

Cedar Crest Nursery School CC

MANUAL: ACCESS TO INFORMATION

**PREPARED IN TERMS OF SECTION 51 OF THE PROMOTION
OF ACCESS TO INFORMATION ACT (NO 2 OF 2000)**

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1. Introduction

The Promotion of Access to Information Act No. 2 of 2002, (“the Act”) came into operation on 23 November 2001. Section 51 of the Act requires that we, as a Private Body, compile a manual providing the public with information regarding the procedures to be followed when requesting information from us for the purpose of exercising or protecting rights.

We as a Private Body 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.

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

Cedar Crest Nursery School CC was registered on 21/12/2004 and conducts business as an early childhood development centre in the educatio sector.

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2. Contact Details:

Private Body Name	Cedar Crest Nursery School CC
Registration Number	2004/126815/23
Registered Address	69 Porterfield Road, Bloubergstrand, 7441
Postal Address	P O Box 60764, Table View, 7439
Telephone Number	021 557 7593
Fax Number	N/A
Website	www.cedarcrestnurseryschool.co.za
Information Officer	Arlene Adriaanse
Information Officer Email	info@cedarcrestnurseryschool.co.za

3. Guide to the Act and Section 10:

The Act grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights. If a public body submits a request, the public body must be acting in the public interest.

Requests in terms of the Act shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariffs are dealt with in paragraphs 6 and 7 of the Act.

Requesters are referred to the guide in terms of Section 10 which has been compiled by the Information Regulator, which will contain information for the purposes of exercising Constitutional Rights. The Guide is available from the Justice Department.

The contact details of the Information Regulator are:

Business address	JD House 27 Stiemens Street Braamfontein Johannesburg 2001
Postal address	PO Box 31533 Braamfontein Johannesburg 2001
Email address	complaints.IR@justice.gov.za
Website	www.justice.gov.za

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4. Applicable Legislation:

Reference	Act
Act 33 of 1997	Abolition of Corporal Punishment Act
Act 7 of 2018	Basic Conditions of Employment Amendment Act
Act 46 of 2013	Broad-Based Black Economic Empowerment Amendment Act
Act 13 of 1999	Child Care Amendment Act
Act 28 of 2019	Child Justice Amendment Act
Act 17 of 2016	Children's Amendment Act
Act 18 of 2016	Children's Second Amendment Act
Act 25 of 2005	Close Corporations Amendment Act
Act 3 of 2011	Companies Amendment Act
Act 61 of 1997	Compensation for Occupational Injuries and Diseases Amendment Act
Act 68 of 2008	Consumer Protection Act
Act 9 of 2002	Copyright Amendment Act
Act 19 of 2020	Cybercrimes Act
Act 1 of 2014	Electronic Communications Amendment Act
Act 25 of 2002	Electronic Communications and Transactions Act
Act 47 of 2013	Employment Equity Amendment Act
Act 26 of 2013	Employment Tax Incentive Act
Act 1 of 2017	Financial Intelligence Centre Amendment Act
Act 28 of 1997	Income Tax Act
Act 8 of 2018	Labour Relations Amendment Act
Act 3 of 2020	National Minimum Wage Amendment Act
Act 31 of 2019	Promotion of Access to Information Amendment Act
Act 4 of 2013	Protection of Personal Information Act
Act 24 of 2020	Tax Administration Laws Amendment Act
Act 23 of 2020	Taxation Laws Amendment Act
Act 10 of 2016	Unemployment Insurance Amendment Act

5. Schedule of Records:

In terms of Section 52, a private body may, on a voluntary and periodic basis, submit to the Minister a description of categories of records which are automatically available without a person having to request access in terms of this Act.

This includes records which are available:

- for inspection
- for purchase or copying from the private body; and
- from the private body free of charge

We hold the following categories of information:

- Accounting records
- Information Technology
- Intellectual Property
- Personnel Records
- Sales and Marketing
- Statutory Company records
- Client Databases
- Internal Phone lists
- Administrative information

6. Request for information:

A person who wants access to our records must complete the necessary request form C or form D (available upon request), and the completed form(s) must be sent to the address or email address provided in this manual and marked for the attention of the information officer.

The requester must provide sufficient details to enable the Company to identify:

1. The record(s) requested
2. The requestor (if an agent, proof of capacity)
3. Specify a postal address or email address for the requestor in the republic
4. The form of access required
5. The way the requestor wishes to be informed of the decision
6. The right which the requestor is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right

7. Prescribed Fees:

The request fee payable by a requestor, other than a personal requestor (person requesting information about themselves) is R 50.

The fees for reproduction and access fees payable by a requestor, are set out in Annexure A.

