27 FEBRUARY 2022

TRIES FOR LIVES NPC

T/A SPORT FOR LIVES

(a non-profit company with registration number 2020/165402/08)

(Hereinafter referred to as “Sport for Lives”)

MANUAL PREPARED IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2 OF 2000 (“THE ACT")

27 FEBRUARY 2022

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1. INTRODUCTION

1.1 Sport for Lives is a non-profit company registered in terms of the laws of the Republic of South Africa and is a registered non-profit organisation (NPO number pending) and a public benefit organisation (with PBO number 930071915). Sport for Lives comprises a private body in terms of the Act.

1.2 Sport for Lives provides a funding platform for purposes of facilitating fund raising campaigns of third parties aimed at benefitting non-profit organisations.

1.3 This manual has been prepared in accordance with section 51 of the Act in order to assist and facilitate all requests for access to information of Sport for Lives as contemplated in the Act made by any person;

1.4 Sport for Lives shall ensure that the latest version of this manual is available:

1.4.1 At its principal place of business for inspection during normal business hours;

1.4.2 On its website www.sportforlives.org;

1.4.3 To any person upon request and upon payment of a reasonable fee; and

1.4.4 To the Information Regulator upon request.

1.5 Any person who requires assistance in relation to his/her use or interpretation of this manual, should contact the Information Officer (identified in paragraph 2.3 below) for the required assistance;

1.6 This manual may be amended by Sport for Lives from time to time;

1.7 For purposes of this manual, the following terms, when used in this manual, shall bear the meanings ascribed to them below:

1.7.1 “Campaign” shall mean any campaign created by a Campaign Manager for purposes of raising funds for a Non-Profit Organisation, utilising the platform and services provided by Sport for Lives and “Campaigns” shall have the corresponding meaning;

1.7.2 “Campaign Manager” shall mean the person/s who created a Campaign and who utilises the platform and services provided by Sport for Lives and “Campaign Managers” shall have the corresponding meaning;

1.7.3 “Contributors” shall mean the persons who pledge fund towards a Campaign;

1.7.4 “Non-Profit Organisation” shall mean the non-profit organisation elected by the Campaign Manager and approved by Sport for Lives for purposes of the applicable Campaign and “Non-Profit Organisations” shall have the corresponding meaning;

1.7.5 "Requester“ shall mean any person who submits a request for access to information of Sport for Lives as contemplated in the Act; and

1.7.6 “SAHRC” shall mean South African Human Rights Commission.

2. CONTACT DETAILS (section 51 (1) (a) of the Act)

2.1 Details of Sport for Lives:

2.1.1 Registered name: Tries for Lives NPC

2.1.2 Registration number: 2020/165402/08

2.1.3 Street/physical address: 71 Hillary Road, Hilton, 32445

2.1.4 Postal address: As above

2.1.5 Telephone number: 061 517 6484

2.1.6 Fax number: n/a

2.2 Details of the head of Sport for Lives (comprising of Sport for Lives’ chief executive or equivalent officer):

2.2.1 Name: Chris Kingsley

2.2.2 Street/physical address: 71 Hillary Rd, Hilton, 3245

2.2.3 Postal address: As above

2.2.4 Telephone number: 0722473325

2.2.5 Fax number: n/a

2.2.6 Email address: chris@sporforlives.org

2.3 Details of Sport for Lives' Information Officer:

2.3.1 Name: Chris Kingsley

2.3.2 Street/physical address: 71 Hillary Rd, Hilton,3245

2.3.3 Postal address: 71 Hillary Rd, Hilton, 3245

2.3.4 Telephone number: 0722473325

2.3.5 Fax number: n/a

2.3.6 Email address: chris@sportforlives.org

3 THE ACT AND THE SECTION 10 GUIDE

3.1 The Act grants a Requester access to records of a private body if the requested 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 and at the rates provided in terms of the Act;

3.3 Requesters are referred to the existing guide which has been compiled by the SAHRC and which shall be updated and made available by the Information Regulator in terms of Section 10 of the Act, which will contain information in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in the Act and in the Protection of Personal Information Act, 4 of 2013.

