

**caring for persons with intellectual disability**

Non-Profit Organisation No: 001-827 NPO  
PBO 930/0000/03  
Founded 1967



## **PROMOTION OF ACCESS TO INFORMATION ACT ("PAIA") MANUAL**

Prepared in accordance with Section 51 of the Promotion of Access to Information Act No 2 of 2000

Little Eden Society for the Care of Persons with Mental Handicap is deemed a Private Body

## **PART I**

### **1 PREAMBLE**

The Promotion of Access to Information Act No 2 of 2000 ("**the Act**") gives effect to the constitutional right of access to any information that is held by another person and that is required for the exercise or protection of any rights. Where a request is made in terms of the Act, the body to which the request is made is obliged to release the information, except where the Act expressly provides that the information may or must not be released.

The aim of this manual is to assist potential requesters of information as to the procedure to be followed when requesting access to information and/or documents from **Little Eden Society for the Care of Persons with Mental Handicap ('LITTLE EDEN')** as contemplated in terms of the Act.

This manual may be amended from time to time and as soon as any amendments have been finalised, the latest version of the manual will be made public.

## **PART II**

### **2 CONTACT DETAILS**

**2.1** Information officer : Xelda Rohrbeck

Postal address : PO Box 121  
Edenvale 1610

Physical address : Corner Wagenaar Road and Harris Avenue  
Edenglen, Edenvale, 1609

Telephone Number : +27 11 609 7246

Facsimile Number : +27 11 452 4560

E-mail : [info@littleeden.org.za](mailto:info@littleeden.org.za)

### **2.2 General Information**

**2.2.1** Name of Private Body : **Little Eden Society for the Care of  
Persons with Mental Handicap**

**2.2.2** Head of Private Body : Mrs Xelda Rohrbeck

**2.2.3** NPO Registration Number : 001-827NPO

**2.2.4** VAT Registration Number : 4560112940

**2.2.5** Postal Address : PO Box 121  
Edenvale 1610

**2.2.6** Physical Address : Corner Wagenaar Road and Harris Avenue  
Edenglen, Edenvale, 1609

**2.2.7** Telephone Number : +27 11 609 7246

**2.2.8** Facsimile Number : +27 11 452 4560

**2.2.9** E-mail : [info@littleeden.org.za](mailto:info@littleeden.org.za)

**2.2.10** Website : [www.littleeden.org.za](http://www.littleeden.org.za)

## **PART III**

### **3 GUIDE TO THE PAIA**

Section 10 of the PAIA Act read with the Schedule to the Protection of Personal Information Act, 2013 stipulates that the South African Human Rights Commission ("**SAHRC**") must prepare a guide to assist people in understanding the Act. A copy of this guide can be found on the South African Human Rights Commission website: [www/sahrc.org.za](http://www/sahrc.org.za) and on the LITTLE EDEN Society website at: [www.littleeden.org.za](http://www.littleeden.org.za)

With effect from 1 July 2021, PAIA falls under the jurisdiction of the Information Regulator South Africa.

The Information Regulator South Africa can be contacted at:-

Information Regulator South Africa

JD House

27 Stiemens Street

Braamfontein

Johannesburg

2001

E-mail : [inforreg@justice.gov.za](mailto:inforreg@justice.gov.za)

Website : [www.justice.gov.za/inforeg/index.html](http://www.justice.gov.za/inforeg/index.html)



## **PART IV**

### **4 INFORMATION EASILY AVAILABLE**

**LITTLE EDEN** brochures describing the services offered and activities undertaken are freely available during office hours at the organisation's offices. In addition, the **LITTLE EDEN** website ([www.littleeden.org.za](http://www.littleeden.org.za)) also contains a wealth of information which is updated regularly.

