



PAIA MANUAL

**Prepared in terms of section 51 of the
Promotion of Access to Information Act
2 of 2000 (as amended)**

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1. LIST OF ACRONYMS AND ABBREVIATIONS

1.1 “CEO” Chief Executive Officer

- 1.2 **“IO”** Information Officer;
- 1.3 **“DIO“** Deputy Information Officer;
- 1.4 **“Minister”** Minister of Justice and Correctional Services;
- 1.5 **“PAIA”** Promotion of Access to Information Act No. 2 of 2000(as Amended);
- 1.6 **“POPIA”** Protection of Personal Information Act No.4 of 2013;
- 1.7 **“Receiver”** The C.E.O, The Information Officer, The Deputy Information Officer
- 1.8 **“Regulator”** Information Regulator;
- 1.9 **“Republic”** Republic of South Africa
- 1.10 **“Requester”** Anyone requesting access information to information held by Joburg Ballet

2. PURPOSE OF PAIA MANUAL

This PAIA Manual is useful for the public to-

- 2.1 check the categories of records held by a body which are available without a person having to submit a formal PAIA request;
- 2.2 have a sufficient understanding of how to make a request for access to a record of the body, by providing a description of the subjects on which the body holds records and the categories of records held on each subject;
- 2.3 know the description of the records of the body which are available in accordance with any other legislation;
- 2.4 access all the relevant contact details of the IO and DIO who will assist the public with the records they intend to access;

- 2.5 know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- 2.6 know if the body will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.7 know the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.8 know the recipients or categories of recipients to whom the personal information may be supplied;
- 2.9 know if the body has planned to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied; and
- 2.10 know whether the body has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

3. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF JOBURG BALLET

3.1. Information Officer

Name: Chase Bosch
Tel: (011) 877 - 6897
Email: chase@joburgballet.com
Fax number: (011) 877 – 6864

3.2. Deputy Information Officer

Name: Nozipho Mhlambi
Tel: (011) 877 - 6894
Email: nozipho@joburgballet.com
Fax Number: (011) 877 - 6864

3.3 Access to information general contacts

Email: admin@joburgballet.com

3.4 Joburg Ballet Offices and Studios

Postal Address: P. O Box 21991
Melville
2194

Physical Address: Joburg Theatre Complex
1 Hoofd Street
Braamfontein
2001

Telephone: (011) 877 – 6897
or
(011) 877 - 6894

Email: admin@joburgballet.com

Website: www.joburgballet.com

4. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

4.1. The Regulator has, in terms of section 10 (1) of PAIA, as amended, updated and made available the revised Guide on how to use PAIA (“Guide”), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.

4.2. This Guide is available in English and isiZulu.

4.3. The aforesaid Guide contains the description of-

4.3.1. the objects of PAIA;

4.3.2. the business postal and street address, phone and fax number and electronic mail address of-

4.3.2.1. the I.O;

4.3.2.2. the DIO

as per terms of section 17(1) of PAIA and section 56 of POPIA

- 4.3.3. the manner and form of a request for-
 - 4.3.3.1. access to a record of a public body contemplated in section 11; and
 - 4.3.3.2. access to a record of a private body contemplated in section 50;
 - 4.3.4. the assistance available from the IO of a public body in terms of PAIA and POPIA;
 - 4.3.5. the assistance available from the Regulator in terms of PAIA and POPIA;
 - 4.3.6. all remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging-
 - 4.3.6.1. an internal appeal;
 - 4.3.6.2. a complaint to the Regulator; and
 - 4.3.6.3. an application with a court against a decision by the Receiver of a public body, a decision on internal appeal or a decision by the Regulator or a decision of the head of a private body;
 - 4.3.7. the provisions of sections 14 and 51 requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
 - 4.3.8. the provisions of sections 15 and 52 providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
 - 4.3.9. the notices issued in terms of sections 22 and 54 regarding fees to be paid in relation to requests for access; and
 - 4.3.10. the regulations made in terms of section 92
- .
- 4.4. Members of the public can inspect or make copies of the Guide from the offices Joburg Ballet during normal working hours.
 - 4.5. The Guide can also be requested-
 - 4.5.1 to the Information Officer;
 - 4.5.2 on the CSSA website;
 - 4.5.3 by the Information Regulator upon request

