



**PROMOTION OF ACCESS TO INFORMATION
MANUAL**

of

CORMALLEN HILL NON-PROFIT COMPANY
(Registration number 2004/029087/08)
being a non-profit company with members
("Company")




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	Prepared by	Reviewed by	Approved by
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Designation	Legal adviser	Director	Chairperson
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Signature			

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1. DEFINITIONS

1.1. In these represents the following words shall, unless the context otherwise requires, have meanings hereinafter assigned to them:

- 1.1.1. “**Annexure**” means the documents attached to this Manual and referred to as such in this Manual;
- 1.1.2. “**CCMA**” means the Commission for Conciliation, Mediation and Arbitration;
- 1.1.3. “**CIPC**” means the Companies and Intellectual Property Commission;
- 1.1.4. “**Companies Act**” means the Companies Act (No. 71 of 2008);
- 1.1.5. “**Company**” means Cormallen Hill Non-profit Company (registration number 2004/029087/08), a non-profit company having Members, duly registered and incorporated in accordance with the Companies Act;
- 1.1.6. “**Constitution**” means the Constitution of the Republic of South Africa (No. 108 of 1996);
- 1.1.7. “**Data Subject**” means the person to whom Personal Information relates;
- 1.1.8. “**Day**” means any calendar day;
- 1.1.9. “**Estate**” means Cormallen Hill Residential Estate, a residential estate situated in the township known as Bronberg extension 6, Registration Division J.R. Province of Gauteng;
- 1.1.10. “**Form**” means the documents attached to this Manual and referred to as such in this Manual;
- 1.1.11. “**Information Officer**” means the head of the Company as defined in section 1 (Definitions) of PAIA read with section 1 (Definitions) of POPIA;
- 1.1.12. “**Manual**” means this document, prepared in accordance with section 51 (Manual) of PAIA and regulation 4(1)(d) (Responsibilities of Information Officers) of the POPIA Regulations, and include the Annexures and Forms thereto;
- 1.1.13. “**Member**” means a person who holds membership and specified rights in respect of the Company in the Estate;
- 1.1.14. “**PAIA**” means the Promotion of Access to Information Act (No. 2 of 2000) and/or the PAIA Regulations;
- 1.1.15. “**PAIA Regulations**” means the regulations made under section 92 (Regulations) of PAIA;

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- 1.1.16. **“Personal Information”** has the meaning ascribed thereto in section 1 (Definitions) of POPIA;
- 1.1.17. **“POPIA”** means the Protection of Personal Information Act (No. 4 of 2013) and/or the POPIA Regulations;
- 1.1.18. **“POPIA Regulations”** means the regulations made under section 112(2) (Regulations) of POPIA;
- 1.1.19. **“Private Body”** has the meaning ascribed thereto in section 1 (Definitions) of PAIA;
- 1.1.20. **“PSIRA”** means Private Security Industry Regulatory Authority;
- 1.1.21. **“Regulatory Document”** means the Memorandum of Incorporation, as defined in section 1 (Definitions) of the Companies Act, the rules and regulations (including the architectural design guidelines) of the Company, which pertain to Residents and/or the Estate;
- 1.1.22. **“Requester”** has the meaning ascribed thereto in section 1 (Definitions) of PAIA, being the person making a Request for Access in terms of this Manual;
- 1.1.23. **“Request for Access”** has the meaning ascribed thereto in section 1 (Definitions) of PAIA, being a request for access to a record of the Company;
- 1.1.24. **“Resident”** means any person living in, delivering goods, rendering a service, or visiting the Estate, including Members;
- 1.1.25. **“SAHRC”** means the South African Human Rights Commission;
- 1.1.26. **“SARS”** means the South African Revenue Service;
- 1.1.27. **“South Africa”** means the Republic of South Africa; and
- 1.1.28. **“Third Party”** means, in relation to a Request for Access, any person other than the Requester, but for purposes of paragraph 13.3.1 of this Manual, must be construed as a reference to a natural person.

