PROMOTION OF ACCESS TO INFORMATION ACT MANUAL

Registration Number of Company: 2013/095655/07

Name of Company: Isibindi Africa Game Lodges Pty Ltd

MANUAL

in terms of

Section 51 of

The Promotion of Access to Information Act

2/2000

(the "ACT")

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Copyright

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MANUAL IN TERMS OF SECTION 51 OF THE ACT FOR
Isibindi Africa Game Lodges Pty Ltd

1. INTRODUCTION

Isibindi Africa Game Lodges Pty Ltd (further stated as "the company") was formed on the 29 November 1995

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. Company Contact Details *[Section 51(1)(a)*

Name of Private Body:	**Isibindi Africa Game Lodges Pty Ltd**
Designated Information Officer/ Office manager/CEO:	**Brett Gehren**
Email address of Information Officer:	**brett@isibindi.co.za**
Postal address:	**P O Box 1593** **ESHOWE** **3815**
Street address:	**52 A Osborn Road** **ESHOWE** **3815**
Phone number:	**0354741473**
Fax number:	**0354747490**

3. The Guide as Described in Section 10 of the Act *[Section 51(1)(b)]*

3.1 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.

3.2 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.

3.3 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 for inspection, inter alia, at the offices of the Human Rights Commission at 29 Princess of Wales Terrace, cnr York and St Andrews Street, Parktown and on its website: www.sahrc.co.za.

The contact details of the South African Human Rights Commission are:
PAIA Unit: Research and Documentation Department

Postal address:	*Private Bag 2700, Houghton, 2041*
Telephone:	*+27-11-877 3825*
Fax:	*+27-11-403 0625*
Website:	*www.sahrc.org.za*
E-mail:	*paia@sahrc.org.za*

4. Applicable Legislation to the Records Available *[Section 51(1)(c)]*

Information is available in terms of the following legislation to the persons or entities specified in such legislation:

Administration of Estates Act 66 of 1965
Attorneys Act 53 of 1979
Basic Conditions of Employment Act 75 of 1997
Broad-Based Black Economic Empowerment Act 53 of 2003
Close Corporations Act 69 of 1984
Companies Act 71 of 2008
Compensation for Occupational Injuries and Health Diseases Act 130 of 1993
Employment Equity Act 55 of 1998
Employment Tax Incentive Act 26 of 2013
Estate Agents Affairs Act 112 of 1976
Estate Duty Act 45 of 1995
Income Tax Act 58 of 1962
Insolvency Act No. 24 of 1936 Occupational Health & Safety Act 85 of 1993
Labour Relations Act 66 of 1995
Pension Funds Act, 1956
Promotion of Access to Information Act 2 of 2000
Protection of Personal Information Act 4 of 2013
Skills Development Act 97 of 1998
Skills Development Levies Act 9 of 1999
South African Revenue Services Act 34 of 1997
Stamp Duties Act. 77 of 1968
Tax Administration Act 28 of 2011
Unemployment Contributions Act 4 of 2002
Unemployment Insurance Act 63 of 2001
Value Added Tax Act 89 of 1991

Please see legislation hand-out for additional possibilities

4.1 The Latest Notice In Terms of Section 52(2)

At this stage no notice(s) has/have been published on the categories of records that are automatically available without a person having to request access in terms of the PAIA.

5. Records Available in terms of other Legislation

5.1 Schedule of Records *[Section 51(1)(d)]*

Access to the documents listed below may be subject to the grounds of refusal set out in this Manual:

5.1.1 Private Body Records

These are records which include, but are not limited to, records which pertain to Isibindi Africa Game Lodges Pty Ltd's own affairs including:

Subject	Availability
▪ Memorandum of Incorporation	
▪ Minutes of meetings	
▪ Intellectual property	
▪ Internal correspondence	
▪ Records held by officials of Isibindi Africa Game Lodges Pty Ltd	
▪ Service records;	
▪ Statutory records	
▪ Operational records	

5.1.2 Financial Records

Subject	Availability
▪ Financial Statements	
▪ Financial and Tax Records (Company & Employees)	
▪ Asset Register	
▪ Management Accounts	

5.1.3 Marketing Records

Subject	Availability
▪ Market Information	
▪ Public Customer Information	
- Product Brochure	
- Owner Manuals	
▪ Field Records	
▪ Product Sale Records	
▪ Marketing Strategies	
▪ Customer Database	
▪ Dealer Franchise Documents	

5.1.4 Personnel Records

For the purposes of this section, "personnel" means any person who works for or provides services to or on behalf of Isibindi Africa Game Lodges Pty Ltd and receives or is entitled to receive any remuneration and any other person who assists in carrying out or conducting the business of Isibindi Africa Game Lodges Pty Ltd. This includes, without limitation, 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; and
- Other internal records and correspondence.

5.1.5 Customer Records

A "customer" refers to any natural or juristic entity that receives services from Isibindi Africa Game Lodges Pty Ltd.

Customer records include:

- Contracts with the client and between the client and other persons;
- Any records a client has provided to Isibindi Africa Game Lodges Pty Ltd or a third party acting for or on behalf of Isibindi Africa Game Lodges Pty Ltd (including financial, legal, tax, operational, employee and similar records);
- Any records a third party has provided to Isibindi Africa Game Lodges Pty Ltd, which concerns a client; and
- Records generated by or within Isibindi Africa Game Lodges Pty Ltd pertaining to the client, including transactional records.

5.1.6 Other Parties

- Records may be kept in respect of other parties, from time to time.

5.2 Subjects and categories of records held by *Isibindi Africa Game Lodges Pty Ltd*

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 honoured.** All requests for access will be evaluated on a case by case basis in accordance with the provisions of the Act.

In particular, there 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. Many of the records held are confidential and others are the property of the client and not of Isibindi Africa Game Lodges Pty Ltd. Requests for access to these records will be considered very carefully.

Please ensure that requests for such records are carefully motivated.

6. **Form of Request** *[Section 51(1)(e)]*

Requests for access to records held by *Isibindi Africa Game Lodges Pty Ltd*

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.

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 requestor 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.

To facilitate the processing of your request, kindly:

6.1 Use the prescribed form (Annexure 1 attached to the manual), also available on the website of the South African Human Rights Commission at www.sahrc.co.za.

6.2 Address your request to the Head of the Company.

6.3 Provide sufficient details to enable the company to identify:

a) The record(s) requested;

b) The requester (and if an agent is lodging the request, proof of capacity);

c) The form of access required;

d) (i) The postal address or fax number of the requester in the Republic;
(ii) If the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof;

e) The right which the requester is seeking to exercise or protect with an explanation of the reason the record id required to exercise or protect the right.

7. **Other Information as may be Prescribed** *[Section 51(1)(f)*

The following applies to the requests (other than personal requests):

7.1 A requester is required to pay the prescribed fees (R50) before a request will be processed;

7.2 If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the requester were granted);

7.3 A requester may lodge an application with a court against the tender/payment of the request fee and/or deposit;

7.4 Records may be withheld until the fees have been paid;

7.5 The fee structure (Annexure 2attached to the manual), and available on the website of the South African Human Rights Commission at www.sahrc.org.za.

ANNEXURE 1

FORM C (of Regulation 10)

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 Partner: **Isibindi Africa Game Lodges Pty Ltd**

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:

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.

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 of _____ 20_____

_____

SIGNATURE OF REQUESTER / PERSON ON WHOM BEHALF REQUEST IS MADE

ANNEXURE 2

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.