3.4 The contact details of the SAHRC are:

3.4.1 Postal address: Private Bag 2700, Houghton, 2041

3.4.2 Telephone number: 011 877 3600

3.4.3 Fax number: 011 403 0625

3.4.3 Website: www.sahrc.org.za

3.5 The contact details of the Information Regulator are:

3.5.1 Postal address: P O Box 31533, Braamfontein, Johannesburg, 2017

3.5.2 Website: https://www.justice.gov.za/inforeg

3.5.3 Email: enquiries@inforegulator.org.za

4 RECORDS OF SPORT FOR LIVES WHICH ARE AVAILABLE WITHOUT THE REQUESTER HAVING TO REQUEST ACCESS IN TERMS OF THE ACT (section 51 (1) (b) (ii) of the Act)

The head of Sport for Lives has not, on a voluntary basis, made available a description of the categories of records of Sport for Lives that are automatically available in terms of section 52 of the Act.

5 RECORDS OF SPORT FOR LIVES WHICH ARE AVAILABLE IN ACCORDANCE WITH OTHER LEGISLATION (section 51 (1) (b) (iii) of the Act)

Records are kept by Sport for Lives in accordance with legislation applicable to Sport for Lives, including but not limited to the following legislation (as amended from time to time):

5.1 Basic Conditions of Employment Act, 75 of 1997;
5.2 Companies Act, 71 of 2008;
5.3 Compensation for Occupational Injuries and Diseases Act, 130 of 1993;
5.4 Consumer Protection Act, 68 of 2008;
5.5 Electronic Communications and Transactions Act, 25 of 2002;
5.6 Employment Equity Act, 55 of 1998;
5.7 Income Tax Act, 58 of 1962;
5.8 Labour Relations Act, 66 of 1995;
5.9 Nonprofit Organisations Act, 71 of 1997;
5.10 Promotion of Access to Information Act, 2 of 2000;
5.11 Protection of Personal Information Act, 4 of 2013;
5.12 South African Revenue Services Act, 34 of 1997;
5.13 Unemployment Insurance Act, 63 of 2001; and
5.14 Value Added Tax Act, 89 of 1991.

6 DETAIL REQUIRED TO FACILITATE A REQUEST AND INFORMATION HELD BY SPORT FOR LIVES (section 51 (1) (b) (iv) of the Act)

6.1 Records, whether specifically listed in this manual or not, will only be made available subject to the provisions of the Act;

6.2 In order to facilitate a request for access to a record held by Sport for Lives, all Requesters are kindly requested to:

6.2.1 Use the prescribed form (Form 2 Request for Access to Record), a copy of which prescribed form is enclosed with this manual and must be duly completed by the Requester;

6.2.2 Address the request to the Information Officer of Sport for Lives;

6.2.3 Provide sufficient details to enable Sport for Lives to identify:

6.2.3.1 the record/s requested;

6.2.3.2 the Requester (and if an agent is lodging the request, proof of capacity);

6.2.3.3 the form of access which the Requester requires to the record;

6.2.3.4 the postal address or fax number of the Requester in South Africa;

6.2.3.5 if the Requester wishes to be informed of the decision in any manner (in addition to being informed in writing) the manner and particulars thereof;

6.2.3.6 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.

6.3 Sport for Lives holds records relating to the following subjects and in relation to the categories listed under each subject as follows:

6.3.1 Company records:

6.3.1.1 Documents of incorporation including the memorandum of incorporation;

6.3.1.2 Any reports provided by Sport for Lives to the Director of Nonprofit Organisations in terms of the Nonprofit Organisations Act, 71 of 1997;

6.3.1.3 Other company secretarial records;

6.3.2 Human resources:

6.3.2.1 Employee records, including employee's names and occupations, attendance registers, salary and wages registers, if applicable records of disciplinary proceedings, arbitration awards and CCMA cases, training records and performance management records;

6.3.2.2 Employment contracts and contracts entered into with independent contractors;

6.3.2.3 Personnel guidelines, employee policies and procedures and skills development plans where applicable;

6.3.3 Financial:

6.3.3.1 Financial statements;

6.3.3.2 Financial and tax records, including income tax and other tax returns;

6.3.3.3 Audit reports;

6.3.3.4 Management accounts (if applicable);

6.3.3.5 Banking details and records;

6.3.3.6 Debtor/creditor statements and invoices;

6.3.4 Intellectual property:

6.3.4.1 Details of any trademarks, patents and other forms of intellectual property held by Sport for Lives (if applicable);

