



**USB EXECUTIVE DEVELOPMENT (PTY) LTD**

Registration Number: 1999/027839/07

**INFORMATION MANUAL**

in terms of Section 51 of the Promotion of Access to Information Act 2 of 2000

(the "ACT")

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## 1. INTRODUCTION

- 1.1 USB Executive Development (Pty) Ltd (“USB-ED”) is a private company conducting business by offering a range of different education solutions in leadership, innovation and collaborative learning. This includes short courses for individuals and custom-made courses for corporate companies wishing to provide their staff with customised training informed by their needs. Courses are presented through online learning environments, face-to-face or blended to incorporate various methods.
- 1.2 This manual (“manual”) has been compiled in compliance with section 51 Promotion of Access to Information Act 2 of 2000 (“PAIA”).
- 1.3 This manual is available in English on USB-ED’s website: [www.usb-ed.com](http://www.usb-ed.com)

## 2. COMPANY CONTACT DETAILS

Persons designated/duly authorised persons for purposed of PAIA:

### 2.1 Information Officer

Name	Dr Chris van der Hoven
Postal address	PO Box 610 Bellville 7535
Street address	Carl Cronjé Drive, Bellville 7530
Telephone number	+27 21 918
Email	<a href="mailto:paia@usb-ed.com">paia@usb-ed.com</a>

### 2.2 Deputy Information Officer

Name	Ms Auriel Bayard
Postal address	PO Box 610 Bellville 7535
Street address	Carl Cronjé Drive, Bellville 7530
Telephone number	+27 21 918
Email	<a href="mailto:paia@usb-ed.com">paia@usb-ed.com</a>

### **3. REQUEST FOR ACCESS IN TERMS OF PAIA**

- 3.1 Requests for access to records held by USB-ED in terms of the Act must be addressed to the Information Officer and be made by completing the attached request form, Annexure A, and against payment at the rates set out in paragraph 8 below, where applicable.
- 3.2 The prescribed form must be completed with sufficient details to enable USB-ED to attend to the request for information.
- 3.3 Should a request be made on behalf of another person, then the requester must submit proof of the capacity in which the request is being made.
- 3.4 Requesters are referred to the guide which has been compiled by the South African Human Rights Commission in terms of Section 10, which contains information for the purposes of exercising constitutional rights. The guide is available from the South African Human Rights Commission, contact details are as follows:

Postal address	South African Human Rights Commission Private Bag 2700, Houghton, 2041
Telephone number	+27-11-877 3600
Fax number	+27-11-403 0625
Website	<a href="http://www.sahrc.org.za">www.sahrc.org.za</a>
E-mail	<a href="mailto:info@sahrc.org.za">info@sahrc.org.za</a>

### **4. CATEGORIES OF INFORMATION AVAILABLE WITHOUT REQUEST**

- 4.1 No categories of information available from USB-ED without making a request in terms of PAIA have been published.

## 5. RECORDS HELD IN TERMS OF OTHER LEGISLATION

Where applicable to our operations, we also retain records and documents in terms of the following legislation:

No	Act	Reference
1.	Basic Conditions of Employment Act	No. 75 of 1997
2.	Broad-Based Black Economic Empowerment Act	No. 53 of 2003
3.	Companies Act	No. 61 of 1973 and 71 of 2008
4.	Currency and Exchanges Act	No. 9 of 1933
5.	Employment Equity Act	No 55 of 1998
6.	Income Tax Act	No. 95 of 1967
7.	Labour Relations Act	No. 66 of 1995
8.	Occupational Health & Safety Act	No. 85 of 1993
9.	Promotion of Access to Information Act	No. 2 of 2000
10.	Protection of Personal Information Act	No. 4 of 2013
11.	SA Reserve Bank Act	No. 90 of 1989
12.	Skills Development Levies Act	No. 9 of 1999
13.	Skills Development Act	No. 97 of 1998
14.	Unemployment Contributions Act	No. 4 of 2002
15.	Unemployment Insurance Act	No. 63 of 2001
16.	Value Added Tax Act	No. 89 of 1991

*(Although every endeavour has been made to provide a complete list of applicable legislation, it is possible that the above list may not be complete. We undertake to update our list if it comes to our attention that existing or new legislation allows a requestor access to information on a basis other than that set out in PAIA).*

## 6. SUBJECTS AND CATEGORIES OF RECORDS HELD

The following are the subject and categories of records held:

