

Resources

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Resources for Chapter 2: Introduction to Human Rights and Palliative Care

Online Resource Guide prepared by the Open Society Institute and Equitas

This resource guide is designed to support health and human rights advocacy, training, education, programming, and grant making worldwide. The Resource Guide includes additional fact sheets, program descriptions, jurisprudence, case studies, bibliographies, and glossary definitions on human rights and patient care, so it may be helpful for readers who are interested in furthering their knowledge in the area.

http://equalpartners.info/Introduction/intro_TOC.html

Resources for Chapter 4: The NPO Sector

How to access information on the current status of South African legislation

The Parliamentary Monitoring Group (PMG) was set up in 1995 as a partnership between the Black Sash, Human Rights Committee and IDASA with the aim of providing a public record of the Parliamentary committee proceedings - the engine room of Parliament. This type of information is needed by civil society to lobby Parliament on pieces of legislation, matters of democratic processes and parliamentary oversight of the executive. Importantly, it provides a window into the performance of each government department and public entity over which each parliamentary committee has oversight. PMG has information regarding the current status of Bills, legislative programmes for each government department, details of parliamentary programmes and public hearings. PMG can also provide early notification of requests for submissions to Parliament.

Further information can be found at:	Space for updated contact details
<p>www.pmg.org.za</p> <p>Tel: 021 465 8885</p> <p>Fax: 021 465 8887</p> <p>By mail or in person: 2nd floor, Associated Magazines, 21 St Johns Street, Cape Town 8001</p>	

How to access publications written by South African legal experts

The publishers, Juta, provide without subscription, the Juta Law Catalogue, a list of publications written by legal experts on a variety of legal topics with information on authors and brief content outlines. Information can be found at www.jutalaw.co.za/catalogue

Resources for Chapter 6: Poverty, financial issues and social development

Included here is further information on Birth Certificates, Social Grants and how to access SASSA. To confirm any amendments to this information, kindly check www.sassa.gov.za

Further information regarding Birth Certificates

Births notified within 30 days after birth

Although the Births and Deaths Registration Act (Act 51 of 1992) requires that the birth of a baby must be registered within 30 days after birth, special circumstances may make this impossible. Notices of birth after 30 days are called late registrations and are all free of charge. The only form required in this case is a Notice of Birth form (Bl-24) signed by one of the parents or guardian. Three categories of late registrations are distinguished as follows:

- i. Births notified after 30 days, but before one year,
- ii. Births notified after one year, but before 15 years and;
- iii. Births notified after 15 years.

Birth notified after 30 days, but before one year

- In this case, the parents or guardian have to complete a Bl-24 form. The parents or guardian should also give reasons why the birth was not registered within 30 days as required by the law.
- If the parents are not married and they wish to register the child under the father's surname, the father must acknowledge paternity in the space provided on the Bl-24 form. The father should therefore be present when the birth is registered.
- If the parents are married, the child's birth will be registered on the surname of the father.

Birth notified after one year but less than 15 years of age

The parents or guardian have to complete a Bl-24 form. They also have to give reasons why the birth was not registered within 30 days as required by the law. The supporting documents specified must be handed in at the same time.

Birth notified after 15 years of age

When registering this birth, a Bl-24/15 form is used. This is accompanied by a Bl-9 form (application for an identity document) and the relevant documentation specified. The parents or guardian are also required to give reasons why the birth was not registered within 30 days as required by the law.

Documents needed when a birth is registered after one year

The following documents are required for birth registration of a child not registered within one year of its birth:

- Bl-288 sworn affidavit, and
- Certified copy of the mother's identity documents if parents are not married and the father does not acknowledge paternity. Alternatively, if the biological father acknowledges paternity, certified copies of both parents' identity documents are required. If married to the biological mother, certified copies of both parents' identity documents and their marriage certificate are required, **or**
- Confirmation of the child's personal details as contained in the school register or a school certificate of the first school attended by the child, signed by the Principal. The confirmation should have the principal's personal number on an official letterhead containing the official school date stamp, **or**
- The child's baptismal certificate, if issued within five years of birth, or
- If the parents are not available, an affidavit by a close relative at least 10 years older than the child, who is familiar with the child's birth details and can confirm the child's identity and status, **or**
- Clinic card or school report or any relevant document that may assist in providing the child's identity status, **or**
- A statement from a person who has personal knowledge of the applicant and can attest to the applicant's parentage. This person will also have to accompany the applicant to the Home Affairs office where the applicant and the person will be interviewed separately.

Further information regarding Social Grants

What does inflation mean?

Remember every year because of inflation, the money you receive from a grant will not cover as many of your expenses as it did before. So to keep up with inflation, and ensure people get enough money, the government often increases the amounts payable each year and the income threshold below which you qualify for a grant. So you need to be sure you are looking at up-to-date tables as the government may have adjusted amounts which are not shown on the table you are looking at. The table below shows how between 1 April 2008 and 1 April 2009 the amounts for qualifying income have changed.

