

PROMOTION OF ACCESS TO INFORMATION ACT SECTION 51 MANUAL FOR



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 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:

SAWPA was established in 1980 to promote the use of treated timber and treated timber products.

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Introduction and Contact Details

The South African Wood Preservers Association (SAWPA) is a non-profit association.

We as a non-profit association have compiled this manual, not only to comply with the provisions of the Act, but also to foster a culture of transparency and accountability in our environment and to ensure that members of the public have effective access to information in our possession which will assist them in the exercise and protection of their rights.

Inside these pages you will be able to view the categories of information which we possess. You will also be shown the correct procedure to follow should you require access to any of this information.

A copy of this manual is also available on our website www.sawpa.co.za

Full Name: South African Wood Preservers Association
Common Name: SAWPA
Physical Address: 6 Hulley Road, Isando, 1601
Postal Address: PO Box 686, Isando, 1600
Telephone Number: +27 11 974 1061
Head/Executive Director: Bruce Breedt
Designated Information Officer: Judy Davies
Email Address of Information Officer: admin@sawpa.co.za
Website: www.sawpa.co.za

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

The Guide on how to use the Act is available from:
The South African Human Rights Commission
Promotion of Access to Information Act Unit
Research and Documentation Department
Private Bag 2700
Houghton
2041

Telephone: +27 11 484 8300

Fax: +27 11 484 0582

Website: www.sahrc.org.za

E-mail: PAIA@sahrc.org.za

Categories of records held by SAWPA

Constitution
Minutes of Meetings
General Meeting Resolutions
Proxy Forms
Register of Members
Register of Directors and Certain Officers

FINANCIAL STATEMENTS

Annual Accounts
Chairman Reports
Auditor Reports
Books of Accounts

ACCOUNTING RECORDS

Books of Account
Journals and Ledgers
Invoices, Statements, Receipts, Vouchers

EMPLOYEE RECORDS

Employee names and occupations
Remuneration paid to each employee
Date of birth of each employee
Employment/Employee Contracts
Staff Records

PENSION OR RETIRMENT FUND RECORDS

Not available

MOVABLE PROPERTY

Asset Register

AGREEMENTS AND CONTRACTS

Lease agreements
Membership agreements
Insurance policies

TAXATION

Copies of Income Tax Returns and other tax returns and documents

GENERAL

List of members
Information regarding wood preservation
Brochures
Posters
Newsletters
Advertising and promotional material

Category of Records held by SAWPA in terms of other legislation

Where applicable to our operations, we retain records and documents in terms of the following statutes:

Basic Conditions of Employment No. 75 of 1997

Value-added Tax Act No. 89 of 1991

Income Tax Act No. 95 of 1967

Labour Relations Act No. 66 of 1995

Unemployment Insurance Act No. 63 of 2001

Categories of records held by SAWPA that do not require request forms

The following categories of records are automatically available for inspection, purchase or photocopying.

1. Newsletters.
2. Booklets.
3. Pamphlets / Brochures.
4. Reports.
5. Posters.
6. Other literature intended for public viewing.

Access of records held by SAWPA

Form of request:

1. The requester must use the prescribed form to make the request for access to a record. This request must be made to the Executive Director of SAWPA. This request must be made to the address or e-mail address as set out above.
2. The request must provide sufficient detail on the request form to enable the Executive Director 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 SAWPA to inform the requester of the outcome, and must state these particulars.
3. 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.
4. If, in addition to a written reply from SAWPA, the requester wishes to be informed of a decision in respect of the request, the requester must provide SAWPA with the manner in which this response is to take place and the relevant contact details.
5. 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 SAWPA.

Availability of the Section 51 Manual

A copy of this manual is available for inspection upon request at the offices of SAWPA. It is also available for downloading from our website: www.sawpa.co.za or electronically by sending a request via email. Our Manual may be obtained from our offices, or from the South African Human Rights Commission.

Prescribed fees payable in respect of requests

AN EXPLANATORY NOTE ON FEES TO BE CHARGED BY A NON-PROFIT ASSOCIATION WHEN GRANTING A REQUEST FOR ACCESS TO INFORMATION IN TERMS OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000.

The fees chargeable by the association are contained in Part III of Annexure "A" of the Regulations. The present charges are as follows:

1. Copies of a manual

Should an individual require a copy of the private body's manual, a fee of R1.10 is chargeable for every photocopy of an A4 page or part thereof.

2. Reproduction fees ¹⁾

Reproduction fees apply to obtaining copies or transcriptions of information which is automatically available from the private body. The fees are listed in paragraph 2 of Part III of Annexure "A" to the Regulations.

3. Access fees ²⁾

Access fees are chargeable for copies or transcriptions of information requested under this Act. The fees are listed in paragraph 4 of Part III of Annexure "A" to the Regulations.

4. Other fees

4.1 A request fee³⁾ of R50.00 is payable by a requester who is seeking access to a record containing information which is not personal to the requester. See paragraph 6 of Part 1 of this Work.

4.2 A search fee⁴⁾ may be charged at a rate of R30.00 per hour or part thereof for searching and preparing the record for disclosure provided such time was reasonably required for that purpose.

4.3 If the request is not limited to records containing information which is personal to the requester and if the head of the private body is of the opinion that the time taken to give effect to the request will exceed six hours the requester can be called upon to pay a deposit of not more than one third of an estimate of the access fee which will become payable.⁵⁾

4.4 If a copy of a record is posted to a requester, the requester is obliged to pay the actual postage payable.

1) Section 52(3) and Regulation 1(1).

2) Section 54(7) and Regulation 11(3).

3) Section 54(1) and Regulation 11(2).

4) Annexure "A", Part III, Item 4(1)(f).

5) Section 54(2). 7

PART III: FEES IN RESPECT OF NON-PROFIT ASSOCIATION

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:

	Rand
(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) compact disc	70.00
(ii) USB Flash drive	150.00
d) For a transcription of visual images	
(i) for an A4 size page or part thereof	40.00
(ii) for a copy of visual images	60.00
e) For a transcription of an audio record	
(i) 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:

	Rand
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) compact disc	70.00
(ii) USB Flash drive	150.00
(d) For a transcription of visual images	
(i) for an A4 size page or part thereof	40.00
(ii) for a copy of visual images	60.00
(e) For a transcription of an audio record	
(i) 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.	

ANNEXURE A

FORM C

REQUEST FOR ACCESS TO RECORD OF NON-PROFIT ASSOCIATION

(Section 53 (1) of the Promotion of Access to Information Act, 2000) (Act No. 2 of 2000)

[Regulation 10]

The request may be forward to:

Email: admin@sawpa.co.za

Or mail to: SAWPA, PO Box 686, 1600 Isando South Africa

A: Particulars

The Executive Director:

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

<input type="checkbox"/> Copy of the record *	<input type="checkbox"/> Inspection of the record
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2. If the 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* (compact disc or flash drive)
--	---	--

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