2. INTERPRETATION

2.1. In this Manual, unless the contrary intention clearly appears:


- 2.1.1. Paragraph headings are for the purpose of convenience and reference only and must not be used in the interpretation of, nor to modify or to amplify the terms and conditions of this Manual, nor any paragraph thereof.



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- 2.1.2. Unless the context indicates a contrary intention, an expression which denotes:
- 2.1.2.1. any gender includes the others;
 - 2.1.2.2. a natural person includes a created entity and *vice versa*; and
 - 2.1.2.3. the singular includes the plural and *vice versa*.
- 2.1.3. Any reference to a statutory enactment is to that enactment and as amended or re-enacted or substituted from time to time thereafter and includes all and any statutes, ordinances, regulations and bylaws promulgated in terms thereof from time to time.
- 2.1.4. A reference to any agreement, document and/or record (including to this Manual) includes a reference to such agreement, document and/or record as amended from time to time.
- 2.1.5. If a provision in a definition is a substantive provision conferring rights or imposing obligations on a person, notwithstanding that it is only in the definition paragraph (paragraph 1), effect must be given to it as if it was a substantive provision in the body of this Manual.
- 2.1.6. When a particular time period is expressed in Days, such time period will be reckoned by:
- 2.1.6.1. excluding the first Day; and
 - 2.1.6.2. including the last Day.
- 2.1.7. Where figures are referred to in numerals and in words, if there is a conflict between the two, the words will prevail.
- 2.1.8. Capitalised terms used in this Manual have the meanings ascribed thereto in paragraph 1 of this Manual or in a particular paragraph in this Manual, to which paragraph 2.1.9 shall apply. Capitalised terms, which are not so defined will have the meanings ascribed thereto in section 1 (Definitions) of PAIA and/or section 1 (Definitions) of POPIA, as the context requires.
- 2.1.9. Where any term is defined within the context of any particular paragraph in this Manual, the terms so defined, unless it is clear from the paragraph in question that the term defined has limited application to the relevant paragraph, will bear the meaning ascribed to it for all purposes in terms of this Manual, notwithstanding that such term has not been defined in paragraph 1 of this Manual.
- 2.1.10. Any expression defined in paragraph 1 will, if used in any Annexure or Form, bear the same meaning ascribed thereto in paragraph 1, unless the context otherwise requires or the relevant Annexure or Form contains its own definition of the relevant expression.
- 2.1.11. Whenever the word “**include**” or “**including**” is used followed by specific examples, such examples will be interpreted to be illustrative only and



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must not be construed or interpreted so as to limit the general wording preceding it.

- 2.1.12. The words “**shall**”, “**will**” and “**must**” used in the context of any obligation or restriction imposed on a person have the same meaning.
- 2.1.13. A reference to “**law**” means any law of general application in South Africa and includes the common law and any statute, constitution, decree, treaty, regulation, directive, ordinance, bylaw, order, or any other enactment of legislative measure of government (including local government) statutory or regulatory body that has the force of law.
- 2.1.14. The word “**writing**” means legible writing and in English and includes printing, typewriting, lithography, or any other mechanical process, as well as electronic communication.
- 2.1.15. The word “**notice**” means a notice in writing, and “**notify**” means to give notice in writing.
- 2.1.16. “**R**” or “**Rands**” denotes the legal currency of South Africa.


3. BACKGROUND TO THIS MANUAL

- 3.1. PAIA was enacted to give effect to the constitutional right of persons, contained in section 32 (Access to information) of the Constitution to access any information, held by the state and/or any information that is held by a person and that is required for the exercise or protection of any rights.
- 3.2. In terms of section 51 (Manual) of PAIA, the Company is required to compile a manual, to give effect to the constitutional right of a person as described in paragraph 3.1 of this Manual, and stipulates the minimum requirements that the manual has to comply with.
- 3.3. Where a request is made in terms of PAIA, the Company is obliged to release the information, subject to legislative and/or regulatory requirements, except where PAIA expressly provides that the information may or must not be released.
- 3.4. The protection of Personal Information, which is retained by the Company, whether in electronic or manual systems, is important to protect the right to privacy of persons as contained in section 14 (Privacy) of the Constitution.
- 3.5. This Manual therefore works in conjunction with the Company’s policy formulated in terms of POPIA, and sets out the terms, conditions, and requirements for how Personal Information could be requested from the Company.

