



# CapeNature

## PAIA MANUAL

## TABLE OF CONTENTS

|                                                                                                                      |    |
|----------------------------------------------------------------------------------------------------------------------|----|
| 1. Introduction                                                                                                      | 2  |
| 2. Our details – section 14(1)(a)(ii)                                                                                | 3  |
| 3. Structure of CapeNature – section 14(1)(a)(i)                                                                     | 4  |
| 4. Functions of CapeNature – section 14(1)(a)(i)                                                                     | 4  |
| 5. Further guidance – section 14(1)(b)(i)                                                                            | 7  |
| 6. Records                                                                                                           | 8  |
| 7. How we process and protect personal information – section 14(1)(c)                                                | 12 |
| 8. Remedies available – section 14(1)(a)(iii)                                                                        | 14 |
| 9. Services available to the public – section 14(1)(b)(iv)                                                           | 14 |
| 10. Arrangement allowing involvement in the formulation of policy and performance of functions – section 14(1)(b)(v) | 15 |
| 11. Accessibility and availability of this manual – section 14(3)                                                    | 15 |
| FormI                                                                                                                |    |

We respect your right of access to information. This document will help you exercise that right as required by section 14 of the Promotion to Access of Information Act 2 of 2000 (PAIA).

**Callouts like this are a summary of our manual and contain the most important and relevant points for you. They are here to help you understand it, but please read the full manual.**

## 1. Introduction

We are the Western Cape Nature Conservation Board trading as CapeNature, we effectively manage the Western Cape Nature Conservation Board Act and relevant sections in the Western Cape Biodiversity Act, and this is our 'Access to Information Manual'. Its purpose is to help you access our information and any other information that we have. PAIA requires us to make it available to you so that you:

- know what types of information we have; and
- can request access to it.

**This manual exists to tell you what information we have and help you get access to it.**

In 1996, the Constitution of the Republic of South Africa 1996 came into force. section 32 enshrines the right of access to information held by both public and private bodies (subject to justifiable limitations).

The Constitutional Court interpreted the right of access to information as not merely a right to obtain access to information for the exercise or protection for a right, but also to ensure that there is open and accountable administration in all spheres of government.

**section 32 of the Constitution of the Republic of South Africa, 1996 (the Constitution) reads as follows:**

***“(1) Everyone has the right of access to –***

***(a) any information held by the state; and***

***(b) any information that is held by another person and that is required for the exercise or protection of any rights.***

***(2) National legislation must be enacted to give effect to this right, and may now provide for reasonable measures to alleviate the administrative and financial burden on the state.”***

In 2000, the Promotion of Access to Information Act (PAIA) came into law, fulfilling the aforesaid provision to foster a culture of transparency and accountability in public and

private bodies and to empower and educate the people of South Africa to understand their rights. is aimed at encouraging an open democracy where individuals from all walks of life are empowered to engage with government and participate in decisions which affect their lives.

In terms of section 14 of PAIA, a public body must have a manual which sets out amongst others the functions of, and an index of records held by a public body. This manual gives effect to the provision of section 14 of PAIA and provides assistance on the procedure that must be followed to requests access to a record that is being held by CapeNature.

## 2. Our details – section 14(1)(a)(ii)

Our details are as follows:

