

## MANUAL IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000

### 1. Introduction

1.1 - This Manual has been prepared in accordance with section 51 of the Promotion of Access to Information Act 2 of 2000 (“Act”).

1.2 - Section 51 of the Promotion of Access To Information Act 2 Of 2000 (“PAIA”) states that every “private body” must submit to the South African Human Rights Commission (“SAHRC”) a manual aimed at facilitating requests for information from that private body.

1.3 The aim of this Manual is to assist potential requesters in requesting access to information (documents or records) from 1000 DRAWINGS NPC with registration number 2016/193925/08

1.3 The Manual may be amended from time to time and as soon as any amendments have been affected, the latest version of the Manual will be published and distributed on our website and in accordance with the law.

1.4 A requester is invited to contact the Information Officer should he or she require any assistance in respect of the use or content of this Manual.

### 2. Contact details

Registered name: 1000 DRAWINGS NPC

Trading name: 1000 DRAWINGS / NIGHT OF 1000 DRAWINGS

Registration number.: 2016/193925/08

Telephone: 011 244 2160

Website: [www.1000drawings.org.za](http://www.1000drawings.org.za)

Email: [info@1000drawings.org.za](mailto:info@1000drawings.org.za)

Directors: Kelly, Felix, Corle

Data Processor: Don c/o @myfingertips™

Website: [www.myfingertips.org](http://www.myfingertips.org)

Information Officers: Drew/Jess

Email: [jess@thesquad.co.za](mailto:jess@thesquad.co.za) / [drew@thesquad.co.za](mailto:drew@thesquad.co.za)

### 3. Access to Guide in terms of section 10 of the Act

3.1 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.

3.2 The Guide may be obtained from the SAHRC. Any person wishing to obtain the Guide may either access it through the website of the SAHRC at [www.sahrc.org.za](http://www.sahrc.org.za) or should contact:

The South African Human Rights Commission

PAIA Unit

Research and Documentation Department

Postal address: Private Bag X2700

Houghton, 2041

Telephone: +27 (0)11 877 3600

Fax: +27 (0)11 403 0625

Email: [sahrc@org.za](mailto:sahrc@org.za)

Website: [www.sahrc.org.za](http://www.sahrc.org.za)

## 4. Records automatically available

All information pertaining to 1000 DRAWINGS NPC at [www.1000drawings.org.za](http://www.1000drawings.org.za) is freely available for inspection and does not need to be requested in terms of the Act.

## 5. Records that are available in terms of other legislation

5.1 Certain records held by 1000 DRAWINGS NPC are available in terms of legislation other than the act.

5.2 The specific records which are available in terms of such legislation are set out in that legislation and these records may in certain instances only be accessed by the persons specified in the relevant legislation.

5.3 The legislation is as follows (but is not limited to):

- Companies Act, No. 71 of 2008;
- Copyright Act, No. 98 of 1978;
- Electronic Communications and Transactions Act, No. 25 of 2002;
- Protection of Personal Information Act, No. 4 of 2013;
- Regulation of Interception of Communications and Provision of Communication Related Information Act, No. 70 of 2002;
- Value Added Tax Act, No. 89 of 1991.

## 6. Categories of records of information held by 1000 DRAWINGS NPC

### Categories of Record Description of Record:

#### Finance

- accounting records
- debtors' records
- creditors' records
- invoices issues in respect of debtors and billing information

#### Members

- list of members
- personal and contact information as provided
- communication preferences
- statistics regarding members and their web usage

#### Suppliers/contractors/vendors/other businesses

- list and details of suppliers/contractors/vendors/other businesses
- agreements with suppliers/contractors/vendors/other businesses
- support and maintenance agreements
- records regarding computer systems

#### Stakeholders/sponsors

- List and details of stakeholders
- agreements with stakeholders/sponsors/partners

#### Events

- Delegate, payment, contact and personal information
- Links to external meetings and events

#### Jobs

- Professional information of job applicants / volunteers as provided

## 7. The request procedure

7.1 A request for access to records held by 1000 DRAWINGS NPC in terms of section 50 of the Act must be made in the form contained in the Regulations regarding the Promotion of Access to Information (form C). A copy of this form is attached as Annexure A to this manual.

