

PROMOTION OF ACCESS TO INFORMATION ACT

ACT 2 OF 2000 (The Act)



SECTION 51 MANUAL FOR TENIKWA WILDLIFE REHABILITATION AND AWARENESS NPC

Objectives of The Act

In terms of the Promotion of Access to Information Act, each private body is required to publish a manual to facilitate a request for access to a record, in assisting persons seeking information on records held by said private body, and that is required for the exercise or protection of any right.

The following manual, prepared by Tenikwa Wildlife Rehabilitation and Awareness NPC, is submitted in compliance with the provisions of the Act.

Introduction to Tenikwa Wildlife Rehabilitation and Awareness NPC ("Tenikwa")

Tenikwa was founded in 2002 by Len and Mandy Freeman who relocated from KwaZulu Natal to establish their home in the rural farming area called The Craggs outside Plettenberg Bay in the Western Cape of South Africa.

The Freemans brought with them their parrot breeding and Behavioural Rehabilitation Centre and this expertise led to the community utilising their services to rescue wild birds and wildlife along The Garden Route. The Freemans subsequently established a wildlife rehabilitation centre and later, in order to fund the sustainability of the rehabilitation centre and to raise awareness of the reasons for the decline of wildlife along The Garden Route.

Initially the company structure was separated with the tourist offering run as a Closed Corporation (CC) and the rehabilitation activities run as a non-profit organisation (NPO), however, as the objectives of Tenikwa evolved with the need to ensure that the rehabilitation facility remains sustainable into the future, the company has been restructured to run as a non-profit company (NPC).

PARTICULARS OF CONTACT DETAILS IN TERMS OF SECTION 51

The Chairman of Tenikwa Wildlife Rehabilitation and Awareness NPC has duly authorised the Human Resources Director as head of the private body or as the Information Officer to deal with all matters in connections with requests for information , in terms of the Promotion of Access to Information Act, No. 2 of 2000.

Postal Address: PO Box 202
The Craggs
6602

Street Address: Tenikwa Wildlife Awareness Centre
Forest Hall Road
The Craggs
6602

Telephone : +27 (44) 534 8170

Facsimile: Not available
E-mail: info@tenikwa.co.za
Website: www.tenikwa.com

AVAILABILITY OF THE MANUAL. *[Section 51(3)]*

A guide, as required in Section 10 of the Act, containing information as may reasonably be required by a person who wishes to exercise any right contemplated in this Act, is available from The Human Rights Commission, contact details as follows:

Postal Address: Private Bag 2700
Houghton
2041

Telephone: +27 (11) 484 8300
Facsimile: +27 (11) 484 0582
Website: <http://www.sahrc.org.za>

This manual is available from the offices of Tenikwa (see details Section 1 of this document) as well as via the Internet at www.tenikwa.com

CATEGORIES OF RECORDS AVAILABLE WITHOUT HAVING TO REQUEST ACCESS *[Section 51(1)(c)]*

Website

The web site www.tenikwa.com and all information contained therein, is accessible to anyone who has access to the Internet. The Tenikwa website hosts the following categories of information:

Tenikwa Information

- General information about Tenikwa
- Contact Details for Tenikwa
- On-line and Web-based Booking Policies
- Terms of Use of using Website
- Other Tenikwa Policies and Protocols
- Annual Sustainable Tourism Reports

- Programs and program details on offer to the public
- Facilities at Tenikwa
- Special offers

Rehabilitation and Rescue

- Advice on rescuing wildlife
- Conservation bodies, links and networks
- Tenikwa Rehabilitation Facilities
- Information on donating or supporting Tenikwa initiatives

Conservation and Community Initiatives

- Various conservation initiatives
- Various conservation hot topics

Facebook

The Facebook Page www.facebook.com/TenikwaWildlife and all other web-based social media platforms and the information contained therein, is accessible to anyone who has access to the Internet.

RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION *[Section 51(1)(d)]*

Records are kept in accordance with the following legislation:

- Companies Act, 1973
- Basic Conditions of Employment Act, 1997
- Labour Relations Act, 1995
- Employment Equity Act, 1998
- Income Tax Act, 1962
- Occupational Health and Safety Act, 1993
- Electronic Communications and Transactions Act, 2002
- Skills Development Act, 1998
- The National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004);
- The Animals Protection Act, 1962 (Act No. 71 of 1962);
- The Performing Animals Protection Act, 1935 (Act No. 24 of 1935);
- The Animal Health Act, 2002 (Act No. 7 of 2002);
- The Animals Diseases Act, 1984 (Act No. 35 of 1984);
- The Medicines and Related Substances Act, 1965 (Act No. 101 of 1965);
- The Veterinary and Para-Veterinary Professions Act, 1982 (Act No. 19 of 1982);

DESCRIPTION OF THE SUBJECTS THAT HOLDS RECORDS

Categories of records kept:

- Operational records
This information can be defined as information needed in the day-to-day running of the organisation. (Examples of such information are company policies and protocols, procedures, guest databases, indemnity forms, historical guest information, permits, animal records, admissions, rehabilitation statistics, building plans)
- Contractual and legal records
- Marketing material
- Personnel records, training, registration and disciplinary files
- Other labour related records
- Incorporation, Company, Cipro and Tax records
- Other statutory records as required.