Asset and Income Threshold for Social Grants

Asset Threshold	As at 1 April 2008	As at 1 April 2009	As at 1 April 2010
For Older Person, Disability and War Veterans Grant (Child support, Foster Child and Care Dependency Grant – no asset threshold)			
Single person	R338 400	R484 800	
Married person	R676 800	R 969 600	
Income Threshold			
For Older Person, Disability and War Veterans Grant			
Single person	R23 544	R29 112	
Married person	R43 704	R58 224	
Child Support Grant			
Child grants	R9 600 (urban) R13 200 (rural /informal dwelling)	R28 800 (single) R57 600 (married)	
Foster Child Grant:	R15 600	No means test	
Care dependency grant (income of parent)	R48 000	R121 200 (single) R242 400 (married)	
Care-dependency grant (income of child)	R22 560	No means test	

Amount of Grants (paid out to recipient)

Amounts of Grants	As at 1 April 2008	As at 1 April 2009	As at 1 April 2010
Older Person's Grant	R940	R1 010	
Disability Grant	R940	R1 010	
War Veteran's Grant	R940	R1 030	
Grant-in-aid	R210	R240	
Child Support Grant	R210	R240	
Foster Child Grant	R650	R680	
Care-dependency grant	R940	R1 010	
State-aided institution (25%)	R235	R252.50	

Remember that the amount paid out to individual may be less than shown on the above table, due to assessment of other income. Table indicates the maximum payout allowed.

As information quickly becomes out-of-date, to ensure you access up-to-date information on grants (both the qualifying income and amounts payable) look under Social Grants on the South African Social Security website or dial the SASSA toll free number or a local branch office, both listed opposite.

Contact Details of SASSA offices:

Toll free number: 0800 60 10 11

Website: www.sassa.gov.za

SASSA HEAD OFFICE		
<p>SASSA house 501 Prondisa Building Cnr Beatrix and Pretorius Street Pretoria</p> <p>Private Bag X55662 Arcadia Pretoria 8803</p> <p>Tel: 012 400 20000 (Switchboard) Website: www.sassa.gov.za</p>		
EASTERN CAPE REGION	FREE STATE REGION	GAUTENG REGION
<p>Bandile Maqetuka <i>Acting Regional Executive Manager</i></p> <p>1st Floor Waverly Office Park 3-33 Phillip Frame Road</p> <p>Private Bag X9001 Chiselhurst East London 5200 Tel: 043 707 6300 Fax: 043 707 6487</p>	<p>Gerald Roberts <i>Acting Regional Executive Manager</i></p> <p>African Life Building 75 St. Andrews Street Bloemfontein</p> <p>Private Bag X4424 Bloemfontein 9300</p> <p>Tel: 051 409 0853 Fax: 051 409 0857</p>	<p>Gerry Rees <i>Regional Executive Manager</i></p> <p>28 Harrison Street Johannesburg 2000</p> <p>Private Bag X35 Johannesburg 2000</p> <p>Tel: 011 241 8300 Fax: 011 241 8301</p>
KWAZULU-NATAL REGION	LIMPOPO	MPUMULANGA
<p>Diane Dunkerly <i>Action Regional Executive Manager</i></p> <p>1 Bank Street Pietermaritzburg 3201</p> <p>Private Bag X 9146 Pietermaritzburg 3201</p>	<p>Charley Nkadameng <i>Acting Regional Executive Manager</i></p> <p>44 Landros Mare Polokwane 0700</p> <p>Tel: 015 291 7400 Fax: 015 291 7996</p>	<p>Rachel Mokoena <i>Acting Regional Executive Manager</i></p> <p>No 2 Bester Street Progress House Nelspruit</p> <p>Private 1200</p> <p>Tel: 013 753 5400 Fax: 013 752 5109</p>
NORTHERN CAPE	NORTH WEST	WESTERN CAPE
<p>Kholekile Nogwili <i>Acting Regional Executive Manager</i></p> <p>Cecil Sussman 2 Kimberley 8300</p> <p>Private Bag X 0611 Kimberley 8300</p> <p>Tel: 053 802 4900 Fax: 053 832 5525</p>	<p>Denver van Heerden <i>Acting Regional Executive Manager</i></p> <p>Master Centre Industrial Mafikeng</p> <p>Private Bag X6 Mmabatho</p> <p>Tel: 018 381 7400 Fax: 018 381 4014</p>	<p>Dr. Waldemar Terblanche <i>Regional Executive Manager</i></p> <p>Golden Acre Adderley Street Cape Town 8001</p> <p>Private Bag 9189 Cape Town 8000</p> <p>Tel: 021 469 0200 Fax: 021 469 0260</p>

Contact details for legal services organisations

The following list is not comprehensive but is designed to offer pointers on how to find legal services operating in local communities in South Africa.

How do I find legal assistance in my community?

When looking for legal assistance, remember :

- Confidentiality of the client is always to be respected and referrals made with their consent.
- Community paralegals can give legal assistance and are often mediators e.g. in disputes between neighbours whilst others are skilled at pursuing missing birth certificates, ID, or helping with debt problems etc.
- Some clients may not wish to be helped by someone in their immediate community.
- Local paralegals have access to lawyers for more complex problems. Such lawyers work at legal clinics at universities, at Justice Centres, at organizations such as the Legal Resources Centre, Black Sash, Lawyers for Human Rights and Pro Bono.Org. Private lawyers do some of their work for free (pro bono) as part of their commitment to community involvement.
- If local legal assistance is not immediately obvious in your community, other NGOs, local branches of political parties, trades union will have access to this information.
- Legal fees may be charged if the person seeking legal assistance has an income, whilst some lawyers will provide assistance pro bono (for free) to those in need.
- Some of the organisations listed here have contributed to writing this manual and so these organisations are listed in more detail in the List of Organisations Section.

How do I find a paralegal in my community?

Many paralegal advice centres operate within what is known as a cluster which is a referral network of paralegals, university law clinics and government justice centres.

To find a paralegal office near you in the Western Cape you can ring Black Sash (contact details below) or the website for the National Consumer Forum also has a list of paralegal offices in the Western Cape : <http://www.ncf.org.za/docs/publications/consumerfair/vol16/part4.pdf>

To find a paralegal office near you in the rest of South Africa you can contact NADCAO who may be able to refer you to a local paralegal advice office in your area:

National Alliance for the Development of Community Advice Offices (NADCAO) which is 'a national alliance for the development of community advice offices and community-based paralegals that aims to facilitate and expand access to social justice by the poor in South Africa through voice and knowledge sharing, support and development, and resource mobilisation.'

