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STELLENBOSCH UNIVERSITY

(hereinafter “the University”)

Manual in terms of section 14 and 51 of the Promotion of Access to Information Act 2 of 2000

1. INTRODUCTION

- 1.1 This manual (hereinafter “**manual**”) has been compiled in compliance with section 14 and 51 of the Promotion of Access to Information Act 2 of 2000 (hereinafter “**PAIA**”) in order to provide requesters of access to records with an appropriate procedure to be followed.
- 1.2 The University may in one instance be considered a public body and in another instance be considered a private body depending on whether the requested record relates to the exercise of a power, performance or function by the University as a public body or as a private body.
- 1.3 It is the duty of the requester to ensure proper classification of a request to access of records as being directed to the University as a public body or as a private body. If the requester requires assistance in the proper classification, it may request same from the Information Officer or deputy information officer.
- 1.4 For purposes of this manual, the term “Information Officer” refers to the statutory information officer of a public body as referred to in Section 18 of PAIA and the head of a private body referred to in Section 53 of PAIA.
- 1.5 This manual is available in English and Afrikaans and can be accessed on the University’s website (<http://www.sun.ac.za>). The English version of the manual is the official version; the Afrikaans version the translation. For any information not contained in this manual, please contact the Information Officer or the relevant deputy information officer.

2. STRUCTURE AND FUNCTIONS

- 2.1 The University is a juristic person with separate legal personality in terms of the Higher Education Act 101 of 1997, with its primary functions being the provision of teaching and research.
- 2.2 A comprehensive breakdown of the various qualifications, programmes, areas of expertise, research and other services offered by the University is obtainable from the website of the University and its various faculties, available here: (<http://www.sun.ac.za>).

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Institutional functionary responsible for this manual	Institutional Information Officer
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3. CONTACT DETAILS

3.1 Information Officer

3.1.1 The University's vice-chancellor and rector is the University's statutory Information Officer.

Name	Professor Wim de Villiers
Street address	Administration B Building, Victoria Street, Stellenbosch, 7600
Postal address	Private Bag X1, Matieland, 7602, South Africa
Telephone number	+27 21 808 4490
Fax number	+27 21 808 3714
Email	paia@sun.ac.za

3.2 Deputy information officer

Name	Jerall Toi
Street address	12 Murray Street, Stellenbosch, 7600
Postal address	Private Bag X1, Matieland, 7602, South Africa
Telephone number	+27 21 808 4139
Fax number	+27 21 808 3822
Email	paia@sun.ac.za

4. HUMAN RIGHTS COMMISSION GUIDE TO REQUEST FOR ACCESS TO RECORDS IN TERMS OF PAIA

4.1 Requesters are referred to the guide which has been compiled by the South African Human Rights Commission in terms of Section 10 of PAIA, which contains information for the purposes of exercising constitutional rights. The contact details of the South African Human Rights Commission are:

Postal address	Private Bag 2700, Houghton, 2041
Telephone number	+27 11 877 3600
Fax number	+27 11 403 0625
Website	www.sahrc.org.za

5. REQUEST FOR ACCESS IN TERMS OF PAIA

5.1 Requests for access to records held by the University must be addressed to the Information Officer and be made by completing the attached Form A if the request is made to the University as a public body, or attached Form C if the request is made to the University as a private body and against payment at the rates set out in the clause pertaining to prescribed fees of this manual, where applicable.

5.2 To facilitate the processing of your request for information, kindly provide sufficient details to enable the University to attend to the request for information.

5.3 If a request is made on behalf of another person, the requester must submit reasonable proof of the capacity in which the requester is making the request.

6. CATEGORIES OF RECORDS AVAILABLE WITHOUT REQUEST

6.1 No categories of information available from the University, without making a request in terms of PAIA, have been published.

