

DIE NOORDELIKE HELPMEKAAR STUDIEFONDS NPC

Registration Number: 1963/007704/08

MANUAL

in terms of

The Promotion of Access to Information Act 2 of 2000

and

The Protection of Personal Information Act 4 of 2013

2021

1. DIE NOORDELIKE HELPMekaAR STUDIEFONDS NPC

Die Noordelike Helpmekaar Studiefonds NPC is incorporated in South Africa and our registration number is 1963/007704/08.

We are incorporated as a non-profit company without members, as defined in the Company's Act, 2008;

We provide scholarships, loans, bursaries and awards for study, research and teaching on such conditions as we may determine. We obtain funds from third parties and create structures to fulfil our objects.

2. Die Noordelike Helpmekaar Studiefonds NPC contact details

The contact details of the information officer are:

Name: Frits Kok

Physical address: **43 Woodley Road**
CRESTA

Postal address: **P/O BOX 91050**
AUCLAND PARK
2006

Tel: (011) 782-9160
Fax: -
Email: admin@nhsfonds.co.za
Website: www.nhsf.org.za

3. The Promotion of Access to Information Act, 2 of 2000

The Promotion of Access to Information Act, 2 of 2000 (Act) gives a requester access to records of a private body, if the records are needed to exercise or protect any rights. If a public body submits a request, the public body must be acting in the public interest.

Requests in terms of the Act must be made in accordance with the prescribed procedures and rates. The forms and tariffs are dealt with in section 18 and 53, and sections 22 and 58 of the Act. See enclosed a schedule of fees for requests.

4. The Protection of Personal Information Act, 4 of 2013

The Protection of Personal Information Act (Popia) gives effect to the constitutional right to privacy by safeguarding personal information when a responsible party processes the information, subject to justifiable limitations that are aimed at:

- Balancing the right to privacy against other rights, particularly the right of access to information; and
- Protecting important interests, including the free flow of information within South Africa and across international borders.

Popia regulates the way personal information may be processed, and its conditions are consistent with international standards and prescribe the minimum threshold requirements for the lawful processing of personal information. Popia also gives people rights and remedies to protect their personal information from processing that is not in line with Popia; and it establishes voluntary and compulsory measures, including the establishment of an information regulator, to ensure respect for and to promote, enforce and fulfil the rights that Popia protects.

We are obliged to, when providing our abovementioned objects, among other things, through legislation, to obtain personal information from data subjects, who may include persons applying for loans and bursaries and/or their sureties which information may include name and surname, identity number/date of birth/age, gender, contact details (telephone number/cellphone number, postal/e-mail address, text messengers, social media information, whatsapp, etc) physical address, photos, voice recordings, video recordings, marital status, educational information and school qualifications, financial information regarding banking details, assets and liabilities, work address and contacts reference number. The aforementioned information may be provided to third parties necessary for the implementation and the rendering of our services and for the purpose of fulfilling and performance of our obligations which third parties may include, but not be limited to, domestic, national, foreign and international courts, state institutions, other authorities, private institutions, tribunal, service providers, banks, deeds office, master's office, legal practice counsel, insurance companies, law enforcement agencies, attorneys and opposing parties. We shall do everything in our power to keep the information of the relevant data subjects safe and will only collect, process and further process such information and special personal information consistent to the purpose for which it is required, and this will be apparent from the context in which the information is requested.

The abovementioned is subject to the provisions of Act 4 of 2013 and Act 2 of 2000 as referred to above and where any aspect is not in accordance with the said legislation the provisions of such legislation will apply.

If you can give adequate proof of identity, Popia give you right to:

- Ask a responsible party to confirm (free of charge) whether they have personal information about you; and
- Ask a responsible party for a record or a description of the personal information that they have about you, including information about the identity of all third parties or categories of third parties who have or have had access to your information.

A responsible party may or must refuse to disclose any information requested in terms of the subsections of the Act to which the grounds for refusal apply (Chapter 4 of Part 3 of Act).

