

ACCESS TO INFORMATION MANUAL OF

SOUTH AFRICAN MARITIME TRAINING ACADEMY

Reg no 2002/001472/08

in terms of Section 51 of the Promotion of Access to Information Act, Act 2 of 2000.

Date of last update: 7 December 2011

MANUAL

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1. Preamble and Introduction

1.1. Preamble

The Promotion of Access to Information Act No. 2 of 2000, ("the Act") came into operation on 23 November 2001. Section 51 of this Act requires that we as a private body compile this manual giving information to the public regarding the procedure to be followed in requesting information from us for the purpose of exercising or protecting rights

1.2. Introduction to this private body

SAMTRA is a maritime training academy situated in Simons Town, South Africa, which focuses predominantly on simulator based training and skills development for Deck Officers, Marine Engineers and Ratings and the management of Third Party Training for Officers, Cadets and Ratings.

- Based on a premise of quality skills development training, to world class standards, SAMTRA aims to provide relevant training to the African maritime industry as a cost effective solution to Northern Hemisphere alternatives.
- Our objective is to be considered as a potential role player in the concept of "centre's of excellence" in addressing Africa's training needs.
- SAMTRA's product offering consists of simulation training courses in refrigeration engineering, marine engineering and deck officer training. Non-simulator courses are also offered to include computer based training for both seafarers and shore staff.
- SAMTRA also manages the Cadet Training Programs for various companies as an extension to its core business, which handles the entire process of a cadets training program, from recruitment to qualification as officer of the watch.

About us

SAMTRA is a non-profit company established in 2003 with donations made by various shipping companies. The State President of South Africa officially opened the company on 9 September 2003.

- The facility houses deck, engine room and GMDSS simulation equipment designed by DMI/Force Technology of Denmark, STN Atlas of Germany and Poseidon of Norway respectively.
- SAMTRA's instructors are qualified ex sea-going marine personnel. This ensures that personal experiences can be shared and real-life, relevant examples can be given to enrich the courses being offered. They have all received intensive training in adult education techniques and simulation operation and can therefore offer courses that are designed to suit all levels of competency.

2 Contact Details

Full Name	SOUTH AFRICAN MARITIME TRAINING ACADEMY
Registration Number	:2002/001472/08
Registered Address	: Queen Road, Seaforth, Simons Town, 7995
Postal Address	: P O Box 392, Simons Town, 7995
Telephone Number	: +27(0) 21 7868400
Fax Number	: +27(0) 865081553
Head/ CEO	: Mr Andy MacLennan
Designated Information Officer	: Mr Andy MacLennan
Email of Information Officer	: amaclennan@samtra.co.za
Website	: www.samtra.co.za

A copy of this manual is also available on our website or a hard copy at our offices.

3 The ACT

Section 10 of the Promotion of Access to Information Act, Act 2 of 2000 provides that the South African Human Rights Commission (SAHRC) should publish a Guide containing information:

- The objects of the Act;
- The contact details of the information and deputy information officers;
- The manner and form of a request for access to a record held by a public body;
- The assistance available from an information officer of a public body and the Human Rights Commission in terms of this Act;
- All remedies available in respect of an act, a failure to act or a duty imposed by this Act and the manner of lodging an internal appeal and a court application;
- The requirement of a public body to compile a manual on how to obtain access to a manual;
- The requirement of a public body to provide for the voluntary disclosure of categories of records;
- A list of prescribed fees to be paid in respect of requests for access;
- Any regulations made by the Minister in terms of this Act.

Queries can be directed to:

South African Human Rights Commission

Promotion of Access to Information Act Unit, Research and Documentation Department,
Private Bag 2700, Houghton, 2041

Tel no : (011) 484 – 8300

Fax no : (011) 484 – 7146/7

Website : www.sahrc.org.za

E-mail : PAIA@sahrc.org.za

4 Access to Records and Availability

Information automatically available

SOUTH AFRICAN MARITIME TRAINING ACADEMY no documents and records which are available to the public and which can be accessible without using PAIA other than info on our website. (www.samtra.co.za).

