



PROMOTION OF ACCESS TO INFORMATION MANUAL

Prepared in terms of section 14 of the Promotion of Access to Information
Act, 2000 (Act 2 of 2000) (as amended)

ENGLISH

TABLE OF CONTENTS

1. Introduction	4
2. Acronyms.....	6
3. Definition of terms	6
4. Objective of the PAIA.....	9
5. Purpose of the PAIA Manual.....	10
6. Establishment of the NGB.....	10
7. Organisational structure and functions of the NGB.....	12
8. Services available to members of the public from the NGB and how to gain access to those services	17
9. Key contact for access to information of the NGB	23
10. Description of all remedies available in respect of an Act or a failure to act by the NGB.....	24
11. Guide on how to use PAIA and how to obtain access to the Guide	24
12. Access to records held by the NGB	25
13. Records of the NGB which are available without a person having to request access ..	28
14. Records of the NGB that may be accessed by following the processes as stipulated in sections 11 and 18 of the PAIA.....	29
15. Categories of records that may be subject to the grounds for refusal of access to records	31
16. Procedure for requesting access to information held by the NGB	32
17. Turnaround times for attending to requests.....	36
18. Public involvement in the formulation of policy or the exercise of powers or performance of duties by the NGB.....	37
19. Processing of personal information	37
20. Availability of Manual	41
21. Records that cannot be found or do not exist	41
22. Disposal of records	42
23. Implementation	42
24. Deviation from the Policy	42
25. Update and review of Manual.....	42
26. Policy review.....	42

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1. INTRODUCTION

This Promotion of Access to Information Manual (PAIA Manual) is compiled as a statutory requirement in compliance with the provisions of section 14 of the Promotion of Access to Information Act, 2000 (Act 2 of 2000) (PAIA), which mandates all public bodies to compile and publish a manual indicating information/records under its custody that are readily available to the public, as well as those that need to be requested through provisions of the PAIA.

This PAIA Manual represents only the National Gambling Board (NGB) and does not include information/records of the various provincial gambling boards. Section 32 of the Constitution of the Republic of South Africa, 1996 (the Constitution) grants everyone the right of access to any information held by the state or by another person and that is required for the exercise or protection of any right.

The Promotion of Access to Information Act, 2000 (Act 2 of 2000) (PAIA) (as amended), in the realisation of these constitutional rights specifically:

- Charges all public bodies with the responsibility to facilitate public access to information/record(s) under their custody;
- Provides a framework and procedures for the public to exercise their constitutional right to information as swiftly, inexpensively and effortlessly as reasonably possible;
- Stipulates mechanisms that public bodies must put in place, to facilitate access to such information by members of the public; and
- Outlines conditions under which restricted access applies, including those relating to personal, commercial, financial, technical or scientific information about a third party; information which may affect court or police proceedings, e.g., police dockets in bail proceedings and certain categories of information about the South African Police Services (SAPS).

There are undoubtedly limitations to the public realisation of the rights as stipulated in section 36 of the Constitution and sections 33 to 45 of the PAIA, respectively.

In compliance with the statutory requirements of the PAIA and to contribute to the promotion of transparency, accountability and effective governance, the NGB has produced a PAIA Manual as a mechanism to facilitate public access to information/record(s) under its custody.

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It is hoped that this PAIA Manual will serve as an effective platform/tool for providing the public with the relevant information to enable them to exercise their right of access to information under the custody of the NGB.

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2. ACRONYMS

AA	:	Accounting Authority
Constitution	:	Constitution of the Republic of South Africa, 1996
DIO	:	Deputy Information Officer
FICA	:	Financial Intelligence Centre Act 38 of 2001
IO	:	Information Officer
IR	:	Information Regulator
NGB	:	National Gambling Board
NGA	:	National Gambling Act 7 of 2004
NGPC	:	National Gambling Policy Council
PHA	:	Public Holidays Act 36 of 1994
PAIA	:	Promotion of Access to Information Act 2 of 2000
PFMA	:	Public Finance Management Act 1 of 1999
PLA	:	Provincial Licensing Authority
POCA	:	Prevention of Organised Crime Act 121 of 1998
POPIA	:	Protection of Personal Information Act 4 of 2013
the dtic	:	Department of Trade, Industry and Competition

3. DEFINITION OF TERMS

No.	Term	Definition
1.	Access Fee	means the fee prescribed for the purposes of section 22(6) or 54 (6), as the case may be.
2.	Automatically Available	means records that can be accessed without having to request access in terms of section 15 of the PAIA.
3.	Available on Request	means records that can be accessed by following the processes as stipulated in sections 11 and 18 of the PAIA. Access to these records may be refused on legal grounds listed in the PAIA.
4.	Data Subject	means the person to whom the personal information relates.
5.	Deputy Information Officer (DIO)	means the designated official(s) of the NGB, who are responsible for assisting the Information Officer with a PAIA request.
6.	Guide	means the guide on how to use PAIA by any person who wishes to exercise any right in terms of the PAIA as prescribed in PAIA section 10.

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No.	Term	Definition
7.	Information Officer	means the Chief Executive Officer of the National Gambling Board.
8.	Information Regulator	means the Information Regulator established in terms of section 39 of the Protection of Personal Information Act, 2013 (Act 4 of 2013)
9.	Internal Appeal	means the internal appeal to the relevant authority in terms of section 74 of PAIA.
10.	PAIA	means the Promotion of Access to Information Act, 2000 (Act 2 of 2000).
11.	Person	means a natural person or a juristic person.
12.	Personal Information	means information about an identifiable natural person, including, but not limited to; (a) information relating to race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person; (b) information relating to the education or the medical, financial, criminal or employment history of the person; (c) any identifying number, symbol, email address, physical address, telephone number, location information, online identifier or other particular assigned to the person; (d) the biometric information of the person; (e) the personal opinions, views or preferences of the person; (f) correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence; (g) the views or opinions of another individual about the person; and (h) the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person, but excludes information about an individual who has been dead for more than 20 years.
13.	Public Body	means any department of state or administration in the national or provincial sphere of government or any municipality in the local

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No.	Term	Definition
		sphere of government or any other functionary or institution when (i) exercising a power or performing a duty in terms of the Constitution or provincial constitution or (ii) exercising a public power or performing a public function in terms of any legislation.
14.	Record	means in relation to a public or private body, any recorded information regardless of form or medium, in the possession or under the control of that public or private body, respectively; and whether or not it was created by that public or private body, respectively.
15.	Records Automatically Available	means records that can be accessed without a person having to request access in terms of section 15 of the PAIA.
16.	Records Available on Request	means records that can be accessed through processes stipulated in sections 11 and 18 of the PAIA.
17.	Request Fee	means a request fee payable by a requester (if applicable) when submitting a request for access as per the provisions of section 22 of the PAIA.
18.	Request for Access	means in relation to a public body, a request for access to a record of a public body in terms of section 11 or in terms of a private body, means a request for access to a record of a private body in terms of section 50 of the PAIA.
19.	Requester	<p>means in relation to a public body, (i) any person (other than a public body contemplated in paragraph (a) or (b) (i) of the definition of “public body”, or an official thereof) making a request for access to a record of that public body; or (ii) a person acting on behalf of the person referred to in subparagraph (i).</p> <p>means in relation to a private body, (i) any person, including, but not limited to, a public body or an official thereof, making a request for access to a record of that private body; (ii) a person acting on behalf of the person contemplated in subparagraph (i).</p>

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No.	Term	Definition
20.	Responsible Party	means a public or private body or any other person which, alone or in conjunction with others, determines the purpose of and means for processing personal information.
21.	Third Party	<p>means in relation to a request for access to a record of a public body, means any person (including, but not limited to, the government of a foreign state, an international organisation or an organ of that government or organisation) other than the requester concerned and the public body.</p> <p>Means in relation to a request for access to a record of a private body, means any person (including but not limited to, a public body) other than the requester.</p> <p>But, for the purposes of sections 34 and 63, the reference to 'person' in paragraphs above must be construed as a reference to 'natural person'.</p>
22.	Working Days	means any days other than Saturdays, Sundays, or public holidays as defined in section 1 of the Public Holidays Act, 1994 (Act 36 of 1994).

