

# The Information Manual

## for Hummingbird's Nest

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<b>Document Title:</b>	<b>PAIA MANUAL</b>		
<b>FSP:</b>	HUMMINGBIRD'S NEST		
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Prepared in accordance with Section 51 of the Promotion of Access to Information act 2 of 2000 ("the Act")

### Introduction:

Hummingbird's Nest conducts business as a Guest House. .

### Particulars in Terms of the Section 51 Manual:

Information Officer: Marius Maree

Contact details [Section 51(1) (a) – The following contact details can be used to obtain Information from Hummingbird's Nest in accordance with the Act and this Manual:

### Company Contact Details:

Directors: M Maree  
D Paiva

### Physical Address:

40 Venn str  
Nelspruit  
1200

Telephone: +27 (0)83 273 7674  
Email (Information Officer):  
[info@birdsnest.co.za](mailto:info@birdsnest.co.za)  
[www.birdsnest.co.za](http://www.birdsnest.co.za)

### Postal Address:

Po Box 19739  
Nelspruit  
1200

## Background to the Promotion of Access to Information Act:

The Promotion of Access to Information act 2 of 2000 ("the Act") was enacted on 3 January 2000. The purpose of the Promotion of Access to Information Act is to give effect to the constitutional right of access to any information held by the State and any information that is held by another person and that is required for the exercise or protection of any rights; and to provide for matters connected therewith.

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 the below paragraphs.

## The Section 10 Guide on how to use the Act [Section 51(1)(b)]:

The Guide is available from the South African Human Rights Commission or click here to view guide (online version). PAIA GUIDE

Please direct any queries to:

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

Telephone: +27 (0) 11 484 8300

Website: [www.sahrc.org.za](http://www.sahrc.org.za)

Email: [paia@sahrc.org.za](mailto:paia@sahrc.org.za)

## Applicable Legislation:

Number	Reference	Act
1	No 61 of 1973	Companies Act
2	No 98 of 1978	Copyright Act
3	No 55 of 1998	Employment Equity Act
4	No 95 of 1967	Income Tax Act
5	No 66 of 1995	Labour Relations Act
6	No 89 of 1991	Value Added Tax Act
7	No 37 of 2002	Financial Advisory and Intermediary Services Act
8	No 75 of 1997	Basic Conditions of Employment Act
9	No 25 of 2002	Electronic Communications and Transactions Act
10	No 2 of 2000	Promotion of Access of Information
11	No 30 of 1996	Unemployment Insurance Act
12	No 24 of 1956	Pension Fund Act
13	No 9 of 1999	Skill development Levies Act
14	No 24 of 1936	Insolvency Act
15	No 130 of 193	Compensation of Occupation Injuries and Diseases Act

## Categories of information [Section 51 (1) (e)]:

The records mentioned below are not automatically available and a request for access to the information, is subject to Section 63 (1) of the Act, providing that a head of a private body must refuse a request for access to a record of the body if its disclosure would involve the unreasonable disclosure of perusal of personal information about a third party, including a deceased individual, therefore, inclusion in this list does not imply that the request for the record will be granted.

## **Personnel Records:**

Includes records relating to temporary employees, fixed term employees, part-time employees, permanent employees, locums, associates, contractors, partners, directors, executive directors, non-executive directors. It includes personal files and similar records, records a third parties have provided to us about their personnel; employment contracts, conditions of employment; workplace policies; disciplinary records; termination records; minutes of staff meetings; performance management records and systems and all employment-related records and correspondence.

## **Customer-related Records:**

Includes client lists; agreements; consents; needs assessments; financial and accounts information; profiling; and similar information.

## **Personal Information Records:**

Includes our business's founding and other documents, minutes and policies; annual and other reports; financial records; operational records, policies and procedures; contracts; licenses, trademarks and other intellectual property; production, marketing records; other internal policies and procedures; internal correspondence; statutory records; insurance policies and records; etc.

## **Other Records:**

Includes supplier registrations; contracts; confidentiality agreements and non-disclosure agreements, communications; logs; delivery records; commissioned work; and similar information, some of which might be provided to us by such suppliers and providers under service- and other contacts. Technical records, which includes manuals, logs, electronic and cached information, product registrations, product dossiers, health professionals council / statutory body records, approvals, conditions and requirements, trade association information and similar product information.

## **Form of Request:**

- The requester must use the prescribed form (Form C) to make the request for access to a record. This must be made to the Information Officer of the private body. This request must be made to the address, fax number or electronic mail address of the body concerned [section 53(1)]. A request will be deemed to be received by Hummingbird's Nest when Hummingbird's Nest acknowledges receipt thereof, for the purposes of this clause an auto response shall not be a response by Hummingbird's Nest;
- 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 [section 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 [section 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 [section 53(2) (f)].

**Fees:**

ACTIVITY	FEE
Copy per A4 Page	R1.10
Printing per A4 page	75 cents
Copy on a CD	R70
Transcription of visual images per A4 page	R40
Copy of a visual image	R60
Transcription of an audio recording per A4 page	R20
Copy of an audio recording	R30
Search and preparation of the record for disclosure	R30 per hour or part thereof, excluding the first hour, reasonably required for the search and preparation.

Postage fees must be paid by the requester for the delivery of their records in the case of both public and private bodies.

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 (request for personal information), must pay the required request fee as stipulated in the Regulations promulgated in terms of the Act (as indicated hereunder).

Payment of the fees must take place prior to making available the requested record/s;

The fee for a copy of the manual as contemplated in regulation 9(2) (c) is R1.10 for every photocopy of an A4-size page or part thereof.

**Limitation of Liability:**

Hummingbird's Nest is relieved from liability and shall have no duty whatsoever, in relation to:

- The integrity and or accuracy of the information requested;
- Any delay associated with the delivery except to comply with the procedures stipulated herein; and/or
- That the information requested shall conform with the requirements of the requester except that it should correspond with the title and description provided by the requester.

# 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

Hummingbird's Nest

### 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:

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 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 space provided 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.
- 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:

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**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"/> 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* (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? <input type="checkbox"/> Yes <input type="checkbox"/> No Postage is payable.	

**G. Particulars of right to be exercised or protected**

If the space provided 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