



PAIA Manual: Public Body

GOOD POLITICAL PARTY

PAIA MANUAL

Prepared in terms of section 14 of the
Promotion of Access to Information Act 2 of
2000 (as amended)

DATE OF COMPILATION: 05/11/2021

DATE OF REVISION:

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1. LIST OF ACRONYMS AND ABBREVIATIONS

- 1.1 “**LC**” Leadership Committee
- 1.2 “**NMC**” National Management Committee;
- 1.3 “**SG**” Secretary- General;
- 1.4 “**DEC**” District Executive Council
- 1.5 “**MP**” Member of Parliament
- 1.6 “**MPL**” Member of Provincial Parliament
- 1.7 “**NO**” National Organiser
- 1.8 “**COO**” Chief Operating Officer
- 1.9 “**Minister**” Minister of Justice and Correctional Services;
- 1.10 “**PAIA**” Promotion of Access to Information Act No. 2 of 2000 as Amended;
- 1.11 “**PFMA**” Public Finance Management Act No.1 of 1999 as Amended;
- 1.12 “**POPIA**” Protection of Personal Information Act No.4 of 2013;
- 1.13 “**Regulator**” Information Regulator.



2. PURPOSE OF PAIA MANUAL

This PAIA Manual is useful for the public to:

2.1 check the nature of the records which may already be available at GOOD, without the need for submitting a formal PAIA request;

2.2 have an understanding of how to make a request for access to a record of the (name of the body);

2.3 access all the relevant contact details of the persons who will assist the public with the records they intend to access;

2.4 know all the remedies available from the GOOD regarding request for access to the records, before approaching the Regulator or the Courts;

2.5 the description of the services available to members of the public from the GOOD, and how to gain access to those services;

2.6 a description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;

2.7 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;

2.8 know if the GOOD 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

2.9 know whether the GOOD has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.





3. ESTABLISHMENT OF GOOD POLITICAL PARTY

GOOD is registered as a political party with the Independent Electoral Commission (“IEC”) in terms of section 15A of the Electoral Commission Act.

3.1. Objectives/Mandate

South Africa became a democracy in 1994. A lot has been achieved in addressing the structural inequalities embedded in our country through apartheid.

However, and despite a world renowned constitution with a robust bill of rights, equality of rights is not enough to bring about a more equitable society where citizens and residents are able to use their rights.

Purposeful exclusion, suppression and deprivation of South Africans, based on race, has left too many South Africans in a position where the rights enshrined in our constitution, and hailed as progressive the world over, are meaningless to the vast majority of our people.

GOOD is committed to ensuring a more equitable South Africa based on the values and principles of social democracy – a successful model of democracy for addressing inequality and exclusion.

We are proud South Africans deeply committed and connected to a future that is prosperous for all.

We acknowledge that South African politics has failed the vast majority of South Africans for centuries. Whilst under colonial and apartheid rule exclusion, exploitation and poverty was systemic. These deeply offensive and unlawful systems of governance have been removed since 1994 but exclusion and poverty persists and two generations of South Africans face a hopeless future.





We are a movement of hope. It is our purpose to restore the hope of 1994 that every South African can live a life of dignity, free from the enslavement of poverty, through our collective efforts.

We will build a patriotic South Africa that is that is innovative, competitive, equitable, sustainable, forward-thinking, and employed and which advances social, economic and spatial justice.

OBJECTIVES:

3.1. To achieve these objectives GOOD shall:

3.1.1. Maintain its registration as a political party under the laws of the Republic of South Africa;

3.1.2. Adhere to and promote the values contained in the Constitution of the Republic of South Africa, and in this document;

3.1.3. Promote and advocate for a more equitable South Africa where citizens and residents are able to access and use the rights afforded to them in terms of the constitution.

3.1.4. Promote the values of truth, trust, equity, social justice, solidarity, sustainability and service in South Africa and to give life to these value within our communities.

