SECTION 51 MANUAL FOR UKUBONA DEVELOPMENT CC

A. CONTENTS

A. CONTENTS
B. PARTICULARS IN TERMS OF THE SECTION 51 MANUAL

1. Contact details *[Section 51(1)(a)]*
2. The section 10 Guide on how to use the Act *[Section 51(1)(b)]*
3. Records available in terms of any other legislation *[Section 51(1)(d)]*
4. Access to the records held by the private body in question *[Sections 51(1)(c) and 51(1)(e)]*
   i. The latest notice regarding the categories of records of the body, which are available without a person having to request access in terms of this Act in terms of section 52(2) *[Section 51(1)(c)]*
   ii. Records that may be requested *[Section 51(1)(e)]*
   iii. The request procedures
5. Other information as may be prescribed *[Section 51(1)(f)]*
6. Availability of the manual *[Section 51(3)]*

Introduction to Ukubona Development CC

The company is a dynamic hi-end Web Design Company, integrating business online.

PARTICULARS IN TERMS OF THE SECTION 51 MANUAL

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

P O Box 5627
Cape Town
8000

The Foundry
74 Prestwich Street
Greenpoint
8005

Tel: 021 – 4181677
Fax: 021 – 4181461
E-mail: info@ukubona.co.za

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

The Guide will be available from the South African Human Rights Commission by not later than 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
Website:	www.sahrc.org.za
E-mail:	PAIA@sahrc.org.za

3. Records available in terms of any other legislation *[Section 51(1)(d)]*

Closed Corporations Act 69 of 1984
Compensation for Occupational Injuries and Health Diseases Act No.130 of 1993
Income Tax Act No. 95 of 1967
Regional Services Councils Act No. 109 of 1985
Skills Development Levies Act No. 9 of 1999
Unemployment Insurance Act No. 63 of 2001
Value Added Tax Act No. 89 of 1991

4. <u>Access to the records held by the private body in question</u> *[Sections 51(1)(c) and 51(1)(e)]*

Records available without being requested:

No records are available without a person having to request access in terms of this Act in terms of section 52(2). *[Section 51(1)(c)]*

Records that may be requested: *[Section 51(1)(e)]*

Financial statements
Sales records
Employment contracts and remuneration records

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)*].

5. <u>Other information as may be prescribed</u> *[Section 51(1)(f)]*

The Minister of Justice and Constitutional Development has not made any regulations in this regard.

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

The manual is also available for inspection at the offices of Ukubona Development CC free of charge; and copies are available with the SAHRC, in the Gazette and on www.ukubona.co.za.