

PROMOTION OF ACCESS TO INFORMATION ACT,
ACT 2 OF 2000 (The Act)

SECTION 51 MANUAL FOR
HARRISTON SCHOOL NPC
1996/010075/08

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INTRODUCTION TO HARRISTON SCHOOL NPC

HARRISTON SCHOOL was formed as a Section 21 company in 1996. The main object of the company is the running of a school for lower primary, primary and secondary education for children of all races and religions.

PARTICULARS IN TERMS OF SECTION 51

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

Mr. P.D. Huntley is duly authorised to deal with all matters in connection with requests for information in terms of the Promotion of Access to Information Act, 2 of 2000.

Postal address: P.O. Box 1544, HARRISMITH, 9880
Street address: 45 Mauritz Street, HARRISMITH, 9880
Telephone: 058- 62 32755
E-Mail: head@harriston.co.za

2. THE GUIDE AS DESCRIBED IN SECTION 10. [Section 51(1)(b)]

The guide will be available from the Human Rights Commission. Please direct any queries to:

The Human Rights Commission:

Postal address: Private Bag 2700
HOUGHTON
2041
Telephone: +27 11 484 8300
Facsimile: +27 11 484-0582
Website: <http://www.sahrc.org.za>

3. CATEGORIES OF RECORDS OF HARRISTON SCHOOL NPC WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS IN TERMS OF THE ACT IN TERMS OF SECTION 52(2). [Section 51(1)(c)]

No notice of such records has been made to the Minister.

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

Records are kept in accordance with the following legislation:

- Labour Relations Act 66 of 1995
- Employment Equity Act 55 of 1998
- Basic Conditions of Employment Act 75 of 1997
- Compensation for Occupational Injuries and Disease Act 130 of 1993
- Companies Act, 1973
- Unemployment Insurance Act 63 of 2001
- Income Tax Act, 1962
- Value Added Tax, 1991
- Skills Development Act 9 of 1999

SUBJECTS AND CATEGORIES OF RECORDS HELD BY HARRISTON SCHOOL NPC: SECTION 51(1)(e)

1. COMPANIES ACT RECORDS

- Documents of incorporation
- Memorandum and Articles of Association
- Minutes of Board of Directors meetings
- Records relating to the appointment of directors/auditor/secretary/public officer and other officers
- Share Register and other statutory registers

2. FINANCIAL RECORDS

- Annual Financial Statements
- Tax Returns
- Accounting Records
- Banking Records / Bank Statements / Paid Cheques / Electronic banking records
- Asset Register
- Rental Agreements
- Invoices

3. INCOME TAX RECORDS

- PAYE Records
- Documents issued to employees for income tax purposes
- Records of payments made to SARS on behalf of employees
- All other statutory compliances:
 - VAT
 - Regional Services Levies
 - Skills Development Levies
 - UIF
 - Workmen's Compensation

4. PERSONNEL DOCUMENTS AND RECORDS

- Employment contracts
- Employment Equity Plan (if applicable)
- Medical Aid records
- Pension Fund records
- Disciplinary records
- Salary records
- SETA records
- Disciplinary code
- Leave records
- Training records
- Training Manuals

5. HOW TO REQUEST A RECORD. A DESCRIPTION OF THE SUBJECTS OF THE RECORDS HELD BY HARRISTON SCHOOL NPC AND THE CATEGORIES IN WHICH THESE SUBJECTS ARE CLASSIFIED. [Section 51(1)(e)]

5.1 How to request a record [See *pro forma* request form in Section 9]

- Section 53 prescribes that 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, or his duly authorized deputy. This request must be made to the address or electronic mail address of the body concerned.

- 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 he or she wishes to be informed in any other manner and state the necessary particulars to be so informed.
- The requester must identify the right that he or she is seeking to exercise or protect and provide 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 a 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.
- 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.
- The fee for private bodies is R50. The requester may lodge an internal appeal or an application to the court against the tender or payment of the request fee.
- 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.

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

5.2 Categories of records held by Harriston School NPC

5.2.1 *Records*

- *Operational information*
This information can be defined as information needed in the day-to-day running of the organization and is generally of little to no use to persons outside the organization. (Examples of such information are: requisitions, internal telephone lists, address lists, company policies, directives, contracts, employee records and general “house-keeping” information).
- *Correspondence files,, Tax files, , Shareholders agreement, Financial records, including accounting records.*

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

Not applicable.

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

This manual is available from the South African Human Rights Commission (see details above), Harriston School NPC. (see details above).

8. 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
(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.

9. PRESCRIBED REQUEST FORM

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 Managing Director: "Name of Firm"

B. Particulars of person requesting access to the record

- | | |
|-----|--|
| (a) | <i>The particulars of the person who requests access to the record must be given below.</i> |
| (b) | <i>The address and/or fax number in the Republic to which the information is to be sent must be given.</i> |
| (c) | <i>Proof of the capacity in which the request is made, if applicable, must be attached.</i> |

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

<i>This section must be completed ONLY if a request for information is made on behalf of another person.</i>
--

Full names and surname:

Identity number:

D. Particulars of record

- | | |
|-----|---|
| (a) | <i>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.</i> |
| (b) | <i>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.</i> |

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

2. Reference number, if available:

3. Any further particulars of record:

E. Fees

- | | |
|-----|---|
| (a) | <i>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.</i> |
| (b) | <i>You will be notified of the amount required to be paid as the request fee.</i> |
| (c) | <i>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.</i> |
| (d) | <i>If you qualify for exemption of the payment of any fee, please state the reason for exemption.</i> |

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. NOTES: (a) Compliance with your request in the specified form may depend 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.</p>					
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"/>		<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 (audio cassette)	<input type="checkbox"/>	transcription of soundtrack* (written or printed document)		
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"/>		<input type="checkbox"/>	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.			<table border="1"> <tr> <td>YES</td> <td>NO</td> </tr> </table>	YES	NO
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 of _____ 20__

SIGNATURE OF REQUESTER / PERSON ON WHO'S BEHALF REQUEST IS MADE

I, P.D. HUNTLEY authorising individual for HARRISTON SCHOOL NPC

herewith confirm and accept the manual as set out in the previous pages hereof.

Signed at _____ on _____ 2021.

P.D. HUNTLEY