4. SCOPE OF THIS MANUAL

- 4.1. This Manual is prepared in respect of the Company, being a Private Body, and is available on the Company’s website (www.cormallenhill.co.za), alternatively this Manual may also be requested from the Information Officer.



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4.2. This Manual sets out, where Personal Information has been gathered by the Company, how the Personal Information and which Personal Information can be requested from the Company.

4.3. The Company appointed the following Information Officer:

Name of the Private Body:	Cormallen Hill NPC
Information Officer:	The Chairperson of the Board of Directors
	c/o Ms. Lenell Lee
Email address:	cormallenhill@gmail.com
Postal address:	-
Physical address:	369 Cormallen Hill
	Achilles Road
	Bronberg
	0081
Telephone number:	+27 76 455 1968
Fax number:	-
Website:	www.cormallenhill.co.za

4.4. All Requests for Access in terms of PAIA must be in writing and must be address to the Information Officer as contained in paragraph 4.3 of this Manual.

5. REFERENCES USED

5.1. Companies Act.

5.2. Constitution.

5.3. Guide on how to use the Promotion of Access to Information Act No. 2 of 2000.

5.4. PAIA.

5.5. POPIA.

6. AVAILABILITY OF PAIA GUIDE TO REQUESTERS

6.1. A guide has been compiled, by the SAHRC in terms of section 10 of PAIA (Guide on how to use the act) ("**Guide**"). The Guide explains the use and application of PAIA in more linguistic terms and in plain language. The Guide is available on the SAHRC website (www.sahrc.org.za).

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6.2. Any enquiries regarding the Guide and its contents could be directed to:

Name of institution:	South African Human Rights Commission
	PAIA Unit (the Research and Documentation Department)
Email address:	info@sahrc.org.za
Postal address:	Private Bag x 2700
	Houghton
	2041
Physical address:	JD House
	27 Stiemens Street
	Braamfontein
	2001
Telephone number:	+27 11 877 3600
Fax number:	-
Website:	www.sahrc.org.za
Email:	PAIA@sahrc.org.za

7. CATEGORIES OF RECORDS AVAILABLE WITHOUT REQUEST FOR ACCESS

7.1. No notice regarding the categories of records of the Company that are available without request, has been published in terms of section 52(2) (Voluntary disclosure and automatic availability of certain records) of PAIA.

7.2. Information that is obtainable on the Company's website is automatically available and need not be formally requested in terms of this Manual, which includes:


- 7.2.1. information regarding the Company; and
- 7.2.2. other records including, the Estate plan, certain Regulatory Documents and contact information.

8. RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION

8.1. The Company is or may be required (when applicable) to keep records as mandated in terms of the following legislation, which are available, subject to such legislation:


1.	Alienation of Land Act No. 68 of 1981
2.	Arbitration Act No. 42 of 1965
3.	Basic Conditions of Employment Act No. 75 of 1997
4.	Broad Based Black Economic Empowerment Act No. 53 of 2003
5.	Civil Aviation Act No. 13 of 2009
6.	Commencement of the Private Security Industry Regulation Act No. 56 of 2001
7.	Companies Act No. 71 of 2008
8.	Compensation for Occupational injuries and Diseases Act No 130 of 1993
9.	Compensation for Occupational Injuries and Diseases Act No. 61 of 1997
10.	Competition Act No 89 of 1998
11.	Community Schemes Ombud Services Act No. 9 of 2011

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12.	Consumer Protection Act 68 of 2008
13.	Debt Collectors Act No. 114 of 1998
14.	Deeds Registries Act No. 47 of 1937
15.	Electronic Communications Act No. 36 of 2005
16.	Electronic Communications and Transactions Act No. 25 of 2002
17.	Employment Equity Act No. 55 of 1998
18.	Environmental Conservation Act No. 73 of 1989
19.	Hazardous Substances Act No. 15 of 1973
20.	Financial Intelligence Centre Act No. 38 of 2001
21.	Health Act No. 63 of 1977
22.	Identification Act No. 68 of 1997
23.	Income Tax Act No. 58 of 1962
24.	Insolvency Act No. 24 of 1936
25.	Labour Relations Act No. 66 of 1995
26.	Municipal Systems Act No. 32 of 2000 and other municipal acts and bylaws
27.	National Building Regulations and Building Standards Act No. 103 of 1997
28.	National Credit Act No. 34 of 2005
29.	National Environmental Management Act No. 107 of 1998
30.	National Environmental Management: Air Quality Act No. 39 of 2004
31.	National Environmental Management: Biodiversity Act No. 10 of 2004
32.	National Environmental Management: Waste Act No. 59 of 2008
33.	National Forest Act No. 84 of 1998
34.	National Road Traffic Act No. 93 of 1996
35.	National Veld and Forest Fire Act No. 101 of 1998
36.	National Water Act No. 36 of 1998
37.	Occupational Health and Safety Act No. 85 of 1993
38.	Pension Funds Act No. 24 of 1956
39.	Prescription Act No. 68 of 1969
40.	Preferential Procurement Policy Framework Act No. 5 of 2000
41.	Promotion of Access to Information Act No. 2 of 2000
42.	Promotion of Equality and Prevention of Unfair Discrimination Act No. 4 of 2000
43.	Protection of Information Act No. 84 of 1982
44.	Protection of Personal Information Act, Act 2 of 2013
45.	Regional Services Councils Act No. 109 of 1985
46.	Regulation of Interception of Communications and Provisions of Communications Related Information Act No. 70 of 2002
47.	Road Transportation Act No. 74 of 1977
48.	Short Term Insurance Act No. 53 of 1998
49.	Skills Development Levies Act No. 9 of 1999
50.	Skills Development Levies Act No. 97 of 1998
51.	Tax Administration Act No. 28 of 2011
52.	Tabacco Products Control Act No. 83 of 1993
53.	The King Report on Corporate Governance in South Africa (King IV)
54.	Transfer Duty Act No. 40 of 1949
55.	Unemployment Insurance Act No. 63 of 2001
56.	Unemployment Insurance Contributions Act No. 4 of 2002
57.	Value Added Tax Act No 89 of 1991

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8.2. When the Company is made aware of other existing or new legislation, which are not listed above, which allows a Requester access to such records on a basis other than as set out in PAIA, the above list shall accordingly be amended.

8.3. If a Requester believes that a right to access a record of the Company exists in terms of legislation not listed above, or in terms of any other legislation, the Requester is required to indicate what legislative right the request is based upon, to allow the Information Officer to consider the request appropriately.

9. RECORDS HELD BY THE COMPANY

9.1. The Company maintains the following records:


Column A	Column B	Column C
Record	Subject of record	Request process
Corporate	<ol style="list-style-type: none"> 1. Company documents issued by CIPC 2. Rules and regulations 3. Architectural design guidelines 4. General Meeting Minutes 5. General Meeting notices and supporting information 6. Member resolutions 7. Company combined register 8. Company register of registered address 9. Newsletter and general communications 10. Member register 11. Beneficial ownership register 12. Beneficial interest register 13. Director register 14. Appointment register 	<p><u>Items 1 - 3:</u> Readily available from Information Officer</p> <p><u>Item 4 – 9:</u> Readily available from Information Officer by Members, other Requesters should request in terms of PAIA</p> <p><u>Item 10 – 14:</u> Request in terms of PAIA</p>
Financial	<ol style="list-style-type: none"> 1. Audited financial statements 2. Annual budget 3. Operational performance against budget 4. Maintenance reserve assessment 5. Company insurance policy(ies) 6. Company detailed accounting records, including bank statements, creditor' and debtor' statements 7. Sars returns and assessments 8. Staff remuneration 9. Service provider and/or supplier consideration 	<p><u>Item 1 – 5:</u> Readily available from Information Officer by Members, other Requesters should request in terms of PAIA</p> <p><u>Item 6 – 9:</u> Request in terms of PAIA</p>
Residents	<ol style="list-style-type: none"> 1. Biometric access 2. Biometric registration 3. Personal Information or contact details 4. Member levy account details or balances 	<p><u>Item 1 – 14:</u> Request in terms of PAIA</p>

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Column A	Column B	Column C
Record	Subject of record	Request process
	5. Litigation between the Company and Residents (incl. debt collection) 6. Property sales, clearance information and transfer documents 7. Service provider, contractor and domestic worker registration information or contact details 8. Tenant information 9. Ownership information 10. Utility information 11. Vehicle registration information 12. Applications to operate a business from a dwelling 13. Building plans 14. Occupation or other certificates	
Personnel and human resources (incl. past, present and unsuccessful prospective personnel)	1. Biometric access 2. Biometric registration 3. Personal Information or contact details 4. Appraisal records 5. CCMA cases or other litigation 6. Director Personal Information or contact details 7. Disciplinary records 8. Employment contracts and addenda 9. Employment records 10. Interview and appointment records 11. Leave records 12. Personnel details and files 13. Protective clothing records 14. Training records 15. Workmens' compensation records	<u>Item 1 – 15:</u> Request in terms of PAIA
Security	1. Biometric access 2. Biometric registration 3. Camera footage 4. Operating manuals or procedures 5. Incident logbook 6. PSIRA information 7. Personal Information of the personnel of the security service provider 8. Information or databases held by service providers or suppliers in terms of POPIA	<u>Item 1 – 8:</u> Request in terms of PAIA
Management	1. Director Meeting Minutes 2. Director resolutions 3. Health and safety records 4. Litigation between the Company, Third Parties and/or Residents 5. Maintenance register or records	<u>Item 1 – 15:</u> Request in terms of PAIA

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Column A	Column B	Column C
Record	Subject of record	Request process
	6. Committee Minutes 7. Committee resolutions 8. Committee members contact details 9. Correspondence with auditors, attorneys and/or financial institutions 10. Correspondence with debtors, creditors and/or employees 11. Correspondence with Residents, not of a general nature 12. Correspondence with service providers and/or suppliers 13. Agreements with service providers, suppliers, other transactional arrangements 14. Staff Meeting Minutes 15. Utility information	

9.2. Access to the records listed in paragraph 9.1 of this Manual, does not guarantee that a Request for Access will be approved and/or granted.

10. RECORDS AVAILABLE WITHOUT A REQUEST IN TERMS OF PAIA

10.1. Subject to paragraph 10.3 of this Manual, the records marked, in column C of the table in paragraph 9.1 of this Manual, as:

10.1.1. "Readily available from Information Officer" are available to a Requester;
or

10.1.2. "Readily available from Information Officer by Members" are available to Members;


and there is no particular procedure for requesting them from the Company.

10.2. Subject paragraph 10.3 of this Manual, records that are required by legislation to be open for inspection at the offices of the Company, and not listed in the table in paragraph 9.1 of this Manual, are available and there is no particular procedure for requesting them from the Company, subject to the requirements of that legislation.

10.3. An appointment to view such records must be made with the Information Officer.

11. RECORDS AVAILABLE ON REQUEST IN TERMS OF PAIA

11.1. The records marked, in column C of the table in paragraph 9.1 of this Manual, as "Request in terms of PAIA" are only accessible by way of application in terms of this Manual.

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11.2. The Company reserves the right, for the Requester to provide proof of identification and/or proof of the capacity of the Requestor before granting access to records.

11.3. Access to these records may be subject to the grounds of refusal set out in paragraph 14 of this Manual.

11.4. Records that are deemed confidential on the part of Residents, personnel, service providers, suppliers and/or any Third Party, will require permission or consent from those parties concerned in addition to the requirements contained in this Manual, before the Company will consider granting access to the records to the Requester.

12. PROTECTION OF PERSONAL INFORMATION

12.1. POPIA provides that a Data Subject may request the Company, free of charge, all the information it holds about the Data Subject and may request access to such information. A Data Subject may object to the processing of Personal Information by the Company, on reasonable grounds relating to his/her/its particular situation, unless legislation allows for such processing.

12.2. A Data Subject may request the Company to correct or to delete Personal Information about the Data Subject in its possession, or under its control that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading or obtained unlawfully; or to destroy or delete a records of Personal Information about the Data Subject that the Company is no longer authorised to retain in terms of POPIA's retention and restriction of records provisions.

12.3. The procedure and forms to object against the processing of Personal Information by the Company in terms of paragraph 12.1 of this Manual, and/or for the rectification or deletion of Personal Information in terms of paragraph 12.2, could be obtained and are attached to the Protection of Personal Information policy of the Company [COR-POL-002].

13. PROCEDURE ON MAKING A REQUEST


13.1. The Requester must, for a Request for Access to any of the records set out in paragraph 9.1 of this Manual and marked in column C as "Request in terms of PAIA", fill out the prescribed form which is attached to this Manual and marked as "Form : Request for access to record of private body". The Requester must furnish the following details in the Request for Access and provide the following information, sufficient:

13.1.1. particularity with regards to the record requested;

13.1.2. information to identify the Requester and his/her/its interest in the record requested and by indicating whether the record is requested to protect or exercise a right and what that right is; and

13.1.3. contact information for the Information Officer to contact the Requester and what such preferred method of contact is.



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13.2. The Company may request for the Requester to provide proof of identification and/or proof of the capacity of the Requestor before granting access to records.

13.3. The Company will, through the Information Officer, assess and make a value-judgment as to whether the Requester is entitled to the information requested and with reference to the nature of the request, any prejudice and confidentiality applicable thereto and any further such considerations as the Company may, in writing, advise. Such considerations may include the mandatory protection of:

13.3.1. the privacy of a Third Party who is a natural person, in terms of section 63 (Mandatory protection of privacy of third party who is a natural person) of PAIA, which would involve the unreasonable disclosure of Personal Information about that natural person. A record will not be refused in so far as it is:

13.3.1.1. information about an individual who has consented to the disclosure of the record;

13.3.1.2. already publicly available and was given to the Company by the individual to whom it relates, and the individual was informed by or on behalf of the Company, before it is given, that the information belongs to a class of information that would or might be made available to the public;

13.3.1.3. about an individual's physical or mental health, or well-being, who is under the care of the Requester and who is under the age of 18 (eighteen) years, or incapable of understanding the nature of the Request for Access, and if giving access would be in the individual's best interest;

13.3.1.4. about an individual who is deceased and the Requester is the individual's next of kin, or making the Request for Access with the written consent of the individual's next of kin, or is about an individual who is or was an official of the Company and which relates to the position or functions of the individual, including, but not limited to, the fact that the individual is or was an official of the Company, the title, work address, work phone number and other similar particulars of the individual; or


13.3.1.5. the classification, salary scale or remuneration and responsibilities of the position held, or services performed by the individual, and the name of the individual on a record prepared by the individual in the course of employment;

13.3.2. the commercial information of a Third Party, if the record contains:

13.3.2.1. trade secrets of that Third Party;

13.3.2.2. financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that Third Party; or

13.3.2.3. information disclosed in confidence by a Third Party to the Company, if the disclosure could put that Third Party at a disadvantage in negotiations or commercial competition in

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terms of section 64 (Mandatory protection of commercial information of third party) of PAIA;

- 13.3.3. confidential information of Third Parties, section 65 (Mandatory protection of certain confidential information of third party) of PAIA, if it is protected in terms of any agreement;
 - 13.3.4. the safety of individuals and the protection of property, section 66 (Mandatory protection of safety of individuals, and protection of property) of PAIA. The Information Officer must refuse a request for access to a record of the Company if its disclosure could reasonably be expected to endanger the life or physical safety of an individual; or
 - 13.3.5. records which would be regarded as privileged, section 67 (Mandatory protection of records privileged from production in legal proceedings) of PAIA, in legal proceedings.
- 13.4. The Company, through the Information Officer, will endeavour to provide the requested documentation within 30 (thirty) Days to the Requester and after payment of the prescribed fees. The Information Officer may also advise that a longer period is required if:
- 13.4.1. the Request for Access is for a large number of records or requires a search through a large number of records and compliance with the original period would unreasonably interfere with the activities of the Company;
 - 13.4.2. the Request for Access requires a search for records in, or collection thereof from, an office or storage facility of the Company that is not situated in the same town or city as the office of the Information Officer and that cannot reasonably be completed within the original period;
 - 13.4.3. consultation with another Private Body is necessary or desirable to decide upon the request that cannot reasonably be completed within the original period; or
 - 13.4.4. more than one of the circumstances contemplated in the paragraphs above exist in respect of the Request for Access making compliance with the original period not reasonably possible.
- 13.5. If access to a record is granted, the Requester will be notified, and the notice will include the following, an indication of the:
- 13.5.1. access fee that should be paid (if any); and
 - 13.5.2. form in which access to the record will be granted.

14. REFUSAL TO ACCESS RECORDS

- 14.1. The Information Officer shall advise the Requester, in writing, if a Request for Access is refused (“**Notice of Refusal**”).
- 14.2. The Notice of Refusal shall include:
 - 14.2.1. the reason for the refusal; and



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14.2.2. that the Requester may within 180 (one hundred and eighty) Days of the Notice of Refusal, lodge an appeal with a court of competent jurisdiction against the refusal to the Request for Access.

14.3. Upon issue of the Notice of Refusal, the Information Officer shall instruct the Company to refund any deposit paid by the Requester.

14.4. If the Information Officer has not responded to a Request for Access within 30 (thirty) Days after the Request for Access has been received, it is deemed in terms of section 58 (Deemed refusal of request) of PAIA read with section 56 (Decision on request and notice thereof) of PAIA, that the Information Officer has refused the Request for Access.

14.5. A notice of Refusal may be refused in the event that an application does not comply with the requirements of PAIA and/or this Manual.

15. REMEDIES ON REFUSAL TO ACCESS RECORDS

Internal remedies

15.1. The Company does not have an internal appeals procedure for this purpose. As such, the decision made by the Information Officer is final. The Requester will have to exercise such external remedies at their disposal, if the Request for Access is refused, or the fees payable, or the Requester is not satisfied with the answer supplied by the Information Officer.

External Remedies

15.2. A Requester that is dissatisfied with the Information Officer's refusal to disclose information or to grant a Request for Access, may within 30 (thirty) Days of notification of the decision, apply to a court of competent jurisdiction for relief.

16. FEES AND DEPOSIT PAYABLE

Fees payable

16.1. Fees payable by a Requester for a Request for Access to records are prescribed in terms of section 22(1) (Fees) of PAIA.


16.2. The prescribed fees applicable to a Request for Access, at the time of publishing this Manual, is as set out in the Annexure to this Manual.

Deposit payable

16.3. For purposes of section 54(2) (Fees) of PAIA, the following applies:

- 16.3.1. the hours to be exceeded before a deposit is payable is 6 (six) hours; and
- 16.3.2. the request fee payable as to 1/3 (one third) thereof as a deposit by the Requester.



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17. GOVERNING LAW

17.1. This Manual shall be governed and construed according to the laws of South Africa.

18. ASSOCIATED DOCUMENTS

18.1. The Protection of Personal Information Policy of the Company [COR-POL-002].

19. MAINTENANCE OF THIS MANUAL


19.1. This Manual would be reviewed from time to time and/or at times as the need therefore is deemed necessary and appropriate because of changes in legislation or changes to records maintained by the Company.

19.2. Any changes to this Manual require the approval by the Board of Directors of the Company.

19.3. The Information Officer is responsible to initiate a process to amend this Manual.

19.4. Any deviation from this Manual and/or from PAIA requires the reason for the deviation to be documented in writing and be approved by the Board of Directors of the Company.



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ANNEXURE : FEES PAYABLE

Private Bodies	Fee	
Description	Reproduction	Access
Photocopy of A4 page or part thereof	R1.10	R1.10
Printing of A4 page or part thereof held in electronic form	R0.75	R0.75
Copy of a computer readable memory stick	R7.50	R7.50
Copy of a computer readable compact disc	R70.00	R70.00
Transcription of visual images on a A4 page or part thereof	R40.00	R40.00
Copy of visual images	R60.00	R60.00
Transcription of an audio record on an A4 page or part thereof	R20.00	R20.00
Copy of an audio record	R30.00	R20.00
Time reasonably spent to locate a record and to prepare for the disclosure (per hour or part thereof)	R30.00	R30.00
Request fees		
Access to record containing Personal Information of the Requester	Free	Free
Access to a record made by a Requester and another person other than the Requester	R50.00	R50.00
Postage fees		
Postage of a record to the Requester	Actual charge	-
Courier of a record to the requester	Actual charge	-

4.

Form C
REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY
(section 53(1) of the Promotion of Access to Information Act (No. 2 of 2000)
(Regulation 10)

**A. Particulars of private body
(the Company)**

Name:	Cormallen Hill NPC
Registration number:	2004/029087/08)
Registered address:	369 Cormallen Hill Achilles Road Bronberg 0081
Email address:	cormallenhill@gmail.com
Telephone number:	+27 76 455 1968

**B. Particulars of person requesting access to record
(the Requester)**

1. The particulars of the person who requests access to the record must be given below.
2. The address and/or fax number in the Republic to which the information is to be sent must be provided.
3. Proof of the capacity in which the request is made, if applicable, must be attached.
4. The Company may request for proof of identification of the Requester.

Full names and surname:	
Identity number:	
Postal address:	
Fax number:	
Telephone number:	
Email address:	

C. Particulars of person on whose behalf request is made

1. Proof of the capacity in which the request is made, if the request is made on behalf of another person.
2. 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

1. Provide full particulars of the record to which access is requested, including the reference number if that is known, to enable the record to be located.
2. If the provided space is inadequate, please continue on a separate page and attach it to this form.
3. **The Requester must sign all the additional pages**

Description of record or relevant part of the record:	
Reference number, if available:	
Any further particulars of record:	

E. Fees

1. 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.
2. You will be notified of the amount required to be paid.
3. The fee payable for access to a record depends on the form in which access is required and the reasonable time required searching for an to preparing a record.
4. If you qualify for exemption of the payment of any fee, please state the reason for the 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 a) to d) hereunder, state your disability and indicate in which form the record in required.

Disability:	
Form in which the record in required:	

- Mark the appropriate box with an X
1. Compliance with your request in the specified form may depend on the form in which the record is available.
 2. Access in the form requested may be refused in certain circumstances. In such case you will be informed if access will be granted in another form.
 3. The fee payable for access to the record, if any, will be determined partly by the form in which access in requested.

a) If the record is in a written or printed form:

<input type="checkbox"/> Copy of record	<input type="checkbox"/> Inspection of record
---	---

**b) If the record consists of visual images:
(including photographs, slides, video recordings, computer-generated images, sketches etc.)**

<input type="checkbox"/> View the images	<input type="checkbox"/> Copy the images	<input type="checkbox"/> Transcription of images
--	--	--

c) If the 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)

d) 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* (compact disc)

* If you requested a copy or transcription of a record (above), you wish the copy to be posted to you? Postage is payable

Yes

No

G. Particulars of right to be exercised or protected

1. If the provided space is inadequate, please continue on a separate page and attach it to this form.
2. **The Requester must sign all the additional pages**

Indicate which right is to be exercised or protected:	
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 or 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 atthis.....day of20.....

Signature of Requester

Signature of person on whose behalf the request is made

