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1. INTRODUCTION

The Promotion of Access to Information Act, No. 2 of 2000, (PAIA) gives effect to the constitutional right of access to any information held by any public or private body that is required for the exercise or protection of any rights. PAIA sets out the procedures attached to such request in relation to **DREAM VACATION CLUB** (THE CLUB).

Section 9 of PAIA, however, recognizes that the right to access to information is subject to certain justifiable limitations, for instance limitations aimed at:

- the reasonable protection of privacy;
- commercial confidentiality; and
- effective, efficient and good governance.

Section 50 of PAIA obliges private bodies to compile a manual, which would assist a person to obtain access to information held by the private body and stipulates the minimum requirements a manual must comply with.

Additionally, under the Protection of Personal Information Act 2013 (POPI) the Club is required to be open and transparent about how the Club handles personal information and allows individuals to access and correct their personal Information. Under POPI everyone has various rights in respect of his/her personal information. These rights include the right to ask the Club to:

- Confirm whether the Club handles your personal information;
- Grant access to your personal information;
- Correct, destroy or delete your personal information if your personal information held by the Club is inaccurate, irrelevant, excessive, out of date, incomplete, or was obtained illegally; or
- Stop using your personal information ways, for example by asking the Club to stop using your information for direct marketing purposes;

The purpose of this manual is therefore to inform a person on how to obtain access to records held by the Club and thereby giving effect to Section 50 of PAIA.

2. SOUTH AFRICAN HUMAN RIGHTS COMMISSION GUIDE ON PAIA

The South African Human Rights Commission (SAHRC) has compiled a guide, in an easily comprehensible form and manner, as to how a person may exercise any right contemplated in the PAIA.

This guide is available in all the official languages from the SAHRC. Any enquiries regarding this guide should be directed to:

The South African Human Rights CommissionTelephone No.:+27 877 3600Fax No:+27 11 484 7146/7mailto::info@sahrc.org.za

3. GENERAL CONTACT DETAILS OF THE CLUB

DREAM VACATION CLUB

Telephone No.	: +27 11 267 8300
Fax No.:	+27 11 7061044
E-Mail:	info@dreamresorts.co.za

Postal Address:	PO Box 786027
	Sandton 2146
	Gauteng
	South Africa
Street Address:	310, Main Road
	Bryanston
	Gauteng
	South Africa

Website:

http://www.dreamvacs.com

4. INFORMATION OFFICERS

The Chairman of the Board of Trustees is the information officer of THE CLUB

The contact details of the information officer and deputy information officers designated in terms of section 17 of the Act are as follows:

Information Officer:

Mr. Weston Dickson PO Box 786027 Sandton 2146 Gauteng South Africa

Deputy Information Officer:

Mr. Andre de la Porte PO Box 786027 Sandton 2146 Gauteng South Africa

5. SUBJECTS AND CATEGORIES OF RECORDS HELD BY THE CLUB

The subjects and categories of records held by **THE CLUB** are as follows:

- 5.1 Club personnel records
- 5.2 Club procurement records
- 5.3 Club financial records
- 5.4 Agendas and minutes of internal Club meetings
- 5.5 Club reports
- 5.6 Internal policies and procedures

6. REQUEST FOR INFORMATION PROCEDURE

6.1 Automatically available records

The records listed in **Annexure A** are automatically available without a person having to request access in terms of the Act.

The records listed in **Annexure A** may be obtained from THE CLUB. Where there are enough copies available, the record may be obtained free of charge while stocks last, where after a reproduction fee is payable as listed under **Annexure C**.

