



ASSOCIATION OF ARBITRATORS (SOUTHERN AFRICA) NPC

Registration Number: 2015/078416/08

PAIA MANUAL

IN TERMS OF SECTION 51 OF
THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000 (ACT NO. 2 OF 2000)
(THE PAIA ACT)

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DEPUTY INFORMATION OFFICER (DIO) DETAILS

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1. ENTITY DETAILS (Section 51)

1.1. Directors

- 1.1.1. Mr Gareth Ahier;
- 1.1.2. Mr Chris Binnington;
- 1.1.3. Mr Alastair Hay – Regional Chair, KwaZulu Natal Branch;
- 1.1.4. Adv Desmond Mahony – Vice Chair, Treasurer;
- 1.1.5. Mr Jonathan Mitchell – Regional Chair, Western Cape Branch;
- 1.1.6. Adv Mias Mostert;
- 1.1.7. Mrs Samantha Reyneke;
- 1.1.8. Adv Pierre Rossouw SC;
- 1.1.9. Adv Sydwell Shangisa SC;
- 1.1.10. Adv Tjaart van der Walt SC – Chair.

2. THE PAIA (Section 51)

- 2.1. 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.
- 2.2. Requests in terms of the Act shall be made in accordance with the prescribed procedures.
- 2.3. Requesters are referred to the Guide in terms of Section 10 which has been compiled by the Regulator and which contains information for the purposes of exercising Constitutional Rights. The Guide is available from the Information Regulator.
- 2.4. The Information Regulator's contact details are:

Postal Address:	Woodmead North Office Park, 5 Maxwell Drive, Woodmead, Johannesburg, 2191, South Africa
Telephone Number:	+27 (0)10 023 5200
Website:	www.inforegulator.org.za

3. APPLICABLE LEGISLATION (Section 5)

REFERENCE	APPLICABLE ACT
No. 75 of 1997	Basic Conditions of Employment Act
No. 71 of 2008	Companies Act
No. 25 of 2002	Electronic Communications and Transactions Act
No. 38 of 2001	Financial Intelligence Centre Act
No. 95 of 1967	Income Tax Act
No. 66 of 1995	Labour Relations Act

REFERENCE	APPLICABLE ACT
No. 2 of 2000	Promotion of Access to Information Act
No. 30 of 1996	Unemployment Insurance Act
No. 89 of 1991	Value Added Tax Act

4. SCHEDULE OF RECORDS (Section 52)

NOTE: This section of the Manual sets out the subjects and categories of records held by the Association. The inclusion of any subject or category of records should not be taken as an indication that records, falling within those subjects and/or categories, will be made available under the Act. In particular, certain grounds of refusal, as set out in the Act, may be applicable to a request for such records.

RECORDS	SUBJECT	AVAILABILITY
Public Affairs	1. Public Product Information:	Freely available on website: www.arbitrators.co.za .
	2. Public Corporate Records;	
	3. Media Releases.	
Financial	1. Financial Statements:	1. Available to members on request.
	2. Financial and Tax Records:	2. Available to members on request.
	3. Asset Register:	3. Not available.
	4. Management Accounts:	4. Not available.
Incorporation	1. Memorandum of Incorporation:	1. Available to members on request.
	2. Company Rules:	2. Available to members on request.
	3. List of directors:	3. Request in terms of PAIA.
	4. Power of attorney agreements and a list of persons authorised to bind the Association:	4. Request in terms of PAIA.
	5. Minutes of meetings of the Board:	5. Available to members on request.
	6. Minutes of meetings of committees and sub-committees:	6. Available to members on request.
Financial	1. Accounting records, books and documents:	1. Not available.
	3. Annual financial reports:	3. Available to members on request.
	4. Details of auditors:	4. Available to members on request.
	5. Auditors' reports:	5. Available to members on request.
	6. Invoices in respect of creditors and debtors:	6. Request in terms of PAIA.

