

# Helpmekaar Studiefonds MSW

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**(Registration Number: 2002/009364/08)**

Manual in terms of section 51 of the  
Promotion of  
Access to Information Act, 2 of 2000

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**HELPMEKAAR**  
STUDIEFONDS

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PROMOTION OF ACCESS TO INFORMATION ACT, 2 OF 2000 (THE ACT)

SECTION 51 MANUAL OF HELPMEKAAR STUDIEFONDS MSW  
(REGISTRATION NUMBER: 2002/009364/08)

## **1. CONTACT PARTICULARS**

<b>Head of business:</b>	Board of Directors
<b>Information officer:</b>	Barend Jacobus van der Merwe
<b>Deputy Information officer(s):</b>	Margaretha Catharina Geldenhuys
<b>Postal Address:</b>	P.O Box 3231 Tyger Valley Cape Town 7536
<b>Physical Address:</b>	26 Bloemhof Street Bo Oakdale Bellville 7536
<b>Telephone Number:</b>	0219308155
<b>E-mail Address:</b>	<a href="mailto:barry@helpmekaarfonds.org">barry@helpmekaarfonds.org</a>
<b>Website:</b>	<a href="http://www.helpmekaarfonds.org">www.helpmekaarfonds.org</a>

## **2. INTRODUCTION**

Helpmekaar Studiefonds provides study loans for tertiary education.

## **3. GUIDE IN TERMS OF SECTION 10 OF THE ACT**

3.1 The ACT grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.

3.2 Requests in terms of the ACT shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in section 53 and 54 of the Act.

3.3 Requesters are referred to the Guide in terms of Section 10 which has been compiled by the South African Human Rights Commission, which will contain information for the purposes of exercising Constitutional Rights. The Guide is available from the SAHRC. The contact details of the Commission are:

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

#### **4. FACILITATION OF A REQUEST FOR ACCESS TO INFORMATION**

Information which is not readily available as indicated in this manual, may be requested in accordance with the procedure prescribed in terms of The Act. Copies of the prescribed forms to be completed for submitting a request, are available from Helpmekaar Studiefonds MSW, [www.helpmekaarfonds.org](http://www.helpmekaarfonds.org).

#### **5. INFORMATION AVAILABLE IN TERMS OF OTHER APPLICABLE LEGISLATION**

- Basic Conditions of Employment Act 75 of 1997
- Consumer Protection Act 68 of 2008
- Debt Collectors Act 114 of 1998
- Employment Equity Act 55 of 1998
- Labour Relations Act 66 of 1995
- National Credit Act 34 of 2005
- Non-profit Organisations Act 71 of 1997
- Protection of Personal Information Act 4 of 2013
- South African Reserve Bank Act 90 of 1989
- South African Revenue Services Act 34 of 1997
- Skills Development Levies Act 9 of 1999
- Unemployment Insurance Act 63 of 2001

#### **6. INFORMATION AUTOMATICALLY AVAILABLE**

N/A

## **7. INFORMATION AVAILABLE IN TERMS OF THE ACT - ON REQUEST**

### **Statutory Business Records**

- Certificate of Change of Name
- Directors Attendance Register
- Index of Members
- Memorandum of Incorporation
- Minutes of Directors Meetings
- Register of Directors and Officers
- Resolutions
- Members Register
- Cooperation Agreements
- Founding Statements and Amendments

### **Accounting Records**

- Annual financial statements and working papers
- General ledger
- Bank statements, cheque books, cheques
- Customer and supplier statements and invoices
- Fixed asset register
- Lease or instalment sale agreements
- Budgets and business plans
- Insurance records
- Investment records
- Auditor's reports

- Internal auditors' reports

### **Fixed Property**

- Building plans
- Leases
- Title deeds

### **Information Technology**

- Agreements
- Capacity and utilisation of current systems
- Client database
- Disaster recovery
- Hardware
- Internet
- Licenses
- Systems support, programming and development
- Operating systems
- Software packages
- Telephone exchange equipment
- Telephone lines, leased lines and data lines

### **Insurance**

- Details of coverage, limits and insurers
- Insurance policies

### **Intellectual Property**

- Agreements relating to intellectual property

### **Legal, Agreements and Contracts**

- Agreements with customers
- Contracts, including lease agreements and finance agreements
- Settlement agreements

