

South African Hajj and Umrah Council



ACCESS TO INFORMATION MANUAL (PRIVATE BODY)

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

1. Purpose of the Manual in terms of PAIA

The purpose of this Manual is to assist people wishing to access information in terms of the PAIA from The South African Hajj and Umrah Council

2. Request for access to information

In the event that a person or entity requires access to information as contemplated in the Act, the requester must

- (1) Contact by registered mail

The Secretary-General (for the time-being)

PO Box 787616, Sandton, 2146

In terms of section 25(2) states that:

- (2) If the request for access is granted, the notice in terms of subsection (1)(b) must state—

- (a) **the access** fee (if any) to be paid upon access;

- (b) the form in which access will be given; and

- (c) that the requester may lodge an internal appeal or an application with a court, as the case may be, against the access fee to be paid or the form of access granted, and the procedure (including the period – 30 calendar days) for lodging the internal appeal or application, as the case may be.

- (3) If the request for access is refused, the notice in terms of subsection (1)(b) must—

- (a) state adequate reasons for the refusal, including the provisions of this Act relied upon;

- (b) exclude, from such reasons, any reference to the content of the record; and

- (c) state that the requester may lodge an internal appeal or an application with a court, as the case may be, against the refusal of the request, and the procedure (including the period) for lodging the internal appeal or application, as the case may be.

3. Background of the South African Hajj and Umrah Council:

The South African Hajj and Umrah Council was formed in 1994 between the Department of Foreign Affairs and the Saudi Arabian Hajj Authorities with the specific aim to manage and administer the Hajj process for Muslim Pilgrims to Saudi Arabia.

4. Organisation Details

- a. South African Hajj and Umrah Council
- b. Office no.3 Cuppo Arcade, 41 Central Road, Fordsburg, Johannesburg
- c. Box 787616 Sandton 2146
- d. 011 838 9786 (tel) or fax 086 672 4913 or email – Shaheen@netactive.co.za
- e. www.sahuc.org.za / www.sahuchajjregistry.org.za

5. Details of the information officer:

The Secretary General (for the time being – The Secretary General Mr. S A Essop

6. Section 51(1) (c)

Categories of records of SAHUC which are available without a person having to request access in terms of the Act in terms of Section 52.2

No notice of such record has been made to the Minister.

In terms of Section 52, a private body may, on a voluntary and periodic basis, submit to the Minister a description of categories of records which are automatically available without a person having to request access in terms of this Act. This includes records which are available:

Constitution of the South African Hajj and Umrah Council

Audited Annual Financial Statements

Agreements entered into between SAHUC and the Saudi Arabian Ministry of Hajj, commonly known as the Hajj Protocols

7. Section 51(1) (d)

The manual must describe those records which a private body must make available in terms of any other legislation. It is recommended that on completing this portion of the manual, information officers should consult with their Secretarial and Legal Services for input and guidance. In the process, it is recommended that the following legislation be considered. This list is by no means exhaustive, and is intended to serve as a guide only.

- Arbitration Act 42 of 1965
- Basic Conditions of Employment Act 75 of 1997
- Compensation for Occupational Injuries and Diseases Act 130 of 1993
- Competition Act 89 of 1998
- Consumer Protection Act 68 of 2008
- Copyright Act 61 of 1978
- Electronic Communications and Transactions Act 25 of 2002
- Employment Equity Act 55 of 1998
- Interception and Monitoring Prohibition Act 127 of 1992
- Labour Relations Act 66 of 1995
- Non-profit Organisations Act 71 of 1997.
- Occupational Health and Safety Act 85 of 1993
- Prevention of Organised Crime Act 121 of 1998
- Protection of Businesses Act 99 of 1978
- Trade Marks Act 194 of 1993
- Trust Property Control Act 57 of 1988
- Unemployment Insurance Act 63 of 2001
- Unemployment Insurance Contributions Act 4 of 2002

8. Section 51(1) (e)

This section of the manual must set out a description of the subjects on which your organisation holds record, and categories of records held on each subject. These include operational records of your organisation utilised in the day to day running and administration of its administration, such as:

- Web Pages – www.sahuc.org.za and www.sahucahijregistry.org.za is accessible to anyone who has access to the internet. NOTE : automatic access to certain sections of the websites may be limited.

Other Records:

- Operational Information – this information can be defined as information needed in the day to day running of the organisation and is generally of little to no use to persons outside the organisation – examples of such information are (not an exhaustive list) – requisitions, internal phone lists, address lists, directives, contracts, employee records and general house-keeping information.
- Circulars
- Information Technology

- Policies
- Minutes of Meetings – automatic access of minutes is limited to members of particular committees.
- Disciplinary files
- Electronic databases.
- Financial records.
- Correspondence

9. Requesting Procedure

A person who wants access to the records must complete the necessary request form, as set out in Annexure 1, and the completed form must be sent to the address or fax number provided in this manual, and marked for the attention of the information officer.

The requester must indicate which form of access is required, and identify the right that is sought to be exercised or protected, and provide an explanation of which the requested record is required for the exercise or protection of that right. Proof of the capacity in which the requester is requesting the information

10.2 Availability of the Manual

10.2.1 This manual is available for inspection by the general public upon request during office hours and there is no charge for viewing the manual at our offices. Copies of the manual may be made available subject to the prescribed fees.

10.2.2 Copies may also be requested from the South African Human Rights Commission at the address indicated below.

10.3 Fees

A requester who seeks access to a record containing personal information about that requester is not required to pay the request fees. Any other requester who is not a personal requester must pay the required fee:

10.3.1 A fee will be required by the head (*contact person*) before further processing of the request in terms of S54 of the Act

10.3.2 A requester fee of R50 should be paid, this amount will be refunded should the request for access be refused

10.3.3 A portion of the access fee (not more than one third) may be required before the request is considered

10.3.4 The requester may lodge an application with a court against the payment of the request fee in terms of S54(3)(b) of the Act

10.3.5 The head may withhold a record until the requester has paid the applicable fees

10.4 Details of the South African Human Rights Commission

Any queries with regard to this manual should be directed to:

The South African Human Rights Commission; PAIA Unit

Research and Documentation Department

Private Bag 2700

Houghton

2041

Phone: 011 484 8300

Fax: 011 484 0582

Email: PAIA@sarhc.org.za

SIGNED FOR AND ON BEHALF OF SOUTH AFRICAN HAJJ AND UMRAH COUNCIL (SAHUC) ON 28TH
DECEMBER 2011

SA ESSOP

SECRETARY-GENERAL

H SALIE

PRESIDENT

Annexe 1.

PRESCRIBED REQUEST FORM
REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY
(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: South African Hajj and Umrah Council (SAHUC)

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:

Mark the appropriate box with an X.

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.

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)