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No. 24332

MANUALS

IN ACCORDANCE WITH

THE PROMOTION OF ACCESS TO

INFORMATION ACT (NO. 2 OF 2000)

Part 1 of 4





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

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MANUAL

of

A P BURGER BESIGHEIDS TRUST

Prepared in accordance with Section 51 of the Promotion of Access to Information Act, No 2 of 2000.

(Private Body)

1 INTRODUCTION

1.1 The Promotion of Access to Information Act, No 2 of 2000 ("the Act") was enacted on 3
February 2000, 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 the Act, the body to whom the
request is made is obliged to release the information, except where the Act expressly provides
that the information may or must not be released. The Act sets out the requisite procedural
issues attached to such request.

1.2 PURPOSE OF THE MANUAL:

In order to promote effective governance of private bodies, it is necessary to ensure that everyone is empowered and educated to understand their rights in terms of the Act in order for them to exercise their rights in relation to public and private bodies.

Section 9 of the Act however recognises that such right to access to information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to:

- Limitations aimed at the reasonable protection of privacy;
- Commercial confidentiality; and
- Effective, efficient and good governance;

and in a manner which balances that right with any other rights, including such rights contained in the Bill of Rights in the Constitution.

Wherever reference is made to "Private Body" in this manual, it will refer to A P BURGER BESIGHEIDS TRUST T/A BURGER PETROL EN DIESEL HERSTELWERKE a private body within the truck and motor vehicle repair industry, for whom this manual is drafted.

PART I

CONTACT DETAILS

Information Officer: BAREND JOHANNES BURGER 2.1

P O Box 571, Worcester, 6849 Postal address:

Physical Address: 119 Sheard Street, Worcester, 6850

Tel: (023) 3472705

Fax: (023) 3472139

GENERAL INFORMATION 2.2

Website: N/A

2.2.9

2.2.1	Name of Private Body: A P BURGER BESIGHEIDS TRUST T/A BURGER PETROL EN DIESEL HERSTELWERKE	•
2.2.2	Registration No: IT785/2001	257
2.2.3	Vat Registration No. 4890109814	
2.2.4	Postal Address: P O Box 571, Worcester, 6849	
2.2.5	Physical Address (or main place of business): 119 Sheard Street, Worcester, 6850	
2.2.6	Telephone Number: (023) 3472705	
2.2.7	Facsimile number: (023) 3472139	
2.2.8	E-mail address: burger.p.d.@yebo.co.za	53

GUIDE OF SOUTH AFRICAN HUMAN RIGHTS COMMISSION 3

The South African Human Rights Commission has at the date of printing hereof not yet compiled the guide contemplated in Section 10 of the Act. The guide will contain such information as may reasonably be required by a person who wishes to exercise any right contemplated in the Act. Any enquiries regarding this guide should be directed to:

The South African HUMAN RIGHTS COMMISSION,

at PAIA Unit (THE RESEARCH AND DOCUMENTATION DEPARTMENT),

3.2.1

Private Bag X2700, HOUGHTON, 2041;

Telephone Number: (011) 484-8300;

Facsimile Number: (011) 484-1360;

Website: www.sahrc.org.za;

E-mail Address: PIAI@sahrc.org.za.

PART III

3.1 RECORDS OF THE PRIVATE BODY

This clause serves as a reference to the records that the Private Body holds in order to facilitate a request in terms of the Act.

The information is classified and grouped according to records relating to the following subjects and categories:

It is recorded that the accessibility of the documents listed herein below, may be subject to the grounds of refusal set out hereinafter.

INCORPORATION DOCUMENTS AND RECORDS

3.2 PRIVATE BODY DOCMENTS AND RECORDS

3.2.1.1	Copies of documents of the incorporation	y: a
3.2.1.2	Copies of the Constitution of the Trust	
3.2.1.3	Minutes of Trustees' meetings	2
3.2.1.4	Minutes of Management meetings	
3.2.1.5	Minutes of staff meetings	9
3.2.1.6	Internal telephone directory	
3.2.2	FINANCIAL DOCUMENTS AND RECORD	S
4.5		
3.2.2.1	Regional Services Council records	89.34
12	* ^ ×	
3.2.2.2	VAT records	
3.2.2.3	Tax records	
3.2.2.4	PAYE records	10

Correspondence with customers	4.2.2.8
Payment/Credit agreements	£.£.2.£
Database of customers	2.5.2.5
Product manuals / service manuals	1.5.2.5
OPERATIONAL DOCUMENTS AND RECORDS	£.2.E
Financial documents	12.2.2.8
Annual Financial Statements	02.2.2.8
Cash records	3.2.2.19
Trust Account	81.2.2.8
Cheque Account	71.2.2.8
Credit notes	31.2.2.5
Debit notes	3.2.2.15
Goods returned vouchers	3.2.2.14
Goods received vouchers	3.2.2.13
Delivery notes	31.2.2.5
Statements	3.2.2.11
Invoices	3.2.2.10
mrof rebrO	8.2.2.8
Təfaigət fəsaA	8.2.2.8
Asset inventory	7.2.2.E
Stock records	3.2.2.6
UIF records	2.2.2.5

3.2.4.11

Training records

3.2.3.5	Customer account records	
3.2.3.6	Proof of delivery forms	œ
3.2.3.7	Receipts	
3.2.3.8	Records with regards to scheduling and supply of goods / services	
3.2.3.9	Job cards	
3.2.3.10	Price lists	
3.2.3.11	Records pertaining to customer complaints / assessments	3
3.2.3.12	Records with regards to quotations in respect of services rendered	
3.2.3.13	Records with regards to research and development of services	
	These records include, but are not limited to, records which pertain to the Private Body's own affairs.	
3.2.4 PJ	ERSONNEL DOCUMENTS AND RECORDS	
Pe bu	rsonal records provided by personnel (including permanent and temporary) including t not limited to:	
3.2.4.1	Employment contracts	900
3.2.4.2	Application forms	
3.2.4.3	Qualifications and Curriculum Vitae	
3.2.4.4	Salary records	
3.2.4.5	Leave records	
3.2.4.6	Records relating to increases	
3.2.4.7	Disciplinary records	
3.2.4.8	Performance management records	
3.2.4.9	Medical history records	
3.2.4.10	Long service awards records	

3.2.4.12	Company policies	
3.2.4.13	Employment Equity Plan	
3.2.4.14	Attendance register	1
3.2.4.15	Bargaining Council Records	
3.2.4.16	Provident fund records	
3.2.4.17	Pension fund records	
3.2.4.18	Unemployment Insurance	, *
3.2.4.19	Workman's Compensation records	
3.2.4.20	Medical Aid records	
3.2.4.21	Records relating to deductions	
	"Personnel" refers to any person who works for, or provides services to or on behalf the Private Body, and receives or is entitled to receive remuneration and any other pers who assists in carrying out or conducting the business of the Private Body. This include without limitation, trustees, all permanent, temporary and part-time staff, as well contract and/or seasonal workers.	es,
3.2.5	SAFETY RECORDS	
3.2.5.1	Recording relating to incidents	
3.2.5.2	Records relating to corrective action	
3.2.6	INFORMATION TECHNOLOGY RECORDS	
3.2.6.1	Licences	
3.2.6.2	Software programs	
3.2.6.3	Software applications	4.7
3.2.6.4	Lotus notes	e Vi
3.2.6.5	Internet connectivity reports	
3.2.6.6	Bookkeeping and accounting package	
8 × ×		
3.2.7	RECORDS REQUIRED IN TERMS OF LEGISLATION	
**************************************		8
3.2.7.1	A table of legislation setting out a description of the records of the Private B	ody
	which are available in accordance with certain legislation, is as follows:-	

3.2.7.1.1	Criminal Procedures Act 51 of 1977
3.2.7.1.2	Labour Relations Act 66 of 1995
3.2.7.1.3	Employment Equity Act 55 of 1998
3.2.7.1.4	Basic Conditions of Employment Act 75 of 1997
3.2.7.1.5	Formalities in respect of Leases of Land Act 18 of 1969
3.2.7.1.6	Compensation for Occupational Injuries and Diseases Act 130 of 1993
3.2.7.1.7	Constitution of SA Act 108 of 1996
3.2.7.1.8	Unemployment Insurance Act 63 of 2001
3.2.7.1.9	Value Added Tax Act 89 of 1991
3.2.7.1.10	Income Tax Act 58 of 1962
3.2.7.1.11	Close Corporation Act
2 × ×	Reference to the above-mentioned legislation shall include subsequent amendments to such legislation.
3.2.8 OTI	HER PARTY RECORDS
3.2.8.1	Personnel, customer or Private Body records which are held by another party, as opposed to the records held by the Private Body itself;
3.2.8.2	Records held by the Private Body pertaining to other parties, including without limitation, financial records, correspondence, contractual and transactional records, records provided by the other party, and records third parties have provided.

PART IV

4 GROUNDS FOR REFUSAL OF ACCESS TO RECORDS

The main grounds for the Private Body to refuse a request for information relates to the -

- 4.1 mandatory protection of the privacy of a third party who is a natural person, which would involve the unreasonable disclosure of personal information of that natural person;
- 4.2 mandatory protection of the commercial information of a third party, if the record contains -
- 4.2.1 trade secrets of that third party;

- financial, commercial, scientific or technical information which disclosure could likely 4.2.2 cause harm to the financial or commercial interests of that third party; information disclosed in confidence by a third party to the Private Body, if the disclosure 4.2.3 could put that third party at a disadvantage in negotiations or commercial competition; mandatory protection of confidential information of third parties if it is protected in terms of any 4.3 agreement; mandatory protection of the safety of individuals and the protection of property; 4.4 mandatory protection of records which would be regarded as privileged in legal proceedings; 4.5 the commercial activities of the Private Body, which may include -4.6 trade secrets of the Private Body; 4.6.1 financial, commercial, scientific or technical information which disclosure of could likely 4.6.2 cause harm to the financial or commercial interests of the Private Body; information which, if disclosed could put the Private Body at a disadvantage in 4.6.3 negotiations or commercial competition; a computer program which is owned by the Private Body, and which is protected by 4.6.4 copyright. the research information of the Private Body or a third party, if its disclosure would disclose the 4.7 identity of the Private Body, the researcher or the subject matter of the research and would place the research at a serious disadvantage; Requests for information that are clearly frivolous or vexatious, or which involve an 4.8
- 5 REMEDIES AVAILABLE WHEN A PRIVATE BODY REFUSES A REQUEST FOR INFORMATION

unreasonable diversion of resources shall be refused.

5.1 INTERNAL REMEDIES

The Private Body does not have an internal appeal procedure. As such, the decision made by the information officer is final, and requesters will have to exercise such external remedies at their disposal if the request for information is refused, and the requester is not satisfied with the answer supplied by the information officer.

5.2 EXTERNAL REMEDIES

A requester that is dissatisfied with an information officer's refusal to disclose information, may within 30 days of notification of the decision, apply to a relevant Court for relief.

Likewise, a third party dissatisfied with an information officer's decision to grant a request for information, may within 30 days of notification of the decision, apply to a Court for relief. For purposes of the Act, the Courts that have jurisdiction over these applications are the Constitutional Court, the High Court or another court of similar status.

6 REQUEST PROCEDURE

- The requester must comply with all the procedural requirements contained in the Act relating to the request for access to a record.
- The requester must complete the prescribed form enclosed herewith in Appendix 1, and submit same as well as payment of a request fee and a deposit, if applicable to the Information Officer at the postal or physical address, fax number or electronic mail address as stated in 2.1 or 2.2 above.
- 6.3 The prescribed form must be filled in with enough particularity to at least enable the Information Officer to identify –
- 6.3.1 The record or records requested;
- 6.3.2 The identity of the requester,
- 6.3.3 Which form of access is required, if the request is granted;
- 6.3.4 The postal address or fax number of the requester.
- The requester must state that he/she requires the information in order to exercise or protect a right, and clearly state what the nature of the right is so to be exercised or protected. In addition, the requester must clearly specify why the record is necessary to exercise or protect such a right.
- 6.5 The Private Body will process the request within 30 days, unless the requester has stated special reasons which would satisfy the Information officer that circumstances dictate that the above time periods not be complied with.
- The requester shall be informed whether access granted or denied. If, in addition, the requester requires the reasons for the decision in any other manner, he/she must state the manner and the particulars so required.
- 6.7 If a request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of the information officer.
- 6.8 If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally.
- 6.9 The requester must pay the prescribed fee, before any further processing can take place.

7 ACCESS TO RECORDS HELD BY THE PRIVATE BODY

- 7.1 Records held by the Private Body may be accessed by requests only once the prerequisite requirements for access have been met.
- 7.2 A requester is any person making a request for access to a record of the Private Body. There are two types of requesters:

7.2.1 PERSONAL REQUESTER

7.2.1.1 A personal requester is a requester who is seeking access to a record containing personal information about the requester.

7.2.1.2 The Private Body will voluntarily provide the requested information, or give access to any record with regard to the requester's personal information. The prescribed fee for reproduction of the information requested will be charged.

7.2.2 OTHER REQUESTER

7.2.2.1 This requester (other than a personal requester) is entitled to request access to information on third parties. However, the Private Body is not obliged to voluntarily grant access. The requester must fulfil the prerequisite requirements for access in terms of the Act, including the payment of a request and access fee.

8 FEES

- 8.1 The Act provides for two types of fees, namely:
- 8.1.1 A request fee, which will be a standard fee; and
- 8.1.2 An access fee, which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs.
- When the request is received by the Information Officer, such officer shall by notice require the requester, other than a personal requester, to pay the prescribed request fee (if any), before any further processing of the request.
- 8.3 If the search for the record has been made and the preparation of the record for disclosure, including arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, the information officer shall notify the requester to pay as a deposit the prescribed portion of the Access fee which would be payable if the request is granted.
- The information officer shall withhold a record until the requester has paid the fees as indicated in Appendix 2.
- A requester whose request for access to a record has been granted, must pay an access fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure including making arrangements to make it available in the request form.
- 8.6 If a deposit has been paid in respect of a request for access, which is refused, then the information officer concerned must repay the deposit to the requester.

9 DECISION

- 9.1 The Private Body will, within 30 days of receipt of the request, decide whether to grant or decline the request and give notice with reasons (if required) to that effect.
- 9.2 The 30 day period with which the Private Body has to decide whether to grant or refuse the request, may be extended for a further period of not more than thirty days if the request is for a large amount of information, or the request requires a search for information held at another office of the Private Body and the information cannot reasonably be obtained within the original 30 day period. The Private Body will notify the requester in writing should an extension be sought.

10 AVAILABILITY OF THE MANUAL

10.1 This manual is made available in terms of Regulation Number R. 187 of 15 February 2002.

APPENDIX - 1

PRESCRIBED FORM TO BE COMPLETED BY A REQUESTER

FORM B

Regulation 4) A. Particulars of Private Body The Head: A. Particulars of Person requesting access to the record a) The particulars of the person who requests access to the records must be recorded below. b) Furnish an address and/or fax number in the Republic to which information must be sent. c) Proof of the capacity in which the request is made, if applicable, must be attached. Full Name and Surname: dentity Number: Postal Address: Celephone Number: Fax Number: E-mail address: Capacity in which request is made, when made on behalf of another person: C. Particulars of person of whose behalf request is made on behalf of another person Full names and Surname:		ECORDS OF PRIVATE BODY	
(Regulation 4) 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 records must be recorded below. b) Furnish an address and/or fax number in the Republic to which information must be sent. c) Proof of the capacity in which the request is made, if applicable, must be attached. Full 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 of whose behalf request is made: This section must be completed only if a request for information is made on behalf of another person			
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Postal Address: Fax Number: Fax Number: E-mail address: Capacity in which request is made, when made on behalf of another person: Capacity in which request is made, when made on behalf of another person: Capacity in which request is made on behalf of another person: Capacity in which request is made on behalf of another person: Capacity in which request is made, when made on behalf of another person: Capacity in which request is made on behalf of another person:	195		
Telephone Number: Fax Number:			
E-mail address: Capacity in which request is made, when made on behalf of another person: C. Particulars of person of whose behalf request is made: This section must be completed only if a request for information is made on behalf of another person			
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C. Particulars of person of whose behalf request is made: This section must be completed only if a request for information is made on behalf of another person	E-mail address:	<u> </u>	
Particulars of person of whose behalf request is made: This section must be completed only if a request for information is made on behalf of another person	Capacity in which request is made,	when made on behalf of another pers	son:
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This section must be completed only if a request for information is made on behalf of another person		6 44 A	
This section must be completed only if a request for information is made on behalf of another person			
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Full names and Surname:		ly if a request for information is made	on behalf of another person
Full names and Surname:		ly if a request for information is made	on behalf of another person
ruii names and Surname:		ly if a request for information is made	on behalf of another person
	This section must be completed onl	ly if a request for information is made	on behalf of another person

D.

Particulars of Record:

(a)	Provide full particulars of the record to which access is requested, including the refe	ranga numb	or if
	that is known to you, to enable the record to be located.	rence numb	er y
(b)	1 1975 - 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1		·
(0)		to this form.	The
	requester must sign all the additional folios		5 E
1.	Description of the Record or relevant part of the record:	9 12	38
_			
			712
Salara da			
2.	Reference number, if available:	(6)	
	Reference number, it available.		_
2	A C 1 . 0.1		
2.	Any further particulars of the record:	₽	
Testine in			
Remove			
E.	Fees:		
(a)	A request for access to a record, other than a record containing personal information	- about	16
(-)		i aooui your.	seij,
(L)	will be processed only after a request fee has been paid.		
(b)		TOUR MAN ARROWS	
(c)	The fee payable for access to a record depends on the form in which the access is req	uired and th	ie
	reasonable time required to search for and prepare a record.	63	
(d)	If you qualify for exemption of the payment of any fee, please state the reason therefor	re.	
7			
Reas	son for exemption of payment of the fee:	70	8
		•	
T.			
F.	Form of Access to the Record:	W	

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.

rk the appropriate box with an "X	"X	1	161		9 8 9 8
			*		
	1.0				
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- (b) Access in the form requested may be refused in certain circumstances. In such a case you will be

requested.

(c) The fee payable for access to the record, if any, will be determined partly by the form in which access is informed if access will be granted in another form.

	Copy of record *
Inspection of record	* process seed
	1. If the record is in written or printed form:

View the images Copy of the images * Transcription of the images* (This includes photographs, slides, video recordings, computer-generated images, sketches, etc.) 2. If the record consists of visual images:

	(audio cassette)	(written or printed document)
	Listen to the soundtrack	the contract of the contract o
-	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	Transcription of soundtrack *

disc)	information derived from the record *	
Copy in computer readable form * (stiffy or compact	Printed copy of	Printed copy of record

		+-	d (above), do you wish the	YES	NO
copy or transcript	ion to be posted to y	ou?			
A postal fee is pa	yable.		40		
	16				
G. Part	iculars of right to b	e exercised o	r protected:		
80	3				
(2)					
f the provided sp	ace is inadequate, pl	ease continue	of a separate folio and attach	it to this form	l
The requester mu	st sign all the additi	onal folios			

ndicate which rig	ht is to be exercised	or protected:	0		
			2 V	4	8
c					
165 (409)					
. Explain why	the requested recor	d is required t	for the exercising or protection	on of the afore	mentioned
right:	*		or protocite	on or the artice	тепполес
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pereof in another r	nanner, please speci our request.	fy the manner	has been approved/denied. It and provide the necessary per regarding your request for a	articulars to er	able
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gned at		this	day of		200
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			SIGNATURE OF REQU ON WHOSE BEHALF F		
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APPENDIX - 2

REPRODUCTION FEES

Where requested document appear in the appendix 1 i.e. the 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.

THE APPLICABLE FEES FOR REPRODUCTION AS REFERRED TO ABOVE ARE:

		R
		20 22
•	For every photocopy of an A4-size page or part thereof	1,10
	For every printed copy of an A4-size page or part thereof held on a	E 02 4
	computer or in electronic or machine readable form	0,75
•	For a copy in a computer-readable form on	
	- Stiffy disc	7,50
	- Compact disc	70,00
	A transcription of visual images, for an A4-size page or part thereof	40,00
	For a copy of visual images	60,00
	A transcription of an audio record, for an A4-size page or part thereof	20,00
	For a copy of an audio record	30,00
	TARREST AND A STATE OF THE STAT	

Request fees:

Where a requester submits a request for access to information held by an Private Body on a person other that the requester himself/herself, a request fee in the amount of R50,00 is payable up-front before the Private Body will further process the request received.

Access fees:

An access fee is payable in all instances where a request for access to information is granted, except in those instances where payment of an access fee is specially excluded in terms of the Act or an exclusion is determined by the Minister in terms of Section 54 (8).

The applicable access fees which will be payable are:

			90	K
•	For every photocopy of an A4-size page or part thereof	Tig El		1,10
•	For every printed copy of an A4-size page or part thereof held on	04 50	8.2	t.
	a computer or in electronic or machine readable form	14		0,75

•	For a copy in a computer-readable form on	R
	- Stiffy disc	7,50
	- Compact disc	70,00
•	A transcription of visual images, for an A4-size page or part thereof	40,00
•	For a copy of visual images	60,00
•	A transcription of an audio record, for an A4-size page or part thereof	20,00
•	For a copy of an audio record	30,00
•	To search for a record that must be disclosed	30,00
	(per hour or part of an hour reasonably required for such search)	
•	Where a copy of a record needs to be posted the actual postal fee is payable.	

Deposits:

Where the 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 of disclosure will take more than 6 (six) hours, a deposit is payable by the requester.

The amount of the deposit is equal to 1/3 (one third) of the amount of the applicable access fee.

Note: In terms of Regulation 8, Value Added Tax (VAT) must be added to all fees prescribed in terms of the Regulations.

MANUAL

of

THE DEVONPORT ROAD LIGHTING CC

Prepared in accordance with Section 51 of the Promotion of Access to Information Act, No 2 of 2000.

(Private Body)

1 INTRODUCTION

1.1 The Promotion of Access to Information Act, No 2 of 2000 ("the Act") was enacted on 3 February 2000, 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 the Act, the body to whom the request is made is obliged to release the information, except where the Act expressly provides that the information may or must not be released. The Act sets out the requisite procedural issues attached to such request.

1.2 PURPOSE OF THE MANUAL:

In order to promote effective governance of private bodies, it is necessary to ensure that everyone is empowered and educated to understand their rights in terms of the Act in order for them to exercise their rights in relation to public and private bodies.

Section 9 of the Act however recognises that such right to access to information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to:

- Limitations aimed at the reasonable protection of privacy;
- · Commercial confidentiality; and
- Effective, efficient and good governance;

and in a manner which balances that right with any other rights, including such rights contained in the Bill of Rights in the Constitution.

Wherever reference is made to "Private Body" in this manual, it will refer to THE DEVONPORT ROAD LIGHTING CC a private body within the wholesale and retail of lighting and accessories industry for which this manual is drafted.

PART I

CONTACT DETAILS

2.1	Information Officer:	CHARMAINE ELSIE SEGAL
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P O Box 50258, V & A Waterfront, Cape Town, 8002 Postal address:

Registered address: Frymer Bywater Mackay Davidson, P O Box 12091, Mill Street, 8010

Physical Address: 73 Buitengracht Street, Cape Town, 8001

Tel: (021) 424 7687

Fax: (021) 424 5211

2.2.10

Email address: Charmaine@devlight.co.za

2.2 GENERAL INFORMATION 2.2.1 Name of Private Body: THE DEVONPORT ROAD. LIGHTING CC 2.2.2 Head of Private Body: Gregory and Charmaine Segal 2.2.3 Registration No: CK NO 1994/02477/23 2.2.4 Vat Registration No. 4820141887 2.2.5 Postal Address: P O Box 50258, V & A Waterfront, 8002 Physical Address (or main place of business): 73 Buitengracht Street, Cape Town, 8001 2.2.6 2.2.7 Telephone Number: (021) 424 7687 Facsimile number: (021) 424 5211 2.2.8 E-mail address: Charmaine@devlight.co.za / Greg&devlight.co.za 2.2.9 Website: www.devlight.co.za

PART II

3 GUIDE OF SOUTH AFRICAN HUMAN RIGHTS COMMISSION

The South African Human Rights Commission has at the date of printing hereof not yet compiled the guide contemplated in Section 10 of the Act. The guide will contain such information as may reasonably be required by a person who wishes to exercise any right contemplated in the Act. Any enquiries regarding this guide should be directed to:

The South African HUMAN RIGHTS COMMISSION,

at PAIA Unit (THE RESEARCH AND DOCUMENTATION DEPARTMENT).

Private Bag X2700, HOUGHTON, 2041:

Telephone Number: (011) 484-8300;

Facsimile Number: (011) 484-1360;

Website: www.sahrc.org.za;

E-mail Address: PIAI@sahrc.org.za.

PART III

3.1 RECORDS OF THE PRIVATE BODY

This clause serves as a reference to the records that the Private Body holds in order to facilitate a request in terms of the Act.

The information is classified and grouped according to records relating to the following subjects and categories:

It is recorded that the accessibility of the documents listed herein below, may be subject to the grounds of refusal set out hereinafter.

3.2 PRIVATE BODY DOCUMENTS AND RECORDS

3.2.1 INCORPORATION DOCUMENTS AND RECORDS 3.2.1.1 Copies of documents of incorporation

3.2.1.2 Minutes of Members meetings

3.2.2 FINANCIAL DOCUMENTS AND RECORDS

3.2.2.1 Regional Services Council records

3.2.2.2 Vat records

3.2.2.3	Tax records	t and the second
	50 G	i si se s
3.2.2.4	PAYE records	
3.2.2.5	UIF records	er iproducerni
		el La companya yang sestabba
3.2.2.6	Stock records	
3.2.2.7	Asset inventory	garego ar englecial C
		i de la como entra como
3.2.2.8	Asset register	
3.2.2.9	Order forms	
\$ 9 (8)		
3.2.2.10	Invoices	
3.2.2.11	Statements	
3.2.2.12	Proof of delivery forms	And the second
3.2.2.13	Goods received vouchers	s
	* *	
3.2.2.14	Goods returned vouchers	
3.2.2.15	Debit notes	
3.2.2.16	Credit notes	
3.2.2.17	Cheque account	
3.2.2.18	Current account	
3.2.2.19	Cash records	
3.2.2.20	Financial reporting	
3.2.2.20	1 manorar reportang	1
3.2.2.21	Financial documents	
3.2.2.22	Management Accounts	
3.2.3 OPI	ERATIONAL DOCUM	MENTS AND RECORDS
ē.		uls / charts of account
2 2 2 1	Product / Service manua	us / charts of account

3.2.4.9

Unemployment Insurance

						5 39
3.2.3.2	Database of customers		4			· .
3.2.3.3	Con Ha A - V - C					8
3.2.3.3	Credit Application forms		1	.00		
3.2.3.4	Correspondence with customers	et 13				
3.2.3.5	7.	100	1.	\$15 \$15		20
3.2.3.3	Customer account records	20		H & 200	27 20 gr	
3.2.3.6	Records with regards to sales	98	. 27 -	X 2		
3.2.3.7	Records with regards to scheduling	and annal	of ~~~	ia / aamsiaaa		
	resolves with regards to seneduring	and suppr	y or good	is / services		
3.2.3.8	Price lists			보 (제) 원립		
3.2.3.9	Customer complaints / assessments			71		
	-	E 1925		* *		
3.2.3.10	Records pertaining to costing and qu	ioting				
3.2.3.11	Supply Agreements				2	
			į			
1.6%	These records include, but are no Private Body's own affairs.	t limited	to, the r	ecords which	ı pertain	to the
Œ.	Minus Body 3 Own atlants.	22	1.		E.	
3.2.4	PERSONNEL DOCUMENTS AND	RECOR	DS			6
et.	Personal records provided by personnel (i	inchiding :	nermane	nt and tempo	rom) inc	ludina
The large of	but not limited to:	noruumg j	permane	ut and tempo	rary) mc	idding
3.2.4.1	Employment contracts				27 (37)	*
3.2.4.2	Application forms	-	1.17			
J.2.T.2	Appareation forms		*			1
3.2.4.3	Qualifications					
3.2.4.4	Salary records	<u></u>			33	* 1
	· · · · · · · · · · · · · · · · · · ·			Sa a		
3.2.4.5	Leave records			38	¥:	
3.2.4.6	Records relating to increases			(C)	Si .	81
3.2.4.7	SETA records		1.0 (i	9		
3.2.4.8	Attendance register		1		32	10 11
2007			r s es l			1, 1,

3.2.4.10	Records of deductions
3.2.4.11	Identification records
	"Personnel" refers to any person who works for, or provides services to or on behalf of the Private Body, and receives or is entitled to receive remuneration and any other person who assists in carrying out or conducting the business of the Private Body. This includes, without limitation, members, all permanent, temporary and part-time staff, as well as any contract workers.
3.2.5	SAFETY RECORDS
3.2.5.1	Records relating to incidents
5.2.5.1	
	INFORMATION TECHNOLOGY RECORDS
3.2.6	INFORMATION IECHNOLOGI RECORDS
3.2.6.1	Licences
3.2.6.2	Software programs
3.2.0.2	Software programs
3.2.6.3	Software applications
3.2.6.4	Computer generated databases
3.2.6.5	Inter-company emails
3.2.6.6	Internet connectivity reports
3.2.7	RECORDS REQUIRED IN TERMS OF LEGISLATION
J.2.1	
	A table of legislation setting out a description of the records of the Private Body
3.2.7.1	
	which are available in accordance with certain legislation, is as follows:-
3.2.7.1.1	Short Term Insurance Act 53 of 1998
ti e	
3.2.7.1.2	Credit Agreements Act 75 of 1980
3.2.7.1.3	Labour Relations Act 66 of 1995
5.2.7.1.5	
3.2.7.1.4	Employment Equity Act 55 of 1998
3.2.7.1.4	Employment Equity Not 33 of 1990
98 161 ^S	57 - 1
3.2.7.1.5	Basic Conditions of Employment Act 75 of 1997
1	700 61000
3.2.7.1.6	Compensation for Occupational Injuries and Diseases Act 130 of 1993

3.2.7.1.7	Unemployment Insurance Act 63 of 2001
Marian American	
3.2.7.1.8	Value Added Tax Act 89 of 1991

3.2.7.1.9	Skills Development Act 9 of 1999			
3.2.7.1.1	0 Income Tax Act 58 of 1962	1		19 19 1 11
K *				
3.2.7.1.1	1 Close Corporation Act			
		10 10 10 10 10 10 10 10 10 10 10 10 10 1	* *	85 E=
*	Reference to the above-mentioned legislation	on shall inclu	ide subsequei	nt amendments
	to such legislation.			
e .		2		76
3.2.8	OTHER PARTY RECORDS	96 141 96	828	
3.2.8.1	Personnel, customer or Private Body record opposed to the records held by the Private E	ds which are Body itself;	e held by and	other party, as
3.2.8.2	Records held by the Private Body pertain limitation, financial records, correspondence records provided by the other party, and re- contractors/suppliers.	e, contractua	1 and transact	tional records.
		2 8	B	8
	PART IV			
*				
4 GR	ROUNDS FOR REFUSAL OF ACCESS TO RECO	RDS		
4.1	main grounds for the Private Body to refuse a request for in mandatory protection of the privacy of a third party v involve the unreasonable disclosure of personal informati	vho is a nat	ural person	which would
4.2	mandatory protection of the commercial information of a	third party, i	f the record c	ontains –
4.2.1	trade secrets of that third party;		10. 2	
El Namarios	16			
4.2.2	financial, commercial, scientific or technical inforcause harm to the financial or commercial interests	of that third	ch disclosure party;	could likely
4.2.3	information disclosed in confidence by a third part could put that third party at a disadvantage in negot	y to the Priva	ate Body, if the	he disclosure apetition;
4.3	mandatory protection of confidential information of third agreement;	parties if it is	protected in	terms of any
4.4	mandatory protection of the safety of individuals and the p	rotection of	property;	NF
				AS 50
4.5	mandatory protection of records which would be regarded	as privileged	l in legal proc	eedings;
4.6	the commercial activities of the Private Body, which may	include –		a '
4.6.1	trade secrets of the Private Body;		2	8 . E
4.6.2	financial, commercial, scientific or technical inform cause harm to the financial or commercial interests of	ation which of the Private	disclosure of	could likely

cause harm to the financial or commercial interests of the Private Body;

- 4.6.3 information which, if disclosed could put the Private Body at a disadvantage in negotiations or commercial competition;
- 4.6.4 a computer program which is owned by the Private Body, and which is protected by copyright.
- 4.7 the research information of the Private Body or a third party, if its disclosure would disclose the identity of the Private Body, the researcher or the subject matter of the research and would place the research at a serious disadvantage;
- 4.8 Requests for information that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources shall be refused.

5 REMEDIES AVAILABLE WHEN A PRIVATE BODY REFUSES A REQUEST FOR INFORMATION

5.1 INTERNAL REMEDIES

The Private Body does not have an internal appeal procedure. As such, the decision made by the information officer is final, and requesters will have to exercise such external remedies at their disposal if the request for information is refused, and the requester is not satisfied with the answer supplied by the information officer.

5.2 EXTERNAL REMEDIES

A requester that is dissatisfied with an information officer's refusal to disclose information, may within 30 days of notification of the decision, apply to a relevant Court for relief.

Likewise, a third party dissatisfied with an information officer's decision to grant a request for information, may within 30 days of notification of the decision, apply to a Court for relief. For purposes of the Act, the Courts that have jurisdiction over these applications are the Constitutional Court, the High Court or another court of similar status.

6 REQUEST PROCEDURE

- 6.1 The requester must comply with all the procedural requirements contained in the Act relating to the request for access to a record.
- 6.2 The requester must complete the prescribed form enclosed herewith in Appendix 1, and submit same as well as payment of a request fee and a deposit, if applicable to the Information Officer at the postal or physical address, fax number or electronic mail address as stated in 2.1 or 2.2 above.
- 6.3 The prescribed form must be filled in with enough particularity to at least enable the Information Officer to identify –
- 6.3.1 The record or records requested;
- 6.3.2 The identity of the requester,
- 6.3.3 Which form of access is required, if the request is granted;
- 6.3.4 The postal address or fax number of the requester.