NADCAO Secretariat: 12 Plein Street, Cape Town, 8000

Tel: 021 461 7804

Fax: 021 461 8004

www.nadcao.org.za

How do I find a lawyer in my area?

Besides accessing lawyers through paralegals, university law clinics and NGOs you can contact the Law Society of South Africa for access to attorneys via the regional law societies:

<http://lssa.questweb.co.za/Index.cfm?fuseaction=home.page&PageID=1791816>

Alternatively Lexis-Nexis has launched Law24.com, a comprehensive one-stop website providing extensive yet simple legal information, DIY legal services, expert opinions and free legal advice grouped into various categories: work and employment, money and financial, personal and family, and property and home. Visit www.law24.com

How do I find a university law clinic in my community?

If you want to find a local university law clinic in your area, you can phone your closest university to ask if they have a law clinic or you can contact:

Association of University Legal Aid Institutions (AULAI)

secretary@aulai.org.za

www.aulai.org.za

Four of the well-known university law clinics are listed here but this list is not comprehensive, and you should contact (AULAI) for a law clinic in your area.

University of the Western Cape
UWC Law Clinic Old Library Building, University of the Western Cape Campus, Modderdam Road, Bellville Tel: 021 959 2756
University of Witwatersrand
Wits Law Clinic 1 Jan Smuts Avenue Braamfontein Johannesburg Tel: 011 717 8562 Fax: 011 339 2640 http://web.wits.ac.za/Academic/CLM/Law/CentresClinicsResearch/WitsLawClinic/contact.htm
University of Cape Town Law Clinic
Fourth floor, Room 4.36 Kramer Law School Building, Middle Campus, University of Cape Town, 1 Stanley Road, Rondebosch, 7701 Tel: 021 650 3775 or 021 650 3551 Email: uctlawclinic@uct.ac.za www.uct.ac.za/faculties/law/research/lawclinic/study
Rhodes University Legal Aid Clinic
41 New St, Grahamstown, 6139 PO Box 702, Grahamstown, 6140 Tel: 046 622 9301 Fax: 046 622 9312

What follows is a list of NGOs who assist poor or marginalised groups with legal problems and also includes NGOs with a specific HIV, health and human rights interest.

Legal Resources Centre

South Africa's largest public interest law centre, since 1979, with offices in Cape Town, Johannesburg, Durban and Grahamstown.

The National office

7th Floor Bram Fischer House, 25 Rissik Street, Johannesburg
Tel: 011 836 9831, 838 6601 or 403 0902
Fax: 011 834 4273

Grahamstown Office

116 High Street, Grahamstown
Tel: 046 622 9230

Cape Town Office

3rd Floor, Greenmarket Place, 54 Shortmarket Street, Cape Town 8001
Tel: 021 481 3000

www.lrc.org.za

See further details under List of Contributing Organisations.

Lawyers for Human Rights (LHR)

LHR is an independent human rights organisation with a 30 year track record of human rights activism and public interest litigation in South Africa. LHR provides free legal services to poor and indigent people from six law clinics around the country located at Durban, Johannesburg, Musina, Pretoria, Stellenbosch and Upington.

Johannesburg: 011 339 1960
Pretoria: 012 320 2943
Durban: 031 301 0351
www.lhr.org.za

Black Sash

Over the past five years, the Black Sash provided free paralegal advice to more than 58 000 people, recovering more than R65m in Social Security Grants and other financial provisions. We provide comprehensive and quality advice in the area of social protection and consumer protection (credit, debt and consumer contracts), labour and citizenship through our regional offices and satellite services.

The Black Sash has a free paralegal advice website which consists of a manual covering various aspects of the law and has recently produced Debt and Credit, an online reference guide for paralegals.

Black Sash National Office
12 Plein Street, Fourth Floor, Cape Town
Tel: 021 461 7804
www.blacksash.org.za

ProBono.org

Pro Bono is the delivery of legal services to the poor, community-based organisations and public interest law institutions in matters in the public interest.

9th Floor Schreiner Chambers, 94 Pritchard Street, Johannesburg
Tel: 011 336 9510
Fax: 011 336 9511
Email: info@probono-org.org
www.probono-org.org

Street Law

Street Law is a prominent democracy, human rights and legal education programme for all South Africans and offers training programs nationally. See further details under List of Contributing Organisations.

National Street Law office
Tel: 031 260 2769 or Fax 031 260 1540.
Tel: 041 5042077
Email: info@streetlaw.org.za
www.streetlaw.org.za/contact.html

Treatment Action Campaign (TAC)

Campaigning for the rights of people with HIV/AIDS

Their vision is: a unified quality health care system which provides equal access to HIV prevention and treatment services for all people. Their mission is: to ensure that every person living with HIV has access to quality comprehensive prevention and treatment services to live a healthy life

National Office

2nd Floor, Westminster House, 122 Longmarket Street, Cape Town, 8001

Tel: 021 422 1700

Fax: 021 422 1720

www.tac.org.za

AIDS Law Project

The AIDS Law Project (ALP) focuses on removing obstacles that prevent people with HIV/AIDS from having access to adequate health care and treatment in both the private and public sectors, from contesting unfair treatment and discrimination or that deny people with HIV/AIDS access to employment, employee benefits, insurance, education and other services.

