



## MANUAL PREPARED IN ACCORDANCE WITH SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT NO. 2 OF 2000 FOR CRESTA COLLEGE

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**Signed by:**

**Marlene Odendaal**  
**Head of Body**  
**30/06/2021**



## THE MANUAL

### INTRODUCTION

The Promotion of Access to Information Act, 2000 [Act No. 2 of 2000] (“the Act”), which came into effect on 9 March 2001, seeks to advance the values of transparency and accountability in South Africa.

The 1996 South African Constitution, by providing a statutory right of access on request to any record held by the state as well as access to records held by private bodies, entrenches the fundamental right to information.

The Act establishes the following statutory rights of requestors to any record of a private body if the following circumstances are met:

- if the record is required for the exercise or protection of any of his or her legal rights;
- the requestor complies with all the procedural requirements; and
- the access is not refused in terms of any ground referred to in the Act.

Section 51 of the Act obliges private bodies to compile a manual. The purpose of the manual is to assist an individual to obtain access to the records of a private body and the Act stipulates the minimum requirements with which a manual has to comply.

### SCOPE

This manual (“the Manual”) has been prepared by Cresta College. It is published in accordance with the requirements of section 51 of the Promotion of Access to Information Act.

Specifically, the Manual provides information on:

- The contact details of the information officer, who will deal with a person’s request;
- The subjects and categories of records that are held Cresta College;
- Records that are automatically available, without a person having to request access;
- Records that are available in terms of any other legislation; and
- The procedure that needs to be followed to obtain access to a record.



## GUIDE OF HOW TO USE THE PROMOTION OF ACCESS TO INFORMATION ACT

Section 10 of the PAIA provides that the Human Rights Commission should publish a guide containing the following information:

- The objects of the Act;
- The contact details of the information and deputy information officers;
- The manner and form of a request for access to a record held by a public body;
- The assistance available from an information officer of a public body and the Human Rights Commission in terms of this Act;
- All remedies available in respect of an act, a failure to act or a duty imposed by this Act and the manner of lodging an internal appeal and a court application;
- The requirement of a public body to compile a manual on how to obtain access to a manual;
- The requirement of a public body to provide for the voluntary disclosure of categories of records;
- A list of prescribed fees to be paid in respect of requests for access;
- Any regulations made by the Minister in terms of this Act.

Please direct any queries to:

The South African Human Rights Commission: PAIA Unit  
The Research and Documentation Department  
Postal address: Private Bag 2700  
Houghton, 2041

Telephone: +27 11 484-8300  
Fax: +27 11 484-0582

Website : [www.sahrc.org.za](http://www.sahrc.org.za)  
E-mail : [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)



## BACKGROUND TO CRESTA COLLEGE

Cresta College is a private school situated in Wierdapark, Centurion. It owes its existence to the dream and foresight of Christian parents who dreamed of creating a school with a strong academic backbone and biblical values.

Cresta College opened in January 1998 with 5 students. Since then the school grew dramatically to offer classes from Pre-school to Grade 12, with a total of 200 learners.

It is a growing, vibrant and thriving community - which offers a wide range of sporting activities, an academic curriculum and a cultural diversity which all contribute to ensuring that the learners do receive the liberal education in a Christian tradition that the founders desired.

## CONTACT DETAILS OF THE INFORMATION OFFICER

### INFORMATION OFFICER

The Information Officer  
P O Box 50260  
Wierdapark  
Centurion  
0149

166 Springbok Street  
Wierdapark  
Centurion

Tel no : (012) 654-1565  
Fax no : (012) 654-1565  
e-mail : [info@crestacollege.co.za](mailto:info@crestacollege.co.za)

Head of Body: Marlene Odendaal  
Tel no : (012) 654-1565  
Fax no : (012) 654-1565  
e-mail : [info@crestacollege.co.za](mailto:info@crestacollege.co.za)

Contact Person: Andre Odendaal  
Tel no : 082-449-5423  
Fax : (012) 654-1565  
Email : [andre.odendaal@absamail.co.za](mailto:andre.odendaal@absamail.co.za)



## RECORDS HELD AT CRESTA COLLEGE

Records are kept in accordance with such other legislation as is applicable to CRESTA COLLEGE, which includes but is not limited to, the following legislation:

- The South African Schools Act of 1996
- Companies Act 61 of 1973 (Association incorporated under Section 21)
- Income Tax Act 58 of 1962
- Unemployment Insurance Act 63 of 2001
- Compensation for Occupational Injuries and Diseases Act 130 of 1993
- Occupational Health and Safety Act 85 of 1993
- Labour Relations Act 66 of 1995
- Basic Conditions of Employment Act 75 of 1997
- Employment Equity Act 55 of 1998
- Skills Development Levies Act 9 of 1999
- Electronic Communications and Transactions Act No. 25 of 2002
- Promotion of Access to Information Act No. 2 of 2000
- Pensions Fund Act No. 24 of 1956
- Regional Services Council Act No. 109 of 1985

