

**THE ORGANISATION UNDOING TAX  
ABUSE PAIA MANUAL**  
in terms of  
**Section 51 of The Promotion of Access to  
Information Act, 2000 (“PAIA”)**  
Company Registration Number: 2012/064213/08

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## **1. INTRODUCTION**

The Organisation Undoing Tax Abuse (“OUTA”) is a proudly South African non- profit civil action organisation, comprising of and supported by people who are passionate about improving the prosperity of our nation. OUTA was established to challenge the abuse of authority, in particular the abuse of taxpayers’ money.

## **2. CONTACT DETAILS – SECTION 51(1)(a)**

### **2.1. Directors**

Wayne Duvenage

Stefanie Fick

Dr Makhosi Khoza

### **2.2. Non-Executive Directors**

Ferrial Adam (Chairperson)

Phumlani M Majozi (Dep. Chairperson)

Wyna Modisapodi

Simi Pillay van Graan

Leopold Pauwen

### **2.3. Information Officer**

Chief Executive Officer: Wayne Duvenage

### **2.4. Deputy Information Officer**

Head of Legal Affairs: Stefanie Fick

### **2.5. Postal Address:**

PO Box 2627,

Northriding,

2162

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**2.6. Street Address:**

O’Keeffe & Swartz Building  
318 Oak Avenue Randburg

**2.7. Telephone number:**

(087) 170 0639

**2.8. Fax number:**

N/A

**2.9. Email:**

General Queries: [info@outa.co.za](mailto:info@outa.co.za)

Information Officer: [wayne.duvenage@outa.co.za](mailto:wayne.duvenage@outa.co.za)

Deputy Information Officer: [stefanie.fick@outa.co.za](mailto:stefanie.fick@outa.co.za)

**3. SOUTH AFRICAN HUMAN RIGHTS COMMISSION – SECTION 10**

The South African Human Rights Commission has published a guide in terms of section 10 of PAIA. This guide is available at the offices of the South African Human Rights Commission:

Telephone: (011) 11 877 3600

Website: [www.sahrc.org.za](http://www.sahrc.org.za)

Email: [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)

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#### 4. APPLICABLE LEGISLATION – SECTION 51(1)(c)

OUTA is subject to the following legislation in the table below:

| No | Act   |
|----|---|
| 1. | Income Tax Act 58 of 1962                                 |
| 2. | Labour Relations Act 66 of 1995                           |
| 3. | Unemployment Insurance Act 30 of 1996                     |
| 4. | Non-profit Organisations Act 71 of 1997                   |
| 5. | Basic Conditions of Employment Act 75 of 1997             |
| 6. | Employment Equity Act 55 of 1998                          |
| 7. | Promotion of Access to Information Act 2 of 2000          |
| 8. | Electronic Communications and Transactions Act 25 of 2002 |
| 9. | Companies Act 71 of 2008                                  |

#### 5. SCHEDULE OF RECORDS – 51(1)(d)

| RECORDS AUTOMATICALLY AVAILABLE – SECTION 52 |  |   |
|--|--|---|
| CATEGORY                                     | SUBJECT                                      | ACCESSIBILITY   |
| Public Affairs                               | Annual Reports                               | Freely available on website<br><a href="http://www.oua.co.za">www.oua.co.za</a> |
|  | Media Releases                               |   |
|  | Position Papers                              |   |
|  | Public Presentations                         |   |
|  | Submissions to Government                    |   |
|  | Published Reports                            |   |
|  | Criminal Complaints submitted to the<br>SAPS |   |
|  | Court Processes                              |   |
|  | Podcasts                                     |   |
|  | Petitions                                    |   |
|  | Supporter Registration Procedures            |   |
|  | News Letters                                 |   |

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|         |                             |   |
|---------|-----------------------------|---|
| Company | Organisational Structure    | Freely available on website<br><a href="http://www.oua.co.za">www.oua.co.za</a> |
|         | Memorandum of Incorporation |   |
|         | Chairman and Annual Reports |   |