5. DESCRIPTION OF THE RECORDS OF JOBURG BALLET WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION

- Basic Conditions of Employment 75 of 1997
- Companies Act 71 of 2008
- Compensation for Occupational Injuries and Health Diseases Act 130 of 1993
- Copyright Act 98 of 1978
- Electronic Communications and Transactions Act 25 of 2002
- Employment Equity Act 55 of 1998
- Financial Advisory and Intermediary Services Act 37 of 2002
- Financial Intelligence Centre Act 38 of 2001
- Income Tax Act 58 of 1962
- Labour Relations Act 66 of 1995
- Long Term Insurance Act 52 of 1998
- Memorandum of Incorporation (M.O.I)
- National Credit Act 34 of 2005
- Occupational Health and Safety Act 85 of 1993
- Promotion of Access to Information Act 2 of 2000
- Regulation of Interception of Communications Act 70 of 2002
- Short Term insurance Act 53 of 1998
- Skills Development Act 97 of 1998
- Skills Development Levies Act 9 of 1999
- Value Added Tax Act 89 of 1991
- Arbitration Act 42 of 1965
- Protection of Personal Information Act 4 of 2013
- Unemployment Insurance Act 63 of 2001
- Competition Act 89 of 1998
- Protected Disclosures Act 26 of 2000
- Unemployment Insurance Contributions Act 4 of 2002
- Joburg Ballet's Website and cookies Policy

Subjects and categories of records held at physical address of Joburg Ballet

- Correspondence
- Founding Documents
- Licenses (categories)
- Minutes of Meetings
- Statutory Returns
- Personnel Records
- Employment Contracts
- Employment Equity Records
- Industrial and Labour Relations Records
- Information relating to Health and safety Regulations
- Statutory Records
- Training Records / Training Manuals
- Personnel Guidelines, Policies and Procedures
- Staff Recruitment Policies
- Brochures on Company Information
- Client and Customer Registry
- Contracts
- Information relating to Employee Sales Performance
- Marketing and Future Strategies
- Marketing Records
- Production Records
- Sales Records
- Annual Financial Statements
- Asset Register
- Inventory Register
- Banking Records
- Budgets

- Financial Transactions
- Insurance Information
- Internal Audit Records
- Purchase and Order Information
- Tax Records (company and employee)
- I.T Policies and Procedures
- User Manuals
- PAYE Records
- Disciplinary Records
- Leave Records
- SETA/SAQA Records
- Workmen's Compensation Records and Certificates

6. DETAILS ON HOW TO MAKE A REQUEST FOR ACCESS

- The Requester must complete Annexure A and submit this form together with a request fee (if any - please see), to the C.E.O, the Information Officer or the Deputy Information Officer (hereinafter referred to as the Receiver) at his/her work address or e mail.
- The form must:
 - provide sufficient particulars to enable the Receiver to identify the record(s) requested and to identify the Requester;
 - indicate which form of access is required;
 - identify the right that the Requester is seeking to exercise or protect;
 - provide an explanation of why the requested record is required for the exercise or protection of that right.
- If the request is made on behalf of another person, to submit proof of capacity in which the Requester is making the request, to the reasonable satisfaction of the Receiver.
- The Receiver must notify the requester of the prescribed fee (if any) before further processing the request.
- If the request is granted then a fee must be paid for the reproduction, the search, the preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.
- If a requester cannot complete the prescribed form then an oral request may be made.

6.1 Grounds for refusal of access to records

The main grounds for Joburg Ballet to refuse a request for information relates to the:

6.2 Mandatory protection of privacy of a third party who is a natural person:

The Receiver must refuse a request for access to a record if its disclosure would involve the unreasonable disclosure of personal information about a third party, including a deceased individual.

