

**HIGHBURY SCHOOL SOCIETY
N.P.C
REGISTRATION NO. 68/004953/08**

A Guide to

ACCESSING OUR INFORMATION

**Our Manual in terms of Section 51 of the
Promotion of Access to Information Act**

Table of contents

Preamble.....

Introduction to this private body

Section A – Our details.....

Section B – The official guide

Section C – Information available in terms of the Act.....

Section D – Information available in terms of other legislation

Section E – Information automatically available.....

Section F – General.....

Annexure “A” Request for access to record of private body

Annexure “B” Fees in respect of private bodies

Preamble

The Promotion of Access to Information Act No. 2 of 2000, (“the Act”) came into operation on 23 November 2001. Section 51 of this Act requires that we as a private body compile a manual giving information to the public regarding the procedure to be followed in requesting information from us for the purpose of exercising or protecting rights.

Introduction to this private body

Highbury School Society N.P.C. Registration Number 68/004953/08

Highbury School is an independent school for boys from Grade 000 to Grade 7. Highbury is situated in the picturesque suburb of Hillcrest on 11HA of park like grounds. Highbury was founded in 1903, the school has a proud tradition of quality education encompassing academics, culture and sport with a strong Christian Ethos.

We as a private body have compiled this manual, not only to comply with the provisions of the Act, but also to foster a culture of transparency and accountability in our environment and to ensure that members of the public have effective access to information in our possession which will assist them in the exercise and protection of their rights. It is important to note that access is not automatic – you must identify the right you are seeking to exercise or protect and explain why the record you request is required for the exercise or protection of that right. You will be notified in the manner indicated by you on the request form whether your request has been approved.

Inside these pages you will be able to view the categories of information which we possess. You will also be shown the correct procedure to follow should you require access to any of this information.

Section A – Our details

Full Name : Highbury School Society N.P.C

Registration Number : 68/004953/08

Registered Address : 16 Highbury Road
Hillcrest
3610

Postal Address : Private Bag X7019
Hillcrest
3650

Telephone Number : 0317659800

Fax Number : 0317659838

Head/CEO : Roland Lacock

Designated Information Officer : Tamlyn Dennekamp

Email Address of Information Officer : PA@hps.co.za

Section B – The official guide

Section 10 of the Act requires the South African Human Rights Commission (SAHRC) to publish a Guide containing information reasonably required by a person wishing to exercise or protect any right in terms of this Act.

The Guide will contain the following information:

1. The objects of the Act;
2. Particulars of the information officer of every public body;
3. Particulars of every private body as are practicable;
4. The manner and form of a request for access to information held by a body;
5. Assistance available from both the information officers and the Human Rights Commission in terms of this Act;
6. All remedies in law regarding acts, omissions, rights and duties, including how to lodge an internal appeal and a court application;
7. Schedules of fees to be paid in relation to requests for access to information;
8. Regulations made in terms of the Act.

Copies of this Guide will be available as soon as it is published by the SAHRC. Enquiries regarding the Guide can be addressed to the SAHRC, the contact details of which are as follows:

Post: South African Human Rights Commission
Promotion of Access to Information Act Unit
Research and Documentation Department
Private Bag 2700
Houghton
2041

Telephone: (011) 484-8300

Fax: (011) 484-0582

Website: www.sahrc.org.za

E-mail: PAIA@sahrc.org.za

Section C – Information available in terms of the Act *(Section 51(1)(e))*

1. Categories of information

Where applicable to our operations, we hold the following categories of information:

(a) STATUTORY COMPANY INFORMATION

- (i) a copy of the Memorandum of Incorporation and any amendments or alterations to it
- (ii) a copy or copies of rules made in terms of sections 15(3) to (5) of the Companies Act No. 71 of 2008 (“Companies Act”);
- (iii) a record of our directors;
- (iv) copies of reports presented at annual general meetings;
- (v) copies of Annual Financial Statements, including:
 - (a) auditor’s report, if the Annual Financial Statements are audited; and
 - (b) directors’ report;
- (vi) copies of accounting records required by the Companies Act;
- (vii) notices of all shareholders meetings;
- (viii) minutes of all shareholders meetings;
- (ix) all resolutions adopted by shareholders and any documents made available by us to the holders of securities in relation to their resolutions;
- (x) copies of written communications sent generally by us to all holders of any class of securities;
- (xi) minutes of all meetings of directors, or directors’ committees, or the audit committee (if any);
- (xii) resolutions of directors, or directors’ committees, or the audit committee (if any);
- (xiii) securities register or member’s register;
- (xiv) if applicable, a record of our company secretaries and auditors, including
 - (a) the name of each such person; and
 - (b) the date of each of their appointments;

