

TRANSLATING PAIA





ABOUT THE SOUTH AFRICAN HISTORY ARCHIVE

The South African History Archive (SAHA) is an independent human rights archive dedicated to documenting, supporting and promoting greater awareness of past and contemporary struggles for justice in South Africa.

Through its Freedom of Information Programme (FOIP) SAHA aims to extend the boundaries of freedom of information in South Africa by:

- Creating awareness about the right of access to information and its power as an enabling right that can be used to protect, promote and fulfil other human rights
- Empowering individuals and organisations to understand and utilise the Promotion of Access to Information Act, 2000 (PAIA) as a strategic tool
- Creating awareness about the need for, and value in, transparency and accountability
- Empowering government officials to ensure realisation of the right of access to information
- Increasing compliance with PAIA

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This glossary was developed by SAHA. The glossary was developed as part of a long-term strategy aimed at building the capacity of individuals, communities and organisations to understand and utilise the Promotion of Access to Information Act, 2000 (PAIA) and ensuring capacity for compliance with PAIA at local government level.

SAHA gives permission for this glossary to be used and produced, with acknowledgement, by all those seeking to better understand, use and comply with PAIA.

CREDITS:

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SAHA would also like to thank activists from the Right2Know Campaign's KwaZulu-Natal Provincial Working Group who provided critical feedback on the isiZulu section of this glossary at a workshop in September 2016.



HOW TO USE THIS GUIDE

This guide is a plain language guide (glossary) to words and terms used in the Promotion of Access to Information Act, 2000 (PAIA) in English, Afrikaans, SeSotho, SeTswana and IsiZulu and is intended to be used in conjunction PAIA. The glossary was developed as part of SAHA's long-term strategy aimed at building the capacity of individuals and organisations to understand and utilise PAIA as a strategic advocacy tool. The glossary is therefore aimed at helping individuals and organisations that want to use PAIA or to provide training on the use of, or compliance with, PAIA.

This glossary is not intended to replace the use of legal terms, or to offer legal interpretations – rather the aim is to explain ideas or concepts more clearly in non-legal language.

KEY:

* These words are fully defined in section 1 of PAIA.

** These words have a special meaning under PAIA because of how they are used in that Act.

Words that are underlined are explained elsewhere in the glossary.

OTHER USEFUL RESOURCES:

SOUTH AFRICAN HUMAN RIGHTS COMMISSION

The South African Human Rights Commission has produced a guide to how to use PAIA in all the official languages. The 2014 version of this guide is available online at:

<http://www.sahrc.org.za/home/21/files/Section%2010%20guide%202014.pdf>

SOUTH AFRICAN HISTORY ARCHIVE

SAHA has developed a range of guides and materials on how to use and ensure compliance with PAIA. These can be viewed or downloaded, free of charge, from the RESOURCES section of the FOIP website at:

<http://foip.saha.org.za>

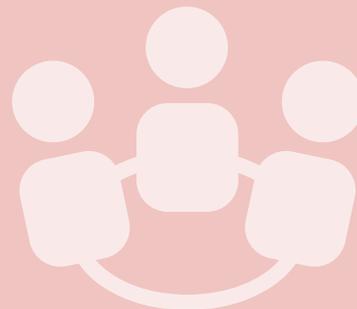
GUIDES FOR COMMUNITY ACTIVISTS



ACTIVATING PAIA FOR ADVOCACY is a guide aimed at helping non-government and community-based organisations use PAIA to advocate for the realisation of human rights. It provides a visual framework for analysing what information might be needed to advocate actively for changes in human rights issues.



ACCESSING INFORMATION FOR YOUR COMMUNITY examines the legal right to information and key issues that many South African communities face – such as access to housing, water, education and employment – to illustrate how information can help communities realise other rights.





GUIDES FOR LOCAL GOVERNMENT OFFICIALS

PC **REQUEST PROCESS FLOW CHART** is a diagram illustrating the PAIA request process and highlighting important duties within the request process linked to prescribed timeframes.

LG **TRANSPARENCY AND LOCAL GOVERNMENT – A GUIDE TO PROCESSING PAIA REQUESTS** is a process checklist, which outlines the record creation duties of municipalities within the PAIA request process, and templates for many of these records.

PA **PROACTIVELY ENSURING ACCESS HANDOUT** is a list of certain records that municipalities are legally required to ensure are proactively made publicly accessible.

