Registration Number 1972/000007/08

THE CHARTERED GOVERNANCE INSTITUTE OF SOUTHERN AFRICA NPC

("CGISA" or "the Company")

PAIA MANUAL

Prepared in terms of section 51 of

the Promotion of Access to Information Act

2 of 2000 (as amended)

(the "Act")

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1. LIST OF ACRONYMS AND ABBREVIATIONS

“CEO”	Chief Executive Officer
“DIO”	Deputy Information Officer
“IO”	Information Officer
“Minister”	Minister of Justice and Correctional Services
“PAIA”	Promotion of Access to Information Act No. 2 of 2000 (as amended)
“POPIA”	Protection of Personal Information Act No.4 of 2013
“Regulator”	Information Regulator
“Republic”	Republic of South Africa

2. BACKGROUND OF CGISA

The Chartered Governance Institute of Southern Africa NPC (CGISA) is the professional qualifying body for company secretaries and governance professionals in Southern Africa. The Institute further provides Continuing Professional Development (CPD) for all Chartered Secretaries and Chartered Governance Professionals.

The Chartered Governance Institute of Southern Africa NPC represents Botswana, Eswatini, Lesotho, Namibia, and South Africa.

Members of CGISA, all of whom are Chartered Secretaries and Chartered Governance Professionals work in public and private companies, corporate secretarial firms, legal practices, accounting firms, tertiary institutions and the public sector.

CGISA is a division of the global governance body Chartered Governance Institute (CGI) and was the first division to be established outside of the UK. There are additional divisions across the globe, namely in Australia, Canada, China, Malaysia, New Zealand, Singapore, UK and Ireland, and Zimbabwe.

3. PURPOSE OF PAIA MANUAL

This PAIA Manual is useful for the public to-

3.1. check the categories of records held by a body which are available without a person having to submit a formal PAIA request;

3.2. 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;

3.3. know the description of the records of the body which are available in accordance with any other legislation;

3.4. access all the relevant contact details of the Information Officer and Deputy Information Officer who will assist the public with the records they intend to access;

3.5. know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
3.6. 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;
3.7. know the description of the categories of data subjects and of the information or categories of information relating thereto;
3.8. know the recipients or categories of recipients to whom the personal information may be supplied;
3.9. 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
3.10. know whether the body has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

4. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION QUERIES

4.1. Chief Information Officer

Name:	Stephen Sadie
CEO:	Stephen Sadie
Telephone Number:	+27-11-551-4000
Email:	technical@chartgov.co.za.

4.2. Deputy Information Officer

Name:	Siphosihle Nongogo
Telephone Number:	+27-11-551-4000
Email:	technical@chartgov.co.za.

4.3. Access to Information general contacts

Email:	technical@chartgov.co.za.

4.4. National or Head Office

Postal Address:	Same as physical address
Physical Address:	Block C, Riviera Park, 6-10 Riviera Road, Killarney, 2193
Telephone:	+27-11-551-4000
Email:	info@chartgov.co.za
Website:	www.chartgov.co.za

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

5.1. 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.

5.2. The Guide is available in each of the official languages and in braille.

5.3. The aforesaid Guide contains the description of-

5.3.1. the objects of PAIA and POPIA;

5.3.2. the postal and street address, phone number and, if available, electronic mail address of-

5.3.2.1. the Information Officer of every public body, and

5.3.2.2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA[1] and section 56 of POPIA,[2]

[1] Section 17(1) of PAIA- For the purposes of PAIA, each public body must, subject to legislation governing the employment of personnel of the public body concerned, designate such number of persons as deputy information officers as are necessary to render the public body as accessible as reasonably possible for requesters of its records.

[2] Section 56(a) of POPIA- Each public and private body must make provision, in the manner prescribed in section 17 of the Promotion of Access to Information Act, with the necessary changes, for the designation of such a number of persons, if any, as deputy information officers as is necessary to perform the duties and responsibilities as set out in section 55(1) of POPIA.

