

**PROMOTION OF ACCESS TO INFORMATION ACT
NO 2 OF 2000**

**MANUAL FOR THE DURBAN & COAST SPCA
(SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS)
Reg. No. 002-312NPO**



04 February 2015

This document was emailed and posted to the following addresses:

PAIA@sahrc.org.za

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

**SECTION 14 MANUAL FOR THE DURBAN & COAST SOCIETY
FOR THE PREVENTION OF CRUELTY TO ANIMALS (SPCA)**

CONTENTS

- 1. Contents**
- 2. Particulars in terms of section 14**
 - A.** The functions and the structure of the Durban and Coast Society for the Prevention of Cruelty to Animals [Section 14(1)(a)]
 - i.** Functions of the Durban and Coast SPCA
 - ii.** A schematic diagram of the structure of the Durban and Coast SPCA
 - iii.** The structure of the Durban and Coast SPCA
 - B.** Contact details [Section 14(1)(b)]
Information officer/ deputy information officer and contact details
 - C.** The section 10 Guide on how to use the Act [Section 14(1)(c)]
 - D.** Access to the records held by the Durban and Coast SPCA [Section 14(1)(d)]
 - i.** Automatic disclosures [Section 14(1)(e)]
 - ii.** Records that may be requested [Section 14(1)(d)]
 - iii.** The request procedures
 - E.** Services available [Section 14(1)(f)]
 - i.** Nature of services
 - ii.** How to gain access to these services
 - F.** Arrangement allowing for public participation in the formulation of policy and the exercising of the powers of the Durban and Coast SPCA [Section 14(1)(g)]
 - G.** Remedies available if the provisions of this Act are not complied with [Section 14(1)(h)]
- 3. Prescribed fees for public bodies**
- 4. Prescribed forms for access to a record of a public body**

2. PARTICULARS IN TERMS OF SECTION 14

A. The functions and the structure of the Durban and Coast Society for the Prevention of Cruelty to Animals [Section 14(1)(a)]

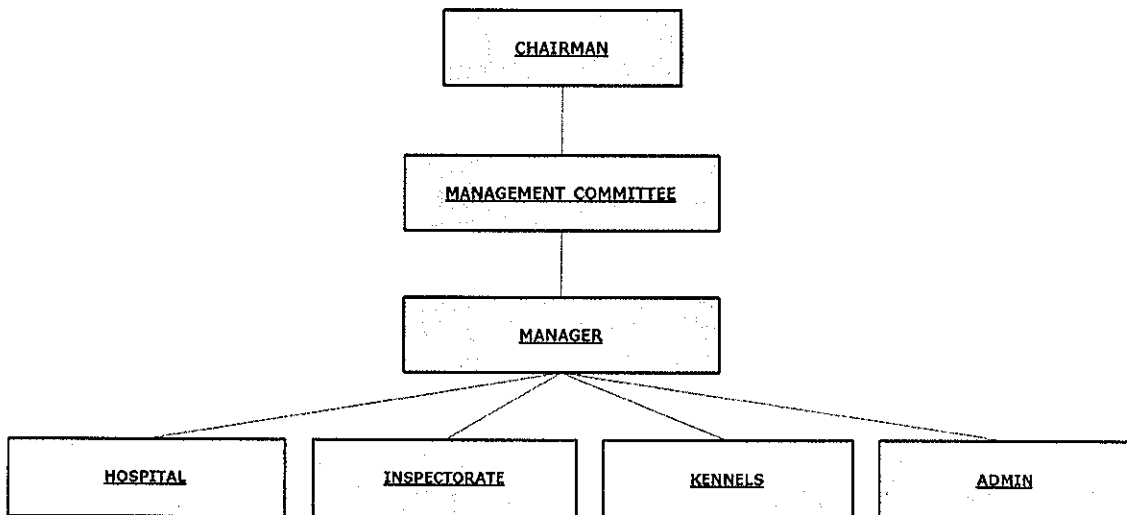
(i) The Functions of the Durban and Coast Society SPCA

The functions of the Durban and Coast SPCA as prescribed by section 2 of the Durban and Coast Society for the Prevention of Cruelty to Animals Constitution are:

- a. To prevent cruelty and the ill treatment of animals by promoting their good treatment by man;
- b. To prevent wanton and improper treatment of animals;
- c. To encourage kindness and consideration towards animals, including the establishment and promotion of Junior Movements;
- d. To maintain and protect animal and bird life in their natural habitats;
- e. To educate the entire community with regard to the humane treatment and compassion toward animals;
- f. To encourage and promote membership of the Society;
- g. The sole or principal object of the Society is to carry on the public benefit contemplated in paragraph 4(b) in Part II of the Ninth Schedule to the Act, in a non-profit manner and with an altruistic or philanthropic intent.