6.2 Application process

Step 1: The request

Where a person wishes to access information held by THE CLUB, other than the records listed in **Annexure A**, such a person must make a request for access to the relevant information in the prescribed form. This form is available on THE CLUB website at <u>www.dreamvacs.com</u> or may be obtained from:

The South African Human Rights Commission Promotion of Access to Information Unit

Ms. Kisha Candasamy Phone: 011 8773803 E-Mail Address: lidlamini@sahrc.org.za Street Address Braampark Forum 3, 33 Hoofd Street, Braamfontein Website: www.sahrc.org.za

The completed request form may be submitted in any one of the following ways

By hand, by fax, by email or by post: THE INFORMATION OFFICER

DREAM VACATION CLUB				
Telephone No.:	+27 11 267 8300			
Fax No.:	+27 11 7061044			

E-Mail: info@dreamresorts.co.za

Postal Address:	PO Box 786027		
	Sandton 2146		
	Gauteng		

Street Address:	310, Main Road
	Bryanston
	Gauteng
	South Africa
Website:	http://www.dreamvacs.com

A request fee of R50-00, or proof of payment thereof, must accompany the request for information. Please apply to THE CLUB for these details..

Step 2: Validation and acknowledgement

The information officer receives and validates the request to see whether the required information is available within THE CLUB. The request is then accepted, rejected or transferred to the rightful keepers of the required information. An acknowledgement is then forwarded to the requester to confirm the status of the request.

Step 3: Information processing

If the request is accepted, THE CLUB will gather and prepare the information and calculate the relevant cost involved. The cost is calculated in para.6.3.

Step 4: Final Notification

The requester will be informed of the completion of the request as well as the outstanding fees payable.

Step 5: Payment and delivery

Once the payment as stipulated in Step 4 is received (following the same payment process as stipulated in Step 1), the information is released to the requester.

General Information

The prescribed form must be competed with enough particularity to enable the Information Officer to identify:

- The record or records requested;
- The identity of the requester;
- Which form of access is required, if the request is granted;
- The postal address or fax number of the requester.

The CLUB will process the request within 30 days, unless the requester has stated special reasons, which would satisfy the Information Officer, that circumstances dictate that the above time periods should not be complied with. The 30-day period within which the CLUB must decide whether to grant or refuse the request may be extended for a further period of not more than thirty days if the request is for a large amount of information, or the request requires a search for information held at another office of the institution and the information cannot reasonably be obtained within the original 30-day period. The CLUB will notify the requester in writing should an extension be sought.

If a request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of the Information Officer. If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally. The requester must pay the prescribed fee, before any further processing can take place.

6.3 Fees

The Act provides for two types of fees:

- (a) A request fee, which will be a standard fee; and
- (b) an access fee, which must be calculated by considering reproduction costs, search and preparation time and cost, as well as postal costs.

When the request is received by the Information Officer, such Officer shall by notice require the requester, other than a personal requester, to pay the prescribed request fee (if any), before further processing of the request.

If a search for the record has been made and the preparation of the record for disclosure, including arrangements to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, the Information Officer shall notify the requester to pay as a deposit the prescribed portion of the access fee, which would be payable if the request is granted.

The Information Officer shall withhold a record until the requester has paid the relevant fees as indicated below.

A requester whose request for access to a record has been granted, must pay an access fee for reproduction and for search and preparation, and for any time reasonable required more than the prescribed hours to search for and prepare the record for disclosure, including making arrangement to make it available.

If a deposit has been paid in respect of a request for access, which is refused, then the Information Officer concerned must repay the deposit to the requester.

The fees are set out under **ANNEXURE A.**

7. REMEDIES WHERE REQUESTS FOR ACCESS ARE REFUSED

7.1 Refusal of request

The main grounds for THE CLUB to refuse a request follow:

- (1) The mandatory protection of the privacy of a third party who is a natural person, which would involve the unreasonable disclosure of personal information of that natural person;
- (2) The mandatory protection of the commercial information of a third party, if the record contains:
 - trade secrets of that third party;
 - financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party;
 - information disclosed in confidence by a third party to THE CLUB, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition.
- Mandatory protection of confidential information of third parties if it is protected in terms of any agreement;

- (4) The m a n d a t o r y protection of the safetyof individuals and the protection of property;
- (5) The mandatory protection of records which would be regarded as privileged in legal proceedings;
- (6) The operations of THE CLUB;
- (7) The commercial activities of THE CLUB, which may include:
 - trade secrets of THE CLUB;
 - financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of THE CLUB;
 - information which, if disclosed could put THE CLUB at a disadvantage in negotiations or commercial competition;
 - a computer programmer which is owned by THE CLUB, and which is protected by copyright;
- (8) The research information of THE CLUB or a third party, if its disclosure would disclose the identity of THE CLUB, the researcher or the subject matter of the research and would place the research at a serious disadvantage.