6.3.5 Information technology (IT):

6.3.5.1 Software licences held by Sport for Lives;

6.3.5.2 Records of computer systems and software used by Sport for Lives;

6.3.5.3 Agreements entered into between Sport for Lives and IT services providers;

6.3.6 Suppliers/service providers:

6.3.6.1 Agreements entered into between Sport for Lives and third-party service providers and suppliers;

6.3.6.2 Correspondence exchanged between Sport for Lives and third-party service providers and suppliers;

6.3.7 Campaign Managers:

6.3.7.1 Records and details of Campaign Managers;

6.3.7.2 Correspondence between Sport for Lives and Campaign Managers;

6.3.8 Contributors:

6.3.8.1 Records and details of Contributors;

6.3.8.2 Correspondence between Sport for Lives and Contributors (in limited instances);

6.3.9 Non-Profit Organisations:

6.3.9.1 Records and details of Non-Profit Organisations;

6.3.9.2 Correspondence between Sport for Lives and Non-Profit

Organisations;

6.3.10 Miscellaneous (if applicable):

6.3.10.1 Asset register;

6.3.10.2 Building plans of any immovable properties owned;

6.3.10.3 Any lease agreements entered into by Sport for Lives in relation to immovable and movable property;

6.3.10.4 Any sale agreements entered into Sport for Lives in relation to immovable and movable property;

6.3.10.5 Insurance policies held by Sport for Lives in relation to any immovable and movable property and claims records.

6.4 The reference to any category of record in this paragraph 6 does not mean that such record shall be made available to a Requester who requests such record in terms of the Act. Certain grounds of refusal as set out in terms of Part 3, Chapter 4 of the Act may be applicable to a request for the records held by Sport for Lives.

7 PROTECTION OF PERSONAL INFORMATION ACT 4 of 2013 (section 51 (1) (c) of the Act)

7.1 Sport for Lives processes personal information for the following purposes:

7.1.1 For purposes of rendering its services to Campaign Managers in relation to the Campaigns;

7.1.2 For purposes of compiling and maintaining accounting and financial records;

7.1.3 For purposes of complying with its statutory and contractual obligations including in its capacity as a public benefit organisation, as well as in its capacity as a non-profit organisation;

7.1.4 General business administration;

7.2 Description of the categories of data subjects:

7.2.1 Campaign Managers;

7.2.2 Contributors;

7.2.3 Non-Profit Organisations and their beneficiaries;

7.2.4 Employees and independent contractors of Sport for Lives;

7.2.5 Other service providers, suppliers, vendors and agents of Sport for Lives;

7.3 Nature of the personal information processed in relation to data subjects:

7.3.1 Information relating to the race, gender, sex, pregnancy, marital status,

national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person;

7.3.2 Information relating to the education or the medical, financial, criminal or employment history of the person;

7.3.3 Any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;

7.3.4 The biometric information of the person;

7.3.5 The personal opinions, views or preferences of the person;

7.3.6 Correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;

7.3.7 The views or opinions of another individual about the person; and

7.3.8 The name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person.

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

7.4.1 Campaign Managers;

7.4.2 Contributors;

7.4.3 Non-Profit Organisations and their beneficiaries;

7.4.4 Vendors, agents and representatives of Sport for Lives;

7.4.5 Service providers and suppliers rendering services to Sport for Lives for purposes of, *inter alia*, enabling Sport for Lives to render its services to Campaign Managers;

7.4.6 Employees and independent contractors of Sport for Lives;

7.4.7 Banks and other financial institutions;

7.4.8 Regulatory, statutory and government bodies;

7.5 Planned transborder flows of personal information:

7.5.1 No planned transborder flow of personal information.

7.6 Sport for Lives employs current technology to ensure the confidentiality, integrity, and availability of the personal information under its care. Measures include: integrated functionality which encrypts data exchanged between the browser and the server and authenticating the user making up Sport for Lives' IT infrastructure. Sport for Lives has also integrated a system that distinguishes between human and

automated access to its website that assists to protect personal information from spam and abuse.

