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PAIA Manual

Prepared in terms of Section 51 of the Promotion of Access to Information Act, 2000 (PAIA (Promotion of Access to Information Act))

in respect of

Foundation for Human Rights (FHR)

(Registration number – 95/08044/08)

Updated: 18 June 2026

Including

Addendum A — Privacy Policy

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1 OVERVIEW OF FHR

FHR is a non-profit organisation registered in terms of the laws of the Republic of South Africa. FHR provides support for access to justice and promotion of constitutional rights.

2 CONTACT DETAILS FOR ACCESS TO INFORMATION

Name of Private Body	FHR
Physical address	7th Floor, Metal Box Building, 25 Owl Street, Auckland Park, Johannesburg, 2092
Postal address	Private Bag X124, Braamfontein, Johannesburg, 2017
Information Officer	Zaid Kimmie, Executive Director
Deputy Information Officer	Deborah Byrne, Deputy Director
Telephone number	+27 (0) 11-484-0390
Electronic Mail	info@fhr.org.za
Website	www.fhr.org.za

3 PURPOSE OF THE PAIA MANUAL

This PAIA Manual is constructed to enable the public to:

1. check the categories of records held by FHR which are available without a formal PAIA request;
2. have a sufficient understanding of how to make a request for access to a record for FHR
3. understand the description of the records of FHR which are available in accordance with any other law;
4. access all the relevant contact details of the Information Officer who will assist the public with the records they intend to access;
5. understand the description of the guide on how to use PAIA as updated by the Information Regulator and how to obtain access to it;
6. understand whether FHR 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;
7. understand the description of the categories of data subjects and of the information or categories of information relating thereto;
8. understanding the recipients or categories of recipients to whom the personal information may be supplied;
9. understand whether FHR has planned to transfer or process personal information outside the Republic of South Africa, the nature and categories of such information and the recipients or categories of recipients to whom the personal information may be transferred; and
10. understand whether FHR has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

4 AVAILABILITY OF THE PAIA MANUAL

A copy of the PAIA Manual is available:

1. on FHRś website;
2. at FHRś head office for public inspection during normal business hours;
3. to any person upon request and upon the payment of a reasonable prescribed fee; and
4. to the Information Regulator.

5 GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE PAIA GUIDE

5.1

The Information Regulator has, in terms of section 10(1) of PAIA, as amended, updated and made available a revised guide on how to use PAIA (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 (Promotion of Personal Information Act).

5.2

Members of the public can inspect or make copies of the PAIA Guide from the offices of the public and private bodies, including the office of the Information Regulator, during normal working hours.

5.3

The PAIA Guide can also be obtained from the website of the Information Regulator.

6 RIGHT TO ACCESS TO RECORDS OF PRIVATE BODIES (SECTION 50 OF PAIA)

A requestor may be given access to any record of FHR if:

1. the record is required for the exercise or protection of any rights;
2. the requestor complies with the procedural requirements of PAIA related to a request for access to the record (see paragraph 11: Request for access to records); and
3. access to the record is not refused in terms of any ground for refusal contemplated in Chapter 4 of Part 3 of PAIA.

7 RECORDS AVAILABLE WITHOUT A REQUEST TO ACCESS IN TERMS OF PAIA

7.1

All information on FHR's website www.fhr.org.za is freely available and it is therefore not necessary to apply for access thereto in terms of PAIA.

7.2

Further other non-confidential records, such as statutory records maintained at CIPC (Companies and Intellectual Property Commission) and the Master's Office, may be accessed without the need to submit a formal application.