7.2 The request must be made to the Information Officer at the electronic mail address or physical address of the body concerned.

7.3 A requester must provide sufficient detail on the prescribed form to enable the Information Officer to identify the record and the requester. The requester should also indicate which form of access is required and specify a valid address in the Republic of South Africa and an email address.

7.4 The requester should also indicate if, in addition to a written reply, any other manner is to be used to inform the requester and state the necessary particulars to be so informed.

7.5 The requester must identify the right that is sought to be exercised or protected and provide an explanation of why the requested record is required for the exercise or protection of that right.

7.6 If a request is made on behalf of another person, the requester must submit proof of the capacity in which the requester is making the request to the satisfaction of the head of the private body.

## 8. Fees

8.1 A requester who seeks access to a record containing personal information about that requester is not required to pay the request fee.

8.2 Every other requester, who is not requesting access to a record containing personal information about him/her or itself, must pay the request fee.

8.3 The Information Officer must by notice require the requester (other than a personal requester) to pay the prescribed fee before further processing the request).

8.4 The fee that the requester must pay to 1000 DRAWINGS NPC is R250,00. The requester may lodge an application the court against the tender or payment of the request fee.

8.5 If access to a record/s is granted by 1000 DRAWINGS NPC, the requester may be required to pay an access fee for the search for and preparation of the records and for re-production of the record/s.

8.6 The access fees which apply are set out below and can be found in Part III of Annexure A of the Regulations to the Act. 1000 DRAWINGS NPC can without a record/s until such access fee has been paid.

### Reproduction Fees

- All time not included in membership is charged at R650 per hour or part thereof.
- R40 per page if we have to print any documents in physical form.
- Delivery fees apply at standard courier or AA rates if any documents need to be delivered.

## 9. Grounds for Refusal of Access to Information

9.1 1000 DRAWINGS NPC may in certain instances refuse access on the grounds set out in the Act.

9.1.1 professional privilege;

9.1.2 that it is necessary to protect the commercial information or the confidential information of a third-party;

9.1.3 that the record constitutes privileged information for the purposes of legal proceedings;

9.1.4 that it is necessary to protect the commercial information of 1000 DRAWINGS NPC;

9.1.5 that it is necessary to protect the safety of individuals or property;

9.1.6 that granting access would result in the unreasonable disclosure of personal information;

9.1.7 any other lawful grounds available to 1000 DRAWINGS NPC on which to refuse access to the information requested.

## 10. PROTECTION OF PERSONAL INFORMATION

### 10.1 The purpose of processing:

10.1.1 1000 DRAWINGS NPC processes personal information to, *inter alia*:

- 10.1.1.1 perform duties in terms of any agreements with suppliers;
- 10.1.1.2 operate and manage memberships and registration with 1000 DRAWINGS NPC and its members;
- 10.1.1.3 performing administrative and operational functions in relation to events;
- 10.1.1.4 recover any monies members may owe 1000 DRAWINGS NPC;
- 10.1.1.5 payment of invoices and statements;
- 10.1.1.6 comply with 1000 DRAWINGS NPC's regulatory and other obligations.

### 10.2 Categories of data subjects and categories of information

#### 10.2.1 Members

- 10.2.1.1 name and contact details;
- 10.2.1.3 personal and delivery addresses;
- 10.2.1.4 vat numbers and billing addresses.

#### 10.2.2 Suppliers, contractors/ vendors / other business

- 10.2.2.1 name and contact details;
- 10.2.2.2 identity and company/entity and directors/members information;
- 10.2.2.3 banking and financial information;
- 10.2.2.4 information about products or services;
- 10.2.2.5 vat numbers and business addresses;
- 10.2.2.6 other information required for business operation purposes

#### 10.2.3 Stakeholders / sponsors / partners

- 10.2.3.1 name and contact details;
- 10.2.3.2 identity and company/entity and directors/members information;
- 10.2.3.3 banking and financial information;
- 10.2.3.4 information about products or services;
- 10.2.3.5 vat numbers and business addresses;
- 10.2.3.6 other information required for business operation purposes.