8 DECISION ON REQUEST AND NOTICE THEREOF (section 56 of the Act)

8.1 Except if the provisions regarding third party notification and intervention contemplated in Chapter 5 of Part 3 of the Act apply, the head of Sport for Lives must, as soon as is reasonably possible, but in any event within 30 days (subject to any extension allowed in terms of section 57 of the Act), after a request has been received in terms of the Act and this manual:

8.1.1 decide in accordance with the Act whether to grant the request; and

8.1.2 notify the Requester of the decision and, if the Requester stated, that he/she
wishes to be informed of the decision in any other manner, inform him/her in that manner if it is reasonably possible;

8.2 If the request for access is granted, the notice referred to in paragraph 8.1.2 must state:

8.2.1 the access fee to be paid upon access;

8.2.2 the form in which access will be given; and

8.2.3 that the Requester 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 an application to court.

8.3 If the request for access is refused, the notice referred to in paragraph 8.1.2 must:

8.3.1 state adequate reasons for the refusal, including the provisions of the Act relied on;

8.3.2 exclude, from any such reasons, any reference to the content of the record; and

8.3.3 state that the Requester may lodge a complaint to the Information Regulator or an application with a court against the refusal of the request, and the procedure (including the period) for lodging a complaint to the Information Regulator or an application to court.

9 PRESCRIBED FEES

9.1 The Information Officer must by notice require the Requester to pay the

prescribed request fee (if applicable), in the amount of R 140.00, before further processing the request;

9.2 If access to a record is granted by Sport for Lives, the Requester may be required to pay an access fee in relation to the search for and preparation of the record and for re-production of the record;

9.3 The access and reproduction fees which apply are set out below (in accordance with GNR. 757 of 27 August 2021: Regulations relating to the Promotion of Access to Information, 2021, Annexure B). Sport for Lives may withhold a record until any access fees payable by the Requester have been paid according to the following tariffs:

	Description	**Amount**
1	Photocopy/printed black & white copy of A4 size page	R2.00 per page or part thereof
2	Printed copy of A4size page	R2.00 per page or part thereof
3	For a copy in a computer-readable form on:	
	Flash drive (to be provided by requestor)	R40.00
	Compact disc if provided by Requestor	R40.00
	Compact disc if provided to Requestor	R60.00
4	For a transcription of visual images per A 4 size page	Service to be outsourced Will depend on quotation received from service provider
5	Copy of visual images	Service to be outsourced will depend on quotation received from service provider
6	Transcription of an audio record, per A4 size page	R24.00
7	Copy of an audio record on:	
	Flash drive (to be provided by Requestor)	R40.00
	Compact disc if provided by Requestor	R40.00
	Compact disc if provided to Requestor	R60.00

8	To search for and prepare the record for disclosure for each hour or part of an hour excluding the first hour, reasonably required for such search and preparation	R145.00 to not exceed a total cost of R435.00
9	Deposit: if search exceeds 6 hours	One third of amount per request calculated in terms of items 1 to 7
10	Postage, email or any other electronic Transfer	Actual expenses, if any

9.4 If the search for the record requested and the preparation of the record for disclosure would in the opinion of the Information Officer, require more than 6 hours, the Information Officer shall by notice to the Requester require the Requester to effect payment of a deposit to Sport for Lives as detailed in item 9 of the above table (which deposit may not be more than one third of the access fee which would be payable if the request were granted);

9.5 The notice to the Requester referred to in paragraphs 9.1 and 9.4 above must state:

9.5.1 The amount of the deposit payable if applicable;

9.5.2 That the Requester may lodge a complaint with the Information Regulator, or an application to court against the tender or payment of the request fee in terms of paragraph 9.1, or the tender or payment of a deposit in terms of paragraph 9.4, as the case may be; and

9.5.3 The procedure, including the period, for lodging the complaint to the Information Regulator or for instituting an application in court.

10 GROUNDS OF REFUSAL OF ACCESS

In terms of Part 3, Chapter 4 of the Act, Sport for Lives may and in certain instances must refuse access to records on the grounds set out in the Act.

11 LEGAL RECOURSE

When a Requester is not satisfied by a decision made by the head of Sport for Lives, for example for refusing a request for access, for imposing access fees, for extending the time period in which Sport for Lives' response is due, or in relation to the form of access granted, the Requester may by way of an application, within 180 days apply to court for

appropriate relief in terms of section 82 of the Act.