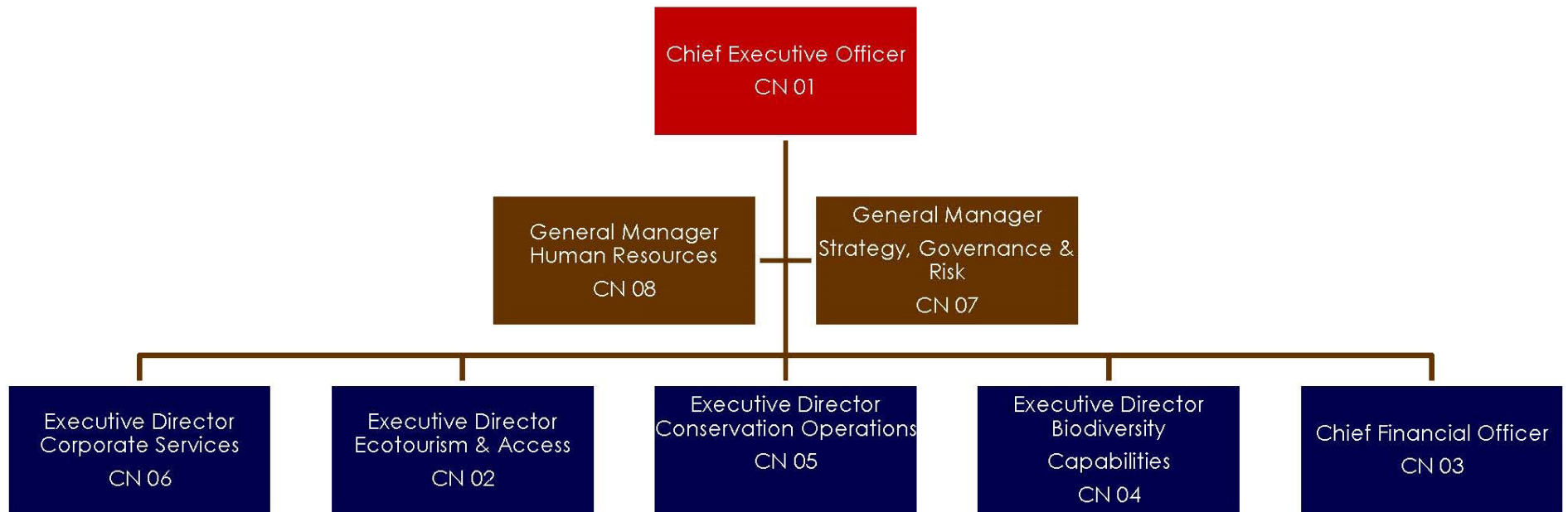
- **Organisation name:** Western Cape Nature Conservation Board t/a CapeNature
- **Postal address:** Private Bag X29, Gatesville, 0001
- **Physical address:** PGWC Shared Services Centre, Cnr Bosduif & Volstruis Streets, Bridgetown, 7764
- **Telephone number:** 087 087 3200
- **Contact e-mail:** [zparkar@capenature.co.za](mailto:zparkar@capenature.co.za);
- **Website:** <https://www.capenature.co.za/>

The Chief Executive Officer (CEO) of CapeNature is, in terms of PAIA, the Information Officer. However, the CEO, delegated her powers and duties that PAIA conferred and imposed on her, to the Deputy Information Officers, who you can contact as follows:

- **Information Officer – CEO:** Dr Ashley Desmond Naidoo
- **Information Officer's email:** [zparkar@capenature.co.za](mailto:zparkar@capenature.co.za)
- **Deputy Information Officer:** Ms Tabassum Paleker and Mr Barry Barnes
- **Deputy Information Officer's email:** [tpaleker@capenature.co.za](mailto:tpaleker@capenature.co.za) / [bbarnes@capenature.co.za](mailto:bbarnes@capenature.co.za)

**These are all our details, however we kindly request you to contact us by email at [zparkar@capenature.co.za](mailto:zparkar@capenature.co.za) whenever possible.**

### 3. Structure of CapeNature – section 14(1)(a)(i)



#### 4. Functions of CapeNature – section 14(1)(a)(i)

The functions of CapeNature are focussed on the following:

- To conserve, enhance and restore biodiversity resilience, promote sustainable land use and establish beneficial access for local communities, while promoting compliance, mitigating risk and ensuring good governance in the Western Cape land- and seascapes.
- To develop capability centres to support, inform, enable, and advance the practice of conservation and enhance biodiversity resilience.
- To advocate for change that promotes and enhances sound conservation and environmental practice, develop a customer centric approach to visitors, provide access to our natural resources for communities and facilitate opportunities in the biodiversity economy sector.
- To provide effective and efficient corporate governance through effective leadership, finance and human resource management.
- To manage the financial resources and assets and ensure the effective management and administration of ICT and Shared Services in fulfilment of the objectives of CapeNature.
- To ensure that CapeNature has the right information, intelligence, connectivity, and technology to enable effective and efficient collaboration, decision making and work
- To ensure that CapeNature has the right people, with the right skills and mindset in the right place at the right time to successfully deliver on its mandate.

##### 4.1. Directorate: Conservation Operations

- To effectively manage landscapes, seascapes, protected areas and associated environments, and recommend areas to be declared for protection status
- To establish systems for planning, implementing, monitoring, evaluating and reporting on biodiversity, invasive species, and non-compliance to relevant legal prescripts
- To provide for sustainable use and access to biodiversity
- To mainstream biodiversity in the landscape
- To enhance and accelerate biodiversity resilience through targeted ecosystem conservation and restoration initiatives
- To promote and restore biodiversity access for the benefit of all
- To anticipate and mitigate ecological disasters

- To advocate for behavioural change
- To lead landscape conservation and stewardship in ways that address biodiversity loss and maintain ecosystem services
- To promote biodiversity conservation education and awareness initiatives that promote behavioural change
- To develop and implement integrated catchment, coastal, estuarine, and marine strategies to conserve the environment and mitigate against potential ecological disasters

#### 4.2. Directorate: Biodiversity Capabilities

- To generate reliable information, intelligence, and knowledge systems to inform decision making, support conservation and accelerate biodiversity resilience
- To ensure sustainable biodiversity custodianship by maintaining and enforcing an appropriate legal environment
- To provide the necessary support, guidance, and effective ways of working to enable effective planning, adaptive management, and the successful implementation of CapeNature's mandate
- To identify, assess and scale up innovative practices, technologies, and assets to step change conservation practice

#### 4.3. Directorate: Eco-Tourism and Access

- To develop an eco-tourism offering that delivers a distinctive and compelling guest experience, whilst benefitting local communities
- To successfully manage the operations of a leading eco-tourism business in ways that deliver on CapeNature's strategic intent
- To maintain and improve CapeNature's eco-tourism infrastructure
- To restore and provide access to cultural and heritage sites
- To advocate for behavioural change in ways that benefits conservation and biodiversity
- To promote and protect the reputation of CapeNature
- To deliver programmes of learning and awareness on conservation and biodiversity related matters
- To engage effectively with all stakeholders to ensure that the impact of conservation and biodiversity initiatives are optimised

- To access revenue streams and commercial opportunities that benefit CapeNature and previously disadvantaged communities
- To manage national programmes that provide tangible benefits to CapeNature and its communities

#### 4.4. Office of the CEO

- To craft, articulate, monitor, evaluate and course correct strategy and planning to ensure effective alignment, integration, and impact
- To assist the Board to fulfil its function as the accounting authority of CapeNature
- To lead and direct the administration of the entity to achieve and comply with all relevant legal prescripts
- To develop, articulate, monitor, evaluate and implement correct strategy and planning to ensure effective alignment, integration, and impact
- To detect, audit evaluate and mitigate actual and potential risk
- To provide legal support on key issues
- To shape an organisational culture conducive to good governance and ethical behaviour
- To champion and support organisational transformation
- To ensure an effective internal control and audit environment
- To effectively manage all external stakeholders

#### 4.5. Directorate: Finance

- To manage CapeNature's finances in a prudent, sustainable, and efficient manner
- To optimise CapeNature's supply chain to ensure efficiency and responsive service
- To procure goods, services, and solutions efficient, effectively, and timeously
- To ensure an effective shared services environment
- To compile multi-year financial budgets and projections and to oversee their implementation
- To process routine transactions and requests for information and support effectively and efficiently
- To provide the technology and information infrastructure and architecture that enables effective decision making and organisational success

