



MADRESSA ZIA UL BADR

**Promotion of Access to Information Manual in terms of in terms of
Section 51 of The Promotion of Access to Information Act**

July 2021

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1. Introduction

This manual is prepared in line with Section 51 of the Promotion of Access to Information Act, 2000 (Act no. 2 of 2000) (PAIA)

The constitution of the Republic of South Africa Act, 1996 (Act no 108 of 1996), Section 32 stipulates that everyone has the right of access to any information held by the State or any other person provided the information is required for the exercise or protection of any rights. The Act further stipulates that the National Legislation must be enacted to give effect to this right.

PAIA gives effect to the constitutional right of access to information held by any public or private body and is required for the exercise or protection of any rights. The Act details the procedures to be followed when making such request for information, held either by a public body or private body.

Personal Information as defined in the Protection of Personal Information Act, No.4 of 2013 hereinafter referred to as POPIA is used in the day-to-day operational process, employment processes including recruitment, employment contracts, employment equity, medical aid/provident fund, disciplinary actions, performance management, benefits and remuneration, training, SETA records or other employment related requirements.

MZB may process personal information as part of standard business operations, including audits, review, market research, and other legitimate business purposes.

The purpose of this manual is therefore to inform a person on how to obtain access to the records held by Madressa Zia Ul Badr, hereafter referred to as "MZB" thus giving effect to section 14 of the Act.

2. Structure and Functions

MZB is a non-profit company duly incorporated in accordance with the company laws of South Africa.

Our vision is to educate and address the needs of those entering the fold of Islam, as well as Muslims facing the challenges of having non-muslim families and to be "A Centre of caring for Mother's and Father's for the ultimate pleasure of Allah"

Our Mission "is to serve with dedication, passion and love."

MZB's aims and objectives include:

- MZB is committed to providing a high standard of education to its students so as to ensure the continual propagation of Islam in their communities, and to fulfil the existing needs of those entering the fold of Islam who are mostly from the lower income communities and who face numerous social, economic or other challenges such as poverty, mixed marriages, broken homes and abandonment. These individuals are also continuously subjected to misleading information about Islam.
- To fund these programmes through the collection of Zakkat.
- To provide quality care for the smooth running of the Mothers and Fathers Home.

3. Organisational Structure

MZB is controlled and driven by its Board of Directors who through its elected Management Team, determine the policy and direction to be implemented.

The Head (Ameer) is backed by the Board of Directors who together with the Elected Management Team, control our day-to-day management.

3.1 Contact details

3.1.1 Information Officer:

Ms. Mumtaz Moola, Chairperson MZB Mothers and Fathers Home
email: mumtazmoola8@gmail.com

3.1.2 Deputy Information Officer:

Ms. Zahira Shah, Secretary MZB Mothers and Fathers Home,
e-mail: ummsaad@gmail.com

3.1.2.1 All requests for information should be directed to Mumtaz Moola.

3.2 General Information

Postal Address: P O Box 33786
Jeppestown
2043

Physical Address: 455 Marshall Street
Jeppestown
2094

Telephone number: (011) 614 7786

E-mail: mumtazmoola8@gmail.com

4. Particulars in terms of Section 51

PAIA is a national legislation giving the requesters of information requesting information from public, private, and government institutions the procedure to follow to get access, subject to a number of conditions, to records held by such bodies. In the case of MZB, requests by third parties for information will be dealt with according to the manual and any other handbook or policies and procedures documentation developed for PAIA purposes.

The Manual is applicable to MZB and contains the details of the types of records kept by MZB. The manual is available for inspection at the offices of MZB as well as on the MZB website – www.MZB.org.za.

5. Human Rights Commission Guide on how to use the Act [Section 10]

The South African Human Rights Commission has compiled an easy-to-understand guide to assist any person who wishes to exercise any right contemplated in the Act. The guide is available in all the official languages from the South African Human Rights Commission.