Examples of this could be Resolutions, Minutes, Health and Safety Records, Fixed Asset Registers, medicines register, biohazardous waste disposal certificates.

- Financial records including Accounting records, and Auditors reports.

OTHER INFORMATION AS MAY BE PRESCRIBED [Section 51(1)(f)]

Not applicable.

FEES DUE AND PAYABLE ON REQUEST OF INFORMATION

The fee for a copy of the manual is R2-50 for every photocopy of an A4-size page or part thereof plus an admin fee of R20.

The fees for preparation of records referred to in regulation 54(2)(b) are as follows:

For every photocopy of an A4-size page or part thereof	R2-50
For every printed copy of an A4-size page of part thereof	R2-50
For a copy on a compact disc	R100-00
For a copy of visual images	R100-00
For a transcription, per A4-size page or part thereof	R50-00

The request fee payable by a requester, referred to in regulation 54(2)(a) is R150-00.

The access fees payable by a requester referred to in regulation 54(6) are as follows:

For every photocopy of an A4-size page or part thereof	R2-50
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For every printed copy of an A4-size page of part thereof R2-50

For a copy on a compact disc R100-00

For a copy of visual images R100-00

For a transcription, per A4-size page or part thereof R50-00

To search for and prepare the record for disclosure for each hour or part of an hour reasonably required for such search and preparation R75-00

For purpose of section 54(2) of the Act, the following applies:

Two hours as the hours to be exceeded before a deposit is payable;

One third of the access fee is payable as a deposit by the requester.

The actual postage is payable when a copy of the record must be posted to a requester.

PRESCRIBED REQUEST FORM

How to request a record

- Section 53 prescribes that the requester must use the prescribed form to make the request for access to a record. This must be made to the information officer, or the head of the private body. This request must be made to the address, 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 he or she wishes to be informed in any other manner and state the necessary particulars to be so informed.
- The requester must identify the right that he or she is seeking to exercise or protect and provide a full explanation and motivation of why the requested record is required for the exercise or protection of that right, and why the request does not infringe on the right to privacy of the private body.
- If a request is made on behalf of a 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.
- The head of the private body must notify the requester by notice, requiring the requester to pay the prescribed fee (if any) before further processing the request.
- The fee for private bodies is R50. The requester may lodge an internal appeal or an application to the court against the tender or payment of the request fee.
- If the request is granted, then a further access fee must be paid for the reproduction and the search and preparation, and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.
- The head of the private body will then make a decision on the request and notify the requester in the required form.

MECHANISMS ESTABLISHED TO REQUEST INFORMATION

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 Information Officer: Tenikwa Wildlife Rehabilitation and Awareness NPC

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 E-mail 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:

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 ONLY if a request for information is made on behalf of another person.

Full names and surname:

Identity number:

Relationship to person on whose behalf request is made:

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.**

Description of record or relevant part of the record:

Reference number, if available:

Any further particulars of record:

E. Fees

- a. A request for access to a record, other than a record containing personal information about you, will be processed only after a request fee has been paid
- b. You will be notified of the amount payable 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 the 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 the record *	<input type="checkbox"/>	Inspection of record
2. If record consists of visual images (This includes photographs, video recordings, sketches, etc)			
<input type="checkbox"/>	View the images	<input type="checkbox"/>	Copy of the images *
<input type="checkbox"/>		<input type="checkbox"/>	Transcript of images *
3. If record consists of recorded words or information which can be reproduced in sound			
<input type="checkbox"/>	Listen to the soundtrack	<input type="checkbox"/>	Transcript of soundtrack * (Written or printed document)
4. If record is held on computer or in electronic form:			
<input type="checkbox"/>	Printed copy of record *	<input type="checkbox"/>	Printed copy of information derived from the record*
<input type="checkbox"/>		<input type="checkbox"/>	Copy in computer readable form * (compact disc)
* If you request 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.**

Indicate which right is to be exercised or protected:

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

Motivate why the record requested does not infringe on the protection of the private body 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