MM **MUNICIPAL MANAGERS' ACCESS TO INFORMATION SHEET** is a short summary for municipal managers of their constitutional and legislated duties relating to the right of access to information, and the legal consequences of non-compliance.

EP **ENABLING PARTICIPATION THROUGH ACCESS TO INFORMATION HANDOUT** is a short guide to links between constitutionally mandated public participation, record keeping and access to information. The guide highlights certain key participation duties imposed, by law, on municipalities and the related record keeping and transparency obligations.

GUIDES FOR ACTIVISTS WORKING IN DIFFERENT SECTORS

LG **ACCESSING INFORMATION IN THE LGBTI SECTOR** is a guide designed to assist persons in the Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) sector to recognise the important role that access to information can play in the achievement of their advocacy goals and the protection of their human rights and empower them to utilise PAIA for that purpose.

LA **LGBTI AND ACCESS TO INFORMATION IN AFRICA** is a guide to help LGTBI people in Africa use access to information to promote and protect their human rights.

HG **USING PAIA TO PROMOTE HOUSING RIGHTS** offers practical advice on how to make an access to information request in terms of PAIA, providing examples of how PAIA can be used to address housing issues faced by both individuals and communities and to advocate for the right to have access to adequate housing.

ED **ACCESS INFORMATION FOR BETTER BASIC EDUCATION** provides practical advice on making a PAIA request and examples of how PAIA can be used to advocate for the right to a basic education.

TRAINING GUIDES

RK The **PAIA RESOURCE KIT** provides step by step instructions on how to complete the forms required to submit a PAIA request.

WG The **PAIA WORKSHOP GUIDE** provides a comprehensive training manual for people wanting to learn how to use and engage practically with PAIA.

CS **PAIA CASE STUDIES FROM CIVIL SOCIETY [DVD and GUIDE]** is an interactive training tool which outlines key issues around PAIA. The DVD shows how ordinary citizens have used PAIA, bringing to life the reality and possibilities of PAIA as a strategic advocacy tool.

TRAINING POSTERS

- **ACTIVATING PAIA FOR ADVOCACY - VISUAL FRAMEWORK** is a visual representation of a framework setting out five inter-connected parts to developing an advocacy strategy (more fully discussed in the **Activating PAIA for Advocacy Guide**).
- **ACCESSING INFORMATION USING PAIA** is a flow diagram illustrating the process of submitting a request under PAIA. The diagram highlights which form to use when making a PAIA request to a private body and which form to use when making a PAIA request to a public body as well as indicating what recourse is available in the event of a body ignoring a request or refusing access to records.
- **STRUCTURES OF GOVERNMENT** outlines the different structures of government in South Africa in light of PAIA's definition of a 'public body'. The poster identifies the relevant government officials accountable as 'information officers' and 'relevant authorities' under PAIA.

LEGAL RESEARCH GUIDES

PW **PAPER WARS** reflects upon SAHA's work in testing the parameters of PAIA, providing insight into some of the difficulties information activists and requesters have encountered as they have attempted to put South Africa's constitutional right of access to information into practice.

PU **PAIA UNPACKED** is a resource for lawyers and paralegals that sets out the key legal requirements of PAIA and how those requirements have been interpreted and applied by the courts.



English Term	English explanation of term as used in PAIA	Zulu	Sotho	Tswana	Afrikaans
Access fee*	<p>Money required to be paid by a <u>requester</u>, for :</p> <ul style="list-style-type: none"> the time spent searching for and preparing <u>records</u>, copying the <u>records</u>, and postage costs. <p>A <u>requester</u> need only pay an <u>access fee</u> if they have received a <u>notice</u> from the <u>public body</u> or private body setting out the fee amount. The amount must be paid before the <u>records</u> will be provided.</p>	Imali yokuthola ulwazi	Tefello / Boleng	Dituelo tsa phitlhelelo	Toegangs fooi
Access to information**	To be allowed to see or hear <u>information</u> or to be provided with a copy or a transcript of a <u>record</u> .	Ukufinyelela Olwazini	Phihlelo ya Tsebo / tsedimo setso	Tetla ya shedi-mosetso	Toegang tot inligting
Accountable	To be required to justify actions taken or decisions made. People and organisations should provide clear and justifiable reasons for actions they take or decisions they make that affect others.	Isibopho	Ho ikarabela	Maikarabelo	Aanspreeklik
Application*	A formal legal document used to start a legal matter, challenging the <u>decision</u> or <u>internal appeal</u> decision, under <u>PAIA</u> , in a <u>court</u> .	Incwadi yesi celo	Kopo	Kopo ya kgotlat-shekelo	Aansoek

