



GOLDEN KEY INTERNATIONAL HONOUR SOCIETY (SOUTHERN AFRICA)

PROMOTION OF ACCESS TO INFORMATION MANUAL

POLICY OWNER	DIRECTOR- GOLDEN KEY
DATE APPROVED	JUNE 2021

TABLE OF CONTENTS

1	DEFINITIONS	3
2	INTRODUCTION AND REASON FOR MANUAL	3
3	CONTACT DETAILS	3
4	GUIDE ON HOW TO USE THE ACT	3
5	WHO MAY REQUEST ACCESS TO INFORMATION	3
6	RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION	4
7	CATEGORIES OF RECORDS HELD BY GOLDEN KEY	5
8	PROCEDURE ON REQUESTING ACCESS TO RECORDS	6
9	FEES	6
10	AVAILABILITY OF THE MANUAL	7
	ANNEXURE A: REQUEST FORM	

1. Definitions

- 1.1 **“employee”** means any person employed by Golden Key, whether permanently or on a fixed-term employment contract;
- 1.2 **“Golden Key”** means Golden Key International Honour Society- Southern Africa;
- 1.3 **“Information Officer”** of or in relation to private body means the head of a private body as contemplated in section 1, of the Act;
- 1.4 **“member(s)”** means member(s) of Golden Key which includes honorary member(s) and member(s) of Golden Key Academy;
- 1.5 **“requester”** means any person or entity requesting access to a record that is under the control of Golden Key;
- 1.6 **“the Act”** means the Promotion of Access to Information Act, Act No. 2 of 2000 (as amended) from time to time including the regulations promulgated in terms of the Act;
- 1.7 **“the head of Golden Key”** means the Director of Golden Key, or any person duly authorised by her or him to carry out the duties ascribed to the “head” of a private body by the Act;
- 1.8 **“the manual”** means this manual which is published in accordance with section 51 of the Act and “this manual” has the corresponding meaning.

2. Introduction and Reason for The Manual

- 2.1 Golden Key is an honour society with members in most of the universities in South Africa.
- 2.2 The manual has been compiled in accordance with the requirements of section 51 of the Act and is aimed at facilitating access to records held in terms of the Act.
- 2.3 Golden Key is a private body as defined in the Act, and this manual contains information specified in section 51 (1) of the Act, which is applicable to such a private body.

3. Contact Details

- 3.1 The Director of Golden Key is the head of Golden Key and Information Officer for the purposes of the Act and is the person to whom requests for access to records should be addressed. The contact details are as follows:

- a) Dr Elmie Castleman
Tel: (012) 003 2990
Email: ecastleman@goldenkey.org
- b) Physical Address:
210 Amarand Ave, Spaces Building
Menlyn Maine
Pretoria
0180

4. Guide on How to Use the Act

- 4.1 The South African Human Rights Commission (SAHRC) has, in terms of section 10 of the Act, published a Guide to assist persons wishing to exercise any rights in terms of the Act.
- 4.2 The Guide may be obtained from the SAHRC. Any person wishing to obtain the Guide may either access it through the Information Regulator or the website of the SAHRC at www.sahrc.org.za or should contact:

PAIA Unit Research and Documentation Department
South African Human Rights Commission

Postal address:
Private Bag X2700
Houghton
2041
Telephone: (011) 484 8300
Fax: (011) 484 0582
Email: PAIA@sahrc.org.za

5. Who May Request Access to Information

- 5.1** The Act provides that a person may only request information in terms of the Act if the information is required for the protection of a right.
- 5.2** Only requests for access, where the requestor can furnish sufficient particulars as to the right the requestor is seeking to protect, will be considered by Golden Key.
- 5.3** A requestor can request access to information in different capacities which can be classified as follows:
- a) A personal requestor - that is a person who requests information about him / herself;
 - b) An agent requestor - that is a person requesting information on behalf of someone else;
 - c) A third-party requestor - that is a person requesting information about someone else; or
 - d) A public body - requests information in the public interest.