Requests for information that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources shall be refused.

7.2 Appeal

- A requester may lodge an internal appeal against a decision of the Information Officer of THE CLUB -
 - (a) to refuse a request for access; or
 - (b) taken in terms of section 22, 26(1) or 29(3), in relation to that requester, with the Minister for Provincial and Local Government.

- A third party may lodge an internal appeal against a decision of the Information Officer of THE CLUB to grant a request for access.An internal appeal must be lodged in the prescribed form:
 - Within 60 days;
 - if notice to a third party is required, within 30 days after notice is given to the appellant of the decision appealed against;
 - it must be delivered or sent to the Information Officer of THE CLUB at his or her addresses, or fax number;
 - it must identify the subject of the internal appeal and state the reasons for the internal appeal and may include any other relevant information known to the appellant,
 - if, in addition to a written reply, the appellant wishes to be informed of the decision on the internal appeal in any other manner, must state that manner and provide the necessary particulars to be so informed;
 - if applicable, must be accompanied by the prescribed appeal fee, and must specify a postal address or fax number.

The prescribed form for an internal appeal is available on the CLUB website at http://www.dreamresorts.co.za or may be obtained upon request from: -

The South African Human Rights Commission Braampark Forum 3, 33 Hoofd Street, Braamfonteino Tel: 011 877 3600 (Switchboard)

E-Mail Address: PAIA@sahrc.

If an appeal is lodged after the expiry of the period referred to, the Minister must, upon good cause shown, allow the late lodging of the appeal.

If the Minister disallows the late lodging of the appeal, he or she must give notice of that decision to the person who lodged the appeal.

A requester lodging an appeal against the refusal of his or her request for access must pay the prescribed appeal fee (if any).

If the prescribed appeal fee is payable in respect of an appeal, the decision on the appeal may be deferred until the fee is paid.

As soon as reasonably possible, but in any event within ten (10) working days after receipt of an appeal, the Information Officer of **THE CLUB** must submit the following to the Minister:

- The appeal together with his or her reasons for the decision concerned;
- and, if the appeal is against the refusal or granting of a request for access, the name, postal address, phone and fax number and electronic mail address, whichever is available, of any third party that must be notified of the request.

SIGNED BY DIANE IRENE GORDON, FINANCIAL DIRECTOR AND SHARE HOLDER OF THE CLUB

DATE 15/02/2016 Placed on the Club website on 01/02/2016 Placed on the SAHRC website on 01/03/2016

ANNEXURE A

THE CLUB AUTOMATIC AVAILABILITY OF RECORDS IN TERMS OF SECTION 15 OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000

TITLE	DATE	TOPIC	MANNER OF ACCESS
Resort Guide	March 2014	Information on all resorts	On request

ANNEXURE B

RECORDS WHICH HAVE TO BE APPLIED FOR

The following records are not automatically available without a request in terms of the Act. All records and/or documents kept in compliance with the requirements of the following legislation:

Records available in terms of other legislation

Labour Relations Act 66 of 1995 Employment Equity Act 55 of 1998 Basic Conditions of Employment Act 75 of 1997 Compensation for Occupational Injuries and Disease Act 130 of 1993 Companies Act 61 of 1973 Unemployment Insurance Act 63 of 2001 Value Added Tax Act 89 of 1991 Income Tax Act 58 of 1962 Skills Development Act 9 of 1999

Subjects and categories of records held by THE CLUB

Note: This section of the Manual sets out the subject and categories of records held by THE CLUB. The inclusion of any subject or category of records should not be taken as an indication that records falling within those subjects and/or categories will be made available under the Act. Certain grounds of refusal as set out in the Act may be applicable to a request for such records.

