

PAIA ACT

PURPOSE

This document serves as the information manual as required by Section 51(1) of the Promotion of Access to Information Act, No. 2 of 2000 (the "Act"). It provides information on the records held and the process that is to be followed to request access to such records.

DOCUMENTATION

Please take note that each S51 manual needs to comply with the minimum sections of PAIA as indicated above in red. Manuals that do not comply with the minimum requirements will not be accepted and will need to be redone and re submitted to the SAHRC. This however does not limit the contents of the manual to just those sections and each S 51 may go further to provide other information as deemed necessary.

INTRODUCTION

Florida Blockwatch (FBW) Community Forum services the entire community, applying the highest safety standards, proven methodologies, and industry best practices.

PARTICULARS IN TERMS OF SECTION 51

The Florida Blockwatch (FBW) Community Forum has delegated this power for the purposes of day-to-day compliance with the Act to the Executive Committee, who for the purposes of this manual will be called the Information Officer.

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. If a public body lodges a request, the public body must be acting in the public interest. Requests in terms of the Act 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 the Act. 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: 27 Stiemens Street, Braamfontein Tel: 011 877 3600 (Switchboard) Website: www.sahrc.org.za. Summarised guide available on:

<https://www.sahrc.org.za/home/21/files/SAHRC%20PAIA%20Section%2010%20Guide%202020%20FINAL%20WEB.pdf>

APPLICABLE LEGISLATION

Florida Blockwatch (FBW) Community Forum holds information/documents in accordance with, amongst other, the following legislation:

- Basic Conditions of Employment No. 75 of 1997.
- Companies Act No. 61 of 1973.
- Compensation for Occupational Injuries and Health Diseases Act No.130 of 1993.
- Employment Equity Act No. 55 of 199.
- Finance Act No. 35 of 2000.
- Income Tax Act No. 95 of 1967 5.
- Labour Relations Act No. 66 of 1995.
- Occupational Health & Safety Act No. 85 of 1993.
- Skills Development Levies Act No. 9 of 1999.
- Skills Development Act No. 97 of 1998.
- Value Added Tax Act No. 89 of 1991

The Full Legal Register is maintained by Environmental Legal Services and the full list is available on request from our Information Officer.

PERSONAL INFORMATION PROCESSED

Florida Blockwatch (FBW) Community Forum processes personal information of several categories of data subjects for several purposes as set out below: Categories of data subjects include, but not limited to:

- Members of Florida Blockwatch (FBW) Community Forum
- Patrollers

- Service providers and suppliers.
- Debtors and creditors.

Purpose of processing:

- To manage customers the Florida Blockwatch (FBW) Community Forum affairs in general.
- Manage service providers, suppliers, and contractors' contracts in general.

Categories of Personal Information:

- Contact details – physical and postal addresses, phone numbers and email addresses.
- Personal details – names, identity numbers, banking details.
- Information required to conclude contracts with a customer, employee, service provider, contractor.

SCHEDULE OF RECORDS

Records Freely Available: The following records are freely available on Florida Blockwatch (FBW) Community Forum website at www.floridablockwatch.co.za without having to request access in terms of the PAIA Act section 52(2).

Requested Records: The following records may be requested: NPO Records: • Registers required in terms of the Companies Act. • Legal and Contractual Records. • NPO Policies and Procedures. • Purchasing Records. Operational Records: • Client Records. • Supplier Records. • Billing Records.

MANDATORY DISCLOSURE IN PUBLIC INTEREST

The responsible party will only grant a request for access to the record where: • It is an unreasonable disclosure of personal information of a third party or deceased person. • It contains trade secrets of a third party. • Disclosure will be a breach of confidentiality. • Disclosure will endanger the life and physical safety. • Record contains information on research of a third party or private body. IF: Disclosure of the record would reveal: • Contravention or failure to comply with the law. • Imminent and serious public safety or environmental risk. • Public interest in the disclosure of the record outweighs the harm.

NOTICE TO THIRD PARTIES

The responsible party considering a request for access to a record shall inform them: • Privacy of a natural person. • Commercial information. • Confidential information of a third party. • Research information of a third party. The responsible party will inform the third party: • Soon as reasonably possible or within 21 days from request. • Fastest means possible. The responsible party shall inform the third party in writing stating: • Name of requester. • Details of request. • Third party has 21 days to object to request to access.

REPRESENTATIONS AND CONSENT BY THIRD PARTIES

Third party can within 21 days after receiving notice of request: • Written or oral of refusal. • Written consent. Third party can state: • Why request should be refused, or consent granted.

DECISIONS ON REPRESENTATIONS • The head of the private body within 30 days after the third party is informed: • Decide whether to grant access. • Inform third party before decision is made. • Notify requestor of decision. PRESCRIBED FEES A requestor is required to pay the prescribed fees of R50.00 for a public body and R35.00 for public body before a request will be processed. The detailed fee structure is available on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at www.sahrc.org.za. (SAHRC PAIA Sections10 Guide). INFORMATION REGULATOR CONTACT DETAILS • General Enquiries: enquiries@inforegulator.org.za. • PAIA: PAIAComplaints@inforegulator.org.za. • POPIA: POPIAComplaints@inforegulator.org.za.