



## **MANUAL**

**AS REQUIRED IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT ACT NO.2, 2000**

**THIS MANUAL CONTAINS INFORMATION REQUIRED TO REQUEST ACCESS TO THE RECORDS OF:**

**THE SWARTLAND AND WEST COAST SPCA**

**This Manual will be available from the Human Rights Commission**

**SECTION 51 MANUAL FOR THE SWARTLAND AND WEST COAST SPCA**

**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 Swartland and West Coast SPCA  
[Section 51(1)(c) and 51(1)(e)]
  - (i) The latest notice regarding the categories of records of the Swartland and West Coast SPCA, which, are available without a person having to request access in terms of this Act in terms of [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)]

## PARTICULARS IN TERMS OF THE SECTION 51 MANUAL

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

Colette Mang, Chairman

**Postal address:**

P O Box 168  
Darling  
7345

**Street Address:**

Yzerfontein Road  
Darling  
7345

**Telephone number:** 022 492 2781

**Fax number:** 022 492 2313

**Email address:** [stephanie@swartlandwestcoastspca.co.za](mailto:stephanie@swartlandwestcoastspca.co.za)

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

The Human Rights Commission has compiled a Guide in terms of Section 10 of PAIA. It contains information requires by a person wishing to exercise any right, contemplated by PAIA. It is available in all official languages. The Guide is available for inspection, *inter alia*, at the offices of

The South African Human Rights Commission: PAIA Unit

The Research and Documentation Department

**Street address:** 29 Princess of Wales Terrace  
Cnr York and St. Andrews Street  
Parktown

**Telephone:** +27 11 484 8300

**Fax:** +27 11 484 0582

**Website:** [www.sahrc.org.za](http://www.sahrc.org.za)

**Email address:** [paia@sahrc.org.za](mailto:paia@sahrc.org.za)

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

Legislation in terms of which records are held includes but is not limited to the following list:

1. Basic Conditions of Employment No. 75 of 1997
2. Compensation for Occupational Injuries and Health Diseases Act No. 130 of 1993
3. Employment Equity Act No. 55 of 1998
4. Income Tax Act No. 95 of 1967
5. Labour Relations Act No. 66 of 1995
6. Occupational Health & Safety Act No. 85 of 1993
7. Unemployment Contributions Act No. 4 of 2002
8. Unemployment Insurance Act No. 63 of 2001

### **4. Access to the records held by the Swartland and West Coast SPCA [Section 51(1)(c) and 51(1)(e)]**

**(i) The latest notice regarding the categories of records of Swartland and West Coast SPCA, which, are available without a person having to request access in terms of this Act in terms of [Section 51(1)(c)]**

- Annual Reports
- Constitution

**(ii) Records that may be requested. A description of the subjects of the records held by the Swartland and West Coast SPCA and the categories in which these subjects are classed**

#### **[Section 51(1)(e)]**

<b>CATEGORY</b>	<b>RECORDS</b>
Administration	Organisation Registration documents
	Insurance policies
	Minutes of Committee meetings
	Fixed Assets Register
	Vehicle files
	Licenses

<b>CATEGORY</b>	<b>RECORDS</b>
Financial Records	Annual Audited Financial Statements
	Tax Returns
	Accounting Records
	Banking Records - Bank Statements - Paid Cheques
	Rental Agreements
	Invoices
<b>CATEGORY</b>	<b>RECORDS</b>
Income Tax Records	PAYE Records
	Documents issued to employees for income tax purposes
	Records of payment made to SARS on behalf of employees
	All other statutory compliances UIF Workmen's Compensation
<b>CATEGORY</b>	<b>RECORDS</b>
Personnel Documents and Records	Employment contracts
	Disciplinary records
	Salary records
	Leave records
	Attendance register
	Performance appraisals
	Personal Files

### **(iii) The request procedures**

- The requester must use the prescribed form to make the request for access to a record. This must be made to the chairperson of the Swartland and West Coast SPCA. This request must be made to the address, fax number or electronic mail address of the Swartland and West Coast SPCA concerned
- The requester must provide sufficient detail on the request form to enable the chairperson of the Swartland and West Coast SPCA 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
- 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.
- If a request is made on behalf of a person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the chairperson of the Swartland and West Coast SPCA.

**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 chairperson of Swartland and West Coast SPCA 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
- The fee that the requester must pay to the Swartland and West Coast SPCA is R50. The requester may lodge an application to the court against the tender or payment of the request fee.
- After the chairperson of the Swartland and West Coast SPCA 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 and preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

**5. Other information as may be prescribed**

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

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

This manual is also available for inspection free of charge at the offices of Swartland and West Coast SPCA. Copies are also available with the South African Human Rights Commission and on the following website: [www.swartlandandwestcoastspca.co.za](http://www.swartlandandwestcoastspca.co.za)