Johannesburg Office

Unit 6/002, 6th Floor, Braamfontein Centre

23 Jorissen Street, Braamfontein, 2001

Tel: 011 356 4100

Fax: 011 339 4311 or 011 339 4312

Email: info@alp.org.za

Cape Town Office

122 Longmarket Street, Corner Adderley

Westminster House, 4th Floor, Cape Town

Tel: 021 422 1490

Fax: 021 422 1551

Government – Department of Justice

Justice Centres & The Legal Aid Board Of South Africa – Justice For All

The objective of the Legal Aid Board is to make available legal representation to indigent persons at State expense as contemplated in the Constitution of the Republic of South Africa, which affords every citizen access to justice.

The Legal Aid Board does not offer legal assistance via e-mail, to get legal assistance visit your nearest Justice Centre. To locate your nearest Legal Aid Board Justice Centre call 08610 Legal (53425).

Head office

29 De Beer Street, Braamfontein, Johannesburg

Email: communications2@legal-aid.co.za

www.legal-aid.co.za

Assistance can be requested from the Legal Aid Officer at a Magistrate's Court.

Resources for Chapter 7: Managing debt in the context of illness



**YOU
AND
YOUR MONEY**

**THE COST
OF
CREDIT**



The National Credit Act prescribes limits on interest rates for all forms of credit, including micro-loans. However, the Act introduces other fees (the initiation fee and the service fee) which cause the total cost of credit to remain extremely high. No longer is it sufficient to consider only interest rates. Interest rates and initiation and service fees must all be carefully calculated in order to work out the **total cost of credit** for borrowers.

Since 1 June 2007 credit is **MORE EXPENSIVE** in most cases. Not just interest, but also **initiation and service fees** must be considered when calculating the total cost of credit.

INTEREST
Agreements of up to R8000 that must be repaid within 6 months have a maximum interest rate of **5% per month or 60% per year.**

Unsecured agreements (agreements for more than R8000 and/or repayable over more than 6 months) currently have a maximum interest rate of **44.2% per year.** This is more than **DOUBLE** the previous maximum.

Secured bank loans, credit cards or cheque accounts now have a maximum interest rate of **34.2% per year.**

INITIATION FEE
This is a one-off fee payable when you enter into the agreement, or payable in instalments. The maximum amount is **R150 per agreement AND 10%** of the amount of the debt that is more than R1000, but never to exceed R1000 nor 15% of the debt.

SERVICE FEE
This is a monthly or periodic fee for routine administration. It may be a maximum of **R50 per month or R600 per year**, which is a huge fee for smaller credit agreements.


NOTE:
Interest may be advertised as being very low or less than before but **BEWARE:** the extra costs mean you may pay **MUCH MORE** for credit, even if interest is lower.

The combined impact of interest, the initiation fee and the service fee

In the table below, the total cost of credit is applied to a number of loan amounts and loan periods. The total monthly cost of credit is indicated in rands, and then this rand amount is indicated as a monthly and annual percentage of the initial loan. These percentages give the most accurate possible indication of the total cost of credit in each case.

	Amount of initial agreement (e.g. loan)	Duration of agreement	Interest (5% pm) (R)	Initiation fee (pm, when paid in instalments) (R)	Service fee (always R50 pm) (% of the initial loan)	Total cost of credit (interest + initiation fee + service fee) (R and %)
1	R200	1 month	R10 pm	R32 pm	25% pm	R92 pm 46% pm (562% per year)
2	R600 (average size 30-day loan)	1 month	R25 pm	R79 pm	10% pm	R154 pm 31% pm (372% per year)
3	R500	6 months	R25 pm	R15 pm	10% pm	R90 pm 18% pm (215% per year)
4	R1 000	1 month	R50 pm	R158 pm	6% pm	R258 pm 26% pm (312% per year)
5	R1 000	6 months	R50 pm	R30 pm	5% pm	R130 pm 13% pm (155% per year)
6	R6 000 (max size short-term loan)	6 months	R400 pm	R167 pm	0,6% pm	R617 pm 8% pm (96% per year)

The National Credit Act has made great strides towards consumer protection, and the new limits on interest rates will provide welcome relief for many borrowers. The total cost of credit on small loans will, however, remain exorbitant. This will have a devastating negative impact on poorer individuals and communities.



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LEGAL AID CLINIC**
41 New Street
P.O. Box 702
Grahamstown
6140

Tel no: 046—6229301
Fax No: 046—6229312
Email: legalaiddclinic@ru.ac.za
Website: www.ru.ac.za/legalaid



**YOU
AND**



YOUR MONEY

Consumer rights & duties



The last provisions of the National Credit Act of 2006 came into effect on 1 June 2007. All consumer credit law is contained within this Act and it applies to all credit agreements and all credit providers.

1. Right to pre-agreement disclosure

- Before entering into a credit agreement the credit provider **MUST** give you a statement and quotation for **FREE**.
- At this stage there is **NO AGREEMENT**; you do not have to sign anything or pay any fee
- The statement and quotation must tell you:
 - the amount of credit provided the number and amount of instalments payable
 - interest and other fees
 - deposit required
 - credit insurance

You have 5 days to accept or reject the quote. This gives you time to look around for better or cheaper credit.

7. Right of cooling-off

Leases and instalment agreements

You may terminate these agreements (in writing and properly delivered) within five business days of signing them. You must then return the goods you bought. The credit provider must refund the money you paid within seven days of termination, less the following:

- reasonable costs of return and repair of damages after sale;
- rent for use of the goods, unless they are still in their original packaging; and
- compensation for depreciation in value of the goods (by agreement or court order only).