SECRETARIAL	<ul style="list-style-type: none"> <li>• Certificate of Incorporation</li> <li>• Certificate of change of name</li> <li>• Memorandum of Incorporation</li> <li>• Minute book as well as resolutions passed by board of directors</li> <li>• Register of shareholders and shares</li> <li>• Register of directors and information</li> <li>• Share Certificates</li> <li>• Directors' meetings records</li> <li>• Annual Financial Statements including: <ul style="list-style-type: none"> <li>○ Directors' reports</li> <li>○ Auditor's reports</li> </ul> </li> </ul>
OPERATIONAL AND OTHER RECORDS	<ul style="list-style-type: none"> <li>• Archival Administration Documentation</li> <li>• Insurance (insurance arrangements, policies and claims)</li> <li>• Asset register</li> <li>• BEE Scorecard Information</li> <li>• Tender applications</li> <li>• Internal correspondence</li> <li>• Internal policies and procedures</li> </ul>
HUMAN RESOURCES	<ul style="list-style-type: none"> <li>• Employments contracts</li> <li>• Medical Aid records</li> <li>• Pension fund and retirement benefit records</li> <li>• Disciplinary records</li> <li>• Remuneration and position information</li> <li>• Banking information</li> <li>• Training Records</li> <li>• Performance review records</li> <li>• Correspondence relating to personnel</li> <li>• Leave records</li> <li>• UIF Returns</li> <li>• Internal policies and procedures</li> </ul>
FINANCIAL	<ul style="list-style-type: none"> <li>• VAT Records</li> <li>• PAYE records</li> <li>• Fixed asset register</li> <li>• Banking records</li> <li>• UIF Records</li> <li>• Management reports</li> <li>• Invoices</li> <li>• Debtors and creditors information</li> <li>• Annual financial statements</li> </ul>

INFORMATION MANAGEMENT AND TECHNOLOGY	<ul style="list-style-type: none"> <li>• Services Level Agreements</li> <li>• Equipment Register</li> <li>• Policies, Procedures and guidelines</li> <li>• Licensing agreements</li> </ul>
MARKETING AND COMMUNICATION	<ul style="list-style-type: none"> <li>• Marketing strategies</li> <li>• Communications strategies</li> <li>• Brochures</li> <li>• Newsletters</li> <li>• Social media articles</li> <li>• Agreements</li> </ul>
AGREEMENTS AND CONTRACTS	<ul style="list-style-type: none"> <li>• Agreements with clients</li> <li>• Agreements with suppliers</li> <li>• Agreements with project contractors</li> <li>• Third party agreements</li> <li>• Confidentiality and non-disclosure agreements</li> <li>• Agreements and regulations between the organisation and Innovus/Stellenbosch University</li> <li>• Legal proceedings documents</li> </ul>
STUDENT RECORDS	<ul style="list-style-type: none"> <li>• Contact information</li> <li>• Academic records</li> <li>• Enrolment information</li> <li>• Attendance records</li> <li>• Assessment records</li> </ul>

## 7. FORM OF REQUEST

To facilitate the processing of a request, you are required to complete the prescribed form as set out in annexure “A” hereto. These forms are available from:

- the SAHRC website ([www.sahrc.org.za](http://www.sahrc.org.za));
- the Information Officer (contact details in section 2 of this manual).

## 8. PRESCRIBED FEES

The following applies to requests (other than personal requests):

A requestor is required to pay the prescribed fees (R50.00) before a request will be processed;

- 8.1 If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted);

- 8.2 A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit;
- 8.3 Records may be withheld until the fees have been paid.
- 8.4 The fee structure is available on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at [www.sahrc.org.za](http://www.sahrc.org.za), or the website of THE DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT (under regulations) at <http://www.doj.gov.za/>

The following fees are payable:

Photocopy of an A4-size page or part thereof	R 1.10
Printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form (information automatically available / information available on request)	R0.75
Copy on a compact disc	R70.00
Transcription of visual images, for an A4-size page or part thereof	R40.00
Copy of visual images	R60.00
Transcription of an audio record, for an A4-size page or part thereof	R20.00
Copy of an audio recording	R30.00
Postage	Actual postage cost
Fee per hour or part thereof should preparation of records take more than 6 hours	R30.00

## 9. GROUNDS FOR REFUSAL OF ACCESS TO INFORMATION

Access to information can be refused on the grounds as referred to in Chapter 4 Sections 62 to 69 of the Act:

- 9.1 Mandatory protection of the privacy of a third party who is a natural person.
- 9.2 if disclosure would involve the unreasonable disclosure of personal information about a third party, including a deceased individual.