Any enquiries regarding this guide should be directed to:

The South African Human Rights Commission
PAIA unit
The Research and Documentation Department

Contact Details

Telephone number: +27 11 484 8300
Fax number: +27 11 484 1360
Website: www.sahrc.org.za
Email Address: PAIA@sahrc.org.za
Postal Address: Private Bag 2700
Houghton
2041

6. Types of Records

(a) Records available in terms of any other legislation

All records kept and made available according to legislation to MZB as it applies to the specific environment in which it operates are available in line with the said legislation

(b) Records available without requesting access in terms of the Act

MZB has not submitted any description of the categories of its records that are automatically available, for publication and the Minister has therefore not published any notice in this regard in the Gazette.

(c) Access to Records for Employees and General Public

Records available to Employees ONLY

The following records are automatically available to all employees and need not be requested in accordance with the outlined procedure:

- Personnel records of the employee concerned;
- Records of disciplinary hearings and related matters of the employee concerned; and
- MZB's policies and procedures manual;

(d) Records available to both Employees and to the General Public

The following records are automatically available to the general public and all employees and need not be requested in accordance with the procedure outlined:

- Press releases;
- Marketing material;
- Internet web page.

(e) Records that may be formally requested

MZB holds information pertaining to the subjects listed below and access to some of the information will be restricted in accordance with the provisions of the PAIA and other relevant legislation. This implies that not all the records listed below will be made available upon formal request and due cognisance of PAIA and POPIA will be taken into consideration.

i. Corporate governance matters

- Strategic and corporate planning documentation
- Declaration of interests

ii. Human Resources

- Human resources policies manual
- Personnel information including personal information, employment history and health records that the company may hold from time to time;
- Training and Development information;
- General files containing information on employee benefits and employee recruitment and selection information.

iii. Finance

- Financial records;
- A list of MZB's creditors and debtors;
- Bank account information;
- Fixed assets register.

iv. Risk management

- Information on the management of MZB's operational risks
- Insurances
- Security (physical) information

v. Project Management

- Building plans;
- Information generally related to projects conducted by MZB from time to time.

vi. Information Technology

- Usage statistics;
- Equipment details;
- Costing of hardware and software.

vii. Catering

- Records of function and related costing;
- Stock sheets;
- List of suppliers.

viii. Company Documents

- Company Documents;

ix Marketing Department

- MZB's brochures and publications;
- Documents relating to Public Relations events;
- MZB's media releases.

x Support Services

- Delivery and collection sheets;
- List of suppliers

6.1. Procedure for requesting Information not automatically available

- (a) A person who wants access to the records of MZB must complete the necessary request form annexed hereto. The request form can also be accessed on www.MZB.co.za. If a person needs assistance with obtaining the form or on any other matter, they should contact the Deputy Information Officer at the telephone number provided in paragraph 2.
- (b) The completed request form must be sent to the address or email provided in paragraph 2 and marked for the attention of the Deputy Information Officer which request shall include the following:
 - The records requested;
 - The identity of the requester;
 - Which form of access to the records is required, should the request be granted;
 - The postal address and email address of the requester.
- (c) The requester of the information must explain what other right is being protected or exercised.
- (d) The requester must indicate if the requester, in addition to being informed in writing whether access to the record has been granted, wishes to be informed of the decision of the request in any other manner.
- (e) If the request is made for another person, then the requester must submit proof of the capacity in which the requester is making the request, to the reasonable satisfaction of the Deputy Information Officer.
- (f) Should an individual be unable to complete the prescribed form because of illiteracy, disability or any other reason, such individual may submit such request orally to the Deputy Information Officer.
- (g) The requester must pay the prescribed fee before any further processing can take place which is annexed hereto.

The Deputy Information Officer will process the request and inform the requester of the fees (if any and if so, will be available on the SAHRC website/access to information/PAIA)) that are payable and of the different procedures that must be followed until the request is finalised. A copy of the fee structure applicable to private bodies can be accessed on www.MZB.co.za.

All the pertinent sections must be completed fully, failing which the process will be delayed while the Deputy Information Officer obtains such additional information.

7. The outcome of a request (Granting or Refusal)

Should the request be granted, the notice will state the access fee (if any) to be paid upon access, the form in which access will be given and further that the requester may lodge an application with a court of law against the access fee to be paid or the form of access granted, and the procedure for lodging such application.