1. Financial records

- Interim and annual financial reports
- Details of auditors
- External auditors' reports in respect of audits conducted.
- Details of actuaries of the pension scheme utilized
- Tax returns
- Other documents and agreements relating to taxation.
- Other financial records
- Bank facilities and accounts details.
- Bank statements.
- Debt securities issued
- Guarantees given by, or in respect of, THE CLUB.
- Agreements with various credit card companies.
- Other financial commitments of THE CLUB
- Other banking records of THE CLUB

1. Human Resources and Employment Records

- List of employees.
- Contracts of employment with directors, officers and employees of THE CLUB
- Expenditure or reimbursement agreements with directors of THE CLUB
- Documents relating to employee benefits.
- Compensation or redundancy payments.
- Personnel files.
- Training manuals and leave records
- Employment equity plan of THE CLUB
- Procedural agreements and policies of THE CLUB
- Disciplinary records and documentation pertaining to disciplinary proceedings.
- Other information relating to employees of THE CLUB

2. Intellectual Property

- Trademarks, patents, copyrights and all designs held by THE CLUB
- Licensees relating to intellectual property rights.
- Other agreements relating to intellectual property rights.

3. Permits

- license's, material permits, consents, approvals, authorizations' and certificates.
- Applications for permits, licences etc.
- Registrations and declarations of permits.

4. Insurance records

• Insurance policies taken out for the benefit of THE CLUB and its employees

5. Immovable and movable property

- Title deeds of land owned by THE CLUB
- Agreements for the lease or sale of land and/or other immovable property by THE CLUB
- Agreements for the lease or sale of movable property by THE CLUB
- Mortgage bonds, liens, notarial bonds or security interests on property.
- Other agreements for the purchase, ordinary sale, conditional sale, or hire of assets.

6. Information technology

- Information Technology Policy
- Licensing and Software Contracts
- Procurement Agreements
- Infrastructure maintenance and support Agreements
- Software vendor license, maintenance and support agreements
- Development agreements
- Consulting agreements

7. Policy documents

- Occupational Health and Safety Policy
- Protection of Private Information Policy

8. Miscellaneous agreements

- Loans from third parties (including banks).
- Suretyship agreements.
- Security agreements, guarantees and indemnities, including notarial bond agreements.
- Agreements restricting the trading activities of THE CLUB
- Agency, management and distribution agreements.
- Marketing agreements, including marketing and event management plans, promotional brochures and publications, media releases and brand information.
- Agreements in terms of which THE CLUB is a member of a joint venture, consortium, partnership, incorporated or unincorporated association, and shareholders' agreements of another entity, which THE CLUB is a party to.
- Supply agreements.
- Agreements with wholesalers, retailers and customers
- Confidentiality and/or non-disclosure agreements.
- Any other agreements.

9. Correspondence

• Correspondence of THE CLUB including internal and external memoranda.

10. Environmental and Technical Records

- Documentation pertaining to environmental studies conducted by THE CLUB.
- Technical information in the possession of THE CLUB

11. Other information

- BEE plans of THE CLUB
- Quality assurance and control policy documents.
- Customer profiles.
- Records relating to legal proceedings involving THE CLUB

ANNEXURE C

Fees in respect of private bodies

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.

2. The fees for reproduction referred to in regulation 11(1) are as follows: RANDS

(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) USB stick 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

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

4. The access fees payable by a requester referred to in regulation 11(3) are as follows: RANDS

(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) USB stick7, 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.

Please also note that if you earn below R14 712 a year or you and your partners combined income is less than R27 192 per year, you will not have to pay a request fee with your application.

