

PROMOTION OF ACCESS TO INFORMATION ACT, ACT 2 OF 2000 SECTION 51 MANUAL FOR AMBERFIELD COLLEGE RF (PTY) LTD



A. CONTENTS

1. Introduction
2. Information in terms of Section 51
 - a. Contact details [Section 51(1)(a)]
 - b. The section 10 Guide on how to use the Act [Section 51(1)(b)]
 - c. Applicable legislation
 - d. Categories of records 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)]
 - e. Access to the records held by the private body in question [Sections 51(1)(c) and 51(1)(e)]
 - i. Records that may be requested [Section 51(1)(e)]
 - ii. The request procedures
 - f. Other information as may be prescribed [Section 51(1)(f)]
 - g. Availability of the manual [Section 51(3)]

1. INTRODUCTION TO ROYAL AMBERFIELD COLLEGE RF (PTY) LTD

The business was registered in 2017 and began trading in 2018. The company provides affordable quality private education.

2. INFORMATION IN TERMS OF SECTION 51

a. Contact details [Section 51(1)(a)]

The directors of the company have authorised JL Stiff 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: PO Box 4976, Pretoria, 0001
Street address: 4810 Amampondo Street, Rooihuiskraal North extension 46, Centurion
Phone number: 012 534 3344
Email address: jennifer@royalschools.co.za

b. The section 10 Guide on how to use the Act [Section 51(1)(b)]

The ACT grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.

Requests in terms of the ACT shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in paragraphs 6 and 7 of the Act.

Requesters are referred to the Guide in terms of Section 10 which has been compiled by the South African Human Rights Commission, which will contain information for the purposes of exercising Constitutional Rights. The Guide is available from the SAHRC.

The contact details of the Commission are:

Postal Address: Private Bag 2700, Houghton, 2041
Telephone Number: +27-11-877 3600
Fax Number: +27-11-403 0625
Website: www.sahrc.org.za

c. Applicable legislation

REFERENCE	ACT
No 95 of 1967	Income Tax Act
No 61 of 1973	Companies Act
No 130 of 1993	Compensation for Occupational Injuries and Health Diseases Act
No 66 of 1995	Labour Relations Act
No 30 of 1996	Unemployment Insurance Act
No 84 of 1996	South African Schools Act 84 of 1996
No 75 of 1997	Basic Conditions of Employment Act
No 55 of 1998	Employment Equity Act
No 2 of 2000	Promotion of Access of Information Act
No 63 of 2001	Unemployment Contributions Act
No 4 of 2002	Unemployment Insurance Act
Government Notice No.890, Government Gazette No. 29179 of 31 August 2006	National Norms and Standards For School Funding
No 71 of 2008	Companies Act
No 3 of 2011	Companies Amendment Act

d. Categories of records 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.

e. Access to the records held by the private body in question [Sections 51(1)(c) and 51(1)(e)]

- i. Records that may be requested. A description of the subjects of the records held by the body and the categories in which these subjects are classed [Section 51(1)(e)]

Administration:

Company registers
Minutes of meetings
Minutes of parents meetings
Articles of Association and Memorandum
NPO certificate
Safety certificate
Fire certificate
Correspondence

Human Resources:

Employment contracts
Remuneration records and policies
CVs
SACE certificates

Operations:

School constitution
Application forms
Lease agreements
School Assessment Team documentation
Term plan
Learner and parent personal information
Attendance registers
School reports
Drug and alcohol policy
HIV/aid policy
Teenage pregnancy policy

Religious policy
Admission policy
Language policy
Marketing information
Performance records

Finances:

Annual Financial statements
Vouchers and bank statements
Tax returns and records
Fixed asset register

ii. The request procedures

Form of request:

- 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)].
- 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)].
- 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)].
- 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 the head of the private body [s 53(2)(f)].

Fees:

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:

- 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)].
- 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)].
- After the head of the private body has made a decision on the request, the requester must be notified in the required form.
- 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)].
- The fee structure is available on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at www.sahrc.org.za.

f. Other information as may be prescribed [Section 51(1)(f)]

Not applicable.

g. Availability of the manual [Section 51(3)]

This manual is available from the South African Human Rights Commission (see details above), Amberfield College (see details above), and in electronic format at <http://www.amberfieldcollege.co.za>