

ASSOCIATION FOR COMMUNICATION & ADVERTISING LTD
(Limited by Guarantee)
(Registration Number 1971/008178/09)
("the ACA")

MANUAL

in terms of
Section 51 of The Promotion of Access to Information Act
2 of 2000
(the "ACT")

1. INTRODUCTION

The manual is to assist potential requestors as to the procedure to be followed when requesting access to information / documents from the ACA as contemplated in terms of the Act.

The manual may be amended from time to time and as soon as any amendments have been finalised the latest version of the manual will be made public.

Any requestor is advised to contact the person indicated hereunder should he / she require any assistance in respect of the utilisation of this manual and / or the requesting of documents / information from the ACA.

The following words will bear the following meaning in this manual :

"the Act" shall mean the Promotion of Access to Information Act, No. 2 of 2000, together with all relevant regulations published;

"the manual" shall mean this manual together with all annexures thereto as available at the offices of the ACA from time to time;

"the ACA" shall mean the Association for Communication & Advertising Ltd (Limited by Guarantee);

"SAHRC" shall mean the South African Human Rights Commission.

2. CONTACT DETAILS (Section 51(1)(a) of the Act)

Persons designated/duly authorised persons:

Organization:	Association for Communication & Advertising Ltd (Limited by Guarantee)
Name of designated person:	Russell Cory
Designation:	Financial Director
Postal Address:	PO Box 2302, Parklands, 2121
Street Address:	2 nd Floor, Renaissance Place, 444 Jan Smuts Avenue, Craighall, Johannesburg
Tel Number:	011 781-2772
Fax Number:	011 781-2797
Email	Russell@aaaltd.co.za

3. GUIDE IN TERMS OF SECTION 10 OF THE ACT (Section 51(1)(b) of the Act)

In terms of section 10 of the Act a guide will be compiled by the SAHRC containing such information as may be required by a person who wishes to exercise any right contemplated in the Act. The guide will be made available by the SAHRC by no later than August 2003.

Contact details of the South African Human Rights Commission:

PAIA Unit
The Research and Documentation Department
Private Bag 2700
HOUGHTON 2041

Telephone: +27 11 484 8300
Fax: +27 11 484 0582
Website: www.sahrc.org.za
E-mail: PAIA@ahrc.org.za

4. NOTICES IN TERMS OF SECTION 52(2) OF THE ACT (Section 51(1)(c) the Act)

At this stage no notices have been published.

5. INFORMATION / DOCUMENTS AVAILABLE IN ACCORDANCE WITH OTHER LEGISLATION (Section 51(1)(d) of the Act)

The ACA keeps information / documents in accordance with the following legislation (please note that this is not an exhaustive list) :

- Income Tax Act, Act No. 58 of 1962 (Section 75)
- Value-Added Tax Act, Act No. 89 of 1991 (Section 65)
- Unemployment Insurance Act, Act No. 30 of 1966 (Section 32)
- Basic Conditions of Employment Act, Act No. 75 of 1997 (Section 31)
- Employment Equity Act, Act No. 55 of 1998 (Section 26)
- Compensation for Occupational Injuries and Diseases Act, Act No.130 of 1993 (Section 97)
- Occupational Health and Safety Act, Act No. 85 of 1993
- Skills Development Act, Act No. 97 of 1998
- Skills Development Levies Act No. 9 of 1999
- Medical Schemes Act No. 131 of 1998
- Labour Relations Act No. 66 of 1995
- Regional Services Councils Act No. 109 of 1985
- Stamp Duties Act No. 77 of 1968
- Unemployment Contributions Act No. 4 of 2002
- Unemployment Insurance Act No. 63 of 2001

6. DOCUMENTS / INFORMATION HELD BY THE ACA IN TERMS OF THE ACT (Section 51(1)(e) of the Act)

The documents / information listed herein below pertain to the day-to-day management of the business of the ACA:

- Standard Employment Contracts

- Employment Equity Report
- Human Resources Manual
- Insurance Policies
- Other commercial contracts
- Financial records
- Asset register
- Internal correspondence
- External correspondence
- Commercial contracts

It is recorded that any and all documents / information requested pertaining to the aforesaid shall always only be made available to a requestor subject to the provisions of sections 62 to 69 the Act.

