

MANUAL IN TERMS OF SECTION 51 OF
THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000 (“Act”)

OF

**CENTRE FOR THE AIDS PROGRAMME OF RESEARCH IN SOUTH AFRICA NPC
(CAPRISA)**

(Company Registration Number 2002/024027/08)

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1. INTRODUCTION

CAPRISA was created in 2001 and formally established in 2002 under the NIH-funded Comprehensive International Program of Research on AIDS (CIPRA) by five partner institutions; University of KwaZulu-Natal, University of Cape Town, University of Western Cape, National Institute for Communicable Diseases, and Columbia University in New York. CAPRISA is a designated UNAIDS Collaborating Centre for HIV Prevention Research.

The main goal of CAPRISA is to undertake globally relevant and locally responsive research that contributes to understanding HIV pathogenesis, prevention and epidemiology as well as the links between tuberculosis and AIDS care.

2. CONTACT DETAILS

The Information Officer at CAPRISA, is responsible for administration of, and compliance with the Act. Requests pursuant to the provision of the Act should be directed as follows:

Name:	Dr Carl Thomas Montague
Designation:	Chief Operations Officer
Postal Address:	Private Bag X7, Durban, 4000
Physical Address:	2 nd Floor DDRMI Bldg, 719 Umbilo Road, Congella, 4013
Telephone Number:	+27 31 260 4555
Fax Number:	+27 31 260 4549
E-mail:	caprisa@caprisa.org

3. THE ACT

The ACT grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.

Requests in terms of the ACT shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in paragraphs 6 and 7 of the Act.

Requesters are referred to the Guide in terms of Section 10 which has been compiled by the South African Human Rights Commission, which will contain information for the purposes of exercising Constitutional Rights. The Guide is available from the SAHRC.

The contact details of the Commission are:

Postal Address:	Private Bag 2700 Houghton 2041
Physical Address:	33 Hoofd Street Braampark Forum 3 Braamfontein 2198

Telephone Number: +27 11 877 3600
 Fax Number: +27 11 403 0625
 Website: www.sahrc.org.za
 E-mail: PAIA@sahrc.org.za

4. APPLICABLE LEGISLATION

Records and/or documents are held in accordance and compliance with the following legislation and these records may in certain instances only be accessed by the persons specified in the relevant legislation:

1	ACCREDITATION FOR CONFORMITY ASSESSMENT, CALIBRATION AND GOOD LABORATORY PRACTICE ACT NO. 19 OF 2006
2	ADMINISTRATIVE ADJUDICATION OF ROAD TRAFFIC OFFENCES ACT NO. 46 OF 1998
3	ALLIED HEALTH PROFESSIONS ACT NO. 63 OF 1982
4	APPORTIONMENT OF DAMAGES ACT NO. 34 OF 1956
5	ARBITRATION ACT NO. 42 OF 1965
6	ASSESSMENT OF DAMAGES ACT NO. 9 OF 1969
7	BASIC CONDITIONS OF EMPLOYMENT ACT NO. 75 OF 1997
8	BROAD-BASED BLACK ECONOMIC EMPOWERMENT ACT NO. 53 OF 2003
9	CHILDREN'S ACT NO.38 OF 2005
10	COMPANIES ACT NO 71 OF 2008
11	COMPENSATION FOR OCCUPATIONAL INJURIES AND DISEASES ACT NO. 130 OF 1993
12	CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA, 1996
13	COPYRIGHT ACT NO. 98 OF 1978
14	CURRENCY AND EXCHANGES ACT NO. 9 OF 1933 & EXCHANGE CONTROL REGULATIONS
15	CUSTOMS AND EXCISE ACT NO. 91 OF 1964 Amended as per Act 114 of 1981
16	DRUGS AND DRUG TRAFFICKING ACT NO. 140 OF 1992
17	ELECTRONIC COMMUNICATIONS AND TRANSACTIONS ACT NO. 25 OF 2002
18	EMPLOYMENT EQUITY ACT NO. 55 OF 1998
19	EXPLOSIVES ACT NO. 15 OF 2003
20	EXCHANGE CONTROL AMNESTY AND AMENDMENT OF TAXATION LAWS AMENDMENT ACT NO 12 OF 2003
21	GENETICALLY MODIFIED ORGANISMS ACT NO. 15 OF 1997
22	HAZARDOUS SUBSTANCES ACT NO. 15 OF 1973
23	INCOME TAX ACT NO. 113 OF 1993
24	INSOLVENCY ACT NO. 24 OF 1936
25	INTELLECTUAL PROPERTY RIGHTS FROM PUBLICLY FINANCED RE-SEARCH AND DEVELOPMENT ACT NO. 51 OF 2008
26	LABOUR RELATIONS ACT NO. 66 OF 1995
27	MEDICINES AND RELATED SUBSTANCES CONTROL ACT NO. 101 OF 1965 Amended as per Act 72 of 2008
28	NATIONAL ENVIRONMENTAL MANAGEMENT ACT NO. 107 OF 1998 as amended Act 62 of 2008
29	NATIONAL ROAD TRAFFIC ACT NO. 93 OF 1996 Amended as per Act 20 of 2003
30	NURSING ACT NO. 33 OF 2005