6.3 Mandatory protection of information of a third party:

The Receiver must refuse a request for access to a record if that record contains:

- Trade secrets of a third party;
- Financial, commercial, medical, technical information of a third party, other than trade secrets, where the disclosure thereof would be likely to cause harm to the commercial or financial interests of that third party;
- Information supplied to the third party in confidence, and if disclosed would place the third party at a disadvantage in contractual / other negotiations or prejudice the third party in commercial competition.

6.4 Mandatory protection of certain confidential information of a third party:

The Receiver must refuse a request for access to a record if the disclosure of that record would constitute an action for breach of a duty or confidence owed to a third party in terms of an agreement.

6.5 Mandatory protection of safety of individuals, and protection of property

The Receiver must refuse a request for access to a record if its disclosure could reasonably be expected to endanger the life or physical safety of an individual.

The Receiver should also refuse if the disclosure would be likely to prejudice or impair, the security of a building, structure or system, including a computer or communication system.

6.6 Mandatory protection of records privileged from production in legal proceedings

The Receiver must refuse a request for access to a record, if the record is privileged from production in legal proceedings unless the person entitled to the privilege has waived such privilege.

6.7 Remedies available when Joburg Ballet refuses a request for information decision

The Receiver will, within 30 days of receipt of a request, decide whether to grant or to decline that request and give notice with reasons. The 30 day period within which Joburg Ballet has to decide whether to grant or refuse the request, may be extended for a further period of not more than 30 days if the request is for a vast amount of information or the request requires the search for information to be held at another location and the information cannot be reasonably obtained within the original 30 day period.

The Receiver will notify the Requester in writing should an extension be sought.

6.8 Appeal

When a Requester is not satisfied with the decision made for example, refusing access, imposing an access fee or extending the time period for when a response is due, he/she may lodge an application (Annexure B) with the C.E.O of the decision made within 60 days of receiving the decision that caused the grievance.

6.9 Fees

Part III of Regulation 187 published in the Government Gazette 15th February 2002. The Receiver will notify the Requester in writing to pay the prescribed request fee, before processing the request. If the request pertains to personal information, the requisite request fee will not be imposed.

The fee for a copy of the manual as contemplated in Regulation 9(2) (c) is R1, 10 for every photocopy of an A4-size page or part thereof. The fees for reproduction referred to in Regulation 11(1) are as follows:

The request fee payable by a Requester, other than a personal request, referred to in Regulation 11(2) is R50, 00.

To search for and prepare the record for disclosure, R30,00 for each hour or part of an hour reasonably required for such search and preparation.

For purposes of Section 54(2) of the Act, the following applies:

- Six hours as the hours to be exceeded before a deposit is payable; and
- One third of the access fee is payable as a deposit by the Requester.
- The actual postage is payable when a copy of a record must be posted to a Requester.

Fees are subject to change

General description of Information Security Measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information

We use appropriate technical and organisational measures to keep personal information secure and ensure its integrity, confidentiality and availability across all systems at all times.

We are also committed to ensure that our vendors, service providers and suppliers which may process personal information on our behalf preserve the confidentiality, integrity and availability of such data.

ANNEXURE A – DOCUMENT - REQUEST OF ACCESS TO JOBURG BALLET RECORDS

The following document needs to be submitted by an individual requesting use and access to data and information

FORM A

REQUEST FOR ACCESS TO RECORD OF JOBURG BALLET

(Section 18(1) of the Promotion of Access to Information PAIA, 2000 (PAIA No. 2 of 2000))

[Regulation 6]

Attention _____

(The Receiver)

1. PARTICULARS OF THE RECORD BEING REQUESTED, INCLUDING DESCRIPTION OF THE RECORD OR THE RELEVANT PART OF THE RECORD

2. PARTICULARS OF THE PERSON REQUESTING ACCESS TO THE RECORD

3.1 Full names and surname: _____

3.2 identity number: _____

3.3 Physical address: _____

3.4 Telephone number: _____

3.5 Email: _____

3. FORMS OF ACCESS TO THE RECORD

(If you are prevented by disability to read, view or listen to the record in the form of access provided for in 1 to 3 hereunder, state your disability and indicate in which form the record is required).