## CATEGORIES OF RECORDS AUTOMATICALLY AVAILABLE WITHOUT A REQUEST IN TERMS OF THE PAIA

- Accreditations
- Application and registration forms
- Published brochures
- Published marketing material
- Published newsletters
- Published posters
- Published pamphlets
- School Calendar
- Cresta Website (<http://www.crestacollege.co.za>)

## RECORDS THAT MAY BE REQUESTED

### OPERATIONAL INFORMATION

The availability of the following is to be determined upon receipt of request:

- Employment contracts
- Domain name registration
- School registration
- Agreements with suppliers
- Database of pupils & parents
- Minutes of all management, executive and sub-committee meetings



- Parent Teacher's Association records
- School policy documents
- School fees

## WEBSITE

CRESTA COLLEGE's Website address is [www.crestacollege.co.za](http://www.crestacollege.co.za) and is accessible to anyone who has access to the Internet.

## THE LATEST NOTICE IN TERMS OF SECTION 52(2) [SECTION 51(1)(c)]

At this stage no notice(s) has/have been published on the categories of records that are automatically available without a person having to request access in terms of PAIA.

## RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION

Records available in terms of other legislation, as amended, are as follows:

- Protection of Personal Information Act 4 of 2013.

## CRESTA COLLEGE PRIVACY PRACTICES

- Personal Information that we collect about you:
  - Identity Data
  - Contact Data
  - Financial Data
  - Transaction Data
  - Service Data
  - Security Data
  - Technical Data
  - Usage Data
  - Marketing and Communications Data
- We collect personal or other information to:
  - provide our services to you, as well as any services that you may purchase from us (including goods you purchase from our website);
  - administer our various education programs;
  - operate our facilities;
  - comply with our statutory obligations, including submissions to the Companies and Intellectual Property Commission, as well as interacting with regulatory authorities;
  - conduct business case analysis;
  - conduct Cresta College's recruitment exercises, including referrals, and hiring processes, including the capturing of a job applicant's details and the providing of status updates to such a job applicant. In this context Cresta College will conduct criminal record and credit checks;



- retain and make information available to you on the website;
- provide you with marketing that is relevant to you, or to direct information concerning Cresta College to you;
- Maintain and update our customer or potential customer databases;
- diagnose and deal with technical issues and customer support queries and other use queries;
- operate, administer, maintain, secure, and develop the website and the performance and functionality of our website;
- protect our rights in any litigation that may involve you;
- detect, prevent or deal with actual or alleged fraud, security or the abuse, misuse or unauthorized use of our Website and/or contravention of our Privacy Notice or of the terms and conditions that apply to your use of our website;
- Communicate with you and keep a record of our communications with you and your communications with us;
- Inform you about changes to our website, Privacy Notice or other changes that are relevant to you;
- For other purposes relevant to our business activities, provided they are lawful.

Further detail on our Privacy Notice may be found on our website. In addition, the following direct link has been provided for your convenience.

## [Privacy Notice](#)

### PROCEDURE FOR REQUESTING ACCESS TO INFORMATION

If a requester requests access to a record, the requester must complete the request form (Annexure "A") included in this manual.

#### RESPONSIBILITY OF THE REQUESTER

- Complete the form as included in Annexure "A" included in this manual, and
- A requester may request access in a particular form in which the information should be provided, provided that by providing such information in that particular form:
  - does not unreasonably interfere with the effective administration of the School,
  - will not be detrimental to the preservation of the record, or
  - will not infringe the copyright not owned by School.
- Indicate the postal address or fax number in the Republic.
- If the requester submits the request for information on behalf of someone else, the requester must submit proof of the capacity in which the request is made.
- If a requester is an illiterate or a disabled person and cannot submit a written request for information, the request may be made orally.



- If access is given in another form as requested by the requester, the fee charged should be according to the form originally requested by the requester.
- The requester must provide sufficient detail on the request form to enable the Business Manager of the School 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 that 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 and the bursar of the school.