English Term	English explanation of term as used in PAIA	Zulu	Sotho	Tswana	Afrikaans
Appeal**	A challenge to a <u>decision</u> on a <u>PAIA</u> request or to a <u>deemed refusal of a request</u> . In an appeal a person would ask for a new or different decision to be taken. An appeal against a <u>public body's decision</u> can be made to a <u>public body</u> by an <u>internal appeal</u> . If that is not successful, an appeal can be made using an application to a court. An appeal from a private body's decision can be made by an <u>application</u> to a court.	Isikhalo (n) Dlulida (v)	Tletlebo ka qeto	Boikuelo	Appelleer
Commercial information**	<u>Information</u> in a <u>record</u> that sets out financial, scientific, technical issues or trade secrets that if <u>released</u> could be expected to harm the ability to negotiate a good contract or the ability to compete for business.	Ulwazi lwezohwebo	Tshedi-mosetso ya tsa kgwebb	Tshedi-mosetso ya matlotlo	Kommer-siële inligting
Complaint	Action taken to let people know that you do not agree with an action or <u>decision</u> or the reasons for that decision. PAIA complaints can be made to organisations like the South African Human Rights Commission or the Information Regulator. A complaint can also be made by application to a court.	Isikhalazo	Tletlebo	Ngongorego	Klagte

English Term	English explanation of term as used in PAIA	Zulu	Sotho	Tswana	Afrikaans
Confidential information**	<u>Information</u> provided to a person or organisation on the condition that the information will not be disclosed to anyone else.	Ulwazi oluyimfihlo	Tshedi-mosetso sephining	Tshedi-mosetso ee sireleditsweng	Vertroulike inligting
Court*	A legal decision-making body that will accept an <u>application</u> and hear a <u>complaint</u> . Under <u>PAIA</u> this can be the local Magistrates Court, local High Court or Constitutional Court.	Inkantolo	Kgotla	Kgotlat-shekelo	Hof
Decision	A conclusion or final <u>response</u> to a request. Under <u>PAIA</u> this will usually be the final <u>response</u> that gives, or refuses to give, you the <u>records</u> you asked for in your <u>PAIA</u> request. This is also sometimes used to refer to a 'judgment' of a <u>court</u> .	Isinqumo	Qeto	Tshwetso	Besluit
Deemed refusal of request**	A <u>decision</u> presumed to be made by a <u>public body</u> or <u>private body</u> that the <u>records</u> will not be provided in <u>response</u> to the submitted <u>PAIA</u> request. Under <u>PAIA</u> this usually happens after 30 days have passed and no <u>decision</u> has been provided (the 30 days might become up to 60 days if there has been an <u>extension of period</u> for <u>response</u>).	Ukunqaba isicelo	Ho hana kopo	Ganelwa ya kopo	Versoek word geweier geag

English Term	English explanation of term as used in PAIA	Zulu	Sotho	Tswana	Afrikaans
Deputy Information Officer	An individual often employed by a <u>public body</u> to assist the <u>Information Officer</u> to process PAIA requests.	Iphini lesikhulu sezolwazi	Motlase Mohlanka wa Lesedi	Motlatsamotlhankedi wa	Adjunk-inligtings-beampte
Extension of period	Additional time granted, or claimed by <u>notice</u> , to provide a <u>decision</u> . Under PAIA this usually means that an additional 30 days, over the usual 30 days, has been given to respond to a PAIA request. This can also be referred to as an extension of time.	Kwengezwa kwesikhathi	Ho esetsa nako	Katoloso ya nako	Verlenging van die tydperk
Frivolous or vexatious request**	A request that has not been made for the purpose of gaining access to the <u>information</u> requested but rather to waste someone's time or to cause trouble or annoy someone.	Indavundavu	Kopo e tenang	Kopo e bomatla	Beuselagtige of kwelsugtige versoek
Governance	The rules or arrangements to manage a group of people or an organisation. <u>Access to information</u> assists with <i>good governance</i> .	Ukubusa	Puso	Puso e e siameng	Bestuur
Grounds for <u>internal appeal</u>	The reasons, given in an <u>appeal</u> , for seeking a new and different <u>decision</u> from a <u>public body</u> .	Izizathu zokwedlulisa isikhalo ngaphakathi	Mabaka a boipiletso a ka hare	Mabaka a boikuelo	Gronde vir interne appèl
Grounds for refusal**	These are the reasons a <u>public body</u> or <u>private body</u> must provide for deciding to not give <u>records</u> in <u>response</u> to a PAIA request	Izizathu zokwenqaba isicelo	Mabaka a ho hana	Mabaka a go gana	Gronde vir weiering van toegang

