



BRICKFIELDS HOUSING COMPANY (PTY) LTD

(Private Company)

Registration number: 2002/026972/07

**MANUAL PREPARED IN TERMS OF SECTION 51 OF
THE PROMOTION OF ACCESS TO INFORMATION ACT (ACT 2 OF 2000)**

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1 INFORMATION REQUIRED UNDER SECTION 51(1) (a) OF THE ACT

Designated Head of Brickfields Housing Company (Pty) Ltd: Ms. Elize Stroebel

Postal Address of Brickfields Housing Company (Pty) Ltd: PO Box 61738 Marshalltown 2107

Street Address of Brickfields Housing Company (Pty) Ltd: 53 Main Street Marshalltown
Johannesburg 2001

Tel. No of Brickfields Housing Company (Pty) Ltd: +27-10-593-0200

Fax. No of Brickfields Housing Company (Pty) Ltd: +27-11-836-0469

E- Mail address of Brickfields Housing Company (Pty) Ltd Designated Head:
elize@jhc.co.za

Person delegated to deal with requests (for “the designated head”): Kgaugelo Mnisi

E-mail address of the delegated designated head: kgaugelo@jhc.co.za

2 DESCRIPTION OF GUIDE REFERRED TO IN SECTION 10

A Guide has been compiled in terms of Section 10 of PAIA by the South African Human Rights Commission (SAHRC). It contains information required by a person wishing to exercise any right, contemplated by PAIA. It is available in all of the official languages.

The Guide is available for inspection, *inter alia*, at the office of the offices of the Human Rights Commission at 29 Princess of Wales Terrace, corner York and St. Andrews Street, Parktown, Johannesburg, Gauteng and at www.sahrc.org.za

For further information please contact the SAHRC:

E-mail: PAIA@sahrc.org.za

Postal address: Private Bag 2700, Houghton, 2041

Telephone: +27 11 484 8300

Fax: +27 11 484 0582

3 RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION

Records available in terms of other legislation are as follows:

- Broad Based Black Economic Empowerment Act, No 53 of 2003
- Companies Act, No 71 of 2008
- Compensation for Occupational Injuries and Diseases Act, No 130 of 1993
- Constitution of the Republic of South Africa Act, No 108 of 1996
- Consumer Protection Act, No 68 of 2008
- Copyright Act, No 98 of 1978

- Electronic Communications and Transactions Act, No 25 of 2002
- Financial Intelligence Centre Act, No 38 of 2001
- Income Tax Act, No 58 of 1962
- National Building Regulations and Buildings Standards Act, No 103 of 1977
- National Credit Act, No 34 of 2005
- Occupational Health and Safety Act, No 85 of 1993
- Preferential Procurement Policy Framework Act, No 5 of 2000
- Promotion of Access to Information Act, No 2 of 2000
- Promotion of Equality & Prevention of Unfair Discrimination Amendment Act, No 52 of 2002
- Protected Disclosures Act, No 26 of 2000
- Protection of Personal Information Act, No 4 of 2013
- Regulation of Interception of Communications and Provision of Communication Related Information Act, No 70 of 2002
- Rental Housing Act, No 50 of 1999
- Tax Administration Act, 28 of 2011
- Value Added Tax Act, No 89 of 1991
- Various City By-Laws

4 RECORDS AUTOMATICALLY AVAILABLE

No notice has been submitted by the practice to the Minister of Justice and Constitutional Development regarding the categories of records, which are available without a person having to request access in terms of Section 52(2) of PAIA. However, the information on the website of the business is automatically available without having to request access in terms of PAIA.

5 SUBJECTS AND CATEGORIES OF RECORDS HELD BY BRICKFIELDS HOUSING COMPANY

The subjects on which the private body holds records and the categories on each subject in terms of Section 51(1)(e) are as listed below. Please note that a requester is not automatically allowed access to these records and that access to them may be refused in accordance with Sections 62 to 69 of the Act:

5.1 Compliance

- BBBEE compliance
- Internal auditing and risk
- Legislation compliance
- Regulatory reports
- Policies and procedures
- Membership with industry bodies

5.2 Corporate Governance

- Board and sub-committee administration
- Company directorships

- Company registrations
- Strategic management

5.3 Finance

- Audit management
- Budgets
- Creditors control
- Debtors control
- Funders and donors
- Insurance
- Management accounts
- Tax management
- Treasury management
- Utilities management

5.4 Community Development

- Community building initiatives and outreach
- Funding proposals
- Tenant bursaries
- Tenant support services

5.5 Information Technology

- Information systems
- Network security
- Software licences
- Technology assets

5.6 New Developments

- Agreements
- Council documentation
- Development specifications
- Plans
- Project management reports

5.7 Procurement

- Agreements
- Compliance documentation of service providers
- Procurement committee administration
- Procurement proposals and tenders
- Service provider records

5.8 Property Management

- Building management
- Preventative maintenance
- Reactive maintenance

5.9 Resource Centre

- A library has been established which include research reports, books and journals relating to the social housing industry.

