



Promotion of Access to Information Act: Section 51 Manual

1. INTRODUCTION

This Manual has been prepared by section 51 of the Act and aims to facilitate a Request for access to a record held by a private body required for the exercise or protection of any rights.

2. DEFINITIONS

Unless the context indicates otherwise, the following terms shall have the meanings assigned to them hereunder, namely –

- “Act” means the Promotion of Access to Information Act, Act 2 of 2000, as amended from time to time;
- “Company” means MyFiladelfia Skills Development as more fully described in the overview hereunder;
- “Information Officer” means the person acting on behalf of the Company and discharging the duties and responsibilities assigned to the Company’s head by the Act. This officer has been duly authorised to act in this capacity by the head of the Company in writing;
- “Manual” means this manual published in compliance with Section 51 of the Act;
- “Record” means any recorded information, regardless of form or medium, which is in the possession or under the control of the Company, irrespective of whether or not the Company created it;
- “Request” means a request for access to a record of the Company;
- “Requestor” consists of any person requesting access to a record of the Company, including any public body or official;
- “SAHRC” means the South African Human Rights Commission.



- Unless a contrary intention appears, words signifying:-
- the singular includes the plural and vice versa;
- any one gender includes the other genders and vice versa; and
- natural persons include juristic persons.

Unless otherwise stated, terms defined in the Act shall have the same meaning in this Manual.

3. OVERVIEW OF THE COMPANY

Filadelfia Christelike Berading Kaapprovinsie CC/TA MyFiladelfia Skills Development Provider (Reg. No. 2010/055823/23) is a Company incorporated by the company laws of South Africa.

The Founder is JOHN HENRY MARTIN. MyFiladelfia is a Services SETA Registered Skills Development Provider (Accreditation number 12267) that focuses on community upliftment, enriching everyone's lives with whom we partner. We equip individuals through skills development training in Christ centred Biblical Counselling, Pastoral counselling, Theological Skills Training, Life Skills Courses, Coaching, Mentoring and soft skills training. Our team has become passionate about equipping those who believe their calling is a calling to serve, as relationships are the lifeblood of what we do.

This Manual applies to all South African entities, both jointly and severally, and such entities are referred to both individually and collectively as the MYFILADELFIA group.

4. CONTACT DETAILS OF INFORMATION OFFICER (SECTION 51(1)(a))

The Chief Executive of the Company, as head of the private body, has delegated his powers to the Company Secretary, as Information Officer, whose details appear hereunder for purposes of dealing with all matters in connection with Requests for information on the Company's behalf and to ensure compliance with the Act.

- Managing Director: Mr JH Martin
- Postal address: PO BOX 1337, PAARL, 7646
- Email: jack@myfiladelfia.com
- Website: <https://myfiladelfia.com>



5. GUIDE TO THE ACT (SECTION 51(1)(b) READ WITH SECTION 10)

The SAHRC has compiled a guide, as required by Section 10 of the Act, containing such information as may reasonably be required by a person who wishes to exercise any right contemplated in this Act.

- The guide is available on the SAHRC website, <https://www.sahrc.org.za/>.
- The SAHRC can be contacted directly at The South African Human Rights Commission: PAIA Unit
- The SAHRC website at <https://www.sahrc.org.za/> at this link:
<http://www.sahrc.org.za/home/21/files/Form%20C.doc>
or
- The Department of Justice and Constitutional Development website at www.justice.gov.za at this link:
https://www.justice.gov.za/forms/paia/J752_paia_Form%20C.pdf

6. AUTOMATIC DISCLOSURE - CATEGORIES OF RECORDS AVAILABLE WITHOUT HAVING TO REQUEST ACCESS [SECTION 51(1)(c)]

The following Records are automatically available without a person having to request access in terms of the Act:

The web page www.myfiladelfia.com is accessible to anyone who has access to the Internet. The Company website hosts the following categories of information:

- Brands
- Company info
- Corporate Info
- Corporate Profile
- Financial Results: annual financial statements and interim reports
- Integrated Report
- Memorandum of Incorporation
- BEE Industry Scorecard
- Product and promotional brochures/pamphlets
- News and marketing information
- Corporate communications
- Other literature intended for public viewing.