FORM B

Notice of internal appeal

(Section 75 of the Promotion of Access to information Act, 2000 (Act 2 of 2000)) [Regulation 8] STATE YOUR REFERENCE NUMBER: ______

A Particulars of public body The information Officer/Deputy Information Officer:

B Particulars of requester/third party who lodges the internal appeal

(a) The of the person who lodge the internal appeal must be given below.

(b) Proof of the capacity in which appeal is lodged, if applicable, must be attached.

(c) if the appellant is a third person and not the person who originally requested the

information, the of the requester must be given at C below.

Full names and surname:

Identity number:

Postal address:	
	Fax number:
Telephone number:	E-mail address:
Capacity in which an internal appeal of	on behalf of another person is lodged:
C Particulars of requester	
This section must be completed ONLY	if a third party other than the requester) lodges the
internal appeal.	
Full names and surname:	

Identity number:

D The decision against which the internal appeal is lodged

Mark the decision against which the internal appeal is lodged with an X in the appropriate box:

Refusal of request for access

Decision regarding fees prescribed in terms of section 22 of the Act

Decision regarding the extension of the period within which the request must be dealt

with in terms of section 26(1) of the Act

Decision in terms of section 29(3) of the Act to refuse access in the form requested by the requester

Decision to grant request for access

E Grounds for appeal

If the provided space is inadequate, please continue a separate folio and attach it to this form. You must sign all the additional folios.

State the grounds on which the internal appeal is based:

State any other information that may be relevant in considering the appeal:

F Notice of decision on appeal

You will be notified in writing of the decision on your internal appeal. If you wish to be informed in another manner, please specify the manner and provide the necessary to enable compliance with your request.

State the manner:

Of manner:

Signed at	this	day of	20
SIGNATURE OF APPE	ELLANT		
FOR DEPARTMENTAL	USE:		
OFFICIAL RECORD O	F INTERNAL APPEAL		
Appeal received on		(date) by	
		(sta	ate rank, name and
surname of information	officer/deputy informa	tion officer).	
Appeal accompanied by	y the reasons for the ir	nformation officer's/de	puty information
officer's decision and, w	where applicable, the o	f any third party to wh	om or which the
record relates, submitte	ed by the information of	officer/deputy informat	ion officer on
	(date) to the re	elevant authority.	
OUTCOME OF APPEA	L:		
DECISION OF INFORM	MATION OFFICER/DE	PUTY INFORMATION	N OFFICER
CONFIRMED/NEW DE	CISION SUBSTITUTE	D	
NEW DECISION:			
DATE			

RELEVANT AUTHORITY

RECEIVED BY THE INFORMATION OFFICER/DEPUTY INFORMATION

OFFICER FROM THE RELEVANT AUTHORITY ON (date):

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]

1. Of private body

2. Name of Information Officer

3. 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:

4. 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:

5. Of record

- (a) Provide full particulars of the record to which access is requested, including the reference number
- (b) r if that is known to you, to enable the record to be located.
- (c) 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 of record

6. 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 <i>notified of</i> the amount required to be paid as the request fee.
(c)	The fee payable for access to a record depends <i>on</i> the form <i>in which</i> access is required and the
	reasonable time <i>required</i> 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:

7. 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 or available. (b) Access in the form requested may be refused in certain circumstant informed if access will be granted in another form. (c) The fee payable for access for the record, if any, will be determined requested. 	nces. In such a case you will be

1. If the record is in written or printed form:							
	copy of record*		inspection of record				
	cord consists of visual imagen ncludes photographs, slides,		o recordings, computer-generated i	mage	s, sketche	es, etc)	
	view the images		copy of the images" transcription of the images*				
3. If rec sound:		ords	s or information which can be rep	orodu	ced in		
	listen to the soundtrack transcription of soundtrack* audio cassette 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 for (USB stick 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?YPostage is payable.Y				YES	NO		

8. 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:

9. 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......2

SIGNATURE OF REQUESTER / PERSON ON WHOSE BEHALF THE RECORD