

SECTION 51 MANUAL:
PROMOTION OF ACCESS TO INFORMATION ACT, ACT 2 OF 2000

EDEN BOWLS

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1. THE SECTION 10 GUIDE ON HOW TO USE THE ACT [*Section 51(1)(b)*]

The guide will be available from the South African Human Rights Commission.
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 0582

WEBSITE: www.sahrc.org.za

E-MAIL: PAIA@sahrc.org.za

PARTICULARS IN TERMS OF SECTION 51 OF THE ACT

The reference, in this Manual, to any information in addition to that specifically required in terms of Section 51 of the Act does not create any right or entitlement (contractual or otherwise) to receive such information, other than in terms of the Act.

2. **CONTACT DETAILS** [Section 51(1)(a)]

DESIGNATED INFORMATION OFFICER: Koos Louw

PHYSICAL ADDRESS: 33 Airways
George
6530

POSTAL ADDRESS: P.O. Box 9779
George
6530

TELEPHONE: 044 – 851 0063
084 525 1243

E-MAIL: secretary@bowlssc.co.za

3. **RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION** [Section 51(1)(d)]

Where applicable, information is available in terms of the following legislation (to the persons or entities specified in such legislation):

Basic Conditions of Employment Act 75, 1997
Broad-Based Black Economic Empowerment Act 2003
Compensation for Occupational Injuries and Health Diseases Act, No 130 of 1993
Consumer Protection Act 2008
Copyrights Act No. 98 of 1978
Electronic Communications and Transactions Act No. 25 of 2002
Financial Intelligence Centre Amendment Act 2008
Income Tax Act 58, 1962
National Credit Act 2005
Labour Relations Act 66 of 1995
Promotion of Access to Information Act No. 2 of 2000
Skills Development Levies Act, No 9 of 1999
Statistics Act 1999
Unemployment Contributions Act, No 4 of 2002

4(i) CATEGORIES OF RECORDS OF EDEN BOWLS WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS IN TERMS OF THE ACT, I.E. VOLUNTARY DISCLOSURE.
[Section 51(1)(c)]

Eden Bowls is not obliged to publish a notice in terms of Section 52(2) of the Act and to date has not elected to do so. Nevertheless, Eden Bowls does make certain information freely available to the public in occasional brochures, press releases and publications. Certain information is also made available to employees of Eden Bowls which is not generally made available to the public. To avoid confusion, these items are not listed here but may be obtained by the employees from the Manager.

4(ii) RECORDS THAT MAY BE REQUESTED *[Section 51(1)(e)]*

We maintain records on the following categories and subject matters. However, please note that recording a category or subject matter in this Manual does not imply that a request for access to such records would be honored. All requests for access will be evaluated on a case-by-case basis in accordance with the provisions of the Act. In particular, these may be applicable grounds of refusal of such a request, as set out in the Act.

Please note further that many of the records held by us are those of third parties, such as clients and employees, and we take the protection of third party confidential information very seriously. In particular, where we act as professional advisors to clients, many of the records held are confidential and others are the property of the client and not of Eden Bowls. Requests for access to these records will be considered very carefully. Please ensure that requests for such records are carefully motivated.

A) INTERNAL RECORDS

The following are records pertaining to Eden Bowls' own affairs:

Financial records

Operational records

Marketing records

Internal correspondence

Service records

Statutory records

Internal policies and procedures

Charters, codes of conduct and policies (both internal and external) to which Eden Bowls and its personnel subscribe; and

Records held by officials of Eden Bowls.

B) PERSONNEL RECORDS:

For the purposes of this section, "personnel" means any person who works for or provides services to or on behalf of Eden Bowls and receives or is entitled to receive any remuneration, and any other person who assists in carrying out or conducting the business of Eden Bowls. This includes, without limitation, members, partners, directors, all permanent, temporary and part-time staff as well as consultants and contract workers.