3.1.5. Champion the social, economic and cultural rights that every South African is entitled to.

3.1.6. To fight for and bring about a South Africa that is equitable and just and where no-one is left behind.

3.1.7. To ensure all citizens a free and just life, rights have to be actively promoted and implemented.





4. STRUCTURE OF THE GOOD POLITICAL PARTY AND FUNCTIONS

4.1. Structure

4.1.1. Leadership Council

- Leader : Patricia De Lille
- Chairperson : Sam Shabane
- Secretary-General : Brett Herron
- National Treasurer : Suzette Little
- Deputy Secretary General : Vacant
- National Organiser : Vacant
- Deputy National Organiser : Vacant
- Chief Operating Officer : Vacant
- At least one delegate from each District Council – ex officio the Chairperson of each DEC (District Executive Council)
- Where a DEC has not been established, then the NMC shall co-opt a representative from that District to represent that District but without voting rights.
- Additional Members co-opted by the LC as and when required for specific skills required.

4.1.2. National Management Committee

- Leader : Patricia De Lille
- National Chairperson : Sam Shabane



- Secretary-General : Brett Herron
- National Organiser : Vacant
- National Treasurer : Suzette Little
- Chief Operating Officer : Vacant

4.2 Functions

As an opposition political party with representatives in the National Assembly, a Provincial Legislature and local government councils, the main function of our organization is to nominate candidates for public office and to have as many of those candidates elected through canvassing for votes, for the purpose of influencing policy making in National, Provincial and Local Government.

5. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF THE GOOD PARTY

5.1.1 *Secretary- General*

Name : Brett Herron
Tel : 021 518 0890
Email : brettth@forgood.org.za

Alternatively

5.1.2 *Legal & Local Government Officer*

Name : Chad Owen Davids
Tel : 067 129 1323
Email : chadd@forgood.org.za



5.3 Access to information general contacts

Email : info@forgood.org.za

5.4 National / Head Office

Postal Address : PO Box 2162 Cape Town 8000

Physical Address : Parliament South Africa, Plein Street, Cape Town, 8001

Telephone : 021 518 0890

Email : info@forgood.org.za

Website : <https://forgood.org.za/>

6. DESCRIPTION OF ALL REMEDIES AVAILABLE IN RESPECT OF AN ACT OR A FAILURE TO ACT BY THE GOOD PARTY

This section will explain the legal remedies available to requesters who wish to challenge such decisions, which include internal appeals, lodging a complaint to the Regulator and applications to Court.

Action to be taken once a decision has been made on request:

- A requester can make a follow-up action in writing, on the pending decision of an Information Officer or Deputy Information Officer. It is encouraged that all correspondence between a requester and the Information Officer or Deputy Information Officer must be in writing for future reference purposes.
- There are different processes for public and private bodies, especially regarding internal appeals. For instance, with regard to a request for access to a record of a public body, the requester must first submit an internal appeal before approaching the Regulator or Court. However, there is no internal appeal against a decision



(whether granting or refusal to grant access to records) or deemed refusal of access to records of a private body.

- 22.1.4 A requester may, amongst others, challenge the following decision of a private and/or public body –
 - (a) the tender or payment of the request fee;
 - (b) the tender or payment of a deposit;
 - (c) the access fee to be paid is too excessive;
 - (d) the form of access granted;
 - (e) the refusal of the request;
 - (f) the procedure (including the period) for lodging the internal appeal;
 - (g) inappropriate time extension taken to respond to a request for access;
 - (h) failure to disclose records;
 - (i) the granting of a request for access to a record;
 - (j) refusal to grant request to waive the fees;

With respect to Internal Remedies: An Appeal can be lodged in the following manner:

- The PAIA Act places an obligation on a requester to file an internal appeal when there is a refusal to grant information of a Public Body, before approaching the court. Although our Party does form seemingly form part of the Public Sphere, in essence we are not a sphere of government.
- The Act therefore does not make provision for internal appeals of Private Bodies.
- Should a requester be unhappy with a decision made by our Information officer, their next step would be to approach the court for appropriate relief.





