

THE NATAL SOCIETY FOUNDATION TRUST

Manual in terms of Section 51 of PROMOTION OF ACCESS TO INFORMATION ACT 2 OF
2000

TABLE OF CONTENTS

1. AVAILABILITY OF THE MANUAL
2. CONTACT DETAILS - SECTION 51(1)(A)
3. GUIDE (HUMAN RIGHTS COMMISSION (“HRC”) GUIDE) FOR REQUESTERS ON HOW TO USE THE ACT IN TERMS OF SECTION 10 – SECTION 51(1)(B)
4. RECORDS AVAILABLE AND HELD IN ACCORDANCE WITH OTHER LEGISLATION – SECTION 51(1)(D)
5. RECORDS AUTOMATICALLY AVAILABLE TO THE PUBLIC - SECTION 51(1)(C)
6. CATEGORIES AND TYPES OF RECORDS AND INFORMATION HELD IN TERMS OF THE ACT – SECTION 51(1)(E)
7. ACCESS REQUEST PROCEDURE – SECTION 51(1)(E)
8. GROUNDS FOR REFUSAL TO ACCESS TO RECORDS
9. THE LATEST NOTICE IN TERMS OF SECTION 52(2)
10. PRESCRIBED FEES - SECTION 51(1)(E)
11. 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]

1. AVAILABILITY OF THE MANUAL

1.1. This manual is available for inspection at the offices of Hay and Scott Attorneys, free of charge.

1.2. Copies of the manual may be obtained, subject to the prescribed fees, at the offices of Hay and Scott Attorneys

1.3. The manual can be accessed on the website of The Natal Society Foundation Trust at <http://www.natalia.org.za>

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

2. CONTACT DETAILS - SECTION 51(1)(A)

Name of Entity: The Natal Society Foundation Trust

Physical address: Hay and Scott Attorneys, Penthouse, 3 Highgate Drive, Redlands Estate,
1 George Macfarlane Lane, Pietermaritzburg

Postal address: Po Box 11093, Dorpspruit 3206

Name of Head of Private Body: Peter Michael Colville Croeser

Telephone: 033 344 1604

Fax: 033 342 4900

Email: khehla.publishers@gmail.com

3. GUIDE ON THE USE OF PAIA IN TERMS OF SECTION 10 – SECTION 51(1)(B)

3.1 A guide on how to use Promotion of Access to Information Act 2 of 2000 (hereafter referred to as PAIA) has been compiled by the South African Human Rights Commission in terms of Section 10 of PAIA.

3.2 This guide is available in each of the official languages.

3.3 The guide may be accessed as follows:

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

Physical address: Offices of SAHRC Forum, 3 Braampark Office Park, Braamfontein

Telephone: 011 877 3600

E-mail: PAIA@sahrc.org.za

Website: www.sahrc.org.za

4. RECORDS AVAILABLE AND HELD IN ACCORDANCE WITH OTHER LEGISLATION – SECTION 51(1)(D)

Records held in accordance with the following legislation:

- Trust Property Control Act 57 of 1988;
- Copyright Act, No. 98 of 1987;
- Electronic Communication and Transactions Act, No. 2 of 2000;
- Promotion of Access to Information Act, No. 2 of 2000;

5. RECORDS AUTOMATICALLY AVAILABLE TO THE PUBLIC- SECTION 51(1)(C)

The following records are automatically available on our website without having to submit a formal request to access the information in terms of the Act:

- All publication made available on the website of the Natal Society Foundation Trust.

6. CATEGORIES AND TYPES OF RECORDS AND INFORMATION HELD IN TERMS OF PAIA – SECTION 51(1)(E)

The following records and information held by Natal Society Foundation Trust In terms of the PAIA:

1. ORGANISATION RECORDS

- Trust Deed;
- Certificate of Registration of Non-Profit Organisation
- Tax Exemption Letter from SARS
- Minutes of Annual General Meetings

2. FINANCIAL RECORDS

- Annual Financial Statements
- Tax Returns
- Accounting Records
- Banking Records
- Bank Statements

- Paid Cheques
 - Invoices
3. Administration & Operational Records
- General Housekeeping information
 - Minutes of meetings

7. ACCESS REQUEST PROCEDURE – SECTION 51(1)(E)

To obtain access to information the requester must complete Form C (Annexure A), providing sufficient information therein, and submit the completed form to the Head of the Private Body at the address, fax number, or electronic mail address provided above.

If the request is made on behalf of another person, proof must be submitted of the capacity in which the requester is making the request.

8. GROUNDS FOR REFUSAL TO ACCESS TO RECORDS

The Grounds for refusal of access to information is set out in Chapter 4 of PAIA:

1. Mandatory protection of privacy of third party who is natural person;
2. Mandatory protection of commercial information of third party;
3. Mandatory protection of certain confidential information of third party;
4. Mandatory protection of safety of individuals, and protection of property;
5. Mandatory protection of records privileged from production in legal proceedings;
6. Commercial information of private body;
7. Mandatory protection of research information of third party, and protection of research information of private body; and
8. Mandatory disclosure in public interest.

9. THE LATEST NOTICE IN TERMS OF SECTION 52(2)

To date, no notice has been published in terms of Section 52 (2) of PAIA.

10. PRESCRIBED FEES - SECTION 51(1)(E)

Prescribed fees for records of private body:

- | | |
|--|---------------|
| a. The request fee payable by a requester, other than a personal requester, referred to in section 54(1) of the Act is | R50.00 |
| b. The fee for reproduction referred to in section 52(3) of the Act, is as follows: | |
| • 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 – | |
| (i) stiffy disc: | R7.50 |
| (ii) compact disc: | R70.00 |
| • For a transcription of visual images, for an A4-size page or part thereof: | R40.00 |
| • For a copy of visual images: | R60.00 |
| • For transcription of an audio record, for an A4-size page or part thereof: | R20.00 |
| • For a copy of an audio record R30,00: | R30.00 |

ANNEXURE A- 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]

FORM C

**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 |
| Form in which record is required: | |
| Mark the appropriate box with an X. | |
| <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 for 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: | | | |
| | copy of record* | | inspection of record |
| 2. If record consists of visual images this includes photographs, slides, video recordings, computer-generated images, sketches, etc) | | | |
| | view the images | copy of the images" | transcription of the images* |
| 3. If record consists of recorded words or information which can be reproduced in sound: | | | |
| | listen to the soundtrack audio cassette | transcription of soundtrack* written or printed document | |
| 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? Postage is payable. | | | YES NO |

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 of20

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