The further functions of the Durban and Coast SPCA are prescribed by the Societies for the Prevention of Cruelty to Animals Act No Act 169 of 1993. Our aim is to work towards the prevention of animal abuse.

(ii) A schematic diagram of the structure of the Durban and Coast Society for the Prevention of Cruelty to Animals



(iii) The structure of the Durban and Coast SPCA

The Management Committee of the Durban and Coast SPCA consists of the following:

Peter Chrystal	President
Neil Aubert	Chairman
Tarryn Wright	Vice-Chairman
Tara Baxter	Honorary Secretary
Browyn Lovell	Honorary Treasurer
Michael Hands	Committee Member
Yassien Saib	Committee Member
John Morton	Committee Member
Christina Costas	Committee Member
Victoria McDonald	Committee Member

B. Contact details [Section 14(1)(b)]

Information officer:

Patricia Van Gogh - Secretary admin@spcadbn.org.za

Deputy information officer:

Megs Tweedie – Marketing Manager megs@spcadbn.org.za

General information:

Address: 2 Willowvale Crescent
Springfield Park
4051

Postal address: P O Box 74495
Rochdale Park 4051

Telephone: 031 – 579 6500

Fax: 031 – 579 4351

Email address: admin@spcadbn.org.za

C. The section 10 Guide on how to use the Act [Section 14(1)(c)]

The guide will be available from the South African Human Rights Commission.

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 11 484-1360

Website: www.sahrc.org.za

E-mail: PAIA@sahrc.org.za

D. Access to the records held by the Durban and Coast SPCA [Section 14(1)(d)]

(i) Automatic disclosures [Section 14(1)(e)]

The Durban and Coast SPCA keeps information/documentation in accordance with the following legislation:

- The Societies for the Prevention of Cruelty to Animals Act, 169 of 1993
- Insolvency Act No 24 of 1936
- Pension Funds Act No 24 of 1956
- Income Tax Act No 59 of 1962
- Copyright Act No 98 of 1978
- Regional Services Councils Act No 109 of 1985
- Value Added Tax Act No 89 of 1991
- Labour Relations Act No 66 of 1995
- Basic Conditions of Employment Act No 75 of 1997
- Employment Equity Act 55 of 1998
- Skills Development Act No 97 of 1998
- Medical Schemes Act No 131 of 1998
- Skills Development Levies Act No 9 of 1999
- Unemployment Insurance Act No 63 of 2001

(ii) Records that may be requested [Sections 14(1)(d)]

Description of the subjects and categories of records held by the Durban and Coast SPCA:

1. THE DURBAN AND COAST SPCA GENERALLY

1.1. Governance

The Constitution

1.2. Administration

Minutes of Annual General Meetings
Minutes of meetings of Management Committee
Policies and Legislation
Lotto Grant Applications

1.3. Policy Statements

Food and farm Animals
Companion Animals
Animal Experimentation
Transportation of Unaccompanied Animals
Special Projects
Wildlife
Genetic Engineering

1.4. Labour Relations

Policies
Disciplinary/Grievance Procedure

1.5. Finance

Annual Audits
Monthly Income and Expenditure
Accounts
Budgets

1.6. Fundraising

Current/Defunct/Rejected Projects
Reports

(iii) The request procedures

A requester must be given access to a record of a public body if the requester complies with the following:

- The requester complies with all the procedural requirements in the Act relating to the request for access to that record; and
- Access to that record is not refused on any ground of refusal mentioned in the Act.

Nature of the request:

- A requester must use the form that has been printed in the Government Gazette [Govt. Notice R187- 15 February 2002] (Form A).
- The requester must also indicate if the requester is for a copy of the record or if the requester wants to come in and look at the record at the offices of the public body. Alternatively if the record is not a document it can then be viewed in the requested form, where possible [s 29(2)].
- If a person asks for access in a particular form then the requester should get access in the manner that has been asked for. This is unless doing so would interfere unreasonably with the running of the public body concerned, or damage the record, or infringe a copyright not owned by the state. If for practical reasons access cannot be given in the required form but in an alternate manner, then the fee must be calculated according to the way that the requester first asked for it [s 29(3) and (4)].
- If, in addition to a written reply to their request for the record, the requester wants to be told about the decision in any other way, e.g. telephone, this must be indicated [s 18(2)(e)].
- If a requester is asking for the information on behalf of somebody else, the capacity in which the request is being made should be indicated [s 18(2)(f)].
- If a requester is unable to read or write, or has a disability, then they can make the request for the record orally. The information officer must then fill in the form on behalf of such a requester and give them a copy [s 18(3)].