An appeal against a decision made by the Information Officer or a deemed refusal to grant access to information can be made to the Party's Appeal Authority, for the purpose of compliance with the Act our appeal Authority will be comprised of person who do not have a vested interest in the information to be disclosed and will consequently be the same persons who serve on the Appeal Authority for our Internal Disciplinary Proceedings.

Once a requester receives a decision from the Information Officer, and the requester is not happy with the decision made by the Information Officer, he must notify the party via the Legal Officer, Information Officer or via the general contact information, the Appeal Authority will then be activated.

The appeal will be scrutinized to determine if prima facie proof exists that one of the listed exemptions listed in Section 34; 36;37;38 and 44 of PAIA is or is not present in the appeal. Should the refusal be based on one of the listed exemptions the appeal will not be prosecuted and consequently be dismissed.

Preservation of records until final decision on request has been finally determined:

- (a) This means that the information officer cannot delete or destroy any information requested, pending any process as prescribed.
- The time frame for an appeal is also set out in the Act and Regulations:
 - Internal appeal- within 60 days after the decision was taken or; within 30 days after notice is given to the third party of the decision appealed against.
 - The relevant form to complete is the Internal Appeal Form 4, available on the Information Regulator's website <https://www.justice.gov.za/inforeg/>



**b) Complaints to the Information Regulator:**

Any person may submit a complaint to the Regulator in the prescribed manner and form alleging interference with the protection of the personal information of a data subject. Should you feel that your personal information has been violated, a complaint to the Regulator must be made in writing.

Should for any reason and circumstance the person wishing to lodge a complaint not able to do so in writing, the Regulator must give reasonable assistance to the person.

Complete the prescribed POPIA form 5 and send it to POPIAComplaints@info regulator.org.za.

The Regulator must as soon as reasonably practicable advise the complainant and the responsible party to whom the complaint relates of the course of action that the Regulator will take.

The Regulator may on its own initiative commence an investigation into the interference with the protection of the personal information.

c) Process for approaching the Court with jurisdiction for appropriate relief:

- Requester or third party may only apply to a court for appropriate relief in terms of section 82 in the following circumstances:
 - After that requester or third party has exhausted the internal appeal process;
 - After that requester or third party has exhausted the complaints procedure referred to in section 77A.
- In terms of section 78(1) of PAIA, a requester or a third party has two options, either to refer a decision, listed in paragraphs 22.2.4, 23.4 and 23.5 above, to the Regulator or the Court. Whilst one is not compelled to approach the Regulator before approaching the Court, it is advisable that one should consider approaching



the Regulator, as the Regulator has extensive and quick dispute resolution mechanisms, as opposed to the Court.

- However, for the Court to have jurisdiction to adjudicate the matter, a requester or a third party must:
 - be aggrieved by either of the decisions listed above or;
 - have exhausted the complaints procedure with the Regulator or withdraw the complaint to the Regulator. This means that one cannot approach the Court if one's complaint is still pending with the Regulator.
- If one is challenging the decision of an Information Officer of a private body, one needs to provide sufficient evidence to prove that the record requested is required for the exercise or protection of any other right(s).

Timeframe to file an application to court against the Regulator or Private Body:

- An application to Court by a requester or third party, who is either unsuccessful in an internal appeal to the appeal authority of the relevant sphere of government or aggrieved by a decision of the Information Officer of a body or that of the Regulator must be filed within 180 days from the date of the applicable event.
- The Information Officer of a body or appeal authority of a Government, as the case may be, aggrieved by a decision of the Regulator may apply to a court for appropriate relief in terms of section 82, within 180 days.
- A requester, third party or a body may apply to court to have any of the decisions they are aggrieved by reviewed by the Court.
- An application to Court under PAIA is done through civil proceedings and should be used as a last resort.
- Cases for access to information can be heard before the Magistrate's Courts, as a court of first instance, and the High Court having jurisdiction.



