

**MANUAL PREPARED IN ACCORDANCE WITH SECTION 51 OF THE PROMOTION OF ACCESS TO
INFORMATION ACT NO 2 OF 2000
("The Act")**

FOR

**OYSTER BOX HOTEL PROPRIETARY LIMITED
(Registration Number 2006/016293/07)**

Company Overview

Oyster Box Hotel (Pty) Ltd is a professional company that provides hotel accommodation services.

Part I

(Information required under Section 51(1)(a) of the Act)

Name of body:	Oyster Box Hotel (Pty) Ltd
Physical address:	2 Lighthouse Road Umhlanga Rocks 4319
Postal address:	P.O Box 22 Umhlanga Rocks 4320
Head of body:	Leslie Heaven
Telephone no:	(031) 514 5000
Fax no:	(031) 514 5111
Email:	financialmanager@oysterbox.co.za

Part II

(Information required under Section 51(1)(b) of the Act)

A guide on how to use the Act is to be compiled by the Human Rights Commission in terms of Section 10 of the Act by no later than August 2003. Any queries should be directed to:

The South African Human Rights Commissioner:
PAIA Unit, The Research and Documentation Department

Postal address:	Private Bag Houghton 2070
Telephone:	+27 11 484 8300
Fax:	+27 11 484 0482
Website:	www.sahrc.org.za
E-mail:	PAIA@sahrc.org.za

Part III

(Copy of Notice, in any, required under Section 51(1)(c) of the Act).

Currently not applicable.

Part IV

(Information required under Section 51(1)(d) and (e) of the Act)

For the purposes of this manual and the Act, the records held by Oyster Box Hotel (Pty) Ltd are categorized by the nature of the content thereof as follows:

4.1 Records kept in accordance with other statutory legislation, including but not limited to:

- 4.1.1 Companies Act Number 61 of 1973;
- 4.1.2 Income Tax Act 95 of 1967
- 4.1.3 Regional Services Councils Act 109 of 1985
- 4.1.4 Unemployment Insurance Act 63 of 2001
- 4.1.5 Unemployment Contributions Act 4 of 2002
- 4.1.6 Labour Relations Act 66 of 1995 as amended
- 4.1.7 Basic Conditions of Employment Act 75 of 1997
- 4.1.8 Employment Equity Act 55 of 1998
- 4.1.9 Skills Development Levies Act 9 of 1999
- 4.1.10 Skills Development Levies Act 9 of 1999
- 4.1.11 Pension Funds Act 24 of 1956
- 4.1.12 Compensation for Occupational Injuries & Diseases Act 130 of 1993
- 4.1.13 Copyright Act 98 of 1978
- 4.1.14 Occupational Health & Safety Act 85 of 1993
- 4.1.15 Value Added Tax Act 89 of 1991
- 4.1.16 Bargaining Council Agreement (Restaurant & Catering trades)
- 4.1.17 Broad based Black Economic Empowerment Act
- 4.1.18 Certificate of Acceptability for Food Service
- 4.1.19 Competition Act
- 4.1.20 Consumer Protection Act
- 4.1.21 Electronic Communications and Transactions Act
- 4.1.22 Environmental Health and Safety Act
- 4.1.23 Financial Intelligence Centre Act
- 4.1.24 Hospitality Sectoral Determination No 14
- 4.1.25 Immigration Act - registration of Guests
- 4.1.26 KwaZulu-Natal gaming and Betting Act
- 4.1.27 KwaZulu-Natal Tourism Act
- 4.1.28 Medical Schemes Act
- 4.1.29 National Building Regulations and Building Standards Act
- 4.1.30 National Credit Act
- 4.1.31 National Environmental Management Act
- 4.1.32 National Gambling Act
- 4.1.33 National Liquor Act
- 4.1.34 National Water Act
- 4.1.35 Patents Act
- 4.1.36 Prevention of Organised Crime Act
- 4.1.37 Promotion of Access to Information Act
- 4.1.38 Promotion of Equality and Prevention of Unfair Discrimination Act
- 4.1.39 Protected Disclosures Act
- 4.1.40 Public Holidays Act
- 4.1.41 Road Transport Act
- 4.1.42 Safety at Sports and Recreational Events Act
- 4.1.43 Security Officers Act
- 4.1.44 Short-term Insurance Act
- 4.1.45 South African Reserve Bank Act
- 4.1.46 Tobacco Products Control Act
- 4.1.47 Tourism Act (National)
- 4.1.48 Tourism Sector Charter BBBEE Sector code

The above records which are of a public nature are available automatically without a person having to request access thereto in terms of the Act, as envisaged in Section 52.

- 4.2 Records relating to the commercial, financial and professional interests of Oyster Box Hotel (Pty) Ltd including but not limited to its client data base, fee structures, commercial contracts with third parties and its business plans, systems and procedures;
- 4.3 Records of personal information of present, past and prospective employees and directors Oyster Box Hotel (Pty) Ltd;
- 4.4 Records of clients of Oyster Box Hotel (Pty) Ltd containing personal information, commercial and financial information, information pertaining to contemplated, existing and past litigation, information on agreements, proposals and intellectual and other property of such clients.
- 4.5 The website address of Oyster Box Hotel (Pty) Ltd is www.oysterboxhotel.com and is accessible to anyone who has access to the internet. The website contains information in various categories relating to the company, its contact particulars and its fields of expertise.

A. The Request Procedure

i. Form of Request

- The requester must have the prescribed form being **Schedule 1** hereto to make the request for access to a record. This must be made to the head. This request must be made to the address, fax number or electronic mail address of Oyster Box Hotel (Pty) Ltd.
- The requester must provide sufficient detail on the request form to enable the head to identify the record and the requester. The requester should also indicate which form of access is required and specify a postal address or fax number in the Republic. The requester should also indicate if, in addition to a written reply, 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 the right.
- If a request is made on behalf of another person, the requester must submit proof of the capacity in which the requester is making the request to the satisfaction of the head.

ii. Fees

A requester who seeks access to a records 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 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 is R50. The requester may lodge an application to the court against the tender or payment of the request fee.
- After the head 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 reproduction and for search and preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

Part V

(Other information as may be prescribed under Section 51(1)(f)).

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

Part VI

(Availability of manual under Section 51(3))

An unabridged version of this manual is available for inspection by the general public upon request, during office hours and free of charge at the office of Oyster Box Hotel (Pty) Ltd Copies may also be requested from the South African Human Rights Commission and the Law Society of the Northern Provinces.

Part VII

(Prescribed form and fee structure in respect of private bodies)

The forms and fee structure prescribed under the Act are available at the website of the Department of Justice and Constitutional Development (www.doj.gov.za) under the "regulations" section.

REQUEST FOR ACCESS TO A RECORD OF

OYSTER BOX HOTEL (PTY) LTD

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

[Regulation 4]

A. Particulars:

OYSTER BOX HOTEL (PTY) LTD
2 Lighthouse Road, Umhlanga, 4319
P.O. Box 22, Umhlanga Rocks, 4320
(031) 514 5000, (031) 514 5111, financialmanager@oysterbox.co.za

The Head of Information: Leslie Heaven

B. Particulars of person requesting access to the record

1. *The particulars of the person who requests access to the*
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 only 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 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.*
2. *If the space provided for is sufficient 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 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 for your belief.*

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
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1. **If record consists of visual images** – this includes photographs, slides, video recordings, computer generated images, sketches, etc.)

view the images	copy the images*	transcription of the images
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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)
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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)
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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 YES NO transcription to be posted to you?

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