



## PAIA MANUAL

### INTRODUCTION

- This Promotion of Access to Information Manual (“Manual”) is published in terms of Section 51 of the Promotion of Access to Information Act, No. 2 of 2000 (“PAIA”) and section 23 -25 of the Protection of Personal Information Act No.4 of 2014 (“POPIA”).
- Section 51 of PAIA creates a legal right to access records (as defined in section 1 of PAIA) of a private body (both natural and juristic), however this right may be negated in circumstances as set out under Chapter 4 of Part 3 of PAIA. In addition, in compliance with POPIA a responsible party who processes personal information must notify the person to whom personal information relates (“Data Subject”) of the manner in which the Data Subject can access their personal information held by the responsible.

### ABOUT PROFESSIONAL SERVICE HUB

- Professional Service Hub (Pty) Limited, hereinafter referred to as **YourHub**, is a private company specialising in boutique consulting, administration support, secretarial services and event management.

### CONTACT INFORMATION

- The responsibility for administration of and compliance with PAIA and POPIA, has been delegated to the Information Officer of the YourHub.
- Requests to be directed as follows:

Company Name	Professional Service Hub (Pty) Limited
Information Officer	Sarah Bain
Physical Address	45 Provan Close, Modderfontein, Gauteng, 1645
Postal Address	PO Box 254, Modderfontein, Gauteng, 1645
Telephone Number	+27 10 312 6797
Email address	communications@yourhub.co.za
Website	www.yourhub.co.za

### PURPOSE

- The purpose of this manual is to facilitate requests for access to records of YourHub (including records containing Personal Information as defined in terms of our Privacy Policy) .
- Where this Manual does not deal with a procedure provided for in PAIA, the Requester or any other interested party is to look at the Act for guidance in relation thereto.
- A person requesting access to records from YourHub (“the Requester”) is advised to familiarise themselves with the provisions of PAIA before making any requests to YourHub in terms of PAIA.
- YourHub makes no representation and gives no undertaking or warranty that any record(s) provided by it to a Requester is complete or accurate, or that such record is fit for any purpose. All users of such records shall use such records entirely at their own risk, and YourHub shall not be liable for any loss, expense, liability, or claims, howsoever arising, resulting from the use of this Manual or of any record provided by YourHub or any error therein.
- All users and Requesters irrevocably agree to submit to the law of the Republic of South Africa and to the exclusive jurisdiction of the Courts of South Africa in respect of any dispute arising out of the use of this Manual or any records provided by YourHub.

## REQUIREMENTS IN TERMS OF PAIA

- The South African Human Rights Commission (as provided for in section 10 of PAIA) has compiled and published by a “Guide on How to Use the Promotion of Access to Information Act 2 of 200”. This Guide will assist persons in using and understanding PAIA. The Guide can be accessed via the South African Human Rights website ([www.sahrc.org.za](http://www.sahrc.org.za)).
- At this stage YourHub does not have any categories of records which are automatically available without a person having to request access in terms of PAIA. All categories of records of YourHub require a formal request to access such records.
- The following legislation creates the obligation to keep certain records:
  - Basic conditions of Employment No. 75 of 1997
  - Broad Based Black Economic Empowerment Act No. 53 of 2003
  - Companies Act No. 71 of 2008
  - Consumer Protection Act No. 68 of 2008
  - Copyright Act No.98 of 1978
  - Electronic Communication and Transaction Act No. 25 of 2002
  - Employment Equity Act No. 55 of 1998
  - Income Tax Act No. 95 of 1967
  - Insolvency Act No. 24 of 1936
  - Labour Relations Act No. 66 of 1955
  - National Credit Act No. 34 of 2005
  - Occupational Health and Safety Act No. 85 of 1993
  - Skills Development Act No. 97 of 1998
  - Unemployment Insurance Act No. 63 of 2001
  - Value Added Tax Act No. 89 of 1991
- Such records will be made available to only those individuals/entities authorised to request access to such records in terms of the particular legislation. Any other persons must follow the request for access of records procedure as outlined in this Manual.
- PAIA requires that sufficient detail be provided to facilitate a request for access to a record of YourHub. A description of the subjects on which YourHub holds records and the categories of the records held by each subject can be found in Annexure A of this Manual, which forms an integral part of this Manual. In addition, reference can be made to YourHub’s Privacy Policy for the categories of personal information held.