For more information on how we deal with personal information, please refer to our website on

www.nhsf.org.za

5. Applicable legislation

No	Reference	Act
1.	66 of 1965	Administration of Estates Act
2.	68 of 1981	Alienation of Land Act
3.	94 of 1990	Bank Act
4.	75 of 1997	Basic Conditions of Employment Act
5.	34 of 1964	Bills of Exchange Act
6.	45 of 2002	Collective Investment Schemes Control Act
7.	71 of 2008	Companies Act
8.	130 of 1993	Compensation of Occupational Injuries and Diseases Act
9.	89 of 1998	Competition Act
10.	108 of 1996	Constitution of the Republic of South Africa
11.	68 of 2008	Consumer Protection Act
12.	114 of 1998	Debt Collectors Act
13.	47 of 1937	Deeds Registries Act
14.	36 of 2005	Electronic Communications Act
15.	25 of 2002	Electronic Communications and Transactions Act
16.	55 of 1998	Employment Equity Act
17.	37 of 2002	Financial Advisory and Intermediary Services Act
18.	28 of 2001	Financial Institutions (Protection of Funds) Act
19.	38 of 2001	Financial Intelligence Centre Act
20.	19 of 2012	Financial Markets Act
21.	107 of 1978	Funds-raising Act
22.	63 of 2000	Home Loan and Mortgage Disclosure Act
23.	68 of 1997	Identification Act
24.	24 of 1936	Insolvency Act
25.	80 of 1998	Inspection of Financial Institutions Act
26.	66 of 1995	Labour Relations Act
27.	28 of 2014	Legal Practice Act
28.	52 of 1998	Long-terms Insurance Act
29.	34 of 2005	National Credit Act
30.	78 of 1998	National Payment System Act
31.	85 of 1993	Occupational Health and Safety Act
32.	24 of 1956	Pension Fund Act
33.	12 of 2004	Prevention and Combating of Corrupt Activities Act
34.	2 of 2000	Promotion of Access to Information Act
35.	26 of 2000	Protected Disclosure Act
36.	4 of 2013	Protection of Personal Information Act
37.	70 of 2002	Regulation of Interception of Communications and Provision of Communication-related Information Act
38.	53 of 1998	Short-term Insurance Act
39.	90 of 1989	South African Reserve Bank Act
40.	28 of 2011	Tax Administration Act
41.	194 of 1993	Trade Marks Act
42.	40 of 1949	Transfer Duty Act
43.	63 of 2001	Unemployment Insurance Act
44.	89 of 1991	Value-added Tax Act

6. Categories of records

6.1 Information available on request

At Die Noordelike Helpmekaar Studiefonds NPC, we are in control of or have in our possession the following categories of records under the subjects described below. These categories of records are not exhaustive and are subject to change. If you ask for access to these records, we not automatically grant your request, but we will evaluate it in accordance with the provisions of the Act, any other legal requirements and our policies.

Record category	Description
Accounting	Formal books of account and financial statements Source Documents
Company records	Banking Credit provision General (all statutory documents required by the Companies Act, 71 of 2008)
Customer records	Internal audit Operational records Policies and procedures Products and services Risk Banking and deposit FICA Credit provision Deceased clients Insolvent clients Long-terms insurance
Human Resources	Statutory employee records Other employee records
Physical security	Internal security services and firearms
Health and safety	Electrical installations Fire equipment

6.2 Records that are available automatically

The following categories of records are automatically available for inspection. You can buy a copy of the record at the costs indicated in Annexure 2. You do not need to request this information in terms of the Act.

These categories are the following:

- Any promotional material for public viewing
- Campaigns
- Information about products that we offer

You can ask for this information through the Die Noordelike Helpmekaar Studiefonds NPC website.

7. Request procedure

To get access to a record referred to in section 6.1 of the Act, you must complete the required form and email it to admin@nhsfonds.co.za. Once we receive your request, our information officer will give you the details of the fees payable and how you must pay it.

Please complete all the fields in the requested form, and make sure that you give us the following information:

- Details of the record that you want.
- A copy of your valid South African identity document or card.
- A copy of the power of attorney (if applicable).
- A description of the right you want to exercise or protect.
- Details of how we must give you the information (if your request is granted).
- Your contact details.