6. Records Available in Terms of Other Legislation (Section 51 (1) (D) of the Act)

- 6.1** Some legislation other than the Act mandates Golden Key to allow access to specified information/records, upon request and these records may in certain instances only be accessed by the persons specified in the relevant legislation. Some of the said legislation is as follows:
- 6.1.1 Basic Conditions of Employment Act No 75 of 1997;
 - 6.1.2 Compensation of Occupational Injuries and Diseases Act No 130 of 1993;
 - 6.1.3 Consumer Affairs Act No 23 of 1999;
 - 6.1.4 Electronic Communications and Transactions Act No 2 of 2000;
 - 6.1.5 Employment Equity Act No 55 of 1998;
 - 6.1.6 Income Tax Act No 58 of 1962;
 - 6.1.7 Interception and Monitoring Prohibition Act No 127 of 1992;
 - 6.1.8 Occupational Health and Safety Act No 85 of 1993;
 - 6.1.9 Labour Relations Act No 66 of 1995
 - 6.1.10 Skills Development Act No 97 of 1997;
 - 6.1.11 Skills Development Levies Act No 9 of 1999;
 - 6.1.12 Copyright Act No 98 of 1978
 - 6.1.13 Regulation of Interception of Communications and Provision of Communications- related Information Act No 70 of 2002
 - 6.1.14 Unemployment Insurance Act No 63 of 2001
 - 6.1.15 Value Added Tax Act No 89 of 1991.
 - 6.1.16 Broad Based Black Economic Empowerment Act 53 of 2003
 - 6.1.17 Companies Act 71 of 2008
 - 6.1.18 Promotion of Equality and Prevention of Unfair Discrimination Amendment Act No 52 of 2002

- 6.1.19 Constitution of the Republic South Africa Act No 108 of 1996
- 6.1.20 Financial Intelligence Centre Act No 38 of 2001
- 6.1.21 Unemployment Insurance Act No 63 of 2001
- 6.1.22 Non Profit Organisations Act No 71 of 1997
- 6.1.23 Preferential Procurement Policy Framework Act No 5 of 2000
- 6.1.24 Promotion of Access to Information Act No 2 of 2000
- 6.1.25 Protected Disclosures Act No 26 of 2000
- 6.1.26 Protection of Personal Information Act No 4 of 2013
- 6.1.27 Tax Administration Act No 28 of 2011
- 6.1.28 Unemployment Insurance Contributions Act No 4 of 2002
- 6.1.29 Trade Marks Act No 194 of 1993
- 6.1.30 The Fundraising Act No 107 of 1978
- 6.1.31 Protection of Businesses Act 99 of 1978
- 6.1.32 Pension Funds Act 24 of 1956
- 6.1.33 Arbitration Act No 42 of 1965
- 6.1.34 Prevention of Organised Crime Act No 121 of 1998
- 6.1.35 Intellectual Property Laws Amendments Act No 38 of 1997
- 6.1.36 Prevention and Combatting Corrupt Activities Act No 12 of 2004

7. Categories of Records held by Golden Key

7.1 The subjects on which Golden Key hold records and the categories on each subject in terms of Section 51(1)(e) of the Act are as listed below:

7.1.1 Finance

- a) Audit reports
- b) Accounting records
- c) Tax records
- d) Annual financial statements
- e) Insurance records
- f) Member's subscription records
- g) Creditor's records
- h) Debtor's records

7.1.2 Administration and Compliance

- a) Policies
- b) Board resolutions
- c) Board minutes
- d) Company registration documents
- e) Correspondence with universities
- f) Agreements with service providers
- g) Correspondence with members
- h) Personal information of members
- i) Records of membership

7.1.3 Human Resources

- a) Contracts of employment of employees
- b) Leave records
- c) Performance agreements
- d) Employee tax information
- e) Payroll records
- f) Unemployment Insurance Fund contributions

- g) Provident/ pension fund records
- h) Occupational health and safety records
- i) Disciplinary records

