



Building a better city

**A GUIDE TO
ACCESSING OUR INFORMATION**

**Our Manual in terms of Section 51 of the Promotion
of Access to Information Act Guide**

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A. PREAMBLE

The Promotion of Access to Information Act No. 2 of 2000, as amended, (“the Act”) came into operation on 23 November 2001. Section 51 of the Act requires that we as a private body compile a manual, giving information to the public regarding the procedure to be followed in requesting information from us for the purpose of exercising or protecting rights.

We as a private body have compiled this manual, not only to comply with the provisions of the Act, but also to foster a culture of transparency and accountability in our environment and to ensure that members of the public have effective access to information in our possession which will assist them in the exercise and protection of their rights.

Inside these pages, you will be able to view the categories of information, which we possess. You will also be shown the correct procedure to follow should you require access to any of this information.

This manual is available on our website <http://www.jda.org.za>, and is available for inspection at the JDA offices situated at:

90 Market Street

Johannesburg

South Africa

2001

B. INTRODUCTION TO THIS PRIVATE BODY

The Johannesburg Development Agency (JDA) was established as an initiative by the City of Johannesburg as an integral part of Johannesburg City's restructuring process. The decision to create JDA, an economic development agency with a citywide brief, was in line with international experience which showed that cities are actively pursuing strategies through development agencies and joint coalitions between municipalities, local business leaders, developers and other relevant stake holders.

The JDA is a small focused structure, with a core of staff that functions as development and project managers, undertaking programmes and project-related activities through special operational units. The core project of JDA is the successful delivery of complex projects and programmes.

Although JDA is a citywide development agency, at incorporation JDA project portfolio concentrated on the economic activities in the Johannesburg City Centre. JDA projects fall into three broad categories:

The first is aimed at the development of special activity precincts, which are defined as comprehensive, integrated development projects covering large areas with the JDA providing development and project management services to these projects. The JDA currently manages developments in three such areas namely Constitutional Hill and Newtown in the City centre and greater Kliptown, which is situated outside the City Centre.

The second focus is on defined urban regeneration projects. These projects are catalytic projects and are targeting interventions, which determine actions within the parameters of development frameworks for specific areas. Up to 2003, a number of projects undertaken by JDA within the City centre fall within this category including Braamfontein, Jeppsetown, Faraday, Doornfontein and the Fashion District.

The JDA, in addition to undertaking specific physical interventions and developments to promote economic growth objectives, is in the position to ensure that there is follow-through on priority actions defined in the development frameworks.

Thirdly, the JDA implements a range of programmed activities that provide support to projects and help create a more friendly development environment for investment. These activities include project and place marketing; public and community relations; strengthening of the development environment and business support structures; providing support to private sector led development initiatives and encourage environmentally sustainable development.

The overall objective of JDA in these projects is closely aligned to Joburg 2030, the Johannesburg City's economic strategy which has its vision in the creation of a world class African city characterized by service deliverables and efficiencies which meet world best practice, a specialized economy and labour force spearheading the service sector and operating on a global scale. "The strong economic growth resultant from this comprehensive behaviour will drive up city tax revenues, private sector profits and individual disposable income levels such as standard of living and quality of life of the City's inhabitants will increase in a sustainable manner." (Joburg 2030 strategy")

The JDA has a major role to play in transforming the city centre into a major cultural and economic centre for Johannesburg. A flexible approach to the changing development is imperative for the city and an ability to successfully tackle and develop a range of projects and partnerships have been and will continue to be, necessary for success.

C. SECTION A – OUR DETAILS

Any person who wishes to request any information from JDA may contact the information officer:

Full names of the Company: Johannesburg Development Agency (Pty) Limited

Registration Number: 2001/005101/07

Registered Address: 90 Market Street, Johannesburg South Africa 2001

Postal Address: Box 61877 Marshallstown Johannesburg 2107

Telephone numbers: + 27 11 688 7850

Telefax: + 27 11 688 7899

E-mail address: info@jda.org.za

Website: www.jda.org.za

Chief Executive Officer Graeme Reid

Designated Information Officer Contracts Manager (Adam Goldsmith)

Deputy Information Officer: Marketing Manager (Tshepo Nkosi)

D. SECTION B – THE OFFICIAL GUIDE

Section 10 of the Act requires the South African Human Rights Commission (“SAHRC”) to publish a guide containing information reasonably required by a person wishing to exercise or protect any right in terms of the Act. The Guide will be available from the SAHRC not later than August 2003.