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Head*	A person legally approved to act for the <u>private body</u> , or the chief executive officer of such a body. It can also be a designated person acting on behalf of the head.	Inhloko	Hlooho	Tlhogo	Hoof
Information	Facts, data, opinion and other knowledge.	Ulwazi	Tsebo / Tshedi mosetso	Tshedi-mosetso	Inligting
Information officer*	The individual in the public or <u>private body</u> who is responsible for dealing with a <u>PAIA</u> request. In a <u>public body</u> this is the administrative head of the government organisation, or the chief executive officer (or the person acting for the person at that level, for example, when the person is on holiday). In a <u>private body</u> this is the <u>head</u> of that body.	Isikhulu sezolwazi	Mlohlanka wa lefapha la	Mo-ofisiri wa	Inligtings-beampte
Internal appeal*	This is a challenge to the <u>decision</u> of a <u>public body</u> on a <u>request for access to information</u> . The appeal will ask for a new and different <u>decision</u> .	Ukwedlulisa isikhalo ngaphakathi	Boipiletso ba ka hare	Boikuelo ba ka fa gare	Interne appèl
Law	This means the rules that set out the correct conduct for, and procedures to be followed by the members of a community.	Umthetho	Molao	Molao	Wet
Legislation	This is the <u>law</u> as written down and agreed to by Parliament.	Umthetho wase palamende	Molao wa puso	Melao ya puso	Wetgewing

English Term	English explanation of term as used in PAIA	Zulu	Sotho	Tswana	Afrikaans
Letter of Authorisation	A signed document that states that a person is allowed to act on behalf of another person. If this letter is sent with a PAIA request to a public body or private body, it will usually state that a person or organisation can take action on a PAIA request for another person.	Incwadi yoku gunyaza	Lengolo la tetelelo	Lekwalo la tetelelo	Magtigings-brief
Mandatory**	This means that an action has to be done, there is no choice. For example, under <u>PAIA</u> it may be mandatory for an <u>information officer</u> to refuse a <u>PAIA</u> request for reasons set out in <u>PAIA</u> .	Ukuphoqeka	Ho tlameha / tlamo	Ga konokono	Verplichtend
Notice*	This is a formal written document that informs a person or organisation about something important, such as the <u>access fee</u> you need to pay before the <u>records</u> will be <u>released</u> to you.	Isaziso	Tsebiso	Kitsiso	Kennis-gewing
Official *	A person in a <u>private body</u> or <u>public body</u> that is holding a position of employment, or is a member of the body. This word is used in PAIA when the person is taking action as part of their job.	Ophethe ngoku semthethweni	Mohlanka wa lefapha	Motho wa maemo	Amptenaar

English Term	English explanation of term as used in PAIA	Zulu	Sotho	Tswana	Afrikaans
Particulars	Details of the matter, including the specific facts that are important to the issues. Particulars are used in the <u>PAIA</u> forms, where more detailed information about the request is required.	Imininingwane	Dintlha	Ntlha	Besonderhede
Personal information*	Recorded <u>information</u> about a person that assists in identifying that person or that is regarded as sensitive. Examples of personal information include your race, sex, employment history, medical history or address.	Ulwazi lomuntu siqu sakhe olu se mfihekweni	Dintlha tsa hao	Tshedi-mosetso ya motho	Persoonlike inligting
Private body*	A legal person such as a company (but excluding state-owned companies) or a trust or a natural person (either alone or in partnership with someone else), but only if that natural person (or persons) carries on a trade or a business or is a registered professional.	Isigungu esizimele	Seo e seng sa mmuso E.g.. motho, kgwebo	Mokgatlho oo ikemetseng	Privaat-liggaam
Promotion of Access to Information Act, 2000 (PAIA)**	The <u>legislation</u> that sets out the requirements for a person to access <u>information</u> held by a <u>public body</u> or <u>private body</u> . The name of this legislation is sometimes shortened to <i>PAIA</i> or <i>the Act</i> .	Umthetho	Molawana wa mmuso o bitswang PAIA	Molawana wa go nna le tetla ya tshedi-mosetso	Wet op Bevordering van Toegang tot Inligting, 2000