#### **4.1 RECORDS OF THE PRIVATE BODY**

This clause serves as a reference to the records that the Private Body holds in order to facilitate a request in terms of the Act. **It is recorded that the inclusion of any category of records should not be taken as an indication that records falling within these categories will be made available under the Act. Certain grounds for refusal, as set out in the Act, may be applicable to a request for such records.**

#### **4.2 RECORDS AVAILABLE IN TERMS OF LEGISLATION**

**LITTLE EDEN** may, from time to time, keep and have available certain records in terms of *inter alia* the following legislation:

- Aged Persons Act No 81 of 1967
- Aged Persons Amendment Act No 44 of 1994
- Basic Conditions of Employment Act No 75 of 1997
- Child Care Act No 74 of 1983
- Compensation for Occupational Injuries and Diseases Act No 130 of 1993
- Constitution of the Republic of South Africa Act No 108 of 1996
- Employment Equity Act No 55 of 1998
- Fund-raising Act No 107 of 1978
- Fund-raising Amendment Act No 43 of 1994

- Health Act No 63 of 1977
- Income Tax Act No 58 of 1962
- Labour Relations Act No 66 of 1995
- Labour Relations Amendment Act No 12 of 2002
- Lotteries Act No 57 of 1997
- Maintenance Act No 99 of 1998
- Medicines and Related Substance Control Act No 59 of 2002
- Mental Health Care Act No 17 of 2002
- Mentally Ill Persons' Legal Interests Amendment Act No 108 of 1990
- National Credit Act No 34 of 2005
- National Education Policy Act No 27 of 1996
- National Health Act No 61 of 2003
- National Water Act No 36 of 1998
- National Welfare Act No 100 of 1978
- Non-profit Organisations Act No 71 of 1997
- Nursing Act No 33 of 2005
- Occupational Health and Safety Act No 85 of 1993
- Promotion of Access to Information Act No 2 of 2000
- Public Finance Management Act No 1 of 1999
- Public Finance Management Amendment Act No 29 of 1999
- Regional Services Councils Act of 1995
- Second-Hand Goods Act No 6 of 2009
- Skills Development Amendment Act No 31 of 2003

- Social Services Profession Act No 110 of 1978
- South African Schools Act No 84 of 1996
- Sterilisation Act No 44 of 1998
- Unemployment Insurance Act No 63 of 2001
- Value Added Tax Act No 89 of 1991

Reference to the above legislation shall include subsequent amendments to the legislation and all relevant sections within that legislation in terms of which the private body holds records.

#### **4.3 INCORPORATION DOCUMENTS AND RECORDS**

- Constitution of **LITTLE EDEN**
- Records of Board of Governors meetings
- Records of Annual General Meetings
- Resolutions
- Minute books
- Delegation of Authorities
- General correspondence

#### **4.4 FINANCIAL DOCUMENTS AND RECORDS**

- Regional Services Council Records
- VAT Records
- Tax records
- PAYE records
- UIF records
- Assets register
- Quotations



- Tender documents
- Order forms
- Invoices
- Annual Financial Statements
- Debit notes
- Credit notes
- Bank accounts records and statements
- Petty cash records
- Financial documentation and other accounting records
- Financial reports, budgets and statements

#### **4.5 OPERATIONAL DOCUMENTS AND RECORDS**

- Minutes of management meetings
- Annual Reports
- Legal opinions and documents
- Insurance records and correspondence
- Contracts and Service Level Agreements documentation
- Fund raising, marketing and events records
- Business plan, policies and procedures
- Permits, licences, consents, approvals, authorisations, applications and registrations
- Work instructions manuals
- Donor database
- Residents database
- Residents forms



- Correspondence
- Sales records
- Records with regards to scheduling and supply of goods
- Business plan records
- Strategy records
- Vision statement
- Mission statement
- Action plan records
- Price lists
- Residents assessments records
- Residents medical records
- Complaints records
- Services records
- Independent contractors' documentation and records
- Speeches and Presentations
- Memorandums, letters, appeals, leaflets and newsletters

#### **4.6 HUMAN RESOURCES DOCUMENTS AND RECORDS**

- Organisational structures
- Staff establishment
- Personnel files
- Employment contracts / Letters of Appointment
- Employment Equity Plans
- Salary advice slips / remuneration records

- Curriculum vitae
- Interview records
- Leave records
- Educational history records
- Salary increases records
- Disciplinary records
- Performance management records
- Medical history records
- Training records
- Attendance records
- Attendance registers for training records
- Provident fund records
- Pension fund (closed) records
- Records in relation to deductions
- Telephonic and E-mail contact lists for staff
- Driver licences records

