Providers &amp; Suppliers</b>               | Names, registration number, VAT numbers, address, bank details   |
| <b>Employees</b>                                       | Address, qualifications, contact numbers, identity numbers, gender and race, bank details                            |

## 9.3. THE RECIPIENTS OR CATEGORIES OF RECIPIENTS TO WHOM THE PERSONAL INFORMATION MAY BE SUPPLIED

| Category of personal information               | Recipients or Categories of Recipients |
|--|--|
| Identity number and names, for criminal checks | South African Police Services          |

| <b>Category of personal information</b>         | <b>Recipients or Categories of Recipients</b>                          |
|---|--|
| Qualifications, for qualification verifications | South African Qualifications Authority                                 |
| Animal cruelty evidence and complainant details | South African Police Services, Overstrand Municipality Law Enforcement |
| Employee tax information                        | South African Revenue Service  |

#### **9.4. PLANNED TRANSBORDER FLOWS OF PERSONAL INFORMATION**

HAWS does not transfer personal information outside the borders of the Republic of South Africa.

#### **9.5. INFORMATION SECURITY MEASURES**

HAWS implements the following technical and organisational measures to ensure the confidentiality, integrity and availability of the personal information which is processed:

- Norton Anti-virus
- Norton Anti-malware Solutions
- Passwords on all Computers
- Two-factor authentication for Digitail (clinic administration software) login
- Two-factor authentication for Sage (financial administration software) login
- Two-factor authentication for Google Drive access
- Physical security of premises and filing systems
- Access controls on records and restricted access to sensitive documentation

#### **9.6. RIGHTS OF DATA SUBJECTS UNDER POPIA**

In terms of POPIA, data subjects have the following rights:

- The right to be notified that personal information is being collected (Section 18);
- The right to request access to personal information held about them (Section 23, read with PAIA);
- The right to request correction or deletion of personal information that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading, or obtained unlawfully (Section 24);
- The right to object to the processing of personal information on reasonable grounds (Section 11(3)); and
- The right to lodge a complaint with the Information Regulator (Section 74).

Requests by data subjects to access, correct, or delete personal information must be made using the prescribed form (Form C, attached as Annexure A) and submitted to the Information Officer.

In accordance with Section 23(3) of POPIA, HAWS may charge a fee to respond to a data subject request, provided that a written estimate of the fee is given to the data subject before the services are rendered.

## **10. PROCEDURE FOR REQUESTING ACCESS TO RECORDS AND APPLICABLE FEES**

### **10.1. REQUEST PROCEDURE**

A request for access to a record held by HAWS must be made on the prescribed Form C (Request for Access to a Record of a Private Body), as set out in Annexure A of this Manual, or on a form substantially corresponding thereto.

The request must be submitted to the Information Officer or Deputy Information Officer at the postal or physical address, or email address set out in Section 3 of this Manual.

### **10.2. REQUIREMENTS FOR A VALID REQUEST**

- Be made on the prescribed form;
- Provide sufficient particularity to enable the Information Officer to identify the record(s) sought;
- Indicate the right that the requester is seeking to exercise or protect and explain why the requested record is required for the exercise or protection of that right;
- Indicate the form of access required; and
- If the request is made on behalf of another person, include proof of the capacity in which the requester is making the request.

### **10.3. FEES**

A requester who seeks access to a record containing personal information about that requester (a Personal Requester) is not required to pay the request fee, in accordance with Section 54 of PAIA and Section 23(1)(a) of POPIA. All other requesters must pay the prescribed request fee before the request will be processed.

If the request is granted, an additional access fee is payable for the search, reproduction, and preparation of the record. The applicable fees are prescribed by regulation and are set out below:

| <b>Item</b> | <b>Description</b>   | <b>Fee (incl. VAT)</b> |
|-------------|--|------------------------|
| a.          | For every photocopy of an A4-size page or part thereof   | <b>R1.25</b>           |
| b.          | For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form | <b>R0.85</b>           |
| c.          | For a copy in a computer-readable form on compact disc   | <b>R79.80</b>          |
| d.(i)       | For a transcription of a visual image, for an A4-size page or part thereof   | <b>R45.60</b>          |
| d.(ii)      | For a copy of a visual image   | <b>R68.40</b>          |
| e.(i)       | For a transcription of an audio record, for an A4-size page or part thereof  | <b>R28.50</b>          |
| e.(ii)      | For a copy of an audio record  | <b>R28.50</b>          |
| f.          | To search for and prepare the record for disclosure, for each hour or part of an hour reasonably required              | <b>R145.00</b>         |
|             | Request fee (Section 54(1) of PAIA)  | <b>R140.00</b>         |

If the search for and preparation of the record requires more than six (6) hours, the Information Officer may require the requester to pay a deposit of not more than one-third of the estimated access fee before the request is processed.