7. RECORDS HELD IN TERMS OF OTHER LEGISLATION

7.1 The University holds records in terms of the following legislation: (This list is not exhaustive).

7.1.1 Higher Education Act 101 of 1997;

7.1.2 Basic Conditions of Employment Act 75 of 1997;

7.1.3 Companies Act 61 of 1973 and 71 of 2008;

7.1.4 Compensation for Occupational Injuries and Diseases Act 130 of 1993;

7.1.5 Employment Equity Act 55 of 1998;

7.1.6 Income Tax Act 95 of 1967;

7.1.7 Labour Relations Act 66 of 1995;

7.1.8 Occupational Health & Safety Act 85 of 1993;

7.1.9 Protection of Personal Information Act 4 of 2013;

7.1.10 Unemployment Insurance Contributions Act 4 of 2002;

7.1.11 Unemployment Insurance Act 63 of 2001; and

7.1.12 Value Added Tax Act 89 of 1991.

8. SUBJECTS AND CATEGORIES OF RECORDS HELD

Subject	Category
Administrative and operational	<ul style="list-style-type: none"> • Agendas and minutes of meetings • Contracts with third parties • Correspondence • Policies, rules and regulations
Student records	<ul style="list-style-type: none"> • Academic records • Contact information • Disciplinary information • Society and club information
Human resources	<ul style="list-style-type: none"> • Staff policies • Employment contracts • Employee contact details • Disciplinary and performance information
Finances	<ul style="list-style-type: none"> • Full and complete financial and tax records • Assets inventory
Public affairs	<ul style="list-style-type: none"> • Public product information • Public corporate records • Media releases
Library materials	<ul style="list-style-type: none"> • Books, articles, magazines and other printed academic matter • VHS cassettes, DVDs, CDs and other forms of academic audio/visual media • Electronic academic databases and other electronic academic resources • Loans records

9. PRESCRIBED FEES

- 9.1 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 must pay the required request fee. The following applies to requests other than personal requests:
- 9.1.1 A requestor is required to pay the prescribed request fee of R50.00 to the University acting as a public body or R35.00 to the University acting as a private body, before a request will be processed;
- 9.1.2 if the request is granted then a further access fee must be paid for the search, reproduction, preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure. 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); and
- 9.1.3 records may be withheld until the fees have been paid in full.
- 9.2 The following fees are payable:

	Private body fee	Public body fee
Postage	Actual postage cost	
Request fee	R50	R35
Photocopy of an A4-size page or part thereof	R1.10	R0.60
Printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form (<i>information automatically available / information available on request</i>)	R0.75	R0.40/ R0.00
Copy on a stiffy disc	R7.50	R5.00
Copy on a compact disc	R70.00	R40.00
Transcription of visual images, for an A4-size page or part thereof	R40.00	R22.00
Copy of visual images	R60.00	R60.00
Transcription of an audio record, for an A4-size page or part thereof	R20.00	R12.00
Copy of an audio recording	R30	R17.00
Fee per hour or part thereof should preparation of records take more than 6 hours	R30	R15.00

10. DECISION ON REQUEST AND NOTICE THEREOF

10.1 The Information Officer will, as soon as is reasonably possible, but in any event within 30 days, after the request for access to records is received, decide whether to grant the request and will notify the requester of the decision.

11. EXTENSION OF PERIOD TO DEAL WITH REQUEST

11.1 The Information Officer may extend the decision on whether to grant access to records for a period of no more than 30 days and will notify the requester thereof as soon as is reasonably practicable, but in any event within 30 days, if:

- 11.1.1 the request is for a large number of records or requires a search through a large number of records and compliance with the original period would unreasonably interfere with the activities of the public body concerned;
- 11.1.2 the request requires a search for records in, or collection thereof from, an office of the public body not situated in the same town or city as the office of the Information Officer that cannot reasonably be completed within the original period;
- 11.1.3 consultation among divisions of the public body or with another public body is necessary or desirable to decide upon the request that cannot reasonably be completed within the original period;
- 11.1.4 more than one of the circumstances contemplated in paragraphs 11.1.1, 11.1.2 and 11.1.3 exist in respect of the request making compliance with the original period not reasonably possible; or
- 11.1.5 the requester consents in writing to such extension.

12. DEEMED REFUSAL OF REQUEST

- 12.1 The failure of the Information Officer to give a decision on request for access to the requester, within a period of 30 days, will be regarded as a refusal of request.

13. REMEDIES AVAILABLE IN RESPECT OF AN ACT OR FAILURE TO ACT BY THE UNIVERSITY

- 13.1 If a complaint is 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.
- 13.2 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:
- 13.2.1 refusal of a request for access;
 - 13.2.2 a decision relating to payment of requested fees for access;
 - 13.2.3 a decision relating to the extension of a period to deal with a request for access; or
 - 13.2.4 a decision relating to the form of access.

