



**MANUAL PREPARED IN ACCORDANCE WITH SECTION 51 OF THE PROMOTION OF ACCESS TO  
INFORMATION ACT NO 2 OF 2000  
("THE ACT")  
FOR  
SAFAIR OPERATIONS (PROPRIETARY) LIMITED ("SAFAIR")  
REGISTRATION NUMBER: 2007/032915/07**

## 1. Introduction

### 1.1. The Provisions of the Act

1.1.1. The Act was enacted on 3 February 2000 and was put into effect in part on 9 March 2001, with Section 51 and other Sections pertaining to the Manuals to be prepared by public and private bodies coming into effect on 15 February 2002.

1.1.2. The object of the Act is to give effect to the constitutional right of access to information held by another and required for the exercise or protection of any right, but importantly, to give effect to such right subject to justifiable limitations such as privacy, commercial confidentiality, and professional privilege. When a request is made by a requester in accordance with the procedure provided for the Act, for access to information held by a body (being either a public body or a private body), that body is obliged to deal with such a request in the manner prescribed in the Act. More specifically, that body is obliged to release the information except in those cases where the Act expressly provides that the information may not or must not be released.

### 1.2. The Guide

1.2.1. The Human Rights Commission is responsible for compiling a guide that provides details on how to use the Act. Please direct any further queries in respect of this guide to:

The South African Human Rights Commission:

PAIA Unit

The Research and Documentation Department

Postal Address: Private Bag 2700

Houghton

2041

Phone: (011) 484 8300

Fax: (011) 484 0582

e-mail: PAIA@zahrc.org.za

Website: www.sahrc.org.za

- 1.3. In terms of Section 51(1) of the Promotion of Access to Information Act, all heads of private bodies are required to compile a Manual that provides information regarding the subjects and categories of records held by such private bodies. This Manual is intended to fulfil this requirement.
- 1.4. Accordingly, this Manual provides a reference to the records we hold and the process that needs to be adopted to access such records. All requests for access to information should be addressed to the contact person as identified in section 3 of this Manual, as the entities designated Information Officer.
- 1.5. A copy of the Manual will be available:
  - 1.5.1. on our website ([www.safair.co.za](http://www.safair.co.za));
  - 1.5.2. at the registered address of the entity (refer to the address below);
  - 1.5.3. at the South African Human Rights Commission; or
  - 1.5.4. by sending a request for a copy to the Information Officer by email.

## 2. **Entity overview, structure and scope of this Manual.**

- 2.1. This Manual applies in respect of Safair Operations (Proprietary) Limited.
- 2.2. The Information Officer named below is appointed in respect of all of the abovementioned entity.

## 3. **Administration of the Act**

- 3.1. Mr Pieter Richards is responsible for ensuring that the requirements of the Promotion of Access to Information Act are administered in a fair, objective and unbiased manner for the entity. Accordingly, all requests for access to records relating to the entity should be addressed to:
  - 3.1.1. Company Name: Safair Operations (Proprietary) Limited
  - 3.1.2. Contact person: Mr Matthew Herman
  - 3.1.3. Postal address: P.O. Box 938, Kempton Park, 1620, South Africa

- 3.1.4. Physical address: Northern Perimeter Road, O.R. Tambo International  
Airport, Bonaero Park, 1619, South Africa
- 3.1.5. Phone number: +27 11 928 0000
- 3.1.6. Fax Number: +27 11 395 1315
- 3.1.7. E-mail: info@safair.co.za

#### 4. **Voluntary Disclosure**

- 4.1. SAFAIR has not published a notice in terms of Section 52(2) of the Act, however, it should be noted that the information relating to SAFAIR and its services are freely available on our website. Certain other information relating to SAFAIR is also made available on such website from time to time.
- 4.2. Further information in the form of marketing brochures, advertising material and other public communication is made available from time to time.

#### 5. **Records held by the entity in terms of the Act (Section 52 (1)(e))**

- 5.1. Our records are in paper and electronic form. In terms of the Promotion of Access to Information Act, access must be granted irrespective of form or medium.
- 5.2. We hold records with information falling into the following categories:
  - 5.2.1. Financial Statements and accounting records
  - 5.2.2. Tax Record
  - 5.2.3. General Correspondence and miscellaneous agreements
  - 5.2.4. Information relating to transactions of a financial nature (e.g. invoices and payments)
  - 5.2.5. Banking Records
  - 5.2.6. Marketing Information
  - 5.2.7. Customer Information
  - 5.2.8. Employee Records
  - 5.2.9. Personnel guidelines, policies and procedures

- 5.2.10. Employment Equity Records
- 5.2.11. Labour Relations Records
- 5.2.12. Statutory HR Records
- 5.2.13. Insurance
- 5.2.14. Immovable and movable property

**6. Records available in terms of other legislation (Section 51(1)(d))**

6.1. In terms of the following Acts, if and where applicable, which includes but is not limited to, we are required to ensure that certain categories of records are available for access as prescribed by each Act:

- 6.1.1. Air Services Licencing Act No 115 of 1990
- 6.1.2. Airports Company Act, No. 44 of 1993
- 6.1.3. Air Traffic and Navigation Services Company Act, No. 45 of 1993
- 6.1.4. Atmospheric Pollution Prevention Act No. 45 of 1965
- 6.1.5. Banks Act No. 94 of 1990
- 6.1.6. Basic Conditions of Employment Act No. 75 of 1997
- 6.1.7. Broad Based Black Economic Empowerment Act 53 of 2003
- 6.1.8. Civil Aviation Act No 13 of 2009
- 6.1.9. Companies Act No 71 of 2008
- 6.1.10. Compensation for Occupational Injuries and Diseases Act No. 130 of 1993
- 6.1.11. Competition Act No. 89 of 1998
- 6.1.12. Constitution of South Africa Act 108 of 1996
- 6.1.13. Consumer Protection Act No 68 of 2008
- 6.1.14. Convention on the International Recognition of Rights in Aircraft Act, No. 59 of 1993