Copies of the Guide will be available as soon as it is published by the SAHRC. Enquiries regarding the Guide can be addressed to the SAHRC, the contact details of which are as follows:

Post: South African Human Rights Commission
Promotion of Access to Information Act Unit
Research and Documentation Department
Private Bag 2700
Houghton
2041

Telephone: (011) 484-8300

Fax: (011) 484-0582

Website: www.sahrc.org.za

E-mail: PAIA@sahrc.org.za

E. SECTION C – INFORMATION AVAILABLE IN TERMS OF THE ACT

E1. Categories of information

We hold the following categories of information:

I. Statutory Company Information

Certificate of Incorporation;

Memorandum and Articles of Association;

Certificate to Commence Business;

Minute Book, CM25 and CM26, as well as Resolutions passed at general/class meetings;

Register of Members;

Index of Members;

Register of Mortgages and Debentures and Fixed Assets;

Register of Directors and Certain Officers;

Director's Attendance Register;

Annual Financial Statements including:

Annual accounts;

Directors' reports;

Auditor's report;

Books of Account regarding information required by the Companies Act, No. 61 of 1973, as amended;

Supporting schedules to books of account and ancillary books of account.

II. Miscellaneous Company Secretarial Information

Tape Recording of Board / Committee Meetings;

Minutes of Board Meetings.

III. Finance

Accounting Records including

Books of Account which include journals and ledgers;

Delivery notes, orders, invoices, statements, receipts, vouchers.

Accounts policies which includes the Fixed Asset Policy

IV. Statutory Employee Records

Employees' names and occupations;

Remuneration paid to each employee;

Date of birth of each employee;

Employment Equity plan;

Records in terms of the Income Tax Act.

V. Other Employee Records

Employee agreements;

Study assistance schemes;

Maternity leave policy;

Grievance Procedure.

VI. Environmental Health And Safety

Safety management systems (per Risk Management Plan)

Project environmental management plan where applicable), Permits, licences, approval and registrations for operation of sites and business;

Emergency response plans (per event – Joint Operations Committee);

Business Continuity Plan and Disaster Recovery Plan (per Risk Management Plan)

VII. Movable Property

Asset register;

Finance and Lease Agreements;

VIII. Intellectual Property

Trade marks, trade names and protected names;

Agreements relating to intellectual property such as licence agreement, secrecy agreements; joint venture agreements and joint development agreements.

IX. Agreements and Contracts

Agreements with Customers / Clients;

Agreements with shareholders, officers or directors;

Agreements with contractors and suppliers;

Distributor, dealer or agency agreements;

Agreements with governmental agencies;

Purchase or lease agreements.

X. Taxation

Copies of all Income Tax Returns;

Copies of all Tax Directives;

Copies of Tax Clearance Certificates.

XI. Procurement

Policies:

Procurement Policy;

Ethical Code (Procurement).

Agreements:

Agreements with Suppliers.

Other:

Database of Suppliers.

XII. Insurance

Insurance policies;

Claim records;

Details of insurance coverage's, limits and insurers.

XIII. Operational Information

Tenders for services;

Project Agreements;

Project Business Plans.

XIV. Information Technology

Asset Lists:

Hardware;

Software – applications and operating system;

LAN Installations;

Telephone Lines, Leased Lines and Data Lines;

Telephone Exchange Equipment (PABX).

Agreements:

Support Agreements;

Purchase Agreements (IT Acquisition);

Software Development Agreements.

Licenses:

Operating system Licenses;

Application of software licences.

Policies:

IT Policy;

Email/Internet Use Policy.

XV. Marketing

Lists of Services (Products);

Customers / Client list;

Brochures, Newsletters and Advertising Materials;

Press Releases;

Internal Communication / memoranda;

Various Internal policies and Records;

Company Profile;

Website www.jda.org.za.

E2. Procedure for requesting access to the above information

If you wish to request access to any of the above categories of information, you are required to complete a request form as set out in Annexure “1” hereto. These forms are available from:

- our information officer (whose contact details are in section A of this manual);
- the SAHRC website (www.sahrc.org.za); or
- the Department of Justice and Constitutional Development website (www.doj.gov.za).

There is a prescribed fee (payable in advance) for requesting and accessing information in terms of the Act. Details of these fees are contained in the request form.

You may further be called upon to pay the additional fees prescribed by regulation for searching for and compiling the information, which you have requested, including copying charges.

It is important to note that access is not automatic – you must identify the right you are seeking to exercise or protect and explain why the record you request is required for the exercise or protection of that right. You will be notified in the manner indicated by you on the request form whether your request has been approved.

F. SECTION D – INFORMATION AVAILABLE IN TERMS OF OTHER LEGISLATION

Where applicable to our operations, information is also available in terms of certain provisions of the following statutes:

- Basic Conditions of Employment Act No. 75 of 1997
- Companies Act No. 61 of 1973
- Compensation for Occupational Injuries and Diseases Act No. 130 of 1993
- Employment Equity Act No. 55 of 1998
- Income Tax Act No. 58 of 1962
- Labour Relations Act No. 66 of 1995
- Occupation Health and Safety Act No. 85 of 1993
- Unemployment Insurance Act No. 63 of 2001

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

- Basic Conditions of Employment Act No. 75 of 1997
 - Companies Act No. 61 of 1973
 - Compensation for Occupational Injuries and Diseases Act No. 130 of 1993
 - Employment Equity Act No. 55 of 1998
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- Income Tax Act No. 58 of 1962
- Labour Relations Act No. 66 of 1995
- Occupational Health and Safety Act No. 85 of 1993
- Stamp Duties Act No. 77 of 1968
- Value-added Tax Act No. 89 of 1991

G. SECTION E – INFORMATION AUTOMATICALLY AVAILABLE

The following categories of records are automatically available for inspection, purchase or photocopying. In other words, you do not need to request this information in terms of the Act.

