

SECTION 14 MANUAL FOR THE NATIONAL COUNCIL OF SOCIETIES FOR THE PREVENTION OF CRUELTY TO ANIMALS (NSPCA)

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2. PARTICULARS IN TERMS OF SECTION 14

The functions and the structure of the National Council of Societies for the Prevention of Cruelty to Animals [Section 14(1)(a)]

(i) The Functions of the NSPCA

The functions of the NSPCA as prescribed by section 3 of the Societies for the Prevention of Cruelty to Animals Act (Act 169 of 1993) are:

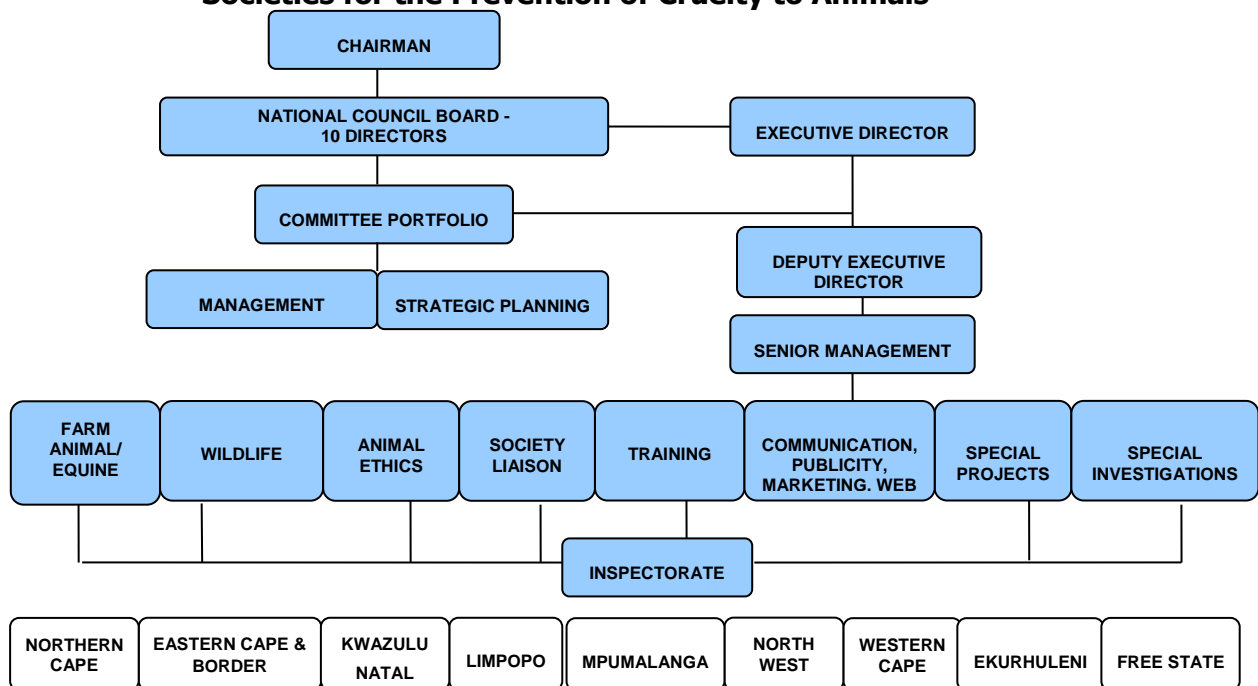
- (a) to determine, control and co-ordinate the policies and standards of societies, in order to promote uniformity;
- (b) to promote co-operation among societies;
- (c) to prevent the ill-treatment of animals by promoting their good treatment by man;
- (d) to promote the interests of societies;

- (e) to take cognisance of the application of laws affecting animals and societies and to make representations in connection therewith to the appropriate authority;
- (f) to do all things reasonably necessary for or incidental to the achievement of the objects mentioned in paragraphs (a) to (e).

The National Council is the Umbrella Body for 83 Societies situated throughout South Africa. All of these Societies are autonomous but are governed by The Societies for the Prevention of Cruelty to Animals Act 169 of 1993. Please note that this Manual deals with access to information in regard to the activities of the National Council for Societies for the Prevention of Cruelty to Animals. It does not deal with access to any information in regard to SPCAs around the country. Each Society, although registered with the National Council, is independent and autonomous, and is responsible for its own affairs. Accordingly, should you require any information about a SPCA, you should direct your enquiries to it directly. We cannot assist you in this regard.

