

E.TV PTY LIMITED

SECTION 51 MANUAL PROMOTION OF ACCESS TO INFORMATION ACT (“the Act”)

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A. INTRODUCTION Main Business

etv (Pty) Ltd ("e.tv") is a private free-to-air television station broadcasting in South Africa.

B. PARTICULARS IN TERMS OF THE SECTION 51 MANUAL

1. Contact details

Head of the body:	CEO: Khalik Sherrif
Postal address (Cape Town):	4 Stirling Street Zonnebloem Cape Town 7925
Street Address:	4 Stirling Street Zonnebloem Cape Town 7925
Telephone number:	+27 (21) 481 4664 / (11) 537-9300
Fax number:	+27 (21) 481 4510 / (11) 537-9310
Email address:	info@etv.co.za
Website:	www.etv.co.za

2. The section 10 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 Commission, PAIA Unit, The Research and Documentation Department

Postal address: Private Bag 2700
Houghton
2041
Telephone: +27 11 484-8300
Fax: +27 11 484-0582
Website: www.sahrc.org.za
E-mail: PAIA@sahrc.org.za

3. Notice in terms of section 52(2) of the Act

No such notice has been made available.

4. Records available in terms of any other legislation

Various records are specified below as being held by e.tv. This does not mean that they will be available to any person requesting access as many of them fall within one or more of the grounds of refusal specified in the Act. If such a ground of refusal is present, the requester may be refused access to the record sought.

1. Basic Conditions of Employment No. 75 of 1997
2. Companies Act No. 61 of 1973
3. Compensation for Occupational Injuries and Health Diseases Act No.130 of 1993
4. Copyright Act No. 98 of 1978
5. Employment Equity Act No. 55 of 1998
6. Income Tax Act No. 95 of 1967
7. Independent Broadcasting Authority Act No. 153 of 1993
8. Labour Relations Act No. 66 of 1995
9. Medical Schemes Act No. 131 of 1998
10. Occupational Health & Safety Act No. 85 of 1993
11. SA Reserve Bank Act No. 90 of 1989
12. Skills Development Levies Act No. 9 of 1999
13. Trade Marks Act No. 194 of 1993
14. Unemployment Contributions Act No. 4 of 2002
15. Unemployment Insurance Act No. 63 of 2001
16. Value Added Tax Act No. 89 of 1991

5. Access to the records held by e.tv

In order to facilitate a request for access to a record of e.tv, the section describes the subjects on which e.tv holds records and the categories of the records on each subject. The fact that the documents are listed below does not mean that they will necessarily be made available in terms of the Act and any request may be refused on the grounds set out in the Act.

i. Records that may be requested

- Administration records including correspondence, licences, compliance reports, minutes of management meetings and minutes of staff meetings
- Constitution records including list of directors, minute books and resolutions, power of attorney agreements, share Register, shareholders' Agreements and statutory registers
- Documents relating to legal proceedings including correspondence and pleadings
- Financial records including annual financial statements, assets register, banking details, bank statements and financial statements
- Human Resources records including disciplinary records and documentation pertaining to disciplinary proceedings, employee code of conduct, employment contracts, employment equity plan, personnel files, remuneration records
- Incorporation Documents including incorporation forms and memorandum and articles of association
- Information Technology records including computer software support and maintenance agreements, software licence agreements, agreements in respect of computer hardware, agreements with Internet Service Providers
- Miscellaneous agreements including agreements with third parties including suppliers and providers
- Policy documents including BEE policy, remuneration policies and staff recruitment policies

- Specific agreements and documents relating to the private body's business activities
- Programmes owned and broadcast by e.tv

ii. The request procedures:

Form of request:

- 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:

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 currently 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.
- The form and confirmation of the required fee can be obtained from the Department of Justice and Constitutional Development at www.doj.co.za.
- An additional fee may be required in respect of requests for access to broadcast material.

6. Other information as may be prescribed

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

7. Availability of the manual

The manual is also available for inspection during office hours at the offices of e.tv free of charge. Copies are available from the South African Human Rights Commission and on our website www.etv.co.za.