



**HELDERBERG COLLEGE**  
**OF HIGHER EDUCATION**

**PROMOTION OF ACCESS TO INFORMATION ACT (PAIA)  
(ACT 2 OF 2000)**

**SECTION 51 MANUAL  
FOR  
HELDERBERG COLLEGE OF HIGHER EDUCATION**

### **Introduction: Function & Structure of HCHE**

This entity, Helderberg College of Higher Education (HCHE), is registered with the Department of Higher Education and Training as a Private Higher Education Institution in terms of Section(1)(c) of the Higher Education Act, (Act. No. 101 of 1997), and undertakes teaching and research.

The HCHE governance structure consists of the:

College Council

Senate

Administrative Committees

### **1. Particulars in Terms of the Section 51 Manual**

#### Contact Details:

Name of Business	Helderberg College of Higher Education NPC
Head of Institution & Information Officer	Dr Tankiso Letseli Letseli
Registrar & Deputy Information Officer	Dr Adrian Platts
Physical Address	27 Annandale Drive Helena Heights Somerset West 7130
Postal Address	PO Box 22 Somerset West 7130
Telephone Number	021 850 7500
Fax Number	021 850 7547
E-mail Address	president@hche.ac.za <a href="mailto:info@hche.ac.za">info@hche.ac.za</a>

*\*Requests in terms of the Promotion of Access to Information Act should be directed to the Registrar.*

## 2. The Section 10 Guide On How to Use the Act

This guide is available in hard copy from the South African Human Rights Commission or can be accessed on their website. The details are as follows:

Postal Address	The South African Human Rights Commission – PAIA Unit The Research and Documentation Department Private Bag 2700 Houghton 2041
Telephone Number	011 877 3600
Fax Number	011 403 0625
E-mail Address	paia@sahrc.org.za lidlamini@sahrc.org.za
Website	www.sahrc.org.za

## 3. Records Available in Terms of Any Other Legislation

The College holds records in term of the legislation below: (this list is not exhaustive)

Higher Education Act 101 of 1997
Basic Conditions of Employment Act No. 75 of 1997
Companies Act No. 71 of 2008
Compensation for Occupational Injuries and Health Diseases Act No. 130 of 1993
Protection of Personal Information Act 4 of 2013
Employment Equity Act No.55 of 1998
Income Tax Act No. 58 of 1962
Labour Relations Act No. 66 of 1995
Occupational Health and Safety Act No. 85 of 1993
Skills Development Act No.97 of 1998
Unemployment Contributions Act No. 4 of 2002
Unemployment Insurance Act No. 63 of 2001
Value Added Tax Act No. 89 of 1991
Broad-Based Black Economic Empowerment Act 53 of 2003
Copyright Act 98 of 1978
Electronic Communications and Transactions Act 25 of 2002

Electronic Communications Act, 36 of 2005
Intellectual Property Laws Amendments Act 38 of 1997
Pension Fund Act 24 of 1956
Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000
Protected Disclosures Act 26 of
Tax Administration Act 28 of 2011
Tax Administration Laws Amendment Act 44 of 2014

#### 4. Access to The Records Held by Helderberg College of Higher Education

- 4.1 The latest notice regarding the categories of records of the body, which are available without a person having to request access in terms of section 52 (2) of this Act, and at no cost:

<p>Prospectus</p> <p>Student Handbook</p> <p>Financial Policies</p> <p>Information about the Institution</p> <p>Newsletters</p>
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*Details of the above may be found at the website or on application to the Deputy Information Officer.*

- 4.2 Records held by the institution which may be requested in terms of this Act:

##### Administrative and Operational:

- Policies, rules and regulations
- Agendas and minutes of management academic meetings
- Correspondence
- Contracts with third parties

##### Student Information and Records:

- Contact information: Title and name, postal and/or street address, contact numbers and/or e-mail address, ethnic group, age, gender, marital status, religious affiliation, nationality, language, identity or passport number.
- Academic records

<ul style="list-style-type: none"> <li>▪ Disciplinary information</li> </ul>
<p><u>Library Materials:</u></p> <ul style="list-style-type: none"> <li>▪ Books, articles, magazines and other printed academic matter</li> <li>▪ Electronic academic database and other electronic academic resources</li> <li>▪ Any form of academic audio visual media</li> </ul>
<p><u>Human Resources:</u></p> <ul style="list-style-type: none"> <li>▪ Employment contracts and contact details: Name and contact details, Identity number and identity documents including passports, Employment history and references, Banking and financial details, Details of payments to third parties (deductions from salary)</li> <li>▪ Remuneration and benefits policies, and records thereof</li> <li>▪ Disciplinary records</li> <li>▪ Performance appraisals</li> <li>▪ Staff policies and procedures</li> <li>▪ Training</li> <li>▪ Employment equity plans</li> <li>▪ Medical aid records</li> <li>▪ Pension Fund records</li> </ul>
<p><u>Public Affairs:</u></p> <ul style="list-style-type: none"> <li>▪ Media releases</li> <li>▪ Contractual agreements with suppliers</li> </ul>
<p><u>Finances:</u></p> <ul style="list-style-type: none"> <li>▪ Accounting and audit records</li> <li>▪ Financial statements</li> <li>▪ Assets inventory</li> <li>▪ Tax records</li> </ul>

#### 4.3 Categories of records available without request:

No notice has been published to date.