8 DESCRIPTION OF RECORDS OF FHR WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION (SECTION 51(1)(B)(III) OF PAIA)

Where applicable, certain records held by FHR are available in terms of different pieces of legislation (other than PAIA). The specific records which are available in terms of such legislation are set out therein and these records may in certain instances only be accessed by the persons specified in the relevant legislation. This legislation includes without limitation the following statutes:

1. Administration of Estates Act, 1965
2. Arbitration Act, 1965
3. Basic Conditions of Employment Act, 1997
4. Broad Based Black Economic Empowerment Act, 2003
5. Close Corporations Act, 1984
6. Companies Act, 2008
7. Compensation for Occupational Injuries and Health Diseases Act, 1993
8. Constitution of South Africa Act, 1996
9. Criminal Procedure Act, 1977
10. Customs and Excise Act, 1964
11. Electronic Communications and Transactions Act, 2002
12. Employment Equity Act, 1998
13. Environment Conservation Act, 1989
14. Estate Agency Affairs Act, 1976
15. Explosives Act, 1956
16. Financial Markets Act, 2012
17. Hazardous Substances Act, 1973
18. Income Tax Act, 1962
19. Insolvency Act, 1936
20. Labour Relations Act, 1995
21. Mine Health and Safety Act, 1996
22. Minerals Act, 1991

23. Mineral and Petroleum Resources Development Act, 2002
24. Mineral and Petroleum Resources Royalty (Administration) Act, 2008
25. National Credit Act, 2005
26. National Dust Control Regulations, 2013 under the National Environmental Management: Air Quality Act, 2004
27. National Environmental Management Act, 1998
28. National Environmental Management: Waste Act, 2008
29. National Water Act, 1999
30. Occupational Diseases in Mines and Works Act, 1973
31. Occupational Health & Safety Act, 1993
32. Pension Funds Act, 1956
33. Prevention and Combatting of Corrupt Activities Act, 2004
34. Prevention of Organised Crime Act, 1998
35. Protected Disclosure Act, 2000
36. Promotion of Access to Information Act, 2000
37. Promotion of Equality and Prevention of Unfair Discrimination Act, 2000
38. Protection of Personal Information Act, 2013
39. Skills Development Act, 1998
40. Skills Development Levies Act, 1999
41. Stock Exchanges Control Act, 1985
42. Stock Exchanges Control Amendment Act, 1995 (and the rules and listing requirements of the JSE authorised in terms thereof)
43. Tax Administration Act, 2011
44. Trade Marks Act, 1993
45. Unemployment Insurance Contributions Act, 2002
46. Unemployment Insurance Act, 2001
47. Value Added Tax Act, 1991

9 CATEGORIES OF RECORDS HELD BY FHR (SECTION 51(B)(IV) OF PAIA)

9.1

The records held by FHR which are set out generically in the table below, which is not all inclusive are:

Category	**Subject / Description**
Corporate Documents	Memorandum of Association. Director and shareholder records. Records relating to FHRś incorporation. Statutory records. Minutes and resolutions.
Accounting	Accounts, invoices, reconciliations, credit/debit notes, journals, ledgers, balance sheets, income statements, trial balances, payment schedules, cheque runs, cash flow statements, Tax records (FHR and employees), Annual financial statements, bank statements, Purchase Orders/Invoices, Asset Register, Insurance information.
Publications	Updates prepared by various departments within FHR and information booklets on areas of the law in which FHR specialises.
Marketing	Client proposals, copies of seminar papers, copies of various PowerPoint presentations for prospective clients, in-house training, seminars, copies of advertisements placed by FHR copies of directory listings placed by FHR copies of articles written by professional staff, content for FHRś website, invitation lists for seminars and other formal company functions, internal newsletter, business card details for professional staff and the marketing database.
Procurement	Order books, waybills, invoices, vendor records, statements, record cards of voice recorders and transcribers, procurement contracts.
Operational	Request for Proposals, Operational reviews, Client records, Guidelines, policies and procedure, Contracts, internal and external correspondence, Records provided by a third party, Information technology, Strategic Plans, Marketing materials, Visitor Record, Contact Records.
Administration	Minutes of meetings of various committees within FHR general correspondence; lease agreements, copies and correspondence relating to various insurance policies, general correspondence, work papers, operating manuals of mechanical and electrical systems; architect drawings, salary work papers, copies of and correspondence with regard to office building leases, voicemail and security systems.
Human Resources	Contracts of employment, documents relating to remuneration structuring, job specifications, format/procedures for advertising positions, policy documents relating to General Conditions of Employment; performance evaluations; Employment Equity Plan and reports; Workplace Skills Plan and reports; personnel files, loan and bursary agreements, documents relating to disciplinary and grievance procedures; all employment applications, forms relating to new staff appointments, vacation employment applications and confidentiality undertakings.