ACCESS TO RECORDS AND AVAILABILITY

<u>Records</u>	<u>Subject</u>	<u>Availability</u>
Public Affairs	<ul style="list-style-type: none">• Public product Information• Public Corporate Records• Brochures, Newsletters and Advertising Materials;• Products, Markets, Customers• Media Release.	Freely available from Designated Information Officer .and website
Corporate Records	<ul style="list-style-type: none">• Certificate of Incorporation;• Certificate of Change of Name;• Memorandum and Articles of Association;• Certificate to Commence Business;• Minute Book, CM26, as well as Resolutions passed at general meetings;	Limited Information available from Designated Information Officer.
Financial	<ul style="list-style-type: none">• Financial Statements• Financial and Tax Records (Company & Employees)• Asset Register	Not required to disclose. Not available.
Legal And Taxation	<ul style="list-style-type: none">• Copies of all Income Tax Returns and other tax returns and documents;• PAYE, VAT, SDL & UIF records• Employment Contracts, Salary records, disciplinary and leave records	Not required to disclose. Not available
Insurance	<ul style="list-style-type: none">• Insurance policies;• Claim records;• Detail of insurance, limits and insurers.	Limited Information available from Information Officer.

5. Procedure for requesting access to the above information

If you wish to request access to any of the above categories of information, you are required to complete a request form as set out in annexure "A" hereto. These forms are available from:

- Our information officer (whose contact details are in section A of this manual);
- The SAHRC website (www.sahrc.org.za)
- The Department of Justice and Constitutional Development website (www.doj.gov.za).

There is a prescribed fee (payable in advance) for requesting and accessing information in terms of the Act. Details of these fees are contained in the request form.

You may also be called upon to pay the additional fees prescribed by regulation for searching for and compiling the information which you have requested, including copying charges.

It is important to note that access is not automatic – you must identify the right you are seeking to exercise or protect and explain why the record you request is required for the exercise or protection of that right. You will be notified in the manner indicated by you on the request form whether your request has been approved.

6. Other Applicable Legislation

Where applicable to our operations, information is also available in terms of certain provisions of the following statutes:

- Atmospheric Pollution Prevention Act No. 45 of 1965
- Basic Conditions of Employment Act No. 75 of 1997
- Companies Act no. 71 of 2008
- Compensation for Occupational Injuries and Diseases Act No. 130 of 1993
- Competition Act No. 89 of 1998
- Credit Agreements Act No. 75 of 1980
- Custody and Administration of Securities Act No. 85 of 1992
- Customs and Excise Act No. 91 of 1964
- Debt Collectors Act No. 114 of 1998
- Designs Act No. 195 of 1993
- Employment Equity Act No. 55 of 1998
- Financial Intelligence Centre Act No. 38 of 2001
- Health Professions Act No. 56 of 1974
- Income Tax Act No. 58 of 1962
- Labour Relations Act No. 66 of 1995
- Occupational Health and Safety Act No. 85 of 1993
- Prevention of Organised Crime Act No. 121 of 1998
- Unemployment Insurance Act No. 63 of 2001

Where applicable to our operations, we also retain records and documents on terms of the following statutes:

- Basic Conditions of Employment Act No. 75 of 1997
- Companies Act No. 61 of 1973
- Compensation for Occupational Injuries and Diseases Act No. 130 of 1993
- Customs and Excise Act No. 91 of 1964
- Employment Equity Act No. 55 of 1998
- Income Tax Act No. 58 of 1962
- Labour Relations Act No. 66 of 1995
- Machinery and Occupational Safety Act No. 6 of 1983
- Occupational Health and Safety Act No. 85 of 1993
- Value-added Tax Act No. 89

7. FORM OF REQUEST

To facilitate the processing of your request, kindly:

- 7.1** Use the prescribed form, available on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at www.sahrc.org.za, or the website of THE DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT (under regulations) at www.doj.gov.za
- 7.2** Address your request to the Company Secretary.
- 7.3** Provide sufficient details to enable the COMPANY to identify:
 - (a) The record(s) requested;
 - (b) The requester (and if an agent is lodging the request, proof of capacity);
 - (c) The form of access required;
 - (d) (i) The postal address or fax number of the requester in the Republic;
(ii) If the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof;
 - (e) 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.

8. PRESCRIBED FEES

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

- 8.1** A requestor is required to pay the prescribed fees (R50.00) before a request will be processed;
- 8.2** 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);
- 8.3** A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit;
- 8.4** Records may be withheld until the fees have been paid.
- 8.5** The fee structure is available on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at www.sahrc.org.za, or the website of THE DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT (under regulations) at <http://www.doj.gov.za/>
