

THEUNIS MINNIE FOTOGRAFIE & RAAMWERK

PROMOTION OF ACCESS TO INFORMATION ACT SECTION 51 MANUAL

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.

THEUNIS MINNIE FOTOGRAFIE & RAAMWERK OVERVIEW

Photographer & Framers

THEUNIS MINNIE FOTOGRAFIE & RAAMWERK 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.

availability of this manual

A copy of this Manual is available on our website (www.theunisminnie.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 or from the Government Printers. This Manual will be updated from time to time, as and when required.

how to request access to records held by THEUNIS MINNIE FOTOGRAFIE & RAAMWERK

Requests for access to records held by THEUNIS MINNIE FOTOGRAFIE & RAAMWERK must be made on the request forms that are available from our website and office, from the SAHRC website (www.sahrc.org.za) or the Department of Justice and Constitutional Development (www.doj.gov.za) (under “regulations”).

A request fee may be payable. You can submit a request without paying the request fee but please note that payment of the prescribed fees must be made before the request will be processed.

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 THEUNIS MINNIE FOTOGRAFIE & RAAMWERK.

The standard form that must be used for the making of requests is attached (Annexure A).

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 THEUNIS MINNIE FOTOGRAFIE & RAAMWERK 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 THEUNIS MINNIE FOTOGRAFIE & RAAMWERK does not give rise to any rights (in contract or otherwise) to access such information or records except in terms of the Act.

Contact details

Name of Private Body	THEUNIS MINNIE FOTOGRAFIE & RAAMWERK
Designated Information Officer	T. MINNIE
Email address of Information Officer	info@theunisminnie.co.za
Postal address	P.O. Box 11705 Heiderand 6511
Street address	Shop 13, Prince Vincent Archway 86 Bland Street Mossel Bay 6500
Phone number	082 493 0854

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**

THEUNIS MINNIE FOTOGRAFIE & RAAMWERK has not published a notice in terms of Section 52(2) of the Act, however, it should be noted that the information relating to THEUNIS MINNIE FOTOGRAFIE & RAAMWERK and its services is freely available on its website. Certain other information relating to THEUNIS MINNIE FOTOGRAFIE & RAAMWERK 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 any other legislation**

Information is available in terms of the following legislation to the persons or entities specified in such legislation:

Companies Act 61 of 1973

Income Tax Act 58 of 1962

Labour Relations Act 66 of 1995

Basic Conditions of Employment Act 75 of 1997

Employment Equity Act 55 of 1998

Skills Development Levies Act 9 of 1999

Unemployment Insurance Act 30 of 1966

Electronic Communications and Transactions Act 25 of 2002.

Telecommunications Act 103 of 1996

Electronic Communications Act 36 of 2005

Regulation of Interception of Communications and Provision of Communication-related Information Act 70 of 2002

8 **records held by THEUNIS MINNIE FOTOGRAFIE & RAAMWERK**

THEUNIS MINNIE FOTOGRAFIE & RAAMWERK 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.

§ 7.1

Internal records

The following are records pertaining to THEUNIS MINNIE FOTOGRAFIE & RAAMWERK's own affairs:

- Memorandum and Articles of Association
- Financial records
- Operational records
- Licences
- Intellectual property
- Marketing records;
- Internal correspondence;
- Product records;
- Statutory records;
- Internal policies and procedures;
- Records held by officials of THEUNIS MINNIE FOTOGRAFIE & RAAMWERK.

§ 7.2

Personnel records

Personnel refers to any person who works for or provides services to or on behalf of THEUNIS MINNIE FOTOGRAFIE & RAAMWERK and receives or is entitled to receive any remuneration and any other person who assists in carrying out or conducting the business of THEUNIS MINNIE FOTOGRAFIE & RAAMWERK. 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 THEUNIS MINNIE FOTOGRAFIE & RAAMWERK by their personnel;
- Any records a third party has provided to THEUNIS MINNIE FOTOGRAFIE & RAAMWERK about any of their personnel;
- Conditions of employment and other personnel-related contractual and quasilegal records;
- Internal evaluation records; and
- Other internal records and correspondence.

