



PIETERMARITZBURG CHAMBER OF BUSINESS (PCB)

Manual

In terms of

PROMOTION OF ACCESS TO INFORMATION ACT, NO 2 OF 2000

1. INTRODUCTION

This Manual is produced in furtherance of the objectives of the Promotion of Access to Information Act, Number 2 of 2000 and to assist private or juristic persons in obtaining information from the Chamber.

The Pietermaritzburg Chamber of Business (PCB) is a private body registered in terms of Section 21 of the Companies Act, Number 61 of 1973.

As part of its function as a service and support provider to its members and other businesses, it is able to provide, on request, a great deal of information relating to business and economic matters. In some instances, a charge may be levied for the provision of this service.

Some information relates to the organization itself, and while some of this is accessible to members of the Chamber as their right in terms of the Chamber's constitution, others requesting the information may have to access it through the formal processes as specified in the Act.

2. ADDRESS

Postal: P.O. Box 11734 Dorpspruit 3206

Physical: Chamber House Royal Showgrounds Pietermaritzburg

Website: www.pcb.org.za

Phone Number: 033 3452747

Fax Number: 033 3944151

E Mail: pcb@pcb.org.za

3. CONTACT PERSONS

Chief Executive Officer: Andrew Layman

Administrator: Finance and Administration: Ranji Govender

4. GUIDE (SECTION 10)

The compilation of the Guide contemplated in Section 10 of the Act which is to provide information to a person wishing to exercise a right in terms of the Act, is the responsibility of the South African Human Rights Commission (SAHRC). At the time of the drafting of the Manual, such guide had not been made available by the SAHRC. The contact details of the SAHRC are as follows:

PAIA Unit, The Research and Documentation Department
Private Bag 2700 Houghton 2041

Phone Number: 011 4848300
Fax Number: 011 4840582
Website: www.sahrc.org.za
E Mail: PAIA@sahrc.org.za

5. NOTICE IN RESPECT OF SECTION 52(2)

In terms of this section, the private body may submit to the Minister of Justice and Constitutional Development for publication in the Government Gazette, a description of records in its possession which are automatically available from the private body. At the time of drafting this Manual, no such information has been submitted by the PCB and, consequently, no such notice has been published.

6. RECORDS HELD BY PCB IN ACCORDANCE WITH LEGISLATION

- Companies Act, No. 61 of 1973
- Income Tax Act, No. 58 of 1962
- Unemployment Insurance Act, No. 4 of 2002
- Labour Relations Act, No. 66 of 1995
- Basic Conditions of Employment Act, No. 75 of 1997
- Employment Equity Act, No. 55 of 1998
- Skills Development Act, No. 97 of 1998
- Skills Development Levies Act, No. 9 of 1999
- Occupational Health and Safety Act, No. 85 of 1993

The above is not an exhaustive list.

7. SUBJECTS AND CATEGORIES OF INFORMATION HELD BY ILS

The records listed below are not automatically available, and the process outlined in section 8 of this Manual will have to be followed in some instances.

	SUBJECT	CATEGORY
1.	Human Resources	Includes: Letters of Appointment and Statements of duties and responsibilities, Personal details of employees, Performance reports.
2.	Operational Information	Includes: Member information, Financial records, Minutes of Executive and other meetings, the PCB Constitution, Memorandum and Articles of Association Policy documents, Contracts and agreements.
3.	Economic and Business Information	Includes: Reports, Articles, Statistical information, Contact details, Chamber positional statements, Brochures, Guides, Trading opportunities.
4.	Communications	Internal and External correspondence

8. ACCESSING A RECORD HELD BY THE PCB

- 8.1 With the exception of records relating to the staff (Human Resources) and details of the Chamber members, all information held by the Chamber is available to its members as a constitutional right.
- 8.2 The contact details of members are protected insofar as the membership list, or a part of it, containing such details is available to members and non-members at a fee. E Mail addresses are not revealed as contact details on such list.
- 8.3 The Chamber willingly provides business and economic information in its possession to persons requesting it, except that in cases where information has been accessed from members in the course of a survey or other research with the undertaking of confidentiality, such information will not be revealed.
- 8.4 The provision of information in written form may carry a charge for reproduction while a charge may also be levied where a request for information entails research on the part of the Chamber staff.
- 8.5 Persons requesting information from the PCB should phone the office in the first instance, or access the website. If the information being sought is in the possession of the Chamber, but not freely available, the procedures laid down in the Act should be followed. In this event, the prescribed form (Form B of the Regulations as contained in the Government Gazette 223 of 9 March 2001) should be used. The form may be obtained from the PCB or the SAHRC website.
- 8.6 Requests should be made to the CEO or the Administrator: Finance and Administration.
- 8.7 The request must contain, at least
- Sufficient detail about the requester to make identification possible
 - Sufficient detail about the record requested to make identification possible
 - An indication of the form of access required (ie written, electronic etc)
 - An indication of the right being exercised and a reason why access to the requested record constitutes the protection of such right.
- 8.8 Should the request be submitted on behalf of another person, clear indication of the proof of the capacity in which the request is being made must be provided.
- 8.9 The request fee prescribed in Item 5 of the Regulations as contained in Government Gazette 223 of 9 March 2001 must be paid.
- 8.10 The decision by the Director as to whether the access will be granted will be made in terms of the provisions of the Act.
- 8.11 The fees prescribed for access and reproduction, as laid down in Item 5 of the Regulations contained in the Government Gazette 23119 of 15 February 2002 must be paid.
- (The schedule of fees is available from the PCB or on the SAHRC website.)
- 8.12 Should access to the requested record be denied, an application to court in terms of section 82 of the Act may be made.

9. AVAILABILITY OF THE MANUAL

This Manual is available at the office of the PCB free of charge.