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MANUAL

IN ACCORDANCE WITH

PROMOTION OF ACCESS TO INFORMATION ACT (2/2000)

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**BOARD OF AIRLINE REPRESENTATIVES OF SOUTH AFRICA
NPC 2014/106181/08**

**MANUAL
in terms of
Section 51 of**

The Promotion of Access to Information Act 2 of 2000

1. **INTERPRETATION**

In this document, clause headings are for convenience and shall not be used in its interpretation, unless the context clearly indicates a contrary intention:

- 1.1 An expression which denotes:
- 1.1.1 Any gender includes the other genders;
- 1.1.2 A natural person includes an artificial or juristic person and *vice versa*; and
- 1.1.3 The singular includes the plural and *vice versa*.
- 1.2 The following expressions shall bear the meanings assigned to them below and cognate expressions bear corresponding meanings:
- 1.2.1 **"the Act"** means the Promotion of Access to Information Act, No. 2 of 2000, as amended from time to time, including the regulations promulgated in terms of the Act;
- 1.2.2 **"Business Day"** means any day other than a Saturday, Sunday or official public holiday in the Republic of South Africa;
- 1.2.3 **"this Document"** means this Document together with all of its annexures, as amended from time to time; and
- 1.2.4 **"the Company"** means **"Board of Airline Representatives of South Africa"**, being a **not for profit company**, carrying on business from **89 Bute Lane, Sandton, Gauteng, South Africa**;
- 1.2.5 **"Request Liaison Officer"** means the person duly authorised by the head of the private body and appointed by the Company to facilitate or assist the head of the private body with any request in terms of the Act.
- 1.3 Any reference to any statute, regulation or other legislation shall be a reference to that statute, regulation or other legislation as at the signature date and as amended or substituted from time to time.
- 1.4 If any provision in a definition is a substantive provision conferring a right or imposing an obligation on any party then, notwithstanding that it is only in a definition, effect shall be given to that provision as if it were a substantive provision in the body of this Document.
- 1.5 Where any term is defined within a particular clause other than this, that term shall bear the meaning ascribed to it in that clause wherever it is used in this Document.
- 1.6 Where any number of days is to be calculated from a particular day, such number shall be calculated as excluding such particular day and commencing on the next day. If the last day of such number so calculated falls on a day that is not a Business Day, the last day shall be deemed to be the next succeeding day which is a Business Day.
- 1.7 Any reference to days other than a reference to Business Days, months or years, shall be a reference to calendar days, months or years, as the case may be.
- 1.8 The use of the word "including" followed by specific example(s) shall not be construed as limiting the meaning of the general wording preceding it and the *eiusdem generis* rule shall not be applied in the interpretation of such general wording or such specific example(s).
- 1.9 Insofar as there is a conflict in the interpretation of or application of this Document and the Act, the Act shall prevail.
- 1.10 This Document does not purport to be exhaustive of or comprehensively deal with every procedure provided for in the Act. The Requestor is advised to familiarise his, her or itself with the provisions of the Act before lodging any request with the Company.

2. **AIM**

(See 1. Interpretation)

To facilitate the requests for access to records of the Company as provided for in the Act.

Compiled 30/11/2015

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1. INTRODUCTION

Board of Airline Representatives of South Africa, NPC (Registration number 2014/1016181/08), a non-profit company incorporated in accordance with the laws of South Africa.

2. COMPANY CONTACT DETAILS

Chief Executive Officer: Mrs. June B. Crawford

Postal Address: P.O.Box 787172, Sandton, 2146

Street Address: The Orchard Suites, First Floor, 89 Bute Lane, Sandton, 2196

E-mail Address: info@barsa.co.za

Telephone Number: (011) 305 – 2387

Fax Number: 086 775 – 7341

3. The ACT (Section 51 (1)(b))

- 3.1. The Act grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.
- 3.2. Requests in terms of the Act shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in paragraph 6 and 7 of the Act.
- 3.3. Requesters are referred to the Guide in terms of Section 10 which has been compiled by the South African Human Rights Commission, which will contain information for the purposes of exercising Constitutional Rights. The Guide is available from the SAHRC.
Postal Address: Private Bag 2700, Houghton, 2041
Telephone Number: +27-11 877 3600
Fax Number: +27-11 403 0625
Website: www.sahrc.org.za

4. APPLICABLE LEGISLATION (Section 51 (1)(c))

No	Reference	Act
1	No 61 of 1973	Companies Act
2	No 2 of 2002	Promotion of Access to Information Act
3	No 66 of 1995	Labour Relations Act
4	No 75 of 1997	Basic Conditions of Employment Act
5	No 13 of 2009	Civil Aviation Act
6	No 13 of 2011	Immigration Act
7	No 68 of 2008	Consumer Protection Act

5. SCHEDULE OF RECORDS (Section 51 (1)(d))

Records	Subject	Availability
Public Information	<ul style="list-style-type: none"> - Media releases - About BARSa - Events Calendar - BARSa membership - Governing Board - BARSa Contact details - Industry news and updates - Useful Resources - Employment Equity Plan 	Freely Available on our Website www.barsa.co.za Or BARSa office on info@barsa.co.za
Financial Information	<ul style="list-style-type: none"> - Annual Financial Statements - Tax Records (Company and Employee) - Management Accounts - Memorandum of Incorporation - Performance Records 	Information not available - Request in terms of PAIA
Human Resources	<ul style="list-style-type: none"> - Employment History - Personnel Information - Health Records 	Information not available - Request in terms of PAIA

Compiled 30/11/2015

6. FORM OF REQUEST

To facilitate the processing of your request, kindly:

- 6.1. Use the prescribed form, available on the website of the SSOOUTH AFRICAN HUMAN RIGHTS COMMISSION AT www.sahrc.org.za
- 6.2. Address your request to the Head of the Company (CEO).
- 6.3. Provide sufficient details to enable the company to identify:
 - (a) The record(s) requested
 - (b) The requester
 - (c) The form of access required;
 - (d) (i) The postal address or fax number of the requester in the Republic;
(ii) If the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof;
 - (e) The right which the requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.