## FEES

- The fee for a copy of the manual as contemplated in regulation 9(2)(c) is R1.10 for every photocopy of an A4 size or part thereof.
- The fees for reproduction referred to in regulation 11(1) are as follows:
  - For every photocopy of an A4-sized page or part thereof R1.10
  - For every printed copy of an A4-sized page or part thereof held on a computer or in electronic or machine-readable form R0.75
  - For a copy in a computer-readable form on
    - Compact disk R70.00
    - For a copy of visual images, for an A4-sized page or part thereof R60.00
- The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2) is R50.00.
- The access fees payable by a requester referred to in regulation 11(3) are as follows:
  - For every photocopy of an A4-sized page or part thereof R1.10
  - For every printed copy of an A4-sized page or part thereof held on a computer or in electronic or machine-readable form R0.75
  - For a copy in a computer-readable form on
    - Compact disk R70.00
    - For a copy of visual images, for an A4-sized page or part thereof R60.00
- To search for and prepare the record for disclosure, R30.00 for each hour or part of an hour
- For purposes of section 54(2) of the Act, the following applies:
  - Six hours as the hours to be exceeded before a deposit is payable; and
  - One third of the access fee is payable as a deposit by the requester.
  - The actual postage is payable when a copy of a record must be posted to a requester.

## UPDATING OF THE MANUAL

This manual will be updated annually.



## Annexure A

### REQUEST FOR ACCESS TO A RECORD OF CRESTA COLLEGE

(Section 18(1) of the Promotion of Access to Information Act, Act No. 2 of 2000)  
(Regulation 6)

#### FOR OFFICE USE ONLY

Reference number: \_\_\_\_\_

Request received by \_\_\_\_\_ (state rank, name and surname if  
information officer/deputy information officer) on \_\_\_\_\_ (date) at  
\_\_\_\_\_ (place).

Request fee (if any): R \_\_\_\_\_ Receipt no. \_\_\_\_\_

Deposit (if any): R \_\_\_\_\_ Receipt no. \_\_\_\_\_

Access fee: R \_\_\_\_\_ Receipt no. \_\_\_\_\_

\_\_\_\_\_  
Signature: Information Officer/Deputy Information Officer

#### A. PARTICULARS OF INFORMATION OFFICER

**Head of Body:** Marlene Odendaal

Tel no : (012) 654-1565

Fax no : (012) 654-1565

e-mail : [info@crestacollege.co.za](mailto:info@crestacollege.co.za)

**Contact Person:** Andre Odendaal

Tel no : (012) 654-1565

Fax : (012) 654-1565

Email : [andre.odendaal@absamail.co.za](mailto:andre.odendaal@absamail.co.za)

**Postal Address:**

P O Box 50260  
Wierdapark  
Centurion, 0149

**Physical Address:**

166 Springbok Street  
Wierdapark, Centurion



**PLEASE NOTE:**

Requests for information in terms of the Promotion of Access to Information Act, 2000 will only be processed if the attached request form has been completed in full, signed by the relevant requester and if the applicable fees have been paid. The applicable fees indicated in Annexure "C".

**B. PARTICULARS OF PERSON REQUESTING ACCESS TO A RECORD**

Full names and surname of requester: \_\_\_\_\_

Identity number: \_\_\_\_\_

Postal address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Postal code: \_\_\_\_\_

Fax number: (\_\_\_\_\_) \_\_\_\_\_

Telephone number: (\_\_\_\_\_) \_\_\_\_\_ Cell number: \_\_\_\_\_

E-mail address: \_\_\_\_\_

**PARTICULARS OF PERSON ON WHOSE BEHALF THE 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 of requester: \_\_\_\_\_

Identity number: \_\_\_\_\_

Postal address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Postal code: \_\_\_\_\_

Fax number: (\_\_\_\_\_) \_\_\_\_\_



Tele-phone number: (\_\_\_\_\_)\_\_\_\_\_ Cell number: \_\_\_\_\_

E-mail address: \_\_\_\_\_

Capacity in which request is made, when made on behalf of another person (i.e. parent, guardian, attorney):

\_\_\_\_\_

## 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, and/or the Department/person where it is held, 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: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



## G. 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 below 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 for the record, if any, will be determined partly by the form in which access is requested.	

<b>1. If the record is in written or printed form:</b>					
<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record		
<b>2. If record consists of visual images:</b> (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*		
<b>3. If record consists of recorded words or information which can be reproduced in sound:</b>					
<input type="checkbox"/>	listen to the soundtrack audio cassette	<input type="checkbox"/>	transcription of soundtrack* written or printed document		
<b>4. If record is held on computer or in an electronic or machine-readable form:</b>					
<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* (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				



**G. PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED**

**You will be notified in writing whether your request has been approved / denied. If you wish to be informed in another manner, specify the manner and provide the necessary particulars to enable compliance with your request.**

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:

---

---

**H. 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



## Annexure B

### GROUNDS FOR REFUSAL OF ACCESS TO RECORDS OF A PRIVATE BODY

The information contained in this section is a summary of the grounds upon which a private body is entitled to raise, as grounds for the refusal of access to its records. The information is intended to provide a requestor with clarity as to the reasons why a request may be refused by the private body.