31	OCCUPATIONAL HEALTH AND SAFETY ACT NO. 85 OF 1993
32	PATENTS ACT NO. 57 OF 1978
33	PHARMACY ACT NO. 53 OF 1974
34	PRESCRIPTION ACT NO. 68 OF 1969
35	PRESCRIBED RATE OF INTEREST ACT NO. 55 OF 1975
36	PREVENTION OF ORGANISED CRIME ACT NO. 121 OF 1998
37	PROMOTION OF ACCESS TO INFORMATION ACT NO. 2 OF 2000
38	PROMOTION OF ADMINISTRATIVE JUSTICE ACT NO. 3 OF 2000
39	PROMOTION OF EQUALITY AND PREVENTION OF UNFAIR DISCRIMINATION ACT NO. 4 OF 2000
40	PROTECTED DISCLOSURES ACT NO. 26 OF 2000
41	PROTECTION OF BUSINESSES ACT NO. 99 OF 1978
42	PROTECTION OF PERSONAL INFORMATION ACT NO. 4 OF 2013
43	REGULATION OF GATHERINGS ACT NO. 205 OF 1993
44	REGULATION OF INTERCEPTION OF COMMUNICATIONS AND PROVISION OF COMMUNICATION-RELATED INFORMATION ACT NO. 70 OF 2002
45	ROAD TRANSPORTATION ACT NO. 74 OF 1977
46	SEXUAL OFFENCES ACT NO. 23 OF 1957
47	SKILLS DEVELOPMENT ACT NO. 97 OF 1998 Amended as per Act 26 of 2011
48	TAX ADMINISTRATION ACT 28 OF 2011
49	TRADE MARKS ACT NO. 194 OF 1993
50	TRESPASS ACT NO. 6 OF 1959
51	UNEMPLOYMENT INSURANCE ACT NO. 63 OF 2001
52	UNEMPLOYMENT INSURANCE CONTRIBUTIONS ACT NO. 4 OF 2002
53	VALUE-ADDED TAX ACT NO. 89 OF 1991

5. ACCESS TO RECORDS

This section of the manual sets out the subject and categories of records of held by CAPRISA. A variety of record, reports and documents is voluntarily disclosed and can be accessed on the CAPRISA website (www.caprisa.org). The CAPRISA website contains, amongst others, the following information that is automatically available:

- a) Scientific Publications
- b) Reports
- c) Forms
- d) Media releases
- e) Financial Statements
- f) Fellowship Guidelines

The records that may be requested via the PAIA request procedure are:

- a) Incorporation and Operational Documents
 - Memorandum of Incorporation
 - Constitution of CAPRISA
 - List of Directors of CAPRISA
 - List of persons authorised to bind CAPRISA
 - Documents relating to the policy, objectives and governance of CAPRISA

- Directives, resolutions and instructions of the CAPRISA Board
 - Policies, Standards, Procedures and Guidelines
 - Minutes of Board of Director meetings
- b) Financial Records
- Accounting records and books of account
 - Annual financial statements
 - Auditor's annual report
 - Details of auditors of CAPRISA
 - Tax returns and records
- c) Human Resources
- List of employees
 - Personnel policies and procedures
 - Personnel files
 - Contracts, conditions of services and other agreements
 - Statutory employee records
 - Medical scheme records
 - Training records
- d) Other Records
- Licences and permits
 - Contractual and Procurement agreements
 - Insurance policies
 - Legal Compliance
 - Policies, Standard

6. REQUEST PROCEDURE

To facilitate the processing of your request, kindly:

6.1. Use the prescribed form, available on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at www.sahrc.org.za.

6.2. Address your request to the Information Officer at CAPRISA.

6.3. Provide sufficient details to enable CAPRISA to identify:

6.3.1. The record(s) requested;

6.3.2. The requester (and if an agent is lodging the request, proof of capacity);

6.3.3. The form of access required;

6.3.4. (a) The physical address and postal address of the requester in the Republic

(b) If the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof;

6.3.5. The right which the requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.

7. PRESCRIBED FEES

The following applies to requests (other than personal requests):

- 7.1. The Information Officer will notify the requestor by notice, to pay the prescribed fees (R50.00) before a request will be processed;
- 7.2. The Information Officer will then make a decision on the request and notify the requester in the required form.
- 7.3. If the request is granted and if the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted);
- 7.4. A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit;
- 7.5. Records may be withheld until the fees have been paid.
- 7.6. The fee structure is available on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at www.sahrc.org.za.

8. AVAILABILITY OF THE MANUAL

A copy of the manual is available to the public for inspection at the Human Rights Commission (“HRC”) and CAPRISA head office:

2nd Floor Doris Duke Medical Research Institute Building
719 Umbilo Road
Durban
4001