

WETU TOURISM SOLUTIONS (PTY) LTD



PROMOTION OF ACCESS TO INFORMATION ACT SECTION 51 MANUAL

Introduction

This Manual is published in terms of Section 51 of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) ("the Act"). The Act gives effect to the provisions of Section 32 of the Constitution, which provides for the right of access to information held by the State and to information held by another person that is required for the exercise and / or protection of any right.

The reference to any information in addition to that specifically required in terms of Section 51 of the Act does not create any right or entitlement (contractual or otherwise) to receive such information, other than in terms of the Act.

1 WETU OVERVIEW

Wetu provides online sales and distribution tools to the tourism industry.

Wetu supports the constitutional right of access to information and we are committed to provide you access to our records in accordance with the provisions of the Act, the confidentiality we owe third parties and the principles of South African law.

2 AVAILABILITY OF THIS MANUAL

A copy of this Manual is available on our website (www.wetu.com) or by sending a request for a copy to the Information Officer by email. The Manual may also be obtained from our Cape Town office, the South African Human Rights Commission ("SAHRC") at the addresses set out below or from the Government Printers. This Manual will be updated from time to time, as and when required.

3 HOW TO REQUEST ACCESS TO RECORDS HELD BY WETU

A request for access to records must be made in the prescribed Form C (a copy of which is attached) which should be sent to the Information Officer at the address, fax number or electronic mail address detailed in 4 below.

Please note that an initial, non-refundable request fee of R57,00 (inclusive of VAT) is payable on submission. This fee is not applicable to personal requests, i.e. individual seeking access to records pertaining to those individuals themselves.

In the event that a request for access is successful an access fee will be payable for the search, reproduction and/or preparation of records and will be calculated based on the fee prescribed under the Act. The access fee must be paid prior to access being given to the requested record. The requester must provide sufficient detail on the

request form to enable the Information Officer to identify the record and the requester. The requester should also indicate which form of access is required and indicate if he or she wishes to be informed in any other manner and state the necessary particulars to be so informed.

The requester must identify the right that he or she is seeking to exercise or protect 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 a person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the Information Officer of Wetu.

Request for information will be evaluated and the applicant will be notified within 30 days after receipt of the request in the prescribed format of the following:

Notification of extension period (if required)

Applicants must take note that in terms of the Act the 30 (thirty) days period mentioned above may be extended for a further period of not more than 30 (thirty) days under certain circumstances (details will be provided together with the notification of such extension);

The access fee and/or deposit

The applicant will be informed of the access fee (*if any*) which is payable for having access to the records. In addition, a deposit may be requested which is fully refundable in the event that the application is ultimately refused.

Decision on request

The applicant will be informed whether or not the application for access has been denied, or granted. In the event that it is granted the information referred to above pertaining to the access fee, any deposit payable and any other relevant matters will be advised. In the event that the applicant is refused the applicant will be given adequate reasons for the refusal and will be informed that the applicant may lodge an application with a Court against the refusal of the application, as well as the procedure (including the period) for lodging such application.

Grounds for refusal

The Company may legitimately refuse to grant access to a requested record that falls within a certain category. Grounds on which the Company may refuse include:

- Protecting personal information that the Company holds about a third person (who is a natural person), including a deceased person, from unreasonable disclosure;
- Protecting commercial information that the Company holds about a third party or the Company (for example trade secrets, financial, commercial, scientific or technical information that may harm the commercial or financial interests of the Company or the third party);
- If disclosure of the record would result in a breach of a duty of confidence owed to a third party in terms of an agreement; If disclosure of the record would endanger the life or physical safety of an individual;
- If disclosure of the record would prejudice or impair the security of property or means of transport;
- If disclosure of the record would prejudice or impair the protection of a person in accordance with a witness protection scheme;
- If disclosure of the record would prejudice or impair the protection of the safety of the public;
- The record is privileged from production in legal proceedings, unless the legal privilege has been waived;

- Disclosure of the record (containing trade secrets, financial, commercial, scientific, or technical information) would harm the commercial or financial interests of the Company;
- Disclosure of the record would put the Company at a disadvantage in contractual or other negotiations or prejudice it in commercial competition;
- The record is a computer programme; and
- The record contains information about research being carried out or about to be carried out on behalf of a third party of the Company.

Records that cannot be found or do not exist

If the Company has searched for a record and it is believed that the record either does not exist or cannot be found, the requester will be notified by way of an affidavit or affirmation. This will include the steps that were taken to try to locate the record.

Third party information

If access is requested to a record that contains information about a third party, the Company is obliged to attempt to contact this third party to inform them of the request. This enables the third party the opportunity of responding by either consenting to the access or by providing reasons why the access should be denied.

