

Access to Information

BELLA VISTA ONRUS (PTY) LTD

REGISTRATION NUMBER 2010/021984/07

MANUAL IN TERMS OF THE PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000

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MANUAL IN TERMS OF THE PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000.

Head of the Bella Vista Onrus (Pty) Ltd for the purposes of the Act is:

Mandi Barnard (Director)

For the purposes of this brochure the head will be called the **Information Officer**.

Postal and Street address of Information Officer

12 Rembrandt Street
Durbanville
7550

Contact numbers for Information officer

Tel: +27 21 975 6479

Fax: +27 82 573 4477

Electronic mail address of the Information officer

reservations@bellavista-onrus.com

Website

<http://www.bellavista-onrus.com>

The South African Human Rights Commission (SAHRC) guide to the Act in terms of section 10 (1)[section 51(1)(b)]

The Promotion of Access to Information Act ("the Act") requires the South African Human Rights Commission to compile a guide in terms of section 10(1) of the Act. This guide is to help people understand the provisions of the Act, its objects and how to make use of the provisions in the Act forms part of this manual.

Any queries regarding this guide can be addressed directly to the SAHRC at:

The South African Human Rights Commission
Private Bag 2700
Houghton
2041

Tel: +27 (0)11 484 8300

Fax: +27 (0)11 484 0582

Website: www.sahrc.org.za

E-mail: PAIA@sahrc.org.za

Records kept by Bella Vista Onrus (Pty) Ltd in terms of legislation [section51(d)]

Bella Vista Onrus (Pty) Ltd will deal with all requests for information relating to it.

Bella Vista Onrus (Pty) Ltd is required in terms of certain statutes to keep particular records

referred to therein.

The list of all the records kept by Bella Vista Onrus (Pty) Ltd in terms of legislation are as follows:

- All related CIPRO forms and certificates – CIPRO
- Minutes of Annual General meetings and attendance records
- All SARS required documents (VAT and Tax Returns)

Subject and Categories of records held by Bella Vista Onrus [Section 51(e)]

Bella Vista Onrus (Pty) Ltd keeps certain records as a matter of standard practice and on advice of their legal representatives. Annexure B highlights the subjects on which Bella Vista Onrus (Pty) Ltd and its operating divisions hold documents as well as the categories of records held within each subject.

Bella Vista Onrus (Pty) Ltd records which are available without having to request access in terms of section 52(2) [Section 51(1)(c)]

The Company's Web Page (<http://www.bellavista-onrus.com>) is accessible to anyone who has access to the Internet. The Company's Web Page has the following categories of information:

- Home
- Capabilities
- Solutions
- Qualities
- Optimisation
- Network
- Talk to us
- Careers
- Track Parcel
- Access to Information

Availability of the Manual [Section 51(3)]

This manual is available for inspection at the offices of the Information Officer of Bella Vista Onrus (Pty) Ltd. Further copies are available with the SAHRC, will be published in the Government Gazette and on the Bella Vista Onrus (Pty) Ltd Website.

Making a request in terms of the Act

- The first step in the process is to obtain "Request Form C".
- You will be able to get the form together with a list of applicable fees from the head office of Bella Vista Onrus (Pty) Ltd. These fees must be paid before access to a record will be allowed. You will be informed of the amount of your fees once you have submitted your request. The Minister may exempt certain persons from having to pay the fees referred to in the Act. To date, no such exemptions have been published.
- Once you have filled in the form you need to submit it.
- If the record you have requested exists and allowing access to it does not affect a third party, your request will be processed within 30 days.
- This period may be extended ONCE for a further 30 days if:

the request is for a large number of records or requires a search through a large number of records and compliance with the original period would unreasonably interfere with the activities of Bella Vista Onrus (Pty) Ltd;

the request requires a search for records in, or collection thereof from, an office of Bella Vista Onrus (Pty) Ltd not situated in the same town or city as the office of the information officer and this search cannot reasonably be completed within the original 30 days;

a consultation among directors of Bella Vista Onrus (Pty) Ltd or with another private body is necessary or desirable to decide upon the request and this consultation cannot reasonably be completed within the original period;

more than one of the circumstances contemplated in paragraphs 7.5.1, 7.5.2 and 7.5.3 exist in respect of the request making compliance with the original period not reasonably possible; or

you, as the requester, consents in writing to such extension

- There are various grounds upon which your request for access to a record may be refused. They are:

The protecting of personal information of a third person (who is a natural person) from unreasonable disclosure;

The protecting of commercial information of a third party. (For example trade secrets; financial, commercial, scientific or technical information that may harm the commercial or financial interests of a third party);

Refusing access to a record if disclosure would result in the breach of a duty of confidence owed to a third party.

