



**ACCESS TO INFORMATION MANUAL  
(VALCARE NPC)**

**PREPARED IN TERMS OF SECTION 51 OF  
THE PROMOTION OF ACCESS TO INFORMATION ACT 2  
OF 2000  
(PAIA)**

## **1. Purpose of the Manual in terms of PAIA**

The purpose of this Manual is to assist people wishing to access information in terms of the PAIA from Valcare NPC.

## **2. Request for access to information**

In the event that a person or entity requires access to information as contemplated in the Act, the requester must contact the Valcare Office Manager.

Section 25(2) and (3) of the Act states that:

If the request for access is granted, the notice in terms of subsection (1)(b) must state:

- (a) The access fee (if any) to be paid upon access;
- (b) The form in which access will be given; and
- (c) That the requester may lodge an internal appeal or an application with a court, as the case may be, against the access fee to be paid or the form of access granted, and the procedure (including the period) for lodging the internal appeal or application, as the case may be.

If the request for access is refused, the notice in terms of subsection (1)(b) must –

- (a) State adequate reasons for the refusal, including the provisions of this Act relied upon;
- (b) Exclude, from such reasons, any reference to the content of the record; and
- (c) State that the requester may lodge an internal appeal or an application with a court, as the case may be, against the refusal of the request, and the procedure (including the period) for lodging the internal appeal or application, as the case may be.

## **3. Terms used in this document**

Terms defined in this Manual shall have the meaning set out therein and reference to Sections shall be a reference to the sections in the Promotion of Access to Information Act, 2 of 2000.

## **4. Background of Valcare**

Valcare is a Nonprofit Company that ensures social efforts have actual impact within the communities of the Cape Winelands region in South Africa.

The Valcare Membership Network serves as a valuable platform where hundreds of nonprofit organisations can collaborate, connect, network and support one another to have a greater impact together.

To ensure a measurable social return, Valcare's Social Impact team implements a structured monitoring, evaluation and reporting (MER) process. This approach not only guides the selected beneficiary organisations, but also keeps them accountable to deliver the promised outcomes.

Valcare has two main focus areas:

**SOCIAL INVESTMENT MANAGEMENT**

Valcare manages social investment funds on behalf of corporates, foundations, trusts and philanthropists.

Valcare manages many aspects of social investments from strategic planning, evaluation of projects, measuring key performance indicators, channelling funds to the identified nonprofit partner organisations and delivering professional reports.

## MEMBERSHIP NETWORK

Valcare facilitates a membership network of hundreds of nonprofit organisations in the Cape Winelands.

These organisations contribute to and gain from a range of benefits like capacity building, coordinated efforts, encouragement and engagement, support and being part of a united voice.

In order to perform these tasks Valcare must collect various forms of information: These include:

Member organisation details: To best support and serve the Valcare Member Network and promote collaboration between the member organisations.

Beneficiary lists: To ensure that social investment is being spent in an effective, efficient, responsible and transparent manner.

Social investor, donor and support details: To promote the work of Valcare and to raise funds to ensure the sustainability of Valcare.

All information is collected, processed, stored in compliance with the POPI Act 2013.

## 5. Organisation details

**Trading Name: Valcare NPC**

**Physical and Postal Address:**

Vuka Co-Working Space  
Unit 2, Third Floor, Newlink Building  
1 New Street  
Paarl  
7646

**Tel: 021 8722365**

**[www.valcare.org.za](http://www.valcare.org.za)**

**Email: [admin@valcare.org.za](mailto:admin@valcare.org.za)**

## 6. Details of the Information Officer(s)

Information Officer: Ivan Swartz (CEO Valcare)  
Deputy Information Officer: Brendan Smith (COO Valcare)  
Deputy Information Office: Liezl Tolkin (Office Manager Valcare)

(All information officers may be contacted through the Valcare details listed above)

## **7. Section 51(1)(c)**

In terms of Section 52, a private body may, on a voluntary and period basis, submit to the Minister a description of categories of records which are automatically available without a person having to request access in terms of the Act. This includes records which are available:

- For inspection;
- For purchase or copying from the private body; and
- From the private body free of charge.

