



Oliver's House

**Oliver's House Education Centre
Registration no 2003/013984/08
014-531 NPO**

MANUAL

**In terms of Section 51 of the
Promotion of Access to Information Act
Act 2 of 2000
(the Act)**

INTRODUCTION

The Promotion of Access to Information Act, 2 of 2000 (“the Act”), was enacted on 3 February 2002. This Act gives effect to Section 32 of The Constitution, which is the constitutional right of access to any information held by the State or another person and required for the exercise or protection of any rights. Where a request is made in terms of this Act, the private or public body to whom the request is made is obliged to release the information, except where the Act expressly provides that the information must not be released.

Any person, who requires information for the exercise or protection of any rights, may request information from a private body. Section 50 of the Act states that:

A requester must be given access to any record of a private body if:

- (a) that record is required for the exercise or protection of any rights;
- (b) that person complies with the procedural requirements in this Act relating to a request for access to that record; and
- (c) access to that record is not refused in terms of any ground for refusal as contemplated in the Act.

SECTION 10 GUIDE - (SECTION 51(1)(B))

The South African Human Rights Commission will, in terms of section 10 of the Act, compile a guide on the use of the Act. This Guide will be available from the South African Human Rights Commission by not later than August 2004. Please direct any queries to:

The South African Human Rights Commission:

PAIA Unit
The Research and Documentation Department
Postal address: Private Bag 2700
Houghton
2041

Telephone: +27 11 484-8300
Fax: +27 11 484-7146
Website: www.sahrc.org.za
E-mail: PAIA@sahrc.org.za

Oliver's House Education Centre

Oliver's House Education Centre, is a section 21 company, not having a share capital, and a private body under paragraph (c) of the definition of "private body" in section 1 of the Act.

This document serves as Oliver's House Education Centre's manual with regard to information or records.

Any person who wishes to request any information from Oliver's House Education Centre with the object of protecting or exercising a right, may do so on the prescribed attached form and send it to the information officer whose contact details are detailed below.

PARTICULARS IN TERMS OF SECTION 51

Contact Details (Section 51(1)(a))

Name of Body	-	Oliver's House Education Centre
Registration Number	-	2003/013984/08 014-531 NPO
Head of Body	-	D.A. Sellar - Director

REQUESTING INFORMATION FROM

Mr. D.A. Sellar

Director

Oliver's House Education Centre

Postal Address

Oakfields 202
Paperworks X43
1501

Physical Address

73 Woburn Avenue
Benoni
1500

Tel (011) 748-6500
Fax (011) 420-2706
e-mail dsellar@olivershouse.co.za
Website www.olivershouse.co.za

ACCESS WILL BE GIVEN TO THE FOLLOWING RECORDS OR INFORMATION

Personnel records

These include:

- any personal records provided to the company by its personnel;
- any records a third party has provided to the company about any of its personnel;
- conditions of employment and other personnel-related contractual and quasi-legal records;
- internal evaluation records; and
- other internal records and correspondence.

Customer-related records

A customer includes any natural or juristic entity that receives services from the company. Customer-related information includes the following:

- any records a customer has provided to a third party acting for or on behalf of the company;
- any records a third party has provided to the company ; and
- records generated by or within the company pertaining to the customer, including transactional records.

Company records

This includes but is not limited to the following:

- published financial records;
- operational records;
- databases;
- information technology;
- marketing records;
- internal correspondence;
- product records
- statutory records;
- internal policies and procedures;
- treasury-related records;
- securities and equities; and
- records held by officials of the private body.

Other Parties

The company may possess records pertaining to other parties (including without limitation) contractors, suppliers, subsidiary/ holding/sister companies, joint venture companies and service providers. Alternatively, such other parties may possess records that can be said to belong to the company.

The following records fall under this category:

- personnel, customer or private body records which are held by another party as opposed to being held by the company ; and
- records held by the company pertaining to other parties (including without limitation) financial records, correspondence, contractual records, records provided by the other party and records third parties have provided about the contractors/suppliers.

The above is not an exhaustive list of records available and requests may be made in terms of the following legislation as well:

- Alienation of Land Act (68 of 1981)
- Banks Act (94 of 1990)
- Basic Conditions of Employment Act (75 of 1997)
- Companies Act (61 of 1973)
- Compensation for Occupational Injuries & Diseases Act (130 of 1993)
- Employment Equity Act
- Financial Markets Control Act (55 of 1989)
- Financial Services Board Act (97 of 1990)
- Income Tax Act (58 of 1962)
- Labour Relations Act (66 of 1995)
- Occupational Health and Safety Act (85 of 1993)
- Pension Funds Act (24 of 1956)
- Promotion of Equality and Prevention of Unfair Discrimination Act
- Regional Services Councils Act (109 of 1985)
- Short Term Insurance Act (53 of 1998)
- Skills Development Act (97 of 1998)
- Skills Development Levies Act (9 of 1999)
- VAT Act (89 of 1991)

The company will consider any request received although not covered in any one of the above Acts.

