

Promotion of Access to Information Act,

Act 2 of 2000 (The Act)

Section 51 Manual



Gooderson Leisure Group

(Updated September 2018)

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1. Objects of the Act

In terms of the Promotion of Access to Information Act, each private body is required to publish a manual to facilitate a request for access to a record, in assisting persons seeking information on records held by said private body, and that is required for the exercise or protection of any rights.

The following manual, prepared by Gooderson Leisure Group, is submitted in compliance with the provisions of the Act.

2. Purpose of the Manual

In order to promote effective governance of private bodies, it is necessary to ensure that everyone is empowered and educated to understand their rights in terms of *The Act* in order for them to exercise their rights in relation to public and private bodies.

Section 9 of *The Act*, however, recognizes that such right to access to information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to:

- Limitations aimed at the reasonable protection of privacy;
- Commercial confidentiality; and
- Effective, efficient and good governance

And in a manner which balances that right with any other rights, including such rights contained in the Bill of Rights in the Constitution.

Wherever reference is made to "Private Body" in this manual, it will refer to Gooderson Leisure Group which trades as a Hotel Group (accommodation, catering, restaurants, bars, timeshare development and managing agents) and for whom this manual is drafted.

3. Introduction to Gooderson Leisure Group

Gooderson Leisure manages and provides Accommodation, Conference and Wedding facilities, Food and Beverage and Restaurant services to leisure, internal and conference tourists in KwaZulu Natal and Mpumalanga provinces and is involved in timeshare development and are managing agents as well.

Gooderson Leisure is the holiday destination for those seeking good value and good fun accommodation in South Africa; a place where you can afford to be yourself and pursue the things that deeply reward you, in some of the most beautiful surroundings and hotels in South Africa.

Gooderson Leisure owns and manages a variety of leisure destination accommodation in South Africa offering guests the choice to experience the very best of the beach, berg, bush or battlefields. With a heritage of hospitality spanning over 50 years, the Gooderson Leisure experience is renowned for the plethora of activities that you can submerge yourself in, including an 18 hole and 9 hole golf course which are NGU Rated, Spa & Wellness Centres and game viewing to name but a few.

It is our mission to add value and customer satisfaction through a consistent approach to service and operational excellence and to increase market share and product offering in the tourism industry.

To ensure optimum execution of the group strategy, Gooderson is structured and managed in an environment with the necessary financial and administrative capacity, driven by a fully motivated workforce that fits an adaptive culture. Gooderson maintains a governance structure with specific targets, regularly motivating progress towards achieving these targets.

4) Particulars of Contact Details in Terms of Section 51

Name of private body	:	Gooderson Leisure Group
Information officer	:	Rajen Nannoolal
Postal address	:	PO Box 10305 O.R. Tambo (Marine) Parade 4056
Street address	:	Tropicana Hotel 85 O.R. Tambo (Marine) Parade Durban 4001
Telephone	:	+(27) 31 337 2672
Facsimile	:	+(27) 31 337 2621
E-mail	:	rajenn@goodersons.co.za
Website	:	www.goodersonleisure.co.za

5) General Information

5.1) Name of Private Body	:	Gooderson Leisure Corporation Proprietary Limited
5.2) Company Registration Number	:	1972/004241/07
5.3) Vat Registration Number	:	4500 164 233
5.4) Postal address	:	PO Box 10305 O.R. Tambo (Marine) Parade 4056
5.5) Physical address (or principal place of business)	:	85 O.R. Tambo (Marine) Parade Durban 4001
5.6) Telephone	:	+(27) 31 337 2672
5.7) Facsimile	:	+(27) 31 337 2621
5.8) E-mail	:	glcfin@goodersons.co.za
5.9) Website	:	www.goodersonleisure.co.za

The Gooderson Leisure Group comprises of the following companies which are also covered by this manual:

➤	NAME OF COMPANY
1	Gooderson Leisure Corporation Proprietary Limited
2	Alawill Investments (Pty) Ltd
3	Bushlands Game Lodge (Pty) Ltd
4	Century Projects and Design (Pty) Ltd
5	Dumazulu Kraal (Pty) Ltd
6	Durban Inn (Pty) Ltd
7	Drakensberg Gardens Hotel (Pty) Ltd
8	GDS Investments (Pty) Ltd
9	Good Vacations (Pty) Ltd
10	Gooderson Leisure Corporation Share Incentive Scheme Trust
11	Gooderson Vacation Sales (Pty) Ltd
12	Goodtime Developments (Pty) Ltd
13	J & M Stiebel (Pty) Ltd
14	Leading Hospitality Solutions (Pty) Ltd
15	M & D Robinson (Pty) Ltd
16	Natal Spa Investments (Pty) Ltd
17	Zululand Tours and Safaris (Pty) Ltd