- 6.4 The requester must state that he/she requires the information in order to exercise or protect a right, and clearly state what the nature of the right is so to be exercised or protected. In addition, the requester must clearly specify why the record is necessary to exercise or protect such a right.
- 6.5 The Private Body will process the request within 30 days, unless the requester has stated special reasons which would satisfy the Information officer that circumstances dictate that the above time periods not be complied with.
- The requester shall be informed whether access granted or denied. If, in addition, the requester requires the reasons for the decision in any other manner, he/she must state the manner and the particulars so required.
- 6.7 If a request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of the information officer.
- 6.8 If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally.
- 6.9 The requester must pay the prescribed fee, before any further processing can take place.

7 ACCESS TO RECORDS HELD BY THE PRIVATE BODY

- 7.1 Records held by the Private Body may be accessed by requests only once the prerequisite requirements for access have been met.
- 7.2 A requester is any person making a request for access to a record of the Private Body. There are two types of requesters:

7.2.1 PERSONAL REQUESTER

- 7.2.1.1 A personal requester is a requester who is seeking access to a record containing personal information about the requester.
- 7.2.1.2 The Private Body will voluntarily provide the requested information, or give access to any record with regard to the requester's personal information. The prescribed fee for reproduction of the information requested will be charged.

7.2.2 OTHER REQUESTER

7.2.2.1 This requester (other than a personal requester) is entitled to request access to information on third parties. However, the Private Body is not obliged to voluntarily grant access. The requester must fulfil the prerequisite requirements for access in terms of the Act, including the payment of a request and access fee.

8 FEES

- 8.1 The Act provides for two types of fees, namely:
- 8.1.1 A request fee, which will be a standard fee; and
- An access fee, which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs.

- When the request is received by the Information Officer, such officer shall by notice require the 8.2 requester, other than a personal requester, to pay the prescribed request fee (if any), before any further processing of the request.
- If the search for the record has been made and the preparation of the record for disclosure, 8.3 including arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, the information officer shall notify the requester to pay as a deposit the prescribed portion of the Access fee which would be payable if the request is granted.
- The information officer shall withhold a record until the requester has paid the fees as indicated 8.4 in Appendix 2.
- A requester whose request for access to a record has been granted, must pay an access fee for 8.5 reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure including making arrangements to make it available in the request form.
- If a deposit has been paid in respect of a request for access, which is refused, then the 8.6 information officer concerned must repay the deposit to the requester.

DECISION 9

- The Private Body will, within 30 days of receipt of the request, decide whether to grant or 9.1 decline the request and give notice with reasons (if required) to that effect.
- The 30 day period with which the Private Body has to decide whether to grant or refuse the 9.2 request, may be extended for a further period of not more than thirty days if the request is for a large amount of information, or the request requires a search for information held at another office of the Private Body and the information cannot reasonably be obtained within the original 30 day period. The Private Body will notify the requester in writing should an extension be sought.

AVAILABILITY OF THE MANUAL 10

This manual is made available in terms of Regulation Number R. 187 of 15 February 2002. 10.1

APPENDIX - 1

PRESCRIBED FORM TO BE COMPLETED BY A REQUESTER

FORM B

(Sec	Section 53(1) of the Promotion of Access to Information Act,	No 2 of 2000)	
10	(Regulation 4)	6	5,4 1
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Α.	Particulars of Private Body		8 a
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	*	=	
В.	. Particulars of Person requesting access to the r	ecord	
(a)	The particulars of the person who requests access to the	records must be	recorded below.
b)		1	
c)			
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all a	(2)		шиспеи.
full	ull Name and Surname:		mucneu.
den	ull Name and Surname:entity Number:		mucneu.
den	ull Name and Surname:entity Number:estal Address:		
den osta elep	ull Name and Surname:entity Number:estal Address:		шиспец.
den osta elep	entity Number: estal Address: elephone Number: mail address:	mber:	
den Posta Felej E-ma	ull Name and Surname:entity Number:estal Address:	mber:	
den Posta Felej E-ma	entity Number: estal Address: elephone Number: mail address:	mber:	
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D.	0.45	100	rarucular	s 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

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	will be processed only a	fter a request fee	has been paid.	Total Control of State	TO COME AND DESCRIPTION	
(b)	You will be notified of th	e amount of the r	equest fee.	water and		
(c)	The fee payable for acce	ess to a record dep	pends on the form i	n which the ac	cess is requ	ired and the
	reasonable time required	l to search for an	d prepare a record.			
(d)	If you qualify for exempt	ion of the paymen	t of any fee, please	state the reas	on therefore	2.
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Form of Access to the Record:

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.

Disability:		Form in which record is required:			
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			-		
	a 9				
Mark the appropriate box with an "X"					
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(a) Your indication as to the required j	200	970	- P		
(b) Access in the form requested may b		rcumstances. In	such a case you will be		
informed if access will be granted i	in another form.				
(c) The fee payable for access to the re	ecord, if any, will be de	etermined partly	by the form in which access		
requested.	300	2	1.1		
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(audio cassette)	1	(written or p	orinted document)		
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opy or transcription to be posted	to you?			
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postar ree is payable.				
			e	
Particulars of right t	o be exercised or pro	otected:		
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he requester must sign all the ad	lditional folios		s , #8	
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ndicate which right is to be exerci	sed or protected:	42 E S	4	
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Explain why the requested re	ecord is required for the	he exercising or pr	otection of the af	orementioned
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ou will be notified in writing whe	ether your request has	been approved/de	nied. If you wish	to be informe
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ereof in another manner, please s	pecify the manner and	i provide the neces	ssary particulars i	o enable
empliance with your request.			W 0	100 E
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ow would you prefer to be inform	ned of the decision reg	garding your reque	st for access to th	e record?
			3400 P. F. B. T.	
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APPENDIX - 2

REPRODUCTION FEES

Where requested document appear in the appendix 1 i.e. the 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.

THE APPLICABLE FEES FOR REPRODUCTION AS REFERRED TO ABOVE ARE:

	4	N	R	
	8		21 - 60	
•	For every photocopy of an A4-size page or part thereof	38	1,10	
•	For every printed copy of an A4-size page or part thereof held of	on a		
	computer or in electronic or machine readable form	8.8	0,75	
•	For a copy in a computer-readable form on		*	
	- Stiffy disc		7,50	
	- Compact disc		70,00	
•	A transcription of visual images, for an A4-size page or part the	ereof	40,00	
•	For a copy of visual images	185 251	60,00	
•	A transcription of an audio record, for an A4-size page or part t	hereof	20,00	
•	For a copy of an audio record		30,00	

Request fees:

Where a requester submits a request for access to information held by an Private Body on a person other that the requester himself/herself, a request fee in the amount of R50,00 is payable up-front before the Private Body will further process the request received.

Access fees:

An access fee is payable in all instances where a request for access to information is granted, except in those instances where payment of an access fee is specially excluded in terms of the Act or an exclusion is determined by the Minister in terms of Section 54 (8).

The applicable access fees which will be payable are:

				K
•	For every photocopy of an A4-size page or part thereof			1,10
•	For every printed copy of an A4-size page or part thereof held on			
	a computer or in electronic or machine readable form	80		0,75

		R
•	For a copy in a computer-readable form on	
	- Stiffy disc	7,50
	- Compact disc	70,00
•	A transcription of visual images, for an A4-size page or part thereof	40,00
•	For a copy of visual images	60,00
•	A transcription of an audio record, for an A4-size page or part thereof	20,00
•	For a copy of an audio record	30,00
•	To search for a record that must be disclosed	30,00
	(per hour or part of an hour reasonably required for such search)	
•	Where a copy of a record needs to be posted the actual postal fee is payable.	

Deposits:

Where the 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 of disclosure will take more than 6 (six) hours, a deposit is payable by the requester.

The amount of the deposit is equal to $\frac{1}{3}$ (one third) of the amount of the applicable access fee.

Note: In terms of Regulation 8, Value Added Tax (VAT) must be added to all fees prescribed in terms of the Regulations.

MANUAL

of

LA RHONE FAMILIETRUST

Prepared in accordance with Section 51 of the Promotion of Access to Information Act, No 2 of 2000.

(Private Body)

1 INTRODUCTION

1.1 The Promotion of Access to Information Act, No 2 of 2000 ("the Act") was enacted on 3 February 2000, 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 the Act, the body to whom the request is made is obliged to release the information, except where the Act expressly provides that the information may or must not be released. The Act sets out the requisite procedural issues attached to such request.

1.2 PURPOSE OF THE MANUAL:

In order to promote effective governance of private bodies, it is necessary to ensure that everyone is empowered and educated to understand their rights in terms of the Act in order for them to exercise their rights in relation to public and private bodies.

Section 9 of the Act however recognises that such right to access to information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to:

- Limitations aimed at the reasonable protection of privacy;
- Commercial confidentiality; and
- Effective, efficient and good governance;

and in a manner which balances that right with any other rights, including such rights contained in the Bill of Rights in the Constitution.

Wherever reference is made to "Private Body" in this manual, it will refer to LA RHONE FAMILIE TRUST a private body within the agricultural industry for whom this manual is drafted.

2.2.9

PART I

2 CONTACT DETAILS

2.1	20.0	Information Officer:	ANDRIES	JA	COBUS	DU	TOIT

Postal address: P O Box 68, Tulbagh, 6820

Physical Address: La Rhone, Tulbagh, 6820

Tel: (023) 230 0632

Fax: (023) 230 0836

2.2 GENERAL INFORMATION

Website: N/A

	15
2.2.1	Name of Private Body: LA RHONE FAMILIETRUST
2.2.2	Registration No: IT 768/92
2.2.3	Vat Registration No. 4190136012
2.2.4	Postal Address: P O Box 68, Tulbagh, 6820
2.2.5	Physical Address (or main place of business): La Rhone, Tulbagh, 6820
2.2.6	Telephone Number: (023) 230 0632
2.2.7	Facsimile number: (023) 230 0836
2.2.8	E-mail address: larhone@mbury.new.co.za

PART II

3 GUIDE OF SOUTH AFRICAN HUMAN RIGHTS COMMISSION

The South African Human Rights Commission has at the date of printing hereof not yet compiled the guide contemplated in Section 10 of the Act. The guide will contain such information as may reasonably be required by a person who wishes to exercise any right contemplated in the Act. Any enquiries regarding this guide should be directed to:

The South African HUMAN RIGHTS COMMISSION,

at PAIA Unit (THE RESEARCH AND DOCUMENTATION DEPARTMENT),

Private Bag X2700, HOUGHTON, 2041;

Telephone Number: (011) 484-8300;

Facsimile Number: (011) 484-1360;

Website: www.sahrc.org.za;

E-mail Address: PIAI@sahrc.org.za.

PART III

3.1 RECORDS OF THE PRIVATE BODY

This clause serves as a reference to the records that the Private Body holds in order to facilitate a request in terms of the Act.

The information is classified and grouped according to records relating to the following subjects and categories:

It is recorded that the accessibility of the documents listed herein below, may be subject to the grounds of refusal set out hereinafter.

3.2 PRIVATE BODY DOCUMENTS AND RECORDS

3.2.1 IN	CORPORATION DOCU	MENTS AND RECORDS
3.2.1.1	Copies of documents of th	ne incorporation
*	F	brest comment to
3.2.2 FI	NANCIAL DOCUMENT	S AND RECORDS
3.2.2.1	VAT records	
3.2.2.2	UIF records	
3.2.2.3	Asset register	
3.2.2.4	Invoices	
3.2.2.5	Annual Statements	
-21 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1		
3.2.2.6	Proof of delivery forms	
3.2.2.7	Goods received vouchers	4-7-2
3.2.2.8	Debit notes	
3.2.2.9	Credit notes	
3.2.2.10	Cheque Account	
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Current Account

3.2.2.11

	. 0	307
	3.2.2.12	Financial Statements
	3.2.2.13	Vat Invoices
	2	Please note – above-mentioned records available from Auditors of Private Body
		Flease note - above-mentioned records available from Auditors of Private Body
	3.2.3	OPERATIONAL DOCUMENTS AND RECORDS
	67	
	3.2.3.1	Correspondence with customers
	3.2.3.2	Customer account records
	4.	
	3.2.3.3	Records with regards to sales
	3.2.3.3	Records with regards to sales
	3.2.3.4	Records with regards to production including summary of quantities
	92	
	3.2.3.5	Records with regards to scheduling and supply of goods / services
	3.2.3.6	Records relating to products
	92	
	3.2.3.7	Europ Gap Compliance documentation
		The above records include, but are not limited to, the records which pertain to the
<u></u>		Private Body's own affairs.
	3.2.4	PERSONNEL DOCUMENTS AND RECORDS
	\$5. 19 96	Personal records provided by personnel (including permanent and temporary) including
	¥	but not limited to:
	3.2.4.1	T-1
	3.2.4.1	Employment contracts
	3.2.4.2	Application forms
	7.4	
	3.2.4.3	Qualifications
	, x	
	3.2.4.4	Salary records
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	3.2.4.5	Leave records
	J.D.T.J	DOUTE TOOLIGE
	3.2.4.6	Medical history records
	3.2.4.7	Attendance register
	3.2.4.8	Records relating to deductions and savings plans
		X X

"Personnel" refers to any person who works for, or provides services to or on behalf of the Private Body, and receives or is entitled to receive remuneration and any other person who assists in carrying out or conducting the business of the Private Body. This includes, without limitation, trustee, all permanent, temporary and part-time staff, as well as contract and/or seasonal workers.

3.2.5	SAFETY RECORDS	0
3.2.5.1	Quality control test results	1945 14.00 15.00
3.2.6	INFORMATION TECHNOLOGY RECORDS	
	NOT APPLICABLE	5 5 10
3.2.7	RECORDS REQUIRED IN TERMS OF LEGISLATION	
3.2.7.1	A table of legislation setting out a description of the records of the Private Bod	1
3.2.7.1	which are available in accordance with certain legislation, is as follows:-	y
	which are available in accordance with certain registation, is as follows.	
3.2.7.1.1	Labour Relations Act No. 66 of 1995	
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3.2.7.1.2	Employment Equity Act 55 of 1998	3
3.2.7.1.3	Basic Conditions of Employment Act 75 of 1997	36
3.2.7.1.4	Compensation for Occupational Injuries and Diseases Act 130 of 1993	
3.2.7.1.5	Unemployment Insurance Act 63 of 2001	
3.2.7.1.6	Value Added Tax Act 89 of 1991	
3.2.7.1.7	Occupational Health and Safety Act No. 85 of 1993	
3.2.7.1.8	Skills Development Act 9 of 1999	22
the section of		7
	Reference to the above-mentioned legislation shall include subsequent amendmen	ts
* 8	to such legislation.	
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3.2.8	OTHER PARTY RECORDS	
3.2.8.1	Personnel, customer or Private Body records which are held by another party (e. accountant, marketing agent), as opposed to the records held by the Private Bod	
	itself;	
3.2.8.2	Records held by the Private Body pertaining to other parties, including without limitation, financial records, correspondence, contractual and transactional record	

records provided by the other party, and records third parties have provided.

PART IV

4 GROUNDS FOR REFUSAL OF ACCESS TO RECORDS

The main grounds for the Private Body to refuse a request for information relates to the -

- 4.1 mandatory protection of the privacy of a third party who is a natural person, which would involve the unreasonable disclosure of personal information of that natural person; 4.2 mandatory protection of the commercial information of a third party, if the record contains -4.2.1 trade secrets of that third party; 4.2.2 financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party: information disclosed in confidence by a third party to the Private Body, if the disclosure 4.2.3 could put that third party at a disadvantage in negotiations or commercial competition; mandatory protection of confidential information of third parties if it is protected in terms of any 4.3 agreement: mandatory protection of the safety of individuals and the protection of property; 4.4 4.5 mandatory protection of records which would be regarded as privileged in legal proceedings; the commercial activities of the Private Body, which may include -4.6 4.6.1 trade secrets of the Private Body; 4.6.2 financial, commercial, scientific or technical information which disclosure of could likely cause harm to the financial or commercial interests of the Private Body; 4.6.3 information which, if disclosed could put the Private Body at a disadvantage in negotiations or commercial competition; 4.6.4 a computer program which is owned by the Private Body, and which is protected by copyright. 4.7 the research information of the Private Body or a third party, if its disclosure would disclose the identity of the Private Body, the researcher or the subject matter of the research and would place the research at a serious disadvantage; 4.8 Requests for information that are clearly frivolous or vexatious, or which involve an
- 5 REMEDIES AVAILABLE WHEN A PRIVATE BODY REFUSES A REQUEST FOR INFORMATION

unreasonable diversion of resources shall be refused.

5.1 INTERNAL REMEDIES

The Private Body does not have an internal appeal procedure. As such, the decision made by the information officer is final, and requesters will have to exercise such external remedies at their disposal if the request for information is refused, and the requester is not satisfied with the answer supplied by the information officer.

5.2 EXTERNAL REMEDIES

A requester that is dissatisfied with an information officer's refusal to disclose information, may within 30 days of notification of the decision, apply to a relevant Court for relief.

Likewise, a third party dissatisfied with an information officer's decision to grant a request for information, may within 30 days of notification of the decision, apply to a Court for relief. For purposes of the Act, the Courts that have jurisdiction over these applications are the Constitutional Court, the High Court or another court of similar status.

6 REQUEST PROCEDURE

- The requester must comply with all the procedural requirements contained in the Act relating to the request for access to a record.
- 6.2 The requester must complete the prescribed form enclosed herewith in Appendix 1, and submit same as well as payment of a request fee and a deposit, if applicable to the Information Officer at the postal or physical address, fax number or electronic mail address as stated in 2.1 or 2.2 above.
- 6.3 The prescribed form must be filled in with enough particularity to at least enable the Information Officer to identify -
- 6.3.1 The record or records requested:
- 6.3.2 The identity of the requester,
- 6.3.3 Which form of access is required, if the request is granted;
- 6.3.4 The postal address or fax number of the requester.
- The requester must state that he/she requires the information in order to exercise or protect a right, and clearly state what the nature of the right is so to be exercised or protected. In addition, the requester must clearly specify why the record is necessary to exercise or protect such a right.
- 6.5 The Private Body will process the request within 30 days, unless the requester has stated special reasons which would satisfy the Information officer that circumstances dictate that the above time periods not be complied with.
- 6.6 The requester shall be informed whether access granted or denied. If, in addition, the requester requires the reasons for the decision in any other manner, he/she must state the manner and the particulars so required.
- 6.7 If a request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of the information officer.
- 6.8 If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally.

6.9 The requester must pay the prescribed fee, before any further processing can take place.

7 ACCESS TO RECORDS HELD BY THE PRIVATE BODY

- 7.1 Records held by the Private Body may be accessed by requests only once the prerequisite requirements for access have been met.
- 7.2 A requester is any person making a request for access to a record of the Private Body. There are two types of requesters:

7.2.1 PERSONAL REQUESTER

- 7.2.1.1 A personal requester is a requester who is seeking access to a record containing personal information about the requester.
- 7.2.1.2 The Private Body will voluntarily provide the requested information, or give access to any record with regard to the requester's personal information. The prescribed fee for reproduction of the information requested will be charged.

7.2.2 OTHER REQUESTER

7.2.2.1 This requester (other than a personal requester) is entitled to request access to information on third parties. However, the Private Body is not obliged to voluntarily grant access. The requester must fulfil the prerequisite requirements for access in terms of the Act, including the payment of a request and access fee.

8 FEES

- 8.1 The Act provides for two types of fees, namely:
- 8.1.1 A request fee, which will be a standard fee; and
- 8.1.2 An access fee, which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs.
- When the request is received by the Information Officer, such officer shall by notice require the requester, other than a personal requester, to pay the prescribed request fee (if any), before any further processing of the request.
- 8.3 If the search for the record has been made and the preparation of the record for disclosure, including arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, the information officer shall notify the requester to pay as a deposit the prescribed portion of the Access fee which would be payable if the request is granted.
- The information officer shall withhold a record until the requester has paid the fees as indicated in Appendix 2.
- 8.5 A requester whose request for access to a record has been granted, must pay an access fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure including making arrangements to make it available in the request form.
- 8.6 If a deposit has been paid in respect of a request for access, which is refused, then the information officer concerned must repay the deposit to the requester.

9 DECISION

- The Private Body will, within 30 days of receipt of the request, decide whether to grant or 9.1 decline the request and give notice with reasons (if required) to that effect.
- The 30 day period with which the Private Body has to decide whether to grant or refuse the 9.2 request, may be extended for a further period of not more than thirty days if the request is for a large amount of information, or the request requires a search for information held at another office of the Private Body and the information cannot reasonably be obtained within the original 30 day period. The Private Body will notify the requester in writing should an extension be sought.

10 AVAILABILITY OF THE MANUAL

This manual is made available in terms of Regulation Number R. 187 of 15 February 2002. 10.1

APPENDIX - 1

PRESCRIBED FORM TO BE COMPLETED BY A REQUESTER

FORM B

REQUEST FOR A	ACCESS TO	RECORDS	OF PR	IVATE	BODY
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		i.	* * * * *	
Section 53(1) of the Promotion of Access to Info	ormation Act, No	2 of 2000)		
σ	Regulation 4)	185 F881	20	
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A. Particulars of Private Body	- G	- 19		E E
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B. Particulars of Person requesting a	access to the reco	rd		fu
a) The particulars of the person who requests	s access to the rec	ords must be rec	corded below.	-11
b) Furnish an address and/or fax number in i	the Republic to wh	ich information	must be sent.	# W .
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c) Proof of the capacity in which the request	00 (4 00)	20 N C	ached.	-
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c) Proof of the capacity in which the request Full Name and Surname: dentity Number: Postal Address:	is made, if applice	able, must be att	ached.	
Co Proof of the capacity in which the request Gull Name and Surname: dentity Number: Postal Address: Felephone Number:	is made, if application	able, must be att	ached.	
Color Proof of the capacity in which the request Gull Name and Surname: dentity Number: Costal Address: Celephone Number: Color address: Color address:	is made, if applica	able, must be att	ached.	
Columnia Proof of the capacity in which the request Gull Name and Surname:	is made, if applica	able, must be att	ached.	
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C. Proof of the capacity in which the request Full Name and Surname: Gentity Number: Fostal Address: Felephone Number: Capacity in which request is made, when made of the capacity is made, when the ca	Fax Numbers behalf of another	per:er person:		
C. Proof of the capacity in which the request Full Name and Surname: Gentity Number: Fostal Address: Felephone Number: Capacity in which request is made, when made of the capacity is made, when the ca	Fax Numbers behalf of another	per:er person:		
C. Proof of the capacity in which the request Full Name and Surname: Gentity Number: Fostal Address: Felephone Number: Capacity in which request is made, when made of the capacity is made, when the ca	Fax Numbers behalf of another	per:er person:		

	Particulars of Record:		1.1		_
)	Provide full particulars of the record to which	access is reque	sted, including i	the reference numbe	er if
	that is known to you, to enable the record to be		1 14	1	
	If the provided space is inadequate please con	tinue on a sepa	rate folio and at	tach it to this form.	The
	requester must sign all the additional folios				
	requester must sign and the anatomic power				
		at of the record			
	Description of the Record or relevant pa	art of me record		A PROPERTY OF	
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	4 A A	<u> </u>			
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	Reference number, if available:	1			-
		9	2.7%	* **	
	Any further particulars of the record:		34. 4	60 B	
*					
			- 15		
- 3				·	_
			****	20 000 000 300 000	
	Fees:	1			
1)	A request for access to a record, other than a	record contain	ing personal inf	formation about you	rself
¥	will be processed only after a request fee has	been paid.			
)	You will be notified of the amount of the requ	iest fee.	· · · · · · · · · · · · · · · · · · ·		
;)	The fee payable for access to a record depen	ds on the form i	n which the acc	ess is required and	the
8	reasonable time required to search for and p	A PORT OF THE PROPERTY OF THE		En to a	
1)	If you qualify for exemption of the payment o			n therefore.	
-,	4, you 4, you are 1				. 15
	son for exemption of payment of the fee:	. *			
ea	son for exemption of payment of the rec.				
	the state of the s				
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r.	Form of Access to the Record:				

to 4 hereunder, state your disability and indicate in which form the record is required.

Disab	uity:	9(5)	Form in v	which recor	d is required:	
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	4			*	10	
	9 1/4 1/4 1/4 1/4 1/4 1/4 1/4 1/4 1/4 1/4					
						
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	9 %	2010 4	a a W	- 5		S 245
1-1-	4			-		
	the appropriate box with an	"X"				
VOTE	S:			¥0		
a) Y	our indication as to the requ	ired form of access a	lepends on	the form in	which the record	d is available
b) A	ccess in the form requested n	nav he refused in cor	tain circun	nstances I		
				nsiances. I	n sucn a case yoi	i will be
	formed if access will be gran					7/2
c) 11	he fee payable for access to t	he record, if any, wi	ll be detern	nined partly	by the form in v	vhich access is
re	quested.	8 25 V 4			6.	
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		41*				
			125			
. If t	he record is in written or p	rinted form:				
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	copy of feeding			Inspection	of record	T.
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		34 E		<i>t</i> 0 ,		
	N) (12) (2) (3)			107	4, 4	
. If th	ne record consists of visual	images:		· · · · · · · · · · · · · · · · · · ·		
(Thi	is includes photographs, slide	es, video recordinas	computer.	generated i	magaa alsatahaa	-4- \
	View the images			generated I		
لب	view die images	Copy of the in	nages *	14	Transcription of	f the images*
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		•	172		537 B	(9.7)
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If th	e record consists of record	ed words or inform	ation whic	h can he r	enroduced in so	unde
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10.				Transcription	on of soundtrack	*
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		影				***
	o [₩]	× .			5.	
T6 41-	0 manual la b. 3.3		8.39			
	e record is held on compute	er or in an electroni	ic or mach	ine-readab	le form:	
	Printed copy of record	Printed copy	of		Copy in comp	iter readable
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		al v	TOTIVOU ITOI		form * (stiffy o	or compact
	* w	the record *		1.	disc)	

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ppy or transcription to be posted to you	44	QR(201		j.
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postal fee is payable.				٠
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he requester must sign all the additio	nal folios			e Herong
ndicate which right is to be exercised of	or protected:			
<u> </u>	and the same of th	FI		
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3 3	T	* 1.7		
. Explain why the requested record	d is required for the ex	xercising or protecti	on of the aforem	ientioned
right:		Q	+ 2 + 2	E .
e e e e e e e e e e e e e e e e e e e		44 31		
	Har manual for acce	CC+	· .	
I. Notice of decision regard	ding request for acce	ss:		
I. Notice of decision regard	ding request for acce	ss:		
			If you wish to	be informe
You will be notified in writing whethe	r your request has bee	n approved/denied.		
You will be notified in writing whether	r your request has bee	n approved/denied.		
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APPENDIX - 2

REPRODUCTION FEES

Where requested document appear in the appendix 1 i.e. the 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.

THE APPLICABLE FEES FOR REPRODUCTION AS REFERRED TO ABOVE ARE:

14 30	v	ŝ#	R
•	For every photocopy of an A4-size page or part thereof		1,10
•	For every printed copy of an A4-size page or part thereof held on a		
	computer or in electronic or machine readable form	()	0,75
•	For a copy in a computer-readable form on		
*	- Stiffy disc		7,50
50	- Compact disc		70,00
٠	A transcription of visual images, for an A4-size page or part thereof		40,00
•	For a copy of visual images	1	60,00
•	A transcription of an audio record, for an A4-size page or part thereof		20,00
•	For a copy of an audio record	1	30,00

Request fees:

Where a requester submits a request for access to information held by an Private Body on a person other that the requester himself/herself, a request fee in the amount of R50,00 is payable up-front before the Private Body will further process the request received.

Access fees:

An access fee is payable in all instances where a request for access to information is granted, except in those instances where payment of an access fee is specially excluded in terms of the Act or an exclusion is determined by the Minister in terms of Section 54 (8).

The applicable access fees which will be payable are:

		K
•	For every photocopy of an A4-size page or part thereof	1,10
•	For every printed copy of an A4-size page or part thereof held on	
	a computer or in electronic or machine readable form	0,75

		-20
		R
•	For a copy in a computer-readable form on	\#
	- Stiffy disc	7,50
	- Compact disc	70,00
•	A transcription of visual images, for an A4-size page or part thereof	40,00
•	For a copy of visual images	60,00
•	A transcription of an audio record, for an A4-size page or part thereof	20,00
•	For a copy of an audio record	30,00
•	To search for a record that must be disclosed	30,00
	(per hour or part of an hour reasonably required for such search)	
	Where a copy of a record needs to be posted the actual postal fee is payable.	. * 1,

Deposits:

Where the 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 of disclosure will take more than 6 (six) hours, a deposit is payable by the requester.

The amount of the deposit is equal to 1/3 (one third) of the amount of the applicable access fee.

Note: In terms of Regulation 8, Value Added Tax (VAT) must be added to all fees prescribed in terms of the Regulations.

MANUAL

of

CLAY INDUSTRY CC

Prepared in accordance with Section 51 of the Promotion of Access to Information Act, No 2 of 2000.

(Private Body)

1 INTRODUCTION

I.I

The Promotion of Access to Information Act, No 2 of 2000 ("the Act") was enacted on 3 February 2000, 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 the Act, the body to whom the request is made is obliged to release the information, except where the Act expressly provides that the information may or must not be released. The Act sets out the requisite procedural

issues attached to such request.

1.2 PURPOSE OF THE MANUAL:

In order to promote effective governance of private bodies, it is necessary to ensure that everyone is empowered and educated to understand their rights in terms of the Act in order for them to exercise their rights in relation to public and private bodies.

Section 9 of the Act however recognises that such right to access to information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to:

- Limitations simed at the reasonable protection of privacy;
- Commercial confidentiality; and
- Effective, efficient and good governance;

and in a manner which balances that right with any other rights, including such rights contained in the Bill of Rights in the Constitution.

Wherever reference is made to "Private Body" in this manual, it will refer to CLAY INDUSTRY CC a private body within the clay brick manufacturing industry, for whom this manual is drafted.

2.2.9

PART I

2 CONTACT DETAILS

2.1	T 6 0.00	ATT . BT BA TTOT T T
7	Intermetion (littlears	CHARLES WILLIAM PRITCHARD
4.1	Iniui manun Onicei.	CHARLES WILLIAM FRIII. HARD

Postal address: P O Box 2292, Durbanville, 7551

Registered address: 15 Greenwich Grove, Rondebosch

Physical Address: Farm Corobrik, Malmesbury Road, Phesantekraal

Tel: (021) 975 4065

Fax: (021) 975 4069

2.2 GENERAL INFORMATION

Website: N/A

2.2.1	Name of Private Body: CLAY INDUSTRY CC
2.2.2	Registration No: 1994/19530/23
2.2.3	Vat Registration No. 4290146838
2.2.4	Postal Address: P O Box 2292, Durbanville, 7551
2.2.5	Physical Address (or main place of business): Farm Corobrik, Malmesbury Road, Phesantekraal
2.2.6	Telephone Number: (021) 975 4065
2.2.7	Facsimile number: (021) 975 4069
2.2.8	E-mail address: patricko@clayindustry.co.za
NO. 100	

PART II

3 GUIDE OF SOUTH AFRICAN HUMAN RIGHTS COMMISSION

The South African Human Rights Commission has at the date of printing hereof not yet compiled the guide contemplated in Section 10 of the Act. The guide will contain such information as may reasonably be required by a person who wishes to exercise any right contemplated in the Act. Any enquiries regarding this guide should be directed to:

The South African HUMAN RIGHTS COMMISSION,

at PAIA Unit (THE RESEARCH AND DOCUMENTATION DEPARTMENT),

Private Bag X2700, HOUGHTON, 2041;

Telephone Number: (011) 484-8300;

Facsimile Number: (011) 484-1360;

Website: www.sahrc.org.za;

E-mail Address: PIAI@sahrc.org.za.

PART III

3.1 RECORDS OF THE PRIVATE BODY

3.2

This clause serves as a reference to the records that the Private Body holds in order to facilitate a request in terms of the Act.

The information is classified and grouped according to records relating to the following subjects and categories:

It is recorded that the accessibility of the documents listed herein below, may be subject to the grounds of refusal set out hereinafter.