#### **4.7 SAFETY, HEALTH AND ENVIRONMENTAL (SHE) DOCUMENTS AND RECORDS**

- **LITTLE EDEN** SHE Rules and Regulations for Service Providers
- SHE Mandatory agreements
- Records relating to incidents in the workplace
- Corrective action records
- Occupational Health and Safety Act minutes and records

- Compensation for Occupational Injuries and Diseases records
- Risk Management Framework
- Policies and Procedures Manual

#### **4.8 INFORMATION TECHNOLOGY DOCUMENTS AND RECORDS**

- Software licences
- Software programmes
- Software applications
- Computer generated databases
- E-mail communications
- Performance statistics
- General correspondence

#### **4.9 GENERAL COMMUNICATIONS**

- The organisation's website can be found at: [www.littleeden.org.za](http://www.littleeden.org.za)



## **PART V**

### **5 INFORMATION REQUEST PROCEDURE**

5.1 The requester of information must comply with all the procedural requirements contained in the Act relating to the request for access to a record. In this regard:

- the requester must use the prescribed form to make the request for access to a record. For ease of reference this prescribed form is attached as Annexure A : Form C – Request for Access to Record of Private Body.
- 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 further 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

5.2 **LITTLE EDEN** will process the request within 30 days, unless the requester has stated special reasons which would satisfy the Information Officer that circumstances dictate that the above time period cannot be complied with.

5.3 The requester shall be informed whether access is granted or denied. If, in addition, the requester requires the reasons for the decision in any other manner, he/she must state the manner and the particulars so required.

- 5.4 Requests for information which are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources shall be refused.

## **PART VI**

### **6 FEES**

- 6.1 Fees will be charged strictly in accordance with the provisions of the Act and Regulations thereto, published in the Government Gazette. For more information on the fees consult the following websites: [www.sahrc.org.za](http://www.sahrc.org.za) and [www.doj.gov.za](http://www.doj.gov.za). The guide provided by the South African Human Rights Commission also provides a section setting out the relevant costs for the requested information.
- 6.2 Before proceeding with a request for access to information:
- the Information Officer will advise the requester of the relevant costs, if applicable, for processing the request
  - the requester may lodge an application with the court against having to pay the requested fee
  - the Information Officer will then make a decision on the request and notify the requester 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

## PART VII

### 7 AVAILABILITY OF THE MANUAL

This manual is available for inspection at **LITTLE EDEN** at the address referred to in Part II and is also available on the organisation's website at: [www.littleeden.org.za](http://www.littleeden.org.za)



**X ROHRBECK**

Chief Executive Officer

6/7/2021

Date



REPUBLIC OF SOUTH AFRICA

### A. Particulars of private body

The Head:

(a) The particulars of the person who requests access to the record must be given below.

(b) The address and/or fax number in the Republic 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.

Capacity in which request is made, when made on behalf of another person:

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

Identity number:

FORM C: REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY

**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:

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2. Reference number, if available:

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3. Any further particulars of record:

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**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.

Reason for exemption from payment of fees:

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# FORM C: REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY

## 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 below, 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 for access 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.	

<b>1. If the record is in written or printed form:</b>					
	copy of record*		inspection of record		
<b>2. If record consists of visual images - (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):</b>					
	view the images		copy of the images*		transcription of the images*
<b>3. If record consists of recorded words or information which can be reproduced in sound:</b>					
	listen to the soundtrack (audio cassette)		transcription of soundtrack* (written or printed document)		
<b>4. If record is held on computer or in an electronic or machine-readable form:</b>					
	printed copy of record*		printed copy of information derived from the 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 to be posted to you? Postage is payable.	YES	NO
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## 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. <b>The requester must sign all the additional folios.</b>
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1. Indicate which right is to be exercised or protected:

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

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FORM C: REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY

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?

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Signed at ..... this day..... of .....year .....

.....  
SIGNATURE OF REQUESTER /  
PERSON ON WHOSE BEHALF REQUEST IS MADE