8. Right to early settlement and repayments

You **MAY** settle your debts before they are due, and credit providers must accept early payment. Amounts paid early will be used **first** for unpaid interest and fees, and **second** to reduce the principal debt.

In the case of **SMALL** agreements (less than R15 000) you do not need to give notice to the credit provider if you want to do this. Interest and other fees are payable only until the date of settlement.

i.e. **YOU CANNOT BE PENALISED FOR PAYING EARLY**

In the case of **LARGE** agreements (eg mortgage bonds) you must give 3 months notice to the credit provider. If you cancel a mortgage bond, you will be liable for the bond cancellation costs.

9. Surrender of goods

You can take the goods you bought on credit back to the credit provider at **ANY** time (whether you are in default or not). The credit provider must then sell the goods and use the money it gets from the sale to settle your account. If the amount the credit provider receives from selling the goods is less than what you owe, you will have to pay it the amount that is outstanding.

Only when you accept the quotation is the credit agreement concluded and you are bound by it. **DO NOT PAY ANY FEES BEFORE CONCLUDING YOUR AGREEMENT!**

2. Right to apply for credit and non-discrimination

- Every adult can **apply** for credit, but no-one has the right to be **granted** credit.
- A credit grantor can refuse to give you credit for **reasonable** business reasons, but
 - may **not** refuse to give you credit because of your race, religion, marital status, ethnic or social origin, gender, sexual orientation, age, disability, culture, language etc.
 - you **MAY** ask for reasons why you were refused credit. The credit provider should give you these reasons in writing.

3. Right to understandable language

You have the right to be given a quotation and credit agreement in an **official language** you understand, if this is reasonable. If documents don't have a set form they should be in plain language that an average person can understand.

4. Right to information held by credit bureaux

When you apply for credit, the credit provider will check your credit report before deciding whether or not to give you credit.

- You have the right to access information held by credit bureaux about your credit worthiness.
- You can dispute the correctness of this information
- You can have information about rescinded judgments removed from credit bureaux records.
- The credit bureau or NCR **MUST** investigate and correct any incorrect information **FREE** of charge.
- A credit provider must advise you before reporting information about you to a credit bureau.

- You have the right to a free credit bureau report once per year during your birthday month.
- After that it will cost R20 per enquiry.

10. Statements of account

Credit providers must give you statements of account, usually once per month (once every two months for instalment sale agreements).

Credit providers must also give you statements of account on **request**, at **no charge**. Consumers may choose how the statement must be delivered:

- orally in person, or by phone; or
 - in writing (in person, by sms, mail, fax or email – provided the credit provider has these facilities).
- Credit providers do not need to give written statements on demand more than once every three months.

11. Duty to report location of goods

In the case of instalment agreements, you get **ownership ONLY** when **all instalments** are paid. Consumer must inform credit provider of changes in:

- business or residential address
- the premises where the goods are kept
- the name and address of any other person who has possession of the goods

If requested, you **must** also give to the credit provider or Sheriff the address where the goods are kept and the name and address of the landlord of the premises.

12. Duty to pay credit providers

This is the consumer's **MOST IMPORTANT** duty. It will prevent legal action being taken against you.

Also, maintaining a good credit rating will make it easier for you to get credit in future



Two **IMPORTANT** credit bureaux, with contact details, are:

TransUnion ITC: Tel: 086 148 2482; Fax: 011 - 388 9963; Website: www.mycredit.co.za; email: freecreditreport@transmission.co.za.

Experian: Tel: 086 110 5665; Fax: 011 - 707 6700; Website: www.experience.co.za; email: consumer@experian.co.za.

5. Right to protection against marketing practices

The Act contains a number of rules regarding marketing practices:

- The advertising and marketing of credit must contain prescribed information on interest and all other charges you will have to pay
- Negative option marketing is not permitted (in terms of which an agreement will automatically come into existence unless the consumer declines an offer).
- Advertisements must not be misleading, fraudulent or deceptive.
- Credit providers may not harass, force or persuade you to apply for credit.
- Credit sales at a person's home are strictly prohibited, unless:
 - the sale occurs during a meeting that you pre-arranged for that purpose; or
 - you are given credit on the sale of goods or services.
- A credit provider may require that you have credit life insurance during the time you have a credit agreement with them; but they have a duty to ensure that suitable options for insurance cover are offered to you.

6. Right to confidentiality and privacy

Credit bureaux must protect the confidentiality of consumer credit information that they hold or report on.

Credit providers must give you the option of being excluded from telemarketing campaigns, marketing or customer lists sold or distributed, and mass distribution of e-mail or sms messages.



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Fax No: 048—8229312
Email: legalaidclinic@ru.ac.za
Website: www.ru.ac.za/legalaid



**YOU
AND
YOUR MONEY**

THE CREDIT BUREAUX

What can I do if the information on my credit report is incorrect?

The National Credit Act has prescribed a process for managing consumer disputes with the credit bureau. If you believe that the information on your credit report is incorrect, you should do the following:

- Contact the Credit Bureaux and inform them that you wish to register a dispute.
- The Credit Bureaux will investigate the dispute and respond within 20 business days. Credit providers will be notified that there is a dispute on your record but will not be able to view the disputed information during this investigation period.
- Should the information prove to be incorrect or unsubstantiated it will be removed immediately.
- Credit providers will be notified of the correction.

Should you not be satisfied with the resolution of your query you may contact the office of the

Credit Information Ombud on
0861 66 28 37.



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Tel no: 046—6229301
Fax No: 046—6229312
Email: legalaidclinic@ru.ac.za
Website: www.ru.ac.za/legalaid

Rights regarding information held by Credit Bureaux

Whenever you apply for credit, the credit grantor checks your Credit Report before deciding whether to approve or decline your application.

