



**PROMOTION OF
ACCESS TO INFORMATION
ACT 2 of 2000
MANUAL**

PAIA MANUAL DATED – JANUARY 2023

EMAILED TO : PAIA@sahrc.org.za

**HARD COPY POSTED TO : The South African Human Rights Commission
PAIA Unit
The Research and Documentation Department
Private Bag 2700
Houghton
2041**

SECTION 14 MANUAL FOR THE NATIONAL COUNCIL OF SOCIETIES FOR THE PREVENTION OF CRUELTY TO ANIMALS (hereinafter referred to as "the NSPCA")

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2. PARTICULARS IN TERMS OF SECTION 14

A. The functions and the structure of the NSPCA [Section 14(1)(a)]

(i) What is the NSPCA?

The NSPCA is the Umbrella Body for 75 Societies for the Prevention of Cruelty to Animals (hereinafter referred to as SPCAs) situated throughout South Africa. All of these SPCAs are autonomous but are governed by The Societies for the Prevention of Cruelty to Animals Act 169 of 1993. Each SPCA, although registered with the NSPCA, is independent and autonomous, and is responsible for its own affairs. The NSPCA is a statutory body, and together with the other SPCAs, enforces some 96% of the animal welfare legislation in South Africa. The NSPCA also handles national issues on behalf of the SPCA movement.

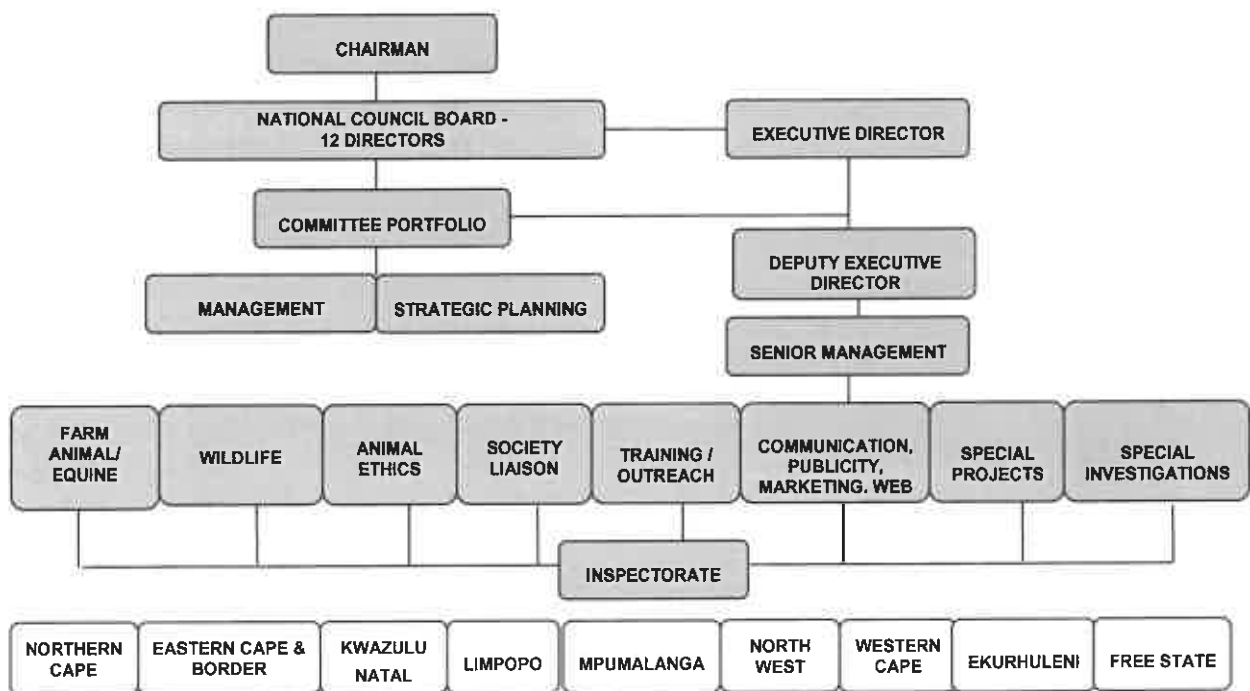
Please take note that this Manual deals with access to information in regard to the activities of the NSPCA, only, and not with access to any information in regard to SPCAs around the country. Accordingly, should you require any information about a specific SPCA, you should direct your enquiries to it directly. We are unable to assist you in this regard.

(ii) 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).