§ 7.3

Customer records

§ **Please be aware that THEUNIS MINNIE FOTOGRAFIE & RAAMWERK 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 THEUNIS MINNIE FOTOGRAFIE & RAAMWERK or a third party acting for or on behalf of THEUNIS MINNIE FOTOGRAFIE & RAAMWERK;
- 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 THEUNIS MINNIE FOTOGRAFIE & RAAMWERK about customers;
- Confidential, privileged, contractual and quasilegal 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 THEUNIS MINNIE FOTOGRAFIE & RAAMWERK either directly or indirectly; and
- Records generated by or within THEUNIS MINNIE FOTOGRAFIE & RAAMWERK pertaining to customers, including transactional records.

§ 1.1

Technical records

- **Please advise;**

§ 1.2

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 to THEUNIS MINNIE FOTOGRAFIE & RAAMWERK. The following records fall under this category:

- Personnel, customer or THEUNIS MINNIE FOTOGRAFIE & RAAMWERK records which are held by another party as opposed to being held by THEUNIS MINNIE FOTOGRAFIE & RAAMWERK; and
- Records held by THEUNIS MINNIE FOTOGRAFIE & RAAMWERK 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.

§ 1.3

Other Records

Further records are held including:-

- Information relating to THEUNIS MINNIE FOTOGRAFIE & RAAMWERK's own commercial activities; and
- Research carried out on behalf of a client by THEUNIS MINNIE FOTOGRAFIE & RAAMWERK or commissioned from a third party for a customer;
- Research information belonging to THEUNIS MINNIE FOTOGRAFIE & RAAMWERK, whether carried out itself or commissioned from a third party.

ANNEXURE A

**THEUNIS MINNIE FOTOGRAFIE & RAAMWERK
Access Request Form**

FOR OFFICE USE ONLY Reference Number: _____

Received By: _____
(Section 53(1) of the Promotion of Access to Information Act, No 2 of 2000)
(Regulation 10)

A. Particulars of THEUNIS MINNIE FOTOGRAFIE & RAAMWERK

Requests can be submitted either via conventional mail or fax and should be addressed to the relevant contact person as indicated below:

THEUNIS MINNIE FOTOGRAFIE & RAAMWERK

Contact person: T Minnie
Postal address: P O Box 11705, Heiderand, 6511
Physical address: Shop 13, Prince Vincent Archway, 86 Bland Street, Mossel Bay,
Phone Number: 082 493 0854

B. Particulars of Person requesting access to the record/s

(a) The particulars of the person who requests access to the records must be provided in the space provided below.

(b) Furnish an address and/or fax number within the Republic of South Africa to which information must be sent.

(c) Proof of the capacity in which a person is making the request must be attached, if applicable.

Full Name and

Surname: _____

Identity Number: _____

Postal Address: _____

Postal Code: _____

Telephone Number: _____

Fax 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 only be completed if a request for information is made on behalf of another person.

Full names and

Surname: _____

Identity Number: _____

D. Particulars of Record/s required:

(a) Provide full particulars of the record/s to which access is required, 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 additional folios or other annexure.***

1. Description of the Record or relevant part of the record:

2. Reference number, if available:

3. Any further particulars of the record/s required:

E. Fees

(a) A request for access to a record, other than a record containing personal information about the requester will be processed only after a **non-refundable request fee of R57,00** has been paid.

(b) The fee payable for access to a record depends on the form in which the access is required and the reasonable time required to search for and prepare the record.

(c) If you qualify for exemption of the payment of any fee, please state the reason for the exemption.
Reason for exemption of payment of the fee/s:

F. Form of Access to Record

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 under certain circumstances. In such a case you will be informed whether access will be granted in another form.*

(c) *The fee payable for access to 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:

Copy of Record* Inspection of Record

2. If record consists of visual images:

(this includes photographs, slides, video recordings, computer generated images, sketches, ect)
View the Images

Copy of the Images*

Transcription of the Images*

3. If the record consists of recorded information that can be reproduced in sound:

Listen to the soundtrack (audio cassette)

Transcription of soundtrack* (written or printed document)

4. If the record is held on computer 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 not wish the copy or transcription to be posted to you? **Postage is payable** Yes No

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 above, state your disability and indicate in which form the record is required.

Disability: Form in which record is required:

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.

1. Indicate which right is to be exercised or protected:

2. Explain why the requested record(s) is required for the exercising or protection of the aforementioned right(s):

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 thereof 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 _____ on this the ____ day of _____ 20__

SIGNATURE OF REQUESTER/
PERSON ON WHOSE BEHALF REQUEST IS MADE