4. OBJECTIVE OF THE PAIA

In terms of section 9 of the PAIA, the objectives of the Act are:

- to give effect to the constitutional right of access to information held by the state and any information that is held by another person that is required for the exercise or protection of any rights;
- to give effect to the right of access to information; subject to justifiable limitations, including, but not limited to, limitations aimed at the reasonable protection of privacy, commercial confidentiality and effective, efficient and good governance; and in a manner which balances that right with any other rights, including the rights in the Bill of Rights in Chapter 2 of the Constitution;
- to give effect to the constitutional obligations of the state of promoting a human rights culture and social justice;
- to establish voluntary and mandatory mechanisms or procedures to give to the right of access to information in a manner which enables persons to obtain access

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to records of public and private bodies as swiftly, inexpensively and effortlessly as reasonably possible; and

- to promote transparency, accountability and effective governance of all public and private bodies.

5. PURPOSE OF THE PAIA MANUAL

This PAIA Manual can be used by members of the public to:

- establish the nature of the records which may already be available at the NGB, without the need for submitting a formal PAIA request;
- have an understanding of how to request access to a record of the NGB;
- access all the relevant contact details of the persons who will assist the public with the records they intend to access;
- determine the NGB's structure, functions and services it renders to the public and how to gain access to those services;
- know all the remedies available from the NGB regarding the request for access to the records, before approaching the courts;
- outline the description of the guide on how to use PAIA, as updated by the Information Regulator and how to obtain access to it;
- understand if the NGB will process personal information, the purpose of processing personal information, the description of the categories of data subjects and of the information or categories of information relating thereto;
- know if the NGB 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
- know whether the NGB has appropriate security measures to ensure the confidentiality, integrity and availability of the information which is to be processed.

6. ESTABLISHMENT OF THE NGB

6.1. Strategic Overview

The NGB is established in terms of the National Gambling Act (NGA), 2004 (Act 7 of 2004), and is a Schedule 3A Public Entity in terms of the Public Finance Management Act (PFMA), 1999 (Act 1 of 1999). The mandate of the NGB is set out in sections 33 and 34, read with sections 21, 32 and 65 of the NGA, as follows:

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- Oversight of gambling in the Republic of South Africa by:
 - Evaluating the issuing of national licences by the Provincial Licensing Authorities (PLAs);
 - Evaluating the compliance monitoring of licensees by PLAs;
 - Conducting oversight evaluation of the performance of PLAs to ensure that the national norms and standards established by the NGA are applied uniformly and consistently throughout the Republic; and
 - Assisting PLAs to ensure that unlicensed gambling activities are detected.
- Monitoring of market conduct and market share.
- Monitoring socio-economic patterns of gambling activity and research and identify patterns of the socio-economic impact of gambling and addictive or compulsive gambling.
- Establishing and maintaining a national registry of every gambling machine or gambling device manufactured within or imported into the Republic, as well as maintaining all other legislator prescribed registers.
- Investigating the circumstances of any gambling activity that relates to unlawful winnings that the NGB has held in trust, and either deliver the winnings to the person who won them if not found to be illegal winnings or apply to the High Court for an order to declare the winnings forfeited to the State if the gambling activity was found to be illegal.
- Advising and providing recommendations to the National Gambling Policy Council (NGPC) on, amongst others, matters of national policy and legislative changes relating to gambling.

6.2. Vision

To position South Africa as the pre-eminent jurisdiction with an exemplary and effective regulated gambling Industry.

6.3. Mission

Lead the regulation of the gambling industry in the fulfilment of the National Gambling Act, 2004, through an effectively regulated and supervised gambling industry that upholds domestic, continental and internationally recognised standards of compliance.

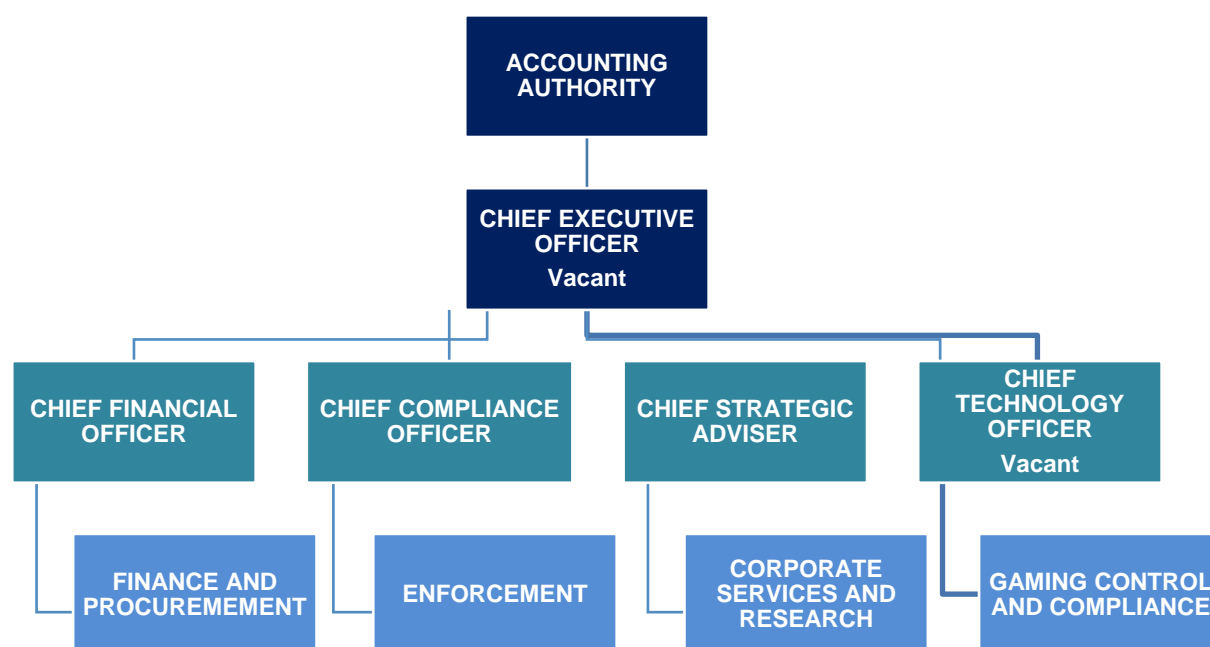
6.4. Values

The core values guiding and regulating the NGB are based on the Constitution and supporting legislation and include:

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- Professionalism
- Moral Integrity
- Transparency
- Commitment and consistency
- Effective Implementation of resolutions
- Responsive
- Communication
- Teamwork
- Respect and Tolerance

7. ORGANISATIONAL STRUCTURE AND FUNCTIONS OF THE NGB



7.1. PROGRAMME 1: GAMING CONTROL AND COMPLIANCE DIVISION (GCCD)

7.1.1. Purpose of the programme

The Gaming Control and Compliance Division (GCCD) provides mandated operational core functions in terms of the NGA. The GCCD provides technical analysis of the modes of gambling, system audits and enforcement in line with statutory imperatives as provided for in gambling legislation. It provides reliable information through national centralised databases and contributes towards providing accessible, transparent and sufficient access for economic citizens to ensure the ease of doing business. The sub-programmes of the GCCD are set out as follows:

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7.1.2. Functional National Registers

The NGB is the custodian of national registers in terms of the NGA. The NGA requires that the NGB must establish and maintain, in the prescribed manner and form national registers to provide a national repository of gambling sector-specific information. The NGB is required to provide the information in its registry to PLAs in the prescribed manner and form to ensure information sharing and compliance as contemplated in the NGA.

