



THE
SHELLEY POINT
HOTEL & SPA

Golden Mile Boulevard, Shelley Point, St Helena Bay, 7380, South Africa
Tel: 022 742 1065 | www.shelleypointhotel.com

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1 INTRODUCTION AND PURPOSE OF THIS DOCUMENT

This manual grants access to records held by *Shelley Point Hotel Spa & Country Club (Pty) Ltd: The Shelley Point Hotel & Spa*, (Company Registration Number: 2008/028141/07), hereinafter referred to as 'The Company' or 'The Shelley Point Hotel & Spa'.

2 BUSINESS OVERVIEW

The Company performs its activities as a private body as defined in the Act and provides its services and products to its customers under the Hospitality industry. Shelley point hotel promotes every individuals right to access information that is obtained by the Private Body and is thereto devoted to grant access to the private body's records as in accordance with the required procedural requirements as set out by PAIA and POPIA.

Requests for Company information must be directed to the elected Information Officer of the body, as per the supplied details below and in the form reflected in annexure "A". All requests towards the Company information shall be measured and compared in the light of the relevant sections in the Act before access to such information is permitted and allowed.

3 INFORMATION REQUIRED UNDER SECTION 51(1) (a) OF THE ACT

<u>Designated Head of the Company:</u>	Carel Gert Steenkamp
<u>Postal Address of the Company:</u>	P.O Box 458, St Helena Bay, 7390
<u>Street Address of the Company:</u>	Golden Mile Boulevard, Shelley Point, St Helena Bay, 7380, South Africa
<u>Telephone Number of the Company:</u>	022 742 1065
<u>E- Mail address of the Company:</u>	www.shelleypointhotel.com



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Person delegated to deal with information requests ("the designated Information Officer"):

Petrus Munro

E-mail address of the Designated Head: gm@shelleypointhotel.com

4 DESCRIPTION OF GUIDE REFERRED TO IN SECTION 10

A Guide has been compiled in terms of Section 10 of Promotion of Access to Information Act 2 OF 2002 ("PAIA") by the South African Human Rights Commission (SAHRC). PAIA grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights. It contains information required by a person wishing to exercise any right, contemplated by PAIA. It is available in all of the official languages.

The Guide is accessible for examination, inter alia, at the office of the South African Human Rights Commission at Braampark Forum 3, 33 Hoofd Street, Braamfontein, Johannesburg, Gauteng and at www.sahrc.org.za.

For further information please contact the SAHRC:

Postal Address:	Private Bag 2700, Houghton, 2041
Telephone Number:	+27-11-877 3600
Fax Number:	+27-11-403 0625
Email:	mnyuswa@sahrc.org.za

5 RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION

Requesters may make requests for information that may be requested in accordance with applicable South African legislation, including:

- Media releases;
- Records of executive, board and shareholder decisions taken and related information (limited circumstances);
- Documents of incorporation;



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- Records provided by a third party relating to employees;
- Trademark information;
- Personal Records supplied by the employees;
- Conditions of employment and other personnel-related contractual and quasi legal records;
- Internal pricing records and other internal records;
- Correspondence related to personnel;
- Training records and material; and
- Employment Equity Plans.

6 APPLICABLE LEGISLATION

Agricultural Products Standards Act 119 of 1990

Basic Condition of Employment Act 75 of 1997

Broad Based Black Economic Empowerment Act 53 Of 2003

Businesses Act 71 of 1991

Companies Act 61 of 1973

Compensation for Occupational Injuries and Diseases Act 130 of 1993

Competition Act 89 of 1998

Consumer Protection Act 68 of 2008

Customs & Excise Act 91 of 1964

Designs Act 195 of 1993

Electronic Communications and Transactions Act 25 of 2002

Employment Equity Act 55 of 1998

Foodstuffs, Cosmetics and Disinfectants Act 54 of 1972

Income Tax Act 58 of 1963

Insolvency Act 24 of 1936

Labour Relations Act 66 of 1995

Liquor Act 27 of 1989

Liquor Products Act 60 of 1989



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Merchandise Marks Act 17 of 1941

National Credit Act 89 of 1991

Occupational Health and Safety Act 85 of 1993

Patents Act 57 of 1978

Promotion of Access to Information Act 2 of 2000

Protection of Personal Information Act 14 of 2013

Regulation of Interception of Communications Act 70 of 2002

Regulation of Interception of Communications and Provision of Communication

Related Information Amendment Act 48 of 2008

Pension Funds Act 24 of 1956

Skills Development Act 97 of 1998

Skills Development Levies Act 9 of 1999

Stamp Duties Act 77 of 1968

Standards Act 29 of 1993

Unemployment Insurance Act 30 of 1966

Trademarks Act 194 of 1993

Value Added Tax Act 89 of 1991

7 RECORDS AUTOMATICALLY AVAILABLE

Records obtained by the body includes towards terms of Government requirements with numerous statutory bodies, including the Companies and Intellectual Property Commission are automatically accessible in terms of legislation.

8 PURPOSE OF PROCESSING OF PERSONAL INFORMATION

The company processes information for various purposes including but not limited to: employee and management information, sales and promotion initiatives, customer care processes and interacting with clients directly.