PERSONNEL RECORDS INCLUDE THE FOLLOWING:

Any personal records provided to us by our personnel.
Any records a third party has provided to us about any of their personnel.
Conditions of employment, and other personnel related contractual and quasi-legal records.
Employment policies and procedures.
Internal evaluation and disciplinary records.
Applications and appointments.
Other internal records and correspondence.

C) CUSTOMER/CLIENT RELATED RECORDS:

Customer/Client related information includes the following:
Contracts with the client and between the client and other persons.
Any records a customer has provided to Eden Bowls, or a third party acting on behalf of Eden Bowls.
Any research conducted by Eden Bowls in respect of its clients, or research derived by Eden Bowls from its clients and their activities.
Records, reports and the like generated by Eden Bowls for its clients.
Any records a third party has provided to Eden Bowls, which concerns a client.

D) OTHER PARTIES

Records are kept in respect of other parties, including without limitation, contractors and sub-contractors, suppliers, service providers and providers of information regarding general market conditions. In addition, such other parties may possess records which can be said to belong to Eden Bowls.

The following records fall into this category:

Personnel, client and Eden Bowls records which are held by another party as opposed to being held by Eden Bowls itself.
Records held by Eden Bowls pertaining to other parties, including financial records, correspondence, contractual records, records provided by the other party, and records third parties have provided about their contractors or suppliers

E) OTHER INFORMATION

We hold further records, including:
Information relating to Eden Bowls own commercial activities.
Procurement and administration for Eden Bowls.
Research information belonging to Eden Bowls or carried out on behalf of a third party

4(iii) **HOW TO REQUEST A RECORD, A DESCRIPTION OF THE SUBJECTS ON WHICH WE HOLD RECORDS, AND THE CATEGORIES OF RECORDS HELD ON EACH SUBJECT** [Section 51(1)(e)]

HOW TO REQUEST A RECORD

Requests for access to records held by Eden Bowls must be made on the request forms that are available from the SAHRC website (www.sahrc.org.za) or the Department of Justice and Constitutional Development website (www.doj.gov.za) (under “regulations”). For the convenience of requestors, copies of these forms are included in the version of this Manual available at our offices (Annexure 1).

Requests for access to records must be made to our Information Officer at the address, fax number or electronic mail address provided.

The requester must provide sufficient detail on the request form to enable the Information Officer to identify the record and the requester. The requester should also indicate which form of access is required and indicate if he or she wishes to be informed in any other manner and state the necessary particulars to be so informed.

It is vital that the requester identifies **the right that he or she is seeking to exercise or protect and provides an explanation of why the requested record is required for the exercise or protection of that right.**

If a request is made on behalf of another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of our Information Officer.

If a requester does not use the standard form (Annexure 1), the request may be rejected for lack of procedural compliance, refused (if sufficient information is not provided or otherwise) or delayed.

Please note that requesters are also required to pay the prescribed fees. **The list of pre-scribed fees in respect of requests, and in respect of access to records (if the request is granted) is attached as Annexure 2.**

The head of the private body must notify the requester (other than a personal requester) of the prescribed fee (if any) before further processing the request. The requester may lodge an internal appeal or an application to Court against the tender or payment of the request fee.

The head of the private body will then make a decision on the request and notify the requester in the required form.

If the request is granted then a further access fee must be paid for the reproduction and the search and preparation, and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

Kindly note that all requests to Eden Bowls will be evaluated and considered in accordance with the Act. Publication of this Manual and describing the categories and subject matter of information held by Eden Bowls does not give rise to any rights to access such information or records, except in terms of the Act.

5. OTHER INFORMATION AS MAY BE PRESCRIBED [Section 51(1)(f)]

The Minister of Justice and Constitutional Development has not made any regulations in this regard.

6. AVAILABILITY OF THE MANUAL [Section 51(3)]

The manual can be inspected free of charge at the physical address of the company during normal business hours and copies are available from the South African Human Rights Commission.

