

PROMOTION OF ACCESS TO INFORMATION ACT SECTION 51 MANUAL

This Manual is published in terms of Section 51 of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) (“the Act”).

The Act gives effect to the constitutional right of access to any information held by the State and any information that is held by another person and that is required for the exercise or protection of any rights; and to provide for matters connected therewith.

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1. Introduction to Filmit IT Solutions

Filmit IT Solutions is a sole proprietorship providing programming and data processing services to the local and international motion picture industry.

Filmit IT Solutions' main operation is the standardised internet publishing service "Filmit Microsites", providing the film industry with an internet based state-of-the-art tool for cast and location scouting.

2. Contact details [Section 51(1)(a)]

Firm	:	Filmit IT Solutions
Sole Proprietor/ Information Officer	:	Harms Moeller
Street Address	:	614 Son Vida 73 Somerset Road Green Point 8005
Postal Address	:	- same as above -
Telephone	:	+27 21 4193196
Fax	:	+27 88 021493196
Website	:	www.film-it.co.za
Note	:	Other information on the firm is also available on the firm's website.

3. The section 10 Guide on how to use the Act [Section 51(1)(b)]

The South African Human Rights Commission has compiled in each official language a guide containing such information, in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in the Act.

The guide is available on the website of the South African Human Rights Commission (www.sahrc.org.za) under "Reports & Publications / General Reports".

To obtain a hardcopy of the guide (ISBN 0-620-33617-X) please direct any queries to:

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SAHRC, PAIA Unit
Braampark Forum 3
33 Hoofd Street
Braamfontein
2001

Tel : 011 877 3600
Email : info@sahrc.org.za
Website : www.sahrc.org.za

4. Records automatically available to the public [Section 51(1)(c)]

Public information on the firm's website (www.film-it.co.za) is made known automatically and is available without a person having to request access to it.

5. Records available in terms of other legislation [Section 51(1)(d)]

- Basic Conditions of Employment Act (Act No 75 of 1997)
- Employment Equity Act (Act No 55 of 1998)
- Labour Relations Act (Act No 66 of 1995)
- Skills Development Act (Act No 97 of 1998)
- Skills Development Levies Act (Act No 9 of 1999)
- Unemployment Insurance Act (Act No 30 of 1966)
- Value Added Tax Act (Act No 89 of 1991)
- Income Tax Act (Act No 95 of 1967)
- Immigration Act (Act No 13 of 2002)
- Promotion of Equality and Prevention of Unfair Discrimination Act (Act No 4 of 2000)

6. Records that may be requested [Section 51(1)(e)]

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 for access will be evaluated on a case-by-case basis in accordance with the provisions of the Act.

(a) Accounting Records

- Income Tax records
- Value Added Tax records
- PAYE/UIF records
- Bank account records
- Investment records
- Orders, invoices, statements, receipts

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(b) Statutory Employee Records

- Employees' names and occupations
- Attendance register
- Salary records
- Leave Records
- Disciplinary Records
- Training records
- Employment contracts

(c) Other Records

- Internal and external correspondence
- Licenses, intellectual property
- Marketing records
- Technical documentation

7. 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.

8. Availability of the manual [Section 51(3)]

This manual is available for inspection at the firm's premises and copies are available on the firm's website (www.film-it.co.za) or alternatively copies are available at the SAHRC or in the Gazette (if applicable). In respect of hard copies, any transmission costs/postage will be for the account of the requester.

9. Request procedure

A requester must complete and submit a "Form C: Request for Access to Record of Private Body". The form can be obtained on the firm's website (www.film-it.co.za), or on the website of the Department of Justice (www.justice.gov.za) under "PAIA / Forms".

The requester must provide sufficient detail on the request form to enable the Information Officer 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 [Section 53(2)(a) and (b) and (c)].

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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 [Section 53(2)(d)].

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 [Section 53(2)(f)].

10. Prescribed fees

Fees may be payable for reproduction of the record requested. A breakdown of the costs of accessing the records of a private body as prescribed in Government Notice No. R. 187 of 15 February 2002 is attached to this manual ("Annexure A: Fees in respect of private bodies").

Filmit IT Solutions is registered under the Value-Added Tax Act, 1991 (Act No. 89 of 1991), as vendor and will add value-added tax to all fees prescribed in this Annexure.

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.

The Information Officer 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 [Section 54(1)].

The fee that the requester must pay to a private body is R50. The requester may lodge an application to the court against the tender or payment of the request fee [Section 54(3)(b)].

After the Information Office has made a decision on the request, the requester will be notified in the required format.

If the request is granted then a 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 [Section 54(6)].

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Annexure A: Fees in respect of private bodies

As per GN R187 in GG 23119 of 15 February 2002
 Department of Justice and Constitutional Development
 Annexure A, Part III

1. The fee for a copy of the manual as contemplated in regulation 9(2)(c) is R 1,10 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:

(a) For every photocopy of an A4-size page or part thereof	R 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	R 0,75
(c) For a copy in a computer-readable form on -	
i. stiffy disc	R 7,50
ii. compact disc	R 70,00
(d)	
i. For a transcription of visual images, for an A4-size page or part thereof	R 40,00
ii. For a copy of visual images	R 60,00
(e)	
i. For a transcription of an audio record, for an A4-size page or part thereof	R 20,00
ii. For a copy of an audio record	R 30,00
3. The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2) is

	R 50,00
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4. The access fees payable by a requester referred to in regulation 11(3) are as follows:

(a) For every photocopy of an A4-size page or part thereof	R 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	R 0,75
(c) For a copy in a computer-readable form on -	
i. stiffy disc	R 7,50
ii. compact disc	R 70,00
(d)	
i. For a transcription of visual images, for an A4-size page or part thereof	R 40,00
ii. For a copy of visual images	R 60,00
(e)	
i. For a transcription of an audio record, for an A4-size page or part thereof	R 20,00
ii. For a copy of an audio record	R 30,00
(f) To search for and prepare the record for disclosure, for each hour or part of an hour reasonably required for such search and preparation	R 30,00
5. 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.
6. The actual postage is payable when a copy of a record must be posted to a requester.