## **Personnel Records**

- Employee information records
- Employment applications
- Employment contracts
- IRP 5 and IT 3 certificates
- Letters of appointment
- Leave applications
- Personnel File
- Salary and wage registers
- UIF, PAYE and SDL returns
- Workmen's Compensation Documents

## **Sales and Marketing**

- Media releases

## **8. GENERAL**

N/A

## **9. REQUESTING PROCEDURES**

A person who wants access to the records must complete the necessary request forms that is available at the offices of Helpmekaar Studiefonds MSW, or can be accessed on [www.justice.gov.za/inforeg](http://www.justice.gov.za/inforeg). The completed request form must be sent to the address or fax number provided in this manual and marked for the attention of the Information Officer.

Please provide sufficient details to enable the company to identify:

- a) The record(s) requested
- b) The requester (and if an agent is lodging the request, proof of capacity)
- c) The form of access required
- d) The postal address or fax number of the requester in the Republic
- e) If the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof
- f) 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.

## **10. PRESCRIBED FEES**

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

## **11. PROTECTION OF PERSONAL INFORMATION PROCESSED**

Helpmekaar Studiefonds MSW is committed to protecting the privacy of personal information of our data subjects. The information you share with us as a data subject allows us to provide you with the best experience with our products and services, or as a stakeholder.

Helpmekaar Studiefonds MSW has dedicated policies and procedures in place to protect all personal information collected and processed by us. Please read below for more information on how we collect, process, use and disclose personal information.

### 11.1 The purpose of processing of personal information

We process personal information for various reasons, including but not limited to the following:

- To manage information, products and/or services requested by data subjects
- To help us identify data subjects when they contact us
- Manage customers
- Employment purposes
- Financial and tax purposes
- Legal or contractual purposes
- To help us recover debts



### 11.2 Data subject categories and personal information processed

Customers	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 Education history e-mail address Gender ID number Language and birth of the person Name of individual if it appears with other personal information Physical address Telephone number
Employees	Education history e-mail address Employment history Gender ID number Language and birth of the person Marital status Name of individual if it appears with other personal information Physical address Race Telephone number

### 11.3 Recipients with whom personal information is shared

In processing your personal information, we may share it within the group of companies or with other third parties.

These include but are not limited to:

- Employee pension and provident funds
- Data storage providers
- Server hosts

### 11.4 Security measures implemented to protect personal information

We have identified our security risks over the personal information we process in line with the Protection of Personal Information Act, and we have implemented various security measures to ensure reasonable protection against the risk of loss, misuse, unauthorised access and disclosure, alteration and destruction of the personal information.

We also take steps to ensure that operators that process personal information on behalf of company name apply adequate safeguards as outlined above.

### 11.5 Trans-border flows of personal information

We may transfer to, and store personal information we collect about you, in countries other than South Africa, if the relevant business transactions or situation requires trans-border processing. These countries may not have the same data protection laws as South Africa, and in this instance, we will only transfer the information if we have consent from you, or it is necessary for the performance or conclusion of a contract between us.

### 11.6 Personal information received from third parties

When we receive personal information from a third party on behalf of a data subject, we require confirmation that they have written consent from the data subject that they are aware of the contents of this PAIA manual and the Privacy Policy, and do not have any objection to our processing their information in accordance with this policy.

Where information on third parties is provided by a data subject, or a third party provides information on a data subject, that information may be taken into account with other personal information.

### 11.7 Data Breaches

Where there are reasonable grounds to believe that the personal information of a data subject has been accessed or acquired by any unauthorised person, HELPMEKAAR STUDIEFONDS MSW shall notify:

- a) the Regulator; and
- b) the data subject, unless the identity of such data subject cannot be established.

The notification will be made as soon as reasonably possible after the discovery of the compromise, taking into account the legitimate needs of law enforcement or any measures reasonably necessary to determine the scope of the compromise and to restore the integrity of the responsible party's information system.

## **12. AVAILABILITY OF THE MANUAL**

Copies of the manual are available for inspection, free of charge, at the offices of Helpmekaar Studiefonds MSW, from the South African Human Rights Commission and at: [www.helpmekaarfonds.org](http://www.helpmekaarfonds.org).



Information Officer Signature: \_\_\_\_\_

Signed on: 24 June 2021