#### 4.6. Human Resources

- To identify future talent requirements and ensure that CapeNature has an adequate talent pipeline to timeously fulfil these
- To develop a distinctive employment brand and value proposition and deliver the best possible employee experience in line with the requirements of the brand
- To successfully induct and onboard people in CapeNature
- To shape and inform an enabling environment for people to do their best work
- To optimise performance through the deployment of the best possible performance management strategies, systems, and practices
- To implement effective career development and succession planning systems and processes
- To identify and deploy solutions to assist employees to acquire the necessary knowledge and skills to optimise work performance
- To successfully manage individual and collective employment relationships
- To maintain a reliable, intelligent, and user-friendly HR Management Information System
- To provide people-related analytics to inform intelligent management and decision making

#### 5. Further guidance – section 14(1)(b)(i)

If you would like further guidance on how you can get access to information under PAIA, you may contact the South African Human Rights Commission (SAHRC) to find out more information about PAIA. They have a guide in each official language of South Africa on how to exercise any right under PAIA.

The guide is available here:

<https://www.sahrc.org.za/home/21/files/SAHRC%20PAIA%20section%2010%20Guide%202020%20FINAL%20WEB.pdf>.

In terms of the section 110 of the Protection of Personal Information Act 4 of 2013 the functions of the Human Rights Commission have been transferred to the Information Regulator. Their contact details are as follows:

- **Phone number:** 010 023 5200 or 010 023 5207
- **Fax number:** 011 403 0668
- **Postal address:** P.O Box 31533, Braamfontein, Johannesburg, 2017

- **Physical address:** JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001
- **Website:** <https://www.justice.gov.za/inforeg/index.html> and <http://www.sahrc.org.za/index.php/understanding-paia>
- **General e-mail:** [inforeg@justice.gov.za](mailto:inforeg@justice.gov.za)
- **Complaints email:** [complaints.IR@justice.gov.za](mailto:complaints.IR@justice.gov.za)

**For further guidance on how you can get access to information, please visit:**

<http://www.sahrc.org.za/index.php/understanding-paia> or  
<https://www.justice.gov.za/inforeg/index.html>.

## 6. Records

### 6.1. Description of subjects on which CapeNature holds records – section 14(1)(b)(ii)

We hold the following subjects and categories of records:

- Strategic Mandate
- Land Use Management
- Development Facilitation
- Efficient and Sustainable Resource Use
- Biodiversity Management
- Coastal and Estuary Management
- Environmental Law Enforcement
- Environmental Governance
- CapeNature's Organisational and Financial Information
- Environmental and Planning Legislation and Policies (national and provincial)
- Research Reports
- Geographical Information, data sets as well as spatial information
- Attendance registers
- Licenses (categories)
- Permits
- Minutes of Meetings
- Statutory Returns/ records
- Conditions of Service
- Employee Records

- General Correspondence
- Industrial and Labour Relations Records
- Information relating to Health and Safety Regulations
- Pension and Provident Fund Records
- Performance Appraisals
- Personnel Guidelines, Policies and Procedures
- Remuneration Records and Policies
- Skills Requirements
- Staff Recruitment Policies
- Training Records
- Brochures on Company Information
- Client and Customer Registry
- Contracts
- Marketing and Future Strategies
- Marketing Records
- Sales Records
- Suppliers Registry
- Asset Register
- Insurance Information
- Internal Audit Records
- Management Accounts
- Purchase and Order Information
- Stock Records
- Tax Records (company and employee)
- IT Policies and Procedures
- Network Diagrams
- User Manuals

Please note that for records that are 'not automatically available,' you must request using the process outlined in the 'Request procedure' section of this manual.

