



Human Trafficking Institute

PAIA MANUAL

**Prepared in terms of section 51 of the Promotion of Access
to Information Act 2 of 2000 (as amended)**

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1. LIST OF ACRONYMS AND ABBREVIATIONS

1.1	“Minister”	Minister of Justice and Correctional Services;
1.2	“PAIA”	Promotion of Access to Information Act 2 of 2000 (as amended);
1.3	“POPIA”	Protection of Personal Information Act, 4 of 2013;
1.4	“Regulator”	Information Regulator; and
1.5	“Republic”	Republic of South Africa

1. PURPOSE OF PAIA MANUAL

This PAIA Manual is useful for the public to

- 2.1 check the categories of records held by a body which are available without a person having to submit a formal PAIA request;
- 2.2 have a sufficient understanding of how to make a request for access to a record of the body, by providing a description of the subjects on which the body holds records and the categories of records held on each subject;
- 2.3 know the description of the records of the body which are available in accordance with any other legislation;
- 2.4 access all the relevant contact details of the Information Officer who will assist the public with the records they intend to access;
- 2.5 know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- 2.6 know if the body will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.7 know the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.8 know the recipients or categories of recipients to whom the personal information may be supplied;
- 2.9 know if the body has planned to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied; and
- 2.10 know whether the body has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

2. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF HUMAN TRAFFICKING INSTITUTE

Information Officer

Name: Glen Parks
Tel: +27 83 636 0178
Email: glen.parks@traffickinginstitute.org

Head Office

Registered Address: 3rd Floor Office 302

114 Bree Street

Cape Town

8000

Telephone: +1 888-373-7888

Email: <mailto:contact@traffickinginstitute.org>

Website: www.traffickinginstitute.org

Please contact the Information Officer to request access to a record as stipulated in this Manual.

3. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

- 3.1. The Regulator has, in terms of section 10(1) of PAIA, as amended, updated and made available the revised Guide on how to use PAIA (**Guide**), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.
- 3.2. The Guide is available in each of the official languages and in braille.
- 3.3. Members of the public can inspect or make copies of the Guide from the offices of the public and private bodies, including the office of the Regulator, during normal working hours.
- 3.4. The Guide can also be obtained-
 - 3.4.1. upon request to the Information Officer; and
 - 3.4.2. from the website of the Regulator (info regulator.org.za).

4. CATEGORIES OF RECORDS OF HUMAN TRAFFICKING INSTITUTE WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

4.1. Statutory records

- 4.1.1. Records maintained at the Companies and Intellectual Property Commission (CIPC);
- 4.1.2. Public relations brochures and publications;
- 4.1.3. Media releases;
- 4.1.4. Records of a public nature, typically those disclosed on HTI's website and in its various annual reports, may be accessed without the need to submit a formal application; and
- 4.1.5. Other non-confidential records, such as statutory records maintained at CIPC, may also be accessed without the need to submit a formal application. However,

please note that an appointment to view such records will also have to be made with the Information Officer.

4.2. Companies Act records

- 4.2.1. Documents of incorporation in Delaware, USA;
- 4.2.2. Documents of registration as an external company in South Africa; and
- 4.2.3. Records relating to the appointment of directors/ auditor / secretary/ public officer and other officers.

4.3. Income Tax records

- 4.3.1. Skill Development Levies; and
- 4.3.2. Workmen's Compensation

**5. DESCRIPTION OF THE RECORDS OF HUMAN TRAFFICKING INSTITUTE
WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION**

- 5.1. Basic Conditions of Employment Act, 75 of 1997;
- 5.2. Broad Based Black Economic Empowerment Act, 53 of 2003;
- 5.3. Sexual Offences Act, 32 of 2007
- 5.4. Companies Act, 71 of 2008;
- 5.5. Competition Act, 89 of 1998;
- 5.6. Consumer Protection Act, 68 of 2008;
- 5.7. Criminal Procedure Act, 51 of 1977;
- 5.8. Currency and Exchanges Act, 9 of 1993;
- 5.9. Customs and Excise Act, 91 of 1964;
- 5.10. Electronic Communications and Transactions Act, 25 of 2002;
- 5.11. Employment Equity Act, 55 of 1998;
- 5.12. Income Tax Act, 95 of 1967;
- 5.13. Labour Relations Act, 66 of 1995;
- 5.14. Occupational Health and Safety Act, 85 of 1993;
- 5.15. Prevention of Organised Crime Act, 121 of 1998;
- 5.16. Promotion of Access to Information Act, 2 of 2000;
- 5.17. Protection of Personal Information Act, 4 of 2013;
- 5.18. Skills Development Act, 97 of 1988;
- 5.19. Skills Development Levies Act, 9 of 1999;

- 5.20. Tax Administration Act, 28 of 2011;
- 5.21. Unemployment Insurance Act, 30 of 1966
- 5.22. Unemployment Insurance Contributions Act, 4 of 2002; and
- 5.23. Value Added Tax Act, 89 of 1991.

It is possible that the above list may be incomplete.

6. DESCRIPTION OF THE SUBJECTS ON WHICH HUMAN TRAFFICKING INSTITUTE HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT

The below is not exhaustive and may change over time. When this happens, we will update this manual.