Annexure A - Fees

FEES FOR RECORDS OF PUBLIC BODY

1. The **"request fee"** payable by every requester, other than a personal requester referred to in section 22(1) of the Act, is **R35**. The **"access fees"** referred to in section 22(7) of the Act (unless the requester is exempted under section 22(8)) and **"fees for reproduction"** referred to in section 15(3) of the Act, are as follows:

- (a) for every photocopy of an A4-size page or part thereof **R0.60**
- (b) for every printed copy of an A4-size page or part thereof **R0.40**
- (c) held on a computer or in electronic or machine readable form for a copy in a computer-readable form on -
 - (i) stiffy disc **R5**
 - (ii) compact disc **R40**
- (d) (i) for transcription of visual images, for an A4-size of part thereof **R22**
 - (ii) for a copy of visual images **R60**
- (e) (i) for a transcription of an audio record, for an A4-size page or part thereof **R12**
 - (ii) for a copy of an audio record **R17**

The actual postal fee is payable when a copy of a record must be posted to a requester.

REQUEST FOR RECORDS OF PRIVATE BODY

Form of request

A request for access to a record, made in terms of section 53(1) of the Act, must be made in the form of "Form C". The "Form C" is available upon request from the Deputy Information Officer of the Department (or from any Information Officer or Deputy Information Officer of a Public or Private Body) or from the Department's website (www.justice.gov.za).

FEES FOR RECORDS OF PRIVATE BODY

1. The **"request fee"** payable by a requester, other than a personal requester, referred to in section 54(1) of the Act, is **R50**.
2. The **"fees for reproduction"** referred to in section 52(3) and **"access fees"** payable by a requester referred to in section 54(7), unless exempted under section 54(8) of the Act, are as follows:
 - (a) for every photocopy of an A4-size page or part thereof **R1 - R10**
 - (b) for every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form **R0 - R75**
 - (c) for a copy in a computer-readable form on:
 - (i) stiffy disc **R7 - R50**
 - (ii) compact disc **R70**

- (d) (i) for a transcription of visual images, for an A4-size page or part thereof **R40**
 - (ii) for a copy of visual images **R60**
- (e) (i) for transcription of an audio record, for an A4-size page or part thereof **R20**
 - (ii) for a copy of an audio record **R30**
- (f) To search for the record for disclosure, **R30** for each hour or part of an hour reasonably required for such search.

The actual postal fee is payable when a copy of a record must be posted to a requester. Exemptions from paying "access fees"
Person or persons exempted from paying access fees:-

- (i) A single person whose annual income does not exceed **R14,712.00; or**
- (ii) Married persons or a person and his/her life partner whose annual income does not exceed **R27,192.00**

NOTES: Please take note of the following differences when making an application for access to information to a Public Body and a Private Body

	PUBLIC BODY	PRIVATE BODY
Application form to use	"Form A"	"Form C"
Request fee payable	R35.00	R50.00
Remedy available (when not satisfied with the decision (including "deemed refusal") of the Information Officer or Deputy Information Officer)	Internal Appeal to the Relevant Authority (e.g. Minister, MEC or Mayor) <ul style="list-style-type: none"> • use "Form B" • no fee payable 	Application to Magistrates' Court (there is no Internal Appeal)
Remedy available (only when not satisfied with the outcome of the Internal Appeal)	Application to Magistrates' Court	

The Information Officer of the Department of Justice is:
The Director-General Enquiries and Requests for Information should be sent to: The Deputy Information Officer Postal Address: Access to Information and Records Management Department of Justice and Constitutional Development Private Bag x81, PRETORIA, 0001

Telephone: 012 357 8544/012 315 1715
Fax: 086 714 9252

E-mail: paia@justice.gov.za
Website: www.justice.gov.za

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Form C



J752

REPUBLIC OF SOUTH AFRICA

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 10]

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 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:

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Postal address:

Telephone number: (.....) Fax 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:

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Form D



REPUBLIC OF SOUTH AFRICA

FORM D
AUTOMATICALLY AVAILABLE RECORDS AND ACCESS TO SUCH RECORDS:
(Section 15 of the Promotion of Access to Information Act, 2000 (Act 2 of 2000))
[Regulation 5A]

DESCRIPTION OF CATEGORY OF RECORDS AUTOMATICALLY AVAILABLE IN TERMS OF SECTION 15(1)(a) OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000	MANNER OF ACCESS TO RECORDS (e.g. website) (SECTION 15(1)(b))
FOR INSPECTION IN TERMS OF SECTION 15(1)(a)(i):	
FOR PURCHASING IN TERMS OF SECTION 15(1)(a)(ii):	
FOR COPYING IN TERMS OF SECTION 15(1)(a)(iii):	
AVAILABLE FREE OF CHARGE IN TERMS OF SECTION 15(1)(a)(iii):	

Department of Justice and Constitutional Development