- Failing to bring the application within a period of 180 days may be condoned by the Court if one shows that the interests of justice so require. This means that the court may accept the late application if the issue to be adjudicated is found to be in the interests of justice. If the records to which access is requested will assist one in applying for an appeal against imprisonment or assist one in getting further medical attention, for example, the court is likely to grant condonation in this regard.
- An application may be brought in accordance with the procedure set out in rule 53 of the High Court Rules or in terms of rule 55 of the Magistrates' Court Rules if no records have or an incomplete record has been furnished by the administrator.
- If the record has already been furnished, the application shall be brought in terms of rule 55 Magistrates' Court Rules, provided that where there is reason for the applicant to believe that the full record of proceedings may not have been provided by the administrator, the applicant may proceed in accordance with the procedure set out in Rule 53 of the High Court Rules, at its election, but shall indicate in its founding affidavit why there is reason to believe that the full record has not been provided.
- The PAIA guide by the Information Regulator also sets out the kind of orders a Court may grant with regards to the aforementioned applications.

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

7.1. The Regulator has, in terms of section 10(1) of PAIA, 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.

7.2. The Guide is available in each of the official languages.





7.3. The aforesaid Guide contains the description of:

7.3.1. the objects of PAIA and POPIA;

7.3.2. the postal and street address, phone and fax number and, if available, electronic mail address of:

7.3.2.1. the Information Officer of every public body, and

7.3.2.2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA1 and section 56 of POPIA;

7.3.3. the manner and form of a request for:

7.3.3.1. access to a record of a public body contemplated in section 113; and

7.3.3.2. access to a record of a private body contemplated in section 50;

7.3.4. the assistance available from the Information Officer of a public body in terms of PAIA and POPIA;

7.3.5. the assistance available from the Regulator in terms of PAIA and POPIA;

7.3.6. 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

7.3.6.1. an internal appeal;

7.3.6.2. a complaint to the Regulator; and

7.3.6.3. an application with a court against a decision by the information officer 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;

7.3.7. 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;



7.3.8. the provisions of sections 15 and 52 providing for the voluntary disclosure of categories of records by a public body and private body, respectively;

7.3.9. the notices issued in terms of sections 22 and 54 regarding fees to be paid in relation to requests for access; and

7.3.10. the regulations made in terms of section 92.

7.4. Members of the public can inspect or make copies of the Guide from the offices of the public or private bodies, including the office of the Regulator, during normal working hours. The Guide can also be obtained⁵ Section 14(1) of PAIA- The information officer of a public body must, in at least three official languages, make available a manual containing information listed in paragraph 4 above.

7.4.1. upon request to the Information Officer;

7.4.2. from the website of the Regulator (<https://www.justice.gov.za/infoereg/>).





8. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD BY THE GOOD POLITICAL PARTY

<i>Subjects on which the body holds records</i>	<i>Categories of records held on each subject</i>
Strategic Documents, Plans, Proposals	Constitution, Manifesto
Human Resources	HR policies and procedures; - Employees records; - Employment equity plan and statistics - Advertised Posts
Legal	Constitution and other applicable acts.
Admin	Ward, Voting Districts & Branch Details





9. CATEGORIES OF RECORDS OF THE GOOD PARTY WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

<i>Category</i>	<i>Document Type</i>	<i>Available on Website</i>	<i>Available on Request</i>
Legislation/Policy/Regulations	Constitution Code of Conduct Caucus Rules	✓	
Strategic Documents	Manifesto New Membership Application	✓	
Media Related Documents	Statements	✓	

10. SERVICES AVAILABLE TO MEMBERS OF THE PUBLIC FROM THE GOOD POLITICAL PARTY AND HOW TO GAIN ACCESS TO THOSE SERVICES

10.1 Powers, duties and function/services

A political party can be loosely described as an organized group of people with similar political values and beliefs, that seek to influence public policy by having their candidates elected to public office, thus the function of a political party unlike an interest group of people aims to gain state power and control the policy making process within the confines of the constitutional and legal framework of South Africa.

As a political Party we do not , in the ordinary sense of the word, offer any services aside from political activity. We do however encourage the reporting of corruption and will escalate such complaints and reports. Any services that are offered arise out of the public offices we hold.