A Free Credit Report is available once a year, as of 1 September 2006. This gives the Debtor access to all the information that credit grantors can access, including the debtor's paying habits, credit history and any other credit enquiries. Note that this free credit report is only available in the month of the debtor's birthday. You can now check that your personal information, like your ID number, address and employer's details, are correct and up to date. You can also see information relating to how you pay your accounts and how it is represented on your Credit Report.

The two main Credit Bureaux are:

- Trans Union ITC and
- Experian

A. Free Credit Report through TransUnion ITC

There are three main methods:

- Internet – Log into www.mycredit.co.za.
- Email – freecreditreport@transmission.co.za
- Fax – 011 388 9963

A reply to your application will be sent to you within 48 hours.

Should you have already received your Free Credit Report for the year, you can purchase another copy for only R20 from the Personal Credit Products section of this website.

B. Free Credit Report through Experian

To request your free credit report the following procedure must be followed:

- Complete a Request a free credit report form which can be downloaded at www.experian.co.za.
- Fax it (together with the required documentation) to 011 707 6700
- Or email the above completed report to consumer@experian.co.za.

A reply to your application will be sent to you within 48 hours.

Please note that any further copies of your credit report will be charged at R22,80 (R20 + VAT). For any further queries contact Experian's Consumer Relations desk on 0861 10 56 65.

You are required to provide the following information when making an application with both Credit Bureaux:

- Proof of your full names
- Date of birth
- Identity number (by providing a copy of your national identity document)
- Or, if your identity document is unavailable, a copy of your passport and full birth certificate or a valid driver's licence and other credit-related information

What information is on a credit report?

A credit report includes:

- information about previous credit enquiries.
- account repayments including poor payer information.
- judgments

Resources for Chapter 9: Palliative Care and older persons

A telephonic help-line for older people who are being abused is manned by counsellors from the organisation, Halt Elder Abuse (HEAL). The line can also be used by the general public to report cases of abuse. The number to dial is 0800 003 081.

Resources for Chapter 10: Refugees and other potentially vulnerable groups

Service provider contact list

Refugees, asylum seekers and migrants	Space for updated contact details
Lawyers for Human Rights, Johannesburg: 011 339 1960 Lawyers for Human Rights, Pretoria: 012 320 2943 Lawyers for Human Rights, Durban: 031 301 0351 Wits Law Clinic: 011 717 8562 UCT Law Clinic: 021 650 3775	
Sex workers	
Sex Work Education and Advocacy Task Force (SWEAT): 021 448 7875 Reproductive Health Care Unit, Wits: 011 358 5300	
Drug users	
Cape Town Drug Counselling Centre: 021 447 8026	
Prisoners	
Civil Society Prison Reform Project: 021 797 9491 or 021 959 3283	
Lesbian, gay, bisexual and transgender people	
OUT: 012 344 5108 Triangle Project: 021 448 3812	

Contributing organisations

Centre for the Study of AIDS, University of Pretoria

The Centre for the Study of AIDS (CSA) at the University of Pretoria (UP) was established in 1999 and is a self funded, standalone unit. Using the University of Pretoria as its base, the CSA aims to create new and innovative ways to address HIV and AIDS, human rights and development in Southern Africa. The CSA further promotes a holistic understanding of HIV/AIDS, where it is not simply seen as a bio-medical issue, but is viewed through the lens of social theory, community development and human rights. For more information on CSA projects and publications go to www.csa.za.org

Children's Rights Centre

The Children's Rights Centre contributes to the development of a sustainable child-friendly society in South Africa, in which children's rights are fulfilled, protected and promoted. These rights to survival, development, protection and participation have been set out in international conventions and an African charter and the South African Constitution. We support caregivers, service providers, policy makers and others to be effective, caring duty bearers of children's rights. We work with and through our relationships and partnerships with individuals, organisations, networks and other civil society and state structures.

Our office is located in Durban and the scope of our work includes practical training and capacity building, development and distribution of educational, awareness raising and advocacy materials, publications, posters, games and displays including the Children Living Positively series for children living with HIV/AIDS and the adults in their lives. We also host and coordinate networks such as the South African Children's Sector Civil Society HIV/AIDS Network.

Tel: 031 307 6075

Fax: 031 307 6074

Email: info@crc-sa.co.za

www.crc-sa.co.za

Consortium for Refugees and Migrants in South Africa (CoRMSA)

The Consortium for Refugees and Migrants in South Africa (CoRMSA), formerly known as the National Consortium for Refugee Affairs, is a registered Non Profit Organisation tasked with promoting and protecting refugee and migrant rights. It is comprised of a number of member organisations

including legal practitioners, research units, and refugee and migrant communities.

The Consortium's mandate involves strengthening the partnerships between refugee and migrant service providers to provide improved co-ordination of activities. This includes developing working relationships with other concerned organisations to provide an effective forum for advocacy and action.

The Consortium liaises with government and other stakeholders to keep them informed of the views of our members. The Consortium also provides a centralised referral system for the media and other practitioners through which it can refer those dealing with specific aspects of the sector to the organisations and individuals most qualified to assist. A full list of CoRMSA members and contact details is available at www.cormsa.org.za

Drakenstein Palliative Hospice

Drakenstein Palliative Hospice is situated within the Drakenstein Sub-District, part of the Cape Winelands District, and cares for about 300 sick patients and 130 orphans and vulnerable children per month. We are COHSASA accredited until September 2011.