**We hold various subjects and categories of records in electronic or physical form that are available automatically or in other ways.**

## 6.2. Description of records automatically available – section 14(1)(b)(iii)

| Description of categories of records automatically available for copying or purchasing in terms of section 15(1)(a)(ii) of PAIA                                                                                           |                                                                                                                                                                          |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Description of categories of records automatically available                                                                                                                                                              | Manner of access to records                                                                                                                                              |
| <ul style="list-style-type: none"> <li>• Annual Performance Plan</li> <li>• Strategic Plans</li> <li>• Annual Reports</li> <li>• Environmental and Planning Legislation and Policies (national and provincial)</li> </ul> | <p>Copies of these records may be obtained on payment of the prescribed fee from PGWC Shared Services Centre, Cnr Bosduif &amp; Volstruis Streets, Bridgetown, 7764.</p> |

## 6.3. Request procedure

We have authorised and designated our Information Officer to deal with all matters relating to PAIA to comply with our obligations in terms of PAIA. To request access to a record, please complete [Form 2](#) which is available from the Department of Justice and Constitutional website at [www.justice.gov.za](http://www.justice.gov.za) at these links:

- [https://www.justice.gov.za/forms/paia/J750\\_paia\\_Form%20A.pdf](https://www.justice.gov.za/forms/paia/J750_paia_Form%20A.pdf) in English;
- [https://www.justice.gov.za/forms/paia/J755\\_paia\\_Form%20A\\_afr.pdf](https://www.justice.gov.za/forms/paia/J755_paia_Form%20A_afr.pdf) in Afrikaans.

A request fee in the amount of R100,00 is payable before we will process your request. The payment of the request fee does not apply to a record requested by you seeking access to a record containing personal information about you (as per Government Notice R.757 of 27 August 2021).

You must submit the completed form to our information officer together with the relevant request fee at our information officer's email address, our physical address, or by fax in terms of our details provided above. Please ensure that the completed form:

- has enough information for the information officer to identify you, the requested records, and which form of access you require;
- specifies your email address, postal address, or fax number;
- provides any other way you would like to be informed of our decision other than in writing.

**You may request information by completing a request for access form and submitting it to our information officer together with a request fee.**

- Provision is made on [Form 2](#) for you to indicate whether you want a copy of the record or merely want to look at it.
- [Form 2](#) also provides for you to indicate in which language you require the record, although there is no obligation on us to translate it.
- According to Section 23(1)(a) of POPIA, a Data Subject, has the right to request CapeNature to confirm, at no cost, whether CapeNature possesses personal information about them.
- Access to information (other than the above), must be requested using [Form 3](#). There is a prescribed fee for requesting and accessing information in terms of PAIA.
- You may also indicate in what form (i.e., paper copy, electronic copy, etc.) we must provide you with access to the record. We will adhere to this unless doing so will unreasonably interfere with the running of CapeNature or for practical reasons access cannot be given in your required form or medium.
- A single person whose annual income does not exceed R14 712,00 per annum and married persons, or a person and their life partner whose annual income does not exceed R27 192,00 are exempted from paying access fees (as per Government Notice R991 of 14 October 2005).
- In certain instances, we may also request you to pay a deposit.
- Access to a record will be withheld until all applicable fees have been paid.
- Information may be requested on behalf of another person, but the capacity in which the request is made must be indicated.
- If a requester is unable to read or write, or cannot complete the form because of a disability, the request can be made orally. The Information Officer, or a person so delegated, must then fill in the form on behalf of such requester and give him/her a copy of the completed form.

#### **6.4. Grounds for refusal**

We may have to refuse you access to certain records in terms of PAIA to protect:

- someone else's privacy;
- another company's commercial information;

- someone else's confidential information;
- the safety of individuals and property;
- police dockets, and law enforcement in bail or legal proceedings respectively;
- records privileged from production in legal proceedings;
- research information;
- the economic interests and financial welfare of South Africa, and commercial activities of public bodies;
- the operations of public bodies; or
- against frivolous requests, or substantial and unreasonable diversion of resources.