The NSPCA is a statutory body, and together with the other Societies, enforces some 96% of the animal welfare legislation in South Africa. The NSPCA also handles national issues on behalf of the SPCA movement.

(ii) A schematic diagram of the structure of the National Council of Societies for the Prevention of Cruelty to Animals



(iii) The structure of the NSPCA

The Board of the NSPCA is made up of 10 Directors:

- | | |
|-----------------------|---------------------------|
| Mrs Thea Smit | Chairman |
| Dr Jane Marston | Vice-Chairman |
| Mrs Marcelle Meredith | Executive Director |
| Mr Bryan Hirsch | |
| Ms Colette Mang | |
| Dr Chris Marufu | |
| Ms Victoria McDonald | |
| Ms Mary Nicolaou | |
| Mr David Taylor | |
| Ms Annette Rademeyer | |

All Directors other than those nominated by the Board and those representing entrenched Societies are elected by the 83 Societies. They receive no remuneration for their services.

Mrs Marcelle Meredith is the Chief Executive Officer. In addition, the NSPCA has a paid staff of 40 people, made up of Inspectors and Secretariat.

B. Contact details [Section 14(1)(b)]

Information officer:

Mrs Marcelle Meredith – Executive Director ceo@nspca.co.za

General information:

Address:	6 Clark Road Florentia Alberton 1449
Postal address	P O Box 1320 Alberton 1450
Telephone:	+27 11 907-3590/1/2/3
Fax:	+27 11 907-4013
Website:	www.nspca.co.za
Email address:	nspca@nspca.co.za

C. The section 10 Guide on how to use the Act [Section 14(1)(c)]

The guide will be available from the South African Human Rights Commission. 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 11 484-1360
Website:	www.sahrc.org.za
E-mail:	PAIA@sahrc.org.za

D. Access to the records held by the NSPCA [Section 14(1)(d)]

(i) Automatic disclosures [Section 14(1)(e)]

The NSPCA keeps information/documentation in accordance with the following legislation:

The Societies for the Prevention of Cruelty to Animals Act, 169 of 1993
Insolvency Act No 24 of 1936
Pension Funds Act No 24 of 1956

Income Tax Act No 59 of 1962
Copyright Act No 98 of 1978
Regional Services Councils Act No 109 of 1985
Value Added Tax Act No 89 of 1991
Labour Relations Act No 66 of 1995
Basic Conditions of Employment Act No 75 of 1997
Employment Equity Act 55 of 1998
Skills Development Act No 97 of 1998
Medical Schemes Act No 131 of 1998
Skills Development Levies Act No 9 of 1999
Unemployment Insurance Act No 63 of 2001

(ii) Records that may be requested [Sections 14(1)(d)]

Description of the subjects and categories of records held by the NSPCA:

1 THE NSPCA GENERALLY

1.1 Governance

The SPCA Act
The Constitution
The Rules Promulgated in Terms of The Act

Criteria for Associate Members
Criteria for Advisory Members

1.2 Administration

Minutes of Annual General Meetings
Annual report of the Executive Director
Minutes of Board meetings
Minutes of meetings of Management Committee and Sub-Committees

1.3 Policy Statements

On all aspects of Animals

1.4 Labour Relations

Policies
Disciplinary/Grievance Procedure

1.5 Finance

Annual Audits
Monthly Income and Expenditure
Budgets

2 NATIONAL WILDLIFE PROTECTION UNIT

2.1 Policies and Legislation
National & Provincial

2.2 Exhibition of Wildlife

2.3 Hunting

2.4 Transportation

2.5 Zoos, Aquaria Reptile and Bird Parks

- 2.6 Rehabilitation Centres & Sanctuaries
- 2.7 Conflict Animals
- 2.8 Exotic / Wild Animals as Pets
- 2.9 Game Sales
- 2.10 Circuses
- 2.11 Wildlife Ranching
- 2.12 Captive breeding facilities
- 2.13 Legal/illegal wildlife traders
- 2.14 Travelling menageries
- 2.15 Facilities offering wildlife interactions opportunities
- 2.16 Hunting with Dogs

