

PROMOTION OF ACCESS TO INFORMATION ACT
Section 51 Manual
Yithethe maAfrika Promotions (Pty) Ltd

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

The reference to any information in addition 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.

1 YITHETHE MAAFRIKA PROMOTIONS (PTY) LTD OVERVIEW

Yithethe maAfrika Promotions (Pty) Ltd provides integrated public relations and communication management services to non-governmental organisations, public and private sector. We offer high-level down strategic planning and implementation, specialising in but not limited to: tourism, art and culture, sport, media, economic and community development.

Yithethe maAfrika Promotions (Pty) Ltd supports the constitutional right of access to information and we are committed to provide you access to our records in accordance with the provisions of the Act, the confidentiality we owe third parties and the principles of South African law.

2 AVAILABILITY OF THIS MANUAL

A copy of this Manual is available on our website (www.yithethe.co.za) or by sending a request for a copy to the Information Officer by email. The Manual may also be obtained from our head office, the South African Human Rights Commission ("SAHRC") at the addresses set out below. This Manual will be updated from time to time, as and when required.

3 HOW TO REQUEST ACCESS TO RECORDS HELD BY YITHETHE MAAFRIKA PROMOTIONS (PTY) LTD

Requests for access to records held by Yithethe maAfrika Promotions (Pty) Ltd must be made on the request form that is available on our website, from the SAHRC website (www.sahrc.org.za) or the Department of Justice and Constitutional Development (www.doj.gov.za) (under "regulations"). Note that requests need not be accompanied by payment BUT will only be processed upon payment of the prescribed fees.

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

The requester must provide sufficient detail on the request form to enable the Information Officer to identify the record and the requester. The requester 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 requester must identify the right that he or she is seeking to exercise or protect 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 Information Officer of **Yithethe maAfrika Promotions (Pty) Ltd**.

The standard form that must be used for the making of requests is attached as annexure 1. Not using this form could cause your request to be refused (if you do not provide sufficient information or otherwise) or delayed.

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

4 CONTACT DETAILS

Name of Private Body:	Yithethe maAfrika Promotions (Pty) Ltd
Designated Information Officer:	CEO
Email address of Information Officer:	traci@yithethe.co.za
Postal address:	P O Box 5916, Walmer, 6065
Street address:	120 Cape Road, Mill Park, Port Elizabeth, 6070
Phone number:	041 581 2280
Fax number:	086 624 6423

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

The Guide described in Section 10 of the Act is due in August 2003. From that date it will be available from the South African Human Rights Commission. 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 11 484-0582
Website: www.sahrc.org.za
E-mail: paia@sahrc.org.za

6 VOLUNTARY DISCLOSURE

Yithethe maAfrika Promotions (Pty) Ltd has not published a notice in terms of Section 52(2) of the Act, however, it should be noted that the information relating to **Yithethe maAfrika Promotions (Pty) Ltd** and its services is freely available on **Yithethe maAfrika Promotions (Pty) Ltd** website. Certain other information relating to **Yithethe maAfrika Promotions (Pty) Ltd** is also made available on such website from time to time.

Further information in the form of marketing brochures, advertising material and other public communication is made available from time to time.

7 RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION *Section 51 (1) (d)*

Information is available in terms of the following legislation, if and where applicable, which includes but is not limited to:

Basic Conditions of Employment No. 75 of 1997

Companies Act 61 of 1973
Electronic Communications and Transactions Act 25 of 2002.
Financial Intelligence Centre Act – Act 38 of 2001
Labour Relations Act 66 of 1995
Promotion of Access to Information Act No. 2 of 2000
Skills Development Levies Act No. 9 of 1999
Skills Development Act No. 97 of 1998
Unemployment Contributions Act No. 4 of 2002
Unemployment Insurance Act No. 63 of 2001
Value Added Tax Act No. 89 of 1991

Access to the records held by the private body in question

- 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)**

Not applicable

8 RECORDS HELD BY YITHETHE MAAFRIKA PROMOTIONS (PTY) LTD

Yithethe maAfrika Promotions (Pty) Ltd maintains records on 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.