APPLICATION FORM TO BE COMPLETED

A request for access to a record of Oliver's House Education Centre must be made to the company, by completing the attached form (Annexure A) and by sending it to the company at the address, fax number or electronic mail address given above.

The form requires the requester to provide the following information:

- sufficient information to enable the Secretary to identify the requester;
- sufficient information to enable the Secretary to identify the record(s) requested;
- the form of access required;
- the requester's postal address or fax number;
- identification of the right sought to be exercised or protected;
- an explanation on why the record is required to exercise or protect that right;
- the manner in which the requester wishes to be informed of the decision on the request, if in a manner in addition to written notification; and
- if the request is made on behalf of a person, the submission of proof of the capacity in which the requester makes the request, to the satisfaction of the Information Officer.

Requesters, please note that all of the information as listed above should be provided, failing which the process will be delayed while we request such additional information. The prescribed time periods will not commence until the requester has furnished all pertinent information.

PRESCRIBED FEES

Payment of fees is regulated in terms of Section 54 of the Act. The Regulations to the Act provide for two types of fees:

- request fee – this is a non-refundable administration fee paid by all requesters with the exclusion of personal requesters. It is paid before the request is considered
- access fee – all requesters pay this only when access is granted. This fee is intended to reimburse the private body for the costs involved in searching for a record and preparing it for delivery to the requester

Oliver's House Education Centre may withhold a record until the request fee and the deposit (if applicable) have been paid. A schedule of the prescribed fees is attached as Annexure B to this manual.

ANNEXURE A

OLIVER'S HOUSE EDUCATION CENTRE

REQUEST FOR ACCESS TO A RECORD OF A PRIVATE BODY

To:

Mr. D.A. Sellar
Director
Oliver's House Education Centre
Oakfields 202
Paperworks X43
Benoni
1501

73 Woburn Avenue
Benoni
1501

E-mail dsellar@olovershouse.co.za

A. Particulars of person requesting access to the record

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

Full name and surname _____

Identity number _____

Postal address _____

Telephone number _____ Fax number _____

E-mail address _____

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

B. 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 name and surname _____

Identity number _____

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

Description of record or relevant part of the record

Reference number, if available _____

Any further particulars of record

D. Fees

- (a) A request for access to a record, other than a record containing personal information about you, 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 therefore**

Reason for exemption from payment of fees

E. 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	Form in which record is required
_____	_____
_____	_____
_____	_____
_____	_____

Mark the appropriate box with an "X"

NOTES

(a) *Your indication as to the required form of access depends 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			
<input type="checkbox"/>	Copy of record*	<input type="checkbox"/>	Inspection of record

2. If record consists of visual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)					
<input type="checkbox"/>	View the images	<input type="checkbox"/>	Copy of the images*	<input type="checkbox"/>	Transcription of the images*

3. If record consists of recorded words or information which can be reproduced in sound			
<input type="checkbox"/>	Listen to the soundtrack	<input type="checkbox"/>	Transcription of soundtrack*

	(audio cassette)		(written or printed document)
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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)	
*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? <i>A postal fee is payable.</i>					YES	NO

F. Particulars of right to be exercised or protected

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

Indicate which right is to be exercised or protected

Explain why the requested record is required for the exercising or protection of the aforementioned right

G. 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 thereof 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?

SIGNED AT _____ THIS _____ DAY OF _____ 200__

**SIGNATURE OF REQUESTER/PERSON ON
WHOSE BEHALF REQUEST IS MADE**

ANNEXURE B

Request fee R50.00

Reproduction and/or access fees

Where a private body has voluntarily provided the Minister with a list of categories of records that will automatically be made available to any person requesting access thereto, the only charge that may be levied for obtaining such records, will be a fee for reproduction of the record in question.

- For every photocopy of an A4-size page or part thereof R1.10
- For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form R0.75
- For a copy in a computer-readable form on
 - stifty disc R7.50
 - compact disc R70.00
- A transcription of visual images, for an A4-size page or part thereof R40.00
- For a copy of visual images R60.00
- A transcription of an audio record, for an A4-size page or part thereof R20.00
- For a copy of an audio record R30.00
- To search for a record that must be disclosed, R30.00 per hour or part of an hour reasonably required for such search.
- Where a copy of a record needs to be posted the actual postal fee is payable.

Deposits

Where a private body receives a request for access to information held on a person other than the requester himself/herself and the Information Officer upon receipt of the request is of the opinion that the preparation of the required record for disclosure will take more than 6 (six) hours, a deposit is payable by the requester which is equal to 1/3 (one third) of the amount of the applicable access fee.