## REQUEST PROCEDURE/FORM OF REQUEST

- Access to records held by YourHub is not automatic and can be refused by YourHub on any of the grounds for refusal contemplated in Chapter 4 of Part 3 of PAIA.
- In order to request access to records held by YourHub, the Requester must not only identify the right it is seeking to exercise or protect and explain why the record requested is required for the exercise or protection of that right but must also comply with all the procedural requirements set out in PAIA.
- If the Requester requests information on behalf of a public body, the Requester must identify that the request for information is in the public’s interest by stipulating adequate reasons.
- If the Requestor is making a request on behalf of another person, sufficient proof (to the satisfaction of YourHub) of the capacity in which the Requestor is making the request/acting must be submitted. The type of proof required will be advised by YourHub upon receipt of request.

- In order to facilitate such a request for access to records, the Requester needs to complete the prescribed access form included herewith as Annexure B. Please note that the prescribed access form must be completed in full. If not, the process may be delayed until such additional information has been provided.
- In terms of section 23(1) of POPIA, adequate proof of identity is required from the Requestor/Data Subject. Therefore, in addition to the prescribed access form, the Requestor will be required to supply a certified copy of their identification document or any other legally acceptable form of identification.
- The request form and proof of identity must be provided to the Information Officer of YourHub at the physical address or e-mail set out above. YourHub may, in its sole discretion request that original certified copies be provided in certain circumstances such as if the electronic copies provided are not clear or are questionable.
- The Requester must provide sufficient detail on the prescribed access form to enable the Information Officer to identify the record requested. When completing the prescribed access form, the Requester should also indicate:
  - which form of access is required;
  - the right the Requester is seeking to exercise or protect and explain why the requested record is required for the exercise or protection of that right;
  - whether the Requester wishes to be informed of the decision in any other manner, in addition to a written reply, to state the manner and necessary particulars to be so informed; and
  - an email address, telephonic contact numbers and postal address in the Republic of South Africa.
- If a request is made on behalf of another person, the Requester must show, to the reasonable satisfaction of the Information Officer, that he or she is duly authorised to make such request.
- If an individual is unable to complete the prescribed access form because of illiteracy or disability, such an individual may make the request verbally.
- The prescribed access form must be adequately completed, with sufficient information particularly so that the Information Officer of YourHub can identify and determine what the access fee will be, should access be granted.
- A request will not be processed until the request fee has been paid.

#### REFUSAL IN TERMS OF PAIA

- YourHub may refuse access to the requested record of parts thereof as allowed in terms of Chapter 4, namely section 62 till 70 (inclusive) of PAIA.
- In instances whereby a third party needs to be notified of request in order to authorise or decline access – YourHub undertakes to request same from the third party within 21 (twenty-one) days of receipt of the request and to include the required information provided for in terms of section 71(3) of PAIA.
- In the event that the request is declined by the third party – YourHub cannot be held responsible for same.
- Requestors will be informed within 30 (thirty) days of receipt of the prescribed access form if YourHub’s decision is to refuse access to the information requested based on any of the grounds for refusal as contemplated in Chapter 4 of Part 3 of the PAIA. Take note that the 30 (thirty) day period may be extended for a further 30 (thirty) day period should more time be required to gather the requested information. The Requester will, however, be notified if the initial 30 (thirty) day notice period is to be extended for a further 30 (thirty) days.
- If all reasonable steps have been taken by YourHub to find the record requested by the Requester and same cannot be found for reasons justifiable as per section 55 of PAIA, the Information Officer shall provide an affidavit or affirmation to the Requester advising that it is not possible to give access to the record requested.

- The affidavit or affirmation will comply with all the requirements provided for in terms of section 55(2) of the Act.
- In the event the record is found subsequently, YourHub undertakes to contact the Requester in order to gain access to same, subsequent to the payment of the applicable access fee.

#### PRESCRIBED FEES

- There are two basic types of fees applicable in terms of PAIA – “request” and “access” fees.
  - The request fee is a non-refundable administration fee that is payable on submission of the request for access to a record and must be paid before the request is considered.
  - In line with section 23(1)(a) of POPIA, a Data Subject has a right to request whether or not YourHub holds personal information about the Data Subject.
  - The access fee is payable prior to the Requester gaining of access to the records.
  - The access fee is intended to reimburse YourHub for the costs involved in reproduction of documents, searching, and preparing the record requested and for any time reasonable required (in excess of the prescribed hours) to search and prepare the record.
  - Should the preparation of the required record take more than 6 (six) hours, a deposit (which is 1/3 (one third)) of the access fee is payable before the request will be processed.
- YourHub may withhold a record until the Requester has paid the applicable fees.
- The fee structure is available on the website of the SAHRC at [www.sahrc.org.za](http://www.sahrc.org.za).

