



ESME BRINK T/A EB CONSULTING

**ACCESS TO INFORMATION MANUAL
(PRIVATE BODY)**

**PREPARED IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS TO
INFORMATION ACT 2 OF 2000**

A handwritten signature in black ink, appearing to read 'Esme Brink', is located in the lower right quadrant of the page.

November 2015

1. CONTACT DETAILS AND GENERAL INFORMATION

E BRINK t/a EB CONSULTING is a marketing and communications consultancy specialising in digital marketing strategies, brand development and copywriting.

| | | | |
|-----------------------------|---|----------------|--|
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| Information Officer: | E Brink | Fax: | |
| Postal Address: | 7 Slanghoek Welgevonden Estate Durbanville 7550 | E-mail: | esme@ebconsulting.co.za |
| Physical Address: | Unit 1D Wesson Building 2 Poort Street Brackenfell 7550 | Website | www.ebconsulting.co.za |

2. PURPOSE OF THE MANUAL IN TERMS OF PAIA

The purpose of this Manual is to assist people wishing to access information in terms of the PAIA from **E BRINK t/a E B CONSULTING**.

3. REQUEST FOR ACCESS TO INFORMATION

In the event that a person or entity requires access to information as contemplated in the Act, the requester must contact the Information Officer of **E BRINK t/a E B CONSULTING** and complete Form C (attached).

Section 25(2) of the Act states that:

(2) If the request for access **is granted**, the notice in terms of subsection (1)(b) must state –

(a) **the access** fee (if any) to be paid upon access;

(b) the form in which access will be given; and

(c) that the requester may lodge an internal appeal of an application with a court, as the case may be, against the access fee to be paid or the form of access is granted, and the procedure (including the period) for lodging the internal appeal or application, as the case may be.

(3) If the request for access **is refused**, the notice in terms of subsection (1)(b) must –

(a) state adequate reasons for the refusal, including the provisions of this Act relied upon;

(b) exclude, from such reasons, any reference to the content of the record; and

(c) state that the requester may lodge an internal appeal or an application with a court, as the case may be, against the refusal of the request, and the procedure (including the period) for lodging the internal appeal of application, as the case may be.

4. DECISION

4.1 The institution will, within 30 days of receipt of the request, decide whether to grant

4.2 Or decline the request and give notice with reasons (if required) to that effect.



4.3 The 30-day period with which the institution has to decide whether to grant or refuse the request, may be extended for a further period of **not more than thirty days** if the request requires a search for information held at another office of the Institution and the information cannot reasonably be obtained within the original 30-day period. The institution will notify the requester in writing should an extension be sought.

5. REMEDIES AVAILABLE WHEN A REQUEST WAS REFUSED

5.1 Internal remedies. **E BRINK t/a E B CONSULTING** does not have an internal appeal procedure. As such, the decision made by the Information Officer is final, and requesters will have to exercise such external remedies at their disposal if the request for information is refused, and the requestor is not satisfied with the answer supplied by the Information Officer.

5.2 External remedies. A requestor that is dissatisfied with the Information Officer's refusal to disclose information, may within 30 days of notification of the decision, apply to a Court for relief. For the purposes of the Act, the Courts that have jurisdiction over these applications are the Constitutional Court, the High Court or another court of similar status.

6. RECORDS THAT ARE AVAILABLE IN TERMS OF OTHER LEGISLATION (Section 51(1)(d))

6.1 Where applicable and insofar as you comply with the requirements set out in the relevant act, you may also request information, which is available in terms of other legislation such as the following:

- 6.1.1 Basic Conditions of Employment Act 75 of 1997
- 6.1.2 Closed Corporation Act 69 of 1984
- 6.1.3 Closed Corporation Amendment Act 25 of 2005
- 6.1.4 Companies Act 71 of 2008
- 6.1.5 Compensation of Occupational Injuries and Diseases Act 130 of 1993
- 6.1.6 Consumer Protection Act 68 of 2008
- 6.1.7 Employment Equity Act 55 of 1998
- 6.1.8 Income Tax Act 58 of 1962
- 6.1.9 Labour Relations Act of 66 of 1995
- 6.1.10 Occupational Health and Safety Act 85 of 1993
- 6.1.11 Protection of Business Act 99 of 1978
- 6.1.15 Unemployment Insurance Act 63 of 2001
- 6.1.16 Unemployment Insurance Contributions Act 4 of 2002
- 6.1.17 Value Added Tax Act 89 of 1991



7. SUBJECTS AND CATEGORIES OF INFORMATION HELD BY E BRINK t/a E B CONSULTING (Section 51(1)(e))

The records of information held by the company may be divided into four main broad subjects set out hereunder. The following are considered to include but not limited to records, which pertain to the **E BRINK t/a E B CONSULTING** affairs:

- 7.1 Administrative records
- 7.2 Personnel records
- 7.3 Financial records
- 7.4 Records regarding movable and immovable property

8. OTHER INFORMATION

Please note that the information provided in this manual may be updated from time to time. Should you have any queries or questions arising from this manual please contact the Information Officer.

9. AVAILABILITY OF THE MANUAL

The manual is also available for inspection at the offices of **E BRINK t/a E B CONSULTING** and copies are available with the SAHRC.

10. PRESCRIBED FEES IRO PRIVATE BODIES

- 10.1 The Act provides for two types of fees, namely:
 - A request fee, which will be a standard fee; and
 - An access fee, which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs.
- 10.2 When the request is received by the Information Officer, such an officer shall by notice require the requester, other than a personal requester, to pay the prescribed request fee, before further processing of the request.
- 10.3 If the search for the record that has been made and the preparation of the record for disclosure, including arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, the Information Officer shall notify the requester to pay as a deposit the prescribed portion of the access fee which would be payable if the request is granted.
- 10.4 The Information Officer shall withhold a record until the requester has paid the fees.



- 10.5 A requester whose request for access to a record has been granted, must pay an access fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure including making arrangements to make it available in the request form.
- 10.6 If a deposit has been paid in respect of a request for access, which is refused, then the Information Officer concerned must repay the deposit to the requester.

11. PRESCRIBED FORMS

If an applicant indicates that an application will be made the prescribed form (Form C attached) has to be completed and forwarded to the Information Officer at **E BRINK t/a E B CONSULTING**.

Signed by the Information Officer :



FORM C

REQUEST FOR ACCESS TO RECORD OF 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:

B. Particulars of person requesting access to the record

- | | |
|-----|---|
| (a) | The particulars of the person who requests access to the record must be given below. |
| (b) | The address and/or fax number in the Republic to which the information is to be sent must be given. |
| (c) | Proof of the capacity in which the request is made, if applicable, must be attached. |

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 person on whose behalf request is made

| |
|--|
| This section must be completed <i>ONLY</i> 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 record or relevant part of the record:

2 Reference number, if available:

3 Any further particulars of record:

E. Fees

- (a) A request for access to a 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 required to be paid as the request fee.
- (c) The fee payable for access to a record depends *on* the form *in which* 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 for exemption.

Reason for exemption from payment of fees:

F. Form of access to 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 |
| 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 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 for 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 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"/> | transcription of the images* |
|--------------------------|-----------------|--------------------------|---------------------|--------------------------|------------------------------|

3. If 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 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"/> | copy in computer readable form* (stiffy or 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?
Postage is payable.

YES NO

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. The requester must sign all the additional folios.

1. Indicate which right is to be exercised or protected:
2. Explain why the record requested is required for the exercise or protection of the aforementioned right:

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 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 of20

SIGNATURE OF REQUESTER / PERSON ON
WHOSE BEHALF REQUEST IS MADE