

S KEMP
TRADING AS ULTIMATE INDULGENCE

**ACCESS TO INFORMATION MANUAL
(PRIVATE BODY)**

**PREPARED IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT 2
OF 2000**

PURPOSE OF THE MANUAL IN TERMS OF PAIA

The purpose of this Manual is to assist people wishing to access information in terms of the PAIA from:

S KEMP TRADING AS ULTIMATE INDULGENCE

2 REQUEST FOR ACCESS TO INFORMATION

In the event that a person or entity requires access to information as contemplated in the Act, the requester must contact **Sanria Kemp** and in terms of section 25(2) state that:

(2) If the request for access is granted, the notice in terms of subsection (1)(b) must state—

- (a) the access fee (if any) to be paid upon access;
- (b) the form in which access will be given; and
- (c) that the requester may lodge an internal appeal or an application with a court, as the case may be, against the access fee to be paid or the form of access is granted, and the procedure (including the period) for lodging the internal appeal or application, as the case may be.

(3) If the request for access is refused, the notice in terms of subsection (1)(b) must—

- (a) state adequate reasons for the refusal, including the provisions of this Act relied upon;
- (b) exclude, from such reasons, any reference to the content of the record; and
- (c) state that the requester may lodge an internal appeal or an application with a court, as the case may be, against the refusal of the request, and the procedure (including the period) for lodging the internal appeal or application, as the case may be.

3 TERMS USED IN THIS DOCUMENT

- Terms defined in the act shall have the meaning set out therein;
- Reference to sections shall be a reference to sections in the Act

4 BACKGROUND OF SANRIA KEMP TRADING AS ULTIMATE INDULGENCE:

- Business activities mainly relate to that of a beauty salon.

5 ORGANISATION DETAILS

- a. Name: Sanria Kemp trading as Ultimate Indulgence
- b. Physical address: 191 Circular Drive, Lorraine, Port Elizabeth, 6070
- c. Postal address: PO Box 15213, Emerald Hill, Port Elizabeth, 6011
- d. Contact details:
 - 1. Office number: 041 367 1427
 - 2. Fax number: 041 367 1427
 - 3. Email: info@ultimateindulgencepe.co.za
 - 4. Website: www.ultimateindulgencepe.co.za

6 DETAILS OF THE INFORMATION OFFICER SANRIA KEMP:

- Office nr: 041 367 1427
- Fax: 041 367 1427
- Email: info@ultimateindulgence.co.za

7 SECTION 51(1) (C)

In terms of Section 52, a private body may, on a voluntary and periodic basis, submit to the Minister a description of categories of records which are automatically available without a person having to request access in terms of this Act. This includes records which are available:

- for inspection
- for purchase or copying from the private body; and
- from the private body free of charge.

8 SECTION 51(1) (D)

Information is available in terms of the following legislation, if and where applicable:

- Arbitration Act 42 of 1965
- Attorneys Act 53 of 1979
- Basic Conditions of Employment Act 75 of 1997
- Closed Corporation Act 69 of 1984
- Close Corporations amendment Act 25 of 2005
- Compensation for Occupational Injuries and Diseases Act 130 of 1993
- Competition Act 89 of 1998
- Consumer Protection Act 68 of 2008
- Copyright Act 61 of 1978
- Electronic Communications and Transactions Act 25 of 2002
- Employment Equity Act 55 of 1998
- Financial Advisory and Intermediary Services Act no 37 of 2002
- Financial Intelligence Centre Act 38 of 2001
- Income Tax Act 58 of 1962
- Insolvency Act 24 of 1936
- Insurance Act 27 of 1943
- Intellectual Property Laws Amendments Act 38 of 1997
- Interception and Monitoring Prohibition Act 127 of 1992
- Labour Relations Act 66 of 1995
- Long Term Insurance Act 52 of 1998
- Non-profit Organisations Act 71 of 1997.
- Occupational Health and Safety Act 85 of 1993
- Prevention of Organised Crime Act 121 of 1998
- Protection of Businesses Act 99 of 1978
- Regional Services Councils Act 109 of 1985
- SA Schools Act 84 of 1996
- Sectional Titles Act 95 of 1986
- Short Term Insurance Act 53 of 1998
- Short-term Insurance Act no. 53 of 1998
- Skills Development Act 97 of 1998
- Skills Development Levies Act 9 of 1999
- Stamp Duties Act 77 of 1968
- The Co-operatives Act 14 of 2005
- The Fund-Raising Act 107 of 1978
- The National Credit Act 34 of 2005
- Trade Marks Act 194 of 1993
- Trust Property Control Act 57 of 1988
- Unemployment Insurance Act 63 of 2001
- Unemployment Insurance Contributions Act 4 of 2002
- Value Added Tax Act 89 of 1991

9 SECTION 51(1) (E)

Company records can basically be divided into the following categories:

- Accounting records
- Information Technology
- Intellectual Property
- Personnel Records
- Sales and Marketing
- Statutory Company records
- Client Databases
- Internal Phone lists
- Policies
- Directives
- Minutes of Meetings
- Administrative information

10 REQUESTING PROCEDURE

A person who wants access to the records must complete the necessary request form, as set out in Annexure 1, and the completed form must be sent to the address or fax number provided in this manual, and marked for the attention of the information officer.

The requester must indicate which form of access is required, and identify the right that is sought to be exercised or protected, and provide an explanation of which the requested record is required for the exercise or protection of that right. Proof of the capacity in which the requester is requesting the information must also be attached.

10.1 Availability of the Manual

- 10.1.1 This manual is available for inspection by the general public upon request during office hours and there is no charge for viewing the manual at our offices. Copies of the manual may be made available subject to the prescribed fees.
- 10.1.2 Copies may also be requested from the South African Human Rights Commission at the address indicated below.

10.2 Fees

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

- 10.2.1 A fee will be required by the head – Sanria Kemp before further processing of the request in terms of S54 of the Act
- 10.2.2 A requester fee of R50 should be paid, this amount will be refunded should the request for access be refused
- 10.2.3 A portion of the access fee (not more than one third) may be required before the request is considered
- 10.2.4 The requester may lodge an application with a court against the payment of the request fee in terms of S54(3)(b) of the Act
- 10.2.5 The head may withhold a record until the requester has paid the applicable fees

10.3 Details of the South African Human Rights Commission

Any queries with regard to this manual should be directed to:

The South African Human Rights Commission; PAIA Unit

Research and Documentation Department

Private Bag 2700

Houghton

2041

Phone: 011 484 8300

Fax: 011 484 0582

Email: PAIA@sahrc.org.za

Website: www.sahrc.org.za


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SANRIA KEMP – PUBLIC OFFICER

14/12/15
.....
DATE

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 <i>ONLY</i> if a request <i>for information</i> is made on behalf of <i>another</i> person.
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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 for 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:

<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

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