#### AVAILABILITY OF THE MANUAL

- This manual is available on the company website at [www.yourhub.org.za](http://www.yourhub.org.za)

#### USEFUL LINKS

- Promotion of Access to Information (PAIA) Guides –  
[https://infoeregulator.org.za/wp-content/uploads/2020/07/PAIA-Guide-English\\_20210905.pdf](https://infoeregulator.org.za/wp-content/uploads/2020/07/PAIA-Guide-English_20210905.pdf)
- Promotion of Access to Information (PAIA) Forms –  
<https://infoeregulator.org.za/paia/#tab-strongformsstrong>



## Annexure A

### DATA SUBJECTS AND PERSONAL INFORMATION

YourHub collects general personal information which is necessary for it to carry out its services and other activities offered to you.

The following table outlines the categories of data subjects and personal information:

Data Subject	Personal Information
YourHub Customers	Name, contact details, email, physical and postal addresses, company details, company VAT numbers. Other information may be provided voluntarily at the discretion of the member.
Employees and Directors	All applicable employee and director information required to be kept in terms of the requirements under the Companies Act and Labour legislation and business operations. External parties shall not have access to such Employee/Director information unless YourHub is directed to share this information with applicable court orders or legal reasons.
Suppliers	Company name, address and contact details, banking details, VAT number and BEE certificate/level information.
Stakeholders and Event attendees	Name, contact details, email addresses, company details. Other information may be provided voluntarily at the discretion of the event/training attendee.
Website visitors	General website page analytics and usage information through the use of cookies; as well as in some instances website username and contact details for access to specific services not freely available to the general public.

# FORM 2

## REQUEST FOR ACCESS TO RECORD

[Regulation 7]

**NOTE:**

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

**TO:** The Information Officer


(Address)

E-mail address:

Fax number:

Mark with an "X"

Request is made in my own name

Request is made on behalf of another person.

PERSONAL INFORMATION			
Full Names			
Identity Number			
Capacity in which request is made <i>(when made on behalf of another person)</i>			
Postal Address			
Street Address			
E-mail Address			
Contact Numbers	Tel. (B):		Facsimile: <input type="text"/>
	Cellular:		
Full names of person on whose behalf request is made <i>(if applicable)</i> :			
Identity Number			
Postal Address			

Street Address			
E-mail Address			
Contact Numbers	Tel. (B)		Facsimile
	Cellular		
<b>PARTICULARS OF RECORD REQUESTED</b>			
<i>Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)</i>			
Description of record or relevant part of the record:			
Reference number, if available			
Any further particulars of record			
<b>TYPE OF RECORD</b> <i>(Mark the applicable box with an "X")</i>			
Record is in written or printed form			
Record comprises virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>			
Record consists of recorded words or information which can be reproduced in sound			
Record is held on a computer or in an electronic, or machine-readable form			

**FORM OF ACCESS**  
*(Mark the applicable box with an "X")*

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

**MANNER OF ACCESS**  
*(Mark the applicable box with an "X")*

Personal inspection of record at registered address of public/private body <i>(including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)</i>	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format <i>(including transcriptions)</i>	
E-mail of information <i>(including soundtracks if possible)</i>	
Cloud share/file transfer	
Preferred language <i>(Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available)</i>	

**PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED**

*If the provided space is inadequate, please continue on a separate page and attach it to this Form. The requester must sign all the additional pages.*

Indicate which right is to be exercised or protected	

Explain why the record requested is required for the exercise or protection of the aforementioned right:	

<b>FEEES</b>	
a)	<i>A request fee must be paid before the request will be considered.</i>
b)	<i>You will be notified of the amount of the access fee to be paid.</i>
c)	<i>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.</i>
d)	<i>If you qualify for exemption of the payment of any fee, please state the reason for exemption</i>
Reason	

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

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

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

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

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**FOR OFFICIAL USE**

Reference number:	
Request received by: <i>(State Rank, Name And Surname of Information Officer)</i>	
Date received:	
Access fees:	
Deposit (if any):	

\_\_\_\_\_  
**Signature of Information Officer**