

PAIA Manual



Prepared in terms of Section 51 of

The Promotion of Access to Information Act 2 of 2000 (“the Act”)

for

Shuttleworth Foundation Trust (IT582/2001)

and the following affiliated trusts:

Shuttleworth Foundation Fundraising No. 1 Trust (IT490/2003)

Shuttleworth Foundation Fundraising No. 2 Trust (IT434/2001)

(“the Trusts”)

Nature of business

The Shuttleworth Foundation Trust and its affiliated trusts are inter vivos trusts. The trusts are engaged in, but not limited to, fundraising and project management and implementation in education and its associated fields.

This is the manual required in terms of section 51 of the Promotion of Access to Information Act 2 of 2000 (“the Act”) to assist persons in obtaining information from the Trusts, as provided for in the Act.

Contact details: Head of Private Body for the purposes of the Act

Name of body:	Shuttleworth Foundation Trust, affiliated trusts as listed above
Head:	The Trustees
Contact person:	Stuart Kirkman (Public Officer)
E-mail:	stuart@shuttleworthfoundation.org
Web site:	www.shuttleworthfoundation.org
Physical address:	12 Plein Street, Durbanville 7550
Postal address:	P.O. Box 4163, Durbanville 7551
Telephone:	+27 21 970 1200
Fax:	+27 21 970 1201



South African Human Rights Commission Guide on how to use the Act

The Guide will be available from the South African Human Rights Commission by not later than August 2003. Please direct any queries to:

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

Telephone:	+27 11 484 8300
Fax:	+27 11 484 0582
Web site:	www.sahrc.org.za
E-mail:	paia@sahrc.org.za

Description of records available in terms of other Legislation

The following records are available in terms of legislation other than the Act:

- All records required to be available in terms of legislation other than the Act, including but not limited to:
 - Income Tax Act 58 of 1962;
 - Value Added Tax Act 89 of 1991;
 - Unemployment Insurance Act 63 of 2001;
 - Labour Relations Act 66 of 1995;
 - Basic Conditions of Employment Act 75 of 1997;
 - Employment Equity Act 55 of 1998;
 - Skills Development Levies Act 9 of 1999;
 - Copyright Act 98 of 1978.
- All records kept in terms of legislation applicable to the activities conducted by the Trust and its affiliated trusts, and the fields in which such activities are conducted in general.

Access to records

Records regarding the following subjects are held:

- Records required in terms of other legislation applicable to the activities of the Trusts.
- Where applicable, records setting out the services offered by the Trusts.
- Records relating to customers of and service providers to the various activities of the Trusts.
- Research records.
- Private body records.
- Personnel records.



The following categories of records may be held in relation to the above subjects:

- Statutory
- Business
- Trade
- Third party
- Grantees
- Commercial
- Financial
- Operational
- Internal and external correspondence
- Legal
- Marketing
- Human resources
- Internal policies and procedures
- Confidential and personal
- Proposals
- Intellectual property

Voluntary disclosures

The website in the **Contact Details** section is available to anyone with internet access and contains some of the information above.

How to request information

- The prescribed application form must be completed. If the requester requires help on where to obtain the application form or any other matter, the requester can contact the Public Officer of the Trust (see contact details above).
- Sufficient detail must be provided on the request form to enable the Public Officer of the private body to identify the record and the requester. The requester should indicate which form of access is required. The requester should 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 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 Public Officer of the private body.
- The completed application form must be sent to the postal address or e-mail address or fax number set out above and marked for the attention of the Public Officer of the Trust (see designation set out above).
- The application will be processed and the requester will be informed of the fees (if any) which must be paid and of the different procedures that must be followed until the application is finalised.

NOTE: Access to certain records may be denied on the grounds set out in the Act.

Availability of the Manual

A copy of this manual is available at the Trusts' offices, on the website referred to above, through the South African Human Rights Commission

Acknowledgement:

In compiling this manual, reference has been made to the guidelines for private bodies for the manual required in terms of section 51 of the Act, provided by the South African Human Rights Commission.



Request for Access to a Record of The Shuttleworth Foundation Trust

(Section 53(1) of the Promotion of Access to Information Act, 2000 (Act No.2 of 2000))
[Regulation 4]

A. Particulars

The Shuttleworth Foundation Trust
12 Plein Street, Durbanville, 7550
P.O. Box 4163, Durbanville, 7551
+27 21 970 1200; +27 21 970 1201

The Head of Information: **Stuart Kirkman**

B. Particulars of person requesting access to the record

1. *The particulars of the person who requests access to the record.*
2. *Furnish an address and/or fax number in the Republic to which information must be sent.*
3. *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: _____

Contact telephone number: _____

E-mail address: _____

Capacity in which request is made, when made on behalf of another person: (attach proof of capacity, power of attorney, resolution)

C. Particulars of person on whose behalf request is made

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

Full names and surname: _____

Identity number: _____



D. Particulars of record

- 1. Provide full details 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.*
- 2. If the space provided for is insufficient to complete this section, 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

- 1. A request for access to the record will only be processed after a request fee has been paid, unless you are exempted from paying such a fee.*
- 2. You will be notified of the amount required to be paid as the request fee.*
- 3. The fee payable for access to the record depends on the form in which access is required.*
- 4. If you believe that you qualify for exemption of the payment of the prescribed fee, please state the reason.*

Reason for exemption from payment of fees:

F. Form of access to record

Mark the appropriate box with an "X".

Notes:

- 1. Your indication as to the required form of access depends on the form in which the record is available.*
- 2. 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.*
- 3. The fee payable for access to the record, if any, will partly be determined 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 included photographs, slides, video recordings, computer generated images, sketches, etc.)

- view the images copy the images* transcription of the images

3. If record consists of recorded words or information which can be reproduced in sound –

- listen to the 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 of record* printed copy of information derived from the record*
 copy in computer readable form* (stiffy or compact disk)

Mark your choice below.

Remember: *If you require a record to be posted to you, you will have to pay a postal fee.*

If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you?

- Yes** **No**

G. Particulars of right to be exercised or protected

If the space provided for is insufficient to complete this section, 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 requested record is required for the exercising 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. If you wish to be informed thereof in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How will you be informed of the decision regarding your request for access to the record?

Signed at _____ on this _____ day of _____ 20_____

Signature of Requester/
Person on whose behalf
request is made



www.shuttleworthfoundation.org