The hospice started in 1991. Challenges we have faced are the introduction of AIDS patients, training and employing community-based care workers, monitoring anti-retrovirals and adapting our focus to include children and 'living', not only dying, from a life-threatening illness. In response to these changing needs we established Butterfly House, a palliative resource centre in an informal settlement with the aim of providing care for the community, in the community and with the community.

Managing change has been challenging but has resulted in a hospice which is represented by and serves the interest of the Drakenstein community. Networking and forming partnerships has greatly contributed to the success. 'The need is too big to do alone.'

Physical address: Drakenstein Hospice, 109 Breda Street, Paarl

Postal address: PO Box 6130, Main Street, Paarl, 7622

Tel: 021 872 4060

www.drakensteinhospice.org.za

www.butterflyhouse.org.za

Grandmothers Against Poverty and AIDS (GAPA)

GAPA aims to build the capacity of grandmothers to cope better with the challenges when someone in their family dies or is diagnosed with HIV infection. Grandmothers who find they are unable to cope emotionally and practically with sickness and death in their families are invited to attend a workshop series at the GAPA centre. Topics include HIV/AIDS knowledge, human rights, vegetable gardening, drawing up a will, introduction to business skills, bereavement and parenting skills.

Grandmothers are encouraged to join/form support groups where emotional issues are solved and income generating strategies are practiced. GAPA workshops and support groups are all managed and run by grandmothers that have been trained within the organisation. Grandmothers are encouraged to come and learn handicraft skills and to meet other grandmothers. The GAPA team can help other communities outside Cape Town to mobilise their grandmothers into an effective force against the devastating effects of HIV/AIDS on families and communities.

Physical address: J415 Qabaka Cres, Eyethu, Khayelitsha 7784
Postal address: 15 St George, Campground Rd, Rosebank 7700
Tel/fax: 021 364 3138
Email: info@gapa.co.za
www.gapa.org.za

Helderberg Hospice

The hospice provides a comprehensive palliative care programme to patients facing life-threatening illness in the communities of the Helderberg.

An inter-disciplinary team includes the patient and family, doctor/s, professional nurses, social workers, carers and volunteers aiming to improve quality of life for the patient as far as is possible. The patient is consulted and their choice respected regarding care, symptoms, medication, and other concerns with most dying patients choosing and being able to die at home. Emotional and spiritual support for both patient and family is given along with help accessing Identity Documents and Social Grants. Many referred people infected with HIV, are encouraged to make a commitment to antiretroviral medication. With daily adherence to medication, the illness may become chronic rather than imminently fatal.

The Interdisciplinary Team visits the patient to provide home-based care or visits the patient in hospital or in

Frail Care. Patients can attend the Day hospice to chat and for activities, outings and spiritual input (optional), a ten bed In-Patient Unit for short-stay symptom control and respite care. Patients and families are provided training and education on care including precautions against infection. Staff and trained volunteers offer Bereavement Support after the death of a loved one and the hospice is committed to training and mentoring staff and volunteers for their ongoing development.

Tel: 021 852 4608

Email: info@helderberghospice.org.za

Hospice Palliative Care Association of South Africa

HPCA is an umbrella organisation consisting of 70 member hospices with 24 satellites (branches) and 69 development sites as at December 2008. HPCA supports services in all nine provinces, and aims to develop a hospice in every health sub-district by 2010 in order to achieve its vision: Quality Palliative Care for All.

HPCA's mission statement is to promote quality in life, dignity in death and support in bereavement for all living with a life-threatening illness by supporting member hospices and partner organisations.

HPCA develops capacity in member hospices through support for accreditation of hospices and through its seven HPCA development subcommittees: Advocacy, Education & Research, Finance, M&E, Patient Care, Paediatric Palliative Care Organisational Development.

A number of authors for this manual also head up HPCA portfolios.

Sue Cameron co-chairs the Patient Care Portfolio

The Patient Care Portfolio facilitates the delivery of quality palliative care by member hospices. Key activities include mentorship and accreditation of hospices. There are specific projects undertaken by this group such as collaboration with public health clinics, support of non-hospice NGOs to provide palliative care, VCT project, TB project, gender task team and the update of HPCA clinical guidelines.

Joan Marston leads the Paediatric Palliative Care Portfolio

Paediatric palliative care initiatives encourage member hospices to address needs of children on their Hospice intervention programmes. Portfolio team members campaign locally and abroad to raise awareness of paediatric palliative care needs and services. HPCA also has a growing OVC programme.

Nkosazana Ngidi leads the Education Portfolio

HPCA develops and promotes palliative care education and training programs for both professional and nonprofessional health care practitioners, volunteers and community groups. This group also develops training curriculum on various aspects of palliative care as means of increasing access to knowledge and skills in palliative care thus contributing to improving the quality of life for people with life limiting conditions and their families.

Zodwa Sithole leads the Advocacy Portfolio

HPCA promotes the development of palliative care and the Advocacy group objectives are to increase awareness of and access to palliative care. Key activities are working with the government to develop the required policy to implement palliative care and ensure access to essential palliative care medication and to palliative care training for health care workers. It is important to create awareness of the need and efficacy of palliative care amongst policy makers, patients, communities and health care workers.

Nicky GunnClark is the project co-ordinator: Linking law and hospice care

The HPCA project to link legal and human rights advocates with palliative care practitioners has been supported by the Open Society Institute since its start in 2006. The aim is to improve access to palliative care by reducing the legal barriers to access to palliative care and to train hospice workers in identifying and assisting hospice patients and families with legal problems they may be facing.

www.hospicepalliativecaresa.co.za

Language Inc.

