

21 Nettleton Boutique Hotel & Private Residence

PROMOTION OF ACCESS TO INFORMATION ACT SECTION 51 MANUAL

1. INTRODUCTION

This Manual is published in accordance with section 51 of the Promotion of Access to Information Act No. 2 of 2000 of South Africa. The aim of the Manual is to assist potential Requesters in requesting access to information in the form of documents or records from **21 Nettleton** as specified in the Act.

2. COMPANY OVERVIEW

Clifton 206 CC t/a 21 Nettleton Boutique Hotel & Private Residence.

3. COMPANY INFORMATION

Name of Body: **21 Nettleton**

Physical & Postal Addresses:

19-23 Nettleton Road, Clifton, Cape Town, 8005

21 Nettleton

Head of Body & Information Officer: **Dirk Jacobs**

tel: **0214381122**

email: **dirk@21nettleton.com**

4. HOW TO REQUEST ACCESS TO INFORMATION

Records, whether specifically listed in this manual or not, will only be made available subject to the provisions of the Promotion of Access to Information Act.

Requests for access to records held by **21 Nettleton** must be made on the request forms that are available from the SAHRC website (www.sahrc.org.za).

The Requester must use the prescribed form to make the request for access to a record. This must be made to the Information Officer at the address, fax number or electronic mail address of the body concerned.

When a record is requested, the following will apply:

- Fees may be payable. These fees are prescribed by law and can change. Fees are outlined in this document under Section "8. Fees".
- The Request Form must be completed. It can be obtained on the SAHRC website (www.sahrc.org.za) or on the website of the Department of Justice (www.justice.gov.za).
- On the Request Form, all details must be completed, including the right the requester wants to protect by requesting the information.

- If the requester is acting on behalf of someone else, the signature of the other person as the one who has authorised the request to be made is required.
- The requester must state in which form (inspection of copy, paper copy, electronic copy, transcript, etc) they want to access the information.
- If the record is part of another record, the requester will only be able to access the part(s) that pertains to the information they want or are entitled to, and not the rest of the record.
- All requests will be evaluated against the provisions of the Act. The Act allows the Information Officer to refuse access on grounds stipulated in the Act.
- An answer to a request for information must be made within 30 days of the request, and if not granted and the requester is not satisfied they can approach the courts within 30 days.

Queries should be directed to:

The South African Human Rights Commission

PAIA Unit Research and Documentation Department

Postal Address:

Private Bag 2700 Houghton 2041 South Africa

tel: 011 877 3600

fax: 011 403 0625

email: paia@sahrc.org.za

website: www.sahrc.org.za

5. INFORMATION KEPT IN TERMS OF OTHER LEGISLATION

Records are kept in accordance with the legislation applicable to **21 Nettleton**, which includes but is not limited to:

- Basic Conditions of Employment Act, No. 75 of 1997;
- Companies Act, No. 61 of 1973
- Companies Act, No. 71 of 2008;
- Compensation for Occupational Injuries and Diseases Act, No. 130 of 1993;
- Competition Act, No. 89 of 1998;
- Constitution of the Republic of South Africa 108 of 1996;
- Consumer Protection Act, No. 68 of 2008;
- Copyright Act, No. 98 of 1978;
- Currency and Exchanges Act, No. 9 of 1933;
- Credit Agreements Act, No. 75 of 1980;
- Debt Collectors Act, No. 114 of 1998; 5
- Electronic Communications and Transactions Act, No. 25 of 2002;
- Employment Equity Act, No. 55 of 1998;
- Financial Intelligence Centre Act, No. 38 of 2001;
- Income Tax Act, No. 58 of 1962;
- Labour Relations Act, No. 66 of 1995;
- Medical Schemes Act, No. 131 of 1998;
- National Credit Act, No. 34 of 2005;
- Occupational Health and Safety Act, No. 85 of 1993;
- Pension Funds Act, No. 24 of 1956;

- 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;
- Skills Development Act, No. 97 of 1998;
- Skills Development Levies Act, No. 9 of 1999;
- Tax on Retirement Funds Act; No. 38 of 1996;
- Trade Marks Act, No. 194 of 1993;
- Trust Property Control Act, No. 57 of 1988;
- Unemployment Insurance Act, No. 63 of 2001;
- Unemployment Insurance Contributions Act, No. 4 of 2002;
- Value Added Tax Act, No. 89 of 1991.

