

SECTION 51 MANUAL FOR CDS SOLUTIONS CC

A. CONTENTS

A. CONTENTS

B. 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 private body in question [*Sections 51(1)(c) and 51(1)(e)*]
 - i. The latest notice regarding the categories of records of the body, 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)*]
 - 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)]

Name of Business

CDS Solutions cc

Contact Person

The Compliance Officer

Physical Address

12 Wynand Road, Lakeside, 7945

Postal Address

Postnet Suite 234, Private Bag X335, Cape Town, 8000

Telephone

021 788 3884

Fax

021 788 3884

Website

www.cdssolutions.co.za

E-mail

info@cdssolutions.co.za

2. The section 10 Guide on how to use the Act [Section 51(1)(b)]

The Guide will be available from the South African Human Rights Commission by not later than August 2004. Please direct any queries to:

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 11 484-7146

Website: www.sahrc.org.za

E-mail: PAIA@sahrc.org.za

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

Basic Conditions of Employment Act No. 75 of 1997

Closed Corporation Act No. 69 of 1984

Electronic Communications and Transactions Act No. 25 of 2002

Income Tax Act No. 58 of 1962

Promotion of Access to Information Act No. 2 of 2000

Regional Services Councils Act no 109 of 1985

Skills development Levies Act No. 9 of 1999

Unemployment Insurance Act No. 30 of 1966

Value – Added Tax Act No. 89 of 1991

4. Access to the records held by the private body in question [Sections 51(1)(c) and 51(1)(e)]

- i. All information available without going through the request procedures is available on the abovementioned website.
- ii. This private body holds the following records:
 - a. **Administration:** correspondence, contact details
 - b. **Human Resources:** statutory returns, remuneration records
 - c. **Operations:** orders, quotes, invoices
 - d. **Finances:** bank statements, vouchers and invoices, Annual Financial Statements, statutory returns
- iii. Form of Request:
 - The requester must use the prescribed form to make the request for access to a record. This must be made to the head of the private body. This request must be made to the address, fax number or electronic mail address of the body concerned [s 53(1)].
 - The requester must provide sufficient detail on the request form to enable the head of the private body 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 [s 53(2)(a) and (b) and (c)].

- 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 [s 53(2)(d)].
- If a request is made on behalf of another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the head of the private body [s 53(2)(f)].

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 head of the private body 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 [s 54(1)].
- The fee that the requester must pay to a private body is R50. The requester may lodge an application to the court against the tender or payment of the request fee [s 54(3)(b)].
- After the head of the private body 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, preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure [s 54(6)].

5. Other information as may be prescribed [Section 51(1)(f)]

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

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

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.