2)	DIVISIONS – ALAWILL INVESTMENTS (PTY) LTD
2.1	Alawill Investments (Pty) Ltd T/A Beach Hotel
2.2	Alawill Investments (Pty) Ltd T/A Drakensberg Gardens Hotel
2.3	Alawill Investments (Pty) Ltd T/A Head Office / Sales & Marketing
2.4	Alawill Investments (Pty) Ltd T/A Kloppenheim Country Estate Hotel
2.5	Alawill Investments (Pty) Ltd T/A Mtunzini Developer
2.6	Alawill Investments (Pty) Ltd T/A Natal Spa
2.7	Alawill Investments (Pty) Ltd T/A Tropicana Hotel

5	DIVISION – DUMAZULU KRAAL (PTY) LTD
5.1	Dumazulu Kraal (Pty) Ltd T/A Monks Cowl Golf Resort

8	DIVISION – GDS INVESTMENTS (PTY) LTD
8.1	GDS Investments (Pty) Ltd T/A Fairways Developer
8.2	GDS Investments (Pty) Ltd T/A Goodfin
8.3	GDS Investments (Pty) Ltd T/A Kloppenheim Developer
8.4	GDS Investments (Pty) Ltd T/A Mtunzini Timeshare
8.5	GDS Investments (Pty) Ltd T/A Natal Spa Developer
8.6	GDS Investments (Pty) Ltd T/A Vacation Sales & Rentals

6) Availability of the Manual (Section 51(3))

The guide will contact such information as may reasonably be required by a person who wishes to exercise any right contemplated in The Act. This Manual is available for inspection at:

6.1) The principle place of business

85 O.R. Tambo Parade
Durban
4001

Telephone: +(27) 31 3372672
Facsimile: +(27) 31 3372621
Website: www.goodersonleisure.co.za

or

6.2) The South African Human Rights Commission (SAHRC)

Private Bag X2700
Houghton
2041

2nd Floor Braampark
Forum 3
33 Hoofd Street
Braamfontein

Telephone: +(27) 11 877 3600 (SWB)
+(27) 11 8773750 (Gauteng Office)
+(27) 11 877 3803
Facsimile: +(27) 11 403 0625
Email: section51.paia@sahrc.org.za
Website: www.sahrc.org.za

7) Categories of records available without having to request access (Section 51(1)(c))

7.1) Website

The web page www.goodersonleisure.co.za is accessible to anyone who has access to the internet. The website hosts the following categories of information:

➤ **Hotels / Lodges**

Tropicana Hotel – Durban Beachfront - KwaZulu Natal
Beach Hotel – Durban Beachfront – KwaZulu Natal
Drakensberg Gardens Golf & Spa Resort – Underberg – Southern Drakensberg
Bushlands Game Lodge – Hluhluwe – KwaZulu Natal
Dumazulu Lodge & Traditional Village – Hluhluwe – KwaZulu Natal
Natal Spa Hot Springs & Leisure Resort – Paulpietersburg – KwaZulu Natal
Kloppenheim Country Estate Hotel – Dullstroom - Mpumalanga
Monks Cowl Golf Resort – Central Drakensberg – KwaZulu Natal

➤ **Hotel / Lodge Information**

Description
Rooms
Rates
Photos
Dining
Location
Conferencing
Book online

➤ **Self-Catering Properties**

Beach Hotel – *Durban Beachfront – KwaZulu Natal*
Drakensberg Gardens Golf & Spa Resort – *Underberg – Southern Drakensberg*
Bushlands Game Lodge – *Hluhluwe – KwaZulu Natal*
Dumazulu Lodge & Traditional Village – *Hluhluwe – KwaZulu Natal*
Natal Spa Hot Springs & Leisure Resort – *Paulpietersburg – KwaZulu Natal*
Kloppenheim Country Estate Hotel – *Dullstroom - Mpumalanga*
Monks Cowl Golf Resort – *Central Drakensberg – KwaZulu Natal*
Mtunzini Forest Lodge – *Mtunzini – KwaZulu Natal*