8. Procedure to Request Access to Records

- 8.1** The requester must complete the prescribed request form, attached as addendum to this manual, when making a request for access to a record held by Golden Key. The request must be made to Golden Key at the address or email address, specified in Section 3 above.
- 8.2** Proof of identity is required to authenticate the request and the requester. In view hereof, a requester will, in addition to completing the prescribed request form, be required to submit acceptable proof of identity such as a certified copy of their identity document or other legal forms of identification.
- 8.3** The requester must provide sufficient detail on the prescribed form to allow Golden Key to identify the record or records which have been requested. If a request is made on behalf of another person or entity, the requester must submit details and satisfactory proof of the capacity in which the requester is making the request.
- 8.4** 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.
- 8.5** The requester is required to identify the right that he, she or it is seeking to protect or exercise by accessing records held by Golden Key and to explain why the particular record or records requested is or are required for the exercise or protection of that right.
- 8.6** Golden Key may in certain instances refuse access to records on any of the grounds set out in Chapter 4 of the Act. These grounds for refusal may include:
- 8.6.1 that access would result in the unreasonable disclosure of personal information about a third party, including a deceased individual,
 - 8.6.2 that it is necessary to protect the commercial information of a third party or of Golden Key itself;
 - 8.6.3 that it is necessary to protect the confidential information of a third party;
 - 8.6.4 that it is necessary to protect the safety of individuals or property,
 - 8.6.5 that a record constitutes privileged information for the purpose of legal proceedings,
 - 8.6.6 that it is necessary to protect the research information of a third party or Golden Key itself.
- 8.7** Golden Key will make a decision in relation to a request for records within 30 days of receiving it, unless third parties are required to be notified or the 30 day period is extended as provided for in the Act, and will inform a requester in writing of its decision in relation to each request.

9. Fees

- 9.1** A requester who seeks access to a record containing personal information about himself/herself/itself is not required to pay the request fee.
- 9.2** Every other requester, who is not a personal requester, must pay the required request fee of R50.00. The request fee must be paid at the time a request is made and before the request can be processed any further.
- 9.3** If a request for access to a record or records held by Golden Key is granted, then the requester will be required to pay an access fee for the reproduction of the record or records, and for the search for and the preparation of the records for disclosure. Golden Key will withhold a record until the required access fees have been paid.

9.4 When all reasonable steps have been taken to find a record, and such a record cannot be found or if the records do not exist, then Golden Key will notify the requester, by way of an affidavit or affirmation, that it is not possible to give access to the requested record.

9.5 The access and request fees which are payable are as follows:

No	Activity	Fee
1.	For every photocopy of an A4 size page or part thereof	R1.10
2.	For every photocopy of an A4 size page or part thereof held on a computer or in electronic or machine-readable form	R0.75
3.	For a copy in a computer –readable form on CD	R70.00
4.	For a transcription of visual images	R40.00
5.	For a copy of visual images	R60.00
6.	For a transcription of an audio record for an A4-size page or part thereof	R20.00
7.	For a copy of and audio record	R30.00
8.	Request fee for a person other than a personal requester	R50.00
9.	The time reasonable required to search for the record for disclosure and preparation	R30.00 / hr or part thereof

10. Availability of the Manual

10.1 This Manual is available at the offices of Golden Key and in electronic format at www.goldenkey.org.

PRESCRIBED FORM (Annexure A)

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY

A. Particulars of private body

The Head:

B. Particulars of person requesting access to the record

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

Reason for exemption of 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 :	Form in which record required:
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Mark the appropriate box with an "X":

NOTES:

- (a) Your indication as to the required form of access depends 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 of information which can be reproduced in sound:				
	Listen to the soundtrack (audio cassette)		Transcription of the 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? A postal fee 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 requested record is required for the exercising 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 thereof 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 record?

Signed at _____ this _____ day of _____ 202 _____

SIGNATURE OF REQUESTER/ PERSON ON
WHOSE BEHALF REQUEST IS MADE