(iii) A schematic diagram of the structure of the NSPCA



(iv) The structure of the NSPCA

The Board of the NSPCA consists of 12 Directors:

- Mrs Annette Rademeyer **Chairman**
- Mrs Brenda Lucas **Vice-Chairman**
- Mrs Marcelle Meredith **Executive Director**
- Ms Vonjia Bauchop
- Mr Ralf Degni
- Ms Christine Kuch
- Dr Chris Marufu
- Ms Dudu Moodley
- Mrs Lize Pienaar
- Mrs Norma Roberts
- Ms Karen Trendler
- Department of Agriculture representative

All Directors, other than those nominated by the Board and those representing entrenched SPCAs, are elected by the 75 SPCAs and receive no remuneration for their services.

Mrs Marcelle Meredith is the Chief Executive Officer of the NSPCA. In addition, the NSPCA has a paid staff compliment of 44 employees, 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)]

No categories of records of the NSPCA are automatically available without request.

(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

1.2 Administration

Annual report of the Executive Director

1.3 Policy Statements

On all aspects of Animals

- 1.4 **Labour Relations**
 - Policies
 - Disciplinary/Grievance Procedure
- 1.5 **Finance**
 - Annual Audits
 - B-BBEEE Certificate
- 2 NATIONAL WILDLIFE PROTECTION UNIT**
 - 2.1 Policies and Legislation - National & Provincial
- 3 THE FARM ANIMAL PROTECTION UNIT**
 - 3.1 Policies and Legislation - National & Provincial
- 4 THE SPECIAL PROJECTS UNIT**
 - 4.1 Policies and Legislation - National & Provincial
- 5 SPECIAL INVESTIGATIONS**
 - 5.1 Policies and Legislation - National & Provincial
- 6 COMMUNICATIONS / FUNDRAISING**
 - 6.1 All issues relating but not limited to:
Media Releases, Website Content Management, Annual Report, Newsletters,
SPCA Logo Usage Approvals, Social Media, Fundraising
- 7 ANIMAL ETHICS UNIT**
 - 7.1 Policies and Legislation - National & Provincial
- 8 TRAINING / OUTREACH**
 - 8.1 Internal and External Training Courses
 - 8.2 Undertaking outreaches in under-privileged communities
- 9 SOCIETY LIAISON UNIT**
 - 9.1 Policies and Legislation
 - 9.2 All Animal Welfare issues relation to SPCAs, including but not limited to:
 - 9.2.1 Promoting the Interests of the SPCAs,
 - 9.2.2 Use of the SPCA Logo by SPCAs Dangerous/Marauding Dogs,
 - 9.2.3 Feral Cats,
 - 9.2.4 Companion Animals Falling Outside SPCAs Jurisdiction,
 - 9.2.5 No kill shelters and animal hoarders,
 - 9.2.6 Maiming including Tail Docking & Ear Cropping,
 - 9.2.7 Fireworks,
 - 9.2.8 Complaints about SPCAs

(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, proactive 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** Dealing with the regulation, compliance and enforcement of welfare in terms of the Animals Protection Act 71 of 1962, and other associated Acts with particular focus on farm animals in both intensive and rural environments.
2. **The National Wildlife Protection Unit** Dealing with the regulation, compliance and enforcement of welfare in terms of the Animals Protection Act 71 of 1962, and other associated Acts with particular focus on the welfare of Wildlife wherever they may be found across South Africa. Including captive facilities keeping such animals.

3. **The Special Projects Unit** Dealing with the regulation, compliance and enforcement of welfare in terms of the Animals Protection Act 71 of 1962, and other associated Acts with particular focus on the ports of entry, illegal hunting, poaching and humane deterrents of certain animals.
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.
5. **The Animal Ethics Unit** serve on Animal Ethics Committees throughout the country. 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.
6. **Communications/Fundraising** publicises the work undertaken by the NSPCA and securing funding to support our efforts in uplifting the lives of animals. With particular focus on printed and social media.
7. **The National Special Investigations Unit** Dealing with the regulation, compliance and enforcement of welfare in terms of the Animals Protection Act 71 of 1962, and other associated Acts with particular focus on, animal fighting and sexual offences relating to animals.
8. **Training and Outreach Unit** plays a vital role in training SPCA inspectors to enforce national animal protection legislation. Field officers as well as SPCA committees are also provided with training. This unit also provides training to external officials and service providers to equip them with a better understanding and ability to address animal welfare concerns in their varied work environments.

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 the CEO to the Board for consideration.

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

The requester can lodge an internal appeal with the Information Regulator. The requester can lodge an appeal related to:

- a decision not to grant access to a record;
- the fee charged;
- a decision to extend the time period to deal with the request; or

- the body refusing to grant the requester the record in the form that he/she requested.