Category	Subject / Description
Salaries and benefits	Remuneration schedules, various payroll reports, Workmen's Compensation documentation, Pension Fund documentation, Retirement Plan documentation, Group Life Scheme documentation, medical aid scheme documentation.
Library materials	Publications, precedents, opinions and other information held by the library.
IT	Computer software, support and maintenance agreements.

9.2

A requestor must comply with the procedural requirements prescribed in section 53 of PAIA and as set out in paragraph 11 of this PAIA Manual, in order to obtain access to records held by FHR and access to such records will be available only subject to confidentiality and where applicable, legal privilege. We further reserve the right to decline access in respect of documents which are in the public domain, thus publicly available from other sources.

10 DESCRIPTION OF PERSONAL INFORMATION PROCESSED IN TERMS OF POPIA TO BE MAINTAINED BY FHR (SECTION 51(1)(C) OF PAIA READ WITH SECTION 17 OF POPIA)

FHR has a comprehensive Privacy Policy in place, available publicly on FHR's website www.fhr.org.za, which details the lawful processing of personal information by FHR. FHR's Privacy Policy details the purpose of processing of personal information, the categories of data subjects and information collected in respect of the data subject, planned trans-border flows of information, and a description of information security measures in place.

FHR does not have any plans to transfer any personal information across borders. FHR does not transfer, and does not intend to transfer, any personal information outside the Republic of South Africa. See Addendum A, section A.6.

11 FORM OF REQUEST

11.1

FHR has authorised and designated the Information Officer to deal with all matters relating to and our obligations under PAIA and POPIA.

11.2

A requestor must comply with all the procedural requirements contained in PAIA relating to the request for access to a record.

11.3

A request for access to records held by FHR in terms of section 50 of PAIA must be made on the form contained in the Regulations regarding the Promotion of Access to Information (PAIA Form 2 – available on the Regulator's website). The request must be made to FHR at the physical or email address specified in paragraph 2 of this PAIA Manual.

11.4

A requestor must provide sufficient detail on the prescribed form to allow FHR to identify the record or records which have been requested and the identity of the requestor. If a request is made on behalf of another person or entity, the requestor must submit details and proof of the capacity in which the requestor is making the request, which must be reasonably satisfactory to FHRṪhe requestor 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.

11.5

A requestor will receive a response to a request (PAIA Form 3: Outcome of request and of fees payable) – which will include details of fees payable.

(1) PAIA provides for two types of fees, namely:

(a) a request fee, which will be a standard non-refundable administration fee, payable prior to the request being considered; and

(b) an access fee, payable when access is granted which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs.

Subsequent to a request being made, the Information Officer, will request (via notice) that the requestor pay the prescribed request fee (if any) before processing of the request.

11.6

FHR may withhold a record until the requestor has paid the fees as in indicated in PAIA Form 3.

11.7

A requestor will be obliged to pay the applicable access fee for reproduction, search, and preparation as well as and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure including making arrangements to make it available in the request form.

12 GROUNDS FOR REFUSAL OF ACCESS TO RECORDS (CHAPTER 4 OF PAIA READ WITH SECTION 23(4)(A) OF POPIA)

12.1

PAIA recognises that the right to any information may be limited to the extent that such limitations are reasonable and justifiable in an open and democratic society based on human dignity, equality and freedom as contemplated in Section 36 of the Constitution; and therefore FHR may refuse to grant a requestor access to records in certain circumstances.