3 THE FARM ANIMAL PROTECTION UNIT

- 3.1 Policies and Legislation
National & Provincial
- 3.2 Pounds
- 3.3 Sale yards and Livestock Auctions
- 3.4 Vending Sites
- 3.5 Stock Theft
- 3.6 Codes of Practice and South African National Standards
- 3.7 Slaughtering of animals for traditional / religious purposes
- 3.8 Live Animals as Prizes
- 3.9 Long Distance Transportation of Livestock (by road, sea or air)
- 3.10 Touch and Petting Farms
- 3.11 Intensive Farming of all Livestock
Cattle, Sheep, Goats, Pigs, Rabbits, Crocodiles, Chickens, Ostrich, Emus,
Ducks, Geese, Prison Farms, Agricultural Colleges, Aquaculture, Camels,
Alpaca farming, Lama
- 3.12 Equine Disciplines, Rodeos, Agricultural Shows
- 3.13 Abattoirs

- 3.14 Training to relevant role-players
- 3.15 Herd Guards
- 3.16 Donkey skin trade
- 3.17 Aquaculture and Aquatic / Marine Related Matters
- 3.18 National disasters (fires, floods, assistance with culling operations)
- 3.19 Border Post Inspections and Monitoring
- 3.20 Outreach
- 3.21 Emerging Farming of all live stock -
Cattle, Sheep, Goats, Pigs, Rabbits, Crocodiles, Chickens, Ostrich, Emus,
Ducks, Geese, Prison Farms, Camels, Alpaca farming, Lama

4 THE SPECIAL PROJECTS UNIT

- 4.1 Pigeon Racing
- 4.2 Security Dogs and Horses
- 4.3 Service Dogs(Various Bodies)
- 4.4 Humane Deterrents and Problem Animal Control
- 4.5 Dogs in Sport and Sled / Dog Racing
- 4.6 Shock Collars and Electronic Training Devices
- 4.7 Border Posts
- 4.8 Airports
- 4.9 Equine Endurance Events

5 SPECIAL INVESTIGATIONS

- 5.1 Animals used in Organised Crime
- 5.2 Sexual Abuse of Animals
- 5.3 Events and Exhibitions Utilising Breed Specific Canines
- 5.4 Education Programmes

6 COMMUNICATIONS/FUNDRAISING

- 6.1 Media Releases
- 6.2 Media Coverage

- 6.3 Public Relations
- 6.4 Internet/digital fundraising
- 6.5 Fundraising and event management
- 6.6 Thank you letters and distribution of tax certificates
- 6.7 Website Content Management
- 6.8 Planning and Oversight of Annual Report book
- 6.9 E-Newsletter
- 6.10 Lotto Grant Applications
- 6.11 Assessment of applications
- 6.12 Guidance with regards to internet compliance with the Rules
- 6.13 Assessment and approval of links with other websites and applications
- 6.14 Social Media
- 6.15 Planning and Oversight of Annual Report for Societies
- 6.16 Trust and CSI Applications

7 ANIMAL ETHICS UNIT

- 7.1 Animals Used for scientific purposes
- 7.2 Promotion of the 4 R concept (Replacement, Reduction, Refinement and Responsibility)
- 7.3 Policies and Legislation
National & Provincial

8 TRAINING

- 8.1 Internal and External Training Courses
- 8.2 Training Policy Document

9 SOCIETY LIAISON UNIT

- 9.1 Promotes the Interests of the Societies.
- 9.2 Feral Cats
- 9.3 Dangerous/Marauding Dogs
- 9.4 Use of SPCA logo by SPCAs
- 9.5 Companion Animals Falling Outside SPCAs Jurisdiction

- 9.6 No kill shelters and animal hoarders
- 9.7 Fireworks
- 9.8 Maiming including Tail Docking & Ear Cropping
- 9.9 Complaints about Societies

(iii) The request procedures

A requester must be given access to a record of a public body if the requester complies with the following:

- The requester complies with all the procedural requirements in the Act relating to the request for access to that record; and
- Access to that record is not refused on any ground of refusal mentioned in the Act.

Nature of the request:

- A requester must use the form that has been printed in the Government Gazette [Govt. Notice R187- 15 February 2002] (Form A).
- The requester must also indicate if the requester is for a copy of the record or if the requester wants to come in and look at the record at the offices of the public body. Alternatively if the record is not a document it can then be viewed in the requested form, where possible [s 29(2)].
- If a person asks for access in a particular form then the requester should get access in the manner that has been asked for. This is unless doing so would interfere unreasonably with the running of the public body concerned, or damage the record, or infringe a copyright not owned by the state. If for practical reasons access cannot be given in the required form but in an alternate manner, then the fee must be calculated according to the way that the requester first asked for it [s 29(3) and (4)].
- If, in addition to a written reply to their request for the record, the requester wants to be told about the decision in any other way, e.g. telephone, this must be indicated [s 18(2)(e)].
- If a requester is asking for the information on behalf of somebody else, the capacity in which the request is being made should be indicated [s 18(2)(f)].
- If a requester is unable to read or write, or has a disability, then they can make the request for the record orally. The information officer must then fill in the form on behalf of such a requester and give them a copy [s 18(3)].

