



CREATING SCHOOLS TRUST

**PROMOTION OF ACCESS TO INFORMATION ACT
(PAIA) 2/2000 (the "ACT")**

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

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1. INTRODUCTION

Creating Schools is a not-for-profit Trust that supports education by creating sustainable education facilities for schools and educational institutions, and providing quality training and development programs for youth adults alike, which address needs in education provision, learning and teaching at schools and educational institutions

2. CONTACT DETAILS

Persons delegated/duly authorized persons

Directors: Jill Tomlinson

Office Manager: Jill Tomlinson

Postal address: 59 Henwood Road
Morningside
Durban
4001

Street address: 59 Henwood Road
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1. THE SECTION 51 GUIDE ON HOW TO USE THE ACT

The Act grants a requester access to records of the company, if the 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 shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in paragraphs 6 and 7.

Requesters are referred to the Guide to be compiled by the South African Human Rights Commission, which will contain information for the purposes of exercising Constitutional Rights. Please direct any queries to:

The South African Human Rights Commission: PAIA Unit

Postal Address: Private Bag 2700
Houghton
2041

Telephone Number: 011 4848300

Fax Number: 011 4840582

Website: www.sahrc.org.za

E-mail: PAIA@sahrc.org.za

2. APPLICABLE LEGISLATION

No	Ref	Act
1	No 75 of 1997	Basic Conditions of Employment Act
2	No 130 of 1993	Compensation for Occupational Injuries and Health Diseases Act
3	No 98 of 1978	Copyright Act
4	No 55 of 1998	Employment Equity Act
5	No 95 of 1967	Income Tax Act
6	No 66 of 1995	Labour Relations Act
7	No 71 of 1997	Non-profit Organisations Act
8	No 2 of 2000	Promotion of Access to Information Act
9	No 9 of 1999	Skills Development Levies Act
10	No 57 of 1988	Trust Property Control Act
11	No30 of 1996	Unemployment Insurance Act
12	No 89 of 1991	Value Added Tax Act

3. ACCESS TO RECORDS AND AVAILABILITY

RECORD	SUBJECT	AVAILABILITY
Public Affairs	Annual Review	Website
Human Resources	Employment Contracts Remuneration Records Employment Policies	Not required to disclose
Financial	Annual Financial Statements Management accounts Supporting vouchers Fixed Assets Register Tax Records (Entity, Vat and Employee) Stock Records	Not required to disclose
Administration	Minutes	Not required to disclose

4. FORM OF REQUEST

The requester must use the prescribed form to make the request for access to a record. The form is available on the website of the South Africa Human Rights Commission at www.sahrc.org.za, or the website of The Department of Justice and Constitutional Development (under regulations) at www.doj.gov.za

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.

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 is to be used to inform the requester and state the necessary particulars to be so informed.

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 private body.

5. PRESCRIBED FEES

A requester who seeks access to a record containing personal information about that requester is not required to pay the request fee. A requester whose annual income falls below R14,712 or, together with their partners their annual income falls below R27,192, 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.

The fee that the requester must pay to a private body is R50.00. The requester may lodge an application to the court against the tender or payment of the request fee.

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 the 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.

The fee structure is available on the website of the South African Human Rights Commission at www.sahrc.org.za, or the website of The Department of Justice and Constitutional Development (under regulations) at www.doj.gov.za.

6. OTHER INFORMATION AS MAY BE PRESCRIBED

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

7. AVAILABILITY OF THE MANUAL

The manual is also available for inspection at the offices of the private body free of charge, and copies are available with the SAHRC, in the Gazette and on the private body's website (if any).

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 <i>for information</i> is made on behalf of <i>another</i> 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:			
	copy of record*		inspection of record
2. If record consists of visual images this includes photographs, slides, video recordings, computer-generated images, sketches, etc)			
	view the images		copy of the images"
			transcription of the images*
3. If record consists of recorded words or information which can be reproduced in sound:			
	listen to the soundtrack audio cassette		transcription of soundtrack* written or printed document

4. If record is held on computer or in an electronic or machine-readable form:				
	printed copy of record*		printed copy of information derived from the record"	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 THE REQUEST IS MADE