**Annexure “A”**

**Amendment of section 1 of Act 2 of 2000, as amended by section 21 of Act 42 of 2001, section 1 of Act 54 of 2002 and section 6 of Act 24 of 2015**

**1.** Section 1 of the Promotion of Access to Information Act, 2000 (hereinafter referred to as the “principal Act”), is hereby amended by—

*(a)* the substitution for the definition of “head” of the following definition:

 “**'head'** of, or in relation to, a private body means—

*(a)* in the case of a natural person, including a person referred to in paragraph *(c)* of the definition of “political party”, that natural person or any person duly authorised by that natural person;

*(b)* in the case of a partnership, any partner of the partnership or any person duly authorised by the partnership;

 *(c)* in the case of a juristic person—

(i) the chief executive officer or equivalent officer of the juristic person or any person duly authorised by that officer; or

(ii) the person who is acting as such or any person duly authorised by such acting person;

*(d)* in the case of political party, the leader of the political party or any person duly authorised by that leader;”;

*(b)* the insertion after the definition of “personal requester” of the following definition:

 “**’political party’** means—

*(a)* any entity that accepts donations principally to support or oppose any registered political party or its candidates, in an election as defined in section 1 of the Electoral Act, 1998 (Act No. 73 of 1998);

*(b)* a party with representation in the national or provincial legislatures or a Municipal Council referred to in section 151 of the Constitution; or

 *(c)* a natural person who is an independent candidate;”; and

*(c)* the substitution for the definition of “private body” of the following definition:

 “**'private body'** means—

*(a)* a natural person who carries or has carried on any trade, business or profession, but only in such capacity;

*(b)* a partnership which carries or has carried on any trade, business or profession; **[or]**

*(c)* any former or existing juristic person, or

 *(d)* a political party,

but excludes a public body;”.

**Insertion of new section in Act 2 of 2000**

**2.** The following section is hereby inserted after section 52 of the principal Act:

“**Recording, preservation and disclosure of records on the private funding of political parties**

**52A.** (1) The head of a political party must—

*(a)*create and keep records of—

(i) any donation, exceeding the prescribed threshold, that has been made to that political party in any given financial year; and

(ii) the identity of the persons or entities who made such donations;

*(b)* make the records available on a quarterly basis, as prescribed; and

*(c)* keep the records for a period of at least five years after the records concerned have been created.

(2) For the purposes of this section—

*(a)* “**donation**” means a donation as defined in section 1;

*(b)* “**financial year**” means a financial year as defined in section 1; and

*(c)* “**prescribed threshold**” means the prescribed threshold contemplated in section 9(1)*(a)*,

 of the Political Party Funding Act, 2018 (Act No. 6 of 2018).”.

**Amendment of “contents” of Act 2 of 2000**

 **3.** The “contents” of the principal Act is hereby amended by the insertion after item 52 of the following item:

“52A. Recording, preservation and disclosure of records on the private funding of political parties”.

**Short title and commencement**

 **4.** This Act is called the Promotion of Access to Information Amendment Act, 2019, and commences on a date determined by the President by proclamation in the *Gazette*.