➤ **Self-Catering Information**

Description
Venues
Rates
Reservations

➤ **Timeshare - Properties**

Fairways Gold Crown Resort – *Southern Drakensberg – KwaZulu Natal*
Riverbend Chalets – *Southern Drakensberg – KwaZulu Natal*
Mountainview Cottages – *Southern Drakensberg – KwaZulu Natal*
Silversands I, II, III – *Durban – KwaZulu Natal*
Mtunzini Forest Lodge – *Mtunzini – KwaZulu Natal*
Natal Spa Hot Springs & Leisure Resort – *Paulpietersburg – KwaZulu Natal*
Kloppenheim Country Estate Hotel – *Dullstroom - Mpumalanga*

➤ **Timeshare Information**

Timeshare
Timeshare Sales
Timeshare Rentals
Levies
Gooderson Vacation Club

❖ **Corporate Information**

General Documents
News & Newsletters

8) Records available in terms of any other Legislation (Section 51(1)(d))

This clause serves as a reference to the records that the Private Body holds in order to facilitate a request in terms of the Act.

The information is classified and grouped according to records relating to the following subjects and categories: Its is recorded that the accessibility of the documents listed herein below, may be subject to the grounds of refusal set out hereinafter.

8.1) Categories of internal records kept:

The following are records pertaining to the Gooderson Leisure Group's own affairs and those of its Subsidiary Companies:

- Operational Documents and Records
- Financial Records
- Accounting and Financial Records
- Marketing materials & media releases
- Internal Correspondence
- Product Records
- Internal Policies and Procedures
- Personnel Records and Disciplinary Files
- Other labour related records
- Memorandum of Incorporation
- Other Statutory Records (i.e. Secretarial Records, Minutes of Committee Meetings, Health and Safety Records, Fixed Assets Register)

8.2) Records required in terms of Legislation

A table of legislation setting out a description of the records of the *Private Body* which are available in accordance with certain legislation is as follows:

- Basic Conditions of Employment Act, 75 of 1997
- Companies Act, 71 of 2008 (as amended)
- Compensation for Occupational Injuries & Health Diseases Act, 130 of 1993
- Compensation for Occupational Injuries and Diseases Act, 130 of 1993
- Competition Act, 89 of 1998
- Constitution of the Republic of South Africa, 108 of 1996
- Consumer Protection Act 68, of 2008
- Copyright Act 98, of 1978
- Electronic Communication and Transaction Act No. 25 of 2002
- Employment Equity Act, 55 of 1998
- Environmental Health & Safety Act, 1989
- Financial Intelligence Centre Act, 38 of 2001
- Income Tax Act, 95 of 1967
- Interception of Communication Action, No. 70 of 2002
- KwaZulu Natal Gambling Act, 10 of 1996
- KwaZulu-Natal Liquor Act 27, of 1989
- Labour Relations Act, 66 of 1995
- Medical Schemes Act, 131 of 1998
- Mpumalanga Liquor Act, 5 of 2006
- National Credit Act 34 of 2006
- Occupational Health and Safety Act No. 85 of 1993 and Regulations
- Pension Funds Act, 24 of 1956
- Revenue Laws Amendment Act, 60 of 2008
- Skills Development Levies Act, 9 of 1999
- South African Reserve Bank Act 90, of 1989 (as amended)
- Unemployment Insurance Act, 63 of 2001
- Value Added Tax Act, 89 of 1991
- Any other Acts, Reference to the above-mentioned legislation shall include subsequent amendments to such legislation

9) Grounds for refusal of Access to Records

The main grounds for the *Private Body* to refuse a request for information relates to the following:

- 9.1) 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;
- 9.2) Mandatory protection of the commercial information of a third party, if the record contains:
 - 9.2.1) Trade secrets of that third party;
 - 9.2.2) Financial, commercial, scientific or technical information, disclosure of which could likely cause harm to the financial or commercial interests of that third party;
 - 9.2.3) Information disclosed in confidence by a third party to the *Private Body*, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition;
- 9.3) Mandatory protection of confidential information of third parties if it is protected in terms of any agreement;
- 9.4) Mandatory protection of confidential information of the protection of property;
- 9.5) Mandatory protection of records which would be regarded as privileged in legal proceedings;
- 9.6) The commercial activities of the *Private Body*, which may include:
 - 9.6.1) Trade secrets of the *Private Body*;
 - 9.6.2) Financial, commercial, scientific or technical information, disclosure which could likely cause harm to the financial or commercial interest of the *Private Body*;
 - 9.6.3) Information which, if disclosed could put the *Private Body* at a disadvantage in negotiations or commercial competition;
 - 9.6.4) A computer programme which is owned by the *Private Body*, and protected by copyright.
- 9.7) The research information of the *Private Body* or a third party, if its disclosure would reveal the identity or the *Private Body*, the researcher or the subject matter of the research and would place the research at a serious disadvantage;
- 9.8) Requests for information that are clearly frivolous or vexatious, or which would involve an unreasonable diversion of resources shall be refused.