## 5. Request Procedures

### Form of Request: ANNEXURE A

- The requester must use the prescribed form to make the request for access to a record. This must be made to the head of the private body. 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 head of the private body to identify the record and the requester. The requester should also indicate which form of access is required. The requester should also indicate 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 head of the private body.

### Fees Payable for Request: ANNEXURE B

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

## **6. Refusal of Requests**

The failure of the Deputy Information Officer to respond on a request for access to the requester, within a period of 30 days, will be regarded as a refusal of request.

## **7. Remedies Available in Respect of an Act of Failure to Act by The College**

Complaints may be lodge in writing to the Deputy Information Officer.

HCHE's internal policies for grievance procedures may be utilized by staff member.

If the complaint is in respect of an act, or a failure to act in terms of the Promotion of Access to Information Act, Act 2 of 2000, the complainant may take such steps as provided for in sections 74 to 82 of this Act.

## **8. Participation in Policy or Decision Making of the College**

Students, staff and members of governance structures may participate in policy and decision making processes of the College in accordance with the provisions of the Higher Education Act, Act 101 of 1997, (as amended), as well as in terms of those internal procedures as agreed with student and staff representative bodies from time to time.

Other interested persons are not allowed to participate in policy and decision making processes, but may submit their comments, criticism or proposals in writing to the Deputy Information Officer.

## **9. Other Information as May Be Prescribed**

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

For any other information not found in this manual, kindly contact the Deputy Information Officer, alternatively visit the College website [www.hche.ac.za](http://www.hche.ac.za)

This version of the manual is dated June 2021

## **10. Availability of The PAIA Manual**

The manual is available for inspection at the offices of the relevant private body free of charge.

**Annexure A**  
**Request for Access to Records of**  
**Helderberg College of Higher Education**

Particulars of Private Body:

**HELDERBERG COLLEGE OF HIGHER EDUCATION NPC**

Particulars of Person Requesting Access to the Record:

Instructions:	
1. The particulars of the person who requests access to the record must be given below.	
2. The address and/or fax number in the Republic to which the information is to be sent must be given.	
3. Proof of the capacity in which the request is made, if applicable, must be attached.	
Full Name and Surname	
Identity Number	
Postal Address	
Telephone Number	
Fax Number	
E-Mail Address	
Capacity in which request is made, when made on behalf of another person	

Particulars of Person on Whose Behalf Request is Made:

Instructions:	
This section must be completed ONLY if a request for information is made on behalf of another person.	
Full Name and Surname	
Identity Number	



Particulars of Record:

<p>Instructions:</p> <ol style="list-style-type: none"> <li>1. 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.</li> <li>2. 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></li> </ol>	
Description of record or relevant part of the record	
Reference number, if available	
Any further particulars of record	

Fees:

<p>Instructions:</p> <ol style="list-style-type: none"> <li>1. A request for access to a record, other than records containing personal information about you, will be processed only after a <b>request fee</b> has been paid.</li> <li>2. You will be notified of the amount required to be paid as the request fee.</li> <li>3. The <b>fee payable for access</b> to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.</li> </ol>
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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	

Form of Access to Record:

<p><b>Instructions:</b></p> <p>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.</p>	
Disability	
Form in which record is required	

<p><b>Instructions:</b></p> <p>Mark the appropriate box with an <b>X</b></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 to the record, if any, will be determined partly by the form in which access is requested.</p>	
<p>1. If the record is in written or printed form:</p> <p><input type="checkbox"/> Copy of record                      <input type="checkbox"/> Inspection of record</p>	
<p>2. If record consists of visual images (this includes photographs, slides, video recordings, computer-generated images, sketches etc.):</p> <p><input type="checkbox"/> View images                      <input type="checkbox"/> Copy of images</p> <p><input type="checkbox"/> Transcription of images</p>	

3. If record consists of recorded words or information which can be reproduced in sound:

Listen to soundtrack (audio cassette)

Transcription of soundtrack (written or printed document)

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4. If record is held on computer or in an electronic or machine-readable form:

Printed copy

Printed copy of information derived from record

Copy in computer-readable form (stiffy or compact disc)

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\* If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you?

YES       NO

**Postage is payable.**

Particulars of Right to be Exercised or Protected:

Instructions:  
 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.

Indicate which right is to be exercised or protected	
Explain why the record requested is required for the exercise or protection of the aforementioned right	

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 \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_  
20\_\_\_\_\_

\_\_\_\_\_  
Full Name of Requester  
Person on whose behalf the request is made

\_\_\_\_\_  
Signature of Requester  
Person on whose behalf the request is made

**Annexure B**  
**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:	R0.00
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
a. For a copy in a computer-readable form on:	7.50
i. Stiffy disc	70.00
ii. Compact disc	
b. For a transcription of visual images:	40.00
i. A4 size page or part thereof	60.00
ii. A copy of visual images	
c. For a transcription of an audio record:	20.00
i. A4 size page or part thereof	30.00
ii. A copy of an audio record	
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:	R0.00
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:	7.50
i. Stiffy disc	70.00
ii. Compact disc	
d. For a transcription of visual images:	40.00
i. A4 size page or part thereof	60.00
ii. A copy of visual images	
e. For a transcription of an audio record:	20.00
i. A4 size page or part thereof	30.00
ii. A copy of an audio record	
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. The actual postage is payable when a copy of a record must be posted to a requester.	