In the event of the third party furnishing reasons for the support or denial of access, our designated contact person will consider these reasons in determining whether access should be granted, or not.

Kindly note that all requests to Wetu will be evaluated and considered in accordance with the Act. Publication of this manual and describing the categories and subject matter of information held by Wetu does not give rise to any rights (in contract or otherwise) to access such information or records except in terms of the Act.

4 CONTACT DETAILS

Name of Private Body	Wetu (Tourism Solutions) Pty Ltd
Chief Executive Officer	Andrew Ardington
Designated Information Officer	Jacqui Morris – Finance Director
Email address of Information Officer	jacqui@wetu.com
Postal address	Suite 231, Private Bag X18, Rondebosch, 7700
Street address	120 Belvedere Road, Claremont, Cape Town 7700
Phone number	+27 21 674 5390
Fax number	+27 21 683 0816

5 HOW TO ACCESS THE GUIDE AS DESCRIBED IN SECTION 10 OF THE ACT

The Human Rights Commission has compiled a guide, in terms of Section 10 of the Act, containing information which may reasonably be required by a person who wishes to exercise any right contemplated in the Act. This guide was published in the first half of 2005 and access to it, and to any amended versions thereof, can be found on the website of the South African Human Rights Commission at www.sahrc.org.za or a hard copy can be obtained directly from the South African Human Rights Commission.

The South African Human Rights Commission’s contact details are as follows:

Physical address: The South African Human Rights Commission:
PAIA Unit
The Research and Documentation Department
29 Prince of Wales Terrace
Cnr York and St Andrews Street
Parktown
Johannesburg

Postal address: Private Bag 2700
Houghton
2041

Telephone: +27 11 484-8300
Fax: +27 11 484-0582
Website: www.sahrc.org.za
E-mail: paia@sahrc.org.za

6 VOLUNTARY DISCLOSURE

At this stage no notice(s) has/have been published in terms of Section 52(2) of the Act, on the categories of records that are automatically available without a person having to request access in terms of the PAIA. However, it should be noted that the information relating to Wetu and its services is freely available on Wetu website. Certain other information relating to Wetu is also made available on such website from time to time.

7 RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION: SECTION 51(1)(d)

Information is available in terms of the following legislation to the persons or entities specified in such legislation:

Companies Act 61 of 1973
Income Tax Act 58 of 1962
Value Added Tax Act 89 of 1991
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
Unemployment Insurance Act 30 of 1966

8 SUBJECTS AND CATEGORIES OF RECORDS HELD BY WETU(SECTION 51 (1) (e)

Wetu maintains records on the following categories and subject matters. However, please note that recording a category or subject matter in this Manual does not imply that a request for access to such records would be honoured. All requests for access will be evaluated on a case by case basis in accordance with the provisions of the Act.

8.1 COMPANIES ACT RECORDS

- Documents of Incorporation
- Memorandum and Articles of Association

- Minutes of Board of Directors meetings
- Share Register
- Records relating to the appointment of directors/auditor/secretary/public officer and other officers

8.2 **FINANCIAL AND ADMINISTRATION RECORDS**

- Annual financial statements
- Tax returns
- Accounting records
- Electronic Banking records
- Bank statements
- Fixed asset register
- Invoices
- Management accounts
- Company policies
- Third party contracts and agreements

8.3 **INCOME TAX RECORDS**

- PAYE records
- Documents issued to employees for income tax purposes
- Records of payments made to SARS on behalf of employees
- VAT records
- Income tax returns
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8.4 **PERSONNEL RECORDS**

- Employment contracts
- Salary records
- Leave records
- Staff policies

8.5 **CUSTOMER RECORDS**

- Customer contracts
- Credit information and other research conducted in respect of customers;
- Records generated by or within Wetu pertaining to customers, including transactional records.
- Customer correspondence

ANNEXURE A

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 10]

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 record must be given below. |
| (b) | The address and/or fax number in the Republic to which the information is to be sent must be given. |
| (c) | Proof of the capacity in which the request is made, if applicable, must be attached. |

Full names and surname:

Identity number:

Postal address:

Fax number:

Telephone number:

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 <i>ONLY</i> if a request <i>for information</i> is made on behalf of <i>another</i> person.
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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.

- 1 Description of record or relevant part of the record:
- 2 Reference number, if available:
- 3 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.
- (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 with an X.	
<p>NOTES:</p> <p>(a) Compliance with your request in the specified form may depend on the form in which the record is available.</p> <p>(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.</p> <p>(c) The fee payable for access for the record, if any, will be determined partly by the form in which access is requested.</p>	

1. If the record is in written or printed form:			
	copy of record*		inspection of record
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*
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		
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)		
'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

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 of20

SIGNATURE OF REQUESTER / PERSON ON