Refusing access to a record if it would jeopardise the safety of an individual or prejudice or impair certain property rights of a third person.

Refusing access to a record that was produced during legal proceedings, unless that legal privilege has been waived.

Refusing access to a record containing trade secrets, financial or sensitive information or any information that would put Bella Vista Onrus (Pty) Ltd or its operating divisions at a disadvantage in negotiations or prejudice it in commercial competition.

Refusing access to a record containing information about research being carried out or about to be carried out on behalf of a third party or by Bella Vista Onrus (Pty) Ltd or its operating divisions.

- Section 70 of the Act contains an overriding provision. Disclosure is compulsory if it would reveal a substantial contravention of, or failure to comply with the law, or imminent and serious public safety or environmental risk AND the public interest in the disclosure of the record clearly outweighs the harm contemplated by its disclosure.
- If your request does affect a third party then we will first need to inform the third party within 21 days of us receiving your request. By this we mean that if the record you request affects any third party in any way, that third party will have to be informed that you are requesting access to the above record.
- The third party then has 21 days to make representations and/or submissions regarding the granting of access to the record.
- Once the information officer of Bella Vista Onrus (Pty) Ltd has heard all the submissions, he will make a decision as to whether or not access to the record will be granted. You must then be granted access to the record within thirty days of being informed of the decision.
- If the information officer does not grant you access to the record you are entitled to

appeal the decision. You must receive proper reasons as to why the request was refused. You need to lodge your appeal in the High Court.

- If the information officer does decide to grant you access to the record, the third party that has been affected has thirty days in which to appeal the decision - also in the High Court. If no appeal is lodged within 30 days, you must be granted access to the record.

Other information

The schedule below outlines the time-periods, which are applicable to this Act. This will enable you to understand the process whereby requests for access to records are considered and the time periods involved.

SECTION OF THE ACT	DESCRIPTION OF ACTIVITY	TIME PERIOD
10	The Guide published by the South African Human Rights Commission to assist in the use of this Act must be published.	It is meant to be available from August 2003.
51	Preparation of Company Manual	To be available after 15 August 2002
56	Information officer to decide whether to grant request for access to record that does not relate to a third party and notify requestor	Within 30 days after the request has been received
57	Information officer to notify third party of an extension of the 30 day time period with reasons for the extension	Within 30 days of receiving the request this may only be done once and only for the reasons in this section
71	Information officer to notify third party of request for access to information that relates to him/her	Within 21 days of request for access to record affecting the third party has been received.
71	Third party to give written consent or written/oral submissions to information officer	Within 21 days of being informed by the information officer of the request for access to the record

73	Information officer to make a decision about the granting of access to a record which relates to a third party and notify third party and requestor	30 days after every third party has been informed of the request
73	Information officer to give requestor access to the record if a decision has been made to grant access	Within 30 days of notifying requestor of the decision to allow access
74	If access to a record is denied, the requestor has 30 days in which to lodge an application at court to appeal against the refusal	30 days from date of notification by information officer of decision
74	If access to a record which affects a third party is granted, third party may lodge an application to court to appeal decision of information officer within 30 days	Within 30 days of notification by the information officer of the decision
71	If no appeals lodged by third party, information officer must give access to the record	Within 30 days of notification by information officer of third party

This company strives to be a leader in its industry in all fields, including its practical subscription to the guiding principles in our constitution such as transparency and the free flow of information. Should you have any queries regarding the use of this manual, please do not hesitate to contact the information officer or myself.

Johannes Lodewiekus Barnard
 Director
 Bella Vista Onrus (Pty) Ltd

Prescribed Fees

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.

The fees for reproduction referred to in regulation 11(1) are as follows:

- 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 -
 - (i) stiffy disc: R7,50
 - (ii) compact disc: R70,00
- For a transcription of visual images,for an A4-size page or part thereof: R40,00
- For a copy of visual images: R60,00
- For 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
- The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2) is R50,00.
- The access fees payable by a requester referred to in regulation 11(3) are as follows:-
 - 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 -
 - (i) stiffy disc: R7,50
 - (ii) compact disc: R70,00
 - For a transcription of visual images,for an A4-size page or part thereof: 40,00
 - For a copy of visual images: R60,00
 - For 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 and prepare the record for disclosure, R30,00 for each hour or part of an hour reasonably required for such search and preparation.

For purposes of section 54(2) of the Act, the following applies:

- (a) Six hours as the hours to be exceeded before a deposit is payable; and
- (b) one third of the access fee is payable as a deposit by the requester

The actual postage is payable when a copy of a record must be posted to a requester.