(b) ACCOUNTING RECORDS

- (i) Books of Account including journals and ledgers;
- (ii) Delivery notes, orders, invoices, statements, receipts, vouchers and bills of exchange.

(c) STATUTORY EMPLOYEE RECORDS

- (i) Employees’ names and occupations;
- (ii) Time worked by each employee;
- (iii) Remuneration paid to each employee.
- (iv) Date of birth of each employee;
- (v) Wages register;

- (vi) Attendance register;
- (vii) Employment equity plan;
- (viii) Salary and wages register;
- (ix) Records of foreign employees;
- (x) Collective agreements;
- (xi) Arbitration awards;
- (xii) Determinations made in terms of the Wage Act;
- (xiii) Records of strikes, lockouts or protest action.
- (xiv) Industrial training records;
- (xv) Staff records (after date of employment ceases);
- (xvi) Expense accounts;
- (xvii) Tax returns of employees;
- (xviii) Skills Development Plan.

(d) OTHER EMPLOYEE RECORDS

- (i) Employee contracts;
- (ii) Staff loan schemes;
- (iii) Study assistance schemes;
- (iv) Maternity leave policy;
- (v) Housing scheme;
- (vi) Disability scheme;
- (vii) Funeral insurance scheme;
- (viii) Group personal accident;
- (ix) Group life;
- (x) Micro loan scheme;
- (xi) Code of conduct.

(e) PENSION AND RETIREMENT FUNDING RECORDS

- (i) Pension Fund Rules;
- (ii) Pension Fund account records;
- (iii) Minutes of Meetings of trustees and members;
- (iv) Actuarial Valuation Reports;
- (v) Contribution Reports;
- (vi) Annual accounts.

(f) ENVIRONMENTAL HEALTH AND SAFETY

- (i) Safety management systems, data and audits;

- (ii) Employee public health emergency action plans;
 - (iii) Permits, licences, approvals and registrations for operations of sites and business;
 - (v) Permits, licences, approvals and registrations;
- (g) FIXED PROPERTY
- (i) Title Deeds;
 - (ii) Leases;
 - (iii) Building plans;
 - (iv) Mortgage Bonds or other encumbrances to fixed property.
- (h) MOVABLE PROPERTY
- (i) Asset register;
 - (ii) Finance and Lease Agreements;
 - (iv) Deeds of Pledge.
- (i) INTELLECTUAL PROPERTY
- (i) Patents, patent applications and inventions;
 - (ii) Trademarks, trade names and protected names;
 - (iii) Copyrights;
 - (iv) Agreements relating to intellectual property such as licence agreements, secrecy agreements, research and development agreements, consulting agreements, use agreements, joint venture agreements and joint development agreements;
 - (v) Litigation and other disputes involving intellectual property.
- (j) AGREEMENTS AND CONTRACTS
- (i) Material agreements concerning the provision of education;
 - (ii) Agreements with contractors and suppliers;
 - (iii) Agreements with Parents;
- (k) TAXATION
- (i) Copies of all Income Tax Returns and other tax returns and documents;
- (l) LEGAL
- (i) Complaints, pleadings, briefs and other documents pertaining to any actual, pending or threatened litigation, arbitration or investigation;
 - (ii) Settlement agreements;
 - (iii) Material licences, permits and authorisations;
- (m) INSURANCE
- (i) Insurance policies;
 - (ii) Claim records;
 - (iii) Details of insurance coverages, limits and insurers.

