

PUBLIC ACCESS TO INFORMATION ACT (PAIA) // SECTION 51 MANUALS

During 2000 the government passed the Promotion of Access to Information Act (known as the PAIA Act). The aim of this Act is to allow members of the public to know who they are dealing with in a business.

The Act gives effect to the constitutional right of access to any information held by the State and any information held by another person and that is required for the exercise or protection of any rights.

According to the Act, all public and private bodies must have a PAIA Manual also known as a Section 51 Manual).

Extensions for some businesses have been granted until December 2015 to submit their manuals to the SAHRC. Even if you qualify for an extension on the submission date, you still need to have a valid PAIA Manual available on request. This means all businesses need to have one.

What is PAIA?

PAIA is legislation that creates the framework to the right to access information enshrined in section 32 of the Constitution of the Republic of South Africa. PAIA is the **Promotion of Access to Information Act 2 of 2000**.

The purpose of this legislation is to promote a culture of transparency, accountability and good governance both in the private and public sectors.

Who must do what?

As a private body, you are obliged in terms of Section 51 to lodge your manual. This means that if you are in business as a sole proprietor, partnership, close corporation, private or public company, business trust, bodies corporate or co-operative, you are required to compile and file a Manual!

What if I don't? All Section 51 Manuals MUST be lodged with the SAHRC in terms of the Act – failure to do so can result in Penalties.

Do not delay – **compliance equals peace of mind**