

**HERS-SA**  
**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.

HERS-SA 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.

**PARTICULARS IN TERMS OF THE SECTION 51 MANUAL**

Name of Business: HERS-SA  
Registration number: 027-577-NPO  
Head of the company: Dr. S Surtee (Director)  
Owners / directors: N/A  
Physical Address: 43 Yellowwoods, Redcliffe Rd, Parklands, 7441  
Postal Address: P O Box 124, West Coast Village, 7433  
Telephone: 076 281 1426  
Facsimile: 086 539 5002  
E-mail: [hers@hers-sa.org.za](mailto:hers@hers-sa.org.za)  
Website: <http://www.hers-sa.org.za>

**DESCRIPTION OF THE SECTION 10 GUIDE**

A Guide has been compiled in terms of Section 10 of PAIA by the Human Rights Commission. It contains information required by a person wishing to exercise any right, contemplated by PAIA. It is available in all of the official languages.

The Guide is also 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**

**Private Bag 2700**

**Houghton**

**2041**

Telephone: +27 11 877 3600

Fax: see SAHRC website for regional offices details

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

E-mail: [paia@sahrc.org.za](mailto:paia@sahrc.org.za)

## **RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION**

Promotion of Access to Information Act No 2 of 2000  
Income Tax Act No 58 of 1962  
Business Names Act 27 of 1960  
Companies Act No 71 of 2008  
Consumer Protection Act 68 of 2008  
Value Added Tax Act No 89 of 1991  
Electronic Communications Act 36 of 2005  
Basic Conditions of Employment Act No 75 of 1997  
Labour Relations Act No 66 of 1995  
Occupational Health and Safety Act No 85 of 1993  
Compensation of Occupational Injuries and Diseases Act No 13 of 1993  
Unemployment Insurance Act No 30 of 1966

## **ACCESS TO RECORDS HELD BY HERS-SA**

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):

Not applicable. Some brochures, pamphlets and documents related to the business of HERS-SA may be available from time to time without cost.

### **Records that may be requested from HERS-SA:**

#### **Administration**

Founding statement or Memorandum of Incorporation  
Details of accounting officer or auditors

#### **Financial records**

Banking records  
Financial statements  
Management reports  
Invoices

#### **Human Resources**

Employment contracts  
Training  
Leave Records  
Remuneration and benefits policies and records

#### **Operations**

Procedures  
Asset register  
Corporate social investment / charity / BEE work done.

## **Marketing**

Website

Marketing materials

## **REQUEST FOR ACCESS TO RECORDS OF PRIVATE BODY**

The requester must use the [prescribed form](#) to make the request for access to a record. This must be made to the head of HERS-SA. This request must be made to the address, fax number or electronic mail address listed above.

The requester must:

- provide sufficient particulars to enable HERS-SA to identify the record(s) requested and to identify the requester;
- indicate which form of access is required ;
- specify a postal address or fax number of the requester in the Republic ;
- identify the right that the requester 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 in addition to a written reply, the requester wishes to be informed of the decision on the request in any other manner, the requester must state that manner and the necessary particulars to be informed in the other manner.

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.

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 HERS-SA.

## **FEES**

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, must pay the required request fee:

- a. The head of HERS-SA must notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed fee (if any) before further processing the request.
- b. The fee that the requester must pay to a private body is R50. The requester may lodge an application to the court against the tender or payment of the request fee.
- c. After the head of HERS-SA has made a decision on the request, the requester must be notified in the required form.

If the request is granted then a further access fee must be paid for the search, reproduction, preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

[Download](#) the schedule of fees here.

**AVAILABILITY OF THIS MANUAL**

The manual is available for inspection at our offices free of charge. Copies are also available with the SAHRC and on our website.

**Signed by:** \_\_\_\_\_

**Name:**

**On this day,** \_\_\_\_\_ **at** \_\_\_\_\_