(n) INFORMATION TECHNOLOGY

- (i) Hardware;
- (ii) Operating Systems;
- (iii) Telephone Exchange Equipment;
- (iv) Telephone Lines, Leased Lines and Data Lines;
- (v) LAN Installations;
- (vi) Software Packages;
- (vii) Disaster Recovery;
- (viii) Internal Systems Support and Programming / Development;
- (ix) Capacity and Utilization of Current Systems;
- (x) Development or Investment Plans;
- (xi) Agreements;
- (xii) Licenses;
- (xiii) Audits.

(o) MARKETING

- (i) Documentation Regarding the Marketing of the School;
- (ii) Brochures, Newsletters and Advertising Materials;
- (iii) Sales;
- (iv) Public Relations Policies and Procedures;

(q) DIVERSITY

- (i) Recruitment and employment equity policies;
- (ii) Supplier and preferential procurement information;
- (iii) Skills Development policy.

2. Procedure for requesting access to the above information

If you wish to request access to any of the above categories of information, you are required to complete a request form as set out in annexure "A" hereto. These forms are available from:

- our information officer (whose contact details are in section A of this manual);
- the SAHRC website (www.sahrc.org.za);
- the Department of Justice and Constitutional Development website (www.doj.gov.za).

There is a prescribed fee (payable in advance) for requesting and accessing information in terms of the Act. Details of these fees are contained in the request form.

You may also be called upon to pay the additional fees prescribed by regulation for searching for and compiling the information which you have requested, including copying charges.

It is important to note that access is not automatic – you must identify the right you are seeking to exercise or protect and explain why the record you request is required for the exercise or

protection of that right. You will be notified in the manner indicated by you on the request form whether your request has been approved.

Section D – Information available in terms of other legislation

Where applicable to our operations, information is also available in terms of certain provisions of the following statutes:

- Administration of Estates Act No. 66 of 1965
- Armaments Corporation of South Africa, Limited Act No. 51 of 2003
- Banks Act No. 94 of 1990
- Basic Conditions of Employment Act No. 75 of 1997
- Child Care Act No. 74 of 1993
- Child Justice Act No. 75 of 2008
- Children’s Act No. 38 of 2005
- Collective Investment Schemes Control Act No. 45 of 2002
- Companies Act No. 71 of 2008
- Compensation for Occupational Injuries and Diseases Act No. 130 of 1993
- Competition Act No. 89 of 1998
- Construction Industry Development Board Act No. 38 of 2000
- Consumer Protection Act No. 68 of 2008
- Co-operatives Act No. 14 of 2005
- Co-operatives Bank Act No. 40 of 2007
- Correctional Services Act No. 111 of 1998
- Customs and Excise Act No 91 of 1964
- Debt Collectors Act No. 114 of 1998
- Defence Act No. 42 of 2002
- Designs Act No. 195 of 1993
- Drugs and Drug Trafficking Act No. 140 of 1992
- Electronic Communications and Transactions Act No. 25 of 2002
- Employment Equity Act No. 55 of 1998
- Estate Duty Act No. 45 of 1955
- Financial Intelligence Centre Act No. 38 of 2001
- Firearms Control Act No. 60 of 2000
- Health Professions Act No. 56 of 1974
- Home Loan and Mortgage Disclosure Act No. 63 of 2000
- Housing Act No. 107 of 1997
- Housing Development Agency Act No. 23 of 2008
- Income Tax Act No. 58 of 1962
- International Trade Administration Act No. 71 of 2002
- Labour Relations Act No. 66 of 1995
- Land and Agricultural Development Bank Act No. 15 of 2002