The procedure is as follows:

- The requester would be required to complete the relevant appeal form A, within 60 days.
- After completing the form, the requester must send the form to the Information Officer.
- A requester may request to be informed of the outcome of the appeal in any manner other than a written reply, for example, by e-mail or telephone.
- The person appealing must supply their contact details and may also be required to pay an appeal fee. (The fee is not payable when not asking for private information, the current fee is R35 for public bodies)
- The information officer must respond to the request within 10 working days and if the request was refused the information officer must give reasons for refusing in terms of the Act.

I. Other information as prescribed in terms of the Act [Section 14(1)(i)]

There is currently no information available from the Minister of Justice and Constitutional Development in terms of Section 92 to be placed here.

3. Prescribed fees for public bodies

PART II OF NOTICE 187 IN THE GOVERNMENT GAZETTE ON THE 15 FEBRUARY 2002

FEEES IN RESPECT OF PUBLIC BODIES (increased by 10% per Annum)

1. The fee for a copy of the manual as contemplated in regulation 5(c) is **R9.75** 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:

Type of copy requested		Fees in Rand (R)
(a)	For every photocopy of an A4-size page or part thereof	1.50
(b)	For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	1.50
(c)	For a copy in a computer-readable form on compact disc	40
(d)	For a transcription of visual images, for an A4-size page or part thereof	Service Outsourced
	For a copy of visual images	""
(e)	For a transcription of an audio record, (Depending on outsourced for an A4-size page or part thereof fee)	24.00
	For a copy of an audio record	40.00

3. The request fee payable by every requester, other than a personal requester, referred to in regulation 7(2) is **R100**
4. The access fees payable by a requester referred to in regulation 7(3) are as follows:
5. The access fees payable by a requester referred to in regulation 7(3)(f) are as follows:
 - to search and prepare the record for disclosure, **R300** for each for such search and preparation, not exceeding **R300**
6. 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.
7. 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]

FORM SEPARATE AS PDF

FORM 2

REQUEST FOR ACCESS TO RECORD

[Regulation 7]

NOTE:

1. Proof of identity must be attached by the requester.
2. If requests made on behalf of another person, proof of such authorisation, must be attached to this form.

TO: The Information Officer

(Address)

E-mail address:

Fax number:

Mark with an "X"

Request is made in my own name

Request is made on behalf of another person.

PERSONAL INFORMATION		
Full Names		
Identity Number		
Capacity in which request is made <i>(when made on behalf of another person)</i>		
Postal Address		
Street Address		
E-mail Address		
Contact Numbers	Tel. (B):	
	Cellular:	
Full names of person on whose behalf request is made <i>(if applicable)</i> :		
Identity Number		
Postal Address		

Street Address			
E-mail Address			
Contact Numbers	Tel. (B)		Facsimile
	Cellular		
PARTICULARS OF RECORD REQUESTED			
<p><i>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. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)</i></p>			
Description of record or relevant part of the record:			
Reference number, if available			
Any further particulars of record			
TYPE OF RECORD <i>(Mark the applicable box with an "X")</i>			
Record is in written or printed form			
Record comprises virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>			
Record consists of recorded words or information which can be reproduced in sound			
Record is held on a computer or in an electronic, or machine-readable form			

FORM OF ACCESS <i>(Mark the applicable box with an "X")</i>	
Printed copy of record <i>(including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)</i>	
Written or printed transcription of virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>	
Transcription of soundtrack <i>(written or printed document)</i>	
Copy of record on flash drive <i>(including virtual images and soundtracks)</i>	
Copy of record on compact disc drive <i>(including virtual images and soundtracks)</i>	
Copy of record saved on cloud storage server	

MANNER OF ACCESS <i>(Mark the applicable box with an "X")</i>	
Personal inspection of record at registered address of public/private body <i>(including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)</i>	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format <i>(including transcriptions)</i>	
E-mail of information <i>(including soundtracks if possible)</i>	
Cloud share/file transfer	
Preferred language <i>(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)</i>	

PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED	
<i>If the provided space is inadequate, please continue on a separate page and attach it to this Form. The requester must sign all the additional pages.</i>	
Indicate which right is to be exercised or protected	

Explain why the record requested is required for the exercise or protection of the aforementioned right:	

FEES	
a)	<i>A request fee must be paid before the request will be considered.</i>
b)	<i>You will be notified of the amount of the access fee to be paid.</i>
c)	<i>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.</i>
d)	<i>If you qualify for exemption of the payment of any fee, please state the reason for exemption</i>
Reason	

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

Postal address	Facsimile	Electronic communication <i>(Please specify)</i>

Signed at _____ this _____ day of _____ 20 _____

Signature of Requester / person on whose behalf request is made

FOR OFFICIAL USE

Reference number:	
Request received by: <i>(State Rank, Name And Surname of Information Officer)</i>	
Date received:	
Access fees:	
Deposit (if any):	

Signature of Information Officer