English Term	English explanation of term as used in PAIA	Zulu	Sotho	Tswana	Afrikaans
Public body*	A government body or a body that exists only to work in the <u>public interest</u> and which was created by <u>legislation</u> or the Constitution. This includes a national, provincial or municipal department or organisation. This also includes organisations like the Auditor General and Eskom.	Isigungu somphakathi	Mafapha a mmuso	Mokgatlho wa sechaba	Openbare liggaam
Public interest**	An issue that is generally of benefit to all or most people.	Intando yomphakathi	Seo se leng thaha selling ya sechaba	Kgatlego ya sechaba	Openbare belang
Public Interest Override	When the <u>public interest</u> in releasing the <u>record</u> is found to be more important than the <u>grounds for refusal</u> to provide <u>access to information</u> . This will only happen if the requirements for override in <u>PAIA</u> are met.	Izinto ezingenzuzo yomphakathi kuza zona kuqala	Molemo wa Bohle ke morena	Go ama setshaba go Phimola Makaba Otlhe	Oorheersing van openbare belang
Record*	Any <u>information</u> that has been recorded in some way – no matter what way. That would include for instance photographs, documents, an electronic database, sound recordings and videos.	Imininingwane	Kgatiso	Kgatiso	Rekord

English Term	English explanation of term as used in PAIA	Zulu	Sotho	Tswana	Afrikaans
Reference Number	A unique combination of numbers or letters or letters and numbers on documents sent between yourself and a <u>public body</u> or <u>private body</u> that serve the purpose of helping you or them (or both) to identify the request you are communicating about.	Inombolo yobufakazi / yezikhombo	Nomoro ya referense	Nomora ya tshupo	Verwysingsnommer
Release	To give to another person or organisation. Under PAIA this means a record is provided or disclosed to you by a <u>public body</u> or a <u>private body</u> .	Khulula	Ho lokolla	Golola	Vrylating
Relevant Authority*	This means the person that has to make <u>decisions</u> on <u>internal appeals</u> . This will always be the political head of the relevant public body.	Osegunyeni Ngokufanele	Ya nang Le matla	Motlhankedi wa tshedi-mosetso	Tersaaklike owerheid
Request for access*	A request to see or receive a copy of a <u>record</u> of <u>information</u> , made following the procedures set out in PAIA. This includes using the <u>PAIA</u> Form A (for a request sent to a <u>public body</u>) or C (for a request sent to a <u>private body</u>). Other words that are sometimes used instead of request for access are <u>PAIA request</u> , which is sometimes shortened to <u>request</u> .	Isicelo soku finyelela	Ho kopa phihlello / Ho kopa ho fihlella / Kopo yah o fihlella	Kopo	Versoek om toegang

English Term	English explanation of term as used in PAIA	Zulu	Sotho	Tswana	Afrikaans
Request fee**	Money that is required to be paid in order for a <u>request for access</u> to be processed. The <u>public body</u> or <u>private body</u> will send you a <u>notice</u> setting out the request fee you must pay. A request fee is not required if the request is for <u>personal information</u> . This money may also not be required to be paid by people with very low income.	Imali yesi – cello	Chelete	Tuelo ya kopo	Versoek-gelde
Requester*	A person or organisation who is seeking <u>access to information</u> . This is usually the person who completes the PAIA Form A or Form C. This can also be a person who completed the PAIA form for someone else.	Umuntu ofaka isicelo	Mokopi	Moko-patshedi-mosetso	Versoeker
Requestee	A <u>public body</u> or <u>private body</u> that receives a <u>PAIA</u> request.	Umuntu okufakwa isicelo kuyena	Mokopuwa	Mokopi wa Mokgatlho oo ikemetseng kgotsa Mokgatlho wa sechaba	Aansoek ontvanger
Response	To provide a reply to a request. Under PAIA this means the answer to a <u>PAIA</u> request or other communication from a <u>public body</u> or <u>private body</u> relating to a <u>PAIA</u> request.	Impendulo	Karabo	Karabo	Besluit oor versoek

