

**SECTION 51 MANUAL PREPARED IN ACCORDANCE
WITH SECTION 51 OF THE PROMOTION OF ACCESS
TO INFORMATION ACT NO. OF 2000 FOR:**

**THE CHILDREN'S HOSPITAL TRUST, FUNDRAISING ARM OF
THE RED CROSS WAR MEMORIAL CHILDREN'S HOSPITAL**

A Contents:

- 1 Contact details (Section 51(1)(a))
- 2 The section 10 Guide on how to use the Act (*Section 51(1)(b)*)
- 3 Records available in terms of any other legislation (*Section 51(1)(d)*)
- 4 Access to the records held by the private body in question (*Section 5(1)(c)*)
 - 4.1 The latest notice regarding the categories of records of the body, which are available without a person having to request access in terms of section 52(2) (*Section 51(1)(c)*)
 - 4.2 Records that may be requested (*Section 51(1)(e)*)
 - 4.3 The request procedures
- 5 Other information as may be prescribed (*Section 51(1)(f)*)
- 6 Availability of manual (*Section 51(3)*)
- 7 Prescribed fees for private bodies
- 8 Prescribed forms

B.1 **Contact details –**

The Children's Hospital Trust

Registration number:	PBO 930 004 493
Postal address:	Suite 259 Postnet X18, Rondebosch 7701
Business Address:	Red Cross Children's Hospital c/o Nurses Home Klipfontein Road Rondebosch
Telephone number:	(021) 686 7860
Fax number:	(021) 686 7861
Electronic mail address:	coetzeea@ich.uct.ac.za or cht@ich.uct.ac.za
Contact person:	Ms Adrienne Coetzee

The Children's Hospital Trust is the fundraising arm of the Red Cross Children's Hospital.

2 **The section 10 Guide on how to use the Act (Section 51(1)(b))**

The guide will be available from the South African Human Rights Commission. Please direct any queries to:

The South African Human Rights Commission

PAIA Unit

The Research and Documentation Department

Postal address: Private Bag 2700

Houghton

2041

Telephone: +27 11 484-8300

Website: www.sahrc.org.za

Fax: +27 11 484-0582

e-mail: paia@sahrc.org.za

3 **Records available in terms of any other legislation [Section 51(1)(b)]**

Records are kept in accordance with such legislation as is applicable to the Trust, which includes but is not limited to the legislation listed below. The records kept in accordance with the said legislation are not freely available to any requester but only to those specifically entitled to said records in terms of the below listed legislation. Should a requester wish to access any of the records to which these statutes apply, a request must be made in accordance with the procedure as set out in paragraph 4.3 below. Each request will be evaluated in accordance with the provisions and requirements as set out in the Act and the applicable legislation:

- Income Tax Act No. 58 of 1962
- Unemployment Contributions Act No. 4 of 2002
- Unemployment Insurance Act No. 89 of 1991
- Labour Relations Act No. 66 of 1995
- Basic Conditions of Employment Act No. 75 of 1997
- Employment Equity Act No. 55 of 1998
- Skills Development Levies Act No.9 of 1999
- Occupational Health and Safety Act No.85 of 1993
- Regional Service Council Act No. 109 of 1985

4 **Access to the records held by the private body in question [Sections 51(1)(c) and 51(1)(e)]**

4.1 **The following records are available without a person having to request access in terms of the Act:**

- Visit our website at www.kidzhospital.co.za
- Children's Hospital Trust pamphlets
- Red Cross Children's Hospital pamphlets
- Annual Report

4.2 **Records that may be requested. However, please note that recording a category or subject matter in this Manual does not imply that a request for access to such records would be honoured. All requests will be evaluated in accordance with the provisions of the Act.**

4.2.1 Records regarding the following subjects are held:

- Company Secretarial –
 - Trust Deed
- Occupational Health and Safety
 - A copy of the Act
 - Certificate of Compliance
- Donor related records
 - Records provided by donors
- Personnel/Human Resources
 - Staff records
 - Employment Contracts
 - Internal Policies and Procedures
 - Health & Safety Records
 - Payroll
- Legal
 - Various Contracts & Agreements

- Other records relating to the Trust
 - Financial records
 - Taxation and Accounting records
 - Insurance records

- Public relations Division
 - Media releases

4.3 **The request procedures**

4.3.1 Form of Request

- 4.3.1.1 The requester must use the prescribed form to make the request for access to a record. This must be made to the Director of the Children's Hospital Trust. This request must be made to the address, fax number or electronic mail address of the Children's Hospital Trust.
- 4.3.1.2 The requester must provide sufficient detail of the request form to enable the Director of the Children's Hospital Trust to identify the record and the requester. The requester should also indicate which form of access is required. 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.
- 4.3.1.3 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.

- 4.3.1.4 If a request is made on behalf of another person, the requester must then submit proof of the capacity in which the requester is make the request to the satisfaction of the Director of the Children’s Hospital Trust.

4.3.2 Fees

A requester who seeks access to a record containing personal information about the requester is not required to pay the request fee. Every other requester, who is not a personal requester, must pay the required request fee:

- 4.3.2.1 the Director of the Children’s Hospital Trust must by notice require the requester (other than a personal requester) to pay the prescribed fees (if any) before further processing the request (section 54(1));
- 4.3.2.2 the fee that the requester must pay to the Children’s Hospital Trust is R50. The requester may lodge an application to the court against the tender or payment of the request fee (section 54(3)(b));
- 4.3.2.3 after the head of the Children’s Hospital Trust has made a decision on the request, the requester must be notified in the required form;
- 4.3.2.4 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 (section 54(6)).

5

Other information as may be prescribed [Section 51(1)(f)]

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

6 **Availability of the manual [Section 51(3)]**

This manual is available for inspection by the general public upon request, during office hours and free of charge, at the offices of The Children’s Hospital Trust. Copies may also be requested from the South African Human Rights Commission and the Government Gazette.

7 **Prescribed forms 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.doj.gov.za) under the “regulations” section.

7.1 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.

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

- | | | |
|-----|--|-------|
| (a) | For every photocopy of an A-4 size page or part thereof | R1,10 |
| (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
7.3	The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2) is R50,00.		
7.4	The access fees payable by a requester referred to in regulation 11(3) are as follows:		
	(1) (a)	For every photocopy of an A4-size page or part thereof	R1,10
	(b)	For every printed copy of an A4-size page or part thereof held on 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.