Subjects on which the body holds records	Categories of records
Strategic Documents, Plans, Proposals	Annual Reports, Strategic Plan, Annual Performance Plan.
Operational Records	Guides, tools and training materials developed by HTI for use in its work, training agendas and registration documents.
Human Resources	<ul style="list-style-type: none"> - HR policies and procedures - Advertised posts - Employees records - General terms of employment - Leave records - Performance management records - Staff personnel information - Health and safety records - Training records
Companies Act Records	Records kept in terms of the Companies Act, 2008, including: <ul style="list-style-type: none"> - Memorandum and articles of association - Memorandum of incorporation

Subjects on which the body holds records	Categories of records
	<ul style="list-style-type: none"> - Records relating to appointment of directors/auditor/secretary/public officer and other officers - Statutory registers, asset register, minute books, mandates and resolutions.
Financial Records	<ul style="list-style-type: none"> - Annual financial statements - Tax returns - Accounting records - Banking records - BBBEE audit records - Documents issued to employees for income tax purposes - Records of payments made to SARS - All other statutory records including VAT records, regional services levies, skills development levies, information stored on fleet cards, travel related expenses and information, insurance records and UIF payments.
Information Technology	<ul style="list-style-type: none"> - IT Application systems - IT Infrastructure - Websites - Contracts and agreements - Asset manager/registers - Information policies, standards, procedures and guidelines - Access control records - Network and security architectures - Applications architecture - Applications register - Integrations register - Project documentation - Support documentation

Subjects on which the body holds records	Categories of records
	- IT Metric reports
Intellectual Property	- Documents relating to trademarks, logos, designs, and materials
Marketing and Communication	<ul style="list-style-type: none"> - Marketing brochures - Partner and stakeholder contact details - Media releases
Secretarial and Governance	<ul style="list-style-type: none"> - Codes of conduct - Meetings of minutes - Legal compliance records - Licences - Policies and procedures

8. PROCESSING OF PERSONAL INFORMATION

8.1 Purpose of Processing Personal Information

8.1.1 Human Trafficking Institute uses personal information under its care in the following ways:

8.1.1.1 Rendering services according to contractual agreements;

8.1.1.2 Marketing and advertising;

8.1.1.3 Administration;

8.1.1.4 Staff administration;

8.1.1.5 Recruitment;

8.1.1.6 Security purposes;

8.1.1.7 Keeping accounts and records;

8.1.1.8 Compliance with tax laws / fulfilling its statutory obligations in terms of applicable legislation; and

8.1.1.9 Historical record keeping / recording statistics necessary to fulfil HTI's business objectives.

8.2 Description of the categories of Data Subjects and of the information or categories of information relating thereto

Categories of Data Subjects	Personal Information that may be processed
Service Providers and Suppliers	Nature of the personal information processed in respect of the categories of data subjects, includes, in relation to: <ul style="list-style-type: none"> - Natural persons: name, gender, medical information, biometric information, pregnancy, marital status, race, age, date of birth, language, education information, financial information, employment history, identity number, physical and postal addresses, contact details, criminal behaviour, disability, personal opinions, and views. - Juristic persons/entities: names of contact persons, name of legal entity, physical and postal addresses, contact details, registration number, founding documents, tax related information, authorised signatories and financial information.
Partners and stakeholder organisations	
Existing and former employees and job applicants	
Directors and officers within HTI	
Persons of interest, victims, suspects, accused persons, and witnesses to human trafficking cases	

8.3 The recipients or categories of recipients to whom the personal information may be supplied

8.3.1 Human Trafficking Institute may supply personal information to the following recipients:

8.3.1.1 Regulatory, statutory, and governmental bodies;

8.3.1.2 Service providers;

8.3.1.3 Suppliers;

8.3.1.4 Professional advisors;

8.3.1.5 Employees of the Human Trafficking Institute

8.3.1.6 A partner or potential partner of the Human Trafficking Institute

8.3.1.7 Banks and other financial institutions.

- 8.3.2 Disclosures will be made subject to applicable law. Where required, we require all third parties to respect the confidentiality of your personal data and to treat it in accordance with the law.

8.4 Planned transborder flows of personal information

Human Trafficking Institute intends to transfer personal information, subject to applicable law, to third parties in other countries who provide us with data hosting services on foreign cloud-based servers. We require such third parties to adhere to applicable law in respect of such cross-border transfer of personal information, and to respect the security of your personal information and to treat it in accordance with the law.

8.5 General description of Information Security Measures to be implemented by Human Trafficking Institute to ensure the confidentiality, integrity and availability of the information

- 8.5.1 Human Trafficking Institute has established and maintains appropriate, reasonable technical and organisational measures to ensure the integrity of personal information in its care and control, and to ensure that such personal information is protected against unauthorised or unlawful processing, accidental loss, destruction or damage, alteration or access by having regard to the requirements of POPIA.

- 8.5.2 Human Trafficking Institute has defined policies, process and technical controls designed to maintain appropriate levels of Confidentiality, Integrity and Availability within the organisation.

8.5.2.1 **Confidentiality:** we protect information from unauthorised disclosure, through the use of people (employee security awareness), process (information security policies, standards and guidelines) and technical controls.

8.5.2.2 **Integrity:** we protect information from improper modification, through both inadvertent and deliberate means:

8.5.2.2.1 users of information assets are uniquely identified as a person with rights to access the information.

8.5.2.2.2 information is only be divulged on a need-to-know basis.

8.5.2.2.3 access to information is be granted and controlled based on the principle of Least Privilege.

8.5.2.3 **Availability:** our business continuity and disaster recovery process and technical controls minimise the loss of system or service functionality or operational effectiveness due to an unforeseen event.

9. UPDATING OF THE MANUAL

The Information Officer of Human Trafficking Institute will on a regular basis update this manual.

Issued by



Information Officer