7. INFORMATION OR RECORDS NOT FOUND

- 7.1. If a requested record cannot be found or if the records do not exist, the head of the private body or the Request Liaison Officer must, by way of an Affidavit or Affirmation, notify the requestor that it is not possible to give access to the requested record.
- 7.2. The Affidavit or Affirmation must 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 the head of the private body or the Request Liaison Officer with every person who conducted the search.
- 7.3. This notice will be regarded as a decision to refuse a request for access to the record concerned for the purposes of the Act.
- 7.4. If the record should later be found, the requestor must be given access to the record in the manner stipulated by the requestor in the Prescribed Form, unless access is refused by the head of the private body or the Request Liaison Officer.
- 7.5. The attention of the requestor is drawn to the provisions of Chapter 4 of the Act in terms of which the Company may refuse on certain specified grounds to provide information to a requestor.

8. INFORMATION REQUESTED ABOUT A THIRD PARTY

- 8.1. Section 71 of the Act makes provision for a request for information or records about a third party.
- 8.2. In considering such a request, the Company will adhere to the provisions of Section 71 to 74 of the Act.
- 8.3. The attention of the requestor is drawn to the provisions of Chapter 5, Part 3 of the Act, in terms of which the Company is obliged, in certain circumstances, to advise third parties of requests lodged in respect of information applicable to or concerning such third parties. In addition, the provisions of Chapter 2 of Part 4 of the Act, entitle third parties to dispute the decisions of the head of the private body or the Request Liaison Officer by referring the matter to the High Court.

9. UPDATING OF MANUAL

The company will update this Manual on an annual basis or at such intervals as may be necessary.

10. PRESCRIBED FEES (Section 51 (1) (f))

PAIA prescribes the fees to be charged for information requests – the schedule of fees payable is:

Schedule of PAIA Fees	
Description	Fee
The fee for a copy of the manual as contemplated in regulation 5(c) is R0, 60 for every photocopy of an A4-size page or part thereof.	R0.75
Reproduction Fees: Regulation 7(1):	
For every photocopy of an A4-size page or part thereof	R1.10
For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	R0.75
For a copy in a computer- readable form on:	
(i) Stiff disc	R5.00
(ii) Compact disc	R70.00
For a transcription of visual images:	
(i) for A4-size page or part thereof	R20.00
(ii) copy of visual images	R60.00
(iii) transcription of an audio record, A4 size page or part thereof	R20.00
(iv) copy of an audio record	R30.00
Request fee payable by a requester, other than a personal requester	R35.00
Search Fees- to search and prepare a record for disclosure. The fee is charged per hour (or part of the hour); however the first hour is free.	R15.00
For purposes of section 22(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.	R30.00
The actual postage is payable when a copy of a record must be posted to a requester.	

IMPORTANT Information from Government Printing Works

Dear Valued Customers,

Government Printing Works has implemented rules for completing and submitting the electronic Adobe Forms when you, the customer, submits your notice request.

Please take note of these guidelines when completing your form.

RULES

GPW Business Rules

1. No hand written notices will be accepted for processing, this includes Adobe forms which have been completed by hand.
2. Notices can only be submitted in Adobe electronic form format to the email submission address submit.egazette@gpw.gov.za. This means that any notice submissions not on an Adobe electronic form that are submitted to this mailbox will be **rejected**. National or Provincial gazette notices, where the Z95 or Z95Prov must be an Adobe form but the notice content (body) will be an attachment.
3. Notices brought into GPW by "walk-in" customers on electronic media can only be submitted in Adobe electronic form format. This means that any notice submissions not on an Adobe electronic form that are submitted by the customer on electronic media will be **rejected**. National or Provincial gazette notices, where the Z95 or Z95Prov must be an Adobe form but the notice content (body) will be an attachment.
4. All customers who walk in to GPW that wish to submit a notice that is not on an electronic Adobe form will be routed to the Contact Centre where the customer will be taken through the completion of the form by a GPW representative. Where a customer walks into GPW with a stack of hard copy notices delivered by a messenger on behalf of a newspaper the messenger must be referred back to the sender as the submission does not adhere to the submission rules.
5. All notice submissions that do not comply with point 2 will be charged full price for the notice submission.
6. The current cut-off of all Gazette's remains unchanged for all channels. (Refer to the GPW website for submission deadlines – www.gpwonline.co.za)
7. Incorrectly completed forms and notices submitted in the wrong format will be rejected to the customer to be corrected and resubmitted. Assistance will be available through the Contact Centre should help be required when completing the forms. (012-748 6200 or email info.egazette@gpw.gov.za)
8. All re-submissions by customers will be subject to the above cut-off times.
9. All submissions and re-submissions that miss the cut-off will be rejected to the customer to be submitted with a new publication date.
10. Information on forms will be taken as the primary source of the notice to be published. Any instructions that are on the email body or covering letter that contradicts the notice form content will be ignored.

You are therefore advised that effective from **Monday, 18 May 2015** should you not comply with our new rules of engagement, all notice requests will be rejected by our new system.

Furthermore, the fax number **012- 748 6030** will also be **discontinued** from this date and customers will only be able to submit notice requests through the email address submit.egazette@gpw.gov.za.



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