7.1.3. National Central Electronic Monitoring System (NCEMS)

The NGB is obliged by section 27 of the NGA read with regulation 14 of the National Gambling Regulations to supply, install, commission, operate, manage and maintain a National Central Electronic Monitoring System (NCEMS) which is capable of detecting and monitoring significant events, associated with any LPM that is made available for play in the Republic and analysing and reporting data according to the requirements of sections 21 to 26 of the NGA. NCEMS is essentially a system to track each LPM operated by a Route Operator (RO) or Independent Site Operator (ISO) in terms of location and status; record and validate every transaction on the LPM in real-time, and periodically report collected data.

The NCEMS enables the NGB to fulfil its oversight responsibility over the PLAs in terms of section 65 of the NGA, maintain the national register in terms of section 21 of the NGA, monitor and evaluate the PLAs compliance with the NGA and enable the NGB to assist the PLAs to detect and suppress unlawful gambling and unlicensed gambling activities.

7.1.4. Gaming Control

The NGB will monitor and analyse technological developments that affect gambling regulation and provide advice on the compliance of gambling machines and devices in terms of the NGA. The NGB will review and analyse the certification of gambling products, new gambling products, and the adoption of technology in the gambling industry in accordance with the technical standards (SANS1718) developed by the South African Bureau of Standards in accordance with the Standards Act.

7.1.5. Compliance

The NGB will ensure compliance with section 33 of NGA, which requires the NGB to evaluate the issuing of national licences by PLAs and the compliance monitoring of licensees by PLAs. The section further requires the NGB to conduct oversight

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evaluations of the performance of PLAs, in a manner stipulated in section 34 of the NGA to ensure that norms and standards are applied uniformly and consistently by all PLAs.

7.2. PROGRAMME 2: ENFORCEMENT DIVISION (ED)

7.2.1. Purpose of the programme

The Enforcement Division (ED) monitors the integrity of the processes and provides inputs in the development and maintenance of gambling technical standards. This programme is mandated in terms of the NGA to undertake cooperative activities to prevent and suppress illegal gambling activities and investigate suspected cases of unlawful gambling activities. Furthermore, the programme facilitates the resolution of disputes as an effort to ensure fairness in the gambling industry. The sub-programmes of the ED are set out as follows:

7.2.2. Input to the technical standards committee

The South African Bureau of Standards (SABS) is the national institution for the production and maintenance of technical standards in South Africa. The SANS 1718 family of standards apply to the gambling industry. The NGB is mandated by section 22 of the NGA to ensure that all gambling machines and devices that are registered in terms of the NGA are certified as complying with the relevant standards (SANS 1718) for such machines and devices.

The NGB therefore participates as a member of the technical committees. Participation aids the NGB in monitoring and influencing standards development for the benefit of regulated industries. Participation in the SABS standards development, South African National Accreditation System (SANAS) assessment of test laboratories and National Regulator for Compulsory Specifications (NRCS), as well as regular engagement with NRCS, will provide the NGB with important intelligence in the processes relating to the gambling product value chain.

7.2.3. Interventions implemented to protect the gambling industry

The NGB is mandated to assist PLAs to ensure that unlicensed gambling activities are detected, prevented, and policed. The ED engages with relevant enforcement agencies to facilitate reporting and investigations of detected illegal gambling activities. Together with the PLAs and relevant enforcement agencies, the ED embarks on national inspections of unlicensed operations to gather information required to register enquiries and initiate investigations by the SAPS. Furthermore, the ED embarks on an in-depth analysis of compliance considerations undertaken by the licensing authorities when

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authorising the said activities by its licensees and accordingly provide recommendations based on the outcome of the investigation and when necessary, takes legal action.

7.2.4. Targeted investigations completed on the circumstances of illegal gambling activity

The NGB has the sole mandate to investigate and make a determination whether the activity undertaken on a reported unlawful winnings matter was indeed unlawful in terms of the NGA. The ED ensures compliance with section 16 of the NGA, that the circumstances of the gambling activity of any winnings withheld and remitted to the NGB are investigated and if found to be illegally obtained, such funds will be forfeited to the State. Therefore, the ED will ensure that the targeted investigations are completed within thirty (30) days from receipt of complete documents.

7.3. PROGRAMME 3: CORPORATE SERVICES AND RESEARCH DIVISION (CSRD)

7.3.1. Purpose of the Programme

The Corporate Services and Research Division (CSRD) provides mandated operational core functions in terms of the NGA. The division specifically provides a broad-based public education and awareness programme as well as an economic analysis of the gambling sector performance of the gambling industry. The CSRD provides support services to the NGB to ensure satisfactory internal and external stakeholder engagement and seeks to attain a conducive work environment, which enhances business efficiency. The sub-programmes of the CSRD are set out as follows:

7.3.2. Legal Services

Legal Services provides corporate legal services to the NGB in the form of legal opinions, legal advice, legislative drafting, litigation, drafting and vetting of contracts and records management. Legal Services ensures that NGB interests are promoted and protected in its business operations and further ensures that the NGB operates within the ambit of the law. Furthermore, legal services ensures proper records maintenance, access to and protection of information by the NGB.

7.3.3. Information and Communication Technology

The function of the Information and Communication Technology (ICT) unit is to support the NGB in matters of ICT strategic development and maintenance of the communication and management systems, thereby safeguarding the assets of the

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NGB. The unit ensures that the ICT support functions are carried out in a manner that supports the strategic objectives and the mission statement of the NGB. ICT is geared at supporting and enhancing the overall organisational performance through the provision of assistive technologies.

7.3.4. Human Capital Optimisation

Human Capital Optimisation (HCO) focuses on integrated management of the work environment in order to optimise and nurture human capital to ensure business efficiency is obtained and that there is a conducive environment wherein balanced labour relations are maintained.

7.3.5. Research and Advisory Services

Research and advisory services are mandated in terms of section 65 of the NGA to monitor socio-economic patterns of gambling activity within the Republic and monitor gambling sector performance, market share and market conduct in the gambling industry. A broad-based public education programme about the risks and socio-economic impact of gambling is facilitated through educational campaigns. The aim is to maintain social dialogue with industry stakeholders on the consequences of the overstimulation of gambling, compulsive and addictive gambling, and the negative impact of participating in any unregulated gambling activity.

7.4. PROGRAMME 4: FINANCE AND PROCUREMENT DIVISION (FPD)

7.4.1. Purpose of the Programme

The Finance and Procurement Division (FPD) provides strategic financial management support and procurement services to the NGB. Finance and procurement services facilitate the overall management of the NGB and provide strategic financial management support to the organisation. It is the custodian of financial resources. The division comprises of two units that provide specialised support services to the NGB. The sub-programmes of the FPD are set out as follows:

7.4.2. Finance

Finance maintains reliable financial records which are prepared regularly for both internal and external stakeholders. These financial records are presented to external auditors annually to obtain an independent opinion on whether the NGB's financial records fairly present the state of its financial position, performance and cash flows.