- 6.1.15. Convention on International Interests in Mobile Equipment Act, No. 4 of 2007
- 6.1.16. Copyright Act 98 of 1987
- 6.1.17. Customs and Excise Act No. 91 of 1964
- 6.1.18. Deeds Registries Act 47 of 1937
- 6.1.19. Electronic Communications and Transactions Act 2 of 2000
- 6.1.20. Employment Equity Act No.55 of 1998
- 6.1.21. Environment Conservation Act 73 of 1989
- 6.1.22. Financial Intelligence Centre Act No. 38 of 2001
- 6.1.23. IATA
- 6.1.24. ICAO
- 6.1.25. Income Tax Act No. 58 of 1962
- 6.1.26. Insolvency Act No. 24 of 1936
- 6.1.27. International Air Services Act, No. 60 of 1993
- 6.1.28. International Telecommunications Convention
- 6.1.29. Labour Relations Act No. 66 of 1995
- 6.1.30. Liquor Act No. 27 of 1989
- 6.1.31. Machinery and Occupational Safety Act No. 6 of 1983
- 6.1.32. National Environmental Management Act No. 107 of 1998
- 6.1.33. National Key Points Act No. 102 of 1980
- 6.1.34. National Payment System Act No. 78 of 1998
- 6.1.35. Occupational Health and Safety Act No. 85 of 1993
- 6.1.36. Patents Act 57 of 1987
- 6.1.37. Prescription Act No. 68 of 1969

- 6.1.38. Promotion of Access to Information Act 2 of 2000
- 6.1.39. Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000
- 6.1.40. Protected Disclosures Act 26 of 2000
- 6.1.41. Regulation of Interception of Communications and Provisions of Communication Related Information Act 70 of 2002
- 6.1.42. Stamp Duties Act No. 77 of 1968
- 6.1.43. Transfer Duty Act No. 40 of 1949
- 6.1.44. Unemployment Insurance Act No. 63 of 2001
- 6.1.45. Skills Development Act 97 of 1997
- 6.1.46. Skills Development Levy Act 9 of 1999
- 6.1.47. Trade Marks Act 194 of 1993
- 6.1.48. Value-added Tax Act No. 89 of 1991

Please note that while we have made every effort to identify all pertinent legislation, we cannot guarantee that all legislation has been included. Should you be aware of any specific legislation that should be included and which has been omitted, please contact the Information Officer. Your assistance in this regard is appreciated.

## **7. Procedure to follow when submitting a formal request of access to a record**

- 7.1. A request for access to a record that does not fall within the categories identified in Section 6 of this Manual must be done formally either via conventional mail, e-mail or fax.
- 7.2. This request should be in the prescribed format as defined in Form C of Annexure B as identified in Government Notice Number 187, Regulation 6. A request form is also available from our offices. The prescribed request fee should be attached (refer to Section 6 of this Manual for more details on the fees).
- 7.3. Our Information Officer will respond to your request within 30 days of receiving the request by indicating whether your request for access has been granted.

- 7.4. Please note that an application for access to information can be refused in the event that the application does not comply with the procedural requirements of the Act. In addition, the successful completion and submission of an access request form does not automatically allow the requestor access to the requested record.
- 7.5. The request form must be completed CLEARLY and COMPLETELY in block letter. If there is insufficient space on the printed request form in which to answer a question, additional information must be provided on a separate page that is clearly marked and referenced.
- 7.6. If access to a record/information is granted, our response will include:
  - 7.6.1. an indication of the access fee that should be paid upon gaining access (if any);
  - 7.6.2. an indication of the form in which the access will be granted; and
  - 7.6.3. a notice that you may lodge an application with the court against the access fee to be paid or the form of the access, including guidance on the procedure for lodging the application.
- 7.7. If access to a record/information is denied, our response will include:
  - 7.7.1. adequate reasons for the refusal; and
  - 7.7.2. notice that you may lodge an application with the court against the refusal and the procedure including the period, for lodging the application. For details on the procedure, please refer to Chapter 2 of Part 4 of the Promotion of Access to Information Act.
- 7.8. Assuming your request of access is granted, you will be able to gain access to the requested records as soon as is reasonably possible and once the access fee has been paid.
- 7.9. Access will be granted to a record if the following criteria are fulfilled:
  - 7.9.1. the record is required for the exercise or protection of any right;
  - 7.9.2. the requestor complies with the procedural requirements in the Act relating to a request; and
  - 7.9.3. access to the record is not refused in terms of any ground for refusal as contemplated in Chapter 4 of Part 3 of the Act.



## 8. Fees

- 8.1. There are two basic types of fees applicable in terms of the Promotion of Access to Information Act – “request” and “access” fees. The non-refundable request fee is payable on submission of the request for access to a record (unless the request is personal in which event there is no applicable fee) and the access fee is payable prior to the actual gaining of access to the records in the required form. The applicable fees are prescribed in terms of Part III of Annexure A as identified in Government Notice Number 187, Regulation 11 and may also be found on the website of the Human Rights Commission.

## 9. Request for access to information about third parties

- 9.1. If you request access to a record that contains information about a third party, we are obliged to attempt to contact this third party to inform them of the request and to give them an opportunity to respond by either consenting to the access or by providing reasons why the access should be denied. In the event that the third party furnishes reasons for the support or denial of access, our designated Information Officer will consider these reasons in determining whether access should be granted. You may appeal against a refusal of access by our Information Officer. Please refer to Part 4 of the Promotion of Access to Information Act for further details on the Appeal Process.