5.3.3. the manner and form of a request for-

5.3.3.1. access to a record of a public body contemplated in section 11;[3] and

5.3.3.2. access to a record of a private body contemplated in section 50;[4]

5.3.4. the assistance available from the IO of a public body in terms of PAIA and POPIA;

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

5.3.6. 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-

5.3.6.1. an internal appeal;

5.3.6.2. a complaint to the Regulator; and

5.3.6.3. 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;

5.3.7. the provisions of sections 14[5] and 51[6] requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;

5.3.8. the provisions of sections 15[7] and 52[8] providing for the voluntary disclosure of categories of records by a public body and private body, respectively;

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[3] Section 11(1) of PAIA- A requester must be given access to a record of a public body if that requester complies with all the procedural requirements in PAIA relating to a request for access to that record; and access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.

[4] Section 50(1) of PAIA- A requester must be given access to any record of a private body if-
a) that record is required for the exercise or protection of any rights;
b) that person complies with the procedural requirements in PAIA relating to a request for access to that record; and
c) access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.

[5] 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.

[6] Section 51(1) of PAIA- The head of a private body must make available a manual containing the description of the information listed in paragraph 4 above.

[7] Section 15(1) of PAIA- The information officer of a public body, must make available in the prescribed manner a description of the categories of records of the public body that are automatically available without a person having to request access.

[8] Section 52(1) of PAIA- The head of a private body may, on a voluntary basis, make available in the prescribed manner a description of the categories of records of the private body that are automatically available without a person having to request access.

5.3.9. the notices issued in terms of sections 22[9] and 54[10] regarding fees to be paid in relation to requests for access; and

5.3.10. the regulations made in terms of section 92.[11]

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

5.5. The Guide can also be obtained-

5.5.1. upon request to the Information Officer;

5.5.2. from the website of the Regulator (https://www.justice.gov.za/inforeg/).

5.6. A copy of the Guide is also available in the following two official languages, for public inspection during normal office hours-

5.6.1. English;
5.6.2. Afrikaans

6. CATEGORIES OF RECORDS OF CGISA WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

Category of records	**Types of the Record**	**Available on Website**	**Available on request**
Institutional information	About CGISA, mission and vision, and accreditation status	x	x
Syllabus	Examination dates, qualification overviews,	x	x

[9] Section 22(1) of PAIA- The information officer of a public body to whom a request for access is made, must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.
[10] Section 54(1) of PAIA- The head of a private body to whom a request for access is made must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.
[11] Section 92(1) of PAIA provides that –"The Minister may, by notice in the Gazette, make regulations regarding-
(a) any matter which is required or permitted by this Act to be prescribed;
(b) any matter relating to the fees contemplated in sections 22 and 54;
(c) any notice required by this Act;
(d) uniform criteria to be applied by the information officer of a public body when deciding which categories of records are to be made available in terms of section 15; and
(e) any administrative or procedural matter necessary to give effect to the provisions of this Act."

	qualification types, duration and admission requirements		
Student handbooks	Student handbooks	x	x
Application forms	Application guides and downloadable forms	x	x
Contact details	Office location, general enquiry contact information	x	x
Student support services	Information on support structures, and academic assistance	x	x
Fees and funding information	Examination fees, and textbook prices	x	x
Policies (public)	Privacy policy, PAIA manual, and general data protection statements	x	x
News and events	Press releases, examination timetable and public events	x	x
Research and publications	Selected publications or research highlights (where applicable)	x	x
Marketing materials	Brochures, advertisements, and media campaigns	x	x
Personal information is available without recourse to the Act only if requested by the person that the information pertains to directly (i.e., the Requester is requesting access to his/her own personal information):	- academic records - records of merit awards or mentions. - records of disciplinary hearings and/or verdicts. - financial statements relating to the Requester's financial obligations to or rights against the Company		x

7. DESCRIPTION OF THE RECORDS OF CGISA WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION

Information is available in terms of the following legislation to the persons or entities specified in such legislation, as well as the specific protections offered by such laws. As legislation changes from time to time, and new laws may stipulate new procedures and scopes of access, this list should not be read as a final and complete list without recourse to amendments, if any, of the relevant legislation. CGISA holds records in terms of the following legislation (this list is not exhaustive):

