

PROMOTION OF ACCESS TO INFORMATION ACT
Section 51 Manual
For Horn Training Consultants CC

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.

Overview of Horn Training Consultants CC

Horn Training Consultants CC was established in 2004 and helps people to locate high quality education and training resources through an extensive wide range of programs worldwide that can add value to their personal development and career that foster increased job enrichment, enhanced productivity and positive work environments.

Horn Training Consultants CC 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 within the principles of the South African law.

Availability of This Manual

A copy of this Manual is available on our website (www.horntraining.com) or by sending a request for a copy to the Information Officer by email to info@horntraining.com . The Manual may also be obtained from 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.

How to Request Access to Records Held by Horn Training Consultants CC

Requests for access to records held by Horn Training Consultants CC 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 Horn Training Consultants CC

The standard form that must be used for the making of requests is attached as annexure 2. 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 Horn Training Consultants CC will be evaluated and considered in accordance with the Act. Horn Training Consultants CC 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: Horn Training Consultants CC
Designated Information Officer: Pierre Je'An Marais van Niekerk
Email Address of Chief Executive Officer: info@horntraining.com
Postal Address: Danie Theron Street 24, Vanderbijlpark 1911
Street Address: Danie Theron Street 24, Vanderbijlpark 1911
Phone Number: 016 9822697
Fax Number: 0866 478 117

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

Voluntary Disclosure

Horn Training Consultants CC has not published a notice in terms of Section 52(2) of the Act, however, it should be noted that the information relating to Horn Training Consultants CC and its services is freely available on the website www.horntraining.com. Certain other information relating to Horn Training Consultants CC is also made available on such website from time to time.

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
- * Closed Corporation Act No. 69 of 1984
- * Companies Act 61 of 1973
- * Financial Intelligence Centre 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
- * Promotion of Access to Information Act No. 2 of 2000

Access to the records held by the private body in question

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

Records Held by Horn Training Consultants CC

Horn Training Consultants CC 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.

The following records are available in terms of Other Legislation Section 51 (1) (d)

- Basic Conditions of Employment Act, No. 75 of 1997
- Closed Corporation Act No. 69 of 1984
- Companies Act 61 of 1973
- Constitution of South Africa Act, No. 108 of 1996
- Copyright Act, No. 98 of 1987
- Electronic Communications and Transactions Act 25 of 2002
- Labour Relations Act 66 of 1995
- Skills Development Act No. 97 of 1998
- Income Tax Act, No. 58 of 1962

The following records are held and available Section 51(1)(e)

- Administrative Information
- Correspondence
- Working Papers
- Client Database
- Financial Records
- Information Technology
- Sales & Marketing
- Personnel Records
- Agreements

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**ANNEXURE 1
REPRODUCTION FEES**

Where an institution has voluntarily provided the Minister with a list of categories of records that will automatically be available to any person requesting access thereto, the only charge that may be levied for obtaining such records, will be a fee for reproduction of the record in question.

The Applicable Fees for Reproduction as referred to above are:

R

For every photocopy of an A4-size page or part thereof	1.50
For every printed copy of an A4-size page or part thereof held on Computer or in electronic or machine readable form	1.15
For a copy in a computer-readable form on:	
- 3,5" magnetic disc	12.50
- Optical compact disc	70.00
A transcription of visual images, for an A4-size page or part thereof	100.00
For a copy of visual images	60.00
A transcription of an audio record, for an A4-size page or part thereof	120.00
For a copy of an audio record	30.00

Request Fees

Where a requester submits a request for access to information held by an institution on a person other than the requester himself/herself, a request fee in the amount of R50.00 is payable up-front before the institution will further process the request received.

Access Fees

An access fee is payable in all instances where a request for access to information is granted, except in those instances where payment of an access fee is specially excluded in terms of the Act or an exclusion is determined by the Minister in terms of Section 54 (8).

The applicable access fees which will be payable are:

R

For every photocopy of an A4-size page or part thereof	R1.50
For every printed copy of an A4-size page of part thereof held on a Computer or in electronic or machine readable form	R1.15
For a copy in a computer-readable form on:	
- 3,5" magnetic disc	R12.50
- Optical compact disc	R70.00
A transcription of visual images, for an A4-size page or part thereof	R100.00
For a copy of visual images	R60.00
A transcription of an audio record, for an A4-size page or part thereof	R120.00
For a copy of an audio record	R30.00
To search for a record that must be disclosed (-per hour or part of an hour reasonably required for such search)	R130.00
Where a copy of a record needs to be posted the actual postal fee is payable	

Deposits

Where the institution receives a request for access to information held on a person other than the requester himself/herself and the Information Officer upon receipt of the request is of the opinion that the preparation of the required record of disclosure will take more than 6 (six) ours, a deposit is payable by the requester.

The amount of the deposit is equal to ⅓ (one third) of the amount of the applicable fee.

PRESCRIBED FORM TO BE COMPLETED BY A REQUESTER
FORM B
REQUEST FOR ACCESS TO RECORDS OF PRIVATE BODY
(Section 53(1) of the Promotion of Access to Information Act, No 2 of 2000)
(Regulation 4)

A. Particulars of Private Body

The Information Officer: in respect of _____ (specify)
 Company, if applicable)

B. Particulars of Person requesting access to the record

- (a) The particulars of the person who requests access to the records must be recorded below.
- (b) Furnish an address and/or fax number in the Republic to which information must be sent.
- (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	
Fax Number	
Email Address	

Capacity in which request is made, when made on behalf of another person:

C. Particulars of person of 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 the record or relevant part of the record:
2. Reference number, if available:
3. Any further particulars of the record:

E. FEES

- (a) A request for access to 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 of the request fee.
- (c) 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 a record.
- (d) If you qualify for exemption of the payment of any fee, please state the reason therefore.

Reason for exemption of payment of the fee (if any):

F. Form of Access to the 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
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Mark the appropriate box with an "X"

Notes:

- (a) Your indication as to the required form of access depends 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 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			
<input type="checkbox"/>	Copy of record *	<input type="checkbox"/>	Inspection of record
2. If the 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 the images *
3. If the 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 the 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"/>		<input type="checkbox"/>	Copy in computer readable form * (3,5" magnetic or optical 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?

Yes No

A postal fee is payable.

G. Particulars of right to be exercised of protected

If the provided space is inadequate, please continue of a separate folio and attach it to this form. The requester must sign al the additional folios.

<p>1. Indicate which right is to be exercised or protected:</p>
<p>2. Explain why the requested record is required for the exercising or protection of the aforementioned right:</p>

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 _____ this ____ day of _____ 20__

Signature of Requester/Person on Whose Behalf Request is Made