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7.4.3. Procurement

Supply Chain Management (SCM) endeavours to procure goods and services in a manner that is fair, equitable, transparent, competitive and cost-effective. This is achieved by ensuring that goods and services procured are in line with the objectives of the NGB as set out in the Strategy and Annual Performance Plan. SCM also ensures that all procurement prescripts are complied with and that all SCM reporting requirements are met. Internal controls include Finance and SCM strategies, policies and procedures which are reviewed annually to ensure their continued effectiveness and compliance with statutory requirements. These controls are tested by internal auditors to verify that they are adequate.

7.5. NGB GOVERNANCE COMMITTEES

The NGB may, in terms of the NGA and the PFMA, if it considers it necessary for the proper performance of its functions, establish one or more committees. The NGB has established the following Committees:

- Executive Committee;
- Management Committee;
- Unlawful Winnings Committee;
- Audit and Risk Committee; and
- Risk Management Committee.

8. SERVICES AVAILABLE TO MEMBERS OF THE PUBLIC FROM THE NGB AND HOW TO GAIN ACCESS TO THOSE SERVICES

The Service Delivery Standards (SDSs) below provide the context for expected standards for NGB's regulatory services and institutional management:

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SERVICE DELIVERY STANDARD							
Outputs	Facilitated R2.5 billion revenue generation in the LPM sector to strengthen the domestic economy	Targeted investigations completed within twenty-five (25) days on illegal gambling matters	Turnaround time for resolution of queries lodged with the NGB	Gambling Sector performance analysis of the four sectors in the gambling industry for provision of market intelligence	Compliance with PFMA requirements at all times; effective control, support, utilisation, maintenance, management of resources	Compliance with PFMA requirements at all times; effective control, support, utilisation, maintenance, management of resources	Promotion of Access to Information held by the NGB
Key service	Processing Regulation 3(2)b applications in terms of Regulations on Limited Payout Machines 2000	Processing confiscated winnings in terms of Section 16 of the National Gambling Act, 2004 (Act 7 of 2004)	Complaints handling and Resolution of disputes	Trend Analysis	Payment of invoices	Administration of bids	Promotion of Access to Information in terms of the Promotion of Access to Information Act, 2000 (Act 2 of 2000)
Service Beneficiary	Provincial Licencing Authority Site Operators Route Operators	Provincial Licencing Authority Financial Service Providers (Banks) Punters Judiciary Law enforcement agencies	Stakeholders Provincial Licencing Authority Licensees	Stakeholders the dtic Portfolio Committee for Trade and Industry, Provincial Licensing Authority The public	National Treasury NGB Suppliers and creditors the dtic Parliament	National Treasury Prospective service providers the dtic Parliament	The public Stakeholders Provincial Licencing Authority Site Operators Route Operators Manufacturers Punters Licensees

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SERVICE DELIVERY STANDARD							
Consultation	Gambling Regulatory fora Meetings	Gambling Regulatory fora Meetings, Workshops and public awareness campaigns	Gambling Regulatory fora	Gambling Regulatory fora Meetings	Governance / oversight meetings	Governance / oversight meetings Bidders briefing sessions	Meetings
Service standards	Performance in terms of NGB Operational Plan 30 days turnaround time from date of receipt of all requisite documentation	Performance in terms of Strategic Plan and Annual Performance Plan 25 days turnaround time from date of receipt of all requisite documentation	Performance in terms of NGB Operational Plan 10 days turnaround time from date of request for all requisite documentation	Performance in terms of Strategic Plan and Annual Performance Plan Gambling Sector Performance report provided quarterly	Performance in terms of Strategic Plan and Annual Performance Plan 30 days turnaround time from date of receipt of invoice	Performance in terms of Strategic Plan and Annual Performance Plan Maximum bid validity period of 180 days	Performance in terms of the Promotion of Access to Information Act, 2000 (Act 2 of 2000) 30 days turnaround time from the date the PAIA request is received.
Access	NGB offices (1085 Francis Baard Street, Hatfield, 0028)	NGB offices (1085 Francis Baard Street, Hatfield, 0028)	NGB offices (1085 Francis Baard Street, Hatfield, 0028) NGB website www.ngb.org.za info@ngb.org.za the dtic offices Fraud hotline (email) fraudalert@ngb.org.za	NGB offices (1085 Francis Baard Street, Hatfield, 0028) NGB website www.ngb.org.za the dtic offices	NGB website www.ngb.org.za NGB offices (1085 Francis Baard Street, Hatfield, 0028)	NGB tender box at NGB offices (1085 Francis Baard Street, Hatfield, 0028) NGB website www.ngb.org.za National Treasury eTender portal www.etenders.gov.za	NGB offices (1085 Francis Baard Street, Hatfield, 0028) NGB website www.ngb.org.za

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SERVICE DELIVERY STANDARD							
Courtesy	NGB officials readily available between 08:00 am and 4.30 pm	NGB officials readily available between 08:00 am and 4.30 pm	NGB officials readily available between 08:00 am and 4.30 pm NGB website is available 24 hours, 7 days a week	NGB officials readily available between 08:00 am and 4.30 pm NGB website is available 24 hours, 7 days a week	NGB officials readily available between 08:00 am and 4.30 pm NGB website is available 24 hours, 7 days a week	NGB officials readily available between 08:00 am and 4.30 pm NGB website is available 24 hours, 7 days a week	NGB officials readily available between 08:00 am and 4.30 pm NGB website is available 24 hours, 7 days a week
Information	Acknowledgement of receipt of application from PLA Correspondence to PLA on application NGB limited payout machines criteria Criteria and guidance notes for the licencing of limited payout machines	Receipt of notices, Receipt of form NGB 2 Form NGB 2 - National Gambling Regulations 2004	Acknowledgement of receipt of the complaint Feedback on the complaint lodged Feedback on the resolution	Yearly Annual Audited Gambling Sector Performance Report and Presentation Research report on the impact of gambling Information shared at conferences seminars, workshops, meetings, forums, public events and exhibitions	Request for Quotations / Terms of Reference / Requests for Proposals	National Treasury's e-Tender Publication Portal Government Gazette NGB website (www.ngb.org.za) Media publication (where applicable)	Form 1: Request for a copy of the guide Form 2: Request for access to record Form 3: Outcome of request and fees payable Form 4: Lodging of an internal appeal Form 5: Lodging of complaint Annexure B: Fees

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SERVICE DELIVERY STANDARD							
Openness and transparency	Strategic Plan	Strategic Plan	NGB website (www.ngb.org.za)	Strategic Plan	Strategic Plan	Strategic Plan	Performance in terms of the Promotion of Access to Information Act, 2000 (Act 2 of 2000)
	Annual report	Annual report		Annual report	Annual report	Annual report	NGB PAIA Manual
	National Gambling Act, 2004 (Act 7 of 2004)	National Gambling Act, 2004 (Act 7 of 2004)		National Gambling Act, 2004 (Act 7 of 2004)	National Gambling Act, 2004 (Act 7 of 2004)	National Gambling Act, 2004 (Act 7 of 2004)	NGB website (www.ngb.org.za)
	NGB website (www.ngb.org.za)	NGB website (www.ngb.org.za)		NGB website (www.ngb.org.za)	Public Finance Management Act	Public Finance Management Act	
					NGB website (www.ngb.org.za)	NGB website (www.ngb.org.za)	
					National Treasury	National Treasury	
Redress	Fraud hotline (email) fraudalert@ngb.org.za or (Tel) 012 686-8800	Fraud hotline (email) fraudalert@ngb.org.za or (Tel) 012 686-8800	Fraud hotline (email) fraudalert@ngb.org.za or (Tel) 012 686-8800	ceo@ngb.org.za	Fraud hotline (email) fraudalert@ngb.org.za Or (Tel) 012 686-8800	Fraud hotline (email) fraudalert@ngb.org.za or (Tel) 012 686-8800	ceo@ngb.org.za
	ceo@ngb.org.za	ceo@ngb.org.za	ceo@ngb.org.za	info@ngb.org.za	scm@ngb.org.za	scm@ngb.org.za	info@ngb.org.za
	info@ngb.org.za	info@ngb.org.za	info@ngb.org.za			NGB website (www.ngb.org.za)	