There are two types of fees required to be paid in terms of the Act, being the request fee and the access fee:

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 information officer 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 request fee payable to public bodies is R35. The requester may lodge an internal appeal, where appropriate, or an application to the court against the tender or payment of the request fee.

- After the information officer has made a decision on the request the requester must be notified of such a decision in the way in which the requester wanted to be notified in.
- If the request is granted then a further access fee must be paid for the search, preparation, reproduction and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

E. Services available [Section 14(1)(f)]

(i) Nature of services

The NSPCA focuses upon the enforcement of legislation, education, monitoring welfare standards, the compilation of Codes and Regulations, disaster and emergency relief, pro-active welfare work, community outreach, inspector training, committee training, the development of Unit or Working Standards within industries which utilise animals, liaison with animal related industries, negotiation at government and provincial levels as well as lobbying and awareness campaigns.

The NSPCA generates its own funds, relying on legacies and donations. No Government funding is received.

The National Council also has seven operational Units:

1. **The National Farm Animal Protection Unit** plays both a proactive and reactive role. The Unit monitors welfare standards throughout the country providing policy, regulatory and legislative comments with the Department of Agriculture, Forestry and Fisheries, and any other related Government Department. Reactive work includes responding to claims or reports of neglect or abuse. In addition, the Unit is actively involved in rescue and mercy missions when disasters strike. The Farm Animal Protection Unit inspects facilities where farm animals are kept, used or farmed.
2. **The National Wildlife Protection Unit** is the only "on-the-ground" Unit specialising in wild animal welfare in South Africa. Its concerns with the welfare of animals include the manner in which the wildlife is captured, transported, housed or kept, bred, trained, crated and hunted/culled. All wild animals fall within the ambit of the Unit, including indigenous and exotic wild animals in captivity, be they in zoos, pet shops, elephant-back safaris, circuses, captive breeding facilities, rehabilitation centres or sanctuaries. The Unit also covers human-animal conflict issues. Reactive work includes responding to reports of neglect or abuse.
3. **The Special Projects Unit** as the name suggests, this Unit is responsible for monitoring the welfare of animals which are used in recreational, guarding and exhibition activities. It also deals with animals that do not fit into the traditional production, companion or wild categories. The issues dealt with cover a diverse range of activities, and encompass animal husbandry, training and application.
4. **The Society Liaison Unit** promotes the interests of the SPCAs. This includes the control and co-ordination of policies, uniformity and

standards at SPCAs. It also assists SPCAs with the prevention of cruelty by promoting the humane treatment of animals. The Unit provides training and assistance to Societies in all aspects of animal welfare, nationally.

5. **The Animal Ethics Unit** has staff members who serve on Animal Ethics Committees of Universities and other institutions throughout the country as the Category C welfare representative. This Unit inspects facilities that are using animals for scientific purposes. They work towards the passing of legislation which will bring about improved welfare conditions for animals used for scientific purposes. They promote replacement, reduction, refinement and responsibility when animals are used.
6. **Communications/Fundraising** performs the function of publicising the work undertaken by the NSPCA and securing funding to support our efforts in uplifting the lives of animals. This is achieved by focusing on branding and building support relationships for the NSPCA via the print media and on the internet using social media and the website.
7. **The National Special Investigations Unit** plays both a proactive and reactive role and the issues dealt with cover a diverse range of activities that investigate complex animal crime such as animals being used in conjunction with additional criminal activities. Proactive work include skills upliftment programmes that aim to sensitise law enforcement role-players to the links that exist between animal crime and additional criminal activities as well as community awareness programmes on a national basis. Reactive work includes responding to claims or reports of animals being neglected or abused as a result of, or in conjunction with, further criminal activities. This Unit is also responsible for monitoring the welfare of animals which are used in certain breed specific disciplines.

The NSPCA also handles national issues on behalf of the SPCA movement.