We will notify you in writing whether your request has been approved or denied within 30 calendar days after we have received a completed request for access form. If we cannot find any requested record or it does not exist, then we will notify you by way of affidavit that it is not possible to give access to that particular record.

#### 6.5. Submission of a Complaint

Any person who wishes to submit a complaint contemplated in section 74(1) of POPI must submit such a complaint to the Regulator using Part I of [Form 4](#).

A data subject who wishes to submit a complaint contemplated in section 74(2) of POPI must submit such a complaint to the Regulator on [Form 4](#).

**We may have to refuse you access to a record to protect others.**

### 7. How we process and protect personal information – section 14(1)(c)

We process the personal information of various categories of people for various purposes as set out in this clause.

#### 7.1. Categories of people

We process the personal information of the following categories of people:

- customers;
- prospects or leads;
- employees;
- recruiters and medical practitioners providing services related to employees;
- contractors, vendors, or suppliers;

- children and their guardians;
- debtors and creditors; and
- members.

## 7.2. Purposes

We process the personal information to:

- provide our goods or supply our services;
- better understand our data subjects' needs when doing so;
- keep our data subject records up-to-date;
- manage employees in general;
- manage supplier contracts in general;
- manage customers in general;
- manage customer credit in general;
- market to customers;
- educate children in general;
- enforce debts;
- market goods and services to prospects;
- run promotional competitions for businesses;
- process customer requests or complaints; and
- process personal information of employees for forensic purposes.

## 7.3. Categories of personal information

We process many different categories of personal information, including:

- contact details, such as phone numbers, physical and postal addresses, and email addresses;
- personal details, such as names and ages;
- demographic details, such as races and age groups;
- health information;
- biometric information;
- account numbers;
- background information;
- contract information;
- credit information;
- market intelligence information;

- learner information; and
- debt and debtor information.

#### 7.4. Third-party disclosures

We give the following people personal information that we process in the ordinary course of business to fulfil our obligations to our customers:

- contractors, vendors, or suppliers;
- agents, distributors, or other resellers;
- operators, other responsible parties, or co-responsible parties; and
- third party vendors (such as software developers) to help us maintain our services.

#### 7.5. Security

We secure data by maintaining reasonable measures to protect personal information from loss, misuse, and unauthorized access, disclosure, alteration, and destruction. We also take reasonable steps to keep personal information accurate, current, complete, confidential, and reliable for its intended use.

**We do our best to keep all data in our possession secure and up to date.**

### 8. Remedies available – section 14(1)(a)(iii)

If your request for access to a record has been refused, delayed, or granted subject to unreasonable fees or in an unacceptable form, section 78(2)(c) allows for you to apply to a court, by way of an application, within 180 days, for appropriate relief in terms of section 82.

You may not lodge an internal appeal under section 74 of PAIA. Section 74 only makes provision for internal appeals for public bodies referred to in **paragraph (a)** of the definition of "public body" in section 1 of PAIA. CapeNature is a public body as referenced in **paragraph (b)** of the definition of "public body" in section 1 of PAIA. Therefore, you cannot lodge an internal appeal against a decision of our Information Officer.

### 9. Services available to the public – section 14(1)(b)(iv)

- Administers the Western Cape Nature Conservation Board Act 15 of 1998;
- Copies of – checklists, information booklets, maps, and brochures (if any);
- Copies of – legislation, policies, and guidelines (if any); and

- CapeNature provides accommodation and day visits to members of the public.

#### **10. Arrangement allowing involvement in the formulation of policy and performance of functions – section 14(1)(b)(v)**

None

#### **11. Accessibility and availability of this manual – section 14(3)**

The English version of this manual is available for viewing at the physical address of the Information Officer. The manual is available for viewing on CapeNature's website.

The link to the website is as follows: <https://www.capenature.co.za/privacy-and-legal>