8. Timelines

We will process your request within 30 days, unless your request involves considerations that will require more time.

If an extension is necessary, we will notify you and tell you why we need an extension.

If our information officer does not communicate to you about a decision on your request, your request will be deemed refused.

9. Grounds for refusal of access to records

The main grounds on which we may refuse access to records relate to:

- the privacy of a third party who is a natural person;
- the commercial information of a third party;
- confidential information of a third party;
- the safety of individuals and property;
- legally privileged records; and
- our commercial information, including:
 - trade secrets;
 - financial, commercial, scientific or technical information, if disclosure would likely harm our financial or commercial interests;
 - information that, if disclosed, could put us at disadvantage in negotiations or commercial competition;
 - computer programs and related information technology software that we own and are protected by copyright; and
 - research information that we or a third party had compiled, if disclosure would expose the third party, researcher or subject matter of the research and therefore disadvantage us.

Requests submitted in terms of the Protection of Personal Information Act, 4 of 2013, may be refused on the same grounds set out above.

10. Remedies for refusal

If your request to access to information was refused, we do not have an internal appeal procedure to follow. The decision of our information officer or deputy information officer is final. But if you are not satisfied with the outcome of your request, you can apply to a court of competent jurisdiction to take the matter further.

Request form

FORM C: REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY

[Section 53(1) of the Promotion of Access to Information Act, 2 of 2000 (Regulation10)]

A Particulars of private body

The head: Personal information officer

B Particulars of the person requesting access to the record

The particulars of the person who requests access to the record must be given below, as well as the South African address, email or fax number to which the information must be sent. You must also attach proof of the capacity in which the request is made (if applicable).

Full name and surname:
Identity Number:
Postal address:
Tel:
Fax:
Email:

The capacity in which the request is made if on behalf of another person:

C Particulars of person on whose behalf the request is made

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

Full name and surname:
Identity Number:

D Particulars of record

- Give the full particulars of the record to which access is requested, including the reference number (if you know it) so that the record can be located.
- If the space below is not enough, please continue on a separate page and attach it to this form.

You must sign all the additional pages

1. Description of record or relevant part of the record:
.....
.....
.....
2. Reference number
(if available)
3. Any other particulars of the record:
.....
.....
.....

E Fees

- A request for access to a record other than a record with your personal information will be processed only after you have paid the relevant fee. (We will let you know how much it is).
- The fee payable for access to a record depends on the form in which access is required and the reasonable time needed to search and prepare the record.
- If you qualify for exemption of any fee, please tell us why.

F Form of access to record

If, due to disability, you cannot read, view or listen to the record in the form provided for in 1 to 4, state your disability and indicate in which form you need it.

Description of disability			
Form in which record is required			
Mark the appropriate box with an X			
Notes			
<ul style="list-style-type: none">•.... Compliance with your request 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. If this happens, we will let you know if access will be granted in another form.•.... The fees payable for access to the record (if any) will be determined partly by the form in which access is requested.			
1. If the record is in written or printed form:			
	Copy of record*		Inspection of record
2.If the record has visual images (including photographs, slides, video recordings, computer-generated images, sketches, ect):			
	View the images	Copy of Images *	Transcription of the images*
3.If the record has recorded words or information that can be reproduced in sound:			
	Listen to the soundtrack (audio assets)		Transcription of the soundtrack* (written or printed document)
4.If the record is on computer or in an electronic or machine-readable form:			
	Printed copy of record*	Printed copy of information derived from the record*	Copy in computer-readable form*(compact disc)
*If you ask for a copy or transcription of a record (above), do you want the copy or transcription to be posted to you? (Postage is payable)			Yes No

G Particulars of the right to be exercised or protected

If the provided space is not enough, please continue on a separate page and attach it to this form. You must sign all the additional pages.

1 What right to you want to exercise or protect?

.....
.....
.....
.....

2 Explain why you need the record to exercise or protect this right.

.....
.....
.....
.....
.....
.....