Request forms for these categories of information are also available from our information officer, whose contact details appear in section A of this manual.

- Newsletters.
- Pamphlets / Brochures.
- Certain Reports.
- Other literature intended for public viewing

H. ANNEXURE 1

Form C 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 4)

A PARTICULARS OF PRIVATE BODY

The Head

B. PARTICULARS OF PERSON REQUESTING ACCESS TO THE RECORD

- a) *The particulars of the person who requests access to the records must be recorded below.*
- b) *Furnish an address and/or fax number in the Republic to which information must be sent.*
- c) *Proof of the capacity in which the request is made, if applicable, must be attached.*

Full name and surname of requester:

Identity number of requester:

Postal Address of requester:

Telephone number of requester

Fax number of requester

E-mail address:

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

C. 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:

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, 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.***

Description of record or relevant part of the record:

Reference number, if available:

Any further particulars of record:

E. 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.*
- If you qualify for exemption of the payment of any fee, please state the reason therefore.*

Reason for exemption from payment of fees:

F. FORM OF ACCESS TO RECORD

If you are prevented by a disability from reading, viewing or listening 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: _____ _____ _____
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MARK THE APPROPRIATE BOX WITH AN "X"

NOTES:

- a) *Your indication as to the required form of access depends 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 to the record, if any, will be determined partly by the form in which access is requested.*

1. If the record is in written or printed form:

	Copy of record*		Inspection of record
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2. If record consists of visual images:

(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)

	View the images		Copy of the images*		Transcription of the images*
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3. If record consists of recorded words or information which can be reproduced in sound:

	Listen to the soundtrack(audio cassette)		Transcription of soundtrack*(written or printed document)
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4. If record is held on computer or in an electronic or machine-readable form:

	Printed copy of record		Printed copy of information derived from the record*		Copy in computer readable form* (stiffy or compact disc)
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*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
A postal fee is payable.		

G 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 requested record is required for the exercising or protection of the aforementioned right:



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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 thereof 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 _____ on this _____ day of
_____200_

SIGNATURE OF REQUESTER/PERSON ON
WHOSE BEHALF REQUEST IS MADE

ANNEXURE 2

FEES IN RESPECT OF PRIVATE BODIES

1. The fee for a copy of this manual is R1,10 for every photocopy of an A4 size page or part thereof.
2. Where a private body has voluntarily provided the Minister with a list of categories of records that will automatically be made available to any person requesting access thereto, the only charge that may be levied for obtaining such records, will be a fee for reproduction of the record in question.

These fees for reproduction are as follows:

- | | | |
|----|---|---------|
| a) | For every photocopy of an A4 size page or part thereof | R 1,10 |
| b) | For every printed copy of an A4 size page or part thereof held on a computer or in electronic machine in readable form. | R0, 75 |
| c) | For a copy in a computer readable form on – | |
| | (i) stiffer disc: | R 7,50 |
| | (ii) compact disc: | R70,00 |
| d) | i). For a transcription of visual images for an A4 size page or part thereof | R40, 00 |
| | (ii). For a copy of visual images | R60,00 |
| e) | (i). For a transcription of an audio record, for an A4 size page or part thereof | R20,00 |
| | (ii) For a copy of an audio record | R30,00 |

3. The **request fee** payable by a requester, other than a personal requester, referred to in s 54(1) of the Act is: R50,00.

 4. The **access fees** payable by a requester are as follows:
 - a) For every photocopy of an A4 page or part thereof R 1,10
 - b) For every printed copy of an A4 size page or part thereof held on a computer or in electronic machine in readable form R 0,75
 - c) For a copy in a computer readable form on –
 - (i) stiffy disc R 7,50
 - (ii) compact disc R 70,00
 - d) (i) For a transcription of visual images for an A4 size page or part thereof R 40,00
 (ii) For a copy of visual images R60.00
 - e) (i) For a transcription of an audio record for an A4 size page or part thereof R20,00
 (ii) For a copy of an audio record R30,00
 - f) To search for and prepare a record that must be disclosed, R30,00 for each hour or part of an hour reasonably required for such search and preparation.

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

 6. for the purposes of Section 54(2) of the Act the following applies:
 - a) 6 (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 requestor.
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7. Notice of internal appeal, as contemplated in s 75(1) of the act, must be lodged in the form of form C of the annexure
8. The appeal fee payable in respect of the lodging of an internal appeal by a requester against the refusal of his/her request for access, as contemplated in s 75(3)(a) of the Act is R50.00
9. Public and private bodies registered under the VAT act 89 of 1991, as vendors may add value added tax to all fees prescribed in terms of these regulations.