12.2

Subject to Section 70 of PAIA FHR may refuse a request for access to records as contemplated by PAIA if the information contained in the record relates to:

(1) Protection of the privacy of a third party, including a deceased individual, if that third party is a natural person, which would involve the unreasonable disclosure of personal information of that natural person (Section 63(1) of PAIA);

(2) Protection of commercial information of a third party as defined by PAIA if the record contains:

   (a) trade secrets of that third party;

   (b) financial, commercial scientific or technical information other than trade secrets of a third party, the disclosure of which would be likely to cause harm to the commercial or financial interests of that third party; and

   (c) information disclosed in confidence to FHR by a third party, the disclosure of which could put that third party at a disadvantage in contractual or other negotiations or would prejudice that third party in commercial competition (Section 64 of PAIA).

(3) Protection of confidential information if the disclosure would constitute a breach of a duty or confidence to a third party in terms of an agreement (Section 65 of PAIA);

(4) Protection of safety of individuals and protection of property (Section 66 of PAIA);

(5) Protection of records which would be regarded as privileged in legal proceedings or subject to legal privilege in any other respect, unless the person so entitled to privilege waives the privilege (Section 67 of PAIA);

(6) Protection of commercial activities of FHR which includes:

   (a) FHRś trade secrets;

   (b) financial, commercial scientific or technical information, disclosure of which could cause harm to the financial or commercial interests of FHR

   (c) information, which if disclosed, could put FHR at a disadvantage in negotiations or commercial competition; and

   (d) a computer programme owned by FHR and which is protected by copyright (Section 68 of PAIA).

(7) The research information of FHR or a third party on behalf of FHR if the disclosure would expose the third party, FHR the researcher or the subject matter of the research to serious disadvantage (Section 69 of PAIA).

13 APPLICABLE TIME-PERIODS (CHAPTER 3 OF PART 3 OF PAIA)

13.1

FHR will inform the requestor within 30 days after receipt of the request of its decision whether or not to grant the request, except if the provisions regarding third party intervention apply.

13.2

The 30-day period may be extended by a further period of not more than 30 days if the request is for a large number of records or requires a search through a large number of records and compliance with the original period would unreasonably interfere with FHRś activities or the records are not located at FHR or consultations amongst divisions and/or subsidiaries of FHR or another private body are required.

14 THE OUTCOME OF A REQUEST (GRANTING OR REFUSING) (CHAPTER 3 OF PART 3 OF PAIA)

14.1

Should the request be granted, the notice will state the access fee (if any) to be paid upon access, the form in which access will be given and further that the requestor may lodge a complaint to the Information Regulator or an application with a court against the access fee to be paid or the form of access granted, and the procedure, including the period allowed, for lodging a complaint to the Information Regulator or the court application.

14.2

If a request for access is granted, the requestor must be given access to the record concerned after the expiry of 30 days after notice is given to a third party to whom or which the record pertains, unless a complaint to the Information Regulator or a court application is lodged against the decision within that period.

14.3

Should the request be refused, the notice must state adequate reasons for the refusal, including the provisions of PAIA relied upon, and that the requestor may lodge a complaint to the Information Regulator or an application to a court against the refusal of the request, and the procedure (including the period) for lodging a complaint to the Information Regulator or the court application.

15 REMEDIES AVAILABLE IN REFUSAL OF A REQUEST FOR INFORMATION (CHAPTER 1A AND 2 OF PART 4 OF PAIA)

15.1

A requestor that has been aggrieved by a decision of the Information Officer, may, after 180 days of the decision, submit a complaint, alleging that the decision was not in compliance with PAIA to the Information Regulator in the prescribed manner and form for appropriate relief; and thereafter, apply to the court for appropriate relief.

15.2

Should a third party be dissatisfied with the Information Officer's decision to grant a request for information relating to that third party, it (the third party) may after 180 days of the decision, submit a complaint, alleging that the decision was not in compliance with PAIA to the Information Regulator in the prescribed manner and form for appropriate relief, and thereafter, apply to a court for the appropriate relief.

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Addendum A

Privacy Policy

Privacy Statement

in respect of

Foundation for Human Rights (FHR)

(Registration number — 95/08044/08)

Updated: 18 June 2026

A.1 PRIVACY STATEMENT

The website www.fhr.org.za (hereafter: the "Website") is an initiative of the Foundation for Human Rights (hereafter: "FHR").

