

## **CHESHAM HOUSE BED & BREAKFAST**

### **MANUAL IN TERMS OF THE PROMOTION OF ACCESS TO INFORMATION ACT**

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**This Manual is based on the document issued by the South African Human Rights Commission.**

#### **A. INTRODUCTION TO CHESHAM HOUSE BED & BREAKFAST**

Chesham House Bed & Breakfast is a family owned three star 8-roomed accommodation establishment located in Hermanus, in the Western Cape.

#### **B. PARTICULARS IN TERMS OF THE SECTION 51 MANUAL**

##### **1. Contact Details [Section 51(1)(a)]**

**Business:** Chesham House Bed & Breakfast  
**The Head:** Dr JH Nel  
**Address:** 319 Main RD, Hermanus, Western Cape  
**Postal:** PO Box 1475, Hermanus, 7200  
**Telephone:** (028) 3130023  
**Fax:** (028) 3130023  
**E Mail:** [nelje@hermanus.co.za](mailto:nelje@hermanus.co.za)

## **2. Guide to how to use the Act [Section 51(1)(b)]**

The Promotion of Access to Information Act grants a requester access to records of a company, if a record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest. Requests in terms of the Act are required to be made in accordance with the prescribed procedures, at the rates provided.

A guide on how to use the Act has been compiled by 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 2401  
Telephone: +27 11 484 8300  
Fax: +27 11 484 0582  
Website: [www.sahrc.org.za](http://www.sahrc.org.za)  
e-mail: [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)

## **3. Records available in terms of any other legislation [Section 51(1)(d)]** **Records are kept and are available upon specified conditions in accordance with such other legislation as is applicable to Chesham House Bed & Breakfast including:**

Basic Conditions of Employment Act 75 of 1997 as amended  
Compensation for Occupational Injuries and diseases Act 130 of 1993  
Copyright Right Act No 98 of 1978  
Employment Equity Act 55 of 1998  
Income Tax Act No 95 of 1967  
Labour Relations Act 66 of 1995 as amended  
Occupational Health and Safety Act Number 85 of 1993  
Regional Services Council's Act 109 of 1985  
Skills Development Act No 97 of 1998  
Skills Development Levies Act No 9 of 1999  
Unemployment Contributions Act No 4 of 2002

Unemployment Encurance Act 63 of 2001  
Value Added Tax Act No 89 of 1991  
Wage Determination No 457

**4. Access to the records held by Chesham House Bed & Breakfast [Sections 51(1)(c) and 51(1)(e)]**

**a. The categories of records and documentation which are available without a person having to request access in terms of the Act [Section (1)(c)]**

Brochures  
Maps  
Tarriff sheets

**b. Records that may be requested [Section 51(1)(e)]**

Personnel

Staff records  
Contracts of employment  
Remuneration Records and Policies

Financial and Legal

Asset Register  
Banking details  
Building Plans and/or alterations  
Business registration  
Certificate of Acceptability for Food Premises  
Financial Statements  
Grading Certificates  
Reional Services Registration  
Registration in terms of water usage  
Tax registration  
Taxation records  
Title deeds  
Tourism registration  
UIF registration  
TV license  
Vehicle licensing papers

General / Other

Reservation records  
Guest history records  
Correspondence

**4.3 The request procedure. To facilitate the processing of your request, kindly use the prescribed form.**

**Address your request to:** Dr JH nel  
PO Box 1475 Hermanus 7200

**Form of request:**

- **The requester must use the prescribed form to make the request for access to a record. This must be made to the head of the private body. This request must be made to the address, fax number or electronic mail address of the body concerned, [s 53(1)].**
- **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 should be used to inform the requester and state the necessary particulars to be so informed [s 53(2)(a) and (b) and (c)]/**
- **The requester must identify the right that is sort 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 [s 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. [s 53(2)(f)].**

**5. Other information as may be prescribed [Section 51(1)(f)]**

**The Minister of Justice and Constitutional Development has not made any regulations in this regard.**

**6. Availability of the Manual [section 51(3)]**

The Manual is available for inspection at the office of Chesham House and on the website of Chesham House, [www.chesham.co.za](http://www.chesham.co.za)

**7. 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.**

- **The head of the private body 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 [Section 54(1)].**
- **The fee that the requester must pay to private body is R50. The requester may lodge an application to the court against the tender or payment of the request fee [Section 54(3)(b)].**
- **After the head of the private body 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 (section 54(6)).**

#### **Fees in the respect of private bodies**

- (1) (i) The fee for a copy of the manual as contemplated in regulation 9(2)(c) is R1.10 for every photo copy of an A4 size page or part thereof.**
- (ii) The fees for reproduction referred to in regulation 11(1) are as follows:**
- (a) For every photo copy of an A4 size page or part thereof R1.10**
  - (b) For every printed copy of an A4 size page or part thereof help on a computer or in electronic or machine readable form R0.75**
  - (c) For a copy in a computer readable form on**
    - (i) stiffy disk R7.50**
    - (ii) Comapct disk R70**
  - (d)**
    - (i) For a transcription of visual images for an A4 size page or part thereof R40**
    - (ii) For a copy of visual images R60**
  - (e)(i) for a transcription of an audio record, for an A4 size page or part thereof R20**
    - (ii) for a copy of an audio record R30**
  - (iii) the request fee payable by a requester, other than a personal requester, referred to in regulation 11(2) is R50**
  - (iv) The access fees payable by a requester referred to in regulation 11(3) are as follows:**
    - 1. for every photo copy of an A4 size page or part thereof R1.10**

2. 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
3. For a copy in a computer readable form on
  - a. stiffy disk R7.50
  - b. compact disk R70
4. (i) for a transcription of visual images, for an A4 size page or part thereof R40  
(ii) for a copy of visual images R60
5. (i) for a transcription of an audio record, for an A4 size page or part thereof R20  
(ii) for a copy of an audio record R30
6. to search for an prepare the record for disclosure, R30 for each hour or part of an hour, reasonably required for such search and preparation.

- (2) 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;
  - (b) One third of the access fee is payable as a deposit by the requester.

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

**9. Prescribed Forms**

**REQUEST FOR ACCESS TO RECORD OF A 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**

**The Head: Mrs F Markram**

**B. Particulars of person requesting access to the record**

**Full names and surname .....**

**Identity Number .....**

**Postal address .....**

**Fax Number .....**

Telephone Number .....

E-mail address .....

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

.....

**C. Particulars of the person on whose behalf the request is made**

Full names .....

identity number .....

**D. Particulars of record**

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

2. Reference Number if available .....

3. Any further particulars of record .....

**E. FEES**

Reason for exemption from payment of fees

.....

**F. Form of access to record**

Disability .....

Form in which record is required .....

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 maybe 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.