PRIVATE BODY DOCUMENTS AND RECORDS

3.2.1	INC	ORPORATION DOCUMENTS AND RECORDS
3.2.1.1	207	Copies of documents of incorporation
3.2.1.2	9	Copies of the constitution of the private body
3.2.1.3		Copies of the Memorandum and Articles of Association
3.2.1.4		Copies of Association agreement
3.2.1.5		Minutes of Members Meetings
3.2.2	FIN	ANCIAL DOCUMENTS AND RECORDS
3.2.2.1	8	Regional Services Council records
3.2.2.2		Vat records
3.2.2.3		Tax records
3.2.2.4	\$) 94.6	PAYE records
3.2.2.5		UIF records

3.2.2.6	Stock records			3
3.2.2.7	Asset inventory	3 <u>*</u> 8		
			4 A	
3.2.2.8	Asset register	ţ	£	¥
3.2.2.9	Invoices			
3.2.2.10	Annual Statements		a	8
3.2.2.11	Debit notes	٠		
3.2.2.12	Credit notes		9 8 89	
3.2.2.13	Cheque Account		2	
3.2.2.14	Current Account			- N
3.2.2.15	Call Account			
3.2.2.16	Cash records			
3.2.2.17	Financial reporting relating to s	ales, lists of c	reditors / debt	ors
3.2.2.18	Financial documents	7		e ei
3.2.3 OP	ERATIONAL DOCUMENTS	S AND REC	CORDS	8°
3.2.3.1	Written product / service specifi	ications		
3.2.3.2	Product / service manuals		* 1. o *	
3.2.3.3	Correspondence with customers		* = * *	
3.2.3.4	Customer account records			1247
3.2.3.5	Records with regards to sales	9		¥
3.2.3.6	Records with regards to product	ion (quantity	and quality re	ports)
3.2.3.7	Price lists	g (0)		5
3.2.3.8	Records pertaining to customer	complaints / a	ssessments	

3.2.3.9	Supply Agreements	<i>y</i> = 1	40	
3 ^E		19 20 30 30 30		
3.2.3.10	Distribution Agreements		20 TO 10 TO	
20 20		5.	2.49	
3.2.3.11	Internal telephone directory		52 SW	
F 74				* 9 2
	These records include, but ar	a not limited to the	records which ne	rtain to the
*		e not minted to, and	, records which pe	runn to the
104	Private Body's own affairs.			
				5
3.2.4	PERSONNEL DOCUMENTS A	ND RECORDS		E 58
	· · · · · · · · · · · · · · · · · · ·			22
8	Personal records provided by person	nel (including perma	ment and temporary) including
	but not limited to:	(
54 545			4	N 899
3.2.4.1	Employment contracts			1
3.2.4.2	Application forms			5.6
J.2.,,.2		9	28 to 28	8 16
2242	Qualifications			
3.2.4.3	Quantications			
			#1 	
3.2.4.4	Salary records			4
		l si		
3.2.4.5	Leave records	775.302	4	, W
4.5	*		80 SE	8 B 5
3.2.4.6	Disciplinary records	The grant		
			55 12 12	
3.2.4.7	Employment Equity Plan	A series were a		**);
3.2.4.8	Attendance register	147. K. 145.	* #1.6	
3.2.4.0	Attendance register	M _{tt} 0	3 0	
3.2.4.9	Unemployment Insurance	gar ye atru		
3.2.4.5	Onomproymon and and			
3.2.4.10	Medical Aid	and the second		27 &
3 0000 1100				#155
3.2.4.11	Records relating to loans and de	eductions		
y a s				
3.2.4.12	Records relating to Independen	t Contractors	S	
100				babalf of
*	"Personnel" refers to any person whe Private Body, and receives or is e	ntitled to receive ren	nuneration and any	of benan of
	who assists in carrying out or conduc	ting the business of t	he Private Body. T	his includes,
	without limitation, members, all per	manent, temporary	and part-time staff	, as well as
	contract workers.	t sale is	A	2
**************************************	60 W			
3.2.5	SAFETY RECORDS			ж.
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3.2.5.1	Records of incidents			
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3.2.5.2	Records relating to corrective a	CHOIL	5 ME	an Te san

*	3.2.5.3	Records and register relating to the Occupational Health & Safety Act
	3.2.5.4	Records relating to the Compensation for Occupational Injuries and Diseases
	3.2.5.5	Quality control test results
	3.2.6	INFORMATION TECHNOLOGY RECORDS
	3.2.6.1	Licences
	3.2.6.2	Software programs
	3.2.7	RECORDS REQUIRED IN TERMS OF LEGISLATION
	The reservations	
	3.2.7.1	A table of legislation setting out a description of the records of the Private Body
	# #	which are available in accordance with certain legislation, is as follows:-
17	3.2.7.1.1	Labour Relations Act 66 of 1995
	3.2.7.1.1	Labour Relations Act of 61 1993
94	3.2.7.1.2	Employment Equity Act 55 of 1998
	3.2.7.1.3	Basic Conditions of Employment Act 75 of 1997
	3.2.7.1.4	Compensation for Occupational Injuries and Diseases Act 130 of 1993
	74	
*	3.2.7.1.5	Unemployment Insurance Act 63 of 2001
	3.2.7.1.6	77.1
	3.2.7.1.0	Value Added Tax Act 89 of 1991
	3.2.7.1.7	Skills Development Act 9 of 1999
	22710	T T 4 4 50 - 510 0
	3.2.7.1.8	Income Tax Act 58 of 1962
	3.2.7.1.9	Close Corporation Act
38	*	
	40	Deference to the characteristic of Levil 1 to 1 11 to 1 1
	v.	Reference to the above-mentioned legislation shall include subsequent amendments
		to such legislation.
	2	
	3.2.8	OTHER PARTY RECORDS
	J.2.0	OTHER PARTI RECORDS
	3.2.8.1	Demonstrate of Deliver
	3.2.0.1	Personnel, customer or Private Body records which are held by another party, as opposed to the records held by the Private Body itself;
		opposed to the records held by the Private Body Itself,
	3.2.8.2	Records held by the Drivete Dady posterior to other parties in the
	J.L.U.L	Records held by the Private Body pertaining to other parties, including without limitation, financial records, correspondence, contractual and transactional records,
		records provided by the other party, and records third parties have provided about
		contractors/suppliers.

PART IV

GROUNDS FOR REFUSAL OF ACCESS TO RECORDS

The main grounds for the Private Body to refuse a request for information relates to the -

- mandatory protection of the privacy of a third party who is a natural person, which would 4.1 involve the unreasonable disclosure of personal information of that natural person;
- mandatory protection of the commercial information of a third party, if the record contains -4.2
- trade secrets of that third party; 4.2.1
- financial, commercial, scientific or technical information which disclosure could likely 4.2.2 cause harm to the financial or commercial interests of that third party;
- information disclosed in confidence by a third party to the Private Body, if the disclosure 4.2.3 could put that third party at a disadvantage in negotiations or commercial competition;
- mandatory protection of confidential information of third parties if it is protected in terms of any 4.3 agreement;
- mandatory protection of the safety of individuals and the protection of property; 4.4
- mandatory protection of records which would be regarded as privileged in legal proceedings; 4.5
- the commercial activities of the Private Body, which may include -4.6
- 4.6.1 trade secrets of the Private Body;
- financial, commercial, scientific or technical information which disclosure of could likely 4.6.2 cause harm to the financial or commercial interests of the Private Body;
- information which, if disclosed could put the Private Body at a disadvantage in 4.6.3 negotiations or commercial competition;
- a computer program which is owned by the Private Body, and which is protected by 4.6.4 copyright.
- the research information of the Private Body or a third party, if its disclosure would disclose the 4.7 identity of the Private Body, the researcher or the subject matter of the research and would place the research at a serious disadvantage;
- Requests for information that are clearly frivolous or vexatious, or which involve an 4.8 unreasonable diversion of resources shall be refused.

REMEDIES AVAILABLE WHEN A PRIVATE BODY REFUSES A REQUEST FOR INFORMATION

INTERNAL REMEDIES 5.1

The Private Body does not have an internal appeal procedure. As such, the decision made by the information officer is final, and requesters will have to exercise such external remedies at

their disposal if the request for information is refused, and the requester is not satisfied with the answer supplied by the information officer.

5.2 EXTERNAL REMEDIES

A requester that is dissatisfied with an information officer's refusal to disclose information, may within 30 days of notification of the decision, apply to a relevant Court for relief.

Likewise, a third party dissatisfied with an information officer's decision to grant a request for information, may within 30 days of notification of the decision, apply to a Court for relief. For purposes of the Act, the Courts that have jurisdiction over these applications are the Constitutional Court, the High Court or another court of similar status.

6 REQUEST PROCEDURE

- The requester must comply with all the procedural requirements contained in the Act relating to the request for access to a record.
- The requester must complete the prescribed form enclosed herewith in Appendix 1, and submit same as well as payment of a request fee and a deposit, if applicable to the Information Officer at the postal or physical address, fax number or electronic mail address as stated in 2.1 or 2.2 above.
- 6.3 The prescribed form must be filled in with enough particularity to at least enable the Information Officer to identify –
- 6.3.1 The record or records requested;
- 6.3.2 The identity of the requester,
- 6.3.3 Which form of access is required, if the request is granted;
- 6.3.4 The postal address or fax number of the requester.
- The requester must state that he/she requires the information in order to exercise or protect a right, and clearly state what the nature of the right is so to be exercised or protected. In addition, the requester must clearly specify why the record is necessary to exercise or protect such a right.
- 6.5 The Private Body will process the request within 30 days, unless the requester has stated special reasons which would satisfy the Information officer that circumstances dictate that the above time periods not be complied with.
- The requester shall be informed whether access granted or denied. If, in addition, the requester requires the reasons for the decision in any other manner, he/she must state the manner and the particulars so required.
- 6.7 If a request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of the information officer.
- 6.8 If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally.
- 6.9 The requester must pay the prescribed fee, before any further processing can take place.

7 ACCESS TO RECORDS HELD BY THE PRIVATE BODY

- 7.1 Records held by the Private Body may be accessed by requests only once the prerequisite requirements for access have been met.
- 7.2 A requester is any person making a request for access to a record of the Private Body. There are two types of requesters:

7.2.1 PERSONAL REQUESTER

- 7.2.1.1 A personal requester is a requester who is seeking access to a record containing personal information about the requester.
- 7.2.1.2 The Private Body will voluntarily provide the requested information, or give access to any record with regard to the requester's personal information. The prescribed fee for reproduction of the information requested will be charged.

7.2.2 OTHER REQUESTER

7.2.2.1 This requester (other than a personal requester) is entitled to request access to information on third parties. However, the Private Body is not obliged to voluntarily grant access. The requester must fulfil the prerequisite requirements for access in terms of the Act, including the payment of a request and access fee.

8 FEES

- 8.1 The Act provides for two types of fees, namely:
- 8.1.1 A request fee, which will be a standard fee; and
- 8.1.2 An access fee, which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs.
- When the request is received by the Information Officer, such officer shall by notice require the requester, other than a personal requester, to pay the prescribed request fee (if any), before any further processing of the request.
- 8.3 If the search for the record has been made and the preparation of the record for disclosure, including arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, the information officer shall notify the requester to pay as a deposit the prescribed portion of the Access fee which would be payable if the request is granted.
- The information officer shall withhold a record until the requester has paid the fees as indicated in Appendix 2.
- A requester whose request for access to a record has been granted, must pay an access fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure including making arrangements to make it available in the request form.
- 8.6 If a deposit has been paid in respect of a request for access, which is refused, then the information officer concerned must repay the deposit to the requester.

9 DECISION

- 9.1 The Private Body will, within 30 days of receipt of the request, decide whether to grant or decline the request and give notice with reasons (if required) to that effect.
- 9.2 The 30 day period with which the Private Body has to decide whether to grant or refuse the request, may be extended for a further period of not more than thirty days if the request is for a large amount of information, or the request requires a search for information held at another office of the Private Body and the information cannot reasonably be obtained within the original 30 day period. The Private Body will notify the requester in writing should an extension be sought.

10 AVAILABILITY OF THE MANUAL

10.1 This manual is made available in terms of Regulation Number R. 187 of 15 February 2002.

APPENDIX - 1

PRESCRIBED FORM TO BE COMPLETED BY A REQUESTER

FORM B

Continu 52(1) of the December of	Accord to Information A	+ No 2 of 2000)	
Section 53(1) of the Promotion of		3 3	
* *	(Regulation	4)	· //
) ×			7/5
. Particulars of Private	e Body		% ^{***}
he Head:			
			* **
	,		
		¥ .	3
. Particulars of Person	requesting access to the	e record	
The particulars of the person	n who requests access to t	he records must be reco	orded below.
) Furnish an address and/or fo	ax number in the Republic	to which information n	nust be sent.
c) Proof of the capacity in which	ch the request is made, if c	applicable, must be atta	ched.
	3 8		
ull Name and Surname:			(8 f)
lentity Number:			
ostal Address:	ex Mar		
elephone Number:	Fax	Number:	
-mail address:			
apacity in which request is made,	when made on behalf of	another person:	
			W E
	1/		3)
Particulars of person	of whose behalf reques	t is made:	×
his section must be completed on	ly if a request for informa	tion is made on behalf c	f another person

D.	Particulars of Record:	, E
(a)	Provide full particulars of the record to which access is requested, including the referen	nce 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 the Record or relevant part of the record:	28 #1 - 10
		.*
		# ## ## ## ## ## ### #################
2.	Reference number, if available:	
2.	Any further particulars of the record:	
		5
_		·
ā		
E	Fees:	
(a)	A request for access to a record, other than a record containing personal information a	bout yourself,
	will be processed only after a request fee has been paid.	
(b)	You will be notified of the amount of the request fee.	
(c)	The fee payable for access to a record depends on the form in which the access is requi	red and the
4	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 therefore.	5 F15
Reas	son for exemption of payment of the fee:	
_		

F. Form of Access to the 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.

A65	ity:		Company of the Compan	Form in v	vhich record	is required:	
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		-		2.			
							S 9
	*				#		20%
ark th	he appropriate box wi	ith an "X"	1		*	ta es e S	
OTES	5 :			\$1 \$1	X1	2 E	
You	ur indication as to the	e required f	orm of access o	lepends on	the form in	which the record i	s available.
) Acc	cess in the form requ	ested may b	e refused in cer	rtain circur	nstances. In	such a case you v	vill be
	formed if access will b	- 5	The state of			#0	
- 7/.	e fee payable for acce	177.0			mined partly	by the form in wh	ich access is
	quested.		, 5 5,				7
709	ancorous.			# # # # # # # # # # # # # # # # # # #		· · · · · · · · · · · · · · · · · · ·	
					74	*	- W
X:						14	
. If th	he record is in writte	n or printe	ed form:			6	WYS9C and
	Copy of record *			-	Inspection	of record	
				-			
		361					
		50		18 IS	1		
. If th	he record consists of	visual ima	ges:				×
	he record consists of	E - 100 E - 100		s, computer	r-generated i	mages, sketches, e	etc.)
		E - 100 E - 100			r-generated i	mages, sketches, e	
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	is includes photograp	E - 100 E - 100	ideo recordings		r-generated i		
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(Thi	is includes photograp View the images he record consists of	hs, slides, v	Copy of the	images *	ich can be r	Transcription of	the images* und:
(Thi	View the images he record consists of Listen to the soun	hs, slides, v	Copy of the	images *	ich can be r	Transcription of eproduced in sou	the images* und:
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(Thi	view the images he record consists of Listen to the soun (audio cassette)	recorded v	Copy of the vords or information an electron Printed copy	mation wh	ich can be r Transcripti (written or	eproduced in source on of soundtrack printed document ble form:	ind: the images*
(Thi	tis includes photograp View the images the record consists of Listen to the soun (audio cassette)	recorded v	Copy of the	mation who	ich can be r Transcripti (written or	eproduced in sou on of soundtrack ' printed document	ind: the images* ind: turn readable

	a copy or numbering	don or a record (a	bove), do you wish the	YES	NO
copy or transcript	ion to be posted to y	you?	₩.		1
A postal fee is pa	yable.	2			
		7-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1			*
G. Part	iculars of right to b	e exercised or p	rotected:	1	
* * * *	54 C	e le		*	19 ²⁰
			* ************************************	± 35).6
if the provided sp	ace is inadequate, pl	lease continue of	a separate folio and atta	ch it to this for	m
The requester mi	st sign all the addit	ional folios	76		
			10	Wat Ball	200
ndicate which rig	tht is to be exercised	or protected:			
		-			
		Anthropic Control			
. Explain wh	v the requested reco	rd is required for	the exercising or protec	tion of the afor	ementioned
right:		-	, , , , , , , , , , , , , , , , , , ,		
9			8	ž.	***
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Market 1997					****
H. Notic	e of decision regar	ding request for	access:	**************************************	
I. Notic	ee of decision regar	ding request for	access:		p)
			**	If you wish to	lo is 6
ou will be notifi	ed in writing whethe	er your request ha	s been approved/denied.	E1	
ou will be notifi	ed in writing whether manner, please spec	er your request ha	**	E1	
ou will be notifi	ed in writing whether manner, please spec	er your request ha	s been approved/denied.	E1	
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You will be notificated in another compliance with your parties.	ed in writing whether manner, please spec your request.	er your request has	s been approved/denied. In provide the necessary Egarding your request for	particulars to r access to the	record?200

APPENDIX - 2

REPRODUCTION FEES

Where requested document appear in the appendix 1 i.e. the 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.

THE APPLICABLE FEES FOR REPRODUCTION AS REFERRED TO ABOVE ARE:

•	For every photocopy of an A4-size page or part thereof	1,10	
•	For every printed copy of an A4-size page or part thereof held on a		
	computer or in electronic or machine readable form	0,75	
•	For a copy in a computer-readable form on	* # A	
(30)	- Stiffy disc	7,50	
	- Compact disc	70,00	
•	A transcription of visual images, for an A4-size page or part thereof	40,00	
•	For a copy of visual images	60,00	•
•	A transcription of an audio record, for an A4-size page or part thereof	20,00	
•	For a copy of an audio record	30,00	

Request fees:

Where a requester submits a request for access to information held by an Private Body on a person other that the requester himself/herself, a request fee in the amount of R50,00 is payable up-front before the Private Body will further process the request received.

Access fees:

An access fee is payable in all instances where a request for access to information is granted, except in those instances where payment of an access fee is specially excluded in terms of the Act or an exclusion is determined by the Minister in terms of Section 54 (8).

The applicable access fees which will be payable are:

100			R
•	For every photocopy of an A4-size page or part thereof		1,10
•	For every printed copy of an A4-size page or part thereof held on		4
	a computer or in electronic or machine readable form		0,75

	W W		R
•	For a copy in a computer-readable form on		25 3
	- Stiffy disc		7,50
	- Compact disc		70,00
•	A transcription of visual images, for an A4-size pa	ge or part thereof	40,00
•	For a copy of visual images		60,00
•	A transcription of an audio record, for an A4-size p	page or part thereof	20,00
•	For a copy of an audio record	概	30,00
•	To search for a record that must be disclosed	n e *	30,00
	(per hour or part of an hour reasonably required for	or such search)	
•	Where a copy of a record needs to be posted the ac	tual postal fee is payable.	

Deposits:

Where the 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 of disclosure will take more than 6 (six) hours, a deposit is payable by the requester.

The amount of the deposit is equal to 1/3 (one third) of the amount of the applicable access fee.

Note: In terms of Regulation 8, Value Added Tax (VAT) must be added to all fees prescribed in terms of the Regulations.

MANUAL

of

BLOMPOT EIERS BOERDERY BK

Prepared in accordance with Section 51 of the Promotion of Access to Information Act, No 2 of 2000.

(Private Body)

1 INTRODUCTION

1.1 The Promotion of Access to Information Act, No 2 of 2000 ("the Act") was enacted on 3 February 2000, 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 the Act, the body to whom the request is made is obliged to release the information, except where the Act expressly provides that the information may or must not be released. The Act sets out the requisite procedural issues attached to such request.

1.2 PURPOSE OF THE MANUAL:

In order to promote effective governance of private bodies, it is necessary to ensure that everyone is empowered and educated to understand their rights in terms of the Act in order for them to exercise their rights in relation to public and private bodies.

Section 9 of the Act however recognises that such right to access to information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to:

- Limitations aimed at the reasonable protection of privacy;
- · Commercial confidentiality; and
- Effective, efficient and good governance;

and in a manner which balances that right with any other rights, including such rights contained in the Bill of Rights in the Constitution.

Wherever reference is made to "Private Body" in this manual, it will refer to BLOMPOT EIERS BOERDERY BK, a close corporation which operates in the farming industry, for which this manual is drafted.

Wherever reference is made to a "document" or "record", it shall include such documents or records that are stored on a computer or in any form of electronic format (precedent included).

PART I

2 CONTACT DETAILS

2.1	Information Off	icer: JACOB	US VAN L	DEN HEE	/EK
	E(_ 14	. M. 186	5 15		
- 1 gra 1	Postal address:	P O Box 22, K	oelenhof	100	

Physical Address: Bottelary Road, Koelenhof

Tel: (021) 8652808

Fax: (021) 8652409

2.2 GENERAL INFORMATION

2.2.1	Name of Private Body: BLOMPOT EIERS BOERDERY BK
2.2.2	Head of Private Body: Jacobus Van Den Heever
2.2.3	Registration No: CK 1998/06919
2.2.3	Rogistation No. Old 1996 00919
2.2.4	Vat Registration No. 4040171961
2.2.5	Postal Address: P O Box 22, Koelenhof
2.2.6	Physical Address (or main place of business): Bottelary Road, Koelenhor
\$ 70 E40	
2.2.7	Telephone Number: (021) 8652808
2.2.8	Facsimile number: (021) 8652409
2.2.9	E-mail address: N/A
2 2 10	Website: N/A

PART II

3 GUIDE OF SOUTH AFRICAN HUMAN RIGHTS COMMISSION

The South African Human Rights Commission has at the date of printing hereof not yet compiled the guide contemplated in Section 10 of the Act. The guide will contain such information as may reasonably be required by a person who wishes to exercise any right contemplated in the Act. Any enquiries regarding this guide should be directed to:

The South African HUMAN RIGHTS COMMISSION,

at PAIA Unit (THE RESEARCH AND DOCUMENTATION DEPARTMENT).

Private Bag X2700, HOUGHTON, 2041;

Telephone Number: (011) 484-8300;

Facsimile Number: (011) 484-1360;

Website: www.sahrc.org.za;

E-mail Address: PIAI@sahrc.org.za.

PART III

3.1 RECORDS OF THE PRIVATE BODY

This clause serves as a reference to the records that the Private Body holds in order to facilitate a request in terms of the Act.

The information is classified and grouped according to records relating to the following subjects and categories:

It is recorded that the accessibility of the documents listed herein below, may be subject to the grounds of refusal set out hereinafter.

The head of the private body may, in addition and on a voluntary basis, also publish notices in terms of Section 52(2) of the Act regarding categories of records which are available without a person having to request access in terms of the Act.

3.2 PRIVATE BODY DOCUMENTS AND RECORDS

3.2.1 INCORPORATION DOCUMENTS AND RECORDS

- 3.2.1.1 Copies of documents of incorporation
- 3.2.1.2 Copies of the Constitution of the business
- 3.2.1.3 Copies of Association agreement

3,2.2	FINANCIAL DOCUMENTS AND RECORDS
3.2.2.1	Regional Services Council records
3.2.2.2	Vat records
*	
3.2.2.3	Tax records
3.2.2.4	PAYE records
3.2.2.5	UIF records
3.2.2.6	Stock records
3.2.2.7	Asset inventory
3.2.2.8	Asset register
3.2.2.9	Order forms
3.2.2.10	Invoices
3.2.2.11	Proof of delivery forms
3.2.2.12	Cheque Account / Current Account and Mortgage bond records and statements
3.2.2.13	Cash records
3.2.2.14	Financial reporting
3.2.2.15	Financial documents including management reports, cash flow statements, income
	statements and balance sheets
	statements and balance sneets
3.2.3	OPERATIONAL DOCUMENTS AND RECORDS
3.2.3.1	Supply and Distribution agreements
3.2.3.2	Licences
3.2.3.3	Customer account records
3.2.3.4	Records with regards to sales
3235	Records with regards to production

3.2.7.1.2

These records include, but are not limited to records which pertain to the Private Body's own affairs.

3.2.4 HUMAN RESOURCES DOCUMENTS AND RECORDS

	Personal records provided by employees	and other records in	cluding but not	limited to:
2041		<u> </u>	ordang out not	mintod to.
3.2.4.1	Employment contracts	8 9		¹⁰ 13
3.2.4.2	Application forms	A A	ac b	*
3.2.4.3	Qualifications		10	## ## ## ## ## ## ## ## ## ## ## ## ##
3.2.4.4		90 N 90	27	€ 9
3.2.4.4	Salary advice slips and remunerati	ion details		
3.2.4.5	Disciplinary codes, procedures and	d records		e: 11
3.2.4.6	Attendance register	is W		
3.2.4.7	Unemployment Insurance	To.		*
		# E	51 N2M 14	
3.2.4.8	Medical Aid and disability		20	
3.2.4.9	Records relating to deductions, sta	tutory or otherwise	* * * * * * * * * * * * * * * * * * *	
e a Ješ	"Employees" refers to any person who we the Private Body, and receives or is entite who assists in carrying out or conducting without limitation, members, all permanents seasonal workers.	led to receive remuno the business of the I	eration and any Private Body. T	other person his includes.
3.2.5	SAFETY RECORDS	* 10 m		4
	NOT APPLICABLE	e .	usta esta	8
3.2.6	INFORMATION TECHNOLOGY	RECORDS	8.50 9.80	
	NOT APPLICABLE			
3.2.7	RECORDS REQUIRED IN TERM	S OF LEGISLAT	ION	W E
3.2.7.1	A list of certain legislation setting	out a description of	f the records of	f the Private
	Body which are available in accord	ance with such legisl	ation, is as follo	ws:-
3.2.7.1.1	Labour Relations Act 66 of 1	995		9
· · · · · · · · · · · · · · · · · · ·			x40	:M

Basic Conditions of Employment Act 75 of 1997

3.2.7.1.3	Formalities in respect of Leases of Land Act 18 of 1969
3.2.7.1.4	Compensation for Occupational Injuries and Diseases Act 130 of 1993
4	
3.2.7.1.5	Unemployment Insurance Act 63 of 2001
3.2.7.1.6	Value Added Tax Act 89 of 1991
3.2.7.1.7	Skills Development Act 9 of 1999
3.2.7.1.8	Usury Act 79 of 1968
3.2.7.1.9	Pension Funds Act 24 of 1956
3.2.7.1.10	Income Tax Act 58 of 1962
3.2.7.1.11	Close Corporation Act
* *	
R	eference to the above-mentioned legislation shall include subsequent amendments
to	such legislation and all relevant sections within such legislation in terms of
111	nich the private body holds records.
***	mon mo private cool, money reverse.
3.2.8 OTHE	R PARTY RECORDS
	ersonnel, customer or Private Body records which are held by another party (eg countant), as opposed to the records held by the Private Body itself;
· li	ecords held by the Private Body pertaining to other parties, including without nitation, financial records, correspondence, contractual and transactional records, cords provided by the other party, and records third parties have provided.
	PART IV
送).	
4 GROUNDS FOR	REFUSAL OF ACCESS TO RECORDS
The main grounds for	r the Private Body to refuse a request for information relates to the -
	tection of the privacy of a third party who is a natural person, which would reasonable disclosure of personal information of that natural person;
4.2 mandatory pro	tection of the commercial information of a third party, if the record contains -
4.2.1 trade se	crets of that third party;
	l, commercial, scientific or technical information which disclosure could likely rm to the financial or commercial interests of that third party;
	tion disclosed in confidence by a third party to the Private Body, if the disclosure at that third party at a disadvantage in negotiations or commercial competition;

could put that third party at a disadvantage in negotiations or commercial competition;

- 4.3 mandatory protection of confidential information of third parties if it is protected in terms of any agreement;
- 4.4 mandatory protection of the safety of individuals and the protection of property;
- 4.5 mandatory protection of records which would be regarded as privileged in legal proceedings;
- 4.6 the commercial activities of the Private Body, which may include -
- 4.6.1 trade secrets of the Private Body;
- 4.6.2 financial, commercial, scientific or technical information which disclosure of could likely cause harm to the financial or commercial interests of the Private Body;
- 4.6.3 information which, if disclosed could put the Private Body at a disadvantage in negotiations or commercial competition;
- 4.6.4 a computer program which is owned by the Private Body, and which is protected by copyright.
- 4.7 the research information of the Private Body or a third party, if its disclosure would disclose the identity of the Private Body, the researcher or the subject matter of the research and would place the research at a serious disadvantage;
- 4.8 Requests for information that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources shall be refused.

5 REMEDIES AVAILABLE WHEN A PRIVATE BODY REFUSES A REQUEST FOR INFORMATION

5.1 INTERNAL REMEDIES

The Private Body does not have an internal appeal procedure. As such, the decision made by the information officer is final, and requesters will have to exercise such external remedies at their disposal if the request for information is refused, and the requester is not satisfied with the answer supplied by the information officer.

5.2 EXTERNAL REMEDIES

A requester that is dissatisfied with an information officer's refusal to disclose information, may within 30 days of notification of the decision, apply to a relevant Court for relief.

Likewise, a third party dissatisfied with an information officer's decision to grant a request for information, may within 30 days of notification of the decision, apply to a Court for relief. For purposes of the Act, the Courts that have jurisdiction over these applications are the Constitutional Court, the High Court or another court of similar status.

6 REQUEST PROCEDURE

- 6.1 The requester must comply with all the procedural requirements contained in the Act relating to the request for access to a record.
- The requester must complete the prescribed form enclosed herewith in Appendix 1, and submit same as well as payment of a request fee and a deposit, if applicable to the Information Officer

	above.	amoer of electron	ic man address as	34404 III 2.1 01 2.2
6.3	The prescribed form must be filled Information Officer to identify –	in with enough	particularity to	at least enable the
6.3.1	The record or records requested;	# + + + + + + + + + + + + + + + + + + +	10 00 0 00 10 00 10 00	
6.3.2	The identity of the requester,		9 * 1 9	
6.3.3	Which form of access is required	, if the request is g	ranted;	n Ki
9		· .	R((A) 87	*** **
6.3.4	The postal address or fax number	of the requester.		
6.4	The requester must state that he/she re right, and clearly state what the nature of the requester must clearly specify why	of the right is so to	be exercised or pr	otected. In addition,
6.5	The Private Body will process the requireasons which would satisfy the Infortime periods not be complied with.	est within 30 days, mation officer tha	, unless the reques t circumstances di	ter has stated special ictate that the above
		2		
6.6	The requester shall be informed whether requires the reasons for the decision in particulars so required.	er access granted of any other manner	or denied. If, in ac , he/she must state	Idition, the requester the manner and the
6.7	If a request is made on behalf of anot capacity in which the requester is m information officer.			
				1: 1:1:-
6.8	If an individual is unable to complete the a person may make the request orally.	ne prescribed form	because of illitera	cy or disability, such
£1			22	*
6.9	The requester must pay the prescribed	fee, before any fur	her processing car	1 take place.
				146
7 AC	CCESS TO RECORDS HELD BY T	HE PRIVATE E	BODY	SM 15 ²⁸
7.1	Records held by the Private Body m requirements for access have been met.		y requests only o	once the prerequisite
7.2	A requester is any person making a req two types of requesters:	uest for access to	a record of the Pri	vate Body. There are
7.2.1	PERSONAL REQUESTER		ester y	e e v
7.2.1.1	A personal requester is a	requester who is	seeking access to	a record containing
594	personal information abou		1000	20

The Private Body will voluntarily provide the requested information, or give access to any record with regard to the requester's personal information. The prescribed fee for reproduction of the information requested will be charged.

7.2.1.2

7.2.2 OTHER REQUESTER

7.2.2.1

This requester (other than a personal requester) is entitled to request access to information on third parties. However, the Private Body is not obliged to voluntarily grant access. The requester must fulfil the prerequisite requirements for access in terms of the Act, including the payment of a request and access fee.

8 FEES

- 8.1 The Act provides for two types of fees, namely:
- 8.1.1 A request fee, which will be a standard fee; and
- 8.1.2 An access fee, which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs.
- When the request is received by the Information Officer, such officer shall by notice require the requester, other than a personal requester, to pay the prescribed request fee (if any), before any further processing of the request.
- 8.3 If the search for the record has been made and the preparation of the record for disclosure, including arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, the information officer shall notify the requester to pay as a deposit the prescribed portion of the Access fee which would be payable if the request is granted.
- The information officer shall withhold a record until the requester has paid the fees as indicated in Appendix 2.
- 8.5 A requester whose request for access to a record has been granted, must pay an access fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure including making arrangements to make it available in the request form.
- 8.6 If a deposit has been paid in respect of a request for access, which is refused, then the information officer concerned must repay the deposit to the requester.

9 DECISION

- 9.1 The Private Body will, within 30 days of receipt of the request, decide whether to grant or decline the request and give notice with reasons (if required) to that effect.
- 9.2 The 30 day period with which the Private Body has to decide whether to grant or refuse the request, may be extended for a further period of not more than thirty days if the request is for a large amount of information, or the request requires a search for information held at another office of the Private Body and the information cannot reasonably be obtained within the original 30 day period. The Private Body will notify the requester in writing should an extension be sought.

10 AVAILABILITY OF THE MANUAL

10.1 This manual is made available in terms of Regulation Number R. 187 of 15 February 2002.

APPENDIX - 1

PRESCRIBED FORM TO BE COMPLETED BY A REQUESTER

FORM B

REQUEST FOR	ACCESS TO	RECORDS OF	PRIVATE BODY
-------------	-----------	------------	--------------

(Section 53(1) of the Promotion of Acc	cess to Information Act, No 2 of	f 2000)	
	(Regulation 4)		
A. Particulars of Private Bo	ody		0
The Head:		19 7 7	4 T
	× 100	7	8
B. Particulars of Person re	questing access to the record		0 277.
(a) The particulars of the person wh	ho requests access to the record	s must be recorded below.	16
(b) Furnish an address and/or fax n	umber in the Republic to which	information must be sent.	
(c) Proof of the capacity in which to	he request is made, if applicable	e, must be attached.	
Full Name and Surname:			
Identity Number:			
Postal Address:			
Telephone Number:	Fax Number:		5
E-mail address:			
Capacity in which request is made, wh	nen made on behalf of another p	erson:	
		* * * * * * * * * * * * * * * * * * *	
and a contract of			it .
C. Particulars of person of	whose behalf request is made		
This section must be completed only is	f a request for information is mo	ade on behalf of another pe	erson
Full names and Surname:			
			
Identity Number:			

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. I requester must sign all the additional folios 1. Description of the Record or relevant part of the record: 2. Reference number, if available: 2. Any further particulars of the record: E. Fees: (a) A request for access to a record, other than a record containing personal information about yoursel will be processed only after a request fee has been paid. (b) You will be notified of the amount of the request fee. (c) The fee payable for access to a record depends on the form in which the 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 therefore.	D.	Particulars of Record:
(b) If the provided space is inadequate please continue on a separate folio and attach it to this form. It requester must sign all the additional folios 1. Description of the Record or relevant part of the record: 2. Reference number, if available: 2. Any further particulars of the record: E. Fees: (a) A request for access to a record, other than a record containing personal information about yoursel will be processed only after a request fee has been paid. (b) You will be notified of the amount of the request fee. (c) The fee payable for access to a record depends on the form in which the 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 therefore.	(a)	Provide full particulars of the record to which access is requested, including the reference number if
1. Description of the Record or relevant part of the record: 2. Reference number, if available: 2. Any further particulars of the record: E. Fees: (a) A request for access to a record, other than a record containing personal information about yoursel will be processed only after a request fee has been paid. (b) You will be notified of the amount of the request fee. (c) The fee payable for access to a record depends on the form in which the 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 therefore.		that is known to you, to enable the record to be located.
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(d) If you qualify for exemption of the payment of any fee, please state the reason therefore.	(c)	
Reason for exemption of payment of the fee:	(d)	If you qualify for exemption of the payment of any fee, please state the reason therefore.
Reason for exemption of payment of the fee:	175	
	Reas	on for exemption of payment of the fee:

F. Form of Access to the 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.

tain circumstan	form in which the record is av nces. In such a case you will d partly by the form in which pection of record	be
tain circumstan	nces. In such a case you will d partly by the form in which	be
tain circumstan	nces. In such a case you will d partly by the form in which	be
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		access is
Ins	pection of record	
computer ger	nerated images, sketches, etc.)	<u></u>
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nation which	can be reproduced in sound	l:
	anscription of soundtrack *	
1	ritten or printed document)	
(
nic or machin	e-readable form:	· ·
	ne-readable form:	r readable
nic or machin by of a derived from	Copy in computer	

* If you requested a copy or to	ranscription of a record	(above), do you wish the	YES	NO
copy or transcription to be pos	sted to you?			
A postal fee is payable.				1
		5	- 	
G. Particulars of ri	ght to be exercised or	protected:		
		* *		10
		(%)	.00	**
f the provided space is inaded The requester must sign all th		f a separate folio and attach	it to this form	1
dicate which right is to be ex	xercised or protected:			
		2		
	•			
Explain why the request	ed record is required for	or the exercising or protection	n of the afore	mentioned
right:	41 · · · · · · · · · · · · · · · · · · ·			
E.	±			Tay St
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	n regarding request fo		*es	
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ereof in another manner, plea mpliance with your request.	se specify the manner	and provide the necessary pa	articulars to e	nable
impliance with your request.				
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w would you prefer to be in	formed of the decision	regarding your request for a	ccess to the re	ecord?
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APPENDIX - 2

REPRODUCTION FEES

Where requested document appear in the appendix 1 i.e. the 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.