9.3 Mandatory protection of commercial information of third party if the record contains:

- a) trade secrets of that third party,
- b) financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party.

9.4 Mandatory protection of safety of individuals and protection of property:

- a) If a request to access a record could reasonably be expected to endanger the life or physical safety of an individual; or
- b) would be likely to prejudice or impair the security of
  - a means of transport;
  - building, structure or system, including, but not limited to, a computer or communication system; or
  - any other property.

9.5 Commercial information of private body:

- a) contains trade secrets of the private body;
- b) contains financial, commercial, scientific or technical information, other than trade secrets, of the private body, the disclosure of which would be likely to cause harm to the commercial or financial interests of the private body;
- c) contains information, that the disclosure of which could reasonably be expected:
  - to prejudice the body in commercial competition; or
  - to put the private body at a disadvantage in contractual or other negotiations

## **10. REMEDIES AVAILABLE WHEN USB EXECUTIVE DEVELOPMENT (PTY) LTD REFUSES A REQUEST FOR INFORMATION**

10.1 Should a complaint be in respect of an act or a failure to act in terms of PAIA, the complainant may take such steps as provided for in section 74 to 82 of the Act.

10.2 A requester can make application for appeal to court in terms of section 82 of PAIA, within 30 days of the decision, for appropriate relief if a requester is aggrieved by a decision of the University under the following circumstances:

- a) refusal of a request for access;
- b) a decision relating to payment of requested fees for access;
- c) a decision relating to the extension of a period to deal with a request for access; or
- d) a decision relating to the form of access.

## **11. ANNEXURES**

### **11.1 Annexure A**

Form C - Request for access to record of private body (Section 53(1) of PAIA).

**ANNEXURE A**

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]

**1. PARTICULARS OF PRIVATE BODY**

Name of Company:	USB-Executive Development (Pty) Ltd
Information Officer:	Dr Chris van der Hoven

**2. 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:													
Telephone number:	(	)											
E-mail address:													

**3. 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:													

Capacity in which request is made, when made on behalf of another person:

--	--	--	--	--	--	--	--	--	--	--	--	--	--

#### 4. 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:

#### 5. 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:

## 6. 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 below, 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:*

1. If the record is in written or printed form:					
<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record		
2. If record consists of visual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):					
<input type="checkbox"/>	view the images	<input type="checkbox"/>	copy of the images*		
<input type="checkbox"/>		<input type="checkbox"/>	transcription of the images*		
3. If record consists of recorded words or information which can be reproduced in sound:					
<input type="checkbox"/>	listen to the soundtrack (audio cassette)	<input type="checkbox"/>	transcription of soundtrack* (written or printed document)		
4. If record is held on computer or in an electronic or machine-readable form:					
<input type="checkbox"/>	printed copy of record*	<input type="checkbox"/>	printed copy of information derived from the record*		
<input type="checkbox"/>		<input type="checkbox"/>	copy in computer readable form* (removable media 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.			<table border="1"> <tr> <td>Yes</td> <td>No</td> </tr> </table>	Yes	No
Yes	No				

## 7. 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:

**8. 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.....20.....

.....

**SIGNATURE OF REQUESTER / PERSON ON WHOSE BEHALF REQUEST IS MADE**

S 51(1)(e) **PRESCRIBED FEES**

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY Section 54(7) of the Promotion of Access to Information Act No 2 of 2000. Regulation 11(3)

1 PLEASE NOTE THAT ALL PRICES LISTED BELOW ARE INCLUSIVE OF VALUE-ADDED TAX (VAT)

Photocopy of an A4-size page or part thereof	R 1.10
Printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form (information automatically available / information available on request)	R0.75
Copy on a compact disc	R70.00
Transcription of visual images, for an A4-size page or part thereof	R40.00
Copy of visual images	R60.00
Transcription of an audio record, for an A4-size page or part thereof	R20.00
Copy of an audio recording	R30.00
Postage	Actual postage cost
Fee per hour or part thereof should preparation of records take more than 6 hours	R30.00

Section 54(2) of the Promotion of Access to Information Act No 2 of 2000.

Regulation 11(3)

2 PLEASE NOTE THAT ALL PRICES LISTED BELOW ARE INCLUSIVE OF VALUE-ADDED TAX (VAT)

- (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.

Section 54(7) of the Promotion of Access to Information Act No 2 of 2000.

Regulation 11(3)

PLEASE NOTE THAT ALL PRICES LISTED ABOVE ARE INCLUSIVE OF VALUE-ADDED TAX (VAT)

The actual postage fee is payable when a copy of a record must be posted to a requester