HAWS may withhold a record until the full access fee has been paid.

A requester may lodge a complaint to the Information Regulator or an application with a court against the payment of a request fee or deposit.

#### **10.4. PROCESSING AND DECISION**

The Information Officer must decide whether to grant or refuse a request and give notice of the decision within thirty (30) days of receipt of the request. This period may be extended by a further period of not more than thirty (30) days if the request is for a large number of records, if the search requires the records of another office of HAWS, or if consultation with a third party or another private body is necessary.

If the request is refused, the notice will state adequate reasons for the refusal and advise the requester of the right to lodge a complaint with the Information Regulator within one hundred and eighty (180) calendar days of receipt of the decision.

## **10.5. GROUNDS FOR REFUSAL OF ACCESS**

HAWS may or must refuse a request for access to a record in the circumstances contemplated in Chapter 4 of Part 3 of PAIA, which include the following grounds:

- Mandatory protection of privacy of third parties (Section 63 of PAIA) – including personal information of animal owners, adopters, complainants, donors, volunteers, and staff;
- Mandatory protection of commercial information of third parties (Section 64 of PAIA);
- Mandatory protection of confidential information of third parties (Section 65 of PAIA);
- Mandatory protection of safety of individuals and property (Section 66 of PAIA) – which may apply to records relating to cruelty investigations and complainant identities under Section 8 of the Animals Protection Act 71 of 1962;
- Mandatory protection of records privileged from production in legal proceedings (Section 67 of PAIA);
- Commercial information of HAWS (Section 68 of PAIA); and
- Mandatory protection of research information (Section 69 of PAIA).

Notwithstanding the above grounds for refusal, access must be granted if the record would reveal evidence of a substantial contravention of, or failure to comply with, the law, or an imminent and serious public safety or environmental risk, and the public interest in the disclosure of the record clearly outweighs the harm contemplated in the grounds for refusal (Section 70 of PAIA – Mandatory disclosure in the public interest).

It is an offence in terms of Section 90 of PAIA to destroy, damage, alter, conceal, or falsify a record with the intent to deny a right of access in terms of the Act.

## **10.6. THIRD PARTY NOTIFICATION**

In terms of Sections 71 to 73 of PAIA, where a request for access relates to a record that contains information about a third party, HAWS is required to take all reasonable steps to inform the third party of the request. The third party may make representations as to why the request should be refused, or may give written consent for the disclosure.

## **10.7. RIGHTS OF DATA SUBJECTS UNDER POPIA**

In terms of POPIA, data subjects have the following rights:

- The right to be notified that personal information is being collected (Section 18);

- The right to request access to personal information held about them (Section 23, read with PAIA);
- The right to request correction or deletion of personal information that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading, or obtained unlawfully (Section 24);
- The right to object to the processing of personal information on reasonable grounds (Section 11(3)); and
- The right to lodge a complaint with the Information Regulator (Section 74).

## **10.8. COMPLAINTS AND REMEDIES**

If a requester is dissatisfied with a decision made by the Information Officer, the requester may, in terms of Section 77A of PAIA:

- Lodge a complaint with the Information Regulator within one hundred and eighty (180) calendar days of receipt of the decision. The complaint must be made on the prescribed Form 5, available from the Information Regulator's website at [www.inforegulator.org.za](http://www.inforegulator.org.za); or
- Apply to a court with jurisdiction for appropriate relief.

## **11. AVAILABILITY OF THE MANUAL**

This Manual is available for inspection by members of the public during normal office hours at the physical address of HAWS, free of charge.

A copy of this Manual is also available:

- On the HAWS website at [www.hermanusanimalwelfare.co.za](http://www.hermanusanimalwelfare.co.za);
- On request from the Information Officer by email; and
- From the Information Regulator's website.

Any person who requires a copy of this Manual may obtain one upon payment of a reasonable fee for reproduction, as determined by the Information Officer.