1. Basic Conditions of Employment Act 75 of 1997
2. Close Corporations amendment Act 25 of 2005
3. Closed Corporation Act 69 of 1984
4. Companies Act 71 of 2008
5. Compensation for Occupational Injuries and Diseases Act 130 of 1993
6. Competition Act 89 of 1998
7. Consumer Protection Act 68 of 2008
8. Copyright Act 61 of 1978
9. Cybercrimes and Cybersecurity Bill B6-2017
10. Electronic Communications and Transactions Act 25 of 2002
11. Employment Equity Act 55 of 1998
12. Financial Advisory and Intermediary Services Act no 37 of 2002
13. Financial Intelligence Centre Act 38 of 2001
14. Income Tax Act 58 of 1962
15. Insolvency Act 24 of 1936
16. Insurance Act 27 of 1943
17. Intellectual Property Laws Amendments Act 38 of 1997
18. Labour Relations Act 66 of 1995
19. Long Term Insurance Act 52 of 1998
20. Non-profit Organisations Act 71 of 1997
21. Occupational Health and Safety Act 85 of 1993
22. Prevention of Organised Crime Act 121 of 1998
23. Protection of Businesses Act 99 of 1978
24. Protection of Personal Information Act 4 of 2013
25. SA Schools Act 84 of 1996
26. Sectional Titles Act 95 of 1986
27. Short Term Insurance Act 53 of 1998
28. Skills Development Act 97 of 1998
29. Skills Development Levies Act 9 of 1999

30. Stamp Duties Act 77 of 1968
31. The Co-operatives Act 14 of 2005
32. The Fund-Raising Act 107 of 1978
33. The National Credit Act 34 of 2005
34. Trademarks Act 194 of 1993
35. Trust Property Control Act 57 of 1988
36. Unemployment Insurance Act 63 of 2001
37. Unemployment Insurance Contributions Act 4 of 2002
38. Value Added Tax Act 89 of 1991

8. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY CGISA

This section of the manual sets out the subjects and categories of records held by CGISA. The inclusion of any subject or category of records should not be construed as an indication that records falling within that subject or category shall be made available. In particular, certain grounds of refusal as set out in the PAIA may be applicable to such records.

Subjects on which the body holds records	**Categories of records**
Statutory	Records relating to the incorporation of CGISA, and director details
Board of Directors and Committees	Agendas, submission documents, minutes of the meetings, and members' attendance lists
Human Resources	Employment policies and procedures, employment equity plans, pension and Provident Fund records, skills development plans and reports, records relating to the employees, former employees, and prospective employees, remuneration information
Finance	Financial statements and accounting records, administrative and operational financial records financial policies and procedures

Insurance	Professional indemnity insurance, group life assurance and disability income protection records
Intellectual Property	Trademark registrations, intellectual property owned or used by CGISA
Information Technology (IT)	Software licenses and agreements, system documentation and user manuals, IT policies and procedures, disaster recovery and implementation plans, project documentation
Students and members	Names, addresses and contact details of members, member's bank details, members' qualifications and work experience, continued professional development records, complaints against members, admission and application records, financial records (balances, statements, bursaries), academic results, reports, and submissions, disciplinary records, graduation records,), communication preferences, participation in events or institutional feedback
Accreditation and Academic	Accreditation application documentation, accreditation records and status, program details, institutional policies and procedures
Marketing and Publications	Articles and newsletters, educational resources and training materials, educational and training content, circulars and communications.

Please note that the above list is not exhaustive of all of the categories of records held by CGISA. It serves only to provide a high-level description of the kinds of records held by CGISA.

9. PROCESSING OF PERSONAL INFORMATION

9.1 Purpose of Processing Personal Information

We collect and use personal information to run our operations as a professional qualifying body. The way we use this information depends on who the data subject is and what the information is used for, and we usually inform the data subject why we are collecting it when they provide us with it. We only use personal information when we have a lawful reason to do so. These are the main reasons:

• **The data subject gave us permission** (For example, when they agree to be contacted or share their information for specific services such as admissions or registration);

• **We need it to do something we agreed to** (Such as registering the data subject as a student or memberoffering them examinations, hiring them as a staff member or contracting with a service provider to provide us with a service);

• **We are required by law** (Sometimes the law requires us to collect or share certain information with government or education authorities); or

• **It helps us run our organisation properly** (We might use information in ways that help us improve services or manage the institution, as long as it does not unfairly affect the data subject's privacy).