## 6. FORM OF REQUEST – SECTION 51(1)(e)

- 6.1. As OUTA is deemed a private body as described in section 1 of PAIA, the prescribed form (**Form C**) must be completed and submitted to OUTA's information officer, together with a cover letter.
- 6.2. Take note that requests in the wrong prescribed form will not be considered.
- 6.3. A digital copy of **Form C** can be obtained from our website ([www.oua.co.za](http://www.oua.co.za)) or from the South African Human Rights Commission ([www.sahrc.co.za](http://www.sahrc.co.za)).
- 6.4. All requests need to be addressed to OUTA's CEO (information officer) or to a delegated information or deputy information officer that may be determined from time to time.
- 6.5. To enable OUTA to identify the particular records so requested, kindly formulate the request(s) that it reflects sufficient details of the following:
- 6.5.1. A full description of the records requested (i.e. date, documents title, author);
- 6.5.2. A full description of the individual and/or entity requesting the proposed records, including contact details of the requester (email, telephone number, postal address); and
- 6.5.3. The manner in which the requester wants to be informed of the decision to grant access (i.e. email, telephonically, registered post).
- 6.6. It is important that the requester indicate and explain the right which he or she wishes to exercise (the reason for the request). It should be emphasized, however, that the right to access to information in terms of section 32 of the Constitution is not a right that may be cited. The reason therefore is that the
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requester is already exercising such right by utilising the mechanisms as set out in PAIA (submission of the **Form C** request).

## **7. PRESCRIBED FEES – SECTION 51(1)(f)**

7.1. The **following** applies to all requests:

7.1.1. A requester is required to pay the prescribed fee (R50.00) before a request will be processed;

7.1.2. If the preparation of the record(s) requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted);

7.1.3. A requester may lodge an application with a court against the tender/payment of the request fee and/or deposit;

7.1.4. Access to records are subject to the payment of the prescribed fees.

7.2. Should the requester require the desired records in hard copy (printed), a reasonable fee of R1.20 will be charged for every page copied.

## **8. APPEAL**

8.1. OUTA is a private body, thus no appeal procedures are available to a requester against the decision of OUTA to grant or refuse access to information.

8.2. In terms of section 78(2)(d), a requester may, by way of application, within 180 days upon receipt of a decision, apply to the court for the appropriate relief in terms of section 82. Such relief may only be sought if the requester is aggrieved by a decision taken by OUTA:

8.2.1. To refuse a request for access; or

8.2.2. In terms section 54, 57(1) or 60.

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Form C

Request for access to record of private body

([Section 53\(1\)](#) of the Promotion of Access to Information [Act 2 of 2000](#))

[\[Regulation 10\]](#)

**A Particulars of private body**

***The Head of OUTA:***

***Chief Executive Officer: Mr Wayne Duvenage***

***O’Keeffe & Swartz Building***

***318 Oak Avenue***

***Randburg***

**B Particulars of person requesting access to the record**

- (a) The particulars of the person who requests access to the record must be given below.*
- (b) The address and/or fax number in the Republic to which the information is to be sent must be given.*
- (c) Proof of the capacity in which the request is made, if applicable, must be attached.*

Full names and surname:

\_\_\_\_\_

Identity number:

\_\_\_\_\_

Postal address:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Fax number: \_\_\_\_\_ Telephone number: \_\_\_\_\_

E-mail address: \_\_\_\_\_

Capacity in which request is made, when made on behalf of another person:

\_\_\_\_\_





**C Particulars of person on whose behalf request is made**

*This section must be completed **ONLY** if a request for information is made on behalf of another person.*

Full names and surname:

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Identity number:

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**D Particulars of record**

*(a) Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.*

*(b) If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.*

1 Description of record or relevant part of the record:

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2 Reference number, if available:

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3 Any further particulars of record:

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**E Fees**

- (a) A request for access to a record, other than a record containing personal information about yourself, will be processed only after a request fee has been paid.*
- (b) You will be notified of the amount required to be paid as the request fee.*
- (c) The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.*
- (d) If you qualify for exemption of the payment of any fee, please state the reason for exemption.*

Reason for exemption from payment of fees:

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**F Form of access to record**

*If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.*

Disability:

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Form in which record is required:

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Mark the appropriate box with an X. NOTES:

- (a) Compliance with your request in the specified form may depend on the form in which the record is available.*
- (b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.*

(c) *The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.*

1 If the record is in written or printed form:

copy of record\*

inspection of record

2 If record consists of visual images

*(this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):*

view the images

copy the images\*

transcription of the images\*

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

listen to the soundtrack (audio cassette)

transcription of soundtrack\* (written or printed document)

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

printed copy of record\*

printed copy of information derived from the record\*

copy in computer readable form\*(stiffy or compact disc)

**G Particulars of right to be exercised or protected**

*If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.*

1 Indicate which right is to be exercised or protected:

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2 Explain why the record requested is required for the exercise or protection of the aforementioned right:

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**H Notice of decision regarding request for access**

*You will be notified in writing whether your request has been approved/denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.*

How would you prefer to be informed of the decision regarding your request for access to the record?

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Signed at \_\_\_\_\_ this \_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_.

\_\_\_\_\_  
SIGNATURE OF REQUESTER /

PERSON ON WHOSE BEHALF REQUEST IS MADE