10) Remedies available when a *Private Body* refuses a request for information

10.1) Internal Remedies

The *Private Body* does not have an internal appeal procedure. As such, the decision made by the information officer is final, and requesters will have to exercise such external remedies at their disposal if the request for information is refused, and the requester is not satisfied with the answer supplied by the information officer.

10.2) External Remedies

A requester who is dissatisfied with an information officer's refusal to disclose information, may within 30 days of notification of the decision, apply to a relevant Court for relief.

Likewise, a third party dissatisfied with an information officer's decision to grant a request for information, may within 30 days of notification of the decision, apply for relief to a court referred to in *The Act* or another court of similar status.

11) Request Procedure

- 11.1) The requester must comply with all the procedural requirements contained in *The Act* relating to the request for access to a record.
- 11.2) The requester must complete the prescribed form B, attached herewith as **Appendix 1**, and submit same as well as payment of a request fee and a deposit, if applicable, to the information officer at the postal or physical address, fax number or electronic mail address as stated in 4 or 5 above.
- 11.3) The prescribed form must be filled in with enough particulars to at least enable the information officer to identify:
 - 11.3.1) The record or records requested;
 - 11.3.2) The identity of the requester;
 - 11.3.3) Which form of access is required, if the request is granted;
 - 11.3.4) The postal address or fax number of the requester.
- 11.4) The requester must state that he / she requires the information in order to exercise or protect a right, and clearly state what the nature of the right to be exercised or protected is. In addition, the requester must clearly specify why the record is necessary to exercise or protect such a right.
- 11.5) The *Private Body* will process the request within 30 days, unless the requester has stated a special reason which would satisfy the information officer that circumstances dictate that the above time period not be complied with.
- 11.6) The requester shall be informed whether access has been granted or denied. If, in addition, the requester requires the reason for the decision in any other manner, he / she must state the manner and the particulars so required.
- 11.7) 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.

- 11.8) If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally.
- 11.9) The requester must pay the prescribed fee before any further processing can take place.
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12) Access to Records held by the *Private Body*

- 12.1) Records held by the *Private Body* may be accessed by request only once the prerequisites for access have been met;
- 12.2) A requester is any person making a request for access to a record of the *Private Body*. There are two types of requesters:

12.2.1) Personal Requester

- 12.2.1.1) A personal requester is a requester who is seeking access to a record containing personal information about the *Private Body* trading entity.
- 12.2.1.2) The *Private Body* will voluntarily provide the requested information, or give access to any record with regard to the requester's own personal information. The prescribed fee for reproduction of the information requested will be charged.

12.2.2) Other Requester

- 12.2.2.1) This requester (other than a personal requester) is entitled to request access to information on third parties. However, the *Private Body* is not obliged to voluntarily grant access. The requester must fulfill the prerequisites for access in terms of The Act, including the payment of a requested access fee.
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13) Fees

- 13.1) *The Act* provides for two types of fees, namely:
- 13.1.1) A request fee, which will be a standard fee; and
- 13.1.2) An access fee, which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs.
- 13.2) 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 any further processing of the request.
- 13.3) If the search for the record has been made in the preparation of the record for disclosure, including arrangements to make it available in the requested form, and it requires more than the hours prescribed in the regulation 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.
- 13.4) The information officer shall withhold a record until the requester has paid the fees as indicated in **Appendix 2**.

- 13.5) 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 reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure, including making arrangements to make it available in the requested form.
 - 13.6) 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.
-

14) Decision

- 14.1) The *Private Body* will within 30 days of receipt of the request, decide whether to grant or decline the request and give notice with reasons (if required) to that effect;
- 14.2) The 30 day period within which the *Private Body* has to decide whether to grant or refuse the request, may be extended for further periods of not more than 30 (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 *Private Body* and the information cannot reasonably be obtained within the original 30 (thirty) day period. The *Private Body* will notify the requester in writing should an extension be sought.