- Legal Deposit Act No. 54 of 1997
- Liquor Act No. 59 of 2003
- Local Government: Municipal Finance Management Act No. 56 of 2003
- Long-term Insurance Act No. 52 of 1998
- Mine Health and Safety Act No. 29 of 1996
- Mineral and Petroleum Resources Development Act No. 28 of 2002
- National Conventional Arms Control Act No. 41 of 2002
- National Credit Act No. 34 of 2005
- National Environmental Management Act No. 107 of 1998
- National Environmental Management Integrated Coastal Management Act No. 24 of 2008
- National Environmental Management Waste Act No. 59 of 2008
- National Key Points Act No. 102 of 1980
- National Land Transport Transition Act No. 22 of 2000
- National Nuclear Regulator Act No. 47 of 1999
- National Qualifications Framework Act No. 67 of 2008
- National Railway Safety Regulator Act No. 16 of 2002
- National Regulator for Compulsory Specifications Act No. 5 of 2008
- National Road Traffic Act No. 93 of 1996
- National Water Act No. 36 of 1998
- Nuclear Energy Act No. 131 of 1993
- Nuclear Energy Act No. 46 of 1999
- Occupational Health and Safety Act No. 85 of 1993
- Prevention of Organised Crime Act No. 121 of 1998
- Private Schools Act (House of Assembly) 104 of 1986
- Prohibition or Restriction of Certain Conventional Weapons Act No. 18 of 2008
- Public Audit Act No. 25 of 2004
- Public Finance Management Act No. 1 of 1999
- Regulation of Interception of Communications and Provision of Communication-related Information Act No. 70 of 2002
- Road Transportation Act No. 74 of 1977
- Securities Services Act No. 36 of 2004
- Securities Transfer Tax Administration Act No. 26 of 2007
- Security Officers Act No. 92 of 1987
- Short-term Insurance Act No. 53 of 1998
- Skills Development Levies Act No. 9 of 1999
- South African Police Service Act No. 68 of 1995
- South African Schools Act No. 84 of 1996

- Space Affairs Act No. 84 of 1993
- Spatial Data Infrastructure Act No. 54 of 2003
- Transfer Duty Act No. 40 of 1949
- Unemployment Insurance Act No. 63 of 2001
- Unit Trusts Control Act No. 54 of 1981
- Value-Added Tax Act No. 89 of 1991
- Witness Protection Act No. 112 of 1998

Where applicable to our operations, we also retain records and documents in terms of the following statutes:

- Agricultural Produce Agents Act No. 12 of 1992
- Basic Conditions of Employment Act No. 75 of 1997
- Close Corporations Act No. 69 of 1984
- Companies Act No. 71 of 2008
- Compensation for Occupational Injuries and Diseases Act No. 130 of 1993
- Co-operatives Act No. 14 of 2005
- Co-operatives Bank Act No. 40 of 2007
- Customs and Excise Act No. 91 of 1964
- Diamond Export Levy (Administration) Act No. 14 of 2007
- Employment Equity Act No. 55 of 1998
- Estate Agency Affairs Act No. 112 of 1976
- Explosives Act No. 26 of 1956
- Firearms Control Act No. 60 of 2000
- Financial Intelligence Centre Act No. 38 of 2001
- Health Professions Act No. 56 of 1974
- Immigration Act No. 13 of 2002
- Income Tax Act No. 58 of 1962
- Insolvency Act No. 24 of 1936
- Labour Relations Act No. 66 of 1995Liquor Act No. 59 of 2003
- Machinery and Occupational Safety Act No. 6 of 1983
- Mine Health and Safety Act No. 29 of 1996
- Mineral and Petroleum Resources Development Act No. 28 of 2002
- Mutual Banks Act No. 124 of 1993
- National Credit Act No. 34 of 2005
- National Payment System Act No. 78 of 1998
- National Water Act No. 36 of 1998
- Nursing Act No. 50 of 1978
- Occupational Health and Safety Act No. 85 of 1993

- Older Persons Act No. 13 of 2006
- Prescription Act No. 68 of 1969
- Regulation of Interception of Communications and Provision of Communication-related Information Act No. 70 of 2002
- Second-Hand Goods Act No. 6 of 2009
- Sectional Titles Act No. 95 of 1986
- Securities Services Act No. 36 of 2004
- Securities Transfer Tax Administration Act No. 26 of 2007
- Skills Development Act No. 97 of 1998
- Stamp Duties Act No. 77 of 1968
- Traditional Health Practitioners Act No. 22 of 2007
- Transfer Duty Act No. 40 of 1949
- Value-added Tax Act No. 89 of 1991

Section E – Information automatically available

The following categories of records are automatically available for inspection, purchase or photocopying. In other words you do not need to request this information in terms of the Promotion of Access to Information Act.