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ACCOUNTING AUTHORITY

SERVICE DELIVERY STANDARD							
Value for money	Services offered and documents provided are free of charge	Services offered and forms provided are free of charge Forms can be downloaded from the NGB website at no cost, with the exception of court processes in terms of S16(4) of the National Gambling Act, 2004 (Act 7 of 2004)	Services and reports are provided free of charge	Services provided are free of charge	Services and reports are provided free of charge	Services are provided free of charge with exception of services listed in terms of the PFMA and as set out in the bid document	Services provided at a fee as prescribed in the Promotion of Access to Information Act, 2000 (Act 2 of 2000)

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9. KEY CONTACT FOR ACCESS TO INFORMATION OF THE NGB

9.1. Information Officer

Name: Mr. Lungile Dukwana
 Tel: 010 003 3495
 Email: legalservices@ngb.org.za

9.2. Deputy Information Officers

Name: Mr. Nkoatse Mashamaite
 Tel: 010 003 3472
 Email: legalservices@ngb.org.za

Name: Ms. Sibahle Nqwata
 Tel: 010 003 3499
 Email: legalservices@ngb.org.za

9.3. PAIA Unit / Legal Services

Email: legalservices@ngb.org.za
 Tel: 010 003 34 75

9.4. General Information

Postal address: Private Bag X 27
 Hatfield
 0028

Physical Address: 1085 Francis Baard Street
 Hatfield,
 Pretoria

Telephone: 010 003 3475

Email: info@ngb.org.za

Website: www.ngb.org.za

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10. DESCRIPTION OF ALL REMEDIES AVAILABLE IN RESPECT OF AN ACT OR A FAILURE TO ACT BY THE NGB

10.1. Complaints

- 10.1.1. The NGB is not the type of public body specified in paragraph (a) of the definition of “public body” in section 1 of the PAIA for the purposes of section 74 of PAIA, subsequently, a requester aggrieved by a decision of the Information Officer to refuse a request for access or a decision taken in terms of section 22, 26 (1) or 29 (3) may, within 180 days of the decision, submit a complaint, alleging that the decision was not in compliance with the PAIA to the Information Regulator in the prescribed manner and form for appropriate relief.
- 10.1.2. A third party aggrieved by a decision of the Information Officer to grant a request for access may within 180 days of the decision, submit a complaint, alleging that the decision was not in compliance with the PAIA to the Information Regulator in the prescribed manner and form for appropriate relief.
- 10.1.3. Complaints referred to in 10.1.1 and 10.1.2 must be submitted using **Form 5** as prescribed by PAIA. **Form 5** can be accessed for printing and/or population through this link: <https://info regulator.org.za/wp-content/uploads/2020/07/InfoRegSA-PAIA-Form05-Reg10-1.pdf>.

10.2. Appropriate relief from the courts

- 10.2.1. The NGB is not the type of public body specified in paragraph (a) of the definition of “public body” in section 1 of the PAIA for the purposes of section 74 of PAIA, subsequently, a requester aggrieved by a decision of the Information Officer to refuse a request for access or a decision taken in terms of section 22, 26 (1) or 29 (3) may, by way of an application and within 180 days, apply to a court for appropriate relief in terms of section 82 of the PAIA.
- 10.2.2. A third party aggrieved by a decision of the Information Officer to grant a request for access may, by way of an application and within 180 days, apply to a court for appropriate relief in terms of section 82 of the PAIA.

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

- 11.1. The Information Regulator has, in terms of section 10(1) of the PAIA, updated and made available a revised guide on the use of the PAIA (“Guide”) for any person wishing to exercise any right contemplated in PAIA or POPIA. The guide is available at the office of the Information Regulator.

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Physical address: 54 Maxwell Drive
Woodmead
Johannesburg
2191

Tel: 010 023 5200

Email: enquiries@inforegulator.org.za

Website: www.inforegulator.org.za

12. ACCESS TO RECORDS HELD BY THE NGB

Certain records, excluding records that are available on request, are automatically available without having to request access in terms of the PAIA. Other records maintained by the NGB must be requested in terms of the procedures outlined in this PAIA Manual.

12.1. Categories of records held by the NGB

- 12.1.1. The NGB records are managed in accordance with the provisions and requirements of the National Archives Act of South Africa, 1996 (Act 43 of 1996).
- 12.1.2. Records held by the NGB are generated through each of its divisions. Each division of the NGB generates substantive records which relate specifically to the outputs of the division and operational records in the course of organisational operations.
- 12.1.3. The categories of records of the NGB are classified in accordance with the approved NGB file plan.
- 12.1.4. The NGB reserves the right to transfer requests for records to relevant bodies where these bodies were the primary holders or generators of the information requested, or where the NGB no longer has possession of such record.
- 12.1.5. The NGB also reserves the right to create new categories of records where this is necessary. This PAIA manual will be updated to reflect changes in categories of records accordingly.

12.1.6. Description of the subjects on which the NGB holds records and the categories of records held on each subject

Below is a non-exhaustive list of records and the categories of records on each subject held by the NGB.

Subject on which the NGB holds records	Categories of records on each subject
Human Capital Optimisation	<ul style="list-style-type: none"> - HR Policies and Procedures - Advertised Posts - Employee Records - Training and Development Plan - Employment Equity Plan and Statistics - Occupational Health and Safety Plans
Finance	<ul style="list-style-type: none"> - Financial Accounting Records - Financial Reporting Records - Asset Administration Records - Budget - Audit Reports - Statements - Reports and Returns - Finance Policies and Procedures
Supply Chain Management	<ul style="list-style-type: none"> - Bid Documents - Service Level Agreements - Purchase Orders - Quotations - List of Bidders for Tenders - List of Tenders Awarded - SCM Policies and Procedures
Information and Communication Technology	<ul style="list-style-type: none"> - Incidents and Service Requests - ICT Asset issuing and custodian information - System Event Logs - System Performance Logs - System Maintenance Check Lists - ICT Reports - ICT Policies and Procedures - Network Maintenance - System Development Lifecycle documents
Corporate Governance	<ul style="list-style-type: none"> - Annual Reports - Strategic Plans - Annual Performance Plans