Other functions include but is not limited to: Representation; Recruitment; Goal formulation; Interest Articulation and aggregation; socialization and the mobilisation of government.

A central feature of our organization is to provide or assist in providing service delivery to the various communities within South Africa. GOOD's plan centers around these four central components: Spatial Justice, Economic Justice; Social Justice and Environmental Justice, which is line with our Manifesto, which can be accessed on our website <https://forgood.org.za/wp-content/uploads/2021/09/GOOD-LGE2021-MANIFESTO-HIGHLIGHTS-2.pdf>.

11. PUBLIC INVOLVEMENT IN THE FORMULATION OF POLICY OR THE EXERCISE OF POWERS OR PERFORMANCE OF DUTIES BY THE GOOD POLITICAL PARTY

As indicated under previous sub-headings, the organization is a political movement comprising of ordinary members, members who elected to office and the leadership structure. Anyone from the public may become a member of the party and choose to uphold the Party's constitution.

Members of the Party have a direct interest in Policy- Making as well as the performance of duties by the organization. Those who are in leadership roles and elected into public have been voted into those positions by our organisations members, they are also accountability to the members and members who wish to lay a complaint against anyone in the party can do so should they feel that a member is not upholding the constitution.

With that being said internal policy, like the Constitution and the Party's Manifesto is formulated at the National Conference of the Party which is highest policy making and governing structure of the Party, in which members have the opportunity to influence policy-making by agreement of 75% or more.





12. PROCESSING OF PERSONAL INFORMATION

12.1 Purpose of Processing

The Purpose of Processing information from members of our organization will include but is not limited to record keeping purposes, vetting, communication, to have an accurate number of members that form part of the party, to identify where those members reside, to determine which wards they form part of and which elected public representative they can report to or request assistance from. Their information is essential to how the party performs its central function of service delivery and can also give the party an idea of how much votes they can expect during election season.

12.2 Description of the categories of Data Subjects and of the information or categories of information relating thereto

Categories of Data Subjects	Personal Information that may be Processed
NATURAL PERSONS	Names and surname; contact details (contact number(s), fax number, email address); Residential, postal or business address; Unique Identifier/Identity Number and confidential correspondence
JURISTIC PERSONS	Names of contact persons; Name of legal entity; physical and postal address; contact details (contact number(s), fax number, email address); registration number; financial, commercial, scientific or technical information and trade secrets
EMPLOYEES	Gender, marital status; age, language, educational information (qualifications); financial information; employment history; ID number; physical and postal address; contact details(contact number(s), fax number, email address); criminal behaviour; well-being and their relatives (family members) race, medical, gender, sex, nationality,



12.3 The recipients or categories of recipients to whom the personal information may be supplied:

Category of personal information	Recipients or Categories of Recipients
Identity number and names, for criminal checks	South African Police Services
Qualifications, for qualification verifications	South African Qualifications Authority
Credit and payment history, for credit information	Credit Bureaus

12.4 Planned transborder flows of personal information:

Our organization has not and does not intend to do any transborder flows of personal information. Our Membership Data is secured by a system called ProPay which is owned and managed by Ultratech Solutions, which is a South African based company.

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

Membership data is secured on a cloud based system called ProPay, with restricted access to the Secretary General & Accounting Officer and membership administrators only.

Our employee details are kept by our Finance and HR Administrator. Only the Accounting Officer, Administrator and our accountants (for the purposes of payroll and SARS reporting) have access to.



13. AVAILABILITY OF THE MANUAL

13.1 This Manual is made available in the following official languages:

13.1.1 English;

13.2 A copy of this Manual or the updated version thereof, is also available as follows

13.2.1 on <https://forgood.org.za/> ,

13.2.2 at the head office of the public body for public inspection during normal business hours;

13.2.3 to any person upon request and upon the payment of a reasonable prescribed fee; and

13.2.4 to the Information Regulator upon request.

13.3 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.

14. UPDATING OF THE MANUAL

The GOOD PARTY will, if necessary, update and publish this Manual annually.

Issued by

(BRETT HERRON)

(Secretary General & Accounting Officer)

