

PROMOTION OF ACCESS TO INFORMATION ACT SECTION 51 MANUAL

FOR

Kays Antiques

This Manual is published in terms of Section 51 of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) ("the Act").

The Act gives effect to the provisions of Section 32 of the Constitution, which provides for the right of access to information held by the State and to information held by another person that is required for the exercise and / or protection of any right.

The reference 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.

Description of products or services.

Retail sale of antique jewellery, silver, glass and porcelain and objects D'art and modern silver and jewellery on the old style.

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PARTICULARS IN TERMS OF THE SECTION 51 MANUAL

1. Contact Details (Section 51(1)(a))

Company Name :	Kays Antiques
Company Type :	Sole Proprietor
Company Registration Number :	N/A
TradingName :	Kays Antiques
Physical Address :	Shop G Canvendish Square Claremont 7708
Postal Address :	Same as above
Telephone :	0216718998
Fax :	0216712992
Web Site Address :	kays@mighty.co.za
Name of Chief Information Officer :	Mrs NF Smit
Name of Deputy Information Officer :	N/A
Email Address :	kays@mighty.co.za

2. Section 10 Guide (Section 51(1)(b))

The Guide on how to use the Act will be available from the South African Human Rights Commission in August 2003.

Please direct any queries to:

The South African Human Rights Commission

PAIA Unit

The Research and Documentation Department

Postal Address: Private Bag 2700

Houghton

2041

Telephone: +27 (11) 484 8300

Fax: +27 (11) 484 0582

Human Rights Advice Line: 086 012 0120

Website: www.sahrc.org.za

3. Categories of records held by Kays Antiques(section51(1)(e))

FINANCIAL STATEMENTS

ANNUAL ACCOUNTS

BOOKS OF ACCOUNT

SUPPORTING SCHEDULES TO BOOKS OF ACCOUNT AND ANCILLARY BOOKS OF ACCOUNT

ACCOUNTING RECORDS

BOOKS OF ACCOUNT

JOURNALS AND LEDGERS

DELIVERY NOTES, ORDERS, INVOICES, STATEMENTS, RECEIPTS, VOUCHERS AND BILLS OF EXCHANGE

EMPLOYEE RECORDS

EMPLOYEE NAMES AND OCCUPATIONS

TIME WORKED BY EACH EMPLOYEE

REMUNERATION PAID TO EACH EMPLOYEE

DATE OF BIRTH OF EACH EMPLOYEE

WAGES REGISTER

ATTENDANCE REGISTERS WHERE REQUIRED

EMPLOYEE REMUNERATION AND BENEFITS

SKILLS DATABASE

WORKPLACE SKILLS PLAN

CONDITIONS OF SERVICE

EMPLOYMENT CONTRACTS

STAFF RECORDS

EMPLOYEE CONTRACTS

CODE OF CONDUCT, DISCIPLINARY CODE AND PROCEDURE

DISCIPLINARY CODE AND PROCEDURES

SMOKING POLICY

PENSION OR RETIREMENT FUND RECORDS

NOT AVAILABLE

ENVIRONMENTAL HEALTH AND SAFETY

EMERGENCY RESPONSE PLANS

FIXED PROPERTY

NOT AVAILABLE

MOVABLE PROPERTY

NOT AVAILABLE

INTELLECTUAL PROPERTY

CONSULTING AGREEMENTS

AGREEMENTS AND CONTRACTS

RESTRAINT AGREEMENTS

TAXATION

COPIES OF INCOME TAX RETURNS AND OTHER TAX RETURNS AND DOCUMENTS

LEGAL

NOT AVAILABLE

INSURANCE

INSURANCE POLICIES

DETAILS OF INSURANCE COVERAGE, LIMITS AND INSURERS

TRANSPORTATION

VEHICLE LICENSES

INFORMATION TECHNOLOGY

HARDWARE

TELEPHONE EXCHANGE EQUIPMENT

TELEPHONE LINES, LEASED LINES AND DATA LINES

SOFTWARE PACKAGES

INTERNAL SYSTEMS SUPPORT AND PROGRAMMING / DEVELOPMENT

LICENSES

SALES AND MARKETING

SALES

4. Categories of records held by Kays Antiques in terms of other legislation (section 51(1)(d))

Basic Conditions of Employment No. 75 of 1997

Income Tax Act No. 95 of 1967

Unemployment Insurance Act No. 63 of 2001

Value Added Tax Act No. 89 of 1991

A basic understanding of each

5. Categories of records held by Kays Antiques that do not require request forms

NOT AVAILABLE

6. Access to records held by Kays Antiques.

Form of request:

- a. The requester must use the prescribed form to make the request for access to a record. This request must be made to the Information Officer at Kays Antiques (the Information Officer is duly authorised by the head of Kays Antiques to deal with requests). This request must be made to the address, fax number or e-mail address as set out in Section 1 above.
- b. The requester must provide sufficient detail on the request form to enable the Information Officer to identify the record and the requester. The requester must indicate which form of access is required. The requester must indicate any other manner to be used by Kays Antiques to inform the requester of the outcome, and must state these particulars.
- c. The requester must identify the right that is to be exercised or protected, and provide an explanation of why the requested record is required for the protection or exercise of that right.
- d. If, in addition to a written reply from Kays Antiques, the requester wishes to be informed of a decision in respect of the request, the requester must provide Kays Antiques with the manner in which this response is to take place and the relevant contact details.
- e. If the request is made on behalf of another person, the requester must submit proof of the capacity in which the requester is making the request, to the satisfaction of Kays Antiques.

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)].

7. Availability of the Section 51 manual

A copy of this manual is available for inspection upon request at the offices of Kays Antiques (as set out in Section 2 above). A copy of the manual is also available for downloading on kays@mighty.co.za or by sending a request for a copy to the Information Officer by email. The Manual may also be obtained from our head office, the South African Human Rights Commission ("SAHRC") at the addresses set out in Clause 3 above or from the Government Printers. This Manual will be updated from time to time, as and when required.

8. Prescribed fees payable in respect of requests

The following applies to requests (other than personal requests)

- 1.A requester is required to pay the prescribed fee of R50.00, before a request may be processed;
- 2.If the preparation of the record requested requires more than the prescribed hours (six hours), a deposit shall be paid to Kays Antiques (the deposit shall not be more than one third of the access fee which would be payable if the request were granted);
- 3.A requester may lodge an application with a court against the tender/payment of the request fee and/or deposit;
- 4.Records may be withheld by Kays Antiques until the appropriate fees have been paid;
- 5.The fee structure in respect of records held by Kays Antiques is also available at www.sahrc.org.za

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:

Detail	Value in Rands
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	0,75

computer or in electronic or machine-readable form.	
c) For a copy in a computer-readable form on stiffy disc.	7,50
d) For a copy in a computer-readable form on compact disc.	70,00
e) For a transcription of visual images, for an A4-size page or part thereof.	40,00
f) For a copy of visual images.	60,00
g) For a transcription of an audio record, for an A4-size page or part thereof.	20,00
h) 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: R 50,00.

4. The access fees payable by a requester referred to in regulation 11(3) are as follows:

(1)

Detail	Value in Rands
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 stiffy disc.	7,50
d) For a copy in a computer-readable form on compact disc.	70,00
e) For a transcription of visual images, for an A4-size page or part thereof.	40,00
f) For a copy of visual images.	60,00
g) For a transcription of an audio record, for an A4-size page or part thereof.	20,00
h) For a copy of an audio record.	30,00
i) To search for and prepare the record for disclosure, for each hour or part of an hour reasonably required for such search and preparation.	30,00

(2) The actual postage is payable when a copy of a record must be posted to a requester.

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 9]

The request may be forwarded by:

- **e-mail to: kays@mighty.co.za**
- **fax to: 0216712992, or**

- **mail to:**
Same as above

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 information must 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 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:
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Mark the appropriate box with an "X".

NOTES:

(a) Compliance with your request for access 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:

<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:			
	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?				YES	NO
Postage is payable.					

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 on the aforementioned right:

^M

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 to access the record? _____

Signed at _____ this _____ day of _____ 20_____

SIGNATURE OF REQUESTER/PERSON

ON WHOSE BEHALF REQUEST IS MADE