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Subject on which the NGB holds records	Categories of records on each subject
	<ul style="list-style-type: none"> - Operational Plans - Risk Management Reports - Fraud Prevention Plan - Corporate Governance Policies and Procedures - Service Standards - Organisational performance information
Legal Services	<ul style="list-style-type: none"> - Legislation and Regulations - Legal Services Policies and Procedures - Advisory Opinions/Documents - Records Management Policies and Procedures - File Plan - B-BBEE Implementation Plan and Reports
Compliance	<ul style="list-style-type: none"> - Compliance Oversight Reports - Compliance Reports - Oversight Strategy - Industry presentations
Gaming Control	<ul style="list-style-type: none"> - National Registers
Enforcement	<ul style="list-style-type: none"> - Enforcement Reports - Section 16 Investigations - Enforcement Strategy - Notices of complaints
Stakeholder Engagements	<ul style="list-style-type: none"> - Radio and Tv Interviews - Website Content - Pamphlets - Media Monitoring Reports - Newsletters - Official Statements - Stakeholder Reports - Stakeholder Policies and Procedures - Stakeholder Database - Photographs
Research	<ul style="list-style-type: none"> - Research Papers and Reports

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13. RECORDS OF THE NGB WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

Certain categories of records are automatically available without a person having to request them through PAIA processes as per the provisions of section 15 of the PAIA. Information/records that are automatically available are made available on the organisation's website www.ngb.org.za and in the office in the manner or form requested, should this be reasonable and possible. Other information that is automatically available includes:

Type	Description
Legislation	- National Gambling Act, 2004
Policy	- National Gambling Policy, 2016
Regulations	- National Gambling Regulations, 2004 - LPM Regulations, 2000 - Regulations regarding the maximum number of casino licences granted throughout the republic
Reports	- Annual Reports - Annual Financial Statements - Approved Strategic Plan - Approved Annual Performance Plan
Information to stakeholders	- Procedures - Service Standards - Radio Campaigns - Website Content - Press Releases
Publications	- Brochures
Agreements	- MOUs with sector regulators - MOUs with other agencies
Research	- Gambling Sector Performance Summary Report - Socio-Economic Impact Research Reports - Research Bulletins

14. RECORDS OF THE NGB THAT MAY BE ACCESSED BY FOLLOWING THE PROCESSES AS STIPULATED IN SECTIONS 11 AND 18 OF THE PAIA.

Below is a non-exhaustive list of records and the categories of records that may be accessed by following the processes as stipulated in sections 11 and 18 of the PAIA.

Type	Description
Case Related	<ul style="list-style-type: none"> - Compliance Oversight Reports - Compliance reports - Enforcement reports - Section 16 Investigations - Advisory Opinions/ Documents - Notices of complaints - Compliance Strategies, Policies and Procedures - Enforcement Strategies, Policies and Procedures
Research Papers	<ul style="list-style-type: none"> - Research Reports - Audited Gambling Sector Performance Report - Records held by Legal Services - Legal Services Policies and Procedures
Information to Stakeholders	<ul style="list-style-type: none"> - Conference papers / Speeches - Presentations - Stakeholder Database - Stakeholder Policies and Procedures - Stakeholder Reports - Media Monitoring Reports - Internal Communication - Confidential Client Communication
Financial Management	<ul style="list-style-type: none"> - Budget - Financial Policies and Procedures - Auditor General Reports - Audit Committee Minutes, Agenda and Correspondence - Invoices and proof of payments - Financial Accounting - Financial Reporting - Asset Administration - Management Accounting - Audit Reports

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Type	Description
	<ul style="list-style-type: none"> - Statements - Reports and Returns
Human Capital Optimisation	<ul style="list-style-type: none"> - HR Policies and Procedures - Employee Records - Equity Reports - Training Reports - Occupational Health and Safety Plans
Procurement	<ul style="list-style-type: none"> - Asset Register - Tenders - Tender Committee Meeting Minutes, Agenda and Correspondence - Agreements with Service Providers - SCM Policies and Procedures - List of Bidders for Tenders - List of Tenders Awarded - Quotations - Purchase Orders - SCM Reports
Corporate Governance	<ul style="list-style-type: none"> - Governance Committee Meeting Minutes, Agenda and Correspondence - Risk Management Reports - Fraud Prevention Plan Reports - Corporate Governance Policies and Procedures - Organisational performance information - Corporate Governance Reports
Information and Communication Technology	<ul style="list-style-type: none"> - Security related information - ICT Policies and Procedures - ICT Reports - Incidents and Service Requests - ICT Asset issuing and custodian information - System Event Logs - System Performance Logs - System Maintenance Check Lists - Network Maintenance - System Development Lifecycle documents

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15. CATEGORIES OF RECORDS THAT MAY BE SUBJECT TO THE GROUNDS FOR REFUSAL OF ACCESS TO RECORDS

15.1. The records listed in paragraph 13 above may be formally requested, but access to parts of these records or the whole record may be refused on legal grounds listed in sections 33 to 46 and sections 62 to 70 of the PAIA.

15.2. The NGB may refuse a request for access to its information if the requested information relates to:

- Mandatory protection of privacy of a third party who is a natural person, including a deceased individual;
- Mandatory protection of certain commercial information of a third party;
- Mandatory protection of commercial information of a third party;
- Mandatory protection of certain confidential information and protection of certain other confidential information of a third party;
- Mandatory protection of the safety of individuals and protection of property;
- Mandatory protection of police dockets in bail proceedings and protection of law enforcement and legal proceedings;
- Mandatory protection of records privileged from production in legal proceedings
- Defence, security and international relations of the Republic;
- Economic interests and financial welfare of the Republic and commercial activities of the NGB;
- Mandatory protection of research information of a third party and protection of research information of the NGB;
- Operations of the NGB; and
- Manifestly frivolous or vexatious requests or substantial and unreasonable diversion of resources of the NGB.

15.3. **Mandatory disclosure in the public interest**

A request for access to a record that could otherwise be refused on the grounds for refusal in terms of PAIA may be granted, if the disclosure of the record would reveal evidence of a substantial contravention of, or failure to comply with the law or an imminent and serious public safety or environmental risk and the public interest in the disclosure of the record clearly outweighs the harm contemplated in the grounds for refusal.

16. PROCEDURE FOR REQUESTING ACCESS TO INFORMATION HELD BY THE NGB

16.1. Section 18 of the PAIA prescribes the procedure to be followed in making a request for access to information held by the NGB.

16.2. A requester or data subject must complete the prescribed form, **Form 2** when requesting access to a record or personal information held by the NGB. **Form 2** is available on the Information Regulator's website or offices of the NGB upon request. **Form 2** can be accessed for printing and/or population through this link: [InfoRegSA-PAIA-Form02-Reg7.pdf](#).

16.3. Who can request information

16.3.1. A requester is any person making a request for access to a record of the NGB and in this regard, the PAIA distinguishes between two types of requesters for access to information, i.e. Personal Requester, (data subject) and Other Requester.

- a) A data subject is a requester who, having provided adequate proof of identity, is seeking access to a record containing personal information about the data subject. Subject to the provisions of PAIA and POPIA, the NGB will provide the requested information, or give access to any record with regard to the data subject's personal information within a reasonable time, (at a prescribed fee, if any) in a reasonable manner and format and in a form that is generally understandable. The prescribed fee for the reproduction of the personal information requested will be charged by the NGB;
- b) A person falling in the category of Other Requester is entitled to request access to information pertaining to third parties. However, the NGB is not obliged to grant access prior to the requester fulfilling the requirements for access to information in terms of the PAIA.

16.4. The **Form 2** must be addressed and submitted to the Information Officer by hand, post, per fax or e-mail, which details are set out in paragraph 9 above.

16.5. The requester must provide sufficient information on the record(s) requested for the Information Officer to identify the record(s). The prescribed form must be filled in with enough particularity to at least enable the Information Officer to identify:

- 16.5.1. the identity of the requester;
- 16.5.2. particulars of the record requested;
- 16.5.3. type of record;

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- 16.5.4. form of access; and
- 16.5.5. manner of access.

