

**MANUAL PREPARED IN ACCORDANCE WITH SECTION 51 OF THE PROMOTION OF ACCESS TO  
INFORMATION ACT NO 2 OF 2000  
("the Act")**

**FOR**

**The Twelve Apostles Hotel (Pty) Ltd  
(Registration Number 1998/003762/07)**

**A. INTRODUCTION TO THE TWELVE APOSTLES HOTEL AND SPA**

The Twelve Apostles Hotel and Spa is a luxurious intimate five star hotel.

**B. PARTICULARS IN TERMS OF THE SECTION 51 MANUAL**

**1. Contact details [Section 51(1)(a)]**

|                   |   |
|-------------------|---|
| Name of body:     | The Twelve Apostles Hotel (Pty) Ltd       |
| Physical address: | Victoria Road, Oudekraal, Cape Town, 8040 |
| Postal address:   | P O Box 32117, Camps Bay, 8040            |
| Head of body:     | Mr. Clive Bennett                         |
| Telephone no:     | 021 437 9000                              |
| Fax no:           | 021 437 9055                              |
| Email:            | cbennett@rchmail.co.za                    |

**2. Guide on how to use the Act [Section 51(1)(b)]**

The Promotion of Access to Information Act grants a requester access to records of a company, if the record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest. Requests in terms of the Act are required to be made in accordance with the prescribed procedures, at the rates provided.

A guide on how to use the Act has been compiled by 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 0582

Website: [www.sahrc.org.za](http://www.sahrc.org.za)

E-mail: [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)

**3. Records available in terms of any other legislation [Section 51(1)(d)]**

Records are kept and are available upon specified conditions in accordance with such other legislation as is applicable to The Twelve Apostles Hotel (Pty) Ltd including:

Basic Conditions of Employment Act 75 of 1997 as amended;

Companies Act Number 61 of 1973;

Compensation for Occupational Injuries & Diseases Act 130 of 1993;

Copyright Act 98 of 1978;

Employment Equity Act 55 of 1998;

Income Tax Act 95 of 1967;

Labour Relations Act 66 of 1995 as amended;  
Occupational Health & Safety act No.85 of 1993;  
Regional Services Councils Act 109 of 1985;  
Skills Development Act No. 97 of 1998;  
Skills Development Levies Act 9 of 1999;  
Unemployment Contributions Act No. 4 of 2002;  
Unemployment Insurance Act 63 of 2001;  
Value Added Tax Act 89 of 1991;  
Wage Determination No. 457.

**4. Access to the records held by The Twelve Apostles Hotel (Pty) Ltd [Sections 51(1)(c) and 51(1)(e)].**

**4.1 The categories of records and documentation which are available without a person having to request access in terms of the Act [Section 51(1)(c)].**

Brochures  
Menus  
Tariff sheets

**4.2 Records that may be requested [Section 51(1)(e)].**

Companies Act records

Documents of incorporation  
Memorandum and articles of association  
Minutes of Board of Directors meetings  
Records relating to the appointment of directors, auditors, public officer and secretary

Financial records

Financial Statements  
Banking records  
Contracts  
Invoices  
Rental agreements

Income tax records

Tax returns  
PAYE records  
Documents issued to employees for income tax purposes  
Records of payments made to SARS on behalf of employees

Personnel documents and records

Contracts of employment  
Employment equity plan  
Remuneration records and policies  
Medical aid records  
Pension fund records  
Leave records

General / Other

Fire & Safety Certificate  
Lease agreements  
Liquor license  
Trade Licence  
TV licence  
SAMRO licence



## 7. Fees:

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 head of the private body must notify the requester (other than a personal requester) by notice, to pay the prescribed request fee (if any) before further processing the request [s54(1)].
- The fee that the requester must pay to the private body is R50,00. The requester may lodge an application to the court against the tender or payment of the request fee [s 54(3)(b)].
- After the head of the private body has made a decision on the request, the requester must be notified in the required form.
- If the request is granted then a further access fee must be paid for reproduction and for search, preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure [s 54 (6)].

### Fees in respect of private bodies

**7.1** The fee for a copy of the manual as contemplated in regulation 9(2)(c) is R1,10 for every photocopy of an A4-size page or part thereof.

