



COMMUNICARE

BUILDING HOMES AND COMMUNITIES



**PROMOTION
OF ACCESS TO
INFORMATION
ACT NO 2 OF
2000 MANUAL**



COMMUNICARE
BUILDING HOMES AND COMMUNITIES



PROMOTION OF ACCESS TO INFORMATION

TITLE: Promotion of Access to Information

Procedure: GOV 02

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1. COMPANY OVERVIEW

Communicare is a Non-Profit Company registered in terms of Section 21 of the Companies Act to facilitate the provision of affordable accommodation through social investment programmes for the benefit of economically disadvantaged citizens of the Western Cape.

2. COMPANY ADDRESS

Name of Body: Communicare
Physical Address: Communicare Centre, 2 Roggebaai Square, Cape Town
Postal Address: PO Box 259, Cape Town, 8000
Head of Body: C Mathias
Telephone Number: 021 421 6008
Fax Number: 021 425 5189
Email: cmathias@communicare.org.za

3. DESCRIPTION OF RECORDS

For the purposes of this manual and the Act, the records held by Communicare are categorised by the nature of the content thereof as follows:

3.1 Records kept in accordance with other statutory legislation, not limited to:

- 3.1.1 Companies Act Number 61 of 1973
- 3.1.2 Income Tax Act 58 of 1962
- 3.1.3 Unemployment Insurance Act 63 of 2001
- 3.1.4 Value Added Tax Act 89 of 1991
- 3.1.5 Compensation for Occupational Injuries and Diseases Act 130 of 1993
- 3.1.6 Occupational Health and Safety Act 85 of 1993
- 3.1.7 Labour Relations Act 66 of 1995
- 3.1.8 Basic Conditions of Employment Act 75 of 1997
- 3.1.9 Employment Equity Act 55 of 1998
- 3.1.10 Skills Development Levies Act 9 of 1999
- 3.1.11 Rental Housing Act
- 3.1.12 Retired Persons Act 65 of 1988

The above records which are of a public nature are available automatically without a person having to request access thereto in terms of the Act, as envisaged in Section 52.



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- 3.2 Records relating to the commercial, financial and professional interests of Communicare, including but not limited to brochure on company's activities as well as reports;
- 3.3 Records of personal information of present, past and prospective employees and directors of Communicare
- 3.4 Records of clients of Communicare containing personal information, commercial and financial information, information pertaining to contemplated, existing and past litigation, information on agreements, proposals and intellectual and other property of such clients.
- 3.5 The website address of Communicare is www.communicare.co.za and is accessible to anyone who has access to the internet. The Website contains information in various categories relating to the company, its contact particulars, fields of expertise and its professional staff.

4. REQUEST PROCEDURE

4.1 Form of request

- 4.1.1 The requester must have the prescribed form being Schedule 1 hereto to make the request for access to a record. This must be made to the head. This request must be made to the address, fax number or electronic mail address of Communicare
- 4.1.2 The requester must provide sufficient detail on the request from to enable the head to identify the record and the requester. The requester should also indicate which form of access is required and specify a postal address or fax number in the Republic. The requester should also indicate if, in addition to a written reply, any other manner is to be used to inform the requester and state the necessary particulars to be so informed.
- 4.1.3 The requester must identify the right that is sought to be exercised or protected and provide an explanation of why the requested record is required for the exercise or protection of the right.
- 4.1.4 If a request is made on behalf of another person, the requester must submit proof of the capacity in which the requester is making the request to the satisfaction of the head.

4.2 Fees

- 4.2.1 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.
- 4.2.2 The head must by notice require the requester (other than a personal requester) to pay the prescribed request fee (if any) before further processing the request.
- 4.2.3 The fee that the requester must pay is R35. The requester may lodge an application to the court against the tender or payment of the request fee.
- 4.2.4 After the head has made a decision on the request, the requester must be notified in the required form.
- 4.2.5 If the request is granted then a further access fee must be paid for reproduction and for search and preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.



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4.2.6 If the requester needs assistance to access the records, the request must be put in writing.

4.2.7 All requests to be submitted to the Risk and Special Projects Co-ordinator.

5. INFORMATION AS MAY BE PRESCRIBED UNDER SECTION 51(1)(F)

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

6. AVAILABILITY OF MANUAL UNDER SECTION 51(3)

An unabridged version of this manual is available for inspection by the general public upon request, during office hours and free of charge at the office of Communicare. Copies may also be requested from the South African Human Rights Commission and the Law Society of the Cape of Good Hope.

7. PRESCRIBED FORM AND FEE STRUCTURE IN RESPECT OF PRIVATE BODIES

The forms and fee structure prescribed under the Act are available at the website of the Department of Justice and Constitutional Development (www.doi.gov.za) under the "regulations" section.

| REVISION No. | CHANGES |
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