Name	Foundation for Human Rights (FHR)
Physical address	7th Floor, Metal Box Building, 25 Owl Street, Auckland Park, Johannesburg, 2092
Postal address	Private Bag X124, Braamfontein, Johannesburg, 2017
Information Officer	Deborah Byrne, Deputy Director
Deputy Information Officer	Kirtan Pema, Finance Manager
Telephone	+27 (0) 11-484-0390
Email	info@fhr.org.za
Website	www.fhr.org.za

Feel free to contact us should you have any privacy-related questions. We promise to reply soon!

A.2 WHY THIS PRIVACY STATEMENT?

Every person (hereafter the "User") who visits or uses the Website discloses a certain amount of personal data. The personal data is information that allows FHR to identify you as a natural person, regardless of whether we actually do this. You are identifiable as soon as it is possible to create a direct or indirect link between one or more data and you as a natural person.

We only use and process your personal data in accordance with POPIA and the other applicable regulations. Every reference in this Privacy Statement to POPIA is a reference to the Protection of Personal Information Act, 2013. Every reference to PAIA is a reference to the Promotion of Access to Information Act, 2000.

By using our Website, the User declares having read this Privacy Statement and explicitly agrees to the possible collecting and processing of personal data as described in this document. FHR reserves the right to modify this Privacy Policy at all times. Every substantial change will be clearly communicated towards the User. We advise you to consult this document regularly.

A.3 WHO IS RESPONSIBLE FOR THE PROCESSING OF PERSONAL DATA?

A.3.1 Controller

FHR is responsible for the processing and decides alone or in cooperation with others which personal data are being collected as well as the purposes and the technical and organisational means with regard to the processing of those personal data.

A.3.2 Processor(s)

FHR is free to rely on data processors. A processor is the natural or legal person who processes your personal data upon request and on behalf of the data controller. The processor is required to ensure the security and confidentiality of the data. The processor shall always act on the instructions of the data controller.

A.4 ON WHAT LEGAL GROUNDS ARE MY DATA PROCESSED?

In accordance with POPIA we process personal data on the following legal grounds:

1. On the basis of the execution of the contract agreed upon with you or the execution of pre-contractual steps taken at your request; or
2. On the basis of compliance with legal or regulatory provisions with regard to the management of the contractual relationship;
3. On the basis of your consent to send promotional offers (direct marketing).

A.5 WHICH PERSONAL DATA ARE BEING PROCESSED?

FHR commits to only collect and process your personal data that are necessary for achieving the purposes pursued by FHR. A non-exhaustive list of personal data that might be processed can be found here:

1. Last name, first name and contact information;
2. E-mail address;
3. Telephone number;
4. Birth date;
5. Sex;
6. Nationality;
7. Profession;
8. Information with regard to your connection (IP-address, localisation, etc.).

This data is collected at the time of your registration on the Website and when you use our services. Other personal data may be collected later. These data are necessary for the provision of our services.

We also use cookies in order to recognise the User and to offer the User a personalised user experience, to remember technical choices (for example, language choices or a user profile), and to detect and correct any errors that might be present on the Website.

A.6 TRANSBORDER TRANSFER OF PERSONAL INFORMATION

FHR does not have any plans to transfer any personal information across borders.

FHR does not transfer, and does not intend to transfer, any personal information outside the Republic of South Africa to any other country, organisation, or person.

If this position changes in future, FHR will update this Privacy Policy before any such transfer takes place, and will only transfer personal information in accordance with POPIA.

A.7 FOR WHICH PURPOSES ARE MY PERSONAL DATA BEING USED?

FHR collects your personal data for the sole purpose of offering every User of ours a safe, optimised and personal user experience of our Website and the offered services. The processing of your personal data is therefore essential for the proper functioning of the Site and the provision of associated services. If these data are missing, are incorrect or incomplete, FHR reserves the right to suspend or cancel certain operations.