6. INFORMATION FREELY AVAILABLE

The following general information is available in the public domain and does not require an official request in terms of the Act:

- Newsletter
- News
- Brochures
- Rates and prices
- Room configuration
- Function facilities
- Dining facilities
- Menus
- Wine lists
- Photo gallery
- Packages and promotions
- Reservation deposit and cancellation policies
- Booking online
- Products and services
- Location and directions
- Privacy policy
- PAIA Manual

7. INFORMATION KEPT BY 21 Nettleton IN TERMS OF THE ACT

(Information required under section 51(1)(d) of the Act)

Financial Records

- Annual financial statements of **21 Nettleton**
- Tax returns of **21 Nettleton**
- Accounting records of **21 Nettleton**
- Banking records of **21 Nettleton**
- Audit reports conducted for **21 Nettleton**
- Invoices in respect of creditors and debtors of **21 Nettleton**
- Bank facilities and account details

Company Records

- Documents of incorporation

- Memorandum and Articles of Association
- Share register and other statutory registers
- List of employees
- Contracts of employment with employees of **21 Nettleton**

Human Resources

- Personnel records of each employee of **21 Nettleton**
- Disciplinary records
- Compensation or redundancy payments
- Records relating to conditions of employment
- Employment equity plan of **21 Nettleton**
- Pension and provident fund records
- Employee tax information
- Training schedules and manuals
- Agreements with clients of **21 Nettleton**
- Files relating to client matters
- Payroll records
- Internal policies and procedures of **21 Nettleton**

Clients

- Client documentation
- Correspondence with clients
- Correspondence with third parties
- Research conducted on behalf of clients of **21 Nettleton**
- Other information relating to, or held on behalf of **21 Nettleton**
- Licences relating to intellectual property rights

Intellectual Property

- Trade-marks, copyrights and designs held by **21 Nettleton**
- Software licences

Immovable and Movable Property

- Agreements for the lease of immovable property by **21 Nettleton**
- Agreements for the lease or sale of movable property by **21 Nettleton**
- Records regarding insurance in respect of movable property
- Records regarding insurance in respect of immovable property
- Asset register

Information Technology

- Records regarding computer systems and programmes held by **21 Nettleton**

Website

- **21 Nettleton**'s website address is **www.21nettleton.com** and is accessible to anyone who has access to the Internet. The website contains various categories of information relating to the business, including service offerings, employees, clients, contact information and blog articles.

Miscellaneous

- Security agreements, guarantees and indemnities
- Marketing agreements
- Internal correspondence
- Agreements with suppliers of **21 Nettleton**

- Correspondence of **21 Nettleton**

Front of Hotel

- Guest database
- Guest history
- Guest accounts
- Guest reservation data
- Reservation deposit and cancellation policies
- Statistical data

8. FEES

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 requesting access to a record containing personal information about him/her or itself, must pay the required request fee.

The Information Officer must by notice require the Requester (other than a personal Requester) to pay the prescribed request 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. If access to a record/s is granted by **21 Nettleton**, the Requester may be required to pay an access fee for the search for and preparation of the records and for re-production of the record/s.

The access fees which apply are set out below. **21 Nettleton** can withhold a record/s until such access fees have been paid.

#	Request	Fee in Rands
1	Photocopy of an A4-size page or part thereof	R10.10 per page
2	Printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	R10.75 per page
3	A copy of, in a computer-readable form on: <ul style="list-style-type: none"> • Stiffy disc • Compact disc 	R170.50 R270.00
4	Transcription of visual images on an A4-size page or part thereof	R140.00 per page
5	Copy of visual images	R160.00
6	Transcription of an audio record on an A4-size page or part thereof	R120.00
7	Copy of an audio record	R130.00

9. RECORDS OR INFORMATION NOT FOUND

If, after all reasonable steps to locate a record have been taken, and no record is found, then the Information Officer will notify the Requester, by way of an affirmation that access to the requested and titled document cannot be provided. The affirmation will include a detailed account of the steps taken to try to locate the record. Should a record be found at a later stage, the Information Officer shall provide the Requester access to such record, unless access to the record is refused on

the grounds permitted by the Act.

10. AVAILABILITY OF THIS MANUAL

A copy of this Manual is available:

- At our office at **21 Nettleton** on request
- On request from our Information Officer
- On our website: **www.21nettleton.com**
- From the South African Human Rights Commission ("SAHRC") at the addresses and/or telephone numbers as published by the Commission

This Manual will be updated as and when required.

Last Updated: 1 July 2021