16.6. Some additional important points to remember when completing the request form:

- 16.6.1. each section of the form contains instructions that should be followed to improve the likelihood of the request being granted with minimal delay being experienced;
- 16.6.2. if records are requested on behalf of another person, please provide a copy of the mandate authorising you to act on behalf of another person;
- 16.6.3. a detailed description of the records being requested must be provided to enable the Information Officer to identify them accurately.

16.7. The requester must indicate the form of access that is required in accordance with section 29 of the PAIA. If a requester has requested access in a particular form, access must, subject to section 28 of the PAIA, be given in that form unless to do so would interfere unreasonably with the effective administration of the NGB, be detrimental to the preservation of the record(s) or amount to an infringement of copyright not owned by the State or the NGB.

16.8. The requester must indicate whether the requested record(s) is preferred in any particular language.

16.9. The requester should indicate the manner in which he/she wishes to be informed of the decision on the request and the necessary particulars to be informed accordingly.

16.10. **Oral Requests**

An oral request for access to a record(s) may be made if the requester is unable to complete the prescribed form because of illiteracy or a disability. The Information Officer will assist the requester and reduce the oral request to writing in the prescribed form and provide a copy thereof to the requester.

16.11. The Legal Services Unit receives requests for access to information on behalf of the Information Officer and assists any person wishing to lodge a request. Any enquiries regarding the lodging of request(s) for access to information of the organisation should be made by visiting NGB: Legal Services Unit at 1085 Francis Baard Street, Hatfield, Pretoria, or calling Legal Services Unit at 010 003 3499, or sending an email to legalservices@ngb.org.za.

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EXCO & ARC

ACCOUNTING AUTHORITY

16.12. Prescribed Fees

- 16.12.1. In terms of section 22 of the PAIA, fees for access to records of the NGB are prescribed. The prescribed fees are as set out in **Annexure B: Fees**. **Annexure B: Fees** is available on the Information Regulator's website or offices of the NGB upon request. **Annexure B: Fees** can be accessed for printing and/or population through this link: [Promotion of Access to Information Act: Regulation: Promotion of Access to Information](#).
- 16.12.2. A requester, other than a personal requester, requesting access to information held by the NGB will be required to pay the prescribed request fee of R100.00¹, as specified in **Annexure B: Fees**, before the request is processed. The NGB will withhold a record(s) until the requester concerned has paid the prescribed fee.
- 16.12.3. The requester must pay the prescribed request fee, if due and when requested to do so by making a deposit into the NGB account number provided below.

Account name	National Gambling Board
Bank	Standard Bank
Account number	061193887
Branch name	HATFIELD
Branch Code	011545
Reference	Name and Promotion of Access to Information Act

16.13. Access Fee

- 16.13.1. An access fee² is payable in all instances where a request for access to information is granted for reproduction costs and, if applicable, the postal fee and the time reasonably required to search for and prepare the record for disclosure.
- 16.13.2. A requester requesting copies of records that are publicly available does not have to pay the request fee of R100.00 but must pay the access fee for reproduction, if applicable. For applicable fees, refer to the schedule of fees in **Annexure B: Fees**.

¹ The request fee is prescribed by the Information Regulator as stipulated in **Annexure B: Fees**.

² The access fee is prescribed by the Information Regulator as stipulated in **Annexure B: Fees**.

16.13.3. The requestors listed in paragraph 15.15 of this PAIA Manual are exempted from paying the access fee.

16.13.4. The NGB will withhold a record until the requester has paid the applicable fees, if any.

16.14. Deposits

16.14.1. If the search for a record(s) and the preparation of the record(s) for disclosure, including arrangements to make it available in the requested format, would require more than the hours prescribed for this purpose in the regulations, the NGB must by notice require the requester to pay as a deposit the prescribed portion (not more than a third) of the access fee which would be payable if the request is granted.

16.14.2. If a deposit has been paid in respect of a request for access which is then refused, the NGB will refund the deposit to the requester

16.15. Exemptions

(a) the following requesters are exempted from paying the access fee contemplated in section 22 (6) of the PAIA:

- a single person whose annual income after permissible deductions³ does not exceed R14 712.00 per annum; and
- married persons or a person and his or her life partner whose annual, after permissible deductions does not exceed R27 192.00 per annum; and

(b) determine that –

- where the cost of collecting any fee contemplated in section 22 of the PAIA, exceeds the amount charged, such fee does not apply;
- The access fee contemplated in section 22 (6) of the PAIA does not apply to the personal record of a requester; and
- the request fee contemplated in section 22 (1) of the PAIA and the access fees contemplated in section 22 (6) of the PAIA do not apply to records requested by a maintenance officer or maintenance investigator for purposes of a maintenance investigation or inquiry in terms of the provisions of the Maintenance Act, 1998 (Act 99 of 1998), or the Regulations made under section 44 of that Act.

³ Permissible deductions as stipulated item 1 of the Schedule in the *Government Notice of 14 October 2005*.

16.16. Submission of request

The requester must submit a completed **Form 2** to the NGB either by hand, post, per fax or e-mail, which details are set out in paragraph 8 above. **Form 2** should be accompanied by proof of payment for the request fee. No proof of payment is attached by people qualifying for exemption, but the reasons for exemption should be clearly stated on **Form 2**.

17. TURNAROUND TIMES FOR ATTENDING TO REQUESTS

- 17.1. In terms of section 25 of the PAIA, the NGB must decide whether to grant or refuse a request and give notice with reasons to that effect within 30 days of receipt of the request. The decision must, if it is reasonably possible, be communicated in the manner requested by the requester.
- 17.2. The decision to grant or refuse a request must be communicated to the requester in the prescribed form. **Form 3** must be completed by the Information Officer and provided to the requester. **Form 3** can be accessed for printing and/or population through this link: <https://info regulator.org.za/wp-content/uploads/2020/07/Form-3-PAIA.pdf>.
- 17.3. Section 26 of the PAIA prescribes the instances where the period of 30 days referenced in Section 25 of PAIA, may be extended once for a further 30 days. The period of 30 days may be extended once for a further period of not more than 30 days, if -
- 17.3.1. the request is for a large number of records or requires a search through a large number of records and compliance with the original period would unreasonably interfere with the activities of the NGB;
 - 17.3.2. the request requires a search for records in, or collection thereof from, an office of the NGB not situated in the same town or city as the office of the Information Officer and cannot reasonably be completed within the original period;
 - 17.3.3. consultation among divisions of the NGB or with another public body is necessary or desirable to decide upon the request and such decision-making process cannot reasonably be completed within the original period;
 - 17.3.4. more than one of the circumstances contemplated in paragraphs 16.3.1, 16.3.2 and 16.3.3 exists in respect of the request making compliance with the original period not reasonably possible; or

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LEGAL SERVICES	EXCO & ARC	ACCOUNTING AUTHORITY	

17.3.5. the requester consents in writing to such extension.

17.4. If the period has been extended, the Information Officer must as soon as possible and within 30 days of first receiving the request inform the requester of that extension.

17.5. **Deemed refusal of a request**

If the NGB fails to give a decision on a request for access to the requester within the prescribed 30 days, the NGB will be deemed to have refused such a request.

18. **PUBLIC INVOLVEMENT IN THE FORMULATION OF POLICY OR THE EXERCISE OF POWERS OR PERFORMANCE OF DUTIES BY THE NGB**

18.1. In the formulation of policy or the exercise of its powers or performance of its duties in terms of the NGA, members of the public may be invited from time to time to make representations.