FHR commits to solely process your personal data for the following purposes:

1. To allow the User access to his/her user profile and to use the services offered on the Website;
2. To manage the contractual relationship to which the User is a party;
3. To offer a personalised service to the User by sending newsletters, offering personalised products, providing support and complaint follow-up;
4. To detect and protect Users against fraud, mistakes and/or criminal behaviours;
5. Send promotional offers if you have expressly agreed to this (direct marketing). In this case, you remain free to withdraw your consent at any time.

When visiting the website of FHR, some data are being collected for statistical purposes. Such data is necessary to optimise your user experience. These data are: IP address, probable location of consultation, hour and day of the consultation and the pages that are being consulted. When you visit the Website, you explicitly agree to this collection of data for statistical purposes.

The User always provides his/her personal data to FHR and thus retains some control. If some data are incomplete or seemingly incorrect, FHR retains the right to postpone certain expected actions temporarily or permanently.

A.8 WHO RECEIVES YOUR PERSONAL DATA?

Your personal data are processed for internal use within FHR only. Your personal data will not be sold, passed on or communicated to any third parties, except in case you have given us your explicit prior consent.

FHR has taken every legal and technical precaution to avoid unauthorised access to and use of the data. In the event of a data breach, FHR will immediately take every possible measure to limit the damages to a minimum.

A.9 HOW LONG DO WE STORE YOUR PERSONAL DATA?

Your data is stored as long as necessary to achieve the ends pursued. They will be erased from our database as soon as they are no longer necessary for the ends pursued or if you validly exercise your right to erasure.

A.10 WHAT ARE MY RIGHTS?

A.10.1 Guarantee of a legitimate and secure process of your personal data

Your personal data are always processed for the legitimate purposes explained in Addendum section A.7. They are collected and processed in an appropriate, relevant and non-excessive manner, and are not kept longer than necessary to achieve the intended purposes.

A.10.2 Right to access

If you can prove your identity, you have the right to obtain information about the processing of your data. Thus you have the right to know the purposes of the processing, the categories of data concerned, the categories of recipients to whom the data are transmitted, the criteria used to determine the data retention period, and the rights that you can exercise on your data.

A.10.3 Right to rectification of your personal data

Inaccurate or incomplete personal data may be corrected. It is primarily the responsibility of the User to make the necessary changes in his “subscription area” himself, but you can also request us in writing.

A.10.4 Right to erasure (or “right to be forgotten”)

You also have the right to obtain the erasure of your personal data under the following assumptions:

1. Your personal data are no longer necessary for the intended purposes;
2. You withdraw your consent to the processing and there is no other legal ground for processing;
3. You have validly exercised your right of opposition;
4. Your data has been illegally processed;
5. Your data must be deleted to comply with a legal obligation.

The deletion of data is mainly related to visibility; it is possible that the deleted data are still temporarily stored.

A.10.5 Right to limitation of processing

In certain cases, you have the right to request the limitation of the processing of your personal data, especially in case of dispute as to the accuracy of the data, if the data are necessary in the context of legal proceedings or the time required to FHR to verify that you can validly exercise your right to erasure.

A.10.6 Right to object

You have the right to object at any time to the processing of your personal data for direct marketing purposes. FHR will stop processing your personal data unless it can demonstrate that there are compelling legitimate reasons for the processing which prevail over your right to object.

A.10.7 Right to data portability

You have the right to obtain any personal data that you have provided us in a structured, commonly used and machine readable format. At your request, this data may be transferred to another provider unless it is technically impossible.

A.10.8 Right to withdraw your consent

You may withdraw your consent to the processing of your personal data at any time, for example for direct marketing purposes.

A.11 HOW TO EXERCISE MY RIGHTS?

If you wish to exercise your rights, you must send a written request and proof of identity by registered mail to FHR, Private Bag X124, Braamfontein, Johannesburg, 2017 or by email to info@fhr.org.za. We will respond as soon as possible, and no later than one (1) month after receipt of the request.

Acronyms

CIPC Companies and Intellectual Property Commission. 5

FHR Foundation for Human Rights. 1, 3–5, 7–10

PAIA Promotion of Access to Information Act. 1, 3–5, 8–11

POPIA Promotion of Personal Information Act. 4, 8