

**PROMOTION OF ACCESS TO
INFORMATION ACT**

(ACT 2 OF 2000)

SECTION 51 MANUAL

FOR

KALEIDOCODE (PTY) LTD

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Introduction to Kaleidocode

Kaleidocode is a software development company located in Durban, South Africa. We create software for clients in the financial services, professional services, BPO and other industries.

PARTICULARS IN TERMS OF THE SECTION 51 MANUAL

1. Contact details

Name of business:	KALEIDOCODE (PTY) LTD
Directors:	RORY CLARKE JOHAN BISSCHOFF CHRIS TITE
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Postal Address:	UNIT G1, 35 INTERSITE AVENUE, UMGENI BUSINESS PARK, DURBAN 4001
Telephone number:	031 303 2299
E-mail address:	rory.clarke@kaleidocode.co.za
Website:	www.kaleidocode.co.za

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

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.

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 paragraphs 6 and 7 of the Act.

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.

The contact details of the Commission are:

**The South African Human Rights Commission
PAIA Unit
The Research and Documentation Department
Private Bag 2700
Houghton
2041**

Telephone: 011 877 3600

Website: www.sahrc.org.za

Fax: 011 403 0625

E-mail: paia@sahrc.org.za

3. Records available in terms of any other legislation

Basic Conditions of Employment Act No. 75 of 1997
Companies Act No. 71 of 2008
Compensation for Occupational Injuries and Diseases Act 130 of 1993
Consumer Protection Act No. 68 of 2008
Employment Equity Act 55 of 1998
Income Tax Act No. 58 of 1962
Labour Relations Act No. 66 of 1995
Occupational Health and Safety Act No. 85 of 1993
Skills Development Act No.97 of 1998
Skills Development Levies Act No. 9 of 1999
Unemployment Contributions Act No. 4 of 2002
Unemployment Insurance Act No. 63 of 2001
Value Added Tax Act No. 89 of 1991

4. Access to the records held by the private body

- i. The latest notice regarding the categories of records of the body, which are available without a person having to request access in terms of this Act in terms of section 52(2):

Not applicable. Some brochures, pamphlets, documents and web-based content related to the business of the Kaleidocode are available without cost.

- ii. Records that may be requested:

Public Product Information
Software Licenses
General Correspondence
Contractual agreements with suppliers
Clients register

Human Resources:

Policies and procedures
Training
Remuneration and benefits policies and records

iii The request procedures:

Form of request: (ANNEXURE A)

- The requester must use the prescribed form to make the request for access to a record. This must be made to the head of the private body. This request must be made to the address, fax number 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 any other manner is to be used to inform the requester and state the necessary particulars to be so informed.
- 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.
- 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.

Fees: (ANNEXURE B)

- A requester who seeks access to a record containing personal information about that 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 head of the private body 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.
- 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.
- After the head of the private body has made a decision on the request, the requester must be notified in the required form.
- 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.

5. **Other information as may be prescribed**

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

6. **Availability of the PAIA manual**

The manual is available for inspection at the offices of the relevant private body free of charge. Copies are also available with the SAHRC.

RORY CLARKE
DIRECTOR

DATE: _____

ANNEXURE A

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

KALEIDOCODE (PTY) LTD

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 fax number in SA 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:
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

This section must be completed ONLY if a request for information is made on behalf of another person.

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.

Reasons 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:
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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:			
	Copy of record*		Inspection of record
2. If record consists of visual images: (this includes photographs, slides, video recordings, computer-generated images, sketches etc.)			
	View images		Copy of images*
			Transcription of images*
3. If record consists of recorded words or information which can be reproduced in sound:			
	Listen to soundtrack (audio cassette)		Transcription of soundtrack* (written or printed document)
4. if record is held on computer or in an electronic or machine-readable form:			
	Printed copy*		Printed copy of information derived from record*
			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 be posted to you? <input type="checkbox"/> YES <input type="checkbox"/> NO			
Postage is payable			

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

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) 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
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) 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) 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.	