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9 DATA SUBJECT CATEGORIES AND THEIR PERSONAL INFORMATION

Overall public – tracking universal enquiries and web site visits;

Investors – records as maintained by the Company Secretary *[if applicable]*; and

Media – records of media connections.

Employees – private information relating to the employment cycle of an employee;

Suppliers – personal information of traders including business essentials;

Customers – personal information of customers which are used for advertising initiatives;

10 PLANNED TRANS-BORDER FLOWS OF PERSONAL INFORMATION

The Company does not partake in any cross-border related activities of information that is sent out of the borders of the RSA .

11 PLANNED RECIPIENTS OF PERSONAL INFORMATION (NON-EXHAUSTIVE LIST)

Financial institutions – *First National Bank related information, Standard Bank related information, , Nedbank related information;*

Medical schemes and service providers – *Medical Scheme related documentation where applicable in the operations of the body,*

Statutory authorities – *the Consumer Goods Council, the Department of Labour, the UIF State Body, the South African Revenue Service;*

Employee pension and provident funds – *The body obtains such information where applicable ; and*

Industry bodies – various.



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12 SECURITY MEASURES TO PROTECT PERSONAL INFORMATION

The company realizes and understand the value of personal information and will take all rational steps to ensure the safeguard of all the information within the body and will to the best of its abilities prevent information from being lost, misuse, or unauthorized accessed.

The Company understands its obligation to:

- Implement physical and electronic access control to its premises and systems ; and
- only authorize access to information to those employees who require it to fulfil their designated responsibilities;
- protect and manage information that it holds about its stakeholders; and
- make use of electronic and computer safeguards, such as firewalls and data encryption, to secure stakeholders' information.

The Company is dedicated to use suitable technical and other security procedures in line with acceptable industry ethics, to safeguard stakeholders' information.

13 DETAIL ON HOW TO MAKE A REQUEST FOR ACCESS

The requester must complete Annexure A below and submit this form together with a request fee, to the labeled Information Officer. The form must be submitted to the designated Information Officer of the Company at his/ her physical or electronic mail address, as stated earlier in this manual.

Form of request:

The requester must provide sufficient detail on the request form to enable the designated head to identify the record and the requester.

The requester should indicate which form of access is required.



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The requester should indicate if any other manner is to be used to inform the requester and state the necessary particulars to be so informed [s 53(2)(a) and (b) and (c)] of PAIA.

The requester must identify the right that is sought to be exercised or to be protected and provide an explanation of why the requested record is required for the exercise or protection of that right [s 53(2)(d)] of PAIA.

If a request is made on behalf of another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the designated head of the private body [s 53(2)(f)] of PAIA.

A requester who seeks admission to a record containing private information about that requester is not required to pay the request fee.

Every additional requester, who is not a personal requester, must pay the required request fee.

The designated head of the private body must notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed fee (if any) before further processing the request [s 54(1)] of PAIA.

The fee that the requester must pay to a private body is currently R50, 00. The requester may lodge an application to the court against the tender or payment of the request fees 54(3)(b)] of PAIA.

After the nominated head of the private body has provided a response on the initiated request, the requester must be informed accordingly in the required form.



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If the request is granted further access, the prescribed 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 [s 54(6)] of PAIA.

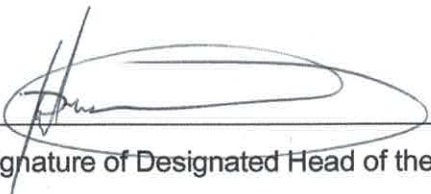
14 GROUNDS FOR REFUSING A REQUEST

The Company has the right to deny access to records on one or more of the grounds outlined in Chapter 4 of the Act pertaining to: "Grounds for Refusal of Access to Records".

15 AVAILABILITY OF THE MANUAL

Copies of this manual are available for inspection at the designated Information Officer of the Company and copies can be made available free of charge.

Requests for information must be submitted in accordance with the prescribed format and must be accompanied by the prescribed fee as indicated herein.



Signature of Designated Head of the Private Body

Petrus S. Munro

Name of Designated Head of the Private Body

(Note: each page should be initialled to complete the signing process).

Date of signature 2 July 2021_____

Publication date of this manual: 2021-06-29



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Next revision date of this document: *2022-06-30*

The breakdown of fees for accessing records of private bodies are:

The following is a breakdown of the fees structure for the purposes of determining the manner in which fees relating to a request for access to a record of a private body are to be calculated:

Regulation 187 published in the Government Gazette on the 15 February 2002:

Copy per A4 Page	R1.10
Printing per A4 page	75 cents
Copy on a CD/memory stick (4 GB)	R70
Transcription of visual images per A4 page	R40
Copy of a visual image	R60
Transcription of an audio recording per A4 page	R20
Search and preparation of the record for disclosure	R30 per hour or part thereof, excluding the first hour, reasonably required for the search and preparation.

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



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16 ANNEXURE A

PRESCRIBED FORMS

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:

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B. Particulars of person requesting access to the record:

Full names and surname:

Identity number:

Postal address:

Fax number:

Telephone number:

Email address:



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

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C. Particulars of person on whose behalf request is made:

Full names and surname:

Identity number:

Particulars of record:

1. Description of record of relevant part of the record:

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2. Reference number if available:

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3. Any further particular of record:

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E. Notice of decision regarding request for access

- 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 exception of the payment of any fee, please state the reason for your exemption.

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