## **12. UPDATING OF THE MANUAL**

The Chairperson of Hermanus Animal Welfare will, on a regular basis, update this manual.

This Manual will be reviewed and updated:

- At least once every twelve (12) months;
- When there are material changes to the legislation referenced herein;
- When there are significant changes to the categories of records held by HAWS or the manner in which HAWS processes personal information; and
- Upon the recommendation of the Information Officer or the Management Committee.

*Issued by*

A handwritten signature in black ink, appearing to read "Shana Essakow". The signature is written in a cursive, flowing style.

Shana Essakow – Chief Information Officer and

Chairperson of Hermanus Animal Welfare Society

## **ANNEXURE A:**

### **REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY (FORM C)**

The prescribed Form C is the official form to be completed by any person requesting access to a record held by HAWS in terms of Section 53(1) of the Promotion of Access to Information Act 2 of 2000.

A copy of Form C may be obtained:

- From the Information Officer or Deputy Information Officer at the HAWS premises;
- From the Information Regulator's website at [www.inforegulator.org.za](http://www.inforegulator.org.za); and
- From the Department of Justice and Constitutional Development's website at [www.justice.gov.za](http://www.justice.gov.za).

The completed form, together with proof of payment of the prescribed request fee (where applicable), must be submitted to the Information Officer at the address set out in Section 3 of this Manual.



J752

REPUBLIC OF SOUTH AFRICA

**FORM C**  
**REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY**  
**(Section 53(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))**  
**[Regulation 10]**

**A. Particulars of private body**

The Head:

**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: 

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|--|--|--|--|--|--|--|--|--|--|--|--|--|--|
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|--|--|--|--|--|--|--|--|--|--|--|--|--|--|

FORM C: REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY

**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:

.....  
.....  
.....  
.....  
.....

**FORM C: REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY**

**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 <b>X</b> .  |                                   |
| 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.                                |                                   |

|   |   |  |  |  |  |
|---|---|--|--|--|--|
| <b>1. If the record is in written or printed form:</b>  |   |  |  |  |  |
|   | copy of record*                           |  | inspection of record                                       |  |  |
| <b>2. If record consists of visual images - (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):</b> |   |  |  |  |  |
|   | view the images                           |  | copy of the images*  | transcription of the images*                             |  |
| <b>3. If record consists of recorded words or information which can be reproduced in sound:</b>   |   |  |  |  |  |
|   | listen to the soundtrack (audio cassette) |  | transcription of soundtrack* (written or printed document) |  |  |
| <b>4. If record is held on computer or in an electronic or machine-readable form:</b>   |   |  |  |  |  |
|   | 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?<br>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 ..... year .....

.....  
SIGNATURE OF REQUESTER /  
PERSON ON WHOSE BEHALF REQUEST IS MADE

## ANNEXURE B

### SCHEDULE OF PRESCRIBED FEES

The fees set out below are prescribed in terms of the PAIA Regulations and are applicable to requests for access to records held by HAWS. All fees are inclusive of VAT. These fees may be amended by regulation from time to time.

| Item   | Description  | Fee (incl. VAT) |
|--------|--|-----------------|
| a.     | For every photocopy of an A4-size page or part thereof   | <b>R1.25</b>    |
| b.     | For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form | <b>R0.85</b>    |
| c.     | For a copy in a computer-readable form on compact disc   | <b>R79.80</b>   |
| d.(i)  | For a transcription of a visual image, for an A4-size page or part thereof   | <b>R45.60</b>   |
| d.(ii) | For a copy of a visual image   | <b>R68.40</b>   |
| e.(i)  | For a transcription of an audio record, for an A4-size page or part thereof  | <b>R28.50</b>   |
| e.(ii) | For a copy of an audio record  | <b>R28.50</b>   |
| f.     | To search for and prepare the record for disclosure, for each hour or part of an hour reasonably required              | <b>R145.00</b>  |
|        | Request fee (Section 54(1) of PAIA)  | <b>R140.00</b>  |

#### Notes:

- A Personal Requester (a person requesting access to records containing their own personal information) is not required to pay the request fee.
- All other requesters must pay the request fee of R140.00 before the request will be processed.
- If the search for and preparation of the record requires more than six (6) hours, a deposit of one-third of the estimated access fee is payable.
- HAWS may withhold a record until the full access fee has been paid.
- A requester may lodge a complaint to the Information Regulator or an application with a court against the payment of a request fee or deposit.