

PROMOTION OF ACCESS TO INFORMATION ACT MANUAL

**Manual in terms of Section 51 of the Promotion of Access to Information Act,
2000 (the "Act")**

for

MOSHAL SCHOLARSHIP PROGRAM SOUTH AFRICA NPC

(registration number: 2016/285825/08)

CONTENTS

- 1. Introduction and Contact Details**
- 2. Section 10 Guide on how to use the Act**
- 3. Records Available in terms of other Legislation**
- 4. Schedule of Records**
- 5. Form of Request**
- 6. Other information – Prescribed Fees**

Annexure A: Form C Request for Access to Record of a Private Body

1. INTRODUCTION AND CONTACT DETAILS

MOSHAL SCHOLARSHIP PROGRAM SOUTH AFRICA NPC, a non-profit company registered in South Africa which facilitates the award and operation of scholarships granted to students for study at select donee Universities in the Republic of South Africa.

Information Officer: Mrs Valeria Jansen

Address: Postnet Suite 20 Private Bag X12 Greenside, 2034

Telephone Number: 082 653 7032

E-mail: FO@moshalscholarship.org

2. SECTION 10 GUIDE ON THE ACT

The Act grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights.

A Guide has been compiled in terms of Section 10 of the PAIA. It contains information required by a person wishing to exercise any right, contemplated by PAIA. The Guide is available from the Information Regulator:

JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001
P.O Box 31533, Braamfontein, Johannesburg, 2017
General enquiries email: inforeg@justice.gov.za
Website: <https://www.justice.gov.za/inforeg/>

3. APPLICABLE LEGISLATION

Certain records held by MSP are available in terms of legislation other than the Act. The specific records which are available in terms of such legislation are set out therein and these records may in certain instances only be accessed by the persons specified in the relevant legislation. Such legislation include:

- Basic Conditions of Employment Act, No. 75 of 1997
- Companies Act, No. 71 of 2008
- Employment Equity Act, No 55 of 1998
- Income Tax Act, No. 58 of 1962
- Pension Funds Act, No. 24 of 1956
- Electronic Communications and Transactions Act, No. 25 of 2002
- Unemployment Insurance Act, No. 63 of 2001
- Labour Relations Act, No. 66 of 1995
- Medical Schemes Act, No. 131 of 1998
- Compensation for Occupational Injuries and Diseases Act, No. 130 of 1993
- Protection of Personal Information Act, No. 4 of 2013 (once fully effective)
- Constitution of the Republic of South Africa Act, No 108 of 2008
- Electronic Communications Act, No.36 of 2005

4. SCHEDULE OF RECORDS

General information about MSP can be accessed via the internet on our international website and social media pages.

The subjects on which MSP holds records and the categories on each subject in terms of Section 51(1)(e) of the Act are as listed below. Please note that a requester is not automatically allowed access to these records and that access to them may be refused in accordance with Sections 62 to 69 of the Act:

A. Human Resources:

- Employee records
- Contracts

Guidelines, policies and procedure

B. Corporate:

- Member records
- Members' register
- Records relating to the incorporation of MSP
- Statutory records

C. Financial:

- Tax records (MSP and Staff)
- Annual financial statements
- Bank statements
- Purchase Orders/Invoices
- Asset Register
- Insurance information

D. Operational:

- Operational reviews
- Scholarship Applicant information
- Student records
- Alumni records
- Vendor records
- Mentor and Trainer records
- Corporate and NGO records
- Guidelines, policies and procedure
- Contracts
- Internal and external correspondence
- Records provided by a third party
- Databases
- Information technology

5. FORM OF REQUEST

A requester must comply with all the procedural requirements contained in the Act relating to the request for access to a record.

A request for access to records held by MSP in terms of section 50 of the Act must be made on the form contained in the Regulations Regarding the Promotion of Access to Information (Form C). A copy of the form is attached as Annexure A to this manual. The request must be made to MSP at the address or email address, specified in Section 1 above.

A requester must provide sufficient detail on the prescribed form to allow MSP to identify the record or records which have been requested and the identity of the requester. If a request is made on behalf of another person or entity, the requester must submit details and proof of the capacity in which the requester is making the request, which must be reasonably satisfactory to MSP. The requester is also required to indicate the form of access to the relevant records that is required, and to provide his, her or its contact details in the Republic of South Africa.

The requester must identify the right that he, she or it is seeking to exercise by accessing records held by MSP and must explain why the particular record or records requested is or are required for the exercise or protection of that right.

6. PRESCRIBED FEES

Depending on your request, we may be entitled to charge you certain fees. The fees which may be payable are prescribed and available either on the Information Regulator website or the website of the South Africa Human Rights Commission. Before attending to your request we will advise you of the total fees you will need to pay.

APPENDIX A – PRIVACY NOTICE

The Privacy Notice relating to third party data subjects can be located on our website.

The Privacy Notice relating to employees and contractors is available at our office and on request.

APPENDIX B TO PAIA MANUAL

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

- | |
|--|
| <p>(a) The particulars of the person who requests access to the record must be given below.</p> <p>(b) The address and/or fax number in the Republic to which the information is to be sent must be given.</p> <p>(c) Proof of the capacity in which the request is made, if applicable, must be attached.</p> |
|--|

Full names and surname:

Identity number:

Postal address:

Fax number:

Telephone 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 hereunder, state your disability and indicate in which form the record is required.

Disability: <hr/>	Form in which record is required
Form in which record is required: <hr/>	

Mark the appropriate box with an X.

NOTES:

- (a) Compliance with your request 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 for 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		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 of20

SIGNATURE OF REQUESTER / PERSON ON
WHOSE BEHALF REQUEST IS MADE