

Promotion of Access to Information Act
Section 51 Manual
For
FREE 4 ALL (Pty) Ltd

1. INTRODUCTION

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 the right of access to information help by the State and to the information help by another person that is required for the exercise and / or protection of any right.

The reference to any information is additional to 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.

The manual applies in respect of each member of **FREE 4 ALL** (Pty) Ltd as set out in this manual. The information Officer named below is appointed in respect of FREE 4 ALL as a whole and in respect of the private bodies constituting **FREE 4 ALL** (Pty) Ltd.

2. DEFINITIONS

Unless the context clearly indicates otherwise, the following terms shall have the means assigned to them hereunder, namely:

- ‘**Act**’ means the Promotion of Access to Information Act, Act 2 of 2000, as amended from time to time
- ‘**Information Officer**’ means the person acting on behalf of **FREE 4 ALL** and discharging the duties and responsibilities assigned to the “head” of **FREE 4 ALL** by the Act, The Information Officer is duly authorised to act as such and such authorization has been confirmed by the “head” of **FREE 4 ALL**” in writing
- ‘**Manual**’ means this manual published in compliance with Section 51 of the Act
- ‘**FREE 4 ALL**’ means **FREE 4 ALL (Pty) Ltd** 1996 / 005340 / 07
- ‘**Personnel**’ means any person who works for or provides services to or on behalf of **FREE 4 ALL** and receives or is entitled to receive any remuneration and any other person who assists in carrying out or conducting the business of **FREE 4 ALL**. This includes without limitation, directors (both Executive and non-Executive), All permanent, temporary and part-time staff as well as consultants and contract workers
- ‘**Record**’ means any recorded information, regardless of form of medium, which is in the possession or under the control of **FREE 4 ALL**, irrespective of whether it was created by **FREE 4 ALL**
- ‘**Request**’ means a request for access to a record of **FREE 4 ALL**
- ‘**Requestor**’ means any person, including a public body or an official thereof, making a request for access to a records of **FREE 4 ALL** and includes any person acting on behalf of that person
- ‘**SAHRC**’ means South African Human Rights Commission

Unless a contrary intention clearly appears, words signifying:

- The singular includes the plural and vice versa;
 - Any one gender includes the other genders and vice versa; and
 - Natural persons include juristic persons.
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3. FREE 4 ALL

FREE 4 ALL is a Newspaper Publishing company serving children from the ages of 5 years to 18 years, with a focus on educating children in literature.

Our strategic objective is to deliver a newspaper to every child in South Africa to achieve sustainable growth and provide education and literacy to the children.

4. AVAILABILITY OF THIS MANUAL

A copy of this manual is available on our website (www.free4all.co.za) or by sending a request for a copy to the Information Officer by email. The manual may also be inspected at the address set out below. In addition, this manual can be accessed through the **SAHRC** at its address set out below. This manual will be updated from time to time, as and when required.

5. HOW TO REQUEST ACCESS TO RECORDS HELD BY FREE 4 ALL

Requests for access to records held by **FREE 4 ALL** must be made on the request forms that are available from the **SAHRC** website (www.sahrc.org.za) or the Department of Justice and Constitutional development (www.doj.gov.za) (under “regulations”).

For the convenience of requestors, copies of such forms are included in the version of this manual available at our address set out below and on our website. Please note that requestors are also required to make payment of the prescribed fees. This issued is dealt with more fully below.

Request for access to records must be made to our Information Officer at the address, fax number or electronic mail address provided for below.

The requestor must provide sufficient detail on the request form to enable the Information Officer to identify the record and the requester.

The requestor should also indicate which form of access is required and indicate if he or she wishes to be informed in any other manner and state the necessary particulars to be so informed.

The requestor must identify the right that he or she is seeking to exercise or protect and provide an explanation of why the requested records are required for the exercise or protection of that right.

If a request is made on behalf of a person, the requestor must then submit proof of the capacity in which the requestor is making the request to the satisfactions of the **FREE 4 ALL** Information officer.

The standard form that must be used for making of requests is attached as Annexure 2. Not using this form could cause your request to be refused (if you do not provide sufficient information or otherwise) or delayed.

The list detailing the prescribed fees in respect of requests and the fees in respect of access to records (if the request is granted) is attached as Annexure 3.

Annexure 2 and 3 are included in copies of this manual available on the **FREE 4 ALL** website and head office but are not included in the copy of this manual delivered to the **SAHRC**.

Kindly note that all requests to **FREE 4 ALL** will be evaluated and considered in accordance with the Act, placement of this manual and describing the categories and subject matter of information held by **FREE 4 ALL** does not give rise to any rights (in contract or otherwise) to access such information of records except in terms of the Act.

6. CONTACT DETAILS

Name of Private Body	FREE 4 ALL (Pty) Ltd
Designated Information Officer	Mr Justin Comber
Email address of Information Officer	md@free4all.co.za
Postal Address	P O Box 268 Kloof 3640
Street Address	47 Sherwood Drive Forest Hills, Kloof 3610
Telephone Number	+27 31 763 3916
Fax Number	+27 31 763 3721

7. HOW TO ACCESS THE GUIDE AS DESCRIBED IN SECTION 10 OF THE ACT

Please contact the **SAHRC** to obtain the guide. Their details are reflected below:

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

8. VOLUNTARY DISCLOSURE

Notices in terms of Section 52 are voluntary, yet **FREE 4 ALL** does make certain information freely available (without being obliged hereto), including the most recent Annual report of **FREE 4 ALL**. Other information relating to **FREE 4 ALL** is freely available on the **FREE 4 ALL** website at www.free4all.co.za. Certain other information relating to **FREE 4 ALL** is also made available on such website from time to time.

Certain information is also made available to employees of **FREE 4 ALL**, which is not generally made available to the public. To avoid confusion, these items are not listed here but may be obtained by **FREE 4 ALL** employees from the administration officer, Mr Justin Comber.

9. RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION

Information is available in terms of the following legislation to the persons or entities specified in such legislation.

General

- Companies Act 61 of 1973
 - Income Tax Act 58 of 1962
 - Value Added Tax Act 89 of 1991
 - Labour relations Act 66 of 1995
 - Basic Conditions of Employment Act 75 of 1997
 - Skills Development Levels Act 9 of 1999
 - Unemployment Insurance Act 30 of 1966
 - Unemployment Contributions Act no 4 of 2002
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10. RECORDS HELD BY FREE 4 ALL

We maintain records of the following categories and subject matters. **However, please note that recording a category or subject matter in this manual does not imply that a request for access to such records would be honoured.** All requests for access will be evaluated on a case- by-case basis in accordance with the provisions of the Act.

Please note further that many of the records held by us are those of third parties, such as advertisers and employees and we take the protection of third party confidential information very seriously. Please **ensure that requests of such records are carefully motivated to avoid rejection.**

10.1 Internal records

The following are records pertaining to **FREE 4 ALL** own affairs:

- Memorandum and Articles of Association
- Financial records
- Marketing records
- Internal correspondence
- Statutory records
- Internal policies and procedures
- Minutes of Meetings

10.2 Personnel records

Personnel refers to any person who works for or provides services to or on behalf of **FREE 4 ALL** and receives or is entitled to receive any remuneration and any other person who assists in carrying out or conducting the business of **FREE 4 ALL**. This includes, without limitation, directors, executives, non-executives, all permanent, temporary and part-time staff as well as contract workers.

Personnel records include the following:

- Any personal records provided to us by our personnel
- Any records a third party has provided to us about any of their personnel
- Conditions of employment and other personnel-related contractual and quasi-legal records
- Employment policies and procedures
- Internal evaluation records; and other internal records and correspondence

10.3 Advertisers and Customers records

Customer–related information includes the following:

- Contract with the customer / advertiser and between customers and other persons
 - Any records a Customer/Advertiser has provided to **FREE 4 ALL** or a third party acting for or on behalf of **FREE 4 ALL**
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FEES

Where an institution has voluntarily provided the Minister with a list of categories of records that will automatically be made available to any person requesting access thereto, the only charge that may be levied for obtaining such records, will be a fee for reproduction of the record in question.

THE APPLICABLE FEES FOR REPRODUCTION AS REFERRED TO ABOVE ARE:

- | | |
|--|--------|
| • For every photocopy of an A4-size page or part thereof | R1.10 |
| • For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form | R0.75 |
| • For a copy in a computer-readable form on:
– Optical compact disc | R70.00 |
| • A transcription of visual images, for an A4-size page or part thereof | R40.00 |
| • For a copy of visual images | R60.00 |
| • A transcription of an audio record, for an A4-size page or part thereof | R20.00 |
| • For a copy of an audio record | R30.00 |
| • To search for a record that must be disclosed
(per hour or part of an hour reasonably required for such search) | R30.00 |
| • Where a copy of a record needs to be posted the actual postal fee is payable | |

Request fees:

Where a Requestor submits a Request for access to information held by an institution on a person other than the Requestor himself / herself, a request fee in the amount of **R50.00** is payable up-front before the institution will further process the Request received.

Access fees:

An access fee is payable in all instances where a Request for access to information is granted, except in those instances where payment of an access fee is specially excluded in terms of the Act or an exclusion is determined by the Minister in terms of Section 54(8).

Deposits:

Where the institution receives a Request for access to information held on a person other than the Requestor himself / herself and the Information Officer upon receipt of the Request is of the opinion that the preparation of the required Record of disclosure will take more than 6 (six) hours, a deposit is payable by the Requestor.

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 requesting 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 <i>ONLY</i> if a request for information is made on behalf of <i>another</i> 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.
- (c) The requestor 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
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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 for 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 record*	<input type="checkbox"/>	inspection of record			
2. If 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*	
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			
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)	
'If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.					YES	NO

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 requestor 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 of 20

SIGNATURE OF REQUESTOR / PERSON ON
WHOSE BEHALF REQUEST IS MADE

PRINT NAME