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### **INTRODUCTION**

The Promotion of Access to Information Act No. 2 of 2002 ('the Act') gives effect to the constitutional right of access to information held by a public or private body.

!Xaus Lodge is a private body and as such has to comply with the requirements of the Act. One of the requirements of the Act is the compilation of a manual that contains information on the records held by the relevant private body.

### **COMPANY OVERVIEW**

!Xaus Lodge (Pty) Ltd is the operating company, responsible for the management and marketing of the “community owned” !Xaus Lodge in the Kgalagadi Transfrontier Park. Graded 4-star the Lodge appeals to responsible travellers who want to explore the desert, and meet the local people – the Khomani San and Mier communities who, as a community, are the owners of the land, the Lodge, it's fixtures and fittings . Most staff originate from surrounding villages and where possible, goods are procured from local businesses. This, together with their share of lodge income, ensures a sustainable revenue stream for these rural communities.

### **PARTICULARS IN TERMS OF THE SECTION 51 MANUAL**

#### *PART 1:*

The company secretary has been authorized by the Board of Directors to ensure compliance with the requirements of this act.

#### Contact Details: Company Secretary

Contact Person	Barry Gray
Postal Address	PO Box 30919, Tokai, 7966
Street Address	Transfrontier Parks Destinations, Cirtech House, Stibitz Street Westlake, Cape Town
Telephone Number	+27 21 701 7860
Fax Number	+27 21 701 7870

## *PART 2: GUIDE ON HOW TO USE THE ACT*

The guide will, according to the South African Human Rights Commission (SAHRC), be available for inspection at the offices of the SAHRC. Please direct any queries to:

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

Telephone +27 11 484 8300

Fax +27 11 484 7146

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

Email [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)

## *PART 3: COPY OF NOTICE*

No notice in terms of Section 52 (2) of the Act has been published.

## *PART 4: RECORDS HELD IN TERMS OF OTHER LEGISLATION*

Records as kept in accordance with the following legislation :

### Human Resources

Basic Conditions of Employment Act # 3 of 1983

Skills Development Levies Act # 9 of 1999

Unemployment Insurance Act # 63 of 2001

Workmen's Compensation Act # 30 of 1941

Pension Fund Act # 24 of 1956

Medical Schemes Act # 131 of 1998

Labour Relations Act # 66 of 1995

### Accounting and Finance

Income Tax Act # 58 of 1962

Value Added Tax Act # 89 of 1991

Public Accountants' and Auditors' Act # 80 of 1991

### Company Secretarial and Administration

Companies Act # 61 of 1973  
Regional Services Councils Act # 109 of 1985

Safety

Occupational Health and Safety Act # 85 of 1973

### **REQUESTS FOR ACCESS**

The requester must use the prescribed form to make the request for access to a record. This must be made to the company secretary. This request must be made to the address, fax number or electronic mail address of the body concerned.

The requester must provide sufficient detail on the request form to enable the company secretary to identify the record and the requester. The requester should also indicate which form of access is required, and if any other manner is to be used to inform the requester and state the necessary particulars to be so informed.

The requester must identify the right that is sought to be exercised or to be protected 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 another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the company secretary.

### **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 company secretary 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 fee that the requester must pay to a private body is R50. The requester may lodge an application to the court against the tender or payment of the request fee.

After the company secretary 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 the search, reproduction, preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

### **RECORDS OF TRANSFRONTIER PARKS DESTINATIONS AND ITS RELATED ENTITIES**

Records available :

Financial and Tax  
Employee  
Information Management  
Internal Policies and Procedures  
Statutory and Secretarial  
Internal Correspondence  
General Correspondence  
Contracts and Agreements  
Insurance and Risk Management  
Technology  
Health and Safety  
Intellectual Property

*PART 5: OTHER INFORMATION*

The Minister of Justice and Constitutional Development has not made any regulations in this regard.

*PART 6: AVAILABILITY OF THE MANUAL*

The manual is also available for inspection during office hours at the offices of Transfrontier Parks Destinations. Copies are available from the SAHRC.

*PART 7: PRESCRIBED FORM AND FEE STRUCTURE*

The form and fee structure prescribed under the Act are available on the website of the Department of Justice and Constitutional Development under the Regulations Section. ([www.doj.gov.za](http://www.doj.gov.za))

Both a request fee and an access fee are payable. The request fee is a standard fee as prescribed by Regulation published in the Government Gazette and the access fee must be calculated by taking into consideration such factors as reproduction costs, search and preparation costs, and delivery costs. The company secretary may also require a requester to pay a deposit equal to the prescribed portion of the access fee payable if the request were granted.

The company secretary shall withhold a record until a requester has paid the fees as required in full.