Language Inc., a South African based and owned language supply company, was founded in 2003 and now contracts more than 1,600 people around the world. We focus on translating, editing and proofreading text into and from all major African, Asian and European languages. All South African language translations are completed by Xhosa, Zulu, Setswana, Sesotho, Sepedi, Tshivenda, Siswati, Tsonga, Ndebele or Afrikaans mother tongue speakers. The same standards apply for European and Asian languages. Language Inc., is proud to be a verified BEE company, which achieved a level two status in May 2006.

Postal address: PO Box 7204, Stellenbosch, 7599

Tel: 021 887 2663

Fax: 021 887 2661

www.language-inc.org

Legal Resources Centre

The Legal Resources Centre was established in 1979 at the height of apartheid when legal representation was reserved for those with financial means or power. For the poor and marginalised, state legal aid was inadequate and highly inefficient. Our mission then and now is to use law as an instrument of justice to provide free but effective legal services to the poor and marginalised. The LRC educates on rights and supports policy development and legal reform for the extension, promotion or protection of rights.

The Legal Resources Centre has continued to assist many poor people and has won famous victories on their behalf. The LRC uses legal processes to prevent the infringement of the rights of the poor, particularly by the state; or makes referrals to alternative structures for assistance. The LRC participates in drafting legislation, regulations and even constitutions so that governance measures benefit the poor and vulnerable. In order to adequately represent our clients, the LRC seeks creative and effective solutions by working together with organisations based in client communities and with other NGOs whose activities and research can enrich the content of our cases. The LRC's role is thus found in this interplay between case litigation and law reform and policy development activities.

www.lrc.org.za

Open Society Foundation For South Africa

The OSF-SA is committed to promoting the values, institutions and practices of an open, non-racial and nonsexist, democratic, civil society. It works for a vigorous and autonomous civil society in which the rule of law and divergent opinions are respected.

The Open Society in South Africa is a grant-making organisation, and is a member of the International Soros Foundations Network. The Foundation's strategy is to support and engage in activities that focus on the delivery of a needed service. In doing so it has decided it will:

- act in a limited number of priority areas and with projects which will initiate change and produce demonstrable results within two years
- seek major ventures or fresh ideas that would not see the light of day without the resources and assistance of the Foundation
- seek to act in co-ordination and co-operation with other organisations and funding agencies to ensure that resources are optimally used.

www.osf.org.za/home

Open Society Initiative: International Palliative Care Initiative

The OSI International Palliative Care Initiative has four objectives: to increase public awareness about end-of-life care issues; to provide palliative care education to healthcare professionals and support the integration of palliative care into medical and nursing school curricula; to make essential drugs for pain and symptom management easily available; to integrate palliative care into national healthcare plans, policies, and systems of care.

In 2002, OSI expanded its International Palliative Care Initiative to South Africa with a US\$1 million, three-year matching funds initiative. The South Africa initiative acted as a catalyst to advance programs in palliative care education, training, and service delivery, and advocated for their full integration into national HIV/AIDS prevention, care, and treatment programs. Professional and public education is a major focus of these programs, because these efforts will help build a workforce of community health volunteers and professionals who treat and care for patients with HIV/AIDS. Community-based, non-governmental organisations are far ahead of the government in addressing the palliative care needs of dying HIV/AIDS patients and their families, especially at a grassroots level.

www.soros.org/initiatives/health/focus/ipci/about

Open Society Institute Law And Health Initiative (LAHI)

The Law and Health Initiative (LAHI), a division of OSI's Public Health Program, promotes legal action to advance public health goals worldwide. LAHI supports legal assistance, litigation, and law reform efforts on a range of health issues, including patient care, HIV and AIDS, harm reduction, palliative care, sexual health, mental health, and Roma health. LAHI's priorities include integrating legal services into health programs, strengthening human rights protections within health settings, and developing training and education programs in law and health. A special focus is on supporting organisations and advocacy campaigns dedicated to ending human rights abuses linked to the global AIDS epidemic. By bringing together legal, public health, and human rights organisations, LAHI seeks to build a broad movement for law-based approaches to health and for the human rights of society's most marginalised groups. For further information on the Law and Health Initiative, please visit www.soros.org/initiatives/health/focus/law.

Rhodes University Legal Aid Clinic

The mission of the Rhodes University Legal Aid Clinic is to promote a culture of human rights as enshrined in our Constitution's Bill of Rights, to provide professional and efficient legal services to indigent and/or vulnerable groups and individuals, to provide legal education and training to law students at Rhodes University, to paralegals and to communities.

The vision of the Rhodes University Legal Aid Clinic is to promote a culture of human rights, to ensure that any indigent person in its sphere of influence will have access to justice and that every Rhodes University student, paralegal and community member who participates in its programmes will receive information, education and training.

Tel: 046 622 9301

Fax: 046 622 9312

Email: legalaidclinic@ru.ac.za

www.ru.ac.za/legalaid

Street law

Launched as an NGO over 18 years ago at the University of Natal, Street Law has grown into a prominent democracy, human rights and legal education programme for all South Africans and now offers training programs nationally. Designed to introduce the law and human rights to people at all levels of education, it makes use of participatory teaching methods that allow learners to interact while they are learning. It provides a practical understanding of the law, the legal system, the Bill of Rights and the Constitution.

In 2006 Street Law was accredited as a service provider to the SAS SETA. Street Law realises that Human Rights and Legal education continues to be a necessary and crucial part of the fight against the spread of the disease and the restoration of dignity and rights to sufferers. The HIV/AIDS, the law and human rights program focuses on educating target groups about basic issues on HIV infections, legal and human rights issues relating to HIV/AIDS, particularly equality and non-discrimination. The program promotes a culture of tolerance and respect for people infected and affected by HIV/AIDS.

www.streetlaw.org.za/contact.html

Notes