Should the request be refused, the notice will state adequate reasons for the refusal, including the provisions of PAIA relied upon; and that the requester may lodge an application with a court of law against the refusal of the request, and the procedure (including the time period) for lodging the application.

7.1 Grounds for refusal of access to records

All sections referred to in this clause 7 are those of PAIA. Some of the grounds on which MZB may rely on when refusing a request for information as contemplated by PAIA include:

- (a) Protection of the privacy of a third party, if that third party is a natural person, which would involve the unreasonable disclosure of personal information of that natural person (Section 63(1));
- (b) Protection of commercial information of a third party as defined in PAIA, if the record contains:
 - trade secrets of that third party;
 - financial, commercial, scientific or technical information other than trade secrets of a third party, the disclosure of which would be likely to cause harm to the commercial or financial interests of that third party;
 - information disclosed in confidence to MZB by a third party, the disclosure of which could put that third party at a disadvantage in contractual or other negotiations or would prejudice that third party in commercial competition (Section 64).
- (c) Protection of confidential information if the disclosure would constitute a breach of a duty or confidence to a third party in terms of an agreement (Section 65);
- (d) Protection of safety of individuals and protection of property (Section 66);
- (e) Protection of records which would be regarded as privileged in any legal proceedings, unless the person so entitled to privilege waives the privilege (Section 67);
- (f) Protection of commercial activities of MZB, which includes: trade secrets of MZB;
 - financial, commercial, scientific or technical information, disclosure of which could cause harm to the financial or commercial interests of MZB.
 - information which, if disclosed, could put MZB at a disadvantage in negotiations or commercial competition;
 - a computer programme owned by MZB, and which is protected by copyright (Section 68);
 - information which, if disclosed, could put MZB at a disadvantage in negotiations or commercial competition;
- (g) The research information of MZB or a third party for MZB the disclosure would expose the third party, MZB, the researcher or the subject matter of the research to serious disadvantage (Section 69).

8. Remedies available in refusal of a request for information (Part 4 of the Act):

- (a) MZB does not have internal appeal procedures and as such, the decision made by the Information Officer is final.
- (b) Should the requester be dissatisfied with the Information Officer's decision to refuse access, that person may within 30 days after notification of the refusal apply to a court of law for the appropriate relief.
- (c) Should a third party be dissatisfied with the Information Officer's decision to grant a request for information relating to that third party, the third party may within 30 days of notification of such decision, apply to a court of law for the appropriate relief.

9. Availability of the Manual

The manual is available for inspection free of charge at the MZB offices and on the MZB website (www.MZB.co.za).

10. Annex A : Request form

PARTICULARS OF THE REQUESTER

- Full names of the Requester: _____
- Identification Number: _____
- Telephone Number: _____
- Facsimile Number: _____
- e-mail address (where applicable): _____
- Postal Address: _____

PARTICULARS OF THE RECORD REQUESTED

- Description of record or relevant part thereof;
- Reference number if available;
- Proof of payment of request fee must be attached (excluding for personal requester of personal information);
- 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 hereunder, state your disability and indicate the form in which the record is required.

If the record is in written or printed form

- Copy of record: Yes/No
- Inspection of record: Yes/No

If record consists of visual images (includes photographs, slides, video recordings, computer generated images, sketches, etc)

- View images: Yes/No
- Copy of images: Yes/No
- Transcription of images (whenever possible): Yes/No

If record consists of recorded words or information which can be reproduced in sound

- Listen to the soundtrack: Yes/No
- Transcription of soundtrack (written or printed document): Yes/No

If record is held on computer or in an electronic or machine readable form

- Printed copy of record: Yes/No
- Printed copy of information derived from the record: Yes/No
- Copy in computer readable form (compact disc): Yes/No

Should a requestor wish to have the above information posted, he/she will have to pay for postage costs in advance (the MZB Deputy Information Officer will advise of the exact fees to be paid) before the information can be posted.

Notice of decision regarding the request for access:

- A requestor will be notified in writing whether his/her request has been approved or denied.

Signed on this _____ day of _____ 202__.

Requester's signature: _____ or
Thumb print