

---

Registration Number of Company:

**NPC 2004/036117/08**

**NPO 051-449**

**PBO 930015804**

## **STREETSMART SOUTH AFRICA NPO**

**MANUAL**

**in terms of**

**SECTION 51 of**

**THE PROMOTION OF ACCESS TO INFORMATION ACT NO. 2 OF 2000 (AS AMENDED)**

**(the "ACT")**

## CONTENTS

1. INTRODUCTION .....	3
2. COMPANY CONTACT DETAILS (Section 51 (1) (a) of the Act).....	3
3. THE ACT (Section 51(1) (b) of the Act).....	4
4. PROCEDURE ON REQUESTING ACCESS TO RECORDS (Sections 51(1)(e) and 51(1)(f) of the Act).....	5
5. APPLICABLE LEGISLATION (Section 51 (1) (c) of the Act) .....	8
6. SCHEDULE OF RECORDS (Section 51 (1) (d)) .....	10
7. AVAILABILITY OF THE MANUAL .....	10
8. COMPLAINTS.....	11

## 1. **INTRODUCTION**

- 1.1 STREETSMART SOUTH AFRICA NPO ("StreetSmart SA") is a registered NPC. Its main purpose is to raise funds for curative and preventative programmes either for children on the street or those who are vulnerable and at risk of becoming street children.
- 1.2 This Manual has been compiled in terms of Section 10 of the Act by StreetSmart SA. It contains information required by a person wishing to exercise any right, contemplated by the Act. This Manual may be updated and changed at our election at any time and the latest dated version is reflected at the bottom of each page of the manual.
- 1.3 This Manual is available for inspection, inter alia, at the offices of StreetSmart SA at the physical address above and at the SAHRC.
- 1.4 StreetSmart SA uses personal information in different ways in its day-to-day normal business operations. The data collected by StreetSmart has been classified into different data segments. The purpose is to categorise personal and other data into easily identifiable categories of data.

## 2. **COMPANY CONTACT DETAILS (Section 51 (1) (a) of the Act)**

- 2.1 Our contact details:

Physical Address: 2 Somerset Road, Green Point, Cape Town. 8001

Postal Address: P. O. Box 49, Green Point, 8051.

Email Address: info@streetsmartsa.org.za

Telephone: +27 21 447 3227

- 2.2 Our current Chairman and Information Officer by virtue of his position as the head of the organisation is:

Zaid Adams

Physical Address: 2 Somerset Road, Green Point, Cape Town. 8001

Postal Address: P. O. Box 49, Green Point, 8051.

Email Address: info@streetsmartsa.org.za

Telephone: +27 21 447 3227

2.3 Our Deputy Information Officer is:

Reinette Retief

Physical Address: 2 Somerset Road, Green Point, Cape Town. 8001

Postal Address: P. O. Box 49, Green Point, 8051.

Email Address: admin@streetsmartsa.org.za

Telephone: +27 21 447 3227

2.4 Persons designated/duly authorised persons:

Directors: Z Adams (Chairman)

M Burke

C Bagley

S Birch

N Heckscher

J Pillai

M Thomas

E Oppon

A Melanie

J Stricker-Greeff

**3. THE ACT (Section 51(1) (b) of the Act)**

3.1 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.

3.2 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.

3.3 Requesters are referred to the Manual in terms of Section 10 which has been compiled by the South African Human Rights Commission ("SAHRC"), which will contain information for the purposes of exercising Constitutional Rights.

3.4 The Manual is available from the SAHRC. The contact details of the SAHRC are:

**SAHRC**

Postal Address: Private Bag 2700, Houghton, 2041  
Telephone Number: +27-11-877 3600  
Fax Number: +27-11-403 0625  
Website: [www.sahrc.org.za](http://www.sahrc.org.za)

**4. PROCEDURE ON REQUESTING ACCESS TO RECORDS (Sections 51(1)(e) and 51(1)(f) of the Act)**4.1 *Prescribed Access Form*

To facilitate the processing of your request, kindly:

- 4.1.1 Use the prescribed form, annexed to this Manual as Form C.
- 4.1.2 Address your request to the Chairman and Deputy Information Officer of StreetSmart.
- 4.1.3 Provide sufficient details to enable StreetSmart to identify:
  - 4.1.3.1 The record(s) requested;
  - 4.1.3.2 The requestor (and if an agent is lodging the request, proof of capacity). Proof of identity (supply a certified copy of their identification document or any other legally acceptable means of identification) is required to authenticate the request and the requester;
  - 4.1.3.3 The form of access required;
  - 4.1.3.4 Form of notification:
    - i. The email and postal address or fax number of the requestor in the Republic of South Africa;
    - ii. If the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof;
  - 4.1.3.5 The right which the requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.

## 4.2 Prescribed Fees

The following applies to requests (other than personal requests):

- 4.2.1 A requestor is required to pay the prescribed fees (R50.00) before a request will be processed;
- 4.2.2 If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted);
- 4.2.3 A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit;
- 4.2.4 Records may be withheld until the fees have been paid.
- 4.2.5 The fee structure is available on the website of the SAHRC at [www.sahrc.org.za](http://www.sahrc.org.za).

### **Summary of the prescribed fees are:**

- i. 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.
- ii. The fees for reproduction referred to in regulation 11(1) are as follows:

<b>Item No.</b>	<b>Fees Description</b>	<b>Rand (R)</b>
1.	For every photocopy of an A4-size page or part thereof	1.10
2.	For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine- readable form	0.75
3.	For a copy in a computer-readable form on – a stiffy disc compact disc	7.50 70.00
4.	For a transcription of visual images, for an A4-size page or part thereof	40.00
5.	For a copy of visual images	60.00

6.	For a transcription of an audio record, for an A4-size page or part thereof	20.00
7.	For a copy of an audio record	30.00

- iii. The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2) is R50.00.
- iv. The access fees payable by a requester referred to in regulation 11(3) are as follows:

Item No.	Fees Description	Rand (R)
1.	For every photocopy of an A4-size page or part thereof	1.10
2.	For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0.75
3.	For a copy in a computer-readable form on – a stiffer disc compact disc	7.50 70.00
4.	For a transcription of visual images, for an A4-size page or part thereof	40.00
5.	For a copy of visual images	60.00
6.	For a transcription of an audio record, for an A4-size page or part thereof	20.00
7.	For a copy of an audio record	30.00
8.	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	

- v. 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.

#### 4.3 Granting or refusal of requests

4.3.1 All requests that meet the requirements above will be processed in accordance with the time limits as set out in the Act.

4.3.2 Requestors should take note that requests may be refused based on the following grounds, as set out in the Act:

- i. Mandatory protection of privacy of a third party who is a natural person;
- ii. Mandatory protection of commercial information of a third party;
- iii. Mandatory protection of certain confidential information of a third party;
- iv. Mandatory protection of records privileged from production in legal proceedings;
- v. Commercial information of StreetSmart SA; and
- vi. Mandatory protection of research information of a third party and of StreetSmart SA.

4.3.3 Requestors will be informed within 30 (thirty) days of a decision to refuse access to the information requested on one of the above grounds. Please note that in terms of the Act, the 30-day period maybe extended for a further 30 days, should more time be required to gather the requested information.

4.3.4 The requestor will, however, be notified if the initial 30-day notice period is to be extended.

#### 4.4 Appeal

There is no further appeal process internally within StreetSmart SA. The decision of the Information Officer is final.

### 5. **APPLICABLE LEGISLATION (Section 51 (1) (c) of the Act)**

The following list(which list is non-exhaustive) of legislation (as amended from time to time) are applicable to StreetSmart SA:



- 5.1 Basic Conditions of Employment Act 75 of 1997;
- 5.2 Broad Based Black Economic Empowerment Act 53 of 2003;
- 5.3 Companies Act 71 of 2008;
- 5.4 Compensation of Occupational Injuries and Diseases Act 130 of 1993;
- 5.5 Copyright Act 98 of 1978;
- 5.6 Electronic Communications and Transactions Act 2 of 2000;
- 5.7 Employment Equity Act 55 of 1998;
- 5.8 Financial Intelligence Centre Act 38 of 2001;
- 5.9 Income Tax Act No 58 of 1962;
- 5.10 Intellectual Property Laws Amendments Act 38 of 1997;
- 5.11 Labour Relations Act 66 of 1995;
- 5.12 Non-Profit Organisations Act 71 of 1997;
- 5.13 Occupational Health and Safety Act 85 of 1993;
- 5.14 Prevention and Combatting Corrupt Activities Act 12 of 2004;
- 5.15 Promotion of Access to Information Act 2 of 2000;
- 5.16 Promotion of Equality and Prevention of Unfair Discrimination Amendment Act 52 of 2002;
- 5.17 Protection of Personal Information Act 4 of 2013;
- 5.18 Skills Development Act 97 of 1997;
- 5.19 Skills Development Levies Act 9 of 1999;
- 5.20 Tax Administration Act 28 of 2011;
- 5.21 The Fundraising Act 107 of 1978;
- 5.22 Trade Marks Act 194 of 1993;
- 5.23 Unemployment Insurance Act 63 of 2001;
- 5.24 Unemployment Insurance Act 63 of 2001;
- 5.25 Unemployment Insurance Contributions Act 4 of 2002; and

5.26 Value Added Tax Act 89 of 1991.

6. **SCHEDULE OF RECORDS (Section 51 (1) (d))**

<b><u>Records</u></b>	<b><u>Subject</u></b>	<b><u>Availability</u></b>
Public Affairs	<ul style="list-style-type: none"> <li>• Public Product Information</li> <li>• Public Corporate Records</li> <li>• Media Releases</li> <li>• Fundraising partners' information</li> <li>• Beneficiaries' information</li> <li>• Sponsors' information</li> </ul>	Freely available on web site <a href="http://www.streetsmartsa.org.za">www.streetsmartsa.org.za</a> <a href="http://www.streetsmartsa.org.za">www.streetsmartsa.org.za</a> <a href="http://www.streetsmartsa.org.za">www.streetsmartsa.org.za</a> <a href="http://www.streetsmartsa.org.za">www.streetsmartsa.org.za</a>
Financial	<ul style="list-style-type: none"> <li>• Financial Statements</li> <li>• Financial and Tax Records (Company &amp; Employees)</li> <li>• Asset Register</li> <li>• Management Accounts</li> </ul>	Request in terms of PAIA Request in terms of PAIA Not available. Not available.
Marketing	<ul style="list-style-type: none"> <li>• Marketing information</li> </ul>	Limited Information available on web site. (see above)
Governance	<ul style="list-style-type: none"> <li>• Company Registration documents</li> <li>• Memorandum of Incorporation</li> <li>• NPO Registration</li> <li>• Resolutions</li> <li>• Board meetings</li> <li>• Agendas and Minutes of Meetings</li> </ul>	Not available. Not available. Not available. Not available. Not available.
Human Resources	<ul style="list-style-type: none"> <li>• Employees' information</li> <li>• Directors' information</li> <li>• Staff benefits and incentives</li> <li>• Training and skills development</li> <li>• Payslips, leave records and balances</li> </ul>	Request in terms of PAIA Request in terms of PAIA Request in terms of PAIA Request in terms of PAIA Request in terms of PAIA

7. **AVAILABILITY OF THE MANUAL**

The Manual is available for inspection at our offices at no cost, or from the SAHRC or on written request via email.

DATE OF COMPILATION: 30/06/2021

DATE OF REVISION: 21/08/2021

## 8. **COMPLAINTS**

Should you have any complaints regarding the information above, kindly contact our Information Officer. Alternatively, you may address your complaints to the Information Regulator via email:

PAIA Complaints: [PAIAComplaints.IR@justice.gov.za](mailto:PAIAComplaints.IR@justice.gov.za)

POPI Complaints: [POPIComplaints.IR@justice.gov.za](mailto:POPIComplaints.IR@justice.gov.za)

### CONFIRMATION

I, Zaid Adams, confirm the contents of the Manual are in order and the necessary authorisation has been granted for the Manual to be published.

---

Signature:

Designation:

Date: