

SECTION 51 MANUAL FOR PRIVATE BODIES

THIS MANUAL HAS BEEN PREPARED IN TERMS OF SECTION 51 OF THE PROMOTION OF
ACCESS TO INFORMATION ACT 2 / 2000

SECTION 51(1)(a)

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SECTION 51(1)(b)

2) The section 10 Guide on how to use the Act

The Guide is available from the South African Human Rights Commission. Please direct queries to the Contact Persons for Enquiries relating to compliance with section 51 of the Promotion of Access to Information Act (PAIA):

The South African Human Rights Commission
PAIA Unit
The Research and Documentation Department

Postal Address: Private Bag X2700
Houghton
2041

Telephone: 011-877-3803
Fax Number: 011-403-0625

Website: www.sahrc.org.za
E-mail: PAIA@sahrc.org.za

After compiling your manual a signed copy by the head of your organisation (initialed on every page and a full signature on the last page) must either be emailed or posted to the PAIA Unit of the Commission.

Please e-mail the signed copy to: lidlamini@sahrc.org.za and post hard copy to the above address of the Commission;

SECTION 51(1)(d)

Information is available in terms of the following legislation, if and where applicable:

Basic Conditions of Employment Act No. 75 of 1997

Closed Corporation Act No. 69 of 1984

Companies Act No. 61 of 1973

Compensation of Occupational Injuries and Diseases Act No. 130 of 1993

Customs and Excise Act No. 91 of 1964

Electronic Communications and Transactions Act No. 25 of 2002

Employment Equity Act No. 55 of 1998

Income Tax Act No. 58 of 1962

Insolvency Act No. 24 of 1936

Labour Relations Act No. 66 of 1995

Occupational Health and Safety Act No. 85 of 1993

Patents Act No. 57 of 1978

Promotion of Access to Information Act No. 2 of 2000

Skills development Levies Act No. 9 of 1999

Trademarks Act No. 194 of 1993

Unemployment Insurance Act No. 30 of 1966

Value – Added Tax Act No. 89 of 1991

SECTIONS 51(1)(c) AND 51(1)(e)

4) Access to the records held [*Sections 51(1)(c) and 51(1)(e)*]

Records 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)]

This information can be defined as operational information needed in the day to day running of the company and is generally of little to no use to persons outside the company.

(Examples of such information are: Requisitions, internal phone lists, company policies, contracts, employee records and general accounting records).

The Request Procedures

(Prescribed form and fee structure in respect of private bodies)

The forms and fee structure prescribed under the Act are available at the website of the Department of Justice and Constitutional Development (www.doj.gov.za) under the "regulations" section.

SECTION 51(1)(f)

5) Other information as may be prescribed

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

SECTION 51(3)

6) Availability of the material

The manual is available at our offices free of charge; and copies are available with the SAHRC, in the Gazette and on our website as listed above.