## **8. Section 51(1)(d)**

Certain legislation mandates Valcare to allow certain person(s) access to specified information, upon request. Legislation that may be consulted to establish the type of information or record and the person(s) having access thereto is as follows:

- Arbitration Act 42 of 1965
- Basic Conditions of Employment Act 75 of 1997
- Closed Corporation Act 69 of 1984
- Close Corporations amendment Act 25 of 2005
- Companies Act 71 of 2008
- Compensation for Occupational Injuries and Diseases Act 130 of 1993
- Competition Act 89 of 1998
- Consumer Protection Act 68 of 2008
- Copyright Act 61 of 1978
- Electronic Communications and Transactions Act 25 of 2002
- Employment Equity Act 55 of 1998
- Income Tax Act 58 of 1962
- Intellectual Property Laws Amendments Act 38 of 1997
- Interception and Monitoring Prohibition Act 127 of 1992
- Labour Relations Act 66 of 1995
- Non-profit Organisations Act 71 of 1997.
- Occupational Health and Safety Act 85 of 1993
- Prevention of Organised Crime Act 121 of 1998
- Protection of Businesses Act 99 of 1978
- Regional Services Councils Act 109 of 1985
- SA Schools Act 84 of 1996
- Skills Development Act 97 of 1998
- Skills Development Levies Act 9 of 1999
- The Fund-Raising Act 107 of 1978
- Trade Marks Act 194 of 1993
- Unemployment Insurance Act 63 of 2001
- Unemployment Insurance Contributions Act 4 of 2002
- Value Added Tax Act 89 of 1991

## **9. Section 51(1)(e)**

General information about Valcare can be accessed through the internet on [www.Valcare.org.za](http://www.Valcare.org.za), which is available to all persons who have access to the internet. The

subjects on which Valcare hold records and the categories on each subject in terms of Section 51(1)(e) are as listed below. Please note that a requestor is not automatically allowed access to these records and that access to them may be refused in accordance with Sections 62 to 69 of the Act: Valcare holds the following categories of information, records and documentation:

- Accounting Records
- Information Technology Details
- Intellectual Property
- Human Resources Records
- Marketing Records
- Statutory Company Records
- Beneficiary Database and/or other Databases
- Network Member Records
- Internal Phone Lists
- Policies
- Procedures
- Minutes if Meetings
- Administrative Information
- Contracts and Service Level Agreements
- Monitoring and Evaluation Records
- Social Investor, Donor and Supporter Information

## **10. Requesting Procedure**

A person who wants access to the records must complete the necessary request form, as set out in Annexure 1, and the completed form must be sent to the address or contact details set out in clause 5 of this Manual and marked for the attention of the Information Officer.

The requester must indicate which form of access is required and identify the right that is sought to be exercised or protected and provide an explanation of which the requested record is required for the exercise or protection of that right. Proof of the capacity in which the requester is requesting the information must also be provided.

## **11. Availability of the Manual**

This Manual is available for inspection by the general public on [www.valcare.org.za](http://www.valcare.org.za) or upon request during office hours at the offices of the organisation at the address as stated in clause 5 of this Manual. Copies of the Manual may be made available subject to the prescribed fees.

Copies may also be requested from the South African Human Rights Commission at the address indicated below.

## **12. Fees**

A requester who seeks access to a record containing personal information about that requester is not required to pay the request fees. Any other requester who is not a personal requester must pay the required fee:

- (a) A fee will be required by the Information Officer before further processing of the request in terms of Section 54 of the Act;
- (b) A requester fee of R250 should be paid, this amount will be refunded should the request for access be refused;
- (c) A portion of the access fee (not more than one third) may be required before the request is considered;
- (d) The requester may lodge an application with a court against the payment of the request fee in terms of Section 54(3)(b) of the Act
- (e) The Information Officer may withhold a record until the requester has paid the applicable fees.

