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No. 24193

## MANUALS

*IN ACCORDANCE WITH*

**THE PROMOTION OF ACCESS TO  
INFORMATION ACT (NO. 2 OF 2000)**



**AIDS HELPLINE: 0800-0123-22 Prevention is the cure**

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**HANDLEIDING OPGESTEL KRAGTENS ARTIKEL 51 VAN DIE WET OP  
BEVORDERING VAN TOEGANG TOT INLIGTING NR. 2 VAN 2000****1. Artikel 51(1)(a)**

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**2. Artikel 51(1)(b)**

Afskrifte van die Wet, Vorms en Regulasies beskikbaar aan bona fide applikante teen betaling van voorgeskrewe gelde, alternatiewelik van die Menseregtekommissie, alternatiewelik van die Staatsdrukker

Besonderhede van die Suid Afrikaanse Menseregtekommissie:

PAIA eenheid  
Die Navorsing en Dokumentasie Departement  
Privaatsak 2700  
HOUGHTON  
2041

Telefoon: +27 11 484 8300  
Faks: +27 11 484 0582  
Webtuiste: [www.sahrc.org.za](http://www.sahrc.org.za)  
E-pos: [PAI@sahrc.org.za](mailto:PAI@sahrc.org.za)

**3. Artikel 51(1)(c)**

Geen Artikel 52(2) kennisgewing is tans beskikbaar nie.

**4. Artikel 51(1)(d)**

Slegs rekord van 'n private en konfidensiële aard word gehou in die lig van die grootte van besigheid.

**5. Artikel 51(1)(e)**

Kliënte leërs - konfidensiële en/of geprivilegieerd  
Personeel leërs - konfidensiële en/of geprivilegieerd  
Finansiële leërs - konfidensiële en/of geprivilegieerd  
Persoonlike leërs - konfidensiële en/of geprivilegieerd

**6. Artikel 51(1)(f)**

Geen ander inligting tans voorgeskryf nie.



# CAPITAL ALLIANCE

## INFORMATION MANUAL FOR CAPITAL ALLIANCE HOLDINGS LIMITED

**("Capital Alliance")**

**including all its subsidiary companies**

*In terms of section 51 of the Promotion of Access to Information Act 2 of 2000*

### **1 Introduction**

Section 32 of the Constitution of the Republic of South Africa, No. 108 of 1996 (**"the Constitution"**) provides:

- (1) Everyone has the right of access to –**
  - (a) any information held by the state; and**
  - (b) any information that is held by another person and that is required for the exercise or protection of any rights.**
- (2) National legislation must be enacted to give effect to this right, and may provide for reasonable measures to alleviate the administrative and financial burden on the state.**

The Promotion of Access to Information Act 2 of 2000 (**"the Act"**), was enacted on 3 February 2002 to give effect to section 32 of the Constitution, that is giving effect to the constitutional right of access to any information held by the State and any information that is held by another person and that is required for the exercise or protection of any rights. Where a request is made in terms of this Act, the private or public body to whom the request is made is obliged to release the information, except where the Act expressly provides that the information must not be released. The Act sets out the requisite procedural issues attached to such request.

The act came into effect on 9 March 2001 with the exception of sections 10, 14, 16 and 51 which sections were brought into operation on 15 February 2002.

### **2 Who may request information in terms of the Act**

Any person who requires information for the exercise or protection of any rights, may request information from Capital Alliance. Section 50 of the Act states that;

- (1) A requester must be given access to any record of a Capital Alliance if –**
  - (a) that record is required for the exercise or protection of any rights;**



- (b) *that person complies with the procedural requirements in this Act relating to a request for access to that record; and*
- (c) *access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part*

### **3 Procedures for Obtaining Access**

#### **3.1 Availability of the Manual**

This manual is available for inspection at the offices of the Information Officer of Capital Alliance. Further copies are available at the South African Human Rights Commission (SAHRC) and on the Capital Alliance website.

#### **3.2 Head of Capital Alliance**

The head of Capital Alliance is Mr Ian Maxwell Kirk who has delegated this power for the purposes of the Act to Mr Willem Johannes Kruger, who will be referred to as the Information Officer.

#### **3.3 Contact Details**

Any person who wishes to request any information from Capital Alliance with the object of protecting or exercising a right may contact the Information Officer whose contact details are as follows;

##### Postal Address

The Information Officer  
Capital Alliance Holdings Limited  
P O Box 261813  
Excom, 2023

##### Physical address

2<sup>nd</sup> Floor, 162 Anderson Street  
Johannesburg, 2001

Tel: (011) 330-1000

Fax (011) 334-7718

e-mail address: [wkruger@capitalalliance.co.za](mailto:wkruger@capitalalliance.co.za)

Website: [www.capitalalliance.co.za](http://www.capitalalliance.co.za)

#### **3.4 Prescribed Access Form**

In terms of section 53, a request for access to a record of Capital Alliance must be made in the prescribed form to Capital Alliance at the address, fax number or electronic mail address given above. The form requires the requestor to provide the following information:

- Sufficient information to enable the Information Officer to identify the requestor;
- Sufficient information to enable the Information Officer to identify the record(s) requested;
- The form of access required;
- The requestor's postal address or fax number;
- Identification of the right sought to be exercised or protected;
- An explanation of why the record is required to exercise or protect that right;
- The manner in which the requestor wishes to be informed of the decision on the request, if in a manner in addition to written notification; and
- if the request is made on behalf of a person, the submission of proof of the capacity in which the requestor makes the request, to the satisfaction of the Information Officer.

For a specimen of the request form see **FORM A** attached to the manual. Requestors please note that all of the information as listed above should be provided, failing which the process will be delayed while Capital Alliance requests such additional information. The prescribed time periods will not commence until all pertinent information has been furnished to Capital Alliance by the requestor.

### 3.5 Prescribed Fees

Payment of fees is regulated in terms of section 54 of the Act. The Regulations to the Act provide for two types of fees:

**Request fee:** This is a non-refundable administration fee paid by all requestors with the exclusion of personal requestors. It is paid before the request is considered.

**Access fee:** This is paid by all requestors only when access is granted. This fee is intended to re-imburse Capital Alliance for the costs involved in searching for a record and preparing it for delivery to the requestor.

Capital Alliance may withhold a record until the request fee and the deposit (if applicable) have been paid. A schedule of the prescribed fees is attached as **FORM B** to the manual.

### 3.6 Requestor other than Personal Requestor

The Information Officer must give written notice to a requestor other than a personal requestor of the request fee and amount to be paid before the request may be further processed.

If in the Information Officer's opinion the search for a record, or preparation of the record for disclosure will require more than the prescribed hours, the Information Officer may require the requestor to pay a deposit, not being more than one third of the access fee that would be payable if the request is

granted. If the request is declined, the deposit must be repaid to the requestor.

The notice given by the Information Officer must advise the requestor that s/he has a right to apply to court against the payment of the request fee or deposit, and also advise the procedure for the application.

### **3.7 Personal Requestor**

A personal requestor is described in terms of the Act as a requestor seeking access to a record containing information about the requestor.

A personal requestor is not liable to pay a request fee, is liable for payment of access fees in the event of a request being granted, but may not be required to pay a deposit before the granting of the record.