3.1 Disability _____

3.2 Form in which record is required _____

Mark the appropriate box with an X.

NOTES:

4. If the record is in written or printed form:

Copy of record	
Inspection of record	

5. If the record consists of visual images:

View the image/s	
Copy the image/s	
Transcription of the image/s	

6. If the record consists of recorded words or information which can be reproduced in sound:

Listen to the audio recording	
Transcription of soundtrack	

7. 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 (memory stick, DVD, CD etc.)	

8. How would you prefer to be informed of the decision regarding your request for access to the record? _____

Signed at _____ this day _____ of _____ 20 _____

SIGNATURE OF REQUESTER

FOR JOBURG BALLET USE

Request received by _____

on _____ 20__ at _____.

SIGNATURE OF RECEIVER



ANNEXURE B – DOCUMENT – NOTICE OF INTERNAL APPEAL

The following document needs to be submitted by an individual appealing a ruling made by the Information Officer in use and access to data and information.

NOTICE OF INTERNAL APPEAL

**(Section 75 of the Promotion of Access to Information PAIA, 2000 (PAIA No.2 of 2000)
[Regulation 8]**

Attention Ms Esther Nasser

1. PARTICULARS OF THE PERSON REQUESTING ACCESS TO THE APPEAL

1.1 Full names and surname: _____

1.2 identity number: _____

1.3 Physical address: _____

1.4 Contact number: _____

1.5 Email: _____

2. REFUSAL OF REQUEST FOR ACCESS

Decision regarding fees prescribed in terms of section 22 of PAIA	
Decision regarding the extension of the period within which the request must be dealt with in terms of section 26(1) of PAIA	

Decision in terms of section 29(3) of PAIA to refuse access in the form requested by the requester	
Decision to grant request for access	

If the provided space is inadequate, please continue on a separate folio and attach it to this form. You must sign all the additional folios

State the grounds on which the internal appeal is based:

State any other information that may be relevant in considering the appeal:

3. Notice of decision on appeal

How would you prefer to be informed of the decision regarding your request? _____

Signed at _____ this day _____ of _____ 20____

SIGNATURE OF REQUESTER

4. Full name of information officer/deputy information officer):

5. Appeal accompanied by the reasons for the Receiver's decision and, where applicable, the particulars of any third party to whom or which the record relates, submitted by the information officer/deputy information officer

on _____ **(date)** to the relevant authority.

**6. OUTCOME OF APPEAL:
DECISION OF INFORMATION OFFICER/DEPUTY INFORMATION OFFICER
CONFIRMED/NEW DECISION SUBSTITUTED**

NEW DECISION:

DATE: _____

RELEVANT AUTHORITY FULL NAME AND SIGNATURE:

**RECEIVED BY THE INFORMATION OFFICER/DEPUTY INFORMATION OFFICER FROM THE
RELEVANT AUTHORITY on _____ (date)**

FOR JOBURG BALLET USE

Request received by _____

on _____ 20__ at _____.

SIGNATURE OF RECEIVER

COMPANY STAMP

7. AVAILABILITY OF THE MANUAL

7.1 A copy of the Manual is available-

7.1.1 on www.joburgballet.com;

7.1.2 Joburg Ballet offices for public inspection during normal business hours (mindful that we are in the midst of a global pandemic and we therefore urge obtaining the manual by exercising options 7.1.1 as the first and preferred route);

7.1.3 to the Information Regulator upon request

7.2 A fee for a copy of the Manual, as contemplated in annexure B of the Regulations, shall be payable per each A4-size photocopy made.

8. UPDATING OF THE MANUAL

The Information Officer will update this manual on a regular basis. At a minimum, once every 6 months. At a maximum, once annually.

Issued by:

Chase Bosch (Information Officer), on behalf of C.E.O Ms Esther Nasser