Request forms for these categories of information are also available from our information officer, whose contact details appear in section A of this manual.

1. Newsletters.
2. Booklets.
3. Pamphlets / Brochures.
4. Reports.
5. Posters.
6. Other literature intended for public viewing.

ANNEXURE "A"

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

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

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

<p><i>This section must be completed ONLY if a request for information is made on behalf of another person.</i></p>

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 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:

<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.	<input type="checkbox"/> YES	<input type="checkbox"/> 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 of 20.....

.....

SIGNATURE OF REQUESTER/PERSON ON WHOSE BEHALF
REQUEST IS MADE

ANNEXURE “B”

AN EXPLANATORY NOTE ON FEES TO BE CHARGED BY A PRIVATE BODY WHEN GRANTING A REQUEST FOR ACCESS TO INFORMATION IN TERMS OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000.

The fees chargeable by private bodies are contained in Part III of Annexure “A” of the Regulations. A copy of Part III is attached for your convenience. If none of the exemptions contained in Government Notice GN.R991 dated 14 October 2005 apply (a copy of which is also attached for your reference), the following charges are payable:

1. Copies of a manual

Should an individual require a copy of the private body’s manual, a fee of R1,10 is chargeable for every photocopy of an A4 page or part thereof.

2. Reproduction fees¹

Reproduction fees apply to obtaining copies or transcriptions of information which is automatically available from the private body. The fees are listed in paragraph 2 of Part III of Annexure “A” to the Regulations.

3. Access fees²

Access fees are chargeable for copies or transcriptions of information requested under this Act. The fees are listed in paragraph 4 of Part III of Annexure “A” to the Regulations.

4. Other fees

- 4.1 A request fee³ of R50,00 is payable by a requester who is seeking access to a record containing information which is not personal to the requester. See paragraph 6 of Part 1 of this Work.
- 4.2 A search fee⁴ may be charged at a rate of R30,00 per hour or part thereof for searching and preparing the record for disclosure provided such time was reasonably required for that purpose.
- 4.3 If the request is not limited to records containing information which is personal to the requester and if the head of the private body is of the opinion that the time taken to give effect to the request will exceed six hours the requester can be called upon to pay a deposit of not more than one third of an estimate of the access fee which will become payable.⁵
- 4.4 If a copy of a record is posted to a requester, the requester is obliged to pay the actual postage payable.

1 Section 52(3) and Regulation 1(1).

2 Section 54(7) and Regulation 11(3).

3 Section 54(1) and Regulation 11(2).

4 Annexure “A”, Part III, Item 4(1)(f).

5 Section 54(2).

PART III
FEES IN RESPECT OF PRIVATE BODIES

1. The fee for a copy of the manual as contemplated in regulation 9 (2) (c) is R1,10 for every photocopy of an A4-size page or part thereof.

2. The fees for reproduction referred to in regulation 11 (1) are as follows:

	R
(a) For every photocopy of an A4-size page or part thereof.....	1,10
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,75
(c) For a copy in a computer-readable form on—	
(i) stiffy disc.....	7,50
(ii) compact disc	70,00
(d) (i) For a transcription of visual images, for an A4-size page or part thereof	40,00
(ii) For a copy of visual images	60,00
(e) (i) For a transcription of an audio record, for an A4-size page or part thereof.....	20,00
(ii) For a copy of an audio record	30,00

3. The request fee payable by a requester, other than a personal requester, referred to in regulation 11 (2) is R50,00.

4. The access fees payable by a requester referred to in regulation 11 (3) are as follows:

	R
(1) (a) For every photocopy of an A4-size page or part thereof	1,10
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,75
(c) For a copy in a computer-readable form on—	
(i) stiffy disc	7,50
(ii) compact disc	70,00
(d) (i) For a transcription of visual images, for an A4-size page or part thereof.....	40,00
(ii) For a copy of visual images	60,00
(e) (i) For a transcription of an audio record, for an A4-size page or part thereof.....	20,00
(ii) For a copy of an audio record.....	30,00
(f) To search for and prepare the record for disclosure, R30,00 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; and
- (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.