PRESCRIBED FORM TO BE COMPLETED BY A REQUESTER**FORM B****REQUEST FOR ACCESS TO RECORDS OF A *PRIVATE BODY***

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(Section 53(1) of the Promotion of Access to Information Act, No 2 of 2000)

(Regulation 4)**A. Particular of *Private Body***

The Head:

B. Particulars of person requested access to the record

(a) The particulars of the person who requests access to the records must be recorded below.
(b) Furnish an address and / or fax number in the Republic to which information must be sent.
(c) 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	:	
Email address	:	

Capacity in which request is made, if made on behalf of another person:

C. Particulars 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 Name and Surname	:	
Identity Number	:	

D. Particulars of record:

- (a) *Provide full particulars of the record to which access is requested, including the reference number if it is known to you, to enable the record to be located.*
- (b) *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 the record or relevant part of the record:

2. Reference number, if available	:	
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3. Any further particulars of the record:

E. Fees:

- (a) *A request for access to a record containing personal information about yourself, will be processed only after a **request fee** has been paid.*
- (b) *You will be notified of the amount of the request fee.*
- (c) *The **fee payable for access** to a record depends on the form in which the access is required and the reasonable time required to search for and prepare a record.*
- (d) *If you qualify for exemption from the payment of any fee, please state the reason for this.*

Reason for exemption from payment of the fee:

F. Form of access to the 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 you 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) Your indication as to when the required form of access depends 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.

1. If the record is in written or printed form:			
	Copy of record*		Inspector

2. If the record consists of visual images: (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)			
	View the images		Transcription of the images*

3. If the record consists of recorded words or information which can be reproduced in sound:			
	Listen to the soundtrack (Audio Cassette)		Transcription of soundtrack* (written or printed documents)

4. If the record is held on computer or in an electronic or machine-readable form:			
	Printed copy of record		Copy in computer readable form* (stiffy or compact disc)

*If you requested a copy or transcription of a record (above), do you want the copy or transcription to be posted to you?	Yes	No
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G. Particulars 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.*

Indicate which right is to be exercised or protected:

1. 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 _____ this _____ day of _____ 20_____.

Signature of requester / person on
whose behalf request is made

Reproduction Fees

The *Private Body* has voluntarily provided the Minister with a list of categories of records that will automatically be made available to any person requesting access thereto. Where the records requested in Appendix 1 is part of the aforementioned list the only fee that may be charged for the obtaining of such record shall be a fee for the reproduction of such record.

The applicable fees for reproduction as referred to above are:

	R
For every photocopy of an A4-size page or part thereof	1.10
For every printed copy of an A4-size page or part thereof held on a computer or in electronic machine – readable form	0.75
For a copy in a computer-readable form on:	
- Flash drive	100.00
- Compact disk	70.00
A transcription of an audio record, for an A4-size page or part thereof	20.00
For a copy of an audio record	30.00

Request fees:

Where a requester submits a request for access to information held by a *Private Body* on a person other than the requester himself / herself, a request fee in the amount of R50.00 is payable up-front before the *Private Body* will further process the request received.

Access fees:

An access fee is payable in all instances where a request for access to information is granted, except in those instances where payment of an access fee to specifically excluded in terms of an exclusion as determined by the Minister in terms of Section 54 (8) of *The Act*.

The access fees that will be payable are:

	R
For every photocopy of an A4-size page or part thereof	1.10
For every printed copy of an A4-size page or part thereof held on a computer or in electronic machine – readable form	0.75
For a copy in a computer-readable form on:	
- Flash drive	100.00
- Compact disk	70.00
A transcription of visual images, for an A4-size page or part thereof	40.00
For a copy of visual images	60.00
A transcription of an audio record, for an A4-size page or part thereof	20.00
For a copy of an audio record	30.00
To search for a record that must be disclosed (per hour or part of an hour reasonably required for such search)	30.00
Where a copy of a record has to be posted <i>the actual</i> postal fee is payable.	

Deposits

Where the *Private Body* receives a request for access to information on a person other than the requester himself / herself and the information officer upon receipt of the request is of the opinion that the preparation of the required record of disclosure will take more than 6 (six) hours, a deposit is payable by the requester.

The amount of the deposit is equal to one third of the amount of the applicable access fee.

Note: In terms of Regulation 8, Value Added Tax (VAT) must be added to all fees prescribed in terms of the Regulations.