RECORDS	SUBJECT	AVAILABILITY
	7. Tax returns:	7. Request in terms of PAIA.
Banking Details:	1. Indebtedness to bankers:	1. Request in terms of PAIA.
	2. Bank facilities and account details:	2. Request in terms of PAIA.
	3. Bank statements:	3. Request in terms of PAIA.
	4. The level of overdraft/s and other borrowings:	4. Request in terms of PAIA.
	5. Other financial commitments and records:	5. Request in terms of PAIA.
Human Resources / Employment Records	1. List of employees:	1. Request in terms of PAIA.
	2. Contracts of employment with employees:	2. Request in terms of PAIA.
	3. Personnel files in respect of each employee:	3. Request in terms of PAIA.
	4. Disciplinary records and documentation pertaining to disciplinary proceedings:	4. Request in terms of PAIA.
	5. Compensation or redundancy payments:	5. Request in terms of PAIA.
	6. Training manuals:	6. Request in terms of PAIA.
Information Pertaining to Clients / Members	1. Agreements with clients/members:	1. Request in terms of PAIA.
	2. Documentation and other information received from clients/members, including documentary information required in compliance with the Financial Intelligence Centre Act, 38 of 2001:	2. Request in terms of PAIA.
	3. Documentation and other information received from third parties:	3. Request in terms of PAIA.
	4. Correspondence with clients/members:	4. Request in terms of PAIA.
Library Information	1. Information circulars:	1. Request in terms of PAIA.
	2. Publications:	2. Limited information available on website.
Insurance Records	1. Insurance in respect of the property occupied:	1. Request in terms of PAIA.
	2. Insurance in respect of the movable property:	2. Request in terms of PAIA.

RECORDS	SUBJECT	AVAILABILITY
Immovable and Movable Property	1. Agreements for the lease of immovable property:	1. Request in terms of PAIA.
	2. Agreements for the lease or sale of movable property:	2. Request in terms of PAIA.
	3. Credit sale agreements and/or hire purchase agreements:	3. Request in terms of PAIA.
	4. Other agreements for the purchase, ordinary sale, conditional sale or hire of assets:	4. Request in terms of PAIA.
Information Technology	1. Computer software, support and maintenance agreements:	1. Request in terms of PAIA.
	2. Other documentation pertaining to computer systems and computer programmes held by the Association:	2. Request in terms of PAIA.
Miscellaneous Agreements	1. Loans from third parties (including banks):	1. Request in terms of PAIA.
	2. Loans to third parties:	2. Request in terms of PAIA.
	3. Suretyship agreements:	3. Request in terms of PAIA.
	4. Security agreements, guarantees and indemnities:	4. Request in terms of PAIA.
	5. Marketing agreements:	5. Request in terms of PAIA.
	6. Agreements with suppliers:	6. Request in terms of PAIA.
	7. Confidentiality and/or non-disclosure agreements:	7. Request in terms of PAIA.
Correspondence	1. Correspondence of the Association, including internal and external memoranda:	1. Request in terms of PAIA.
Procedures	1. Procedures, including operating procedures and policies:	1. Request in terms of PAIA.

5. FORM OF REQUEST (Section 53)

To facilitate the processing of your request, kindly:

- 5.1. Use the prescribed **Form 02** [Request for Access to Record] (Regulation 7) and **Form 03** [Outcome of request and of fees payable] (Regulation 8), available on the Information Regulator's [website](#);
- 5.2. Address your request to the Head of the Company (Chair);
- 5.3. Provide sufficient details to enable the Company to identify:
 - 5.3.1. The record(s) requested;
 - 5.3.2. The requester (and if an agent is lodging the request, proof of capacity);

5.3.3. The form of access requires:

5.3.3.1. The email address, postal address, physical address and contact number/s of the requester in the Republic of South Africa;

5.3.3.2. If the requester wishes to be informed of the decision in any manner (in addition to written notification), the manner and particulars thereof;

5.3.4. 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. PRESCRIBED FEES (Section 54)¹

The following applies to requests (other than personal requests):

6.1. A requestor is required to pay the prescribed fees (R50.00) before a request will be processed;

6.2. If the preparation of the record requested requires more than the prescribed hours (six (6)), a deposit shall be paid (no more than one third ($\frac{1}{3}$) of the access fee which would be payable if the request is granted);

6.3. A requester may lodge an application with a court against the tender/payment of the request fee and/or deposit;

6.4. Records may be withheld until the fees have been paid;

6.5. The fee structure is available on Michalsons' [website](#).

7. AVAILABILITY OF THE MANUAL

The Manual is available for inspection on the Association's [website](#) and at the offices of the Association free of charge.

8. CONTACT INFORMATION

The Association welcomes your comments in regard to this Manual. Please contact our Deputy Information Officer.

¹ Section 15 [The Fees Involved] of the [PAIA Guide](#).