#### A. Section 63: Mandatory protection of privacy of a third party who is a natural person

The head of a private body must refuse a request for access to a record of that body if its disclosure would involve the unreasonable disclosure of personal information about a third party, including a deceased individual.

However, a record may not be refused if it consists of information:

- a) About an individual who has consented in writing to the disclosure of the information;
- b) Already publicly available;
- c) Given to the private body by the individual to whom it relates, and that individual was informed by the private body before it is disclosed that the information belongs to a class of information that may already be publicly available;
- d) About an individual's physical or mental health, or well-being, who is under the care of the requestor, and who is under the age of 18 years or incapable of understanding the nature of the request, and further if the disclosure would be in the individual's best interests;
- e) About an individual who is deceased and the requestor is the individual's next of kin, or is making the request with the written consent of the individual's next of kin;
- f) About an individual who is or was an official of a private body, and the information relates to the position or functions of the individual.

#### B. Section 64: Mandatory protection of commercial information of a third party

The head of a private body must refuse a request for access to a record of that private body if it contains:

- a) Trade secrets of a third party;
- b) Financial, commercial, scientific or technical information of a third party, other than trade secrets, where the disclosure thereof would be likely to cause harm to the commercial or financial interests of that third party;
- c) Information supplied to the third party in confidence, and if disclosed would place the third party at a disadvantage in contractual or other negotiations or prejudice the third party in commercial competition. However, a record may not be refused if it consists of information:
  - a) About a third party who has already consented in writing, to its disclosure to the requestor;
  - b) About the results of any product or environmental testing or other investigation supplied by the private body or the results of any such testing or investigation carried out on by or on behalf of the private body and its disclosure would reveal a serious public safety or environmental risk.

#### C. Section 65: Mandatory protection of certain confidential information of a third party

The head of a private body must refuse a request for access to a record of that body, if its disclosure would constitute an action for breach of a duty of confidence owed to a third party in terms of an agreement.



## **D. Section 66: Mandatory protection of safety of individuals, and protection of property**

a) The head of a private body must refuse a request for access to a record of that body if its disclosure could reasonably be expected to endanger the life or physical safety of an individual.

b) The head of a private body may refuse a request for access to a record of that body if its disclosure would be likely to prejudice or impair:

i) The security of a building, structure, or system, including a computer or communication system; a means of transport or any other property;

The methods, systems, plans or procedures for the protection of an individual in accordance with a witness protection scheme; the safety of the public or part of the public or the security of a building, structure, or system, including a computer or communication system, a means of transport or any other property.

## **E. Section 67: Mandatory protection of records privileged from production in legal Proceedings**

The head of a private body must refuse a request for access to a record of that body, if the record is privileged from production in legal proceedings unless the person entitled to the privilege has waived such privilege.

## **F. Section 68: Commercial information of a private body**

The head of a private body may refuse a request for access to a record of that body if the record:

a) Contains trade secrets of the private body;

b) Contains financial, commercial, scientific or technical information, other than trade secrets of the private body, and the disclosure thereof would likely cause harm to the commercial or financial interests of that body;

c) Contains information, the disclosure of which could reasonably be expected to put the private body at a disadvantage in contractual or other negotiations; or prejudice the body in commercial competition;

d) Is a computer programme as defined in the Copyright Act, No. 98 of 1978, which is owned by the private body, unless it is required to give access to a record in terms of PAIA.

However, a record may not be refused if it consists of information:

About the results of any product or environmental testing or investigation (excluding the results of preliminary testing or investigations conducted for developing methods of testing), carried out by or for the public body, and the disclosure thereof would reveal a serious public safety or environmental risk.

## **G. Section 69: Mandatory protection of research information of a third party, and protection of research information of a private body**

The head of a private body must refuse a request for access to a record of that body, if the record contains information about research being carried out or to be carried out, by or on behalf of a third party, and if this were to be disclosed, it would be likely to:

a) Expose the third party, or

b) the person carrying out the research or will be carrying out the research on behalf of the third party, or



- c) the subject matter of the research, to a serious disadvantage.

The head of a private body may refuse a request for access to a record of that body, if the record contains information about research being carried out or about to be carried out, by or on behalf of the private body, and if this were to be disclosed it would likely to :

Expose

- a) the private body or  
b) the person carrying out the research or will be carrying out the research on behalf of the private body, or  
c) the subject matter of the research to a serious disadvantage.

#### **H. Section 70: Mandatory disclosure in the public interest**

- a) Despite the above listed grounds for refusal, the head of a private body must grant a request for access to a record of that body if, the disclosure thereof would reveal evidence of:
- i) A substantial contravention of, or failure to comply with the law; or  
ii) An imminent and serious public safety or environmental risk; and  
b) the public interest in the disclosure of the record, outweighs the harm contemplated under the ground for refusal.