### **13. Details of the South African Human Rights Commission**

Any queries regarding this Manual should be directed to:

The South African Human Rights Commission; PAIA Unit  
Research and Documentation Department  
Private Bag 2700  
Houghton  
2041

Phone: 011 484 8300

Fax: 011 484 0582

Email: [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)

Website: [www.sahrc.org.za](http://www.sahrc.org.za)

## REQUEST FOR ACCESS TO RECORD OF VALCARE NPC

(Section 53(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))

### 1. Particulars of Valcare.

Trading Name: Valcare NPC

Physical and Postal Address

Vuka Co-Working Space  
Unit 2, 3<sup>rd</sup> Floor, Newlink Building  
1 New Street  
Paarl  
7646

Tel: 021 8722365

[www.valcare.org.za](http://www.valcare.org.za)

Email: admin@valcare.org.za

Details of the Information Officer(s)

Information Officer: Ivan Swartz (CEO Valcare)

Deputy Information Officer: Brendan Smith (COO Valcare)

Deputy Information Office: Liezl Tolkin (Office Manager Valcare)

### 2. Particulars of person requesting access to the record

- The particulars of the person who requests access to the record must be given below.
- The address and/or fax number in the Republic to which the information is to be sent must be given.
- Proof of the capacity in which the request is made, if applicable must be attached.

<b>Full names and surname:</b>	
<b>Identity number:</b>	
<b>Postal address:</b>	
<b>Telephone number:</b>	
<b>Fax number:</b>	
<b>E-mail address:</b>	
<b>Capacity in which request is made, when made on behalf of another person:</b>	

**3. Particulars of person on whose behalf request is made**

This section must be completed ONLY if a request for information is made on behalf of another person.

<b>Full names and surname:</b>	
<b>Identity number:</b>	

**4. Particulars of record**

- Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.
- If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

1. Description of record or relevant part of the record:

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2. Reference number if available:

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3. Any further particulars of record:

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**5. Fees**

- A request for access to a record, other than a record containing personal information about yourself, will be processed only after a request fee has been paid.
- You will be notified of the amount required to be paid as the request fee.
- The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.
- If you qualify for exemption of the payment of any fee, please state the reason for exemption.

Reason for exemption from payment of fee:

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**6. Form of access to record**

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 below, state your disability and indicate in which form the record is required.

Disability		Form in which record is required	
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Note:

- Compliance with your request for access in the specified form may depend on the form in which the record is available.
- Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.
- The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

Mark the appropriate box with an X.

<b>1. If the record is in written or printed form:</b>			
<input type="checkbox"/>	Copy of record *	<input type="checkbox"/>	Inspection of record
<b>2. If record consists of visual images –</b> (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.)			
<input type="checkbox"/>	View images	<input type="checkbox"/>	Copy of the images *
<input type="checkbox"/>		<input type="checkbox"/>	Transcription of the images *
<b>3. If record consists of recorded words or information which can be reproduced in sound:</b>			
<input type="checkbox"/>	Listen to the soundtrack (audio cassette)	<input type="checkbox"/>	Transcription of soundtrack * (written or printed document)
<b>4. If record is held on computer or in an electronic or machine-readable form:</b>			
<input type="checkbox"/>	Printed copy of record *	<input type="checkbox"/>	Printed copy of information derived from the record *
<input type="checkbox"/>		<input type="checkbox"/>	Copy in computer readable form * (memory stick)

*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable	<b>Yes</b>	<b>No</b>
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## 7. Particulars of right to be exercised or protected

If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

1. Indicate which right is to be exercised or protected:

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2. Explain why the record requested is required for the exercise or protection of the aforementioned right:

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**8. Notice of decision regarding request for access**

You will be notified in writing whether your request has been approved or denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

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Signed at \_\_\_\_\_ this day \_\_\_\_\_ of \_\_\_\_\_  
year \_\_\_\_\_

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Signature of requester /  
Person on whose behalf request is made