(ii) How to gain access to these services

To gain access to the services at the NSPCA, requests must be made to the CEO of the NSPCA, Mrs Marcelle Meredith.

Address: 6 Clark Road
Florentia
Alberton
1449

Postal address : P O Box 1320
Alberton
1450

Telephone: +27 11 907-3590/1/2/3

Fax: +27 11 907-4013

Website: www.nspca.co.za

Email address: nspca@nspca.co.za

F. Arrangement allowing for public involvement in the formulation of policy and the exercise of power [Section 14(1)(g)]

No such arrangements exist, but members of the public are encouraged to make submissions to either the CEO or through her to the Board for consideration.

G. The remedies available if the provisions of this Act are not complied with [Section 14(1)(h)]

The National Council of Societies for the Prevention of Cruelty to Animals does not have internal appeal procedures and the courts will have to be approached in such instances where there is no compliance with the provisions of the Act. This would apply to any situation in which the requester wishes to appeal a decision made by the information officer.

3. Prescribed fees for public bodies

**PART II OF NOTICE 187 IN THE GOVERNMENT GAZETTE ON THE 15 FEBRUARY 2002
FEES IN RESPECT OF PUBLIC BODIES**

1. The fee for a copy of the manual as contemplated in regulation 5(c) is **R7,33** for every photocopy of an A4-size page or part thereof.
2. The fees for reproduction referred to in regulation 7(1) are as follows:

	R
(a) For every photocopy of an A4-size page or part thereof	7,33
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	7,33
(c) For a copy in a computer-readable form on -	
(i) compact disc	219,62
(d) (i) For a transcription of visual images, for an A4-size page or part thereof	117,13
(ii) For a copy of visual images	256,22
(e) (i) For a transcription of an audio record, (Depending on outsourced for an A4-size page or part thereof fee)	
(ii) For a copy of an audio record	80,53
3. The request fee payable by every requester, other than a personal requester, referred to in regulation 7(2) is **R105,41**
4. The access fees payable by a requester referred to in regulation 7(3) are as follows:

	R
(1) (a) For every photocopy of an A4-size page or part thereof	7,33
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	7,33
(c) For a copy in a computer-readable form on -	
(i) compact disc	219,62
(d) (i) For a transcription of visual images, for an A4-size page or part thereof	96,50
(ii) For a copy of visual images	256,22
(e) (i) For a transcription of an audio record, for an A4-size page or part thereof	(Depending on outsourced fee)
(ii) For a copy of an audio record	146,41
(f) To search for and prepare the record for disclosure, R58,56 for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation.	
(2) For purposes of section 22(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.	
(3) The actual postage is payable when a copy of a record must be posted to a requester.	

4. Prescribed forms for access to a record of a public body.

**ANNEXURE B OF NOTICE 187 IN THE GOVERNMENT GAZETTE ON THE
15 FEBRUARY 2002
FORM A**

REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY

(Section 18(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))

[Regulation 2]

FOR DEPARTMENTAL USE

Reference number:

Request received by (state rank, name and surname of information officer/deputy information officer) on (date) at (place).

Request fee (if any): R

Deposit (if any): R

Access fee: R

SIGNATURE OF INFORMATION OFFICER/DEPUTY INFORMATION OFFICER

A. Particulars of public body

The Information Officer/Deputy Information Officer:

B. Particulars of person requesting access to the record

(a) The particulars of the person who requests access to the record 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 names and surname: Identity number: Postal address:

Fax number: Telephone number: E-mail address:

Capacity in which request is made, when 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 names 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 that 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 record or relevant part of the record:
2. Reference number, if available:
3. Any further particulars of record:

E. Fees

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

Reason for exemption from payment of fees:

F. Form of access to 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 your disability and indicate in which form the record is required.

Disability:	Form in which record is required:
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<p>Mark the appropriate box with an "X".</p> <p>NOTES:</p> <p>(a) Your indication as to the required form of access depends 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>

1. If the record is in written or printed form	
<input type="checkbox"/>	copy of record*
<input type="checkbox"/>	Inspection of record

<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	Inspection of record
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<p>2. If record consists of visual images -</p> <p>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc.)</p>
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	view the images		copy of the images*		transcription of the images*
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3. If 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 document)
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4. If record is held on computer or in an electronic or machine-readable form -

	printed copy of record*		printed copy of information derived from the 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

A postal fee is payable.

Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available.

In which language would you prefer the record?

G. 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