5.10 Revenue Management

- Leasing administration and agreements
- Tenant personal information
- Marketing and promotions
- Market research and surveys

6 PURPOSE OF PROCESSING OF PERSONAL INFORMATION

- To support engagement with funders and donors
- To support engagement the media
- To support engagement with service providers
- To support engagement with the general public
- To support engagement with industry bodies
- To support relationships with statutory and other authorities
- To support sales and marketing activities
- To support servicing tenant requirements

7 DATA SUBJECTS CATEGORIES AND THEIR PERSONAL INFORMATION

- Funders and donors: records as maintained by the Company Secretary
- General public: tracking general enquiries and web site visits
- Industry bodies: membership records
- Media: records of media interactions
- Service providers: record of service provider life cycle
- Statutory and other authorities: contact details
- Tenants: record of customer and tenant life cycle

8 PLANNED RECIPIENTS OF PERSONAL INFORMATION

- Financial institutions
- Funders and donors
- Industry bodies
- Law enforcement
- Medical schemes
- Operators (service providers)
- Statutory authorities

9 PLANNED TRANS-BORDER FLOWS OF PERSONAL INFORMATION

- Flows to operators (service providers)
- Flows to donors and funders
- Flows through the use of social media

10 SECURITY MEASURES TO PROTECT PERSONAL INFORMATION

- Physical security measures
 - Access controls
 - Home and mobile measures
 - Internal security measures
- Cyber security measures
 - Anti-spam measures
 - Anti-virus measures
 - Firewalls
 - Password control
- Training in information security
 - Selective training of key staff
- Policies in information security
 - Comprehensive coverage of all IT-related issues
- Audits of information security

11 DETAIL ON HOW TO MAKE A REQUEST FOR ACCESS

The requester must complete Form C and submit this form together with a request fee, to the person delegated to deal with requests (for “the designated head”). The form must be submitted using any of the methods noted below:

Postal Address of Brickfields Housing Company (Pty) Ltd: PO Box 61738 Marshalltown 2107

Street Address of Brickfields Housing Company (Pty) Ltd: 53 Main Street Marshalltown Johannesburg 2001

Tel. No of Brickfields Housing Company (Pty) Ltd: +27-10-593-0200

Fax. No of Brickfields Housing Company (Pty) Ltd: +27-11-836-0469

E-mail address of the delegated designated head: kgaugelo@jhc.co.za

Form of request:

- The requester must use the prescribed form, as attached in terms of Article 8 of this manual, to make the request for access to a record. This must be made to the designated head. This request must be made to the address, fax number or electronic mail address of the body concerned [s 53(1)].
- The requester must provide sufficient detail on the request form to enable the designated head 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 [s 53(2)(a) and (b) and (c)].
- 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 [s 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 designated head of the private body [s 53(2)(f)].
- 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 designated 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 [s 54(1)].
- The fee that the requester must pay to a private body is currently R50,00. The requester may lodge an application to the court against the tender or payment of the request fees 54(3)(b)].
- After the designated 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 [s 54(6)].

Grounds for refusing a request

Brickfields Housing Company (Pty) Ltd has the right to reject any request for information submitted in terms of Sections 62 to 70 of Chapter 4 of the PAIA Act.

12 AVAILABILITY OF THE MANUAL

This manual is available for inspection at the office of Brickfields Housing Company (Pty) Ltd free of charge; from the SAHRC.

Signature omitted for security reasons, signed copy available on request.

Signature of Designated Head of the Private Body

Elizabeth Petronella Stroebe

Name of Designated Head of the Private Body

(Note: each page should be initialled to complete the signing process). *Signed copy available on request.*

04/07/2017

Date of signature _____

Publication date of this manual: 04/07/2017

Next revision date of this document: 04/07/2018

Note: This manual is based on “EXAMPLE OF A MANUAL FOR A PRIVATE BODY” issued by the South African Human Rights Commission, amended to meet the needs of Brickfields Housing Company (Pty) Ltd, with further additions to enhance its usefulness and comply with the Protection of Personal Information Act, No. 4 of 2013.

13 FEES IN RESPECT OF PRIVATE BODIES

The following is a breakdown of the fees structure for the purposes of determining the manner in which fees relating to a request for access to a record of a private body are to be calculated:

Part III of Regulation 187 published in the Government Gazette on the 15 February 2002:

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:
 - a. (a) For every photocopy of an A4-size page or part thereof R1,10
 - b. (b) 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
 - c. (c) For a copy in a computer-readable form on - (i) stiffy disc R 7,50; (ii) compact disc R 70,00
 - d. (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. (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 R50,00.
4. The access fees payable by a requester referred to in Regulation 11(3) are as follows:
 1.
 - 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, 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.

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

In terms of Section 53 (1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) [Regulation 10]

A. Particulars of private body

The Head (name of body): _____

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 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.*

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.

Reason 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: _____

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.

Mark the appropriate choice with an X.

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 the images
- copy of 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 file)
- 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 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

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 _____

SIGNATURE OF REQUESTER / PERSON ON WHOSE BEHALF REQUEST IS MADE

15 FORM E: AUTOMATICALLY AVAILABLE RECORDS

FORM E

AUTOMATICALLY AVAILABLE RECORDS AND ACCESS TO SUCH RECORDS:

(Section 52 of the Promotion of Access to Information Act, 2000

(Act 2 of 2000))

[Regulation 9A]

DESCRIPTION OF CATEGORY OF RECORDS AUTOMATICALLY AVAILABLE IN TERMS OF SECTION 52(1)(a) OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000	MANNER OF ACCESS TO RECORDS (e.g. website) (SECTION 52(1)(b))
FOR INSPECTION IN TERMS OF SECTION 52(1)(a)(i):	
.....
.....
.....
FOR PURCHASING IN TERMS OF SECTION 52(1)(a)(ii):	
.....
.....
.....
FOR COPYING IN TERMS OF SECTION 52(1)(a)(ii):	
.....
.....
.....
AVAILABLE FREE OF CHARGE IN TERMS OF SECTION 52(1)(a)(iii):	
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.....
.....