Some of these purposes are to:

• Manage student applications, admissions, and registrations;

• Keep track of academic performance, results, and graduation;

• Administer student and member accounts;

• Send members invitations to participate in member activities;

• Manage employee recruitment, payroll, and employee records;

• Organise travel or events where needed;

• Communicate with students, members, employees, or other stakeholders;

• Make sure we follow health, safety, and legal rules;

• Work with suppliers and service providers; or

• Do research and check the quality of our exams

9.2 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
Employees	Full name, Identification number, contact details, employment history and qualifications, bank account details, tax and UIF numbers, performance evaluations, disciplinary records, leave records, medical and health information (if applicable)
Students	Full name, student number, Identification number, contact details, academic records, enrolment and registration details, financial information, disciplinary records, medical

	and health information (if applicable), disability information (if disclosed)
Members	full name, contact details, graduation records, employment details (if shared voluntarily), communication preferences, surveys, opinions and views, participation in member events or institutional feedback
Webinar and seminar speakers	Full name, contact details, professional qualifications and experience, bank account details
Auditors	Full name, contact details, Identification number, professional credentials and affiliations, banking information
Independent contractors and subcontractors	Full name, contact details, identification number, professional qualifications and experience, bank account details, tax and UIF numbers, Independent contractor or service agreements
Suppliers/Third parties	Company name, contact person's full name, contact details, company registration number, tax and VAT numbers, bank account details

Please note that the above list is not exhaustive of all of the categories of personal information held by CGISA. It serves only to provide a high-level description of the kinds of personal information held by CGISA.

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

Category of personal information	**Recipients or Categories of Recipients to whom the personal information may be supplied**
Qualifications (for verification purposes)	• South African Qualifications Authority (SAQA) • Finance and Accounting Services Sector Education and Training Authority (FASSET)
Academic records and student information	• Internal academic and administrative staff • External examiners and moderators • Accreditation and quality assurance bodies • Regulatory bodies as required by law
Employment information (for staff and contractors)	• Internal HR and payroll departments • Department of Labour • SARS • Pension and provident fund administrators • Medical aid and insurance providers
Health and Safety Information	• Occupational health practitioners • Health and safety officers • Relevant health authorities (as required by law)
Legal and Compliance records	• Legal advisors and consultants • Courts and judicial forums

	• Regulatory and statutory bodies
IT and system usage data	• External IT service providers (under strict confidentiality agreements) • Data backup and disaster recovery service providers
Member information	• Internal communications/marketing teams • SARS for tax practitioners • External service providers (under strict confidentiality agreements) • SAQA
Marketing and communication preferences	• Internal marketing department • External marketing agencies (with data subject consent) • Communication service providers (e.g., SMS and email platforms)

9.4 Planned transborder flows of personal information

Personal information will be stored on cloud systems. We will endeavour to ensure that anyone to whom we pass personal information is subject to the same Data protection regulations as what we are or agrees to treat Personal Information with a similar level of protection as afforded by ourselves. Personal Information will only be transferred out of the Republic of South Africa if the third party who is the recipient of the information is subject to a law, binding corporate rules, or binding agreement that provides an adequate level of protection that:

• 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

• includes provisions that are substantially similar to the Protection of Personal Information Act ("POPIA") relating to the further transfer of personal information from the recipient to third parties who are in a foreign country.

• the data subject consents to the transfer.

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

• the transfer is necessary for the conclusion or performance of a contract concluded in the interest of the data subject between CGISA and a third party; or

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

- it is not reasonably practicable to obtain the consent of the data subject to that transfer; and
- if it was reasonably practicable to obtain such consent, the data subject would be likely to give it.

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

CGISA is committed to keeping all personal information safe and secure. CGISA uses reasonable and appropriate security measures to protect it from loss, misuse, unauthorised access, disclosure, alteration, or destruction.

10. AVAILABILITY OF THE MANUAL

10.1. A copy of the Manual is available:

i. on www.chartgov.co.za ;
ii. office of the CGISA for public inspection during normal business hours;
iii. to any person upon request and upon the payment of a reasonable prescribed fee; and
iv. to the Information Regulator upon request.

b. 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.

11. UPDATING OF THE MANUAL

The technical manager of CGISA will on a regular basis update this manual.

Issued by

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Stephen Sadie

Chief Executive Officer