7. OTHER INFORMATION (Section 51(1)(f) of the Act)

The Minister of Justice and Constitutional Development has to date not published any regulations in terms of this section.

8. REQUEST FOR INFORMATION

8.1 Form of request (See Annexure A)

8.1.1 The requester must use the prescribed form to make the request for access to a record. This must be made to the head of the private body. This request must be made to the address, fax number or electronic mail address of the body concerned [s 53(1)].

8.1.2 The requester must provide sufficient detail on the request form to enable the head of the private body to identify the record and the requester. The requester should also indicate which form of access is required. The requester should also indicate if any other manner is to be used to inform the requester and state the necessary particulars to be so informed [s 53(2)(a) and (b) and (c)].

8.1.3 The requester must identify the right that is sought to be exercised or to be protected and provide an explanation of why the requested record is required for the exercise or protection of that right [s 53(2)(d)].

8.1.4 If a request is made on behalf of a another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the head of the private body [s 53(2)(f)].

8.2 Fees (See Annexure B)

8.2.1 A requester who seeks access to a record containing personal information about that requester is not required to pay the request fee. Every other requester, who is not a personal requester, must pay the required request fee:

- 8.2.2 The head of the private body must notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed fee (if any) before further processing the request [s 54(1)].
- 8.2.3 The fee that the requester must pay to a private body is R50. The requester may lodge an application to the court against the tender or payment of the request fee [s 54(3)(b)].
- 8.2.4 After the head of the private body has made a decision on the request, the requester must be notified in the required form.
- 8.2.5 If the request is granted then a further access fee must be paid for the search, reproduction, preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure [s 54(6)].

8. AVAILABILITY OF THIS MANUAL

This manual is available for inspection free of charge at the offices of the ACA.

Copies of the manual may be obtained, subject to the payment of the prescribed fee, from the offices of the Association for Communication & Advertising Ltd.

The manual can also be accessed on the website of The South African Human Rights Commission.

REQUEST FOR ACCESS TO RECORD OF 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

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 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:

Identity number:

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:

2. Reference number, if available:

3. Any further particulars of record:

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:

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:	Form in which record is required:
<p>Mark the appropriate box with an X.</p> <p>NOTES:</p> <p>(a) Compliance with your request in the specified form may depend on the form in which the record is available.</p> <p>(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.</p> <p>(c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.</p>	

1. If the record is in written or printed form:

<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record
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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*
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3. If record consists of recorded words or information which can be reproduced in sound:

<input type="checkbox"/>	listen to the soundtrack (audio cassette)	<input type="checkbox"/>	transcription of soundtrack* (written or printed document)
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4. If record is held on computer or in an electronic or machine-readable form:

<input type="checkbox"/>	printed copy of record*	<input type="checkbox"/>	printed copy of information derived from the record*	<input type="checkbox"/>	copy in computer readable form* (stiffy or compact disc)
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*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
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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:
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

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?

Signed at _____ this _____ day of _____ 20

SIGNATURE OF REQUESTER / PERSON
ON WHOSE BEHALF REQUEST IS MADE

ANNEXURE B

FEES IN RESPECT OF PRIVATE BODIES

1. The fee for a copy of the manual as contemplated in regulation 9(2)(c) 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:

	R
(a) For every photocopy of an A4-size page or part thereof	1,10
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,75
(c) For a copy in a computer-readable form on -	
(i) stiffy disc	7,50
(ii) compact disc	70,00
(d) (i) For a transcription of visual images, for an A4-size page or part thereof	40,00
(ii) For a copy of visual images	60,00
(e) (i) For a transcription of an audio record, for an A4-size page or part thereof	20,00
(ii) For a copy of an audio record	30,00

3. The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2) is R50,00.

4. The access fees payable by a requester referred to in regulation 11(3) are as follows:

	R
(1)(a) For every photocopy of an A4-size page or part thereof	1,10
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,75
(c) For a copy in a computer-readable form on -	
(i) stiffy disc	7,50
(ii) compact disc	70,00
(d) (i) For a transcription of visual images, for an A4-size page or part thereof	40,00

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|--|-------|
| (ii) For a copy of visual images | 60,00 |
| (e) (i) For a transcription of an audio record,
for an A4-size page or part thereof | 20,00 |
| (ii) For a copy of an audio record | 30,00 |
| (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 a requester.