14. PARTICIPATION IN POLICY OR DECISION MAKING OF THE UNIVERSITY

- 14.1 Students, staff, the convocation and other members of the University's governance structures may participate in the policy and decision making processes of the University in accordance with the provisions of the Higher Education Act 101 of 1997, the University's statute and other rules, regulations, and guidelines published by the University from time to time. These can be obtained from the University's website, available here: (<http://www.sun.ac.za>).
- 14.2 Other interested persons are not permitted to participate in policy and decision making processes, but may submit their proposals, comments and criticisms to the Information Officer.

15. ANNEXURES

15.1 Annexure A

Form A - Request for access to record of public body (Section 18(1) of PAIA).

15.2 Annexure B

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

ANNEXURE A
FORM A

REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY

In terms of Section 18(1) of the Promotion of Access to Information Act 2 of 2000

1. PARTICULARS OF PUBLIC BODY

Name of company: Stellenbosch University
Information Officer: Professor Wim de Villiers

2. PARTICULARS OF PERSON REQUESTING ACCESS TO THE RECORD

- 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: _____

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.
- Proof of the capacity in which the request is made, if applicable, must be attached.

Full names and surname: _____
Identity number: _____

4. PARTICULARS OF RECORD

- Provide full particulars of the record to which access is requested, including the reference number if available.
- 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.

Description of record or relevant part of
the record: _____
Reference number, if available: _____
Any further particulars of record: _____

5. FEES

- 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.
- You will be notified of the amount required to be paid as the request fee.

- 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.
- 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 hereunder, state your disability and indicate in which form the record is required.

Disability and indicate in which form the record is required:

- Compliance with your request in the specified form may depend on the form in which the record is available.
- 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.
- The fee payable for access for the record, if any, will be determined partly by the form in which access is requested.

Please indicate the relevant form of access:

If the record is in written or printed form: copy of record/inspection of record?

If record consists of visual images (this includes photographs, slides, video recordings, computer-generated images, sketches): view the images/copy of the images/transcription of the images?

If record consists of recorded words or information which can be reproduced in sound: listen to the soundtrack or audio cassette/transcription of soundtrack?

If record is held on computer or in an electronic or machine-readable form: copy of record/printed copy of information derived from the record/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: Yes/No?

- Depending on availability, indicate whether the record is preferred in a particular language. If the record does not exist in the language requested or no preference is indicated, then the record will be provided in any language the record exists in.

Choice of language:

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.

Indicate which right is to be exercised or protected:

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 of20...

.....

SIGNATURE OF REQUESTER / PERSON ON WHOSE BEHALF REQUEST IS MADE

ANNEXURE B

FORM C

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY

In terms of Section 53(1) of the Promotion of Access to Information Act 2 of 2000

1. PARTICULARS OF PRIVATE BODY

Name of company: Stellenbosch University
Information Officer: Professor Wim de Villiers

2. PARTICULARS OF PERSON REQUESTING ACCESS TO THE RECORD

- 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: _____

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.
- Proof of the capacity in which the request is made, if applicable, must be attached.

Full names and surname: _____
Identity number: _____

4. PARTICULARS OF RECORD

- Provide full particulars of the record to which access is requested, including the reference number if available.
- 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.

Description of record or relevant part of
the record: _____
Reference number, if available: _____
Any further particulars of record: _____

5. FEES

- 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.
- You will be notified of the amount required to be paid as the request fee.

- 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.
- 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 hereunder, state your disability and indicate in which form the record is required.

Disability and indicate in which form the record is required:

- Compliance with your request in the specified form may depend on the form in which the record is available.
- 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.
- The fee payable for access for the record, if any, will be determined partly by the form in which access is requested.

Please indicate the relevant form of access:

If the record is in written or printed form: copy of record/inspection of record?

If record consists of visual images (this includes photographs, slides, video recordings, computer-generated images, sketches): view the images/copy of the images/transcription of the images?

If record consists of recorded words or information which can be reproduced in sound: listen to the soundtrack or audio cassette/transcription of soundtrack?

If record is held on computer or in an electronic or machine-readable form: copy of record/printed copy of information derived from the record/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: 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.

Indicate which right is to be exercised or protected:

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 of20...

.....

SIGNATURE OF REQUESTER / PERSON ON WHOSE BEHALF REQUEST IS MADE