**7.2** The fees for reproduction referred to in regulation 11(1) are as follows:

|   | R     |
|---|-------|
| (a.) For every photocopy of an A4-size page or part thereof   | 1,10  |
| (b.) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form | 0,75  |
| (c.) For a copy in a computer-readable form on –  |       |
| (i.) Stiffy disc  | 7,50  |
| (ii.) Compact disc  | 70,00 |
| (d.) (i.) For a transcription of visual images, for an A4 size page or part thereof   | 40,00 |
| (ii.) For a copy of visual images   | 60,00 |
| (e.) (i.) For a transcription of an audio record, for an A4-size page or part thereof                                       | 20,00 |
| (ii.) For a copy of an audio record   | 30,00 |

**7.3** The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2) is R50,00.

**7.4** The access fees payable by a requester referred to in regulation 11(3) are as follows:

|  | R     |
|--|-------|
| (1.) (a.) For every photocopy of an A4-size page or part thereof   | 1,10  |
| (b.) For every printed copy of an A4 size page or part thereof held on a computer or in electronic or machine-readable form                            | 0,75  |
| (c.) For a copy in a computer-readable form on -   |       |
| (i.) stiffy disc   | 7,50  |
| (ii.) compact disc   | 70,00 |
| (d.) (i.) For a transcription of visual images, for an A4 size page or part thereof  | 40,00 |
| (ii.) For a copy of visual images  | 60,00 |
| (e.) (i.) For a transcription of an audio record, for an A4-size page or part thereof  | 20,00 |
| (ii.) For a copy of an audio record  | 30,00 |
| (f.) To search for and prepare the record for disclosure, R30,00 for each hour or part of an hour reasonably required for such search and preparation. |       |
| (2.) For purposes of section 54(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.  |       |

**Prescribed forms**

**REQUEST FOR ACCESS TO A RECORD OF  
THE TWELVE APOSTLES HOTEL (PTY) LTD**

(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 Twelve Apostles Hotel (Pty) Ltd  
Victoria Road, Oudekraal, Cape Province, 8040  
P O Box 32117, Camps Bay, 8040  
021 437 9000, 021 437 9055, cbennett@rchmail.co.za

The Head of Information: Mr Clive Bennett

**B. Particulars of person requesting access to the record**

- |   |
|---|
| <ol style="list-style-type: none"><li>1. <i>The particulars of the person who requests access to the record must be given below.</i></li><li>2. <i>Furnish an address and/or fax number in the Republic to which information must be sent.</i></li><li>3. <i>Proof of the capacity in which the request is made, if applicable, must be attached.</i></li></ol> |
|---|

Full names and surname: \_\_\_\_\_

Identity number: \_\_\_\_\_

Postal address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Fax number: \_\_\_\_\_

Contact telephone number: \_\_\_\_\_

E-mail address: \_\_\_\_\_

Capacity in which request is made, when made on behalf of another person: (attach proof of capacity, power of attorney, resolution)

\_\_\_\_\_

\_\_\_\_\_

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

|  |
|--|
| <p><i>This section must only be completed ONLY if a request for information is made on behalf of another person.</i></p> |
|--|

Full names and surname: \_\_\_\_\_

Identity number: \_\_\_\_\_

**D. Particulars of record**

- |  |
|--|
| <ol style="list-style-type: none"><li>1. <i>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.</i></li><li>2. <i>If the provided space is inadequate please continue on a separate folio and attach it to this form. <b>The requester must sign all the additional folios.</b></i></li></ol> |
|--|

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

---

---

2. Reference number, if available: \_\_\_\_\_

3. Any further particulars of record:

---

---

---

**E. Fees**

- |  |
|--|
| 1. A request for access to the record, other than a record containing personal information about yourself, will be processed only after a request fee has been paid. |
| 2. You will be notified of the amount required to be paid as the request fee.  |
| 3. 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.       |
| 4. 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".

NOTES:

- |   |
|---|
| a. Compliance with your request in the specified form may depend 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.                                |

|  |   |                          |  |     |    |
|--|---|--------------------------|--|-----|----|
| <b>1. If the record is in written or printed form:</b>   |   |                          |  |     |    |
| <input type="checkbox"/>   | copy of record*                           | <input type="checkbox"/> | inspection of record                                       |     |    |
| <b>2. If record consists of visual images</b> (this includes photographs, slides, video recordings, computer generated images, sketches, etc.):      |   |                          |  |     |    |
| <input type="checkbox"/>   | view the images                           | <input type="checkbox"/> | copy the images*   |     |    |
| <input type="checkbox"/>   |   | <input type="checkbox"/> | transcription of images                                    |     |    |
| <b>3. If record consists of recorded words or information which can be reproduced in sound:</b>  |   |                          |  |     |    |
| <input type="checkbox"/>   | listen to the soundtrack (audio cassette) | <input type="checkbox"/> | transcription of soundtrack* (written or printed document) |     |    |
| <b>4. If record is held on computer or in an electronic or machine-readable form:</b>  |   |                          |  |     |    |
| <input type="checkbox"/>   | printed copy of record*                   | <input type="checkbox"/> | printed copy of information derived from the record*       |     |    |
| <input type="checkbox"/>   |   | <input type="checkbox"/> | copy in computer readable form* (stiffy or compact disk)   |     |    |
| *If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? <b>Postage is payable.</b> |   |                          | <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 space provided for is insufficient to complete this section, 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 requested record is required for the exercising 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 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 \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
SIGNATURE OF REQUESTER/PERSON  
ON WHOSE BEHALF REQUEST IS MADE