## **4 HUMAN RIGHTS COMMISSION GUIDELINE**

- 4.1 Section 10 of the Act requires that the SAHRC must compile by 14 August 2003, a guide containing certain information including, inter alia, the objects of the Act, how to obtain access to a manual compiled in terms of section 51 of the Act, the manner and form of a request for access to a record of Capital Alliance and all remedies in law available in the case of a breach of any provision of the Act.

The South African Human Rights Commission's contact details are as follows;

Private Bag 2700  
Houghton  
2041

Tel: 011 484 8300  
Fax: 011 484 7149  
e-mail: [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)  
Website: [www.sahrc.org.za](http://www.sahrc.org.za)

## **5 TYPES OF RECORDS**

The requestor may request access to the following types of documents;

### **5.1 Personnel Records**

These include:

- Personal records provided by personnel;
- Records provided by a third party relating to personnel;
- Conditions of employment and other personnel-related contractual and quasi-legal records;
- Internal evaluation records and other internal records
- Correspondence relating to personnel;
- Training schedules and material.

## **5.2 Customer-related records**

A customer includes any natural or juristic entity who receives services from Capital Alliance. Customer-related information includes the following:

- Any records a customer has provided to a third party acting for or on behalf of Capital Alliance;
- Any records a third party has provided to Capital Alliance; and
- Records generated by or within Capital Alliance pertaining to the customer, including transactional records.

## **5.3 Capital Alliance records**

This includes but is not limited to the following:

- Financial records;
- Operational records;
- Databases;
- Information technology;
- Marketing records;
- Internal correspondence;
- Product records;
- Statutory records;
- Internal policies and procedures;
- Records held by officials of Capital Alliance.

## **5.4 Other Parties**

Capital Alliance may possess records pertaining to other parties, including without limitation, contractors, suppliers, subsidiary/holding/sister companies, joint venture companies, service providers. Alternatively, such other parties may possess records which can be said to belong to Capital Alliance.

The following records fall under this category:

- Personnel, customer or Capital Alliance records which are held by another party as opposed to being held by Capital Alliance; and
- Records held by Capital Alliance pertaining to other parties, including without limitation financial records, correspondence, contractual records, records provided by the other party and records third parties have provided about the contractors / suppliers.

## **5.5 Records Available in terms of other legislation**

The requestor may also request information which is available in terms of legislation, such as the following;

Basic Conditions of Employment Act (75 of 1997)

Companies Act (61 of 1973)

Compensation For Occupational Injuries & Diseases Act (130 Of 1993)

Employment Equity Act (55 of 1998)

Financial Services Board Act (97 Of 1990)

Income Tax Act (58 Of 1962)

Labour Relations Act (66 Of 1995)

Occupational Health And Safety Act (85 Of 1993)

Promotion Of Equality And Prevention Of Unfair Discrimination Act (4 of 2000)

Regional Services Councils Act (109 Of 1985)

Long-term Insurance Act (52 Of 1998)

Skills Development Act (97 Of 1998)

Skills Development Levies Act (9 Of 1999)

VAT Act (89 of 1991)

The Information Officer will take into consideration section 8 of the manual to decide on whether or not access to any of the information stated above should be given to the requester.

## **6 DECISION-MAKING PROCESS**

**6.1** In terms of section 55 of the Act, if all reasonable steps have been taken to find a record requested and there are reasonable grounds for believing that the record is in Capital Alliance's possession but can not be found or that it does not exist, then the Information Officer must notify, by way of affidavit or affirmation, the requester that it is not possible to give access to that record. This notice is deemed to be a refusal of the request for access to the record. If, after notice is given, the record in question is found, the requestor must be given access thereto unless a ground for refusal of access exists.

**6.2** In terms of section 56, the Information Officer must notify, within 30 days after the request has been received or after the particulars required in terms of section 53(2) have been received, the requester of his decision whether or not to grant the request.

- If the request is granted, the notice must state the access fee (if any) required to be paid, the form in which access will be given and the procedure to be followed should the requestor wish to apply to court against the access fee to be paid or the form of access granted.



- If the request is declined the notice must include adequate reasons for the decision, together with the relevant provisions of the Act relied upon and provide the procedure to be followed should the requestor wish to apply to court against the decision..

**6.3** The Information Officer may extend the initial period of 30 days by a further period not exceeding 30 days if:

- the request is for a large number of records or requires a search through a large number of records and compliance with the original period would unreasonably interfere with the activities of Capital Alliance concerned;
- the request requires a search for records located in an office of Capital Alliance which is not situated in the same town or city as the office of the head that can not reasonably be completed within the original period;
- consultation between divisions of Capital Alliance, or with another private body is required to decide upon the request that can not reasonably be completed within the original period; or
- the requestor consents in writing to the extension.

If the initial period is extended the requester must be notified of that extension within 30 days after the request is received. This notice must state the period of the extension, adequate reasons for the extension (including the provisions of the Act relied upon) and the procedure involved should the requestor wish to lodge an application to court against the extension.

The Information Officer's failure to respond to the requestor within the 30 day period constitutes a deemed refusal of the request.

**6.4** Section 59 provides that the Information Officer may sever a record and grant access only to that portion which the law does not prohibit access to.

If access is granted, access must be given in the form that is reasonably required by the requestor, or if the requestor has not identified a preference, in a form reasonably determined by the Information Officer.

## **7 THIRD PARTIES**

If the request is for a record pertaining to a third party, the Information Officer must take all reasonable steps to inform that third party of the request. This must be one within 21 days of receipt of the request. The manner in which this is done must be in the fastest means reasonably possible, but if orally, the Information Officer must thereafter give the third party a written confirmation of the notification. The third party may within 21 days thereafter either make representation to Capital Alliance as to why the request should be refused, alternatively grant written consent to the disclosure of the record. The third party must be advised of the decision taken by the Information Officer on whether to grant or decline the request and must also be advised of his/her/its right to appeal against the decision by way of application to court within 30 days after the notice.

## **8 GROUNDS FOR REFUSAL OF A REQUEST**

Notwithstanding compliance with section 53, the request may be declined in accordance with one of the prescribed grounds in terms of the Act, namely:

**8.1** Section 63 of the Act prohibits the unreasonable disclosure of the personal information of natural-person third parties to requestors. This includes the personal information of deceased persons. However Section 63(2) does provide exceptions to this for example, where the third party has given his consent to the information.

**8.2** In terms of section 64 of the Act, a request for access to a record of a body must be refused if the record contains:

- trade secrets of a third party;
- financial, commercial, scientific or technical information where disclosure would be likely to cause harm to the commercial or financial interests of that third party; or
- information supplied in confidence by the third party, the disclosure of which could reasonably be expected to put the third party at a disadvantage in contractual or other negotiations, or prejudice the third party in commercial competition.

The information must, however, be released if it pertains to the results of product or environmental testing, the disclosure of which would reveal a serious public safety or environmental risk or if the third party has consented in terms of section 72 or otherwise in writing to its disclosure.

**8.3** Section 65 prohibits disclosure of information if such disclosure would constitute a breach of any duty of confidentiality owed to a third party in terms of an agreement.

**8.4** In terms of section 66, the Information Officer must refuse a request for access to a record of Capital Alliance if its disclosure could reasonably be expected to endanger the life or physical safety of an individual.

The Information Officer may refuse a request for access to a record of Capital Alliance if its disclosure would be likely to prejudice or impair –

- the security of a building structure or system including but not limited to a computer or communication system, a means of transport or any other property;
- methods, systems, plans or procedures for the protection of an individual in accordance with a witness protection scheme, the safety of the public or the security of the above property.

**8.5** Section 67 mandates the refusal of a request if the record is privileged from production in legal proceedings, unless the person entitled to the privilege has waived the privilege.

**8.6** Section 68 pertains to records containing information about Capital Alliance itself and unlike the other provisions pertaining to decline of a request, is not

mandatory, but rather discretionary. Capital Alliance may refuse access to a record if the record:

- contains trade secrets of Capital Alliance
- contains financial, commercial, scientific or technical information, the disclosure of which would be likely to cause harm to the commercial or financial interests of Capital Alliance
- contains information which, if disclosed, could reasonably be expected to put Capital Alliance at a disadvantage in contractual or other negotiations, or prejudice Capital Alliance in commercial competition; or
- consists of a computer program owned by Capital Alliance

Notwithstanding the above, the information must be released if it pertains to the results of product or environmental testing, the disclosure of which would reveal a serious public safety or environmental risk.

- 8.7** Section 69 prohibits the disclosure of information about research where disclosure is likely to expose the third party, the person conducting the research on behalf of the third party, or the subject matter of the research to serious disadvantage. Disclosure is discretionary if such research pertains to Capital Alliance itself.

Notwithstanding any of the above-mentioned provisions, section 70 provides that a record must be disclosed if its disclosure would:

- reveal evidence of a substantial contravention of or failure to comply with the law, imminent and serious public safety or environmental risk; and
- if the public interest in the disclosure clearly outweighs the harm.

## **9 RIGHTS OF APPEAL**

A requestor that is dissatisfied with the Information Officer's refusal to grant access to any information may, within 30 days of notification of the decision, apply to court for relief. Likewise, a third party dissatisfied with the Information Officer's decision to grant a request may, within 30 days of notification of the decision, apply to court for relief.

It should be noted that notwithstanding any provision in this Act, the court may examine the record(s) in question. No record may be withheld from the court on any grounds. The court may not, however, disclose the contents of the record(s).

The court is empowered to grant any order that is just and equitable, including:

- confirming, amending or setting aside the Information Officer's decision
- requiring the Information Officer to take any action, or refrain from taking any action as identified by the court within a specified period;
- granting an interdict, interim or special relief, declaratory order or compensation; or costs.

**FORM A****REQUEST FOR ACCESS TO RECORDS OF CAPITAL ALLIANCE – CAPITAL ALLIANCE HOLDINGS LIMITED AND ITS SUBSIDIARY COMPANIES**

(Section 53(1) of the Promotion of Access to Information Act, 2000 (Act No 2 of 2000))

**A. Particulars of Capital Alliance**

The Head:

---

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**B. Particulars of person requesting access to the record**

- |   |
|---|
| <p>(a) <i>The particulars of the person who requests access to the records must be recorded below.</i></p> <p>(b) <i>Furnish an address and/or fax number in the Republic to which information must be sent.</i></p> <p>(c) <i>Proof of the capacity in which the request is made, if applicable, must be attached.</i></p> |
|---|

Full name and surname: \_\_\_\_\_

\_\_\_\_\_

Identity number: \_\_\_\_\_

Postal Address: \_\_\_\_\_

Telephone number: \_\_\_\_\_ Fax 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**

- (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.
- (b) You will be notified of the amount required to be paid as the request fee.
- (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.
- (d) If you qualify for exemption of the payment of any fee, please state the reason therefor.

Reason for exemption from payment of fees:

\_\_\_\_\_

**F. Form of access to record**

If you are prevented by a disability from reading, viewing or listening 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:
_____	_____
_____	_____

**Mark the appropriate box with an "X"****NOTES:**

- (a) Your indication as to the required form of access depends on the form in which the record is available.
- (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.
- (c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

**1. If the record is in written or printed form:**

	Copy of record*		Inspection of record
--	-----------------	--	----------------------

**2. If record consists of visual images:**

(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)

	View the images		Copy of the images*		Transcription of the images*
--	-----------------	--	---------------------	--	------------------------------

**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)
--	---	--	--

**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)
--	------------------------	--	--	--	--

\*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.****G. Particulars of right to be exercised or protected:**

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.***

Indicate which right is to be exercised or protected:

---



---



---

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

---



---

**H. 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 \_\_\_\_\_ 2002

\_\_\_\_\_  
SIGNATURE OF REQUESTER/PERSON ON  
WHOSE BEHALF REQUEST IS MADE

**FORM B****FEES IN RESPECT OF PRIVATE BODIES**

1. The fee for a copy of this manual is R1,10 for every photocopy of an A4 size page or part thereof.
2. Where a private body has voluntarily provided the Minister with a list of categories of records that will automatically be made available to any person requesting access thereto, the only charge that may be levied for obtaining such records, will be a fee for reproduction of the record in question.

These fees for reproduction are as follows:

- a) For every photocopy of an A4 size page or part thereof R 1,10
- b) For every printed copy of an A4 size page or part thereof held on a computer or in electronic or machine readable form. R 0,75
- c) For a copy in a computer readable form on –
  - i) stiffy disc R 7,50
  - ii) compact disc R70,00
- d) i) For a transcription of visual images for an A4 size page or part thereof R40,00
  - ii) For a copy of visual images R60,00
- e) i) For a transcription of an audio record, for an A4 size page or part thereof R20,00
  - ii) For a copy of an audio record R30,00
2. The **request fee** payable by a requester, other than a personal requester is R50,00.
3. The **access fees** payable by a requester are as follows:
  - a) For every photocopy of an A4 page or part thereof R 1,10
  - b) For every printed copy of an A4 size page or part thereof held on a computer or in electronic machine readable form R 0,75
  - c) For a copy in a computer readable form on –
    - i) stiffy disc R 7,50

- ii) compact disc R70,00
- d)
  - i) For a transcription of visual images for an A4 size page or part thereof R40,00
  - ii) For a copy of visual images
- e)
  - i) For a transcription of an audio record for an A4 size page or part thereof R20,00
  - ii) For a copy of an audio record R30,00
- f) To search for and prepare a record that must be disclosed, R30,00 for each hour or part of an hour reasonably required for such search and preparation.

4. Where a private body receives a request for access to information held on a person other than the requester himself/herself and the Information Officer upon receipt of the request is of the opinion that the preparation of the required record for disclosure will take more than 6 (six) hours, **a deposit** is payable by the requester.

One third of the access fee is payable as a deposit by the requester.

5. The actual postage is payable when a copy of a record must be posted to a requester.



**THE SOUTHERN AFRICAN INSTITUTE OF  
CHARTERED SECRETARIES AND ADMINISTRATORS**  
(ASSOCIATION INCORPORATED UNDER SECTION 21)  
REG NO 1972/000007/08

**MANUAL PREPARED IN ACCORDANCE WITH SECTION 51 OF  
THE PROMOTION OF ACCESS TO INFORMATION ACT, NO. 2 OF 2000  
("the Act")**

**PART 1**

**[INFORMATION REQUIRED UNDER SECTION 51 (1) (a) OF THE ACT]**

**Name of body:** The Southern African Institute of Chartered  
Secretaries and Administrators

**Chief Executive:** Mr C de Villiers

**Address:** 14<sup>th</sup> floor  
Sable Centre  
De Korte Street  
Braamfontein  
Johannesburg

**Postal Address:** P O Box 331  
WITS  
2050

**Telephone No:** 011 403 2900

**Fax No:** 011 403 1522

**e-mail:** [chrisdev@icsa.co.za](mailto:chrisdev@icsa.co.za)

**PART II**

**[INFORMATION REQUIRED UNDER SECTION 51 (1) (b) OF THE ACT]**

Section 51 (1) (b) of the Act calls for a description of the guide referred to in section 10 of the Act, if available, and how to obtain access to it. The guide

referred to in section 10 is a guide that must be compiled by the Human Rights Commission containing such information as may reasonably be required by a person who wishes to exercise any right contemplated in the Act. The regulations regarding the Promotion of Access to information published under Government Notice No. R187 of 15 February 2002 set forth how the Human Rights Commission should make the guide available.

### **PART III**

[COPY OF NOTICE, IF ANY, REQUIRED UNDER SECTION 51 (1) (c) OF THE ACT]

Not applicable

### **PART IV**

[INFORMATION REQUIRED UNDER SECTION 51 (1) (d) OF THE ACT]

#### **Records are kept in accordance with the following legislation:**

Income Tax Act

Value-Added Tax Act, 89 of 1991 (section 55)

Unemployment Insurance Act 30 of 1966

Labour Relations Act 66 of 1995

Basic Conditions of Employment Act 75 of 1997

Employment Equity Act 55 of 1998

Skills Development Levies Act 9 of 1999

Companies Act No. 61 of 1973

#### **Other records:**

Membership records

Student records

Examination results

### **PART V**

[INFORMATION REQUIRED UNDER SECTION 51 (1) (e) OF THE ACT]

#### **Operational Information**

This information can be defined as information needed in the day to day running of the organisation and is generally of little to no use to persons outside the organisation.

**Communications**

(i.e. correspondence to and from persons within and without the organisation since incorporation.)

**Circulars**

(i.e. copies of circulars issued to members)

**BONATLA PROPERTY HOLDINGS LIMITED**

Registration No. 1996/014533/06

**MANUAL PREPARED IN ACCORDANCE WITH SECTION 51 OF  
THE PROMOTION OF ACCESS TO INFORMATION ACT, NO. 2 OF 2000  
("the Act")****PART 1****[INFORMATION REQUIRED UNDER SECTION 51 (1) (a) OF THE ACT]****Name of body: BONATLA PROPERTY HOLDINGS LIMITED****Administrators: CATALYST PROPERTY ASSET MANAGERS (PTY) LTD****Address:** 6<sup>th</sup> floor  
Protea Place  
Protea Road  
Claremont  
7735**Postal Address:** P O Box 44845  
CLAREMONT  
7735**Telephone No:** 021 683 7773  
**Fax No:** 021 683 7774  
**e-mail:** Anton@catalyst.co.za**PART II****[INFORMATION REQUIRED UNDER SECTION 51 (1) (b) OF THE ACT]**

Section 51 (1) (b) of the Act calls for a description of the guide referred to in section 10 of the Act, if available, and how to obtain access to it. The guide referred to in section 10 is a guide that must be compiled by the Human Rights Commission containing such information as may reasonably be required by a person who wishes to exercise any right contemplated in the Act. The regulations regarding the Promotion of Access to information published under Government Notice No. R187 of 15 February 2002 set forth how the Human Rights Commission should make the guide available.

**PART III**

[COPY OF NOTICE, IF ANY, REQUIRED UNDER SECTION 51 (1) (c) OF THE ACT]

Not applicable

**PART IV**

[INFORMATION REQUIRED UNDER SECTION 51 (1) (d) OF THE ACT]

Records are kept in accordance with the following legislation:

Income Tax Act

Value-Added Tax Act, 89 of 1991 (section 55)

Subsidiary Company records and books of account

Unemployment Insurance Act 30 of 1996

Labour Relations Act 66 of 1995

Basic Conditions of Employment Act 75 of 1997

Employment Equity Act 55 of 1998

Skills Development Levies Act 9 of 1999

Companies Act 61 of 1973

**PART V**

[INFORMATION REQUIRED UNDER SECTION 51 (1) (e) OF THE ACT]

**Operational Information**

This information can be defined as information needed in the day to day running of the organisation and is generally of little to no use to persons outside the organisation.

**Communications**

(i.e. correspondence to and from persons within and without the organisation since incorporation.)

**Circulars**

(i.e. copies of circulars issued to members)



**FAIRVEST PROPERTY HOLDINGS LIMITED**

Registration No. 1998/005011/06

**MANUAL PREPARED IN ACCORDANCE WITH SECTION 51 OF  
THE PROMOTION OF ACCESS TO INFORMATION ACT, NO. 2 OF 2000  
("the Act")****PART 1****[INFORMATION REQUIRED UNDER SECTION 51 (1) (a) OF THE ACT]****Name of body: FAIRVEST PROPERTY HOLDINGS LIMITED****Financial  
Manager:****Mr K McCrindle****Address:****1<sup>st</sup> floor  
43 Wierda Road West  
Wierda Valley  
Sandton****Postal Address: P O Box 787133  
SANDTON  
2146****Telephone No: 011 884 9089****Fax No: 011 884 7119****PART II****[INFORMATION REQUIRED UNDER SECTION 51 (1) (b) OF THE ACT]**

Section 51 (1) (b) of the Act calls for a description of the guide referred to in section 10 of the Act, if available, and how to obtain access to it. The guide referred to in section 10 is a guide that must be compiled by the Human Rights Commission containing such information as may reasonably be required by a person who wishes to exercise any right contemplated in the Act. The regulations regarding the Promotion of Access to information published under Government Notice No. R187 of 15 February 2002 set forth how the Human Rights Commission should make the guide available.

**PART III**

[COPY OF NOTICE, IF ANY, REQUIRED UNDER SECTION 51 (1) (c) OF THE ACT]

Not applicable

**PART IV**

[INFORMATION REQUIRED UNDER SECTION 51 (1) (d) OF THE ACT]

Records are kept in accordance with the following legislation:

Income Tax Act

Value-Added Tax Act, 89 of 1991 (section 55)

Subsidiary Company records and books of account

Unemployment Insurance Act 30 of 1996

Labour Relations Act 66 of 1995

Basic Conditions of Employment Act 75 of 1997

Employment Equity Act 55 of 1998

Skills Development Levies Act 9 of 1999

Companies Act 61 of 1973

**PART V**

[INFORMATION REQUIRED UNDER SECTION 51 (1) (e) OF THE ACT]

**Operational Information**

This information can be defined as information needed in the day to day running of the organisation and is generally of little to no use to persons outside the organisation.

**Communications**

(i.e. correspondence to and from persons within and without the organisation since incorporation.)

**Circulars**

(i.e. copies of circulars issued to members)

**GAUTENG ECONOMIC DEVELOPMENT AGENCY**

Registration No. 1996/001662/08

**MANUAL PREPARED IN ACCORDANCE WITH SECTION 51 OF  
THE PROMOTION OF ACCESS TO INFORMATION ACT, NO. 2 OF 2000  
("the Act")****PART 1****[INFORMATION REQUIRED UNDER SECTION 51 (1) (a) OF THE ACT]**

**Name of body:** GAUTENG ECONOMIC DEVELOPMENT AGENCY

**Chief Executive:** Mr C Jonker

**Address:** 5<sup>th</sup> floor  
GEDA House  
88 Fox Street  
JOHANNESBURG

**Postal Address:** P O Box 61840  
MARSHALLTOWN  
2107

**Telephone No:** 011 833 8750  
**Fax No:** 011 833 8777

**e-mail:** [Nadeema@geda.co.za](mailto:Nadeema@geda.co.za)

**PART II****[INFORMATION REQUIRED UNDER SECTION 51 (1) (b) OF THE ACT]**

Section 51 (1) (b) of the Act calls for a description of the guide referred to in section 10 of the Act, if available, and how to obtain access to it. The guide referred to in section 10 is a guide that must be compiled by the Human Rights Commission containing such information as may reasonably be required by a person who wishes to exercise any right contemplated in the Act. The regulations regarding the Promotion of Access to information published under Government Notice No. R187 of 15 February 2002 set forth how the Human Rights Commission should make the guide available.

**PART III**

[COPY OF NOTICE, IF ANY, REQUIRED UNDER SECTION 51 (1) (c) OF THE ACT]

Not applicable

**PART IV**

[INFORMATION REQUIRED UNDER SECTION 51 (1) (d) OF THE ACT]

**Records are kept in accordance with the following legislation:**

Income Tax Act

Value-Added Tax Act, 89 of 1991 (section 55)

Unemployment Insurance Act 30 of 1966

Labour Relations Act 66 of 1995

Basic Conditions of Employment Act 75 of 1997

Employment Equity Act 55 of 1998

Skills Development Levies Act 9 of 1999

Companies Act 61 of 1973

**Other records:**

Website: The Gauteng Economic Development Agency has a website:  
[www.geda.co.za](http://www.geda.co.za)

**PART V**

[INFORMATION REQUIRED UNDER SECTION 51 (1) (e) OF THE ACT]

**Operational Information**

This information can be defined as information needed in the day to day running of the organisation and is generally of little to no use to persons outside the organisation.

**Communications**

(i.e. correspondence to and from persons within and without the organisation since incorporation.)

**Circulars**

(i.e. copies of circulars issued to members)

# TOTAL EXPLORATION SOUTH AFRICA (PTY) LTD

**MANUAL PREPARED IN ACCORDANCE WITH SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT, No. 2 of 2000 ("the Act") for Total Exploration South Africa (Pty) Ltd and its subsidiary companies.**

## INTRODUCTION

Total Exploration South Africa (Pty) Ltd ("TESA"), which was incorporated in South Africa in 1968 is a wholly owned subsidiary of TotalFinaElf of France. TESA is involved in the mining, marketing and exporting of coal.

### **PART I (Section 51(1)(9))**

**Name of the body:** Total Exploration South Africa (Pty) Limited  
Registration No. 1968/014274/07

**Subsidiary Companies:** Forzando Coal Mines (Pty) Limited  
Registration No. 1970/000578/07

Dorstfontein Coal Mines (Pty) Limited  
Registration No. 1952/003176/07

Belle Fontaine Holdings (Pty) Limited  
1954/001671/07

East Rand Coal Holdings (Pty) Limited  
1984/008442/07

Newcastle Coal Mines (Pty) Limited  
Registration No. 1971/000884/07

**Head of the body:** Mr M I P L M Valdelievre  
**Contact person:** Karen Ravenscroft  
**Address:** 8<sup>th</sup> Floor  
JHI House  
11 Cradock Avenue  
Rosebank  
2196

**Postal address:** P O Box 2344  
Saxonwold  
2132

**Telephone No.:** 011 441 6800  
**Fax No.:** 011 880 0245  
**e-mail:** [secretary@tesa.co.za](mailto:secretary@tesa.co.za)

**PART II (Section 51 (1)(b))****GUIDE FOR REQUESTERS ON HOW TO USE THE ACT**

The guide that must be compiled by the Human Rights Commission containing such information as may reasonably be required by a person who wishes to exercise any right contemplated in the Act, will be available from the Human Rights Commission by no later than August 2003. Please direct any queries to:

The Human Rights Commission  
Private Bag 2700  
Houghton  
2041

Telephone : 011 484 8300  
Fax: 011 484 0582  
Website: [www.sahrc.org.za](http://www.sahrc.org.za)

**PART III (Section 51 (1)(c))****AUTOMATIC AVAILABILITY OF CERTAIN RECORDS**

Notice in terms of Section 52(2) – not applicable

**PART IV (Section 51 (1)(d))****RECORDS AVAILABLE IN ACCORDANCE WITH OTHER LEGISLATION**

Records are kept in accordance with the following legislation:

Basic Conditions of Employment Act, 75 of 1997  
Companies Act 61 of 1973  
Compensation for Occupational Injuries and Diseases Act, 130 of 1993  
Employment Equity Act 55 of 1998  
Environment Conservation Act 73 of 1989  
Explosives Act 26 of 1956  
Hazardous Substances Act 15 of 1973  
Income Tax Act 58 of 1962  
Labour Relations Act 66 of 1995  
Mine Health and Safety Act 29 of 1996  
Minerals Act, 50 of 1991  
National Environmental Management Act, 107 of 1998  
National Water Act, 36 of 1998  
Occupational Diseases in Mines and Works Act, 78 of 1973  
Occupational Health and Safety Act 85 of 1993  
Skills Development Levies Act 9 of 1999  
Unemployment Insurance Act, 63 of 2001  
Value-Added Tax Act, 89 of 1991



**PART V (Section 51 (1)(e))****RECORD SUBJECTS AND CATEGORIES**

A description of the subjects of the records held and the categories in which these subjects are classed.

**1. Company Secretarial**

Company Statutes  
Registers  
Minutes of Meetings  
Statutory Returns  
Share Certificates

**2. Legal**

Title Deeds  
Legal Agreements and Contracts  
Mining Licences and Prospecting Permits  
Mineral Rights Records  
Property Records and Leases

**3. Human Resources**

Policies and Procedures  
Employee Information  
Personnel Files  
Statutory Records  
Employment Equity Records  
Contracts  
Pension Records

**4. Geology**

Publications  
Theses  
Articles  
Reports  
Borehole logs  
Surveys  
Analyses  
Published Plans  
Geological Plans, Maps and Diagrams

**5. Marketing**

Sales Agreements  
Offers  
Statistics  
Publications

**6. Logistics**

Sales Contracts  
Shipping Files  
Stock, Railing and Shipment Planning Documents

**7. Operations**

Feasibility Studies  
Technical Studies  
Engineering Plans and Drawings  
Contracts for Outsourced Operations  
Mining Plans  
Monthly Reports on Mining Operations  
Technical Evaluation of Projects  
Technical Specifications  
Training Manual for Collieries  
Operating Procedures for Coal Mining  
Codes of Practice for Coal Mining

**8. Records kept at Forzando and Dorstfontein Mines**

Contract Documents  
Social Development Documentation  
Planning Schedules  
Safety/Risk Audits  
Technical Services Documentation  
Accident/Incident Inquiries  
Environmental Management Programmes  
Medical Records and Reports  
Codes of Practice  
Risk Assessments  
Training Material and Records  
Statutory Records

**9. Financial**

Accounting Records  
Financial Statements and Management Accounts  
Tax Records  
VAT Records  
Bank Statements and Cheques  
Debtor Invoices and Statements  
Creditors Invoices, Statements and Related Payment Supporting Documents  
Procurement Orders  
Shipping Related Documents

## **PART VI**

### **THE REQUEST PROCEDURES**

#### **Form of request:**

- The requester must use the prescribed form to make the request for access to a record. This must be made to the head of the private body. This request must be made to the address, fax number or electronic mail address of the body concerned.
- The requester must provide sufficient detail on the request form to enable the head of the private body to identify the record and the requester. The requester should also indicate which form of access is required. The requester should also indicate if he or she wishes to be informed in any other manner and state the necessary particulars to be so informed.
- The requester must identify the right that he or she is seeking to exercise or protect and provide an explanation of why the requested record is required for the exercise or protection of that right.
- If a request is made on behalf of a person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the head of the private body.
- Access to certain records may be refused on the grounds set out in the Act.

#### **Fees:**

- The head of the private body 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. A personal requester does not pay such a fee.
- The fee that the requester must pay to a private body is R50. The requester may make an application to the court against the tender or payment of the request fee.
- The head of the private body will make a decision on the request and notify the requester in the required form.
- If the request is granted then a further access fee must be paid for the search, reproduction, preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

## **PART VII**

### **AVAILABILITY OF THE MANUAL**

The manual is available for inspection at the offices of this private body free of charge, furthermore it will be available at the offices of the Human Rights Commission.

**PART VIII****PRESCRIBED FORMS AND FEE STRUCTURE**

The forms and fee structure prescribed under the Act are available at the SAHRC website ([www.sahrc.org.za](http://www.sahrc.org.za)) or the Department of Justice and Constitutional Development website ([www.doj.gov.za](http://www.doj.gov.za)) under "regulations".

## **MANUAL OF**

### **ALPHA (PROPRIETARY) LIMITED**

(holding company of a group of non-trading companies in the cement, stone, ready-mixed concrete and related industries)

its holding company:

#### **Altur Investments (Proprietary) Limited**

and the following subsidiary and associated entity:

#### **The Alpha Nature Conservation Trust Alpha Finance (Proprietary) Limited**

(collectively referred to as "the companies")

Prepared in accordance with section 51 of  
The Promotion of Access to Information Act,  
No. 2 of 2000 ("the Act").

**ALPHA (PROPRIETARY) LIMITED**

Registration number 1934/005750/07

**INFORMATION MANUAL**

(Section 51 of the Promotion of Access to Information Act No. 2 of 2000  
("Hereinafter referred to as the Act"))

**INTRODUCTION**

Alpha (Proprietary) Limited produces and supplies materials for use in the building and construction industry. Products produced by Alpha include cement, aggregates and ready-mixed concrete.

**CONTACT DETAILS OF INFORMATION OFFICER**

All requests pursuant to the Act should be directed to The Company Secretary, Alpha (Proprietary) Limited:

Postal address: P O Box 6367, Weltevredenpark, 1715  
Physical address: Corporate Centre: Alpha House, Corner of  
Fourteenth Avenue and Hendrik Potgieter Road,  
Weltevredenpark, Roodepoort  
Telephone number: 011 670 5573  
Facsimile number: 011 670 5796  
e-mail address: [Info@alpha.co.za](mailto:Info@alpha.co.za)

**SECTION 10 GUIDE**

A guide on the objects and use of the Act is to be made available by the South African Human Rights Commission. The Commission has indicated that the guide will be ready by August 2003.

Enquiries should be directed to:

The South African Human Rights Commission  
PAIA Unit  
The Research and Documentation Department  
Private Bag 2700  
Houghton  
2041

Telephone – 011 484 8300  
Facsimile – 011 484 1360  
Website – [www.sahrc.org.za](http://www.sahrc.org.za)  
e-mail – [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)

**RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION**

Records are available for inspection by the general public in accordance with the following legislation (other than the Act):

<b>Act</b>	<b>Section</b>	<b>Records</b>
Companies Act 61 of 1973	93	Register of allotments
	105	Register of members
	127	Register of pledges, cessions and bonds
	128	Register of debenture holders
	140A	Register of beneficial interest in securities
	215	Register of directors and officers
	240	Register of interests in contracts of directors and officers

An appointment can be made with the Company Secretary to view the records within reasonable company hours.

**INFORMATION FREELY AVAILABLE**

The Company has not submitted any notice in terms of section 52(1) of the Act.

The following information is available without a request in terms of the Act:

- Marketing brochures
- Environmental Policy
- Health and Safety Policy
- Quality Policy
- Code of Ethics

Interested parties are requested to make an appointment with the Information Officer although a formal application need not be submitted. Some of the information is also available on the Alpha website at [www.alpha.co.za](http://www.alpha.co.za).

**RECORDS AVAILABLE ONLY IN TERMS OF THE PROVISIONS OF THE ACT**

The Company has the following records, to which the right and manner of access will be provided in accordance with the Act (subject to the restrictions and right of refusal to access provided for in the Act). Information is presented by subject and categories of each subject held:

**Accounting and Finance**

- books of account
- vouchers
- invoices and statements
- fixed asset registers
- inventories
- agreements and correspondence
- banking details and bank account records
- reports
- statutory returns
- policies and procedures
- legal proceedings for collection of outstanding payments



**Branding**

- brand policy and standards
- brand and advertising material
- print and audio-visual advertisements

**Communications**

- internal newsletters
- correspondence
- legal proceedings

**Company Secretarial Services and Administration**

- agreements
- annual reports
- board agendas
- documents relating to share incentive schemes
- minutes of meetings
- registers required in terms of Companies Act
- share certificates
- statutory returns
- statutory documents such as memoranda, articles of association and certificates of incorporation
- legal proceedings

**Corporate Social Responsibility**

- agreements
- applications for funding
- reports

**Human Resources**

- agreements
- policies and procedures
- employee information: leave, salaries, payroll, bonuses
- forms and applications
- workplace and union agreements and records
- benefit schemes: rules and records
- documents relating to appointments, promotions, dismissals, suspensions, demotions and disciplinary actions
- returns in respect of skills development levies, UIF etc.
- employment equity reports
- training schedules and material

**Information Management and Technology**

- system documentation and manuals
- licences
- project, disaster recovery and implementation plans
- agreements
- policies and procedures

**Insurance**

- insurance policies
- underwriting documentation
- claim documentation

**Intellectual Property**

- applications for lapsing, abandonment, withdrawal or defence of trademarks, patents, and designs
- assignment, cession and transfer of trademarks, patents, designs and copyright material

**Logistics**

- agreements relating to transportation
- storage, handling, packaging and distribution agreements
- clearing and forwarding agreements

**Maintenance**

- maintenance and inspection schedules
- preventative maintenance programmes
- emergency response plans
- operating procedures

**Manufacturing and Production**

- manufacturing and production specifications
- production statistics
- documents relating to delivery and receipt of product
- warehouse and storage records

**Marketing**

- promotional material
- agreements
- print and audio-visual material
- brochures and advertising material

**Order Generation and Fulfilment**

- quotations and orders
- delivery documents
- agreements

**Procurement and Supply Chain Management**

- documents and agreements relating to procurement and supply of commodities and services

**Property rights**

- title deeds, licences, permits
- agreements in connection with property, prospecting, mining and mineral rights, servitudes
- lease agreements
- instalment sale agreements
- applications and notices required in terms of Minerals Act 51 of 1991
- statutory mine plans and peg registers
- survey data

**Research and development**

- product performance test results
- geological and prospecting data

**Risk Management**

- generic risk management programme
- risk maps and action plans

**Safety, Health and the Environment**

- environmental management plans
- safety, health and environmental audits, inspections and procedures
- environmental policy
- safety and health policy
- documents relating to reporting and investigation of safety, health and environmental incidents
- applications for permits, authorisations and exemptions
- documents relating to water conservation, waste management and emission control

**Taxation**

- records and returns pertaining to company tax, STC, PAYE, VAT, RSC levies and capital gains

**REQUEST PROCEDURES AND FEES**

A request for a document that is not in terms of the Act must be addressed to the Information Officer in writing together with a request for an appointment to view the documentation.

A request for access to a record in terms of the Act must be made to the Information Officer as per the contact details set out on page 1 on FORM C (attached hereto).

The requester will be asked to pay the prescribed fee before further processing the request. A person who seeks access to a record containing personal information about themselves is not required to pay a fee. Any other person will be required to pay the request fee of R50.

Fees payable for the gathering and supply of information were prescribed by the Minister of Justice and Constitutional Development in Government Notice R.187 dated 15 February 2002.

**REFUSAL OF ACCESS AND PROTECTION OF INFORMATION**

In terms of Chapter 4 of the Act, the Company must refuse access to information falling into the following categories, save in circumstances provided for in the Act:

- information relating to the privacy of natural persons
- information consisting of commercial or confidential information of third parties
- information for the protection of the safety of individuals and the protection of property
- information privileged from production in legal proceedings
- third party research information

**AVAILABILITY OF THE MANUAL**

This manual is available as follows:

- on the Alpha website at [www.alpha.co.za](http://www.alpha.co.za)
- in hard copy, to be viewed free of charge by appointment during office hours, at the offices of Alpha (Proprietary) Limited (Company Secretarial Department), Alpha House, Corner Fourteenth Avenue and Hendrik Potgieter Road, Weltevredenpark, Roodepoort
- at the offices of the South African Human Rights Commission as per their contact details on page 1
- the manual will be published in the Government Gazette shortly

## FORM C

**REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY**  
(Section 53(1) of the Promotion of Access to Information Act, 2000  
(Act No. 2 of 2000))

**[Regulation 10]****A. Particulars of private body**

The Head: \_\_\_\_\_

**B. Particulars of person requesting access to the record**

- (a) *The particulars of the person who requests access to the record must be given below.*  
(b) *The address and/or fax number in the Republic to which the information is to be sent must be given.*  
(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**

- (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.
- (b) You will be notified of the amount required to be paid as the request fee.
- (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.
- (d) If you qualify for exemption of the payment of any fee, please state the reason for exemption.

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: _____
<p>Mark the appropriate box with an <b>X</b>.</p> <p><b>NOTES:</b></p> <p>(a) Compliance with your request in the specified form may depend 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>	

<b>1. If the record is in written or printed form:</b>							
<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record				
<b>2. If record consists of visual images</b> (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):							
<input type="checkbox"/>	view the images	<input type="checkbox"/>	copy of the images*				
<input type="checkbox"/>		<input type="checkbox"/>	transcription of the images*				
<b>3. If record consists of recorded words or information which can be reproduced in sound:</b>							
<input type="checkbox"/>	listen to the soundtrack (audio cassette)	<input type="checkbox"/>	transcription of soundtrack* (written or printed document)				
<b>4. If record is held on computer or in an electronic or machine-readable form:</b>							
<input type="checkbox"/>	printed copy of record*	<input type="checkbox"/>	printed copy of information derived from the record*				
<input type="checkbox"/>		<input type="checkbox"/>	copy in computer readable form* (stiffy or compact disc)				
*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? <b>Postage is payable.</b>			<table border="1"> <tr> <td>YES</td> <td>NO</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	YES	NO	<input type="checkbox"/>	<input type="checkbox"/>
YES	NO						
<input type="checkbox"/>	<input type="checkbox"/>						

**G. Particulars of right to be exercised or protected**

*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. Indicate which right is to be exercised or protected: \_\_\_\_\_
2. Explain why the record requested is required for the exercise or protection of the aforementioned right: \_\_\_\_\_

**H. 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 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 \_\_\_\_\_ 200

SIGNATURE OF REQUESTER / PERSON  
ON WHOSE BEHALF REQUEST IS MADE

**MANUAL OF  
REVLON SOUTH AFRICA  
(PROPRIETARY) LIMITED  
("Revlon") IN TERMS OF  
THE PROMOTION OF  
ACCESS TO INFORMATION  
ACT 2 of 2000**



## **A. CONTENTS**

### **Introduction to Revlon**

- 1. Contact details of head**
- 2. The Guide**
- 3. Records available in terms of other legislation**
- 4. Access to records held by Revlon**
  - (i) Subjects and categories of records held by Revlon**
  - (ii) The request procedures**
- 5. Availability of the manual**
- 6. Prescribed fees and forms for private bodies**

## B. PARTICULARS IN TERMS OF THE SECTION 51 MANUAL

### Introduction to Revlon

Revlon is a private company incorporated according to the company laws of the Republic of South Africa, under registration number 1959/002102/07. Revlon engages in the manufacture, distribution, export and import of cosmetics.

Mr Michael Shapley has been duly appointed by the head of Revlon, to act as the person to whom requests for access to information must be made in terms of the Act.

#### 1. Contact details of head

Mr Michael Shapley  
Company Secretary

Postal address : Revlon South Africa (Proprietary) Limited  
P O Box 205  
Isando  
1600  
South Africa

Physical address : 28-30 Tungsten Road  
Isando  
Gauteng  
1600  
South Africa

Telephone : +27 11 971 0800

Facsimile : +27 11 971 0949

e-mail : mike.shapley@revlon.com

#### 2. The Guide

The Guide will, according to the South African Human Rights Commission, be available by no later than August 2003. 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  
Facsimile : +27 11 484 0582  
Website : [www.sahrc.org.za](http://www.sahrc.org.za)  
E-mail : [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)

### **3. Records available in terms of other legislation**

#### **3.1 Companies Act 61 of 1973**

3.1.1 All documents of incorporation of Revlon are lodged at the offices of the Registrar of Companies, and may be inspected there. These documents include the memorandum and articles of association of Revlon, as well as the relevant company forms.

3.1.2 The register of members and registers of transfers (of members), pledges and bonds of Revlon are available for inspection at the registered office of Revlon.

3.1.3 Special resolutions are lodged with the Registrar of Companies, and are therefore available for inspection there.

3.2 **Pension Funds Act 24 of 1956** – The rules of the pension fund utilised by Revlon, as well as the last revenue account and balance sheet of such fund, are available for inspection at the offices of the Registrar of Pension Funds.

3.3 **Employment Equity Act 55 of 1998** – Revlon has lodged a copy of its employment equity report at the Department of Labour.

### **4. Access to records held by Revlon**

#### **(i) Subjects and categories of records held by Revlon**

**Note:** This section of the Manual sets out the subject and categories of records held by Revlon. The inclusion of any subject or category of records should not be taken as an indication that records falling within those subjects and/or categories will be made available under the Act. In particular, certain grounds of refusal as set out in the Act may be applicable to a request for such records.

**4.1 Incorporation documents**

4.1.1 The memorandum and articles of association of Revlon.

4.1.2 The incorporation forms of Revlon.

**4.2 Constitution of Revlon**

4.2.1 Minutes of general meetings of the shareholders of Revlon.

4.2.2 Minute books and internal resolutions of Revlon.

4.2.3 Power of attorney agreements, and a list of persons authorised to bind Revlon.

**4.3 Financial records of Revlon**

4.3.1 Accounting records, books and documents of Revlon.

4.3.2 General ledger of Revlon.

4.3.3 Stock ledger.

4.3.4 Tax returns of Revlon.

4.3.5 Invoices in respect of both customers and suppliers of Revlon.

4.3.6 Details of auditors of Revlon.

**4.4 Banking details of Revlon**

4.4.1 Bank facilities and accounts details.

4.4.2 Guarantees given by, or in respect of, Revlon.

**4.5 Human resources / employment records**

4.5.1 Contracts of employment with directors, officers and employees of Revlon.

4.5.2 Personnel files in respect of each employee of Revlon.

4.5.3 Collective bargaining agreement.

4.5.4 Procedural agreements and policies of Revlon regarding labour issues.

4.5.5 Employment equity plan of Revlon.

4.5.6 Skills development programme of Revlon.

4.5.7 Pension fund agreement.

4.5.8 Provident fund agreement.

4.5.9 Training manuals and information pertaining to skills management.

**4.6 Health and safety requirements**

Information required to be held by Revlon in terms of the Occupational Health and Safety Act, 1993.

**4.7 Intellectual Property**

Trade-marks, patents, copyrights and designs held by Revlon.

**4.8 Immovable and movable property**

4.8.1 Title deeds of land owned by Revlon.

4.8.2 Agreements for the lease or sale of land by Revlon.

4.8.3 Leases in respect of vehicles.

4.8.4 Office equipment leases.

**4.9 Information technology**

Computer software, support and maintenance agreements.

**4.10 Miscellaneous information held by Revlon**

4.10.1 Loans from third parties (including banks).

4.10.2 Suretyship agreements.

4.10.3 Agency, management and distribution agreements.

4.10.4 Agreements with customers and service providers.

4.10.5 Purchase orders.

4.10.6 Export agreements.

**(ii) The request procedures**

**Form of request:**

- The requester must use the prescribed form to make the request for access to a record. This must be made to the head of Revlon. This request must be made to the address, fax number or electronic mail address of the head of Revlon.
- The requester must provide sufficient detail on the request form to enable the head of Revlon to identify the record and the requester. The requester should also indicate which form of access is required. The requester should also indicate if he or she wishes to be informed in any other manner and state the necessary particulars to be so informed.
- The requester must identify the right that he or she is seeking to exercise or protect and provide an explanation as to why the requested record is required for the exercise or protection of that right.
- If a request is made on behalf of a person, the requester must submit proof of the capacity in which the requester is making the request to the satisfaction of the head of Revlon.

**Fees:**

- The head of Revlon must notify the requester (other than a personal requester) by notice, requiring the requester to pay the fee of R50 before further processing the request. A personal requester does not pay such fee.
- The requester may lodge an internal appeal or an application to the court against the tender or payment of the request fee.
- The head of Revlon will then make a decision on the request and notify the requester in the required form.

- If the request is granted then a further access fee must be paid for the search, reproduction, preparation and for any time that had exceeded the prescribed hours to search and prepare the record for disclosure.

**5. Availability of the manual**

The manual is available for inspection at the offices of Revlon free of charge, and on the website of Revlon: [www.revlon.com](http://www.revlon.com). Copies are also available with the SAHRC and in the Government Gazette.

**6. Prescribed fees and forms in respect of private bodies**

The prescribed forms and fees for requests to private bodies, are available on the website of the Department of Justice and Constitutional Development:

[www.doj.gov.za](http://www.doj.gov.za)

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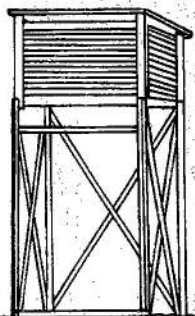
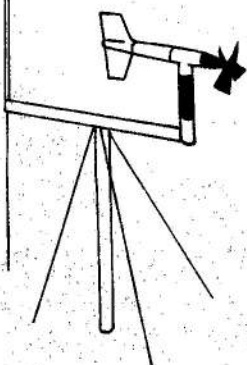
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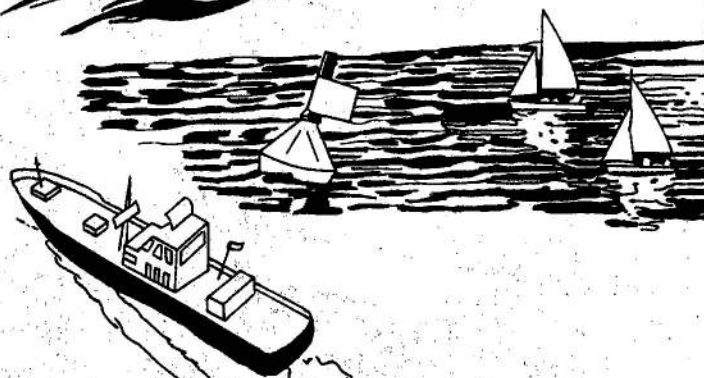
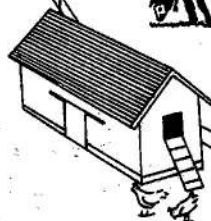
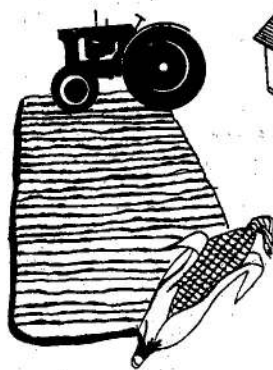
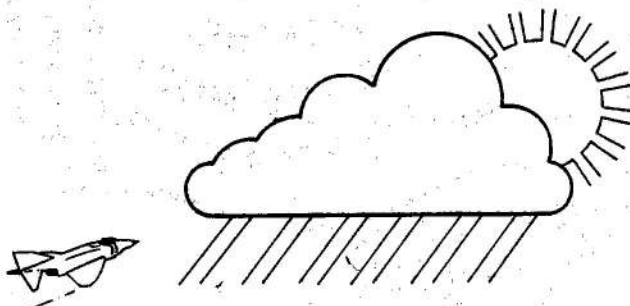
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