8.1 Internal Records

- Memorandum and Articles of Association
- Financial records
- Operational records
- Intellectual property
- Marketing records
- Internal correspondence
- Product records
- Statutory records

8.2 Personnel records

Personnel refers to any person who works for or provides services to or on behalf of Yithethe maAfrika Promotions (Pty) Ltd and receives or is entitled to receive any remuneration and any other person who assists in carrying out or conducting the business of Yithethe maAfrika Promotions (Pty) Ltd. This includes, without limitation, directors, executive directors, non-executive directors, all permanent, temporary and part-time staff as well as contract workers. Personnel records include the following:

- Any personal records provided to Yithethe maAfrika Promotions (Pty) Ltd by their personnel;
- Any records a third party has provided to Yithethe maAfrika Promotions (Pty) Ltd about any of their personnel;
- Conditions of employment and other personnel-related contractual and quasi-legal records;
- Internal evaluation records; and
- Other internal records and correspondence.

8.3 Customer records

Please be aware that Yithethe maAfrika Promotions (Pty) Ltd is very concerned about protecting the confidential information of its customers. Please

motivate any request for customer information very carefully, having regard to Sections 63 to 67 of the Act.

Customer information includes the following:

- Any records a customer has provided to Yithethe maAfrika Promotions (Pty) Ltd or a third party acting for or on behalf of Yithethe maAfrika Promotions (Pty) Ltd;
- Contractual information;
- Customer needs assessments;
- Personal records of customers;
- Credit information and other research conducted in respect of customers;
- Any records a third party has provided to Yithethe maAfrika Promotions (Pty) Ltd about customers;
- Confidential, privileged, contractual and quasi-legal records of customers;
- Customer evaluation records;
- Customer profiling;
- Performance research conducted on behalf of customers or about customers;
- Any records a third party has provided to Yithethe maAfrika Promotions (Pty) Ltd either directly or indirectly; and
- Records generated by or within Yithethe maAfrika Promotions (Pty) Ltd pertaining to customers, including transactional records.

8.4 Technical records

- Technical records generated by, or within Yithethe maAfrika Promotions (Pty) Ltd pertaining to customers.

8.5 Other Parties

Records are kept in respect of other parties, including without limitation contractors, suppliers, joint ventures, service providers and general market conditions. In addition, such other parties may possess records, which can be said to belong Yithethe maAfrika Promotions (Pty) Ltd. The following records fall under this category:

- Personnel, customer or Yithethe maAfrika Promotions (Pty) Ltd records which are held by another party as opposed to being held by Yithethe maAfrika Promotions (Pty) Ltd; and
- Records held by Yithethe maAfrika Promotions (Pty) Ltd pertaining to other parties, including financial records, correspondence, contractual records, electronic mail, logs, cached information, records provided by the other party, and records third parties have provided about the contractors/suppliers or customer.

8.6 Other Records

Further records are held including:-

- Information relating to Yithethe maAfrika Promotions (Pty) Ltd own commercial activities; and
- Research carried out on behalf of a client by Yithethe maAfrika Promotions (Pty) Ltd or commissioned from a third party for a customer;
- Research information belonging to Yithethe maAfrika Promotions (Pty) Ltd, whether carried out itself or commissioned from a third party.

Annexure 1

**FORM FOR APPLICATION OF INFORMATION
REQUEST FOR ACCESS TO RECORDS OF PRIVATE BODY**

Section 53(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000)

This annexure must accompany the cover letter addressed to the CEO

A. Particulars of Yithethe maAfrika Promotions

CEO
P O Box 5916
Walmer
6070
Fax: +27 86 624 6423
E-mail: info@yithethe.co.za

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: _____

Postal address:

Fax number: _____

Telephone number: _____

E-mail address: _____

Capacity in which the 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: _____

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.
The requester 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.
Please ensure that you use the following reference for your deposit or we will not be able to identify it as belonging to you:
“PAIA” followed by your initial(s) and surname
e.g. If your initials and surname is AN Smith, you must use PAIA AN Smith as your reference.
- (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:		Form in which record is required	
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"/>		<input type="checkbox"/>	transcription of 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:			

printed copy of record*	printed copy of information derived from the record	copy in computer readable form* (stiffy or 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 requester 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 requester / person on whose behalf request is made

FOR YITHETHE maAFRIKA PROMOTIONS INTERNAL USE ONLY

Reference number:

CEO:

Request fee (if any): R

Deposit (if any): R

Access fee: R

SIGNATURE OF YITHETHE maAFRIKA PROMOTIONS (or duly authorised representative)