H Notice of decision about your request for access

We will let you know in writing if your request has been approved or denied. If you want us to let you know in another way, please tell us and give us the necessary contact details.

How should we inform you about the decision regarding your request?

.....
.....
.....
.....

Signed at on
Place Date

.....
Signature of requester or person on whose behalf the request is made

Form 1

**OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION IN TERMS OF SECTION 11(3) OF
THE PROTECTION OF PERSONAL INFORMATION ACT, 2013) (4 OF 2013)**

**REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018
[Regulation 2]**

Note:

- 1 You can attach affidavits or other documentary evidence to support the objection.**
- 2 If the space on this form is not enough, submit your information as an annexure to this form and sign each page.**
- 3 Complete the information that is applicable.**

A	Details of data subject
Name(s) and surname or registered name of the data subject	
Unique identifier or identity number	
Residential, postal or business address	
Contact number(s)	
Fax number or email Address	
B	Details of responsible party
Name(s) and surname or registered name of the responsible party	
Residential, postal or business address	
Contact Number(s)	
Fax number or email address	
C	REASONS FOR OBJECTION IN TERMS OF SECTION 11(1)(d) TO (f) (Please give detailed reasons for your objection.)

Signed at on
Place Date

.....
Signature of data subject or designated person

Form 2

**REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION OR DESTROYING
OR DELETING OF RECORD OR PERSONAL INFORMATION IN TERMS OF SECTION 24(1) OF
THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (4 OF 2013)**

**REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018
(Regulation 3)**

Note:

1. You can add affidavits or other documentary evidence to support your request.
2. If the space on this form is not enough, submit your information as an annexure to this form and sign each page.
3. Complete the information that is applicable.

Mark the appropriate box with an 'x'.

Request for:

☐

Correction or deletion of the personal information about the data subject that is in possession or under the control of the responsible party.

☐

Destruction or deletion of a record of personal information about the data subject that is in possession or under the control of the responsible party who is no longer authorised to have the record of information.

A	Details of data subject
Name(s) and surname or registered name of data subject	
Unique identifier or identity number	
Residential, postal or business address	
Contact Number(s)	
Fax number or email address	
B	Details of the responsible party
Name(s) and surname or registered name of responsible party	
Residential, postal or business address	
Contact Number(s)	
Fax number or email Address	

C	Information that must be corrected, deleted or destroyed.
D	<p>Reason for *correction or deletion of the personal information about the data subject in terms of section 24(1)(a) that is in possession or under the control of the responsible party.</p> <p>Reason for * destruction or deletion of a record or personal information about the data subject in terms of section 24(1)(b) that the responsible party is no longer authorised to have.</p> <p>(Please give detailed reasons for your request.)</p>

Signed at on.....

Place

Date

.....

Signature of data subject or designated person

Fees payable

Reproduction of documents	Fees (R)
A copy of the manual as contemplated in regulation 9(2)(c) – for every photocopy of an A4- size page or part of the page	1,10
A photocopy of an A4- size page or part of the page	1,10
A printed copy of an A4-size page or part of the page on computer or in electronic or machine-readable form	0,75
A copy in computer-readable form on a compact disc	70,00
A transcription of visual images on an A4-size page or part of the page	40,00
A copy of visual images	60,00
A transcription of an audio record on an A4-size page or part of the page	20,00
A copy of an audio record	30,00
Access of information	Fees (R)
A photocopy of an A4-size page or part of the page	1,10
A printed copy of an A4-size page or part of the page on a computer or in electronic form	0,75
A copy in a computer-readable form on a: compact disc	70,00
A transcription of visual images on an A4-size page or part of the page	40,00
A copy of visual images	60,00
A transcription of an audio record on an A4-size page or part of the page	20,00
A copy of an audio record	30,00
Search for an preparation of the record for disclosure for every hour or part of an hour (excluding the first hour) that is reasonable needed to do the search and preparation	

For the purpose of section 54(2) of the Act, the following also applies:

- You must pay a deposit the search for and preparation of the record will take more than six hours.
- You must pay one-third of the access fee as a deposit up front.
- You must pay for the fee to have the record delivered to you.