### 10.3 Cross-border flows of Personal Information

10.3.1 Personal Information may only be transferred of out the Republic of South Africa if –

10.3.1.1 the third-party who is the recipient of the information is subject to a law, binding corporate rules or binding agreement which provide an adequate level of protection that:

10.3.1.1.1 effectively upholds principles for reasonable processing of the information that are substantially similar to the conditions for the lawful processing of personal information relating to a data subject who is a natural person and, where applicable, a juristic person; and

10.3.1.1.2 includes provisions that are substantially similar to POPIA relating to the further transfer of personal information from the recipient to third parties who are in a foreign country;

10.3.2 the data subject consents to the transfer;

10.3.3 the transfer is necessary for the performance of a contract between the data subject and 1000 DRAWINGS NPC, or for the implementation of pre-contractual measures taken in response to the data subject's request;

10.3.4 the transfer is necessary for the conclusion or performance of a contract concluded in the interest of the data subject between 1000 DRAWINGS NPC and a third-party; or

10.3.5 the transfer is for the benefit of the data subject and –

10.3.5.1 it is not reasonably practicable to obtain the consent of the data subject to that transfer; and

10.3.5.2 if it were reasonably practicable to obtain such consent, the data subject would be likely to give it.

## 10.4 Description of information security measures to be implemented

10.4.1 1000 DRAWINGS NPC shall take reasonable, appropriate, technical, and organisational measures to protect Personal Information from loss, damage, unauthorised access, processing, destruction, or manipulation. 1000 DRAWINGS NPC will implement the following security measures:

10.4.1.1 1000 DRAWINGS NPC's Information Officer whose details are set out in this Manual is responsible for the compliance with the conditions of the lawful processing of Personal Information and other provisions of POPIA.

10.4.1.2 The Information Officer is assisted by the Deputy Information Officer whose details are set out in this Manual.

10.4.1.3 This Policy has been put in place and training of the responsible managers on this Policy and POPIA will take place without any undue delay.

10.4.2 Should 1000 DRAWINGS NPC employ employees; each new employee will be required to sign an employment contract containing relevant consent clauses for the use and storage of the employee's Personal Information, or any other action so required, in terms of POPIA.

10.4.3 1000 DRAWINGS NPC's third-party service providers will be required to sign an addendum to the relevant service level agreement guaranteeing their commitment to the protection of Personal Information.

10.4.4 All current suppliers of 1000 DRAWINGS NPC will, where appropriate, be required to sign an addendum to their contracts with 1000 DRAWINGS NPC containing relevant consent clauses for the use and storage of employee information, or any other action so required, in terms of POPIA.

10.4.5 1000 DRAWINGS NPC will introduce an electronic document management system whereby hard copy files are to be captured electronically for backup purposes. All files will be archived and will be available both electronically and in hard copy form as per reproduction fees above.

10.4.6 All electronic files or data are backed up by the 1000 DRAWINGS NPC department that is responsible for system security which protects third-party access and physical threats.

10.4.7 A Security Incident Management Register will be kept to log any security incidents and to report on and manage said incidents this register will be maintained by an appointed security manager.

10.4.8 1000 DRAWINGS NPC's Information Officer, and its IT department shall identify all reasonably foreseeable internal and external risks to Personal Information, establishing and maintaining appropriate safeguards against the risks identified, regularly verifying that the safeguards are effectively implemented, and ensuring that the safeguards are continually updated in response to new risks or deficiencies in previously implemented safeguards.

10.4.9 Data subjects, to the extent applicable, will be informed should their Personal Information be accessed or acquired by any unauthorised person.

## 11. Updating of Manual

11.1 1000 DRAWINGS NPC will update this Manual as and when required.

## 12. Availability of this Manual

12.1 A copy of this Manual will be made available –

12.1.1 on 1000 DRAWINGS NPC's website <https://www.1000drawings.org.za>

12.1.2 at 1000 DRAWINGS NPC's principal place of business for public inspection during normal business hours;

12.1.3 to any person upon request and upon payment of a reasonable amount; and

12.1.4 to the Information Officer upon request.