THE APPLICABLE FEES FOR REPRODUCTION AS REFERRED TO ABOVE ARE:

		10
		5
•	For every photocopy of an A4-size page or part thereof	1,10
•	For every printed copy of an A4-size page or part thereof held on a	62 5 5
	computer or in electronic or machine readable form	0,75
•	For a copy in a computer-readable form on	
10	- Stiffy disc	7,50
	- Compact disc	70,00
•	A transcription of visual images, for an A4-size page or part thereof	40,00
•	For a copy of visual images	60,00
•	A transcription of an audio record, for an A4-size page or part thereof	20,00
•	For a copy of an audio record	30,00

Request fees:

Where a requester submits a request for access to information held by an Private Body on a person other that the requester himself/herself, a request fee in the amount of R50,00 is payable up-front before the Private Body will further process the request received.

Access fees:

An access fee is payable in all instances where a request for access to information is granted, except in those instances where payment of an access fee is specially excluded in terms of the Act or an exclusion is determined by the Minister in terms of Section 54 (8).

The applicable access fees which will be payable are:

	N 80	i i	9	К
•	For every photocopy of an A4-size page or part	thereof		1,10
•	For every printed copy of an A4-size page or pa	rt thereof held	on	70
	a computer or in electronic or machine readable	form		0,75

		R
•	For a copy in a computer-readable form on	
	- Stiffy disc	7,50
	- Compact disc	70,00
•	A transcription of visual images, for an A4-size page or part thereof	40,00
•	For a copy of visual images	60,00
•	A transcription of an audio record, for an A4-size page or part thereof	20,00
•	For a copy of an audio record	30,00
•	To search for a record that must be disclosed	30,00
	(per hour or part of an hour reasonably required for such search)	
•	Where a copy of a record needs to be posted the actual postal fee is payable.	¥.

Deposits:

Where the 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 of disclosure will take more than 6 (six) hours, a deposit is payable by the requester.

The amount of the deposit is equal to $\frac{1}{3}$ (one third) of the amount of the applicable access fee.

Note: In terms of Regulation 8, Value Added Tax (VAT) must be added to all fees prescribed in terms of the Regulations.

MANUAL

of

TURF-AG PRODUCTS (PTY) LTD

Prepared in accordance with Section 51 of the Promotion of Access to Information Act, No 2 of 2000.

(Private Body)

1 INTRODUCTION

1.1 The Promotion of Access to Information Act, No 2 of 2000 ("the Act") was enacted on 3 February 2000, 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 the Act, the body to whom the request is made is obliged to release the information, except where the Act expressly provides that the information may or must not be released. The Act sets out the requisite procedural issues attached to such request.

1.2 PURPOSE OF THE MANUAL:

In order to promote effective governance of private bodies, it is necessary to ensure that everyone is empowered and educated to understand their rights in terms of the Act in order for them to exercise their rights in relation to public and private bodies.

Section 9 of the Act however recognises that such right to access to information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to:

- Limitations aimed at the reasonable protection of privacy;
- Commercial confidentiality; and
- Effective, efficient and good governance;

and in a manner which balances that right with any other rights, including such rights contained in the Bill of Rights in the Constitution.

Wherever reference is made to "Private Body" in this manual, it will refer to TURF-AG PRODUCTS (PTY) LTD including its branches in Gauteng, Port Elizabeth, Kwazulu Natal and Bloemfontein a Private body which operates as an importer, distributor and designer of irrigation products and systems for whom this manual is drafted.

Wherever reference is made to a "document" or "record", it shall include such documents or records that are stored on a computer or in any form of electronic format.

PART I

CONTACT DETAILS

	Y 0 0.00	TOTAL BALL TOWAY	DITTOIT
2.1	Information Officer:	RUTH MARTHA	DO TOLL

Postal address: P O Box 37226, Chempet, 7442

Registered address:

72 - 6th Street, Springs

Physical Address: 11 Marconi Road, Montague Gardens

Tel: (021) 551 0790

Fax: (021) 551 0769

Email address: ruth@turf-ag.co.za

GENERAL INFORMATION

2.2.1	Name of Private Body: TURF-AG PRODUCTS (PTY) LTD
2.2.2	Head of Private Body: Andries Willem Stefanus Du Toit
2.2.3	Registration No: 1992/000951/07
2.2.4	Vat Registration No. 4870106079
2.2.5	Postal Address: P O Box 37226, Chempet, 7442
2.2.6	Physical Address (or main place of business): 11 Marconi Road, Montague Gardens
2.2.7	Telephone Number: (021) 551 0790
2.2.8	Facsimile number: (021) 551 0769
2.2.9	E-mail address: willie@turf-ag.co.za
2.2.10	Website: www.turf-ag.co.za

PART II

3 GUIDE OF SOUTH AFRICAN HUMAN RIGHTS COMMISSION

The South African Human Rights Commission has at the date of printing hereof not yet compiled the guide contemplated in Section 10 of the Act. The guide will contain such information as may reasonably be required by a person who wishes to exercise any right contemplated in the Act. Any enquiries regarding this guide should be directed to:

The South African HUMAN RIGHTS COMMISSION,

at PAIA Unit (THE RESEARCH AND DOCUMENTATION DEPARTMENT).

Private Bag X2700, HOUGHTON, 2041;

Telephone Number: (011) 484-8300;

Facsimile Number: (011) 484-1360;

Website: www.sahrc.org.za;

E-mail Address: PIAI@sahrc.org.za.

PART III

3.1 RECORDS OF THE PRIVATE BODY

This clause serves as a reference to the records that the Private Body holds in order to facilitate a request in terms of the Act.

The information is classified and grouped according to records relating to the following subjects and categories:

It is recorded that the accessibility of the documents listed herein below, may be subject to the grounds of refusal set out hereinafter.

The head of the private body may, in addition and on a voluntary basis, also publish notices in terms of Section 52(2) of the Act regarding categories of records which are available without a person having to request access in terms of the Act.

3.2 PRIVATE BODY DOCUMENTS AND RECORDS

3.2.1 INCORPORATION DOCUMENTS AND RECORDS

3.2.1.1 Copies of documents of incorporation

3.2.1.2 Copies of the constitution of the business

3.2.1.3 Copies of Memorandum and Articles of Association

3.2.1.4	Copies of Shareholder's agreements	
3.2.1.5	Copies of Board of Directors meetings	
3.2.1.6	Copies of Management meetings	
3.2.2	FINANCIAL DOCUMENTS AND RECORD	S
3.2.2.1	Regional Services Council records	
3.2.2.2	Vat records	*
3.2.2.3	Tax records	÷
3.2.2.4	PAYE records	
3.2.2.5	UIF records	ti
3.2.2.6	Stock records	
3.2.2.7	Asset inventory	Y
3.2.2.8	Asset register	70
3.2.2.9	Order forms	52
3.2.2.10	Invoices	
3.2.2.11	Monthly statements	
3.2.2.12	Proof of delivery forms	
3.2.2.13	Goods received vouchers	
3.2.2.14	Goods returned vouchers	
3.2.2.15	Credit notes	80
3.2.2.16	Cheque Account	19.3
3.2.2.17	Current Account	
3.2.2.18	Cash records	

3.2.2.19	Annual financial reports and statements		€ 5
3.2.2.20	General financial documents		
3.2.3	PERATIONAL DOCUMENTS AND R	ECORDS	
3.2.3.1	Promotional material	* * *	
3.2.3.2	Marketing call reports		
3.2.3.3	Registered designs, patents / trademarks		
3.2.3.4	Written product specifications	% u	
3.2.3.5	Manuals		8 8
3.2.3.6	Database of customers		
3.2.3.7	Credit Application forms	a a a a a a	
3.2.3.8	Correspondence with customers	t e	1955 700
3.2.3.9	Customer account records		n a
3.2.3.10	Records with regards to sales		
3.2.3.11	Mission statement	g. 127	
3.2.3.12	Price lists		H _E 9 0
3.2.3.13	Records regarding customer complaints		
3.2.3.14	Records pertaining to quoting		29
3.2.3.15	Supply Agreements		
	These records include, but are not limited Body's own affairs.	to records which pertain	to the Private
3.2.4 PE	CRSONNEL DOCUMENTS AND RECO	ORDS	

Personal records provided by personnel (including permanent and limited duration employees) including but not limited to:

3.2.4.1 Employment contracts

3.2.4.2	Application forms		8. 36.
3.2.4.3	Qualifications	***	
3.2.4.4	Salary records		
3.2.4.5	Leave records	:: K	*
3.2.4.6	Records relating to increases		v * *
3.2.4.7	Disciplinary records		0
3.2.4.8	Medical history		
3.2.4.9	Company policies		ε
3.2.4.10	SETA records	* *	
3.2.4.11	Provident Fund		
3.2.4.12	Pension Fund	S	
3.2.4.13	Unemployment Insurance		
3.2.4.14	Medical Aid		
3.2.4.15	Records relating to deductions		
3.2.4.16	Records of staff meetings	N 25	
W 2	"Personnel" refers to any person who works for, or pr the Private Body, and receives or is entitled to receive r who assists in carrying out or conducting the business o without limitation, directors and all permanent employed	emuneration and a f the Private Body.	ny other person
3.2.5	SAFETY RECORDS		
	NOT APPLICABLE	w	
3.2.6	INFORMATION TECHNOLOGY RECORDS		
3.2.6.1	Licences	5	2
3.2.7	RECORDS REQUIRED IN TERMS OF LEGIS	SLATION	8 8 6
3.2.7.1	A list of certain legislation setting out a descrip Body which are available in accordance with such		
3.2.7.1.1	Credit Agreements Act 75 of 1980		•

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4.2.3

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3.2.7.1.2	Labour Relations Act 66 of 1995
3.2.7.1.3	Employment Equity Act 55 of 1998
3.2.7.1.4	Basic Conditions of Employment Act 75 of 1997
3.2.7.1.5	Companies Act 61 of 1973
3.2.7.1.6	Unemployment Insurance Act 63 of 2001
3.2.7.1.7	South African Reserve Bank Act 90 of 1989
3.2.7.1.8	Value Added Tax Act 89 of 1991
3.2.7.1.9	Skills Development Act 9 of 1999
3.2.7.1.10	Income Tax Act 58 of 1962
a .	Reference to the above-mentioned legislation shall include subsequent amendments
	to such legislation and all relevant sections within such legislation in terms of
19	which the private body holds records.
a	
3.2.8 OTH	ER PARTY RECORDS
3,2.8:1	Personnel, customer or Private Body records which are held by another party, as opposed to the records held by the Private Body itself;
	Records held by the Private Body pertaining to other parties, including without limitation, financial records, correspondence, contractual and transactional records, records provided by the other party, and records third parties have provided.

PART IV

information disclosed in confidence by a third party to the Private Body, if the disclosure

could put that third party at a disadvantage in negotiations or commercial competition;

4 GROUNDS FOR REFUSAL OF ACCESS TO RECORDS

The main grounds for the Private Body to refuse a request for information relates to the -

4.1 mandatory protection of the privacy of a third party who is a natural person, which would involve the unreasonable disclosure of personal information of that natural person;
4.2 mandatory protection of the commercial information of a third party, if the record contains –
4.2.1 trade secrets of that third party;
4.2.2 financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party;

- mandatory protection of confidential information of third parties if it is protected in terms of any 4.3 agreement;
- mandatory protection of the safety of individuals and the protection of property; 44
- mandatory protection of records which would be regarded as privileged in legal proceedings; 4.5
- the commercial activities of the Private Body, which may include -4.6
- 4.6.1 trade secrets of the Private Body;
- financial, commercial, scientific or technical information which disclosure of could likely 4.6.2 cause harm to the financial or commercial interests of the Private Body;
- information which, if disclosed could put the Private Body at a disadvantage in 4.6.3 negotiations or commercial competition;
- a computer program which is owned by the Private Body, and which is protected by 4.6.4 copyright.
- the research information of the Private Body or a third party, if its disclosure would disclose the 4.7 identity of the Private Body, the researcher or the subject matter of the research and would place the research at a serious disadvantage;
- 4.8 Requests for information that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources shall be refused.

REMEDIES AVAILABLE WHEN A PRIVATE BODY REFUSES A REQUEST FOR 5 INFORMATION

INTERNAL REMEDIES 5.1

The Private Body does not have an internal appeal procedure. As such, the decision made by the information officer is final, and requesters will have to exercise such external remedies at their disposal if the request for information is refused, and the requester is not satisfied with the answer supplied by the information officer.

5.2 EXTERNAL REMEDIES

A requester that is dissatisfied with an information officer's refusal to disclose information, may within 30 days of notification of the decision, apply to a relevant Court for relief.

Likewise, a third party dissatisfied with an information officer's decision to grant a request for information, may within 30 days of notification of the decision, apply to a Court for relief. For purposes of the Act, the Courts that have jurisdiction over these applications are the Constitutional Court, the High Court or another court of similar status.

REQUEST PROCEDURE

- The requester must comply with all the procedural requirements contained in the Act relating to 6.1 the request for access to a record.
- The requester must complete the prescribed form enclosed herewith in Appendix 1, and submit 6.2 same as well as payment of a request fee and a deposit, if applicable to the Information Officer

at the postal or physical address, fax number or electronic mail address as stated in 2.1 or 2.2 above. 6.3 The prescribed from must be filled in with enough particularity to at least enable the Information Officer to identify -6.3.1 The record or records requested; 6.3.2 The identity of the requester. 6.3.3 Which form of access is required, if the request is granted; 6.3.4 The postal address or fax number of the requester. The requester must state that he/she requires the information in order to exercise or protect a 6.4 right, and clearly state what the nature of the right is so to be exercised or protected. In addition, the requester must clearly specify why the record is necessary to exercise or protect such a right. 6.5 The Private Body will process the request within 30 days, unless the requester has stated special reasons which would satisfy the Information officer that circumstances dictate that the above time periods not be complied with. 6.6 The requester shall be informed whether access granted or denied. If, in addition, the requester requires the reasons for the decision in any other manner, he/she must state the manner and the particulars so required. 6.7 If a request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of the information officer. 6.8 If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally. 6.9 The requester must pay the prescribed fee, before any further processing can take place. ACCESS TO RECORDS HELD BY THE PRIVATE BODY 7 7.1 Records held by the Private Body may be accessed by requests only once the prerequisite requirements for access have been met. 7.2 A requester is any person making a request for access to a record of the Private Body. There are two types of requesters: 7.2.1 PERSONAL REQUESTER 7.2.1.1 A personal requester is a requester who is seeking access to a record containing personal information about the requester. 7.2.1.2 The Private Body will voluntarily provide the requested information, or give access to any record with regard to the requester's personal information. The prescribed

fee for reproduction of the information requested will be charged.

7.2.2 OTHER REQUESTER

7.2.2.1

This requester (other than a personal requester) is entitled to request access to information on third parties. However, the Private Body is not obliged to voluntarily grant access. The requester must fulfil the prerequisite requirements for access in terms of the Act, including the payment of a request and access fee.

8 FEES

- 8.1 The Act provides for two types of fees, namely:
- 8.1.1 A request fee, which will be a standard fee; and
- 8.1.2 An access fee, which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs.
- 8.2 When the request is received by the Information Officer, such officer shall by notice require the requester, other than a personal requester, to pay the prescribed request fee (if any), before any further processing of the request.
- 8.3 If the search for the record has been made and the preparation of the record for disclosure, including arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, the information officer shall notify the requester to pay as a deposit the prescribed portion of the Access fee which would be payable if the request is granted.
- The information officer shall withhold a record until the requester has paid the fees as indicated in Appendix 2.
- A requester whose request for access to a record has been granted, must pay an access fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure including making arrangements to make it available in the request form.
- 8.6 If a deposit has been paid in respect of a request for access, which is refused, then the information officer concerned must repay the deposit to the requester.

9 DECISION

- 9.1 The Private Body will, within 30 days of receipt of the request, decide whether to grant or decline the request and give notice with reasons (if required) to that effect.
- The 30 day period with which the Private Body has to decide whether to grant or refuse the request, may be extended for a further period of not more than thirty days if the request is for a large amount of information, or the request requires a search for information held at another office of the Private Body and the information cannot reasonably be obtained within the original 30 day period. The Private Body will notify the requester in writing should an extension be sought.

10 AVAILABILITY OF THE MANUAL

10.1 This manual is made available in terms of Regulation Number R. 187 of 15 February 2002.

APPENDIX - 1

PRESCRIBED FORM TO BE COMPLETED BY A REQUESTER

FORM B

		RECORDS		

The state of the s		¥		51
Section 53(1) of the Promotion of Access to	Information A	ct, No 2 of 2000)		1
	(Regulation	4)	10 10 100	
A. Particulars of Private Body The Head:	131 g 53			ŧ
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		a 14,	<u> </u>	
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3. Particulars of Person requesti	ng access to th	e record		
 The particulars of the person who requires Furnish an address and/or fax number Proof of the capacity in which the require 	r in the Republi	c to which informati	on must be sent.	9
ull Name and Surname:	3			
dentity Number:				
ostal Address:	-		*	
elephone Number:		Number:		
-mail address:			2.5	
apacity in which request is made, when ma	de on behalf of	another person:	95	
. Particulars of person of whose	behalf reques	t is made:		
his section must be completed only if a requ	est for informa	tion is made on beh	alf of another person	n
	1.6			58
ıll names and Surname:				
			4.6	
lentity Number:				

).	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.
)	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
	requester must sign att the additional joilos
	Description of the Record or relevant part of the record:
	Reference number, if available:
	Action and the second s
	A C A
	Any further particulars of the record:
•	Fees:
)	A request for access to a record, other than a record containing personal information about yourself
748	will be processed only after a request fee has been paid.
)	You will be notified of the amount of the request fee.
)	The fee payable for access to a record depends on the form in which the access is required and the
<i>e</i> :	reasonable time required to search for and prepare a record.
1)	If you qualify for exemption of the payment of any fee, please state the reason therefore.
,	1) you qualify for exemption of the payment of any fee, please state the reason therefore.
eas	son for exemption of payment of the fee:
_	
	Form of Access to the Record:
o De	

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.

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I. Notice of decision	on regarding reques	t for access:			
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APPENDIX - 2

REPRODUCTION FEES

Where requested document appear in the appendix 1 i.e. the 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.

THE APPLICABLE FEES FOR REPRODUCTION AS REFERRED TO ABOVE ARE:

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•	For every photocopy of an A4-size page or part thereof	1,10
•	For every printed copy of an A4-size page or part thereof held on a	33
	computer or in electronic or machine readable form	0,75
•	For a copy in a computer-readable form on	*
	- Stiffy disc	7,50
	- Compact disc	70,00
•	A transcription of visual images, for an A4-size page or part thereof	40,00
•	For a copy of visual images	60,00
•	A transcription of an audio record, for an A4-size page or part thereof	20,00
•	For a copy of an audio record	30,00

Request fees:

Where a requester submits a request for access to information held by an Private Body on a person other that the requester himself/herself, a request fee in the amount of R50,00 is payable up-front before the Private Body will further process the request received.

Access fees:

An access fee is payable in all instances where a request for access to information is granted, except in those instances where payment of an access fee is specially excluded in terms of the Act or an exclusion is determined by the Minister in terms of Section 54 (8).

The applicable access fees which will be payable are:

	** *** *** *** *** *** *** *** *** ***		ĸ
•	For every photocopy of an A4-size page or part thereof		1,10
•	For every printed copy of an A4-size page or part thereof held on	# # # # # # # # # # # # # # # # # # #	-
	a computer or in electronic or machine readable form		0,75

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•	For a copy in a computer-readable form on		
53	- Stiffy disc	# 12 T	7,50
10	- Compact disc		70,00
•	A transcription of visual images, for an A4-size page or part the	nereof	40,00
•	For a copy of visual images		60,00
•	A transcription of an audio record, for an A4-size page or part	thereof	20,00
•	For a copy of an audio record	OFFINE IN	 30,00
•	To search for a record that must be disclosed	98 6 0	30,00
	(per hour or part of an hour reasonably required for such search	ch)	

Where a copy of a record needs to be posted the actual postal fee is payable.

Deposits:

Where the 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 of disclosure will take more than 6 (six) hours, a deposit is payable by the requester.

The amount of the deposit is equal to $\frac{1}{3}$ (one third) of the amount of the applicable access fee.

Note: In terms of Regulation 8, Value Added Tax (VAT) must be added to all fees prescribed in terms of the Regulations.

MANUAL

of

SOUTHERN OCEANICS (PTY) LTD

Prepared in accordance with Section 51 of the Promotion of Access to Information Act, No 2 of 2000.

(Private Body)

1 INTRODUCTION

1.1 The Promotion of Access to Information Act, No 2 of 2000 ("the Act") was enacted on 3 February 2000, 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 the Act, the body to whom the request is made is obliged to release the information, except where the Act expressly provides that the information may or must not be released. The Act sets out the requisite procedural issues attached to such request.

1.2 PURPOSE OF THE MANUAL:

In order to promote effective governance of private bodies, it is necessary to ensure that everyone is empowered and educated to understand their rights in terms of the Act in order for them to exercise their rights in relation to public and private bodies.

Section 9 of the Act however recognises that such right to access to information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to:

- · Limitations aimed at the reasonable protection of privacy;
- · Commercial confidentiality; and
- Effective, efficient and good governance;

and in a manner which balances that right with any other rights, including such rights contained in the Bill of Rights in the Constitution.

Wherever reference is made to "Private Body" in this manual, it will refer to SOUTHERN OCEANICS (PTY) LTD a private body within the manufacturing of military and commercial diving equipment industry, for whom this manual is drafted.

PART I

2 CONTACT DETAILS

2.1 Information Officer: JOSE MANUEL GOMES

Postal address: P O Box 36541, Chempet, 7442

Registered address: Noland House, River Park Lane, Mowbray, 7700

Physical Address: 20 Esso Road, Montague Gardens

Tel: (021) 529 4240

Fax: (021) 551 2275

E-mail address: jose@oceaniconline.net

2.2 GENERAL INFORMATION

2.2.1	Name of Private Body: SOUTHERN OCEANICS (PTY) LTD
2.2.2	Registration No: 1982/000337/07
2.2.3	Vat Registration No. 4140109606
2.2.4	Postal Address: P O Box 36541, Chempet, 7442
2.2.5	Physical Address (or main place of business): 20 Esso Road, Montague Gardens
2.2.6	Telephone Number: (021) 529 4240
2.2.7	Facsimile number: (021) 551 2275
2.2.8	E-mail address: david@oceaniconline.net
2.2.9	Website: www.oceaniconline.net

PART II

3 GUIDE OF SOUTH AFRICAN HUMAN RIGHTS COMMISSION

The South African Human Rights Commission has at the date of printing hereof not yet compiled the guide contemplated in Section 10 of the Act. The guide will contain such information as may reasonably be required by a person who wishes to exercise any right contemplated in the Act. Any enquiries regarding this guide should be directed to:

The South African HUMAN RIGHTS COMMISSION,

at PAIA Unit (THE RESEARCH AND DOCUMENTATION DEPARTMENT),

Private Bag X2700, HOUGHTON, 2041;

Telephone Number: (011) 484-8300;

Facsimile Number: (011) 484-1360;

Website: www.sahrc.org.za;

E-mail Address: PIAI@sahrc.org.za.

PART III

3.1 RECORDS OF THE PRIVATE BODY

This clause serves as a reference to the records that the Private Body holds in order to facilitate a request in terms of the Act.

The information is classified and grouped according to records relating to the following subjects and categories:

It is recorded that the accessibility of the documents listed herein below, may be subject to the grounds of refusal set out hereinafter.

3.2 PRIVATE BODY DOCUMENTS AND RECORDS

3.2.1	INCORPORATION DOCUMENTS AND RECORDS
3.2.1.1	Copies of documents of incorporation
3.2.1.2	Copies of the Memorandum and Articles of Association
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3.2.1.3	Copies of Shareholder's agreements
3.2.1.4	Minutes of Board of Directors Meetings
3.2.1.5	Minutes of Shareholders' Meetings
	a service
3.2.1.6	Minutes of staff meetings
3.2.2	FINANCIAL DOCUMENTS AND RECORDS
All and the second seco	the state of the s
3.2.2.1	Regional Services Council records
*	
3.2.2.2	Vat records
1.0	
3.2.2.3	Tax records
3.2.2.4	PAYE records
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3.2.2.5	UIF records

3.2.2.6	Stock records	E: **
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3.2.2.7	Asset inventory	2
3.2.2.7	Asset inventory	14 16
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3.2.2.8	Asset register	
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3.2.2.9	Order forms	
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3.2.2.10	Invoices	
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3.2.2.11	Annual Financial Statements	
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3.2.2.12	Proof of delivery forms	
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3.2.2.13	Goods received vouchers	
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3.2.2.14	Goods returned vouchers	
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3.2.2.15	Debit notes	
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3.2.2.16	Credit notes	
3.2.2.10	Credit notes	
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3.2.2.18	Current Account	
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3.2.2.19	Cash records	
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3.2.2.20	Financial reporting relating to management a	ccounts
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3.2.2.21	Financial documents	
3.2.2.21	Financial documents	
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3.2.3	OPERATIONAL DOCUMENTS AND REC	ORDS
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3.2.3.1	Promotional material	
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3.2.3.2	Marketing call reports	
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3.2.3.3	Registered designs, patents / trademarks	
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	a a si	
3.2.3.4	Written product / service specifications	
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3.2.3.5	Customs license	

3.2.3.6	Product / service manuals		**************************************
3.2.3.7	Work instruction manuals		in fit
3.2.3.8	Database of customers		
3.2.3.9	Credit Application forms		
3.2.3.10	Correspondence with customers		*
3.2.3.11	Customer account records		# V
3.2.3.12	Records with regards to sales	*	8:
3.2.3.13	Records with regards to delivery notes and invoice	# E	
3.2.3.14	Project files	6 41	89
3.2.3.15	Clearing folders for imports		2
3.2.3.16	Price lists		
3.2.3.17	Records pertaining to customer complaints / assess	ments	
3.2.3.18	Records pertaining to quotes		
3.2.3.19	Records relating to products		
3.2.3.20	Records relating to sales	3	Mar.
3.2.3.21	Records relating to market research		152
3.2.3.22	Supply Agreements	8 8	
3.2.3.23	Distribution Agreements	e *	
3.2.3.24	Internal telephone directory		8
	These records include, but are not limited to, the Private Body's own affairs.	e records which pertain to	the
2	gi		*:

3.2.4 PERSONNEL DOCUMENTS AND RECORDS

Personal records provided by personnel (including permanent and temporary) including but not limited to:

3.2.4.1	Employment contracts	
3.2.4.2	Application forms	
3.2.4.2	Application forms	
3.2.4.3	Qualifications	8 E
3.2.4.4	Salary records	
3.2.4.5	Leave records	
3.2.4.6	Records relating to increases	
3.2.4.7	Disciplinary records	
3.2.4.8	Performance management records	
3.2.4.9	Medical history records of employees	
3.2.4.10	Long service awards	
3.2.4.11	Training records	
3.2.4.12	Training manuals	
3.2.4.13	Written company policies	
3.2.4.14	Attendance register	i di e
3.2.4.15	Pension Fund records	
3.2.4.16	Unemployment Insurance	·
3.2.4.17	Records relating to deductions	
	"Personnel" refers to any person who works f the Private Body, and receives or is entitled to who assists in carrying out or conducting the bu	receive remuneration and any other person
3.2.5	SAFETY RECORDS	
3.2.5.1	Safety manual	a a
3.2.5.2	Records of incidents	x ×
3.2.5.3	Records relating to corrective action	
3.2.5.4	Records relating to the Occupational Hea	lth & Safety Act
2255	Becards relating to the Commencetion for	Occurred and Victorian and Discorre

3.2.5.6	Quality control test results
3.2.6	INFORMATION TECHNOLOGY RECORDS
3.2.6.1	Licences
3.2.6.2	Software programs
3.2.6.3	Software applications
3.2.6.4	Computer generated databases
3.2.7	RECORDS REQUIRED IN TERMS OF LEGISLATION
3.2.7.1	A table of legislation setting out a description of the records of the Private Body
3.2.7.1	
e e	which are available in accordance with certain legislation, is as follows:-
3.2.7.1.1	Labour Relations Act 66 of 1995
22712	Employment Equity Act 55 of 1998
3.2.7.1.2	Employment Equity Act 33 of 1998
3.2.7.1.3	Basic Conditions of Employment Act 75 of 1997
3.2.7.1.4	Compensation for Occupational Injuries and Diseases Act 130 of 1993
	0
3.2.7.1.5	Companies Act 61 of 1973
3.2.7.1.6	Unemployment Insurance Act 63 of 2001
9	
3.2.7.1.7	South African Reserve Bank Act 90 of 1989
3.2.7.1.8	Stamp Duties Act 77 of 1968
3.2.7.1.9	Value Added Tax Act 89 of 1991
3.2.7.1.3	Value Added Tax Act by of 1991
3.2.7.1.10	Skills Development Act 9 of 1999
3.2.7.1.11	Ursury Act 79 of 1968
3.2.7.1.12	Pension Funds Act 24 of 1956
3.2.7.1.13	Income Tax Act 58 of 1962

Reference to the above-mentioned legislation shall include subsequent amendments to such legislation.

3.2.8 OTHER PARTY RECORDS

- 3.2.8.1 Personnel, customer or Private Body records which are held by another party (e.g. auditors), as opposed to the records held by the Private Body itself;
- 3.2.8.2 Records held by the Private Body pertaining to other parties, including without limitation, financial records, correspondence, contractual and transactional records, records provided by the other party, and records third parties have provided about contractors/suppliers.

PART IV

4 GROUNDS FOR REFUSAL OF ACCESS TO RECORDS

The main grounds for the Private Body to refuse a request for information relates to the -

- 4.1 mandatory protection of the privacy of a third party who is a natural person, which would involve the unreasonable disclosure of personal information of that natural person;
- 4.2 mandatory protection of the commercial information of a third party, if the record contains -
- 4.2.1 trade secrets of that third party;
- 4.2.2 financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party;
- 4.2.3 information disclosed in confidence by a third party to the Private Body, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition;
- 4.3 mandatory protection of confidential information of third parties if it is protected in terms of any agreement;
- 4.4 mandatory protection of the safety of individuals and the protection of property;
- 4.5 mandatory protection of records which would be regarded as privileged in legal proceedings;
- 4.6 the commercial activities of the Private Body, which may include –
- 4.6.1 trade secrets of the Private Body;
- 4.6.2 financial, commercial, scientific or technical information which disclosure of could likely cause harm to the financial or commercial interests of the Private Body;
- 4.6.3 information which, if disclosed could put the Private Body at a disadvantage in negotiations or commercial competition;
- 4.6.4 a computer program which is owned by the Private Body, and which is protected by copyright.
- 4.7 the research information of the Private Body or a third party, if its disclosure would disclose the identity of the Private Body, the researcher or the subject matter of the research and would place the research at a serious disadvantage;
- 4.8 Requests for information that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources shall be refused.

5 REMEDIES AVAILABLE WHEN A PRIVATE BODY REFUSES A REQUEST FOR INFORMATION

5.1 INTERNAL REMEDIES

The Private Body does not have an internal appeal procedure. As such, the decision made by the information officer is final, and requesters will have to exercise such external remedies at their disposal if the request for information is refused, and the requester is not satisfied with the answer supplied by the information officer.

5.2 EXTERNAL REMEDIES

A requester that is dissatisfied with an information officer's refusal to disclose information, may within 30 days of notification of the decision, apply to a relevant Court for relief.

Likewise, a third party dissatisfied with an information officer's decision to grant a request for information, may within 30 days of notification of the decision, apply to a Court for relief. For purposes of the Act, the Courts that have jurisdiction over these applications are the Constitutional Court, the High Court or another court of similar status.