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Right to information	The entitlement to access <u>information</u> . The South African Constitution provides for the right to access any information held by the government and any information that is held by another person if that information is needed in order to exercise or protect another right.	I lungelo loku thola ulwazi	Tetla ya tsebo	Tshwanelo ya go bona tshedi-mosetso	Reg op toegang tot inligting
Section	A numeric system used to subdivide <u>legislation</u> . A section number is used to identify parts of <u>PAIA</u> so you can find the specific process that must be followed at each step in the <u>PAIA</u> process.	Isigaba	Ntlha	Karolo	Artikel
Severability**	The ability to separate a part of the <u>record</u> by removing, masking or obscuring, <u>information</u> that is exempted from access so that the remainder may be disclosed. For example, one sentence that contains personal information (in a letter that otherwise does not contain personal information) could be severed from the remainder of the letter, by blacking it out, in order to <u>release</u> the letter.	Ukuhlukanisa amaphathi ku rekhodi	Ho phumuleha	Go kgaogana karolo ya rekoto	Skeibaarheid

English Term	English explanation of term as used in PAIA	Zulu	Sotho	Tswana	Afrikaans
Submit	To physically or electronically give something to another person. Other words that have a similar meaning are 'lodge', 'provide', or 'serve'. <i>Submitted</i> means that something has already been given to someone (in the past).	Ukufaka	Romela	Neela	Indien
Third party*	Any person or organisation that is not directly involved in the matter but is affected in some way. Under <u>PAIA</u> this is any person or legal organisation, other than a <u>public body</u> or <u>private body</u> , or the <u>requester</u> who did not make or receive the request but will be affected by the release of the requested <u>information</u> .	Omunye umuntu	Motho a sa ameheng	Motho wa boraro	Derde party
Timeline	A period of time where important dates are marked in sequence to when they occur.	Umgqa Wesikhathi	Nako e itseng	Nako ya tiragalo	Tydlyn
Transfer*	The process of giving something to someone else. Under <u>PAIA</u> this means that a <u>PAIA</u> request is given by the <u>Requestee</u> to another <u>public body</u> for the other public body to provide a <u>response</u> to your <u>PAIA</u> request.	Ukudlulisa	Tetisa	Phuduso	Oorplaas

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Transparent	<p>When something is clear and open to being looked at by any other person or organisation.</p> <p><i>Transparency of a <u>public body</u> or <u>private body</u> means the body operates in a manner that easily allows people outside the organisation to view its actions and decision making processes.</i></p>	Esobala / ekhanye kahle/ Okusobala	E bulehile Ya bonahala	Go nna pepeneneng	Deursigtig
Voluntary**	<p>To willingly perform an action. Action is voluntary if the person or organisation taking the action has a choice whether or not to do so.</p> <p>An example in the context of <u>PAIA</u> is when <u>records</u> are made accessible (usually on a website or in a library) even without a request.</p>	Ngokuzinikela	Ho ithaopa	Boithaopo	Vrywillig



HELPFUL CONTACT DETAILS

For assistance with access to information:

South African History Archive

Tel: 011 718 2563 or online at www.saha.org.za or <http://foip.saha.org.za/>

Right2Know Campaign

Tel: 021 447 1000 or online at www.r2k.org.za

Open Democracy Advice Centre

Tel: 021 447 1177 or online at www.opendemocracy.org.za

South African Human Rights Commission

Tel: 011 877 3600 or online at www.sahrc.org.za

Information Regulator

Tel: 012 406 4818 or online at www.justice.gov.za/inforeg

For information about laws that apply to local government:

Local Government Action Group

Online at www.localgovernmentaction.org

South African Local Government Association

Tel: 012 369 8000 or online at <https://salga.org.za/>



This guide seeks to assist individuals and organisations that want to use PAIA or to provide training on the use of, or compliance with, PAIA. This it does by providing a plain language guide (glossary) to words and terms used in the Promotion of Access to Information Act, 2000 (PAIA) in English and providing translations for those terms to IsiZulu, SeSotho, SeTswana and Afrikaans.