

PHD MEDIA SOUTH AFRICA PTY LTD

MANUAL IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000 (PAIA)

1. INTRODUCTION

PHD Media South Africa Pty Ltd (“PHD”) is a communications planning and media company.

In accordance with PAIA the head of PHD is the Information Officer.

2. COMPANY INFORMATION

PHD MEDIA SOUTH AFRICA PTY LTD

Registration Number: 2006/028912/07

Physical Address: 6 Beach Road,
Old Castle Brewery, Woodstock
Cape Town,
7925

Head of private body
and Information Officer: Anne Dearnaley

3. INFORMATION OFFICER (section 51(1)(a) of PAIA)

Name: Anne Dearnaley

Postal Address: PO Box 405
Western Cape
7915

Physical Address: 6 Beach Road, Old Castle Brewery, Woodstock
Cape Town, 7925
South Africa

Telephone number: +27 (0)21 447 3670
Email: anne.dearnaley@phdmedia.com

4. A DESCRIPTION OF THE GUIDE REFERRED TO IN SECTION 10 (section 51(1)(b)(i) of PAIA)

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 available for inspection, inter alia, at the office of the offices of the Human Rights Commission at 29 Princess of Wales Terrace, corner York and St Andrews Street, Parktown and on its website www.sahrc.org.za

5. LATEST NOTICE IN TERMS OF SECTION 52(2) (section 51(1)(b)(ii) of PAIA)

At this stage no notice(s) has/have been published on the categories of records that are automatically available without a person having to request access in terms of PAIA.

6. RECORDS OF THE BODY WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION (section 51(1)(b)(iii) of PAIA)

Certain records held by PHD are available in terms of legislation other than the Act. The specific records which are available in terms of such legislation are set out in that legislation and these records may in certain instances only be accessed by the persons specified in the relevant legislation

Records are kept in accordance with the following legislation:

1. Basic Conditions of Employment Act No. 75 of 1997
2. Broad Based Black Economic Empowerment Act 53 of 2003
3. Compensation for Occupational Injuries and Disease Act 130 of 1993
4. Companies Act 2008 Act No 71 and Companies Amendment Act No 3 of 2011
5. Electronic Communications and Transactions Act 25 of 2002
6. Employment Equity Act No. 55 of 1998
7. Income Tax Act 89 of 1991 and amendments
8. Labour Relations Act 66 of 1995
9. Occupational Health & Safety Act No. 85 of 1993
10. Skills Development Act 9 of 1999 and amendments
11. Trade Marks Act 194 of 1993
12. Unemployment Insurance Act 63 of 2001
13. Value Added Tax Act 89 of 1991

The following is a list of the subjects on which PHD holds records and the categories into which these fall.

7. RECORD SUBJECTS AND CATEGORIES (section 51(1)(b)(iv) of PAIA)

Categories of records	Description of records held
Companies Act	Statutory records Memorandum of incorporation Share registration records Appointment of directors records
Finance	Annual financial statements Tax returns Tax clearance records Accounting records Banking records Bank statements Asset register Rental agreements Invoices Trust account records

Tax	PAYE records Employees income tax documents VAT number Skills Development Levies UIF Workmen's compensation
Corporate communications	News releases / statements Media cuttings Brochures
Human resources	B-BBEEE certificate Employment Equity Plan Medical Aid records Pension Fund records Disciplinary records Salary records SETA records Company policies and procedures Health and Safety records Leave records
Clients	Client information Client agreements
Suppliers	Supplier information Supplier agreements
Information technology	IT contracts and agreements IT operational records IT testing records Asset records Policy records

8. REQUEST FOR ACCESS (section 51(1)(b)(iv) of PAIA)

8.1 The requester must complete form C below and submit this form together with a request fee, to the Information Officer identified above.

8.2 The form must be submitted to the Information Officer at his address, or electronic mail address as provided under paragraph 3.

8.3 The form must:

- 8.3.1 provide sufficient particulars to enable the Information Officer to identify the record/s requested and to identify the requester;
- 8.3.2 indicate which form of access is required;
- 8.3.3 specify a postal address or fax number of the requester in South Africa;
- 8.3.4 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;
- 8.3.5 if in addition to a written reply, the requester wishes to be informed of the decision on the request in any other manner, to state that manner and the necessary particulars to be informed in the other manner;
- 8.3.6 if the request is made on behalf of another person, to submit proof of the capacity in which the requester is making the request, to the reasonable satisfaction of the Information Officer.

9. PRESCRIBED FEES

9.1 A requester has to pay a request fee of R50.00, other than where the requester is seeking access to a record containing personal information about him, her or itself. This request fee may be paid at the time a request is made, or the person authorised to deal with such requests on PHD's behalf may notify the requester to pay the request fee before processing the request any further. A requester may make an application to Court to be exempted from the requirement to pay the request fee.

9.2 If the preparation of the record requested requires more than the prescribed six hours, a deposit shall be required and paid (of not more than one third of the access fee which would be payable if the request were granted).

9.3 Records may be withheld until the fees have been paid.

9.4 The fee structure is available on the website of the South African Human Rights Commission at www.sahrc.org.za

10. INFORMATION OR RECORDS NOT FOUND

10.1 If all reasonable steps have been taken to find a record, and such a record cannot be found or if the records do not exist, then PHD will notify the requester, by way of an affidavit or affirmation, that it is not possible to give access to the requested record.

10.2 The affidavit or affirmation will provide a full account, of all the steps taken to find the record or to determine the existence thereof, including details of all communications by PHD with every person who conducted the search.

10.3 If the record in question should later be found, the requester shall be given access to the record in the manner stipulated by the requester unless access is refused by PHD as permitted by PAIA.

11. INFORMATION REQUESTED ABOUT A THIRD PARTY

Where any information is requested from PHD that relates to a third party, PHD is required to notify the third party of the request. The third party has an opportunity to grant his, her or its consent to the disclosure of the record or to make representations as to why the requested record should not be disclosed to the requester. If PHD decides to grant access to the record, it will notify the affected third party again. The third party is entitled to apply to court in relation to that decision. The court will then determine whether the record should be disclosed by PHD or not.

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:

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2. Reference number, if available:

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3. Any further particulars of record:

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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:

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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 below, 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 for access 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 to 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
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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:

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2. Explain why the record requested is required for the exercise or protection of the aforementioned right:

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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?

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Signed at this day..... of year

.....
SIGNATURE OF REQUESTER /
PERSON ON WHOSE BEHALF REQUEST IS MADE