18.2. The platform utilised for public participation may either be through public hearings, meetings (physical or virtually), email or written submissions.

18.3. The NGB disseminates information to the public through its website, electronic and print media, government gazette as well as social media.

19. **PROCESSING OF PERSONAL INFORMATION**

19.1. **Processing of personal information of data subjects by the NGB is conducted in accordance with POPIA.**

19.1.1. The NGB processes personal information of data subjects under its care in the following ways –

- Fulfilling or executing its statutory obligations under the NGA, through:
 - The assessment/adjudication of Type B Applications;
 - Processing of suspected unlawful winnings;
 - Maintenance of National Registers;
 - Execution of oversight functions;
 - Enforcement mechanisms.

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ACCOUNTING AUTHORITY

- Employment related purposes (staff administration and job applications);
- Keeping accounts of records;
- Financial Management;
- Onboarding service providers;
- Implementing Contractual Agreements;
- Compliance with tax laws;
- Procurement processes;
- Visitors to the premises of the NGB; and
- Complying with other relevant legislations, such as PFMA and related Regulations.

19.1.2. The NGB will not process personal information for any purposes other than those specified and permitted under POPIA.

19.2. Categories of data subjects and their personal information

19.2.1. The NGB may process records relating to staff, suppliers, committee members, members of the public, service providers and clients.

19.2.2. The non-exhaustive list of personal information that may be processed is as follows:

Categories of Data Subjects	Personal Information that may be processed
Juristic Persons / Entities	Names and surname, Names of contact person, contact details (contact number(s), fax number(s), email address), name of legal entity, physical and postal address, registration number, tax related information, founding documents, authorised signatories, broad-based black economic empowerment (B-BBEE) status, affiliated entities, ultimate beneficial owners
Employees	Names and Surname, gender, sex, pregnancy status, ethnicity, race, marital status, age, language, physical and/or mental health status, disability, education information (qualifications), professional affiliation, financial information, employment history, ID number, physical and postal address, (contact number(s), fax number(s),

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EXCO & ARC

ACCOUNTING AUTHORITY

Categories of Data Subjects	Personal Information that may be processed
	email address), criminal record and references.
Committee Members	Names and Surname, gender, sex, pregnancy status, ethnicity, race, marital status, age, language, physical and/or mental health status, disability, education information (qualifications), professional affiliation, financial information, employment history, ID number, physical and postal address, (contact number(s), fax number(s), email address), criminal record and references.
Service Providers	Names and surname, Names of contact person, contact details (contact number(s), fax number(s), email address), name of legal entity, physical and postal address, registration number, tax related information, founding documents, authorised signatories, broad-based black economic empowerment (B-BBEE) status, affiliated entities, ultimate beneficial owners and beneficiaries
Members of the Public	Names and surname, Names of contact person, contact details (contact number(s), fax number(s), email address), physical and postal address, confidential documents, authorised signatories

19.3. The recipients or categories of recipients to whom personal information may be supplied

19.3.1. The NGB may supply the personal information of the data subject to the authorised employees of the NGB as part of executing their statutory mandate.

19.3.2. The NGB may supply the personal information of the data subject to its service providers who render the following services:

19.3.2.1. Capturing and organising of personal information;

19.3.2.2. Storing of personal information;

19.3.2.3. Sending of emails and other correspondence to the public;

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ACCOUNTING AUTHORITY

- 19.3.2.4. Conducting due diligence checks;
- 19.3.2.5. Conducting criminal checks;
- 19.3.2.6. Conducting qualification verifications;
- 19.3.2.7. Conducting B-BBEE verifications;
- 19.3.2.8. Auditing;
- 19.3.2.9. Administration of the provident fund and medical aids; and
- 19.3.2.10. ICT infrastructure.

19.3.3. The NGB may also supply the personal information of a data subject to:

- 19.3.3.1. Any person whom a complaint or inquiry has been lodged against;
- 19.3.3.2. Any regulatory authority in respect of any matter or part thereof, that falls under their jurisdiction;
- 19.3.3.3. Law enforcement agencies in the course of a criminal investigation; and
- 19.3.3.4. Any court, administrative or judicial forum, arbitration, statutory commission or ombudsman making a request for data or discovery in terms of applicable legislation.

19.4. **Planned transborder flows of personal information**

19.4.1. The NGB has not planned transborder flows of personal information. However, should it become necessary to transfer personal information to another country in terms of applicable legislation, the NGB will ensure that anyone to whom it passes personal information is subject to law, binding corporate rules or binding agreement which provides an adequate level of protection and the third party agrees to treat that personal information with the same level of protection as provided under POPIA.

19.4.2. Any transfer of personal information cross border shall be with data-subject's consent, however should it not be reasonably practicable to obtain data subject's consent, the NGB shall transfer the personal information if –

- a) It will be for the data subject's benefit; and
- b) The data subject would have given consent should it have been reasonably practicable to obtain such consent.

19.5. **General description of information security measures**

19.5.1. The security and confidentiality of personal information is of utmost importance to the NGB. The NGB has in place reasonable technical,

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administrative and physical security measures to protect personal information from unauthorised access, disclosure or improper use.

19.5.2. The NGB takes a proactive approach to the safeguarding of data-subject's personal information by continually reviewing and updating its measures in response to newly identified risks or deficiencies in previously implemented safeguards.

19.5.3. Measures undertaken by the NGB include, amongst others –

- Access control;
- Monitoring, auditing and reporting capabilities;
- Cyber-security solutions;
- Data encryption;
- Vulnerability scanning to assess personal information is protected from external threats;
- Employee awareness programmes and vigilance;
- Data backups;
- Service Level Agreements concluded with service providers are subject to POPIA and with appropriate provisions to protect personal information.

20. AVAILABILITY OF MANUAL

20.1. The PAIA Manual of the NGB is available in at least three (3) official languages. A copy will be available

20.1.1. on the website of the NGB at www.ngb.org.za;

20.1.2. at the offices of the NGB for public inspection during normal business hours; and

20.1.3. to any person upon request.

20.2. A fee for a copy of the Manual, as contemplated in **Annexure B: Fees**, shall be payable per each A4 size photocopy made.

21. RECORDS THAT CANNOT BE FOUND OR DO NOT EXIST

21.1. Requesters have the right to receive a response in the form of an affidavit or affirmation where records cannot reasonably be located, but to which a requester would have had access had the record been available.

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- 21.2. Requesters also have the right to receive a response in the form of an affidavit or affirmation where requested records do not exist.

22. DISPOSAL OF RECORDS

- 22.1. The NGB reserves the right to lawfully dispose of certain records in terms of authorisations obtained from the National Archives and Records Service.
- 22.2. Requesters will be advised whether a particular record has been disposed of where this is relevant to the records requested.
- 22.3. The NGB may, upon receipt of the request from a data subject –
- 22.3.1. correct or delete personal information about the data subject in its possession or under its control that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading or obtained unlawfully; or
 - 22.3.2. destroy or delete a record of personal information about the data subject that the NGB is no longer authorised to retain in terms of section 14 of POPIA.

23. IMPLEMENTATION

- 23.1. This Policy shall be implemented as soon as it has been signed by the Chief Executive Officer.

24. DEVIATION FROM THE POLICY

- 24.1. Any deviation from the Policy must be approved by the Accounting Authority.

25. UPDATE AND REVIEW OF MANUAL

- 25.1. This Manual will be reviewed by the NGB as and when necessary and may be updated and published annually.

26. POLICY REVIEW

- 26.1. This PAIA Policy shall be reviewed every 3 years or as and when deemed necessary.

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