6 REQUEST PROCEDURE

- The requester must comply with all the procedural requirements contained in the Act relating to the request for access to a record.
- The requester must complete the prescribed form enclosed herewith in **Appendix 1**, and submit same as well as payment of a request fee and a deposit, if applicable to the Information Officer at the postal or physical address, fax number or electronic mail address as stated in 2.1 or 2.2 above.
- 6.3 The prescribed form must be filled in with enough particularity to at least enable the Information Officer to identify –
- 6.3.1 The record or records requested;
- 6.3.2 The identity of the requester,
- 6.3.3 Which form of access is required, if the request is granted;
- 6.3.4 The postal address or fax number of the requester.
- The requester must state that he/she requires the information in order to exercise or protect a right, and clearly state what the nature of the right is so to be exercised or protected. In addition, the requester must clearly specify why the record is necessary to exercise or protect such a right.
- The Private Body will process the request within 30 days, unless the requester has stated special reasons which would satisfy the Information officer that circumstances dictate that the above time periods not be complied with.
- The requester shall be informed whether access granted or denied. If, in addition, the requester requires the reasons for the decision in any other manner, he/she must state the manner and the particulars so required.

- 6.7 If a request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of the information officer.
- 6.8 If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally.
- 6.9 The requester must pay the prescribed fee, before any further processing can take place.

7 ACCESS TO RECORDS HELD BY THE PRIVATE BODY

- 7.1 Records held by the Private Body may be accessed by requests only once the prerequisite requirements for access have been met.
- 7.2 A requester is any person making a request for access to a record of the Private Body. There are two types of requesters:

7.2.1 PERSONAL REQUESTER

- 7.2.1.1 A personal requester is a requester who is seeking access to a record containing personal information about the requester.
- 7.2.1.2 The Private Body will voluntarily provide the requested information, or give access to any record with regard to the requester's personal information. The prescribed fee for reproduction of the information requested will be charged.

7.2.2 OTHER REQUESTER

7.2.2.1 This requester (other than a personal requester) is entitled to request access to information on third parties. However, the Private Body is not obliged to voluntarily grant access. The requester must fulfil the prerequisite requirements for access in terms of the Act, including the payment of a request and access fee.

8 FEES

- 8.1 The Act provides for two types of fees, namely:
- 8.1.1 A request fee, which will be a standard fee; and
- An access fee, which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs.
- When the request is received by the Information Officer, such officer shall by notice require the requester, other than a personal requester, to pay the prescribed request fee (if any), before any further processing of the request.
- 8.3 If the search for the record has been made and the preparation of the record for disclosure, including arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, the information officer shall notify the requester to pay as a deposit the prescribed portion of the Access fee which would be payable if the request is granted.
- The information officer shall withhold a record until the requester has paid the fees as indicated in Appendix 2.

- A requester whose request for access to a record has been granted, must pay an access fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure including making arrangements to make it available in the request form.
- 8.6 If a deposit has been paid in respect of a request for access, which is refused, then the information officer concerned must repay the deposit to the requester.

9 DECISION

- 9.1 The Private Body will, within 30 days of receipt of the request, decide whether to grant or decline the request and give notice with reasons (if required) to that effect.
- 9.2 The 30 day period with which the Private Body has to decide whether to grant or refuse the request, may be extended for a further period of not more than thirty days if the request is for a large amount of information, or the request requires a search for information held at another office of the Private Body and the information cannot reasonably be obtained within the original 30 day period. The Private Body will notify the requester in writing should an extension be sought.

10 AVAILABILITY OF THE MANUAL

10.1 This manual is made available in terms of Regulation Number R. 187 of 15 February 2002.

APPENDIX - 1

PRESCRIBED FORM TO BE COMPLETED BY A REQUESTER

FORM B

RE	OUEST	FOR	ACCESS TO	RECORDS	OF PRIX	ATE BODY

(Section 53(1)	of the Promotion of Access to Information Act, No 2 of 2000)
	(Regulation 4)
A. Pa	rticulars of Private Body
The Head:	
	* 1
B. Par	rticulars of Person requesting access to the record
(a) The partie	culars of the person who requests access to the records must be recorded below.
(b) Furnish a	in address and/or fax number in the Republic to which information must be sent.
(c) Proof of t	he capacity in which the request is made, if applicable, must be attached.
Identity Number Postal Address:	Surname:r:
Telephone Num	ber: Fax Number:
Capacity in whic	ch request is made, when made on behalf of another person:
C. Par	ticulars of person of whose behalf request is made:
This section mus	t be completed only if a request for information is made on behalf of another person
Full names and S	Surname:
dontitu XV1	
dentity Number	

D.	Particulars of Record:		£			- 84
(a)) Provide full particulars of the record to which access is requested,	includ	ing the	refere	nce nu	mber 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 for	olio an	d attaci	h it to	this for	rm. The
	requester must sign all the additional folios				10	
					ig .	
1.	Description of the Record or relevant part of the record:	£39				8
LI STORENS	*					
		# X	8 8			
2.	Reference number, if available:	*	10 10			
2.	Any further particulars of the record:	3				
					Ta.	
-17						
-	77				6.5	
E.						
(a)	100 mm	rsona	inform	ation	about y	yourself,
	will be processed only after a request fee has been paid.	(62) (6 T)				75
(b)		e ()			201 a	
(c)	c) The fee payable for access to a record depends on the form in which	ch the	access i	is requ	ired a	nd the
	reasonable time required to search for and prepare a record.	19				
(d)	d) If you qualify for exemption of the payment of any fee, please state	the re	ason the	erefor	e.	
	*					
Rea	Leason for exemption of payment of the fee:		*	0. 2	3 "	w.
					5	(g)
-						3
			8		5	++
	Form of Access to the Record:		20			

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.

Disabi	ility:			Form in	which recor	d is required:
		(4)		a		•
N-25-000		10		11		
						* 2
				#		17
Mark t	he appropriate box with	h an "X"	19 19		F	·
NOTES	S:	12	* * *			8 B
(a) Yo	our indication as to the	required f	form of access	depends on	the form in	which the record is available.
						n such a case you will be
	formed if access will be					such a case you will be
	8 8 8	10 .00 1			minad nauth	by the form in which access is
	quested.	s to the re	cora, ij any, w	iii ve aeier	minea parity	y by the form in which access is
, , , ,	quesieu.					American Allian
	T ₂ - F		*			9.
	6.				111	
	ne record is in written	04 mulada	d form:			8.5
1. If th		or printe	u totim.			
1. If th	Copy of record *	or printe	u torm.		Inspection	of record
1. If th		or printe	u torm.		Inspection	of record
1. If th		or printe	u 101 iii.		Inspection	of record
1. If th		or printe	u torin.		Inspection	of record
•	Copy of record *	e ²			Inspection	of record
2. If th	Copy of record *	isual imag	ges:	s. computer		
2. If th	Copy of record * ne record consists of vision includes photographs	isual imag	ges: deo recordings			mages, sketches, etc.)
2. If th	Copy of record *	isual imag	ges:			
2. If th	Copy of record * ne record consists of vision includes photographs	isual imag	ges: deo recordings			mages, sketches, etc.)
2. If th	Copy of record * ne record consists of vision includes photographs	isual imag	ges: deo recordings			mages, sketches, etc.)
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2. If th	Copy of record * ne record consists of vision includes photographs View the images	isual imag , slides, vid	ges: deo recordings Copy of the i	images *	r-generated i	mages, sketches, etc.) Transcription of the images* eproduced in sound;
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2. If the	Copy of record * ne record consists of vision includes photographs View the images re record consists of re Listen to the soundtr (audio cassette)	isual imag	deo recordings Copy of the i	mages *	ich can be r Transcripti (written or	mages, sketches, etc.) Transcription of the images* eproduced in sound: on of soundtrack * printed document)
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	(charge) do rous wich the	YES NO
If you requested a copy or transcription of a record	(above), do you wish the	1122
ppy or transcription to be posted to you?		
postal fee is payable.		
Particulars of right to be exercised or	r protected:	
6.1	of a servente felie and attac	h it to this form
f the provided space is inadequate, please continue	of a separate folio and attac	in it to this form
The requester must sign all the additional folios		x 19 32
8 , , , , , , , , , , , , , , , , , , ,		
indicate which right is to be exercised or protected:		
	3	
Explain why the requested record is required	for the exercising or protec	tion of the aforementioned
right:		
	1 1 1 1 1	
		· · · · · · · · · · · · · · · · · · ·
, *		
H. Notice of decision regarding request	for access:	
H. Notice of decision regarding request	for access:	
H. Notice of decision regarding request	for access:	
		l. If you wish to be informe
You will be notified in writing whether your reques	t has been approved/denied	
You will be notified in writing whether your requesthereof in another manner, please specify the manner.	t has been approved/denied	
You will be notified in writing whether your reques	t has been approved/denied	
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You will be notified in writing whether your request thereof in another manner, please specify the manner compliance with your request. How would you prefer to be informed of the decision	at has been approved/denied er and provide the necessar on regarding your request fo	y particulars to enable or access to the record?
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You will be notified in writing whether your request thereof in another manner, please specify the manner compliance with your request. How would you prefer to be informed of the decision	t has been approved/denieder and provide the necessar on regarding your request for day of	y particulars to enable or access to the record?
You will be notified in writing whether your request thereof in another manner, please specify the manner compliance with your request. How would you prefer to be informed of the decision	t has been approved/denieder and provide the necessar on regarding your request for day of	y particulars to enable or access to the record? 200_

APPENDIX - 2

REPRODUCTION FEES

Where requested document appear in the appendix 1 i.e. the 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.

THE APPLICABLE FEES FOR REPRODUCTION AS REFERRED TO ABOVE ARE:

		R
		#1 87 :3550
•	For every photocopy of an A4-size page or part thereof	1,10
•	For every printed copy of an A4-size page or part thereof held on a	
	computer or in electronic or machine readable form	0,75
•	For a copy in a computer-readable form on	
18	- Stiffy disc	7,50
9	- Compact disc	70,00
٠	A transcription of visual images, for an A4-size page or part thereof	40,00
•	For a copy of visual images	60,00
•	A transcription of an audio record, for an A4-size page or part thereof	20,00
•	For a copy of an audio record	30,00

Request fees:

Where a requester submits a request for access to information held by an Private Body on a person other that the requester himself/herself, a request fee in the amount of R50,00 is payable up-front before the Private Body will further process the request received.

Access fees:

An access fee is payable in all instances where a request for access to information is granted, except in those instances where payment of an access fee is specially excluded in terms of the Act or an exclusion is determined by the Minister in terms of Section 54 (8).

The applicable access fees which will be payable are:

(4)	W.		
٠	For every photocopy of an A4-size page or part thereof	10	1,10
•	For every printed copy of an A4-size page or part thereof held on		8
#3 WG	a computer or in electronic or machine readable form	80 38	0,75

	R	
•	For a copy in a computer-readable form on	
	- Stiffy disc	7,50
*	- Compact disc 70	0,00
•	A transcription of visual images, for an A4-size page or part thereof	0,00
•	For a copy of visual images 66	0,00
•	A transcription of an audio record, for an A4-size page or part thereof .20	0,00
•	For a copy of an audio record 30	0,00
•	To search for a record that must be disclosed 3	0,00
	(per hour or part of an hour reasonably required for such search)	3
	reserve and the reserve we desired the second of the second of the second of	

Where a copy of a record needs to be posted the actual postal fee is payable.

Deposits:

Where the 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 of disclosure will take more than 6 (six) hours, a deposit is payable by the requester.

The amount of the deposit is equal to 1/3 (one third) of the amount of the applicable access fee.

Note: In terms of Regulation 8, Value Added Tax (VAT) must be added to all fees prescribed in terms of the Regulations.

MANUAL

of

MPBMATTHEE

Prepared in accordance with Section 51 of the Promotion of Access to Information Act, No 2 of 2000.

(Private Body)

1 INTRODUCTION

1.1 The Promotion of Access to Information Act, No 2 of 2000 ("the Act") was enacted on 3 February 2000, 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 the Act, the body to whom the request is made is obliged to release the information, except where the Act expressly provides that the information may or must not be released. The Act sets out the requisite procedural issues attached to such request.

1.2 PURPOSE OF THE MANUAL:

In order to promote effective governance of private bodies, it is necessary to ensure that everyone is empowered and educated to understand their rights in terms of the Act in order for them to exercise their rights in relation to public and private bodies.

Section 9 of the Act however recognises that such right to access to information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to:

- Limitations aimed at the reasonable protection of privacy;
- Commercial confidentiality; and
- Effective, efficient and good governance;

and in a manner which balances that right with any other rights, including such rights contained in the Bill of Rights in the Constitution.

Wherever reference is made to "Private Body" in this manual, it will refer to MPB MATTHEE a private body which operates in the farming industry, for whom this manual is drafted.

Wherever reference is made to a "document" or "record", it shall include such documents or records that are stored on a computer or in any form of electronic format (precedent included).

2.2.7

PART I

2 CONTACT DETAILS

2.1 Information Office	r: MRJJMATTHEE
------------------------	----------------

Postal address: PO Box 668, Bredasdorp, 7280

Physical Address: Klipbankskloof

Tel: (028) 452 1608

Fax: (028) 452 1608

Email address: N/A

2.2 GENERAL INFORMATION

2.2.1	Name of Private Body: M P B MATTHEE
2.2.2	Head of Private Body: MPB Matthee
2.2.3	Vat Registration No. 4820109116
2.2.4	Postal Address: P O Box 668, Bredasdorp, 7280
2.2.5	Physical Address (or main place of business): Klipbankskloof
2.2.6	Tel: (028) 452 1608

Fax: (028) 452 1608

PART II

3 GUIDE OF SOUTH AFRICAN HUMAN RIGHTS COMMISSION

The South African Human Rights Commission has at the date of printing hereof not yet compiled the guide contemplated in Section 10 of the Act. The guide will contain such information as may reasonably be required by a person who wishes to exercise any right contemplated in the Act. Any enquiries regarding this guide should be directed to:

The South African HUMAN RIGHTS COMMISSION,

at PAIA Unit (THE RESEARCH AND DOCUMENTATION DEPARTMENT),

Private Bag X2700, HOUGHTON, 2041;

Telephone Number: (011) 484-8300;

Facsimile Number: (011) 484-1360;

Website: www.sahrc.org.za;

E-mail Address: PIAI@sahrc.org.za.

PART III

3.1 RECORDS OF THE PRIVATE BODY

This clause serves as a reference to the records that the Private Body holds in order to facilitate a request in terms of the Act.

The information is classified and grouped according to records relating to the following subjects and categories:

It is recorded that the accessibility of the documents listed herein below, may be subject to the grounds of refusal set out hereinafter.

The head of the private body may, in addition and on a voluntary basis, also publish notices in terms of Section 52(2) of the Act regarding categories of records which are available without a person having to request access in terms of the Act.

3.2 PRIVATE BODY DOCUMENTS AND RECORDS

3.2.1 INCORPORATION DOCUMENTS AND RECORDS

NOT APPLICABLE

3.2.2 FINANCIAL DOCUMENTS AND RECORDS

3.2.2.1 Regional Services Council records

3.2.2.2 Vat records

3.2.2.3	Tax records	
3.2.2.4	UIF records	
3.2.2.5	Asset inventory	
3.2.2.6	Asset register	
3.2.2.7	Proof of delivery forms	2
3.2.2.8	Goods received vouchers	
3.2.2.9	Debit notes	
3.2.2.10	Credit notes	* 9
3.2.2.11	Savings Account records	
3.2.2.12	Cheque Account / Current Account records a	and statements
3.2.2.13	Call Account records	
3.2.2.14	Financial reporting records	225
3.2.2.15	Financial documents including annual financ	ial statements
3.2.3 OP	PERATIONAL DOCUMENTS AND REC	CORDS
3.2.3.1	Europ Gap compliance documentation	
3.2.3.2	Licences and documentation relating to exponent	rt of goods
3.2.3.3	Supply Agreements	
3.2.3.4	Permits and licences	v [©] + v
3.2.3.5	Correspondence with customers	er ia W
3.2.3.6	Customer account records	E *
3.2.3.7	Records with regards to sales	
3.2.3.8	Records with regards to production	500 500 Mari

3.2.3.9	Co-operative statistics	
	These records include, but are not limited to records which pertain to	the Private
2:	Body's own affairs.	
		(tr
3.2.4	PERSONNEL DOCUMENTS AND RECORDS	
*		a a.
15 (29 15	Personal records provided by personnel and other reocrds including but not lin	nited to:
3.2.4.1	Employment contracts / Letters of appointment	**
		eli "
3,2.4.2	Remuneration records / Salary advice slips	. 4
3.2.4.3	Disciplinary codes, procedures and records	8 a
3.2.4.4	Unemployment Insurance	
3.2.4.5	Records relating to deductions including statutory or otherwise	. 5.4
3.2.4.6	Identification records	* *
· ·	the Private Body, and receives or is entitled to receive remuneration and any who assists in carrying out or conducting the business of the Private Body. T without limitation, members, all permanent and limited duration staff.	
3.2.5	SAFETY RECORDS	a W
1111		
3.2.5.1	Quality control test results	
3.2.6	INFORMATION TECHNOLOGY RECORDS	F2
3.2.6.1	Software Licences	
3.2.6.2	Software programmes	t e
J.2.0.2	Solimate programmes	E
3.2.7	RECORDS REQUIRED IN TERMS OF LEGISLATION	. (3)
or:		1
3.2.7.1	A list of certain legislation setting out a description of the records of	the Private
Į.	Body which are available in accordance with such legislation, is as follows:	ws:-
7, 7, 4		¥
3.2.7.1.1	Labour Relations Act 66 of 1995	
		**
3.2.7.1.2	Employment Equity Act 55 of 1998	
3.2.7.1.3	Basic Conditions of Employment Act 75 of 1997	
# #		A
3.2.7.1.4	Firearms Control Act 60 of 2000	060

3.2.7.1.5	Compensation for Occupational Injuries and Diseases Act 130 of 1993
3.2.7.1.6	Constitution of SA 108 of 1996
3.2.7.1.7	Unemployment Insurance Act 63 of 2001
3.2.7.1.8	Value Added Tax Act 89 of 1991
3.2.7.1.9	Skills Development Act 9 of 1999
3.2.7.1.10	Income Tax Act 58 of 1962
	Reference to the above-mentioned legislation shall include subsequent amendments
9	to such legislation and all relevant sections within such legislation in terms of
	which the private body holds records.
3.2.8 OTI	IER PARTY RECORDS
3.2.8.1	Personnel, customer or Private Body records which are held by another party (example auditors), as opposed to the records held by the Private Body itself;
3.2.8.2	Records held by the Private Body pertaining to other parties, including without limitation, financial records, correspondence, contractual and transactional records, records provided by the other party, and records third parties have provided.

PART IV

4 GROUNDS FOR REFUSAL OF ACCESS TO RECORDS

The main grounds for the Private Body to refuse a request for information relates to the -

- 4.1 mandatory protection of the privacy of a third party who is a natural person, which would involve the unreasonable disclosure of personal information of that natural person;
- 4.2 mandatory protection of the commercial information of a third party, if the record contains -
- 4.2.1 trade secrets of that third party;
- 4.2.2 financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party;
- 4.2.3 information disclosed in confidence by a third party to the Private Body, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition;
- 4.3 mandatory protection of confidential information of third parties if it is protected in terms of any agreement;
- 4.4 mandatory protection of the safety of individuals and the protection of property;
- 4.5 mandatory protection of records which would be regarded as privileged in legal proceedings;

- 4.6 the commercial activities of the Private Body, which may include -
- 4.6.1 trade secrets of the Private Body;
- 4.6.2 financial, commercial, scientific or technical information which disclosure of could likely cause harm to the financial or commercial interests of the Private Body;
- 4.6.3 information which, if disclosed could put the Private Body at a disadvantage in negotiations or commercial competition;
- 4.6.4 a computer program which is owned by the Private Body, and which is protected by copyright.
- 4.7 the research information of the Private Body or a third party, if its disclosure would disclose the identity of the Private Body, the researcher or the subject matter of the research and would place the research at a serious disadvantage;
- 4.8 Requests for information that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources shall be refused.

5 REMEDIES AVAILABLE WHEN A PRIVATE BODY REFUSES A REQUEST FOR INFORMATION

5.1 INTERNAL REMEDIES

The Private Body does not have an internal appeal procedure. As such, the decision made by the information officer is final, and requesters will have to exercise such external remedies at their disposal if the request for information is refused, and the requester is not satisfied with the answer supplied by the information officer.

5.2 EXTERNAL REMEDIES

A requester that is dissatisfied with an information officer's refusal to disclose information, may within 30 days of notification of the decision, apply to a relevant Court for relief.

Likewise, a third party dissatisfied with an information officer's decision to grant a request for information, may within 30 days of notification of the decision, apply to a Court for relief. For purposes of the Act, the Courts that have jurisdiction over these applications are the Constitutional Court, the High Court or another court of similar status.

6 REQUEST PROCEDURE

- The requester must comply with all the procedural requirements contained in the Act relating to the request for access to a record.
- 6.2 The requester must complete the prescribed form enclosed herewith in **Appendix 1**, and submit same as well as payment of a request fee and a deposit, if applicable to the Information Officer at the postal or physical address, fax number or electronic mail address as stated in 2.1 or 2.2 above.
- 6.3 The prescribed form must be filled in with enough particularity to at least enable the Information Officer to identify –
- 6.3.1 The record or records requested;

6.3.2 The identity of the requester, 6.3.3 Which form of access is required, if the request is granted: 6.3.4 The postal address or fax number of the requester. The requester must state that he/she requires the information in order to exercise or protect a 6.4 right, and clearly state what the nature of the right is so to be exercised or protected. In addition, the requester must clearly specify why the record is necessary to exercise or protect such a right. 6.5 The Private Body will process the request within 30 days, unless the requester has stated special reasons which would satisfy the Information officer that circumstances dictate that the above time periods not be complied with. The requester shall be informed whether access granted or denied. If, in addition, the requester 6.6 requires the reasons for the decision in any other manner, he/she must state the manner and the particulars so required. 6.7 If a request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of the information officer. If an individual is unable to complete the prescribed form because of illiteracy or disability, such 6.8 a person may make the request orally. 6.9 The requester must pay the prescribed fee, before any further processing can take place. 7 ACCESS TO RECORDS HELD BY THE PRIVATE BODY 7.1 Records held by the Private Body may be accessed by requests only once the prerequisite requirements for access have been met. 7.2 A requester is any person making a request for access to a record of the Private Body. There are two types of requesters: 7.2.1 PERSONAL REQUESTER 7.2.1.1 A personal requester is a requester who is seeking access to a record containing personal information about the requester. 7.2.1.2 The Private Body will voluntarily provide the requested information, or give access to any record with regard to the requester's personal information. The prescribed fee for reproduction of the information requested will be charged. 7.2.2 OTHER REQUESTER 7.2.2.1 This requester (other than a personal requester) is entitled to request access to

information on third parties. However, the Private Body is not obliged to voluntarily grant access. The requester must fulfil the prerequisite requirements for access in terms of the Act, including the payment of a request and access fee.

8 FEES

8.1 The Act provides for two types of fees, namely:

- 8.1.1 A request fee, which will be a standard fee; and
- 8.1.2 An access fee, which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs.
- When the request is received by the Information Officer, such officer shall by notice require the requester, other than a personal requester, to pay the prescribed request fee (if any), before any further processing of the request.
- 8.3 If the search for the record has been made and the preparation of the record for disclosure, including arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, the information officer shall notify the requester to pay as a deposit the prescribed portion of the Access fee which would be payable if the request is granted.
- 8.4 The information officer shall withhold a record until the requester has paid the fees as indicated in Appendix 2.
- A requester whose request for access to a record has been granted, must pay an access fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure including making arrangements to make it available in the request form.
- 8.6 If a deposit has been paid in respect of a request for access, which is refused, then the information officer concerned must repay the deposit to the requester.

9 DECISION

- 9.1 The Private Body will, within 30 days of receipt of the request, decide whether to grant or decline the request and give notice with reasons (if required) to that effect.
- 9.2 The 30 day period with which the Private Body has to decide whether to grant or refuse the request, may be extended for a further period of not more than thirty days if the request is for a large amount of information, or the request requires a search for information held at another office of the Private Body and the information cannot reasonably be obtained within the original 30 day period. The Private Body will notify the requester in writing should an extension be sought.

10 AVAILABILITY OF THE MANUAL

10.1 This manual is made available in terms of Regulation Number R. 187 of 15 February 2002.

The protection of the section

APPENDIX - 1

PRESCRIBED FORM TO BE COMPLETED BY A REQUESTER

FORM B

REQUEST FOR ACCESS TO RECORDS OF P	RIVATE BODY
3	
(Section 53(1) of the Promotion of Access to Inform	nation Act, No 2 of 2000)
(Reg	ulation 4)
A. Particulars of Private Body	
The Head:	80 S
The riead:	- <u> </u>
8	
B. Particulars of Person requesting access	ss to the record
a) The particulars of the person who requests acc	cess to the records must be recorded below.
b) Furnish an address and/or fax number in the R	Republic to which information must be sent.
c) Proof of the capacity in which the request is m	
dentity Number:	
ostal Address:	
elephone Number:	Fax Number:
-mail address:	
Capacity in which request is made, when made on bel	half of another person:
8	
	g
. Particulars of person of whose behalf r	request is made:
his section must be completed only if a request for in	aformation is made on behalf of another person
, and a second s	general and the second of an extra possess
.113	
ull names and Surname:	

D.	Particulars of Record:	
(a)	Provide full particulars of the record to which access is requeste	d, 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	e folio and attach it to this form. The
	requester must sign all the additional folios	
1.2		
1.	Description of the Record or relevant part of the record:	ж в
		8 8 75
-		
a e		3
		***** * * * * * * * * * * * * * * * *
2.	Reference number, if available:	
2.	Any further particulars of the record:	*** **********************************
.,		
		NE s
E.	Fees:	. 48
(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 of the request fee.	
(c)	The fee payable for access to a record depends on the form in w	hich the access is required and the
8	reasonable time required to search for and prepare a record.	
(d)	If you qualify for exemption of the payment of any fee, please sta	te the reason therefore.
		9 2
Reas	son for exemption of payment of the fee:	
		* *, "
F.	Form of Access to the Record:	8 . °

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.

Disabi	nty:			Form in	which reco	ord is required:	1 98
						3 1 1	- y
						*	-
Mark t	he appropriate box with	an "X"					
VOTES	(8.5), (8.5)			tii			
	ur indication as to the r	eauired	form of access	depends of	n the form i	n which the record is	vailahle
	cess in the form request						
	ormed if access will be						
	e fee payable for access				rmined part	lv by the form in which	h access is
	uested.		800 IS S - 5.5			, .,,	
	H. J. J. B. J. B. J. J. B. B. J. B.	y 1	5 - 2	-			
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YEAL			16			:	
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	Copy of record *	, primit			Inspection	n of record	
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	Copy of record * e record consists of vis	ual ima	ges: ideo recording	Jan 1900 - 1000		images, sketches, etc.	
(This	Copy of record * e record consists of vis	ual ima slides, v	ges: ideo recording. Copy of the	images *	r-generated	images, sketches, etc. Transcription of the	images*
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(This	Copy of record * e record consists of vis s includes photographs, View the images e record consists of rec	ual ima slides, v	ges: ideo recording. Copy of the	images *	r-generated ich can be Transcript	images, sketches, etc. Transcription of the reproduced in sound ion of soundtrack *	images*
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If the	Copy of record * e record consists of vis sincludes photographs, View the images e record consists of rec Listen to the soundtra (audio cassette)	slides, v	ges: ideo recording Copy of the	images * mation wh	ich can be Transcript (written or	images, sketches, etc. Transcription of the reproduced in sound ion of soundtrack * printed document)	images*
If the	Copy of record * e record consists of vis includes photographs, View the images e record consists of rec Listen to the soundtra (audio cassette)	slides, v	ges: ideo recording. Copy of the	mation wh	ich can be Transcript (written or	images, sketches, etc. Transcription of the reproduced in sound ion of soundtrack * printed document)	images*

* If you requested a copy or transcription A postal fee is payal G. Particul If the provided space The requester must see Indicate which right	to be posted to you ble. lars of right to be is inadequate, ple	exercised or property of the second s	rotected:		YES	NO
A postal fee is payal G. Particul If the provided space The requester must see	lars of right to be is inadequate, ple sign all the addition	exercised or property of the continue of the c		o and attach i	t to this form	
G. Particular of the provided space. The requester must s	lars of right to be	ase continue of onal folios		o and attach i	t to this form	
G. Particular of the provided space. The requester must s	lars of right to be	ase continue of onal folios		and attach i	t to this form	
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f the provided space The requester must s	is inadequate, ple	ase continue of onal folios		and attach i	t to this form	
The requester must s	sign all the addition	onal folios	a separate folio	and attach i	t to this form	
The requester must s	sign all the addition	onal folios	a separate folio	and attach i	t to this form	
The requester must s	sign all the addition	onal folios	a separate folio	and attach i	t to this form	
The requester must s	sign all the addition	onal folios			· · ·	
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ndicate which right	is to be exercised	or protected:	3			
ndicate which right	is to be exercised	or protected:	4000		40	5 8
Y II K						
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			59 30	i i		
. Explain why the	he requested recor	d is required for	the exercising	or protection	of the afore	mentioned
the committee of	no requested recor	a 10 Indanoa tot		F		
right:			9. 8		4 (8)	, K
						
	14 15 (A)					
	25000 A S	n N		‡.		
				1		
I. Notice	of decision regard	ing request for	access:	6	£ #	
		2. 2. 2. 2.	1	X5		源
		* 12. FG	£.			4
You will be notified	in writing whether	r your request ha	as been approv	ed/denied. If	you wish to	be informed
hereof in another ma	anner, please spec	ify the manner a	nd provide the	necessary pa	rticulars to e	nable
compliance with you						YES
omphance with you	ii request.	4 * 1				

APPENDIX - 2

REPRODUCTION FEES

Where requested document appear in the appendix 1 i.e. the 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.

THE APPLICABLE FEES FOR REPRODUCTION AS REFERRED TO ABOVE ARE:

		R
•	For every photocopy of an A4-size page or part thereof	1,10
٠	For every printed copy of an A4-size page or part thereof held on a	
	computer or in electronic or machine readable form	0,75
•	For a copy in a computer-readable form on	
	- Stiffy disc	7,50
	- Compact disc	70,00
•	A transcription of visual images, for an A4-size page or part thereof	40,00
•	For a copy of visual images	60,00
•	A transcription of an audio record, for an A4-size page or part thereof	20,00
•	For a copy of an audio record	30,00

Request fees:

Where a requester submits a request for access to information held by an Private Body on a person other that the requester himself/herself, a request fee in the amount of R50,00 is payable up-front before the Private Body will further process the request received.

Access fees:

An access fee is payable in all instances where a request for access to information is granted, except in those instances where payment of an access fee is specially excluded in terms of the Act or an exclusion is determined by the Minister in terms of Section 54 (8).

The applicable access fees which will be payable are:

			K
•	For every photocopy of an A4-size page or part thereof	11	1,10
•	For every printed copy of an A4-size page or part thereof held on		a e Santa
	a computer or in electronic or machine readable form	*	0,75

		R
•	For a copy in a computer-readable form on	7.50
	- Stiffy disc	7,50
	- Compact disc	70,00
•	A transcription of visual images, for an A4-size page or part thereof	40,00
•	For a copy of visual images	60,00
•	A transcription of an audio record, for an A4-size page or part thereof	20,00
•	For a copy of an audio record	30,00
•	To search for a record that must be disclosed	30,00
-	(per hour or part of an hour reasonably required for such search)	
•	Where a copy of a record needs to be posted the actual postal fee is payable.	ė.

Deposits:

Where the 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 of disclosure will take more than 6 (six) hours, a deposit is payable by the requester.

The amount of the deposit is equal to 1/3 (one third) of the amount of the applicable access fee.

Note: In terms of Regulation 8, Value Added Tax (VAT) must be added to all fees prescribed in terms of the Regulations.

MANUAL

of

BREDAFLOR (PTY) LTD

Prepared in accordance with Section 51 of the Promotion of Access to Information Act, No 2 of 2000.

(Private Body)

1 INTRODUCTION

1.1 The Promotion of Access to Information Act, No 2 of 2000 ("the Act") was enacted on 3 February 2000, 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 the Act, the body to whom the request is made is obliged to release the information, except where the Act expressly provides that the information may or must not be released. The Act sets out the requisite procedural issues attached to such request.

1.2 PURPOSE OF THE MANUAL:

In order to promote effective governance of private bodies, it is necessary to ensure that everyone is empowered and educated to understand their rights in terms of the Act in order for them to exercise their rights in relation to public and private bodies.

Section 9 of the Act however recognises that such right to access to information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to:

- · Limitations aimed at the reasonable protection of privacy;
- Commercial confidentiality; and
- · Effective, efficient and good governance;

and in a manner which balances that right with any other rights, including such rights contained in the Bill of Rights in the Constitution.

Wherever reference is made to "Private Body" in this manual, it will refer to BREDAFLOR (PTY) LTD a private body in the flower export and import industry for which this manual is drafted.

Wherever reference is made to a "document" or "record", it shall include such documents or records that are stored on a computer or in any form of electronic format (precedent included).

2.2.8

2.2.9

PART I

2 CONTACT DETAILS

2.1	Information Officer: MR J M MARAIS
	Postal address: P O Box 225, Bredasdorp
19	Physical Address: 2 nd Avenue, Bredasdorp
B 85 (Tel: (028) 424 2005
	Fax: (028) 424 1395
	Email address: bredaflor@dorea.co.za
2.2	GENERAL INFORATION
2.2.1	Name of Private Body: BREDAFLOR (PTY) LTD
2.2.2	Head of Private Body: Mr J M Marais
2.2.3	Registration No: 1980/00069/07
2.2.4	Vat Registration No. 4920109156
2.2.5	Postal Address: P O Box 225, Bredasdorp
2.2.6	Physical Address (or main place of business): 2 nd Avenue, Bredasdor
2.2.7	Telephone Number: (028) 424 2005

Facsimile number: (028) 424 1395

E-mail address: bredaflor@dorea.co.za

PART II

3 GUIDE OF SOUTH AFRICAN HUMAN RIGHTS COMMISSION

The South African Human Rights Commission has at the date of printing hereof not yet compiled the guide contemplated in Section 10 of the Act. The guide will contain such information as may reasonably be required by a person who wishes to exercise any right contemplated in the Act. Any enquiries regarding this guide should be directed to:

The South African HUMAN RIGHTS COMMISSION,

at PAIA Unit (THE RESEARCH AND DOCUMENTATION DEPARTMENT),

Private Bag X2700, HOUGHTON, 2041;

Telephone Number: (011) 484-8300;

Facsimile Number: (011) 484-1360;

Website: www.sahrc.org.za;

E-mail Address: PIAI@sahrc.org.za.