7. PRESCRIBED FORMS

The prescribed forms are available on the following websites:

- www.sahrc.org.za
- www.doj.gov.za

8. PRESCRIBED FEES FOR PRIVATE BODIES

The list of prescribed fees in respect of requests, and in respect of access to records (if the request is granted) can be found in Section III of Annexure A of the Act, available on the following websites:

- www.sahrc.org.za
- www.doj.gov.za

ANNEXURE 1

PRESCRIBED FORMS

REQUEST FOR ACCESS TO RECORD(S) OF A PRIVATE BODY

(Section 53(1) of the Promotion of Access to Information Act, 2000)

(Act No.2 of 2000))

[Regulation 10]

A. PARTICULARS OF PRIVATE BODY

Name of body: _____
The Head: _____

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 must 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 the request is made, when made on behalf of another person:

C. PARTICULARS OF PERSON ON WHOSE BEHALF REQUEST IS BEING MADE

Full names and surname: _____
Identity number: _____

D. PARTICULARS OF RECORD

- 1. Description of record or relevant part of the record:

2. Reference number, if available:

3. Any further particulars of record:

E. FEES

Reason for exemption from payment of fees:

F. FORM OF ACCESS TO RECORD

Disability	Form in which record is required

1. IF THE RECORD IS IN WRITTEN OR PRINTED FORM:

Copy of record *		Inspection of record	
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2. IF THE RECORD CONSISTS OF VISUAL IMAGES:

View the images		Copy of the images *	
Transcription of the images *			

3. IF THE RECORD CONSISTS OF RECORDED WORDS OR INFORMATION WHICH CAN BE REPRODUCED IN SOUND

Listen to the soundtrack		Transcription of soundtrack*	
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4. IF THE 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? Postage is payable			Yes
			No

G. PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED

1. Indicate which right is to be exercised or protected:

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

H. NOTICE OF DECISION REGARDING REQUEST FOR ACCESS

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

Signed at _____ this _____ day of _____ 20_____

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

ANNEXURE 2

FEEES IN RESPECT OF PRIVATE BODIES

1. The fee for a copy of the manual as contemplated in regulation 9(2) is R1, 10 for every photocopy of an A4-size page or part thereof.
2. The fees for reproduction referred to in regulation 11(1) are as follows:

(a)	For every photocopy of an A4-sized page or part thereof	R1.10
(b)	For every printed copy of an A4-sized page or part thereof held on a computer or in electronic or machine readable form	R0.75
(c)	For a copy in a computer readable form on –	
	(i) stiffy disc	R7.50
	(ii) compact disc	R70.00
(d)	(i) For a transcript of visual images, for an A4-sized part thereof	R40.00
	(ii) For a copy of visual images	R60.00
(e)	(i) For a transcription of an audio record, for an A4-size page or part thereof	R20.00
	(ii) For a copy of an audio record	R30.00
3. The request fee payable by a requester other than a personal requester referred to in regulation 11(2) is R 50, 00.
4. The access fees payable by a requester referred to in regulation 11(3) are as follows:

(1)	(a) For every photocopy of an A4-sized page or part thereof	R1, 10
	(b) For every printed copy of an A4-sized page or part thereof held on a computer or in electronic or machine-readable form	R 0,75
	(c) For a copy in a computer readable form on –	
	(i) stiffy disc	R7,50
	(ii) compact disc	R70,00
	(d) (i) For a transcript of visual images, for an A4-sized part thereof	R40,00
	(ii) For a copy of visual images	R60, 00
	(e) (i) For a transcript of an audio record, for an A4-sized part thereof	R20,00
	(ii) For a copy of an audio record	R30, 00
	(f) To search for and prepare the record for disclosure, R30, 00 for each hour or part of an hour reasonably required for such search and preparation	

 - (2) For purposes of Section 54(2) of the Act, the following applies:
 - (a) Six hours as the hours to be exceeded before a deposit is payable; and
 - (b) One third of the access fee is payable as a deposit by the requester.
 - (3) The actual postage is payable when a copy of a record must be posted to the requester.