7. RECORDS AVAILABLE IN TERMS OF LEGISLATION [SECTION 51(1)(d)]

The following legislation keeps records:

- Basic Conditions of Employment Act, 1997
- Broad-Based Black Economic Empowerment Act, 2003
- Businesses Act, 1991
- Companies Act, 2008
- Consumer Protection Act, 2008
- Compensation for Occupational Injuries and Diseases Act, 1993
- Copyright Act, 1978
- Electronic Communications and Transactions Act, 2002
- Employment Equity Act, 1998
- Harmful Business Practices Act, 1999
- Income Tax Act, 1962
- Labour Relations Act, 1995
- Long Term Insurance Act, 1998
- Occupational Health and Safety Act, 1993
- Skills Development Act, 1998
- Skills Development Levies Act, 1999
- Trademarks Act, 1993
- Unemployment Insurance Act, 2001
- Value Added Tax Act, 1991

8. CATEGORIES OF RECORDS HELD AND SUBJECT TO REQUEST

- Statutory and Legal:
 - Statutory registers
 - annual reports
 - statutory Records & returns, including incorporation documents, memorandum of incorporation and share register
- minutes of meetings
 - board
 - board and statutory committees
 - management committees
- contractual and legal agreements



- intellectual-property: trademarks certificates
- licenses
- copyrights & designs
- health and safety Records
- Human Resources
 - HR policies & procedures
 - Employment equity plan and report
 - Skills development plan and report
 - Employee Records
 - Benefits
 - IR disciplinary and grievance procedures and hearings, including CCMA Records
 - Union negotiation Records
 - Incentive scheme rules
- Administration, Finance & Accounting:
 - Accounting Records
 - Auditors reports
 - Tax returns
 - VAT returns
- Policies & procedures
 - Retirement Fund
 - Pension and provident fund rules
 - Correspondence
 - Statutory Records and returns
 - Insurance
 - Policies, including coverage, limits and insurers
 - Claim Records
- Information technology
 - Hardware
 - Software packages
 - Licences
 - IT policies and procedures
 - Operating systems
- Sales and Marketing
 - Customer Records
 - Credit application forms
 - Statements of account
 - Terms & conditions



- Marketing material and media releases: brochures, newsletters and advertising materials
- Assets
 - Land and building register
 - Fixed assets register
 - Title deeds
 - Leases

9. Operational information

This information can be defined as information needed in the day-to-day running of the organisation. (Examples of such information are: internal telephone lists, address lists, company policies, company procedures, human resource manual, administration manual, industry-related statistical data, guest database, historical guest histories, guest reservation data, management information reports, property development information such as title deeds, lease agreements, construction contracts and architectural drawings).

10. ACCESS: PROCEDURE AVAILABLE AND FEES

- **How to Request a Record (Section 53)**
 - Requests for access to records must be made to the Information Officer in the prescribed form, Annexure 1 at the address, fax number, or electronic mail address referred to in 1 above. Failure to make use of the prescribed form could result in the request being refused or delayed.
 - A Request for access to a Record must be accompanied by payment of an initial non-refundable Request fee of R57.00 (inclusive of VAT). This fee does not apply to personal Requests, i.e. individual seeking access to Records about him/herself.
 - The Requestor must provide sufficient detail on the request form to enable the Information Officer to identify the record and the Requestor's identity, which is to be accompanied by positive proof of identification.
 - The Requestor must indicate which form of access is required and if he/she wishes to be informed on the decision on the request in any other manner, to state the necessary particulars to be so informed.
 - Access is not automatic. The Requestor must therefore identify the right he/she is seeking to exercise or protect and explain why the requested record is required for the exercise or protection of that right.



- Requestors making requests on behalf of individuals should prove to the Information Officer that they have the authority to do so. Failure to do so will result in the request being rejected.

11. Decision on Request (Section 56)

- The Requestor will be notified within 30 days of the outcome of his/her request, or if an extension will be necessary of no more than 30 days.
- The access request must be granted if the records are reproduced, searched, and prepared and if additional time was necessary to prepare the records. Access will be withheld until the Requestor has made payment of the applicable fee(s).
- If the access request is refused, reasons for the refusal will be provided, and the Requestor will be advised he/she may lodge an application with a court against the refusal of the request and the procedure for lodging the application.
- The Requestor may lodge an internal appeal or an application to the court against the tender or payment of the Request fee.

12. Availability

- This Manual is available on the company website, <https://myfiladelphia.com/privacy-policy>.

COMPILED BY THE INFORMATION OFFICER –


JH MARTIN

1 JULY 2021