There are two types of fees required to be paid in terms of the Act, being the request fee and the access fee s22:

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, who is not a personal requester, must pay the required request fee:

- The information officer 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.

- The request fee payable to public bodies is R35. The requester may lodge an internal appeal, where appropriate, or an application to the court against the tender or payment of the request fee.
- After the information officer has made a decision on the request the requester must be notified of such a decision in the way in which the requester wanted to be notified in.
- If the request is granted then a further access fee must be paid for the search, preparation, reproduction and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

E. Services available [Section 14(1)(f)]

(i) Nature of services

The Durban and Coast SPCA focuses upon the enforcement of legislation to prevent cruelty to animals, education, monitoring welfare standards, disaster and emergency relief, pro-active welfare work and community outreach.

The Durban and Coast SPCA generates its own funds, relying on legacies and donations. No Government funding is received.

(ii) How to gain access to these services

To gain access to the services at the Durban and Coast SPCA, requests must be made to the Manager of the Durban and Coast SPCA, Caroline Smith.

Address:	2 Willowvale Crescent Springfield Park 4051
Postal address:	P O Box 74495 Rochdale Park 4034
Telephone:	031 – 579 6500
Fax:	031 – 579 4351
Email address:	admin@spcadbn.org.za

F. Arrangement allowing for public involvement in the formulation of policy and the exercise of power [Section 14(1)(g)]

No such arrangements exist, but members of the public are encouraged to make submissions to either the Manager or through her to the Management Committee for consideration.

G. The remedies available if the provisions of this Act are not complied with [Section 14(1)(h)]

The Durban and Coast Society for the Prevention of Cruelty to Animals does not have internal appeal procedures and the courts will have to be approached in such instances where there is no compliance with the provisions of the Act. This would apply to any situation in which the requester wishes to appeal a decision made by the information officer.

3. Prescribed fees for public bodies

PART II OF NOTICE 187 IN THE GOVERNMENT GAZETTE ON THE 15 FEBRUARY 2002 FEES IN RESPECT OF PUBLIC BODIES

1. The fee for a copy of the manual as contemplated in regulation 5(c) is **R2,90** for every photocopy of an A4-size page or part thereof.
2. The fees for reproduction referred to in regulation 7(1) are as follows:
 - a) For every photocopy of an A4-size page or part thereof **R2,90**
 - b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form **R2,90**
 - c) For a copy in a computer-readable form on –
 - i. compact disc **R136,16**
 - d) (i) For a transcription of visual images, for an A4-size page or part thereof **R64,42**
(ii) For a copy of visual images - **R158,13**
 - e) (i) For a transcription of an audio record, (Depending on outsourced for an A4-size page or part thereof fee)
(ii) For a copy of an audio record **R48,31**
3. The request fee payable by every requester, other than a personal requester, referred to in regulation 7(2) is **R64,56**
4. The access fees payable by a requester referred to in regulation 7(3) are as follows:
 1. (a) For every photocopy of an A4-size page or part thereof **R2,90**
 - (b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form **R2,90**
 - (c) For a copy in a computer-readable form on -
 - (i) compact disc **R128,84**
 - (d) (i) For a transcription of visual images, for an A4-size page or part thereof **R64,16**
(ii) For a copy of visual images **R158,13**
 - (e) (i) For a transcription of an audio record, (Depending on outsourced for an A4-size page or part thereof fee)
(ii) For a copy of an audio record **R52,71**
 - (f) To search for and prepare the record for disclosure, **R35,13** for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation.

- (2) For purposes of section 22(2) of the Act, the following applies:
- (a) 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 requester.
- (3) The actual postage is payable when a copy of a record must be posted to a requester.

4. Prescribed forms for access to a record of a public body

This prescribed forms for access to a record of a public body is available at www.hrc.org.za under "Publications", in particular "PAIA". A hard copy is also available from the Human Rights Commission itself.