PART III

3.1 RECORDS OF THE PRIVATE BODY

This clause serves as a reference to the records that the Private Body holds in order to facilitate a request in terms of the Act.

The information is classified and grouped according to records relating to the following subjects and categories:

It is recorded that the accessibility of the documents listed herein below, may be subject to the grounds of refusal set out hereinafter.

The head of the private body may, in addition and on a voluntary basis, also publish notices in terms of Section 52(2) of the Act regarding categories of records which are available without a person having to request access in terms of the Act.

3.2 PRIVATE BODY DOCUMENTS AND RECORDS

3.2.1 INCORPORATION DOCUMENTS AND RECORDS

Minutes of Shareholders' meetings

3.2.1.1	Copies of the Constitution of the business
3.2.1.2	Copies of Shareholders' agreements
3.2.1.3	Minutes of Board of Directors meetings

3.2.1.4

3.2.1.5	Minutes of Management me	eetings
3.2.2	FINANCIAL DOCUMENTS	AND RECORDS
3.2.2.1	Regional Services Council 1	ecords
3.2.2.2	Vat records	
3.2.2.3	Tax records	
3.2.2.4	PAYE records	
3.2.2.5	UIF records	
3.2.2.6	Stock records	
3.2.2.7	Asset inventory	
3.2.2.8	Asset register	
3.2.2.9	Order forms	
3.2.2.10	Invoices	
3.2.2.11	Statements	
3.2.2.12	Proof of delivery forms	
3.2.2.13	Goods received vouchers	
3.2.2.14	Goods returned vouchers	
3.2.2.15	Debit notes	
3.2.2.16	Credit notes	
3.2.2.17	Cheque Account records and	statements
3.2.2.18	Current Account records and	statements
3.2.2.19	Call Account records	
3.2.2.20	Cash records	

3.2.2.21	Financial statements
	e a la lacia de la companya de la c
3.2.2.22	Financial documents
3.2.3 OP:	ERATIONAL DOCUMENTS AND RECORDS
5.2.5	ERATIONAL DOCUMENTS AND RECORDS
3.2.3.1	Supply agreements
3.2.3.2	Distribution agreements
3.2.3.3	Internal telephone directory
3.2.3.4	Environmental impact studies / reports / results
3,2,3,1	
3.2.3.5	Promotional material
3,2,3,3	Promodonal material
3.2.3.6	Marketing call reports
3.2.3.7	Records relating to business plan /activities
3.2.3.8	Licences relating to export and collection of dry flowers
3.2.3.9	Product / service manuals
,	
3.2.3.10	Work instruction manuals
3.2.3.10	WORK HISTOCHOR INAMAS
3.2.3.11	Database of customers
3.2.3.12	Correspondence with customers
3.2.3.13	Customer account records
3.2.3.14	Records with regards to sales, including exports
3.2.3.15	Records with regards to production
	The state of the s
3.2.3.16	Records with regards to scheduling, supply and export and import of goods
3.2.3.10	Records with regards to scheduling, supply and export and import of goods
, te	
3.2.3.17	Business plans
to ship	
3.2.3.18	Strategy document

3.2.3.19	Vision statement

3.2.4.16

Pension Fund

				2:
3.2.3.20	Mission statement	у ж. п. ж. ца		É na
3.2.3,21	Action plans	*	* *	1 (4) (2) 3 1 (4) (4) (4) (4)
(a)		8	# ₂₂	
3.2.3.22	Price lists	90		
		27	2 B	27 N
3.2.3.23	Records relating to customer con	mplaints / assess	sments	
3.2.3.24	Passada associata da sentira de			1.54
3.2.3.24	Records pertaining to costing / q	luoting		n. 19
£	i to			60
	These records include, but are	not limited to r	ecords which pertain	to the Private
	Body's own affairs.	Q 1880		
			10 (1)	
3.2.4	HUMAN RESOURCES DOCUM	ENTS AND	RECORDS	**************************************
			(a)	
0 D	Personal records provided by employees) and other records including	yees (including but not limited	g permanent and lin	nited duration
3.2.4.1	Employment contracts			E.
3.2.7.1	Employment contracts		*	
	# N	£7.	* *	
3.2.4.2	Application forms	*4		
×	£ .		2 S 3	
3.2.4.3	Qualifications		**	
25				
3.2.4.4	Remuneration records			
			4	
3.2.4.5	Leave records		s ¹⁰ 5	
		F		
3.2.4.6	Records relating to increases			
3.2.4.7	Disciplinary codes, procedures an	nd records	*	127
2040		12 19		
3.2.4.8	Performance management records	3	N .	
3.2.4.9	Medical history		قبي تا	
5.2.7.5	Wedical history		# #	t-:
3.2.4.10	Long service awards		RI B	¥ 9
		+0		
3.2.4.11	Training records	*		## ##
	El Santa Communication (Communication Communication Commun	*	86	66 6
3.2.4.12	Company policies		a a a	E .
	267			(株)
3.2.4.13	Employment Equity Plan		6097 (8	
20414			·	
3.2.4.14	SETA records		a d	
3.2.4.15	Attandonge register			
3.4.13	Attendance register			

3.2.4.17	Unemployment Insurance	*
3.2.4.18	Minutes of staff meetings	. 1
3.2.4.19	Records relating to deductions, statutory or otherwise	121
3.2.4.17		٠,
3.2.4.20	Identification records	2
	"Personnel" refers to any person who works for, or provides services to or on behalf the Private Body, and receives or is entitled to receive remuneration and any other person who assists in carrying out or conducting the business of the Private Body. This include without limitation, directors, all permanent, limited duration staff, as well as contra	on . s,
- *	workers.	i .
3.2.5	SAFETY RECORDS	# ¹
		- 20
3.2.5.1	Safety manual	
2252	Records relating to incidents	
3.2.5.2	Records relating to incidents	
2052	Records relating to corrective action	
3.2.5.3	Records relating to corrective action	
	Records in terms of the Occupational Health and Safety Act	
3.2.5.4	Records in terms of the Occupational Treatm and Safety 130	
8 n	O 12 Later transfer	
3.2.5.5	Quality control test results	
	The second of th	(3)
3.2.6	INFORMATION TECHNOLOGY RECORDS	
		s.X
3.2.6.1	Licences	
3.2.6.2	Software programs	
3.2.0.2	Software programs	
3.2.6.3	Computer generated databases	
#W 89		
3.2.7	RECORDS REQUIRED IN TERMS OF LEGISLATION	
42	A list of certain legislation setting out a description of the records of the Priva	ate
3.2.7.1		
	Body which are available in accordance with such legislation, is as follows:-	: ::::::::::::::::::::::::::::::::::::
*		
3.2.7.1.1	Labour Relations Act 66 of 1995	
9 E		
3,2.7.1.2	Employment Equity Act 55 of 1998	
		(51)
3.2.7.1.3	Basic Conditions of Employment Act 75 of 1997	
3.2.7.1.4	Compensation for Occupational Injuries and Diseases Act 130 of 1993	
3.4.7.1.4	Componential to Company Agents and Parties	
22715	Constitution of SA Act 108 of 1996	

3.2.7.1.6	Companies Act 61 of 1973	
3.2.7.1.7	Unemployment Insurance Act 63 of 2001	
3.2.7.1.8	Banks Act 94 of 1990	<u>.</u> 8
3.2.7.1.9	South African Reserve Bank Act 90 of 1989	m #8
3.2.7.1.10	Value Added Tax 89 of 1991	
3.2.7.1.11	Skills Development Act 9 of 1999	T E E E
3.2.7.1.12	Pension Funds Act 24 of 1956	
3.2.7.1.13	Income Tax Act 58 of 1962	
e de de	Reference to the above-mentioned legislation shall include subsect to such legislation and all relevant sections within such legislation which the private body holds records.	
3.2.8	OTHER PARTY RECORDS	
3.2.8.1	Personnel, customer or Private Body records which are held by auditor), as opposed to the records held by the Private Body itself;	another party (eg
3.2.8.2	Records held by the Private Body pertaining to other parties, is limitation, financial records, correspondence, contractual and trans- records provided by the other party, and records third parties have	sactional records
8 × ×	PART IV	
4 GROUNDS	FOR REFUSAL OF ACCESS TO RECORDS	
The main gro	unds for the Private Body to refuse a request for information relates to the	B.*
4.1 mandat	ory protection of the privacy of a third party who is a natural perso	n, which would

- involve the unreasonable disclosure of personal information of that natural person;
- mandatory protection of the commercial information of a third party, if the record contains -4.2
- 4.2.1 trade secrets of that third party;
- 4.2.2 financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party;
- 4.2.3 information disclosed in confidence by a third party to the Private Body, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition;

- mandatory protection of confidential information of third parties if it is protected in terms of any 4.3 agreement;
- mandatory protection of the safety of individuals and the protection of property; 4.4
- mandatory protection of records which would be regarded as privileged in legal proceedings; 4.5
- the commercial activities of the Private Body, which may include -4.6

n, gang dan diperbengah di Perpedah di Makatan permanah di Per

- trade secrets of the Private Body; 4.6.1
- financial, commercial, scientific or technical information which disclosure of could likely 4.6.2 cause harm to the financial or commercial interests of the Private Body;
- information which, if disclosed could put the Private Body at a disadvantage in 4.6.3 negotiations or commercial competition;
- a computer program which is owned by the Private Body, and which is protected by 4.6.4 copyright.
- the research information of the Private Body or a third party, if its disclosure would disclose the 4.7 identity of the Private Body, the researcher or the subject matter of the research and would place the research at a serious disadvantage;
- Requests for information that are clearly frivolous or vexatious, or which involve an 4.8 unreasonable diversion of resources shall be refused.

REMEDIES AVAILABLE WHEN A PRIVATE BODY REFUSES A REQUEST FOR 5 INFORMATION

INTERNAL REMEDIES 5.1

The Private Body does not have an internal appeal procedure. As such, the decision made by the information officer is final, and requesters will have to exercise such external remedies at their disposal if the request for information is refused, and the requester is not satisfied with the answer supplied by the information officer.

EXTERNAL REMEDIES 5.2

A requester that is dissatisfied with an information officer's refusal to disclose information, may within 30 days of notification of the decision, apply to a relevant Court for relief. of the district of the first of

Likewise, a third party dissatisfied with an information officer's decision to grant a request for information, may within 30 days of notification of the decision, apply to a Court for relief. For purposes of the Act, the Courts that have jurisdiction over these applications are the Constitutional Court, the High Court or another court of similar status.

REQUEST PROCEDURE 6

The requester must comply with all the procedural requirements contained in the Act relating to 6.1 the request for access to a record.

report from the Alexander of the Contract of t

The requester must complete the prescribed form enclosed herewith in Appendix 1, and submit 6.2 same as well as payment of a request fee and a deposit, if applicable to the Information Officer

at the postal or physical address, fax number or electronic mail address as stated in 2.1 or 2.2 above. The prescribed form must be filled in with enough particularity to at least enable the 6.3 Information Officer to identify -6.3.1 The record or records requested; 6.3.2 The identity of the requester. 6.3.3 Which form of access is required, if the request is granted; 6.3.4 The postal address or fax number of the requester. 6.4 The requester must state that he/she requires the information in order to exercise or protect a right, and clearly state what the nature of the right is so to be exercised or protected. In addition, the requester must clearly specify why the record is necessary to exercise or protect such a right. The Private Body will process the request within 30 days, unless the requester has stated special 6.5 reasons which would satisfy the Information officer that circumstances dictate that the above time periods not be complied with. 6.6 The requester shall be informed whether access granted or denied. If, in addition, the requester requires the reasons for the decision in any other manner, he/she must state the manner and the particulars so required. If a request is made on behalf of another person, then the requester must submit proof of the 6.7 capacity in which the requester is making the request to the reasonable satisfaction of the information officer. 6.8 If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally. 6.9 The requester must pay the prescribed fee, before any further processing can take place. ACCESS TO RECORDS HELD BY THE PRIVATE BODY 7.1 Records held by the Private Body may be accessed by requests only once the prerequisite requirements for access have been met. 7.2 A requester is any person making a request for access to a record of the Private Body. There are two types of requesters: 7.2.1 PERSONAL REQUESTER 7.2.1.1 A personal requester is a requester who is seeking access to a record containing personal information about the requester. 7.2.1.2 The Private Body will voluntarily provide the requested information, or give access

to any record with regard to the requester's personal information. The prescribed

fee for reproduction of the information requested will be charged.

7.2.2 OTHER REQUESTER

7.2.2.1

This requester (other than a personal requester) is entitled to request access to information on third parties. However, the Private Body is not obliged to voluntarily grant access. The requester must fulfil the prerequisite requirements for access in terms of the Act, including the payment of a request and access fee.

8 FEES

- 8.1 The Act provides for two types of fees, namely:
- 8.1.1 A request fee, which will be a standard fee; and
- An access fee, which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs.
- When the request is received by the Information Officer, such officer shall by notice require the requester, other than a personal requester, to pay the prescribed request fee (if any), before any further processing of the request.
- 8.3 If the search for the record has been made and the preparation of the record for disclosure, including arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, the information officer shall notify the requester to pay as a deposit the prescribed portion of the Access fee which would be payable if the request is granted.
- The information officer shall withhold a record until the requester has paid the fees as indicated in Appendix 2.
- A requester whose request for access to a record has been granted, must pay an access fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure including making arrangements to make it available in the request form.
- 8.6 If a deposit has been paid in respect of a request for access, which is refused, then the information officer concerned must repay the deposit to the requester.

9 DECISION

- 9.1 The Private Body will, within 30 days of receipt of the request, decide whether to grant or decline the request and give notice with reasons (if required) to that effect.
- The 30 day period with which the Private Body has to decide whether to grant or refuse the request, may be extended for a further period of not more than thirty days if the request is for a large amount of information, or the request requires a search for information held at another office of the Private Body and the information cannot reasonably be obtained within the original 30 day period. The Private Body will notify the requester in writing should an extension be sought.

10 AVAILABILITY OF THE MANUAL

10.1 This manual is made available in terms of Regulation Number R. 187 of 15 February 2002.

Identity Number:

APPENDIX - 1

PRESCRIBED FORM TO BE COMPLETED BY A REQUESTER

FORM B

RE	QUEST FOR ACCESS TO RECORDS OF PRIVATE BODY	
(Se	ection 53(1) of the Promotion of Access to Information Act, No 2 of 2000)	
	(Regulation 4)	
A.	Particulars of Private Body	2
The	Head:	10
В.	Particulars of Person requesting access to the record	
(a)	The particulars of the person who requests access to the records must be recorded below.	-
(b)	Furnish an address and/or fax number in the Republic to which information must be sent.	
(c)	Proof of the capacity in which the request is made, if applicable, must be attached.	
Iden	Name and Surname:	-
Posta	al Address:	
Telep	phone Number: Fax Number:	
E-ma	ail address:	
Capa	acity in which request is made, when made on behalf of another person:	==0 ==0
		_
		-
C.	Particulars of person of whose behalf request is made:	
This s	section must be completed only if a request for information is made on behalf of another person	-
-		•
ull n	names and Surname:	27
		ě,

D.	Particulars of Record:			* *		
(a)	Provide full particulars of the record to which	h access is reque	ested, incl	uding the re	ference nu	ımber if
	that is known to you, to enable the record to b	e located.				
(b)	If the provided space is inadequate please con	ntinue on a sepa	rate folio	and attach i	t to this fo	rm. The
72 21	requester must sign all the additional folios		60 70			
8		ř.				
1.	Description of the Record or relevant p	art of the record	l:	g	35 AV	
	· · · · · · · · · · · · · · · · · · ·		W			
74	2				4 81 8	
- 4				ī		Y
			14		94	
			***************************************		- 1	19
2.	Reference number, if available:	4.	- 1 To			er are seen
2.	Reference nameda, il avantori					
2	Any further particulars of the record:					- 4
2.	Any further particulars of the record.	**	*	* E	(4.)	for No.
	18.	!				
Æ		17.6	W.			
E.	Fees:					
(a)	A request for access to a record, other than a	record containi	ing persor	ial informati	ion about	yourself,
	will be processed only after a request fee has	been paid.				
(b)	You will be notified of the amount of the requ	est fee.				a ga
(c)	The fee payable for access to a record depen		n which th	ie access is i	required a	nd the
	reasonable time required to search for and p					<i>.</i>
(d)	If you qualify for exemption of the payment of		40	reason there	efore.	* *
		- 1 - 7				
Reas	on for exemption of payment of the fee:		0.02			9 K
1.040	Service and the first service and the service				Y 10 10 10 10 10 10 10 10 10 10 10 10 10	
		Salar a				
		1 1			3 1	
		W 1				

Form of Access to the Record: F.

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:	For	rm in which record is required:
		2 2 2 2 4 4 A
Mark the appropriate box with an "X" NOTES:		
(a) Your indication as to the required form	of access depend	ds on the form in which the record is available.
 (b) Access in the form requested may be reinformed if access will be granted in an (c) The fee payable for access to the record requested. 	other form.	circumstances. In such a case you will be determined partly by the form in which access t
. If the record is in written or printed fo	rm:	
Copy of record *		Inspection of record
. If the record consists of visual images:		
(This includes photographs, slides, video	recordings, com	puter-generated images, sketches, etc.)
View the images Co	py of the images	s * Transcription of the images*
If the record consists of recorded words	or information	which can be reproduced in sound:
Listen to the soundtrack		Transcription of soundtrack *
(audio cassette)	* # E	(written or printed document)
If the record is held on computer or in a	n electronic or	machine-readable form:
Printed copy of record P	rinted copy of	Copy in computer readable

information derived from

the record *

form * (stiffy or compact

disc)

* If you requested a copy or transcription of a rece	ord (above), do you wish the	YES NO
copy or transcription to be posted to you?	(200, 5), 20) 00 // 201 00	
A postal fee is payable.		
G. Particulars of right to be exercised	or protected:	
f the provided space is inadequate, please continu	ue of a separate folio and attach	it to this form
The requester must sign all the additional folios		
ndicate which right is to be exercised or protected	đ:	
. Explain why the requested record is require	d for the exercising or protection	on of the aforementioned
right:		
		<u> </u>
I. Notice of decision regarding reques	st for access:	
You will be notified in writing whether your reque	est has been approved/denied	If you wish to be informed
hereof in another manner, please specify the mann		
ompliance with your request.	ner and provide the necessary p	articulars to chaote
omphance with your request.		
low would you prefer to be informed of the decis	ion regarding your request for a	access to the record?
	*	
igned atthis	day of	200
	SIGNATURE OF REQU	JESTER/PERSON
	ON WHOSE BEHALF	KEKOESI IS MINDE

APPENDIX - 2

REPRODUCTION FEES

Where requested document appear in the appendix 1 i.e. the 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.

THE APPLICABLE FEES FOR REPRODUCTION AS REFERRED TO ABOVE ARE:

16		R
•	For every photocopy of an A4-size page or part thereof	1,10
•	For every printed copy of an A4-size page or part thereof held on a	,
	computer or in electronic or machine readable form	0,75
•	For a copy in a computer-readable form on	20
	- Stiffy disc	7,50
	- Compact disc	70,00
•	A transcription of visual images, for an A4-size page or part thereof	40,00
•	For a copy of visual images	60,00
•	A transcription of an audio record, for an A4-size page or part thereof	20,00
•	For a copy of an audio record	30,00

Request fees:

Where a requester submits a request for access to information held by an Private Body on a person other that the requester himself/herself, a request fee in the amount of R50,00 is payable up-front before the Private Body will further process the request received.

Access fees:

An access fee is payable in all instances where a request for access to information is granted, except in those instances where payment of an access fee is specially excluded in terms of the Act or an exclusion is determined by the Minister in terms of Section 54 (8).

The applicable access fees which will be payable are:

		20 gr	10
•	For every photocopy of an A4-size page or part thereof	83	1,10
•	For every printed copy of an A4-size page or part thereof held on		. 2
V	a computer or in electronic or machine readable form		0,75

				R
•	For a copy in a computer-readable form on	1/4	Sp. 1	E 100
	- Stiffy disc	£ .		7,50
	- Compact disc			70,00
•	A transcription of visual images, for an A4-si	ze page or part there	of	40,00
•	For a copy of visual images			60,00
•	A transcription of an audio record, for an A4-	size page or part the	reof	20,00
•	For a copy of an audio record			30,00
•	To search for a record that must be disclosed	r.: 2		30,00
	(per hour or part of an hour reasonably requir	red for such search)	(4)	*
		an consideration		

Where a copy of a record needs to be posted the actual postal fee is payable.

Deposits:

Where the 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 of disclosure will take more than 6 (six) hours, a deposit is payable by the requester.

The amount of the deposit is equal to 1/3 (one third) of the amount of the applicable access fee.

Note: In terms of Regulation 8, Value Added Tax (VAT) must be added to all fees prescribed in terms of the Regulations.

MANUAL :

of

ALUMANATION MANUFACTURING CC

Prepared in accordance with Section 51 of the Promotion of Access to Information Act, No 2 of 2000.

(Private Body)

1 INTRODUCTION

1.1 The Promotion of Access to Information Act, No 2 of 2000 ("the Act") was enacted on 3 February 2000, 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 the Act, the body to whom the request is made is obliged to release the information, except where the Act expressly provides that the information may or must not be released. The Act sets out the requisite procedural issues attached to such request.

1.2 PURPOSE OF THE MANUAL:

In order to promote effective governance of private bodies, it is necessary to ensure that everyone is empowered and educated to understand their rights in terms of the Act in order for them to exercise their rights in relation to public and private bodies.

Section 9 of the Act however recognises that such right to access to information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to:

- · Limitations aimed at the reasonable protection of privacy;
- Commercial confidentiality; and
- Effective, efficient and good governance;

and in a manner which balances that right with any other rights, including such rights contained in the Bill of Rights in the Constitution.

Wherever reference is made to "Private Body" in this manual, it will refer to ALUMANATION MANUFACTURING CC, a close corporation which operates as a manufacturer in the waterproofing industry, for which this manual is drafted.

Wherever reference is made to a "document" or "record", it shall include such documents or records that are stored on a computer or in any form of electronic format (precedent included).

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10 - 10 4

PART I

2 CONTACT DETAILS

2.1	-	Information Officer:	JOHN EDWARD MITCHELI
	(+)	AMADI MIAMON OTHICCI.	

Postal address:

PO Box 491, Bergvliet, 7864

Registered address: 25 Estmil Road, Diep River

Physical Address: 25 Estmil Road, Diep River

Tel: (021) 7155740

Fax: (021) 7128052

Email address: info@alumanation.com

2.2 **GENERAL INFORMATION**

2.2.1	Name of Private Body: ALUMANATION MANUFACTURING CC
2.2.2	Head of Private Body: John Edward Mitchell
2.2.3	Registration No: CK NO 1986/19847/23
2.2.4	Vat Registration No. 4110103779
2.2.5	Postal Address: P O Box 491, Bergvliet, 7864
2.2.6	Physical Address (or main place of business): 25 Estmil Road, Diep River
2.2.7	Telephone Number: (021) 715 5740
2.2.8	Facsimile number: (021) 712 8052
2.2.9	E-mail address: info@alumanation.com
2.2.10	Website: www.alumanation.com

PART II

3 GUIDE OF SOUTH AFRICAN HUMAN RIGHTS COMMISSION

The South African Human Rights Commission has at the date of printing hereof not yet compiled the guide contemplated in Section 10 of the Act. The guide will contain such information as may reasonably be required by a person who wishes to exercise any right contemplated in the Act. Any enquiries regarding this guide should be directed to:

The South African HUMAN RIGHTS COMMISSION,

at PAIA Unit (THE RESEARCH AND DOCUMENTATION DEPARTMENT),

Private Bag X2700, HOUGHTON, 2041;

Telephone Number: (011) 484-8300;

Facsimile Number: (011) 484-1360;

Website: www.sahrc.org.za;

E-mail Address: PIAI@sahrc.org.za.

PART III

3.1 RECORDS OF THE PRIVATE BODY

This clause serves as a reference to the records that the Private Body holds in order to facilitate a request in terms of the Act.

The information is classified and grouped according to records relating to the following subjects and categories:

It is recorded that the accessibility of the documents listed herein below, may be subject to the grounds of refusal set out hereinafter.

The head of the private body may, in addition and on a voluntary basis, also publish notices in terms of Section 52(2) of the Act regarding categories of records which are available without a person having to request access in terms of the Act.

3.2 PRIVATE BODY DOCUMENTS AND RECORDS

3.2.1 INCORPORATION DOCUMENTS AND RECORDS

- 3.2.1.1 Close Corporation records and documents of incorporation
- 3.2.1.2 Copies of Association agreement

3.2.2 FINANCIAL DOCUMENTS AND RECORDS

3.2.2.1 Vat records

388	
3.2.2.2	Tax records
	4 F. 7
3.2.2.3	PAYE records
No er ma gr	
3.2.2.4	UIF records
3.2.2.4	OIF fecords
3.2.2.5	Stock records
0.0.0.0	Dioux Toolus
	1
3.2.2.6	Asset inventory
14	
3.2.2.7	Asset register
, a . e.	
3.2.2.8	Invoices
3.2.2.9	Ctatamanta
3.2.2.9	Statements
* * D	8
3.2.2.10	Proof of delivery forms
. 5.2.2.10	11001 of derivery forms
3.2.2.11	Goods received vouchers
100	
3.2.2.12	Goods returned vouchers
10 (m)	
# WE	
3.2.2.13	Debit notes
5 50 2	
3.2.2.14	Credit notes
3.2.2.14	Credit notes
3.2.2.15	Cheque Account / Current Account
64 Mi 64	
3.2.2.16	Cash records
3 0	*
3.2.2.17	Financial reporting records
3.2.2.18	Financial documents
3.2.2.10	rmancial documents
3.2.3	OPERATIONAL DOCUMENTS AND RECORDS
5,2,5	TEXATIONAL DOCUMENTS AND RECORDS
3.2.3.1	Written product / service specifications
0.201	"Titted product, but the openinations
3.2.3.2	Database of customers
18.1 N N N	
3.2.3.3	Correspondence with customers
3.2.3.4	Customer account records
on w 3800	

		The state of the s		170		5.6	
	3.2.3.5	Records with regards to sales	E		14		190
50	3.2.3.6	Price lists			114	* 4	i.
	a		34		*3		gran.
	3.2.3.7	Internal telephone directory			19 38		
	9.		12		1 1 1		Deliver
		These records include, but are	e not l	imited to re	cords which	pertain to the	Private
		Body's own affairs.	**			5 9	
							y = 1
a:	3.2.4 HU	MAN RESOURCES DOCU	MEN	TS AND R	ECORDS		
		Z. a			- 20 100 10 10 10 10		
20	Per	sonal records provided by employ	ees an	d other reco	rds including	but not limite	d to:
ē	3.2.4.1	Employment contracts	8.0			, K	
	3.2.4.1	Dimployment conducts					
	3.2.4.2	Application forms		11 124 271 13		4	88
	3.2.4.2			8.			
	3.2.4.3	Qualifications	11	a B		(a)	
		, s F			# # p	377	®
	3.2.4.4	Salary records	97			: 1 <u>2</u> 6	*6
						19	Ø 8
	3.2.4.5	Leave records				B	19
	3.2.4.6	Records relating to increases		® ,	**		
	E 2	•					
	3.2.4.7	Company policies		*	i.		
	3.2.4.8	Employment Equity Plan		5 301		11 Mile 20	
	(a) (b) (a)	in its			a		
	3.2.4.9	Workplace Skills Plan			5		
	3.2.4.10	SETA records			(9	3	8
	3.2.4.11	Provident Fund		S. Si		*	
	3.2.4.12	Pension Fund	20 B		*	100	*
	3.2.4.13	Unemployment Insurance		W #			6 F
	3.2.4.14	Medical Aid					
	4					4 4	8
•	3.2.4.15	Records relating to deductions					

[&]quot;Personnel" refers to any person who works for, or provides services to or on behalf of the Private Body, and receives or is entitled to receive remuneration and any other person who assists in carrying out or conducting the business of the Private Body. This includes, without limitation, members, all permanent, limited duration staff, as well as contract workers.

3.2.5	SAFETY RECORDS	
Q.	NOT APPLICABLE	102
3.2.6	INFORMATION TECHNOLOGY RECORDS	
3.2.6.1	Licences	
3.2.6.2	Software programs	
3.2.6.3	Software applications	
3.2.6.4	Computer generated databases	
3.2.7	RECORDS REQUIRED IN TERMS OF LEGISLATION	
3.2.7.1	A list of certain legislation setting out a description of the records of the Priva	ato
	Body which are available in accordance with such legislation, is as follows:-	
3.2.7.1.1	Labour Relations Act 66 of 1995	
		E
3.2.7.1.2	Employment Equity Act 55 of 1998	
		93
3.2.7.1.3	Basic Conditions of Employment Act 75 of 1997	
3.2.7.1.4	Unemployment Insurance Act 63 of 2001	
(0)		
3.2.7.1.5	Value Added Tax Act 89 of 1991	
	e sac a ² sa e e	
3.2.7.1.6	Skills Development Act 9 of 1999	
3.2.7.1.7	Pension Funds Act 24 of 1956	t
	1 custoff 1 dides Act 24 of 1930	
3.2.7.1.8	Income Tax Act 58 of 1962	
3.2.7.1.9	Class Commercial Ass	
3.2.7.1.9	Close Corporation Act	
* 1		e Vi.
	Reference to the above-mentioned legislation shall include subsequent amendment	
	to such legislation and all relevant sections within such legislation in terms of	f
10	which the private body holds records.	
3.2.8	OTHER PARTY RECORDS	
3.2.8.1	Personnel, customer or Private Body records which are held by another party (eg	g
	auditors) as apposed to the records held by the Private Rody itself.	-

3.2.8.2

Records held by the Private Body pertaining to other parties, including without limitation, financial records, correspondence, contractual and transactional records, records provided by the other party, and records third parties have provided.

PART IV

4 GROUNDS FOR REFUSAL OF ACCESS TO RECORDS

The main grounds for the Private Body to refuse a request for information relates to the -

- 4.1 mandatory protection of the privacy of a third party who is a natural person, which would involve the unreasonable disclosure of personal information of that natural person;
- 4.2 mandatory protection of the commercial information of a third party, if the record contains -
- 4.2.1 trade secrets of that third party;
- 4.2.2 financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party;
- 4.2.3 information disclosed in confidence by a third party to the Private Body, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition;
- 4.3 mandatory protection of confidential information of third parties if it is protected in terms of any agreement;
- 4.4 mandatory protection of the safety of individuals and the protection of property;
- 4.5 mandatory protection of records which would be regarded as privileged in legal proceedings;
- 4.6 the commercial activities of the Private Body, which may include –
- 4.6.1 trade secrets of the Private Body;
- 4.6.2 financial, commercial, scientific or technical information which disclosure of could likely cause harm to the financial or commercial interests of the Private Body;
- 4.6.3 information which, if disclosed could put the Private Body at a disadvantage in negotiations or commercial competition;
- 4.6.4 a computer program which is owned by the Private Body, and which is protected by copyright.
- 4.7 the research information of the Private Body or a third party, if its disclosure would disclose the identity of the Private Body, the researcher or the subject matter of the research and would place the research at a serious disadvantage;
- 4.8 Requests for information that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources shall be refused.
- 5 REMEDIES AVAILABLE WHEN A PRIVATE BODY REFUSES A REQUEST FOR INFORMATION

5.1 INTERNAL REMEDIES

The Private Body does not have an internal appeal procedure. As such, the decision made by the information officer is final, and requesters will have to exercise such external remedies at their disposal if the request for information is refused, and the requester is not satisfied with the answer supplied by the information officer.

5.2 EXTERNAL REMEDIES

A requester that is dissatisfied with an information officer's refusal to disclose information, may within 30 days of notification of the decision, apply to a relevant Court for relief.

Likewise, a third party dissatisfied with an information officer's decision to grant a request for information, may within 30 days of notification of the decision, apply to a Court for relief. For purposes of the Act, the Courts that have jurisdiction over these applications are the Constitutional Court, the High Court or another court of similar status.

6 REQUEST PROCEDURE

- The requester must comply with all the procedural requirements contained in the Act relating to the request for access to a record.
- 6.2 The requester must complete the prescribed form enclosed herewith in Appendix 1, and submit same as well as payment of a request fee and a deposit, if applicable to the Information Officer at the postal or physical address, fax number or electronic mail address as stated in 2.1 or 2.2 above.
- 6.3 The prescribed form must be filled in with enough particularity to at least enable the Information Officer to identify –
- 6.3.1 The record or records requested;
- 6.3.2 The identity of the requester,
- 6.3.3 Which form of access is required, if the request is granted;
- 6.3.4 The postal address or fax number of the requester.
- The requester must state that he/she requires the information in order to exercise or protect a right, and clearly state what the nature of the right is so to be exercised or protected. In addition, the requester must clearly specify why the record is necessary to exercise or protect such a right.
- 6.5 The Private Body will process the request within 30 days, unless the requester has stated special reasons which would satisfy the Information officer that circumstances dictate that the above time periods not be complied with.
- The requester shall be informed whether access granted or denied. If, in addition, the requester requires the reasons for the decision in any other manner, he/she must state the manner and the particulars so required.
- 6.7 If a request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of the information officer.
- 6.8 If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally.

6.9 The requester must pay the prescribed fee, before any further processing can take place.

7 ACCESS TO RECORDS HELD BY THE PRIVATE BODY

- 7.1 Records held by the Private Body may be accessed by requests only once the prerequisite requirements for access have been met.
- 7.2 A requester is any person making a request for access to a record of the Private Body. There are two types of requesters:

7.2.1 PERSONAL REQUESTER

- 7.2.1.1 A personal requester is a requester who is seeking access to a record containing personal information about the requester.
- 7.2.1.2 The Private Body will voluntarily provide the requested information, or give access to any record with regard to the requester's personal information. The prescribed fee for reproduction of the information requested will be charged.

7.2.2 OTHER REQUESTER

7.2.2.1 This requester (other than a personal requester) is entitled to request access to information on third parties. However, the Private Body is not obliged to voluntarily grant access. The requester must fulfil the prerequisite requirements for access in terms of the Act, including the payment of a request and access fee.

8 FEES

- 8.1 The Act provides for two types of fees, namely:
- 8.1.1 A request fee, which will be a standard fee; and
- 8.1.2 An access fee, which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs.
- When the request is received by the Information Officer, such officer shall by notice require the requester, other than a personal requester, to pay the prescribed request fee (if any), before any further processing of the request.
- 8.3 If the search for the record has been made and the preparation of the record for disclosure, including arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, the information officer shall notify the requester to pay as a deposit the prescribed portion of the Access fee which would be payable if the request is granted.
- The information officer shall withhold a record until the requester has paid the fees as indicated in Appendix 2.
- 8.5 A requester whose request for access to a record has been granted, must pay an access fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure including making arrangements to make it available in the request form.
- 8.6 If a deposit has been paid in respect of a request for access, which is refused, then the information officer concerned must repay the deposit to the requester.

9 DECISION

- 9.1 The Private Body will, within 30 days of receipt of the request, decide whether to grant or decline the request and give notice with reasons (if required) to that effect.
- 9.2 The 30 day period with which the Private Body has to decide whether to grant or refuse the request, may be extended for a further period of not more than thirty days if the request is for a large amount of information, or the request requires a search for information held at another office of the Private Body and the information cannot reasonably be obtained within the original 30 day period. The Private Body will notify the requester in writing should an extension be sought.

10 AVAILABILITY OF THE MANUAL

10.1 This manual is made available in terms of Regulation Number R. 187 of 15 February 2002.

APPENDIX - 1

PRESCRIBED FORM TO BE COMPLETED BY A REQUESTER

FORM B

REQUEST FOR ACCESS TO RECO	ORDS OF PRIVATE BOD	Y
----------------------------	---------------------	---

			3 a
(Section 53(1) of the Promotion of	Access to Information Ac	t, No 2 of 2000)	
	(Regulation 4	9	
A. Particulars of Privat	e Body	g wan nag	
The Head:	a Terre in a win	* # # .a	
• •	in g. w		
9 9	M.	a in the	, , ,
			*
B. Particulars of Person	1 requesting access to the	record	
 (a) The particulars of the person (b) Furnish an address and/or for (c) Proof of the capacity in which 	ax number in the Republic	to which information	must be sent.
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	n of whose behalf request	is made:	
This section must be completed on	ly if a request for informat	ion is made on behalf	of another person
			, # 20
		- 3	
Full names and Surname:			201

D.

D.	Particulars of Record:		100
(a)	Provide full particulars of the record to which access is requested, inc	cluding the reference number i	f
	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. Th	ıe
89	requester must sign all the additional folios		
1.	Description of the Record or relevant part of the record:		
		1 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	-
	9 5 2		-
			_
2.	Reference number, if available:		
2.	Any further particulars of the record:	ver	
*			
		1	_
			_
E.	Fees:		
(a)	A request for access to a record, other than a record containing person	al information about yourself,	
	will be processed only after a request fee has been paid.	6 8	
(b)	You will be notified of the amount of the request fee.		
(c)	The fee payable for access to a record depends on the form in which the	e 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 re	eason therefore.	
			_
Reas	on for exemption of payment of the fee:		
		, , , , , , , , , , , , , , , , , , ,	
		1	
		1	
F.	Form of Access to the Record:	# Rec	

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.

	ity:	and the second of	Form in w	nich record	is required:	
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12	6.0			**		
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OTES		* a - 18*	155 W 1665	20.2		
a) Yo	ur indication as to the requ	uired form of access	depends on t	the form in v	which the record is availab	ble.
	cess in the form requested					
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	e fee payable for access to	A 1 1 2 2 1 1 1 2 2 1 1 1 1 1 1 1 1 1 1		ined nartly	by the form in which acce	ss i
	97.03 No. 3003 No.	the record, if any,	viii de determ	ineu partiy	by the form in which does	.
req	ruested.		-		P	
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Tf th	e record is in written or	printed form:		15		
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	ne record consists of visus s includes photographs, sli		gs, computer-	generated in	mages, sketches, etc.)	±
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	s includes photographs, sli	ides, video recordin	SEA 18 1	generated in		ges*
	s includes photographs, sli	ides, video recordin	SEA 18 1	generated in		ges*
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opy or transcription to be posted to you?				
postal fee is payable.				
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. Particulars of right to be exercised or protect				
. Particulars of right to be exercised or protect	ted:	. V		45
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the provided space is inadequate, please continue of a sep	arate folio and	attach it	to this form	
he requester must sign all the additional folios				
dicate which right is to be exercised or protected:				
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			 	-
		 		
Explain why the requested record is required for the e	xercising or pro	tection o	of the aforer	nentioned
right:				
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Notice of decision regarding request for acce	ss:			
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will be notified in mid-				
u will be notified in writing whether your request has been				
reof in another manner, please specify the manner and pro	vide the necess	ary parti	culars to en	able
npliance with your request.				
		C		1
w would you prefer to be informed of the decision regards	ng vour request	TOT ACCE	es to the rea	cord?
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ned at this	day of	EQUES	TER/PERS	200

APPENDIX - 2

REPRODUCTION FEES

Where requested document appear in the appendix 1 i.e. the 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.

THE APPLICABLE FEES FOR REPRODUCTION AS REFERRED TO ABOVE ARE:

		R	
	For every photocopy of an A4-size page or part thereof	1,10	
•	For every printed copy of an A4-size page or part thereof held on a		
	computer or in electronic or machine readable form	0,75	
•	For a copy in a computer-readable form on	7 Page 1	
	- Stiffy disc	7,50	
	- Compact disc	70,00	
•	A transcription of visual images, for an A4-size page or part thereof	40,00	
•	For a copy of visual images	60,00	
•	A transcription of an audio record, for an A4-size page or part thereof	20,00	
•	For a copy of an audio record	30,00	

Request fees:

Where a requester submits a request for access to information held by an Private Body on a person other that the requester himself/herself, a request fee in the amount of R50,00 is payable up-front before the Private Body will further process the request received.

Access fees:

An access fee is payable in all instances where a request for access to information is granted, except in those instances where payment of an access fee is specially excluded in terms of the Act or an exclusion is determined by the Minister in terms of Section 54 (8).

The applicable access fees which will be payable are:

œ.			14
•	For every photocopy of an A4-size page or part thereof		1,10
•	For every printed copy of an A4-size page or part thereof held on		
	a computer or in electronic or machine readable form		0,75

		R
•	For a copy in a computer-readable form on	
	- Stiffy disc	7,50
	- Compact disc	70,00
•	A transcription of visual images, for an A4-size page or part thereof	40,00
•	For a copy of visual images	60,00
•	A transcription of an audio record, for an A4-size page or part thereof	20,00
•	For a copy of an audio record	30,00
•	To search for a record that must be disclosed	30,00
	(per hour or part of an hour reasonably required for such search)	
•	Where a copy of a record needs to be posted the actual postal fee is payable.	. H

Deposits:

Where the 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 of disclosure will take more than 6 (six) hours, a deposit is payable by the requester.

The amount of the deposit is equal to 1/3 (one third) of the amount of the applicable access fee.

Note: In terms of Regulation 8, Value Added Tax (VAT) must be added to all fees prescribed in terms of the Regulations.

MANUAL

of

MODDERASVLEI BELEGGINGS TRUST

Prepared in accordance with Section 51 of the Promotion of Access to Information Act, No 2 of 2000.

(Private Body)

1 INTRODUCTION

1.1 The Promotion of Access to Information Act, No 2 of 2000 ("the Act") was enacted on 3 February 2000, 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 the Act, the body to whom the request is made is obliged to release the information, except where the Act expressly provides that the information may or must not be released. The Act sets out the requisite procedural issues attached to such request.

1.2 PURPOSE OF THE MANUAL:

In order to promote effective governance of private bodies, it is necessary to ensure that everyone is empowered and educated to understand their rights in terms of the Act in order for them to exercise their rights in relation to public and private bodies.

Section 9 of the Act however recognises that such right to access to information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to:

- Limitations aimed at the reasonable protection of privacy;
- · Commercial confidentiality; and
- · Effective, efficient and good governance;

and in a manner which balances that right with any other rights, including such rights contained in the Bill of Rights in the Constitution.

Wherever reference is made to "Private Body" in this manual, it will refer to MODDERASVLEI BELEGGINGS TRUST a private body within the fruit farming industry, for which this manual is drafted.

Wherever reference is made to a "document" or "record", it shall include such documents or records that are stored on a computer or in any form of electronic format (precedent incl.)

PART I

2 CONTACT DETAILS

		GERHARD MALAN	
2.1	Information Officer:		

Postal address: P O Bo

P O Box 48, Riebeek Wes 7306

Physical Address: Modderasvlei, Riebeek-Wes

Tel: (022) 461 2419

Fax: (022) 461 2787

2.2 GENERAL INFORMATION

161		
2.2.1	ss m	Name of Private Body: MODDERASVLEI BELEGGINGS TRUST
2.2.2	26 65	Head of Private Body: Gerhard Malan
2.2.3	. 2	Registration No: IT 2146/97
2.2.4		Vat Registration No. 4190168478
2.2.5		Postal Address: P O Box 48, Riebeek Wes, 7306
2.2.6	*	Physical Address (or main place of business):Modderasvlei, Riebeek-Wes
2.2.7		Telephone Number: (022) 461 2419
2.2.8	181 61	Facsimile number: (022) 461 2787
2.2.9		E-mail address: mod@wcaccess.co.za
0010		W-1-2- N/A

PART II

3 GUIDE OF SOUTH AFRICAN HUMAN RIGHTS COMMISSION

The South African Human Rights Commission has at the date of printing hereof not yet compiled the guide contemplated in Section 10 of the Act. The guide will contain such information as may reasonably be required by a person who wishes to exercise any right contemplated in the Act. Any enquiries regarding this guide should be directed to:

The South African HUMAN RIGHTS COMMISSION.

at PAIA Unit (THE RESEARCH AND DOCUMENTATION DEPARTMENT),

Private Bag X2700, HOUGHTON, 2041;

Telephone Number: (011) 484-8300;

Facsimile Number: (011) 484-1360;

Website: www.sahrc.org.za;

E-mail Address: PIAI@sahrc.org.za.

PART III

3.1 RECORDS OF THE PRIVATE BODY

This clause serves as a reference to the records that the Private Body holds in order to facilitate a request in terms of the Act.

The information is classified and grouped according to records relating to the following subjects and categories:

It is recorded that the accessibility of the documents listed herein below, may be subject to the grounds of refusal set out hereinafter.

The head of the private body may, in addition and on a voluntary basis, also publish notices in terms of Section 52(2) of the Act regarding categories of records which are available without a person having to request access in terms of the Act.

3.2 PRIVATE BODY DOCUMENTS AND RECORDS

3.2.1 INCORPORATION DOCUMENTS AND RECORDS

NOT APPLICABLE

3.2.2 FINANCIAL DOCUMENTS AND RECORDS

3.2.2.1 Regional Service Council records

3.2.2.2 VAT records

3.2.2.3	Tax records	
3.2.2.4	PAYE records	N 2
3.2.2.5	UIF records	
3.2.2.6	Asset Inventory	
3.2.2.7	Asset Register	
3.2.2.8	Statements	
3.2.2.9	Cheque account	
3.2.2.10	Current account	17
3.2.2.11	Cash records	70 70 E
3.2.2.12	Financial Statements	
J.2.2.12		
3.2.2.13	Financial documents	
3.2.2.13	Financial documents ase note – above-mentioned records available from B	ookkeeper
3.2.2.13		
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3.2.2.13 Ple 3.2.3 OI	ease note – above-mentioned records available from B	
3.2.2.13 Ple 3.2.3 OI 3.2.3.1	PERATIONAL DOCUMENTS AND RECORD Registered designs, patents or trademarks	
3.2.2.13 Ple 3.2.3 OI 3.2.3.1 3.2.3.2	PERATIONAL DOCUMENTS AND RECORD Registered designs, patents or trademarks Licences / permits	
3.2.2.13 Ple 3.2.3 OI 3.2.3.1 3.2.3.2 3.2.3.3	PERATIONAL DOCUMENTS AND RECORD Registered designs, patents or trademarks Licences / permits Correspondence with customers	
3.2.2.13 Ple 3.2.3 3.2.3.1 3.2.3.2 3.2.3.3 3.2.3.4	PERATIONAL DOCUMENTS AND RECORD Registered designs, patents or trademarks Licences / permits Correspondence with customers Customer account records	
3.2.2.13 Ple 3.2.3 3.2.3.1 3.2.3.2 3.2.3.3 3.2.3.4 3.2.3.5	PERATIONAL DOCUMENTS AND RECORD Registered designs, patents or trademarks Licences / permits Correspondence with customers Customer account records Records relating to sales	
3.2.2.13 Ple 3.2.3 OI 3.2.3.1 3.2.3.2 3.2.3.3 3.2.3.4 3.2.3.5 3.2.3.6	PERATIONAL DOCUMENTS AND RECORD Registered designs, patents or trademarks Licences / permits Correspondence with customers Customer account records Records relating to sales Records relating to production	

3.2.3.10 Europ Gap Compliance documentation

The above records include, but are not limited to records which pertain to the Private Body's own affairs.

3.2.4 PERSONNEL DOCUMENTS AND RECORDS

Personal records provided by personnel (including permanent and temporary) including but not limited to:

3.2.4.1	7. 3	Employment con	itracts

3.2.4.2 Application forms

3.2.4.3 Qualifications

3.2.4.4 Salary records

3.2.4.5 Disciplinary Codes and records

3.2.4.6 Attendance register

3.2.4.7 Pension Fund

3.2.4.8 Unemployment Insurance

3.2.4.9 Records relating to deductions

"Personnel" refers to any person who works for, or provides services to or on behalf of the Private Body, and receives or is entitled to receive remuneration and any other person who assists in carrying out or conducting the business of the Private Body. This includes, without limitation, trustees, all permanent, limited duration staff, as well as contract and/or seasonal workers.

3.2.5 SAFETY RECORDS

3.2.5.1 Safety manual

3.2.6 INFORMATION TECHNOLOGY RECORDS

3.2.6.1 Internet connectivity reports

3.2.7 RECORDS REQUIRED IN TERMS OF LEGISLATION

3.2.7.1 A list of certain legislation setting out a description of the records of the Private Body which are available in accordance with such legislation, is as follows:-

3.2.7.1.1 Labour Relations Act 66 of 1995

_			1
	3.2.7.1.2	Employment Equity Act 55 of 1998	
	3.2.7.1.3	Basic Conditions of Employment Act 75 of 1997	
	3.2.7.1.4	Unemployment Insurance Act 63 of 2001	,
	3.2.7.1.5	Income Tax Act 58 of 1962	<i>a</i> =
	3.2.7.1.6	Value Added Tax Act 89 of 1991	
			n ia voi es
	***	Reference to the above-mentioned legislation shall include subsequent amend	ments
		to such legislation and all relevant sections within such legislation in ter-	ms of
		which the private body holds records.	Ð
	3.2.8	OTHER PARTY RECORDS	10
	3.2.8.1	Personnel, customer or Private Body records which are held by another party accountant, marketing agent), as opposed to the records held by the Private itself;	Body
	3.2.8.2	Records held by the Private Body pertaining to other parties, including w limitation, financial records, correspondence, contractual and transactional re records provided by the other party, and records third parties have provided.	cords,
		TO A TOWN TO Z	
		PART IV	
	4 GROUNDS	S FOR REFUSAL OF ACCESS TO RECORDS	187
	The main gro	ounds for the Private Body to refuse a request for information relates to the -	
	4.1 manda involv	atory protection of the privacy of a third party who is a natural person, which we the unreasonable disclosure of personal information of that natural person;	would
	4.2 manda	atory protection of the commercial information of a third party, if the record contains	-
114	4.2.1	trade secrets of that third party;	W.
	4.2.2	financial, commercial, scientific or technical information which disclosure could cause harm to the financial or commercial interests of that third party;	likely
192	4.2.3	information disclosed in confidence by a third party to the Private Body, if the disc could put that third party at a disadvantage in negotiations or commercial competition	losure on;

mandatory protection of the safety of individuals and the protection of property;
 mandatory protection of records which would be regarded as privileged in legal proceedings;

mandatory protection of confidential information of third parties if it is protected in terms of any

4.6 the commercial activities of the Private Body, which may include -

4.3

agreement;

- 4.6.1 trade secrets of the Private Body;
- 4.6.2 financial, commercial, scientific or technical information which disclosure of could likely cause harm to the financial or commercial interests of the Private Body;
- 4.6.3 information which, if disclosed could put the Private Body at a disadvantage in negotiations or commercial competition;
- 4.6.4 a computer program which is owned by the Private Body, and which is protected by copyright.
- 4.7 the research information of the Private Body or a third party, if its disclosure would disclose the identity of the Private Body, the researcher or the subject matter of the research and would place the research at a serious disadvantage;
- 4.8 Requests for information that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources shall be refused.

5 REMEDIES AVAILABLE WHEN A PRIVATE BODY REFUSES A REQUEST FOR INFORMATION

5.1 INTERNAL REMEDIES

The Private Body does not have an internal appeal procedure. As such, the decision made by the information officer is final, and requesters will have to exercise such external remedies at their disposal if the request for information is refused, and the requester is not satisfied with the answer supplied by the information officer.

5.2 EXTERNAL REMEDIES

A requester that is dissatisfied with an information officer's refusal to disclose information, may within 30 days of notification of the decision, apply to a relevant Court for relief.

Likewise, a third party dissatisfied with an information officer's decision to grant a request for information, may within 30 days of notification of the decision, apply to a Court for relief. For purposes of the Act, the Courts that have jurisdiction over these applications are the Constitutional Court, the High Court or another court of similar status.

6 REQUEST PROCEDURE

- The requester must comply with all the procedural requirements contained in the Act relating to the request for access to a record.
- The requester must complete the prescribed form enclosed herewith in Appendix 1, and submit same as well as payment of a request fee and a deposit, if applicable to the Information Officer at the postal or physical address, fax number or electronic mail address as stated in 2.1 or 2.2 above.
- 6.3 The prescribed form must be filled in with enough particularity to at least enable the Information Officer to identify –
- 6.3.1 The record or records requested;
- 6.3.2 The identity of the requester,

Which form of access is required, if the request is granted; 6.3.3 The postal address or fax number of the requester. 6.3.4 The requester must state that he/she requires the information in order to exercise or protect a 6.4 right, and clearly state what the nature of the right is so to be exercised or protected. In addition, the requester must clearly specify why the record is necessary to exercise or protect such a right. The Private Body will process the request within 30 days, unless the requester has stated special 6.5 reasons which would satisfy the Information officer that circumstances dictate that the above time periods not be complied with. The requester shall be informed whether access granted or denied. If, in addition, the requester 6.6 requires the reasons for the decision in any other manner, he/she must state the manner and the particulars so required. If a request is made on behalf of another person, then the requester must submit proof of the 6.7 capacity in which the requester is making the request to the reasonable satisfaction of the information officer. If an individual is unable to complete the prescribed form because of illiteracy or disability, such 6.8 a person may make the request orally. The requester must pay the prescribed fee, before any further processing can take place. 6.9 ACCESS TO RECORDS HELD BY THE PRIVATE BODY 7 Records held by the Private Body may be accessed by requests only once the prerequisite 7.1 requirements for access have been met. A requester is any person making a request for access to a record of the Private Body. There are 7.2 two types of requesters: 7.2.1 PERSONAL REQUESTER A personal requester is a requester who is seeking access to a record containing 7.2.1.1 personal information about the requester. The Private Body will voluntarily provide the requested information, or give access 7.2.1.2 to any record with regard to the requester's personal information. The prescribed fee for reproduction of the information requested will be charged. 7.2.2 OTHER REQUESTER This requester (other than a personal requester) is entitled to request access to 7.2.2.1 information on third parties. However, the Private Body is not obliged to

voluntarily grant access. The requester must fulfil the prerequisite requirements for access in terms of the Act, including the payment of a request and access fee.

8 FEES

- 8.1 The Act provides for two types of fees, namely:
- 8.1.1 A request fee, which will be a standard fee; and

- An access fee, which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs.
- When the request is received by the Information Officer, such officer shall by notice require the requester, other than a personal requester, to pay the prescribed request fee (if any), before any further processing of the request.
- 8.3 If the search for the record has been made and the preparation of the record for disclosure, including arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, the information officer shall notify the requester to pay as a deposit the prescribed portion of the Access fee which would be payable if the request is granted.
- The information officer shall withhold a record until the requester has paid the fees as indicated in Appendix 2.
- 8.5 A requester whose request for access to a record has been granted, must pay an access fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure including making arrangements to make it available in the request form.
- 8.6 If a deposit has been paid in respect of a request for access, which is refused, then the information officer concerned must repay the deposit to the requester.

9 DECISION

- 9.1 The Private Body will, within 30 days of receipt of the request, decide whether to grant or decline the request and give notice with reasons (if required) to that effect.
- 9.2 The 30 day period with which the Private Body has to decide whether to grant or refuse the request, may be extended for a further period of not more than thirty days if the request is for a large amount of information, or the request requires a search for information held at another office of the Private Body and the information cannot reasonably be obtained within the original 30 day period. The Private Body will notify the requester in writing should an extension be sought.

10 AVAILABILITY OF THE MANUAL

10.1 This manual is made available in terms of Regulation Number R. 187 of 15 February 2002.

APPENDIX - 1

PRESCRIBED FORM TO BE COMPLETED BY A REQUESTER

FORM B

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REQUEST FOR	ACCEDS	10	THE COMOS	O.	THEFT	***	DODI

	water one		ec		- 37	
Section 53(1) of the Promotion of Access to	Information Act, No	2 of 2000)	(*)			
	(Regulation 4)	-				
na v	15			1	53 538	20
A. Particulars of Private Body			:*:			
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		V.				
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Particulars of Person requesting	g access to the reco	rd		(4)		
a) The particulars of the person who requ	ests access to the rec	ords must l	be record	ded belo	w.	
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25 g					**	
c) Proof of the capacity in which the requ	est is made, if applica	able, must i	be attack	ied.	· ·	2
2	* *			•	-,	
Full Name and Surname:						
dentity Number:						
dentity Number: Postal Address:					8	
dentity Number: Postal Address: Celephone Number:	Fax Numb	per:				
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dentity Number: Postal Address: Felephone Number: E-mail address: Capacity in which request is made, when mad	Fax Number on behalf of another behalf request is ma	er person:		another j	person	
dentity Number: Postal Address: Celephone Number: C-mail address: Capacity in which request is made, when made Capacity in which request is made, when made	Fax Number on behalf of another behalf request is ma	er person:		another	person	

	a mi dictional of Acceptati	0		
(a)	Provide full particulars of the record to which access is requested	, includir	ig the refere	nce number if
	that is known to you, to enable the record to be located.	1	- 10 10 10 10 10 10 10 10 10 10 10 10 10	a #
(b)	If the provided space is inadequate please continue on a separate	folio and	attach it to	this form The
٠,	requester must sign all the additional folios	,0110 4114		jorns. 1100
	requester must sign an the additional fottos			
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1.	Description of the Record or relevant part of the record:			
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50	a 2 9	1.		
2.	Reference number, if available:		S2 8	
			11	
2.	Any further particulars of the record:			
	the state of the s	-		
	8			, , , , , , , , , , , , , , , , , , , ,
E.	Fees:			18.
(a)	A request for access to a record, other than a record containing per	rsonal in	formation al	out yourself,
	will be processed only after a request fee has been paid.			20.000
(b)	You will be notified of the amount of the request fee.	1	19	
(c)	The fee payable for access to a record depends on the form in which	h the acc	ess is renuir	ed and the
• •	reasonable time required to search for and prepare a record.		oso so roquir	ca ana me
(d)	and the second s	a 7		
(u)	If you qualify for exemption of the payment of any fee, please state t	ne reaso	n tnerefore.	(41)
_				
Reas	on for exemption of payment of the fee:			
			2	
F.	Form of Access to the Record:	39		

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.

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	e fee payable for access i	to the red	cord, if any, w	ill be deter	mined part	ly by the form	in which acces
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сору	or transcription to be posted	to you?			. 8	
A pos	tal fee is payable.		1		63	
- 15						ini
G.	Particulars of right	to be exercised or pr	rotected:		(6)	
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	provided space is inadequat		a separate folio and a	ittach it	to this form	
The re	equester must sign all the a	dditional folios	7 L7			
	*	4				4
Indica	te which right is to be exerc	ised or protected:				
	and the second s					~
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					(20)	
1.	Explain why the requested	record is required for	the exercising or pro	tection	of the aforem	entioned
	right:	20 20	, v	13.		
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9445 - 1 12						
н.	Notice of decision re	garding request for	access:			30
		34	3			
	38	g	5		F	*
You w	ill be notified in writing wh	ether your request has	s been approved/den	ied. If v	ou wish to be	e informed
	f in another manner, please					
- 54	iance with your request.		p	, _F		
Compi	lance with your request.					
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How v	vould you prefer to be infor	med of the decision re	garding your reques	t for acc	ess to me rec	orar
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Signed	at	this	day of			200
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APPENDIX - 2

REPRODUCTION FEES

Where requested document appear in the appendix 1 i.e. the 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.

THE APPLICABLE FEES FOR REPRODUCTION AS REFERRED TO ABOVE ARE:

	and the control of the control of the control of the control of	R
•	For every photocopy of an A4-size page or part thereof	1,10
•	For every printed copy of an A4-size page or part thereof held on a	₩ #
	computer or in electronic or machine readable form	0,75
•	For a copy in a computer-readable form on	
	- Stiffy disc	7,50
	- Compact disc	70,00
•	A transcription of visual images, for an A4-size page or part thereof	40,00
•	For a copy of visual images	60,00
•	A transcription of an audio record, for an A4-size page or part thereof	20,00
	For a copy of an audio record	30,00

Request fees:

Where a requester submits a request for access to information held by an Private Body on a person other that the requester himself/herself, a request fee in the amount of R50,00 is payable up-front before the Private Body will further process the request received.

Access fees:

An access fee is payable in all instances where a request for access to information is granted, except in those instances where payment of an access fee is specially excluded in terms of the Act or an exclusion is determined by the Minister in terms of Section 54 (8).

The applicable access fees which will be payable are:

	For every photocopy of an A4-size page or part thereof	⊕ ⊛	1,10
•	For every printed copy of an A4-size page or part thereof held on	50	138 3
	a computer or in electronic or machine readable form	E 10	0,75

		(5)		R
•	For a copy in a computer-readable form on		(4)	
	- Stiffy disc	1	40	7,50
	- Compact disc	1		70,00
•	A transcription of visual images, for an A4-size page or part thereof	3	. 1	40,00
•	For a copy of visual images			60,00
•	A transcription of an audio record, for an A4-size page or part thereof		0	20,00
•	For a copy of an audio record	\$ 15 miles		30,00
•	To search for a record that must be disclosed	1		30,00
	(per hour or part of an hour reasonably required for such search)	i	-	
	Where a conv of a record needs to be posted the actual postal fee is na	vable	*	

Deposits:

Where the 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 of disclosure will take more than 6 (six) hours, a deposit is payable by the requester.

The amount of the deposit is equal to $\frac{1}{3}$ (one third) of the amount of the applicable access fee.

Note: In terms of Regulation 8, Value Added Tax (VAT) must be added to all fees prescribed in terms of the Regulations.

MANUAL

of

C J GELDENHUYS & SON

Prepared in accordance with Section 51 of the Promotion of Access to Information Act, No 2 of 2000.

(Private Body)

1 INTRODUCTION

1.1 The Promotion of Access to Information Act, No 2 of 2000 ("the Act") was enacted on 3 February 2000, 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 the Act, the body to whom the request is made is obliged to release the information, except where the Act expressly provides that the information may or must not be released. The Act sets out the requisite procedural issues attached to such request.

1.2 PURPOSE OF THE MANUAL:

In order to promote effective governance of private bodies, it is necessary to ensure that everyone is empowered and educated to understand their rights in terms of the Act in order for them to exercise their rights in relation to public and private bodies.

Section 9 of the Act however recognises that such right to access to information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to:

- Limitations aimed at the reasonable protection of privacy;
- · Commercial confidentiality; and
- · Effective, efficient and good governance;

and in a manner which balances that right with any other rights, including such rights contained in the Bill of Rights in the Constitution.

Wherever reference is made to "Private Body" in this manual, it will refer to C J GELDENHUYS & SON, a private body which operates in the farming industry, for whom this manual is drafted.

Wherever reference is made to a "document" or "record", it shall include such documents or records that are stored on a computer or in any form of electronic format (precedent included).

PART I

CONTACT DETAILS

2.1 Information Officer: C J GELDENHUYS

Postal address:

P O Box 316, Malmesbury, 7299

Physical Address: Papkuilsfontein, Malmesbury, 7299

Tel: (022) 482 2093

Email address: N/A

GENERAL INFORMATION 2.2

Website address: N/A

2.2.8

	The state of the s
2.2.1	Name of Private Body: C J GELDENHUYS & SON
2.2.2	Head of Private Body: C J Geldenhuys
2.2.3	Vat Registration No. 4520151053
2.2.4	Postal Address: P O Box 316, Malmesbury, 7299
2.2.5	Physical Address (or main place of business): Papkuilsfontein, Malmesbury, 7299
2.2.6	Tel: (022) 4822093
2.2.7	Email address: N/A

PART II

3 GUIDE OF SOUTH AFRICAN HUMAN RIGHTS COMMISSION

The South African Human Rights Commission has at the date of printing hereof not yet compiled the guide contemplated in Section 10 of the Act. The guide will contain such information as may reasonably be required by a person who wishes to exercise any right contemplated in the Act. Any enquiries regarding this guide should be directed to:

The South African HUMAN RIGHTS COMMISSION,

at PAIA Unit (THE RESEARCH AND DOCUMENTATION DEPARTMENT),

Private Bag X2700, HOUGHTON, 2041;

Telephone Number: (011) 484-8300;

Facsimile Number: (011) 484-1360;

Website: www.sahrc.org.za;

E-mail Address: PIAI@sahrc.org.za.

PART III

3.1 RECORDS OF THE PRIVATE BODY

This clause serves as a reference to the records that the Private Body holds in order to facilitate a request in terms of the Act.

The information is classified and grouped according to records relating to the following subjects and categories:

It is recorded that the accessibility of the documents listed herein below, may be subject to the grounds of refusal set out hereinafter.

The head of the private body may, in addition and on a voluntary basis, also publish notices in terms of Section 52(2) of the Act regarding categories of records which are available without a person having to request access in terms of the Act.

3.2 PRIVATE BODY DOCUMENTS AND RECORDS

3.2.1 INCORPORATION DOCUMENTS AND RECORDS

NOT APPLICABLE

3.2.2 FINANCIAL DOCUMENTS AND RECORDS

3.2.2.1	Vat records		5	, ,
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3.2.2.2	Tax records	8.8	"	
90				
3.2.2.3	PAYE records			
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3.2.2.4	UIF records			85 US
	* * *			, s :
3.2.2.5	Savings Account records		isasi ti	
		ii 8		
3.2.2.6	Cheque Account / Current Account re	ecords	14.	
5.2.2.0	Choque Hossian, Canada Hossiana		4	4
2007	Call Account records	8	4	
3.2.2.7	Call Account records	*	11 12	Ø.
*is	0 2	E.	74	
3.2.2.8	Financial documents and reports	. 20	345 ST	
*	0 8 8 8	an 40		
3.2.2.9	Bank statements		·	
3.2.3	OPERATIONAL DOCUMENTS AN	D RECORI	os	
		5 4	, i	
3.2.3.1	Records with regards to sales		7/4	a was eed a
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2022	Records with regards to production	*	ea .d	W
3.2.3.2	Records with regards to production		1000 N	*
				e a de Bied
	These records include, but are not li	imited to reco	rds which perta	n to the Private
	Body's own affairs.	er. Ba	09 ES	
12 12 E				
3.2.4	HUMAN RESOURCES DOCUMEN	TS AND RE	CORDS	
E co		30	**	V. +
*	Personal records provided by employees and	d other record	s including but n	ot limited to:
3.2.4.1	Employment contracts / Letters of app	pointment		1.2
		100		
3.2.4.2	Remuneration records / Salary advice	slips		
ř	a v š		#	**
3.2.4.3	Records relating to deductions includ	ing statutory	or otherwise	
2	"Personnel" refers to any person who wor	ks for, or pro	vides services to	or on behalf of
	the Private Body, and receives or is entitled	to receive re	muneration and	any other person
E 20	who assists in carrying out or conducting th			This includes,
2 9	without limitation, members, all permanent	and limited di	uration staff.	
3.2.5	SAFETY RECORDS			20 (8
Johns	DIAL DIA LA ALLICOTOR	50		

NOT APPLICABLE

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3.2.6	INFORM	IATION TECHNO	OLOGY RECORI	DS	
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3.2.7	RECORI	OS REQUIRED IN	TERMS OF LEG	CIST ATION	
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3.2.7.	.1 A 15	st of certain legislation	on setting out a desc	rintion of the rec	ands of the Driverte
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	Вод	y which are available	in accordance with s	uch legislation, is	as follows:-
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3.2.7.	1.2	Employment Equity	Act 55 of 1998	E	× *
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3.2.7.1	1.3	Basic Conditions of	Employment Act 75	of 1997	¥
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3.2.7.1	1.4	Unemployment Inst	rance Act 63 of 200	1	**
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3.2.7.1	1.5	Value Added Tax A	ct 89 of 1991		E EW
3.2.7.1	1.6	Income Tax Act 58	of 1962	ar r	
19	Refer	rence to the above-me	entioned legislation s	hall include subsec	quent amendments
Ĭ.	to su	ch legislation and al	l relevant sections v	within such legis	lation in terms of
	which	h the private body hol	ds records.	* * * , , , , , , , , , , , , , , , , ,	
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3.2.8	OTHER P	PARTY RECORD	S		
3.2.8.1		nnel, customer or P	rivate Body records osed to the records he	which are held eld by the Private I	by another party Body itself;
3.2.8.2	limita	ds held by the Privation, financial record ds provided by the oth	s, correspondence, co	ontractual and tran	sactional records,
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4 (GROUNDS FOR RE	FUSAL OF ACCE	SS TO RECORD	S	
Ţ	The main grounds for the	Private Body to refu	se a request for infor	mation relates to th	1e -
	4 6 1	sand are to the	3° 2 14.	257	
4.1	mandatory protect	ion of the privacy o onable disclosure of p	f a third party who ersonal information of	is a natural persof that natural pers	on;
4.2	mandatory protecti	on of the commercial	information of a thir	d party, if the reco	rd contains -
4.2.1	trade secreta	of that third party;			office of the
	nade secrets	or mar unite party,	*		

	A 0 9
4.2.2	financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party;
4.2.3	information disclosed in confidence by a third party to the Private Body, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition;
4.3	mandatory protection of confidential information of third parties if it is protected in terms of any agreement;
4.4	mandatory protection of the safety of individuals and the protection of property;
4.5	mandatory protection of records which would be regarded as privileged in legal proceedings;
4.6	the commercial activities of the Private Body, which may include -
4.6.1	trade secrets of the Private Body;
4.6.2	financial, commercial, scientific or technical information which disclosure of could likely cause harm to the financial or commercial interests of the Private Body;
4.6.3	information which, if disclosed could put the Private Body at a disadvantage in negotiations or commercial competition;
4.6.4	a computer program which is owned by the Private Body, and which is protected by copyright.
4.7	the research information of the Private Body or a third party, if its disclosure would disclose the identity of the Private Body, the researcher or the subject matter of the research and would place the research at a serious disadvantage;
5.00	

5 REMEDIES AVAILABLE WHEN A PRIVATE BODY REFUSES A REQUEST FOR INFORMATION

unreasonable diversion of resources shall be refused.

5.1 INTERNAL REMEDIES

4.8

The Private Body does not have an internal appeal procedure. As such, the decision made by the information officer is final, and requesters will have to exercise such external remedies at their disposal if the request for information is refused, and the requester is not satisfied with the answer supplied by the information officer.

Requests for information that are clearly frivolous or vexatious, or which involve an

5.2 EXTERNAL REMEDIES

A requester that is dissatisfied with an information officer's refusal to disclose information, may within 30 days of notification of the decision, apply to a relevant Court for relief.

Likewise, a third party dissatisfied with an information officer's decision to grant a request for information, may within 30 days of notification of the decision, apply to a Court for relief. For purposes of the Act, the Courts that have jurisdiction over these applications are the Constitutional Court, the High Court or another court of similar status.

6 REQUEST PROCEDURE

- The requester must comply with all the procedural requirements contained in the Act relating to the request for access to a record.
- The requester must complete the prescribed form enclosed herewith in Appendix 1, and submit same as well as payment of a request fee and a deposit, if applicable to the Information Officer at the postal or physical address, fax number or electronic mail address as stated in 2.1 or 2.2 above.
- 6.3 The prescribed form must be filled in with enough particularity to at least enable the Information Officer to identify –
- 6.3.1 The record or records requested;
- 6.3.2 The identity of the requester,
- 6.3.3 Which form of access is required, if the request is granted;
- 6.3.4 The postal address or fax number of the requester.
- The requester must state that he/she requires the information in order to exercise or protect a right, and clearly state what the nature of the right is so to be exercised or protected. In addition, the requester must clearly specify why the record is necessary to exercise or protect such a right.
- 6.5 The Private Body will process the request within 30 days, unless the requester has stated special reasons which would satisfy the Information officer that circumstances dictate that the above time periods not be complied with.
- 6.6 The requester shall be informed whether access granted or denied. If, in addition, the requester requires the reasons for the decision in any other manner, he/she must state the manner and the particulars so required.
- 6.7 If a request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of the information officer.
- 6.8 If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally.
- 6.9 The requester must pay the prescribed fee, before any further processing can take place.

7 ACCESS TO RECORDS HELD BY THE PRIVATE BODY

- 7.1 Records held by the Private Body may be accessed by requests only once the prerequisite requirements for access have been met.
- 7.2 A requester is any person making a request for access to a record of the Private Body. There are two types of requesters:

7.2.1 PERSONAL REQUESTER

7.2.1.1 A personal requester is a requester who is seeking access to a record containing personal information about the requester.

7.2.1.2 The Private Body will voluntarily provide the requested information, or give access to any record with regard to the requester's personal information. The prescribed fee for reproduction of the information requested will be charged.

7.2.2 OTHER REQUESTER

7.2.2.1 This requester (other than a personal requester) is entitled to request access to information on third parties. However, the Private Body is not obliged to voluntarily grant access. The requester must fulfil the prerequisite requirements for access in terms of the Act, including the payment of a request and access fee.

8 FEES

- 8.1 The Act provides for two types of fees, namely:
- 8.1.1 A request fee, which will be a standard fee; and
- 8.1.2 An access fee, which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs.
- When the request is received by the Information Officer, such officer shall by notice require the requester, other than a personal requester, to pay the prescribed request fee (if any), before any further processing of the request.
- 8.3 If the search for the record has been made and the preparation of the record for disclosure, including arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, the information officer shall notify the requester to pay as a deposit the prescribed portion of the Access fee which would be payable if the request is granted.
- The information officer shall withhold a record until the requester has paid the fees as indicated in Appendix 2.
- 8.5 A requester whose request for access to a record has been granted, must pay an access fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure including making arrangements to make it available in the request form.
- 8.6 If a deposit has been paid in respect of a request for access, which is refused, then the information officer concerned must repay the deposit to the requester.

9 DECISION

- 9.1 The Private Body will, within 30 days of receipt of the request, decide whether to grant or decline the request and give notice with reasons (if required) to that effect.
- 9.2 The 30 day period with which the Private Body has to decide whether to grant or refuse the request, may be extended for a further period of not more than thirty days if the request is for a large amount of information, or the request requires a search for information held at another office of the Private Body and the information cannot reasonably be obtained within the original 30 day period. The Private Body will notify the requester in writing should an extension be sought.

10 AVAILABILITY OF THE MANUAL

10.1 This manual is made available in terms of Regulation Number R. 187 of 15 February 2002.

APPENDIX - 1

PRESCRIBED FORM TO BE COMPLETED BY A REQUESTER

FORM B

REQUEST FOR ACCESS TO RECORDS	OF PRIVATE BODY
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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 records must be recorded below. (b) Furnish an address and/or fax number in the Republic to which information must be sent. (c) Proof of the capacity in which the request is made, if applicable, must be attached. Full Name and Surname: Identity Number: Postal Address: Telephone Number: E-mail address: Capacity in which request is made, when made on behalf of another person: C. Particulars of person of whose behalf request is made on behalf of another person This section must be completed only if a request for information is made on behalf of another person	(Section 53(1) of the Promotion of Access to	Information Act, No	2 of 2000)	e	
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	Full names and Surname:	20		1	
			24	4	4

F.

Form of Access to the 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 the Record or relevant part of the record:
2.	Reference number, if available:
2.	Any further particulars of the record:
17	
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 of the request fee.
(c)	The fee payable for access to a record depends on the form in which the 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 therefore.
Reas	on for exemption of payment of the fee:

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 w	hich recor	d is required		39 3
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ark the appropriate box with	an "X"		B. 1		*		1
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c) The fee payable for access	s to the reco	ord, if any, w	ui be detern	ninea parti	y by the fort	n in which ac	cess is
requested.				*			
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Copy of record *				mspection	1 Of feedia		
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	to	75					
2. If the record consists of vi	to	75	s, computer	-generated			
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* If	you requested a copy or transcription of a record (above), do you wish the	YES	NO
copy	y or transcription to be posted to you?		
A po	ostal fee is payable.		w.
G.	Particulars of right to be exercised or protected:		E. S.
If the	e provided space is inadequate, please continue of a separate folio and attac	h it to this form	
The	requester must sign all the additional folios	0(
Indic	cate which right is to be exercised or protected:		
1.	Explain why the requested record is required for the exercising or protectivity.	on of the aforem	entioned
H. You v	Notice of decision regarding request for access: will be notified in writing whether your request has been approved/denied.	If you wish to be	informed
	of in another manner, please specify the manner and provide the necessary p		
	liance with your request.	a s	
How	would you prefer to be informed of the decision regarding your request for	access to the reco	ord?
Signe	d at this day of	-	_ 200
			8 1
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	SIGNATURE OF REQUESTION WHOSE BEHALF		
		* .	60 60

APPENDIX-2

REPRODUCTION FEES

Where requested document appear in the appendix 1 i.e. the 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.

THE APPLICABLE FEES FOR REPRODUCTION AS REFERRED TO ABOVE ARE:

	The Company of the same of the	. R	7.
	a same of same substitution		
•	For every photocopy of an A4-size page or part thereof	1,10	
•	For every printed copy of an A4-size page or part thereof held on a		
	computer or in electronic or machine readable form	0,75	1
•	For a copy in a computer-readable form on		
	- Stiffy disc	7,50	ď
	- Compact disc	70,00	
•	A transcription of visual images, for an A4-size page or part thereof	40,00	
•	For a copy of visual images	60,00	
•	A transcription of an audio record, for an A4-size page or part thereof	20,00	
•	For a copy of an audio record	30,00	

Request fees:

Where a requester submits a request for access to information held by an Private Body on a person other that the requester himself/herself, a request fee in the amount of R50,00 is payable up-front before the Private Body will further process the request received.

Access fees:

An access fee is payable in all instances where a request for access to information is granted, except in those instances where payment of an access fee is specially excluded in terms of the Act or an exclusion is determined by the Minister in terms of Section 54 (8).

The applicable access fees which will be payable are:

		100	1
	For every photocopy of an A4-size page or part thereof	y: #8	1,10
•	For every printed copy of an A4-size page or part thereof held on	- Table 1	257
	a computer or in electronic or machine readable form		0,75

		R
•	For a copy in a computer-readable form on	* e
	- Stiffy disc	7,50
	- Compact disc	70,00
•	A transcription of visual images, for an A4-size page or part thereof	40,00
•	For a copy of visual images	60,00
•	A transcription of an audio record, for an A4-size page or part thereof	20,00
•	For a copy of an audio record	30,00
•	To search for a record that must be disclosed	30,00
	(per hour or part of an hour reasonably required for such search)	
•	Where a copy of a record needs to be posted the actual postal fee is payable.	

Deposits:

Where the 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 of disclosure will take more than 6 (six) hours, a deposit is payable by the requester.

The amount of the deposit is equal to 1/3 (one third) of the amount of the applicable access fee.

Note: In terms of Regulation 8, Value Added Tax (VAT) must be added to all fees prescribed in terms of the Regulations.

MANUAL

of

DAVID DICEY FAMILY TRUST t/a BUCHULAND AND/OR STRATHBREEDE FARM

Prepared in accordance with Section 51 of the Promotion of Access to Information Act, No 2 of 2000.

(Private Body)

1 INTRODUCTION

1.1 The Promotion of Access to Information Act, No 2 of 2000 ("the Act") was enacted on 3 February 2000, 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 the Act, the body to whom the request is made is obliged to release the information, except where the Act expressly provides that the information may or must not be released. The Act sets out the requisite procedural issues attached to such request.

1.2 PURPOSE OF THE MANUAL:

In order to promote effective governance of private bodies, it is necessary to ensure that everyone is empowered and educated to understand their rights in terms of the Act in order for them to exercise their rights in relation to public and private bodies.

Section 9 of the Act however recognises that such right to access to information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to:

- Limitations aimed at the reasonable protection of privacy;
- Commercial confidentiality; and
- Effective, efficient and good governance;

and in a manner which balances that right with any other rights, including such rights contained in the Bill of Rights in the Constitution.

Wherever reference is made to "Private Body" in this manual, it will refer to DAVID DICEY FAMILY TRUST a private body within the fruit producing industry, for which this manual is drafted.

Wherever reference is made to a "document" or "record", it shall include such documents or records that are stored on a computer or in any form of electronic format (precedent included).

PART I

2 CONTACT DETAILS

	PHILIP CHRISTOPHER	
2.1		

Postal address: POBox 59, Wolseley, 6830

Physical Address: Strathbreede Farm, Wolseley

Tel: (023) 2310879

Fax: (023) 3162995

2.2 GENERAL INFORMATION

2.2.1		Name of Private Body: DAVID DICEY FAMILY TRUST
2.2.2		Head of Private Body: CHRISTOPHER DAVID DICEY
*	3 +	
2.2.3	Si .	Registration No: T-2785-94
2.2.4		Vat Registration No. 4180146591
2.2.5		Postal Address: P O Box 59, Wolseley, 6830
2.2.6	*	Physical Address (or main place of business): Strathbreede Farm, Wolseley
2.2.7		Telephone Number: (023) 2310879
2.2.8	D 128	Facsimile number: (023) 2310880
2.2.9		E-mail address: diceyd@cybertrade.co.za
2 2 10		With MA

PART II

3 GUIDE OF SOUTH AFRICAN HUMAN RIGHTS COMMISSION

The South African Human Rights Commission has at the date of printing hereof not yet compiled the guide contemplated in Section 10 of the Act. The guide will contain such information as may reasonably be required by a person who wishes to exercise any right contemplated in the Act. Any enquiries regarding this guide should be directed to:

The South African HUMAN RIGHTS COMMISSION,

at PAIA Unit (THE RESEARCH AND DOCUMENTATION DEPARTMENT),

Private Bag X2700, HOUGHTON, 2041;

Telephone Number: (011) 484-8300;

Facsimile Number: (011) 484-1360;

Website: www.sahrc.org.za;

E-mail Address: PIAI@sahrc.org.za.

PART III

3.1 RECORDS OF THE PRIVATE BODY

This clause serves as a reference to the records that the Private Body holds in order to facilitate a request in terms of the Act.

The information is classified and grouped according to records relating to the following subjects and categories:

It is recorded that the accessibility of the documents listed herein below, may be subject to the grounds of refusal set out hereinafter.

The head of the private body may, in addition and on a voluntary basis, also publish notices in terms of Section 52(2) of the Act regarding categories of records which are available without a person having to request access in terms of the Act.

3.2 PRIVATE BODY DOCUMENTS AND RECORDS

3.2.1 INCORPORATION DOCUMENTS AND RECORDS

3.2.1.1 Trust deed and records

3.2.2 FINANCIAL DOCUMENTS AND RECORDS

3.2.2.1 Regional Services Council records

3.2.2.2 VAT records

800 00 00				
3.2.2.3	Tax records			
3.2.2.4	PAYE records	रा ^{की स} रू छ अ ॥ प _{र्}		* 1 * 0
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3.2.2.5	UIF records		and the	* 8
ereconomical		* *	e en e	
3.2.2.6	Stock records	a. "	je ³⁵	
3.2.2.7	Asset Inventory		v ***	
	1	•0 a		
3.2.2.8	Asset register		. ¥ .	
3.2.2.9	Invoices			
e0	16. 201	8.		2
3.2.2.10	Statements			
3.2.2.11	Cheque account			
3.2.2.12	Current account		a G ^a	
3.2.2.13	Call account	10 E E E		
	4	. 2 5 8	est id is	# 3 # #
3.2.2.14	Trust account	· · · · · · · · · · · · · · · · · · ·		E:
3,2,2,15	Annual unaudited financial	statements		*
3.2.2.13	Aimuir unaudiod Immira			2
3.2.2.16	Financial documents			7 24
	ease note – above-mentioned re	ands may be sysilable	a at accountant's o	ffices
Pi	ease note – above-mentioned R	cords may be available	, at accommant 3 o	
3.2.3 O	PERATIONAL DOCUME	NTS AND RECOR	DS	
		*		
3.2.3.1	Records relating to sales		· w ** · · · · · · · · · · · · · · · · ·	
5				*
3.2.3.2	Records relating to produc	tion including orchard	production	
		an a ammlainta	St 15	E
3.2.3.3	Records relating to custom	er complaints		
3.2.3.4	Europ Gap Compliance do	cumentation	1940 17. (7.)	
# IRINA			387 - 5	* 100
	The above records include	ie, but are not limited	i to records whic	h pertain to the
9	Private Body's own affair	s.		10.00 10.00
W.		2.1		**

PERSONNEL DOCUMENTS AND RECORDS 3.2.4

Personal records provided by personnel (including permanent, temporary and seasonal employees) including but not limited to:

3.2.7.1

3.2.4.1	Employment contracts	* **		33	19
3.2.4.2	Application forms	tion of	% E		
3.2.4.3	Salary records		数	20	
3.2.4.4	Leave records		2.1 (F)	18	(g
3.2.4.5	Disciplinary codes and records		a #	14 gr	
3.2.4.6	Long service awards				
3.2.4.7	Training records	5 g			
3.2.4.8	SETA records			en e	8
3.2.4.9	Attendance register	. N (8)	e E	2	, 9 , a
3.2.4.10	Unemployment Insurance	ti.	8	*	
3.2.4.11	Trade Union records	3		0	e!
3.2.4.12	Records relating to Recognition agr	reements and wa	ige agreemen	uts	A 18
3.2.4.13	Records relating to deductions	er er	0	*! *!	
3.2.4.14	Records relating to contracts with Ir	ndependent Con	tractors		
	"Personnel" refers to any person who we the Private Body, and receives or is entitle who assists in carrying out or conducting t without limitation, trustees, all permaner contract and/or seasonal workers.	ed to receive rer	nuneration ar	nd any other p	person
3.2.5	SAFETY RECORDS	Part .		N 17	
	NOT APPLICABLE			20	21 (1)
3.2.6	INFORMATION TECHNOLOGY R	RECORDS	81 831 27 831		
	NOT APPLICABLE			26 62	* *
3.2.7	RECORDS REQUIRED IN TERMS	OF LEGISL.	ATION	(9	

A list of certain legislation setting out a description of the records of the Private

Body which are available in accordance with such legislation, is as follows:-

3.2.7.1.1		Short term Insura	ance Act 53 of 199) 8 *** * ***.		* ***
3.2.7.1.2		Labour Relations	Act 66 of 1995		***************************************	
3.2.7.1.3	£ s	Employment Equ	uity Act 55 of 199	8		L.,
3.2.7.1.4		Basic Conditions	of Employment A	Act 75 of 1997		
3.2.7.1.5	AREA IS	Compensation fo	r Occupational In	juries and Disc	eases Act 130 of	1993
3.2.7.1.6		Unemployment I	nsurance Act 63 o	of 2001		
3.2.7.1.7	ar an	Value Added Tax	x Act 89 of 1991	* ** * *		A 24
3.2.7.1.8	y	Skills Developm	ent Act 9 of 1999	2 92		
3.2.7.1.9		Income Tax Act	58 of 1962			
		Reference to the above	antiqued locisle	tion shall incl	nde enbeement	amendments
	9		-mendoned legista	ttion shan me	uuc saosequent	
3	**	to such legislation.		Ø	* * .	
	*			e safia a		# ** #
3.2.8	OTH	ER PARTY RECOI	KDS	ii 9	t . v ·	
3.2.8.1		Personnel, customer or accountant, marketing itself;	Private Body rec agent), as oppose	ords which ar	e held by anothe ds held by the I	r party (e.g. Private Body
3.2.8.2		Records held by the I limitation, financial rec records provided by the	ords, corresponde	ence, contracti	ual and transaction	onal records,
		7 2	PART	TV		4
	8		IAKI	••		
81 ₍₃₇₎		1 *				
4 GR	ROUNDS FO	R REFUSAL OF AC	CESS TO REC	CORDS		8
The	main grounds	for the Private Body to	refuse a request fo	or information	relates to the -	: :
4.1	mandatory involve the	protection of the priva unreasonable disclosure	cy of a third par of personal inform	ty who is a r mation of that	natural person, natural person;	which would
4.2	mandatory j	protection of the comme	rcial information	of a third party	y, if the record co	ontains –
4.2.1	trade	secrets of that third part	y;		one S	
4.2.2	finan cause	cial, commercial, scient	tific or technical commercial inter	information wests of that the	which disclosure and party;	could likely
4.2.3	infor	mation disclosed in com	fidence by a third disadvantage in n	party to the P	rivate Body, if t commercial con	he disclosure apetition;

- 4.3 mandatory protection of confidential information of third parties if it is protected in terms of any agreement;
- 4.4 mandatory protection of the safety of individuals and the protection of property;
- 4.5 mandatory protection of records which would be regarded as privileged in legal proceedings;
- 4.6 the commercial activities of the Private Body, which may include –
- 4.6.1 trade secrets of the Private Body;
- 4.6.2 financial, commercial, scientific or technical information which disclosure of could likely cause harm to the financial or commercial interests of the Private Body;
- 4.6.3 information which, if disclosed could put the Private Body at a disadvantage in negotiations or commercial competition;
- a computer program which is owned by the Private Body, and which is protected by copyright.
- 4.7 the research information of the Private Body or a third party, if its disclosure would disclose the identity of the Private Body, the researcher or the subject matter of the research and would place the research at a serious disadvantage;
- 4.8 Requests for information that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources shall be refused.

5 REMEDIES AVAILABLE WHEN A PRIVATE BODY REFUSES A REQUEST FOR INFORMATION

5.1 INTERNAL REMEDIES

The Private Body does not have an internal appeal procedure. As such, the decision made by the information officer is final, and requesters will have to exercise such external remedies at their disposal if the request for information is refused, and the requester is not satisfied with the answer supplied by the information officer.

5.2 EXTERNAL REMEDIES

A requester that is dissatisfied with an information officer's refusal to disclose information, may within 30 days of notification of the decision, apply to a relevant Court for relief.

Likewise, a third party dissatisfied with an information officer's decision to grant a request for information, may within 30 days of notification of the decision, apply to a Court for relief. For purposes of the Act, the Courts that have jurisdiction over these applications are the Constitutional Court, the High Court or another court of similar status.

6 REQUEST PROCEDURE

- The requester must comply with all the procedural requirements contained in the Act relating to the request for access to a record.
- The requester must complete the prescribed form enclosed herewith in Appendix 1, and submit same as well as payment of a request fee and a deposit, if applicable to the Information Officer

	at the postal or physical address, fax number or electronic mail address as stated in 2.1 or 2.2 above.
6.3	The prescribed form must be filled in with enough particularity to at least enable the Information Officer to identify –
6.3.1	The record or records requested;
6.3.2	The identity of the requester,
6.3.3	Which form of access is required, if the request is granted;
6.3.4	The postal address or fax number of the requester.
6.4	The requester must state that he/she requires the information in order to exercise or protect a right, and clearly state what the nature of the right is so to be exercised or protected. In addition, the requester must clearly specify why the record is necessary to exercise or protect such a right.
6.5	The Private Body will process the request within 30 days, unless the requester has stated special reasons which would satisfy the Information officer that circumstances dictate that the above
500	time periods not be complied with.
6.6	The requester shall be informed whether access granted or denied. If, in addition, the requester requires the reasons for the decision in any other manner, he/she must state the manner and the particulars so required.
6.7	If a request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of the information officer.
6.8	If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally.
6.9	The requester must pay the prescribed fee, before any further processing can take place.
7 AC	CESS TO RECORDS HELD BY THE PRIVATE BODY
7.1	Records held by the Private Body may be accessed by requests only once the prerequisite requirements for access have been met.
7.2	A requester is any person making a request for access to a record of the Private Body. There are two types of requesters:
7.2.1	PERSONAL REQUESTER
7.2.1.1	A personal requester is a requester who is seeking access to a record containing personal information about the requester.
7.2.1.2	The Private Body will voluntarily provide the requested information, or give access to any record with regard to the requester's personal information. The prescribed fee for reproduction of the information requested will be charged.

7.2.2 OTHER REQUESTER

7.2.2.1

This requester (other than a personal requester) is entitled to request access to information on third parties. However, the Private Body is not obliged to voluntarily grant access. The requester must fulfil the prerequisite requirements for access in terms of the Act, including the payment of a request and access fee.

8 FEES

- 8.1 The Act provides for two types of fees, namely:
- 8.1.1 A request fee, which will be a standard fee; and
- An access fee, which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs.
- When the request is received by the Information Officer, such officer shall by notice require the requester, other than a personal requester, to pay the prescribed request fee (if any), before any further processing of the request.
- 8.3 If the search for the record has been made and the preparation of the record for disclosure, including arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, the information officer shall notify the requester to pay as a deposit the prescribed portion of the Access fee which would be payable if the request is granted.
- The information officer shall withhold a record until the requester has paid the fees as indicated in Appendix 2.
- 8.5 A requester whose request for access to a record has been granted, must pay an access fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure including making arrangements to make it available in the request form.
- 8.6 If a deposit has been paid in respect of a request for access, which is refused, then the information officer concerned must repay the deposit to the requester.

9 DECISION

- 9.1 The Private Body will, within 30 days of receipt of the request, decide whether to grant or decline the request and give notice with reasons (if required) to that effect.
- 9.2 The 30 day period with which the Private Body has to decide whether to grant or refuse the request, may be extended for a further period of not more than thirty days if the request is for a large amount of information, or the request requires a search for information held at another office of the Private Body and the information cannot reasonably be obtained within the original 30 day period. The Private Body will notify the requester in writing should an extension be sought.

10 AVAILABILITY OF THE MANUAL

10.1 This manual is made available in terms of Regulation Number R. 187 of 15 February 2002.

APPENDIX - 1

PRESCRIBED FORM TO BE COMPLETED BY A REQUESTER

FORM B

REQUEST FOR ACCESS TO RECORDS OF PRIVATE BODY

(Section 53(1) of the Promotion of Access	to mioring	mon Act, No 2 t	JI 2000)	SE 100 E20 N	19
	(Regu	lation 4)	E1 207 3	Y Vi	
	a 1		- 3	19	
A. Particulars of Private Body			E 3		2
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	- 1				
				8	
	î				
	E.51			4.5	
•		CONTRACTOR AND			
a) The particulars of the person who re	quests acc	ess to the record			3
a) The particulars of the person who re	quests acc	ess to the record			3
a) The particulars of the person who re b) Furnish an address and/or fax numb	quests acc er in the R	ess to the record	h informatio	on must be se	3
The particulars of the person who re b) Furnish an address and/or fax numb	quests acc er in the R	ess to the record	h informatio	on must be se	3
The particulars of the person who re Furnish an address and/or fax numb Proof of the capacity in which the re	quests acc er in the R quest is m	ess to the record	h informatio	on must be se	3
a) The particulars of the person who re b) Furnish an address and/or fax numb c) Proof of the capacity in which the re full Name and Surname:	quests acc er in the R quest is mu	ess to the record	h informatio	on must be se	3
a) The particulars of the person who re b) Furnish an address and/or fax numb c) Proof of the capacity in which the re full Name and Surname: dentity Number:	quests acc er in the R quest is mu	ess to the record	h informatio	on must be se	3
a) The particulars of the person who re b) Furnish an address and/or fax numb c) Proof of the capacity in which the re	quests acc er in the R quest is mu	ess to the record epublic to which ade, if applicabl	h informatio	on must be se	3
a) The particulars of the person who re b) Furnish an address and/or fax numb c) Proof of the capacity in which the re full Name and Surname: dentity Number:	quests acc er in the R quest is mo	ess to the record epublic to which ade, if applicabl	h informatio	on must be se	3

C. Particulars of person of 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	d, including the re	ference 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 i	t to this form. The
	requester must sign all the additional folios		
	- 1 4,0 1 a		
1.	Description of the Record or relevant part of the record:		192
		137	
	R		
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			•
		p + 10	5 65
2.	Reference number, if available:	11 4,3,71	
		2	ē
2.	Any further particulars of the record:	e 2 **	w
		2. 2	8.2
1 6		9	
E.	Fees:		
(a)	A request for access to a record, other than a record containing pe	ersonal informatio	on about yourself,
	will be processed only after a request fee has been paid.	(0.04)	10
(b)	You will be notified of the amount of the request fee.	*	2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2
(c)	The fee payable for access to a record depends on the form in which	ch the access is re	quired and the
ā	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 therefo	ore.
Reas	on for exemption of payment of the fee:		14.
S.		1,0	3.4 E
115			-
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*	The state of the s		

F. Form of Access to the 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.

							**	_
Disab	ility:	9 1 2	Form i	n wh	ich record	is required:	* 1	
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i						the se		ý
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7				1-41-5	11.	1 - 2 - 2 - 2		- 1
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8 5		u = _ 0		17				
Mark	the appropriate box with	an "X"						1
VOTE	-7							
	our indication as to the re	nuired	form of access depends	on the	e form in s	which the rece	ord is availah	le
		2.50 E			F 12 F	B 10 B		
	ccess in the form requeste		2 5 1	zumsi	ances. In	such a case y	ou wiii be	1 2
8	nformed if access will be g	60	7					
(c) T	he fee payable for access	to the re	ecord, if any, will be det	ermin	ed partly	by the form ir	which acces	ss is
re	equested.							99
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	26 20	7			s fra			
. If	the record is in written o	r printe	ed form:	10.	F 7 2 8			1
	Copy of record *	4. 15		Tr	spection	of record		-
	1.12			1.	<u>.</u>	1.30		
		S. J.						
		S 50			. • . '			g 2
. If	the record consists of vis	ual ima	ges:	e 5				
(TI	nis includes photographs,	slides, v	ideo recordings, compu	ter-ge	enerated in	nages, sketch	es, etc.)	
-	View the images		Copy of the images *			Transcription	of the image	es*
<u> </u>	<u> </u>	21						
4.5		e k Doğum		1				
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. If t	the record consists of rec		vords or information v	and the same		4 -		1
+	Listen to the soundtra	ck		Ti	ranscriptio	n of soundtra	ck *	
	(audio cassette)			(v	vritten or p	orinted docum	ient)	
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347(-3)		6						8.7
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. If t	he record is held on con	puter o	r in an electronic or m	achi	ne-readab	ole form:	1 2	8
	Printed copy of record		Printed copy of	1 7 7		Copy in co	mputer reada	ble
N 148		-1	information derived	from		form * (stif	fy or compac	t
		1						100 S
7.7	1 11 - 12 - 1 No. 1 - 1 - 1		the record *			disc)	10 C C C C C C C C C C C C C C C C C C C	

A postal fee is payable. G. Particulars of right to be exercised or protected: If the provided space is inadequate, please continue of 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 aforementione right: 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 informatereof in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.		rintion to be norted					1
G. Particulars of right to be exercised or protected: If the provided space is inadequate, please continue of 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 aforementione right: I. 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 informatereof in another manner, please specify the manner and provide the necessary particulars to enable	A nastal faci	ubiton to be boster	d to you?				1
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igned at this day of200_ SIGNATURE OF REQUESTER/PERSON	nereof in anoth ompliance wit low would you	ner manner, please h your request.	specify the manner a	regarding your requed day of	ssary parti	ess to the re	ecord?

APPENDIX - 2

REPRODUCTION FEES

Where requested document appear in the appendix 1 i.e. the 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.

THE APPLICABLE FEES FOR REPRODUCTION AS REFERRED TO ABOVE ARE:

		e water a sa	R
•	For every photocopy of an A4-size page or part theree	of	1,10
•	For every printed copy of an A4-size page or part the	reof held on a	
	computer or in electronic or machine readable form		0,75
•	For a copy in a computer-readable form on		
	- Stiffy disc		7,50
	- Compact disc	29	70,00
•	A transcription of visual images, for an A4-size page	or part thereof	40,00
•	For a copy of visual images		60,00
•	A transcription of an audio record, for an A4-size pag	e or part thereof	20,00
•	For a copy of an audio record		30,00

Request fees:

Where a requester submits a request for access to information held by an Private Body on a person other that the requester himself/herself, a request fee in the amount of R50,00 is payable up-front before the Private Body will further process the request received.

Access fees:

An access fee is payable in all instances where a request for access to information is granted, except in those instances where payment of an access fee is specially excluded in terms of the Act or an exclusion is determined by the Minister in terms of Section 54 (8).

The applicable access fees which will be payable are:

		R
•	For every photocopy of an A4-size page or part thereof	1,10
•	For every printed copy of an A4-size page or part thereof held on	
	a computer or in electronic or machine readable form	0,75

		6. 15	R
•	For a copy in a computer-readable form on	W.	
	- Stiffy disc	1	7,50
	- Compact disc		70,00
•	A transcription of visual images, for an A4-size page or part thereof		40,00
•	For a copy of visual images	W.	60,00
•	A transcription of an audio record, for an A4-size page or part thereof		20,00
•	For a copy of an audio record		30,00
•	To search for a record that must be disclosed	20°	30,00
	(per hour or part of an hour reasonably required for such search)	**************************************	
	1.0		

Where a copy of a record needs to be posted the actual postal fee is payable.

Deposits:

Where the 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 of disclosure will take more than 6 (six) hours, a deposit is payable by the requester.

The amount of the deposit is equal to 1/3 (one third) of the amount of the applicable access fee.

Note: In terms of Regulation 8, Value Added Tax (VAT) must be added to all fees prescribed in terms of the Regulations.

MANUAL

of

DONSTEEL & FORGINGS CC

Prepared in accordance with Section 51 of the Promotion of Access to Information Act, No 2 of 2000.

(Private Body)

1 INTRODUCTION

1.1 The Promotion of Access to Information Act, No 2 of 2000 ("the Act") was enacted on 3 February 2000, 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 the Act, the body to whom the request is made is obliged to release the information, except where the Act expressly provides that the information may or must not be released. The Act sets out the requisite procedural issues attached to such request.

1.2 PURPOSE OF THE MANUAL:

In order to promote effective governance of private bodies, it is necessary to ensure that everyone is empowered and educated to understand their rights in terms of the Act in order for them to exercise their rights in relation to public and private bodies.

Section 9 of the Act however recognises that such right to access to information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to:

- Limitations aimed at the reasonable protection of privacy;
- Commercial confidentiality; and
- Effective, efficient and good governance;

and in a manner which balances that right with any other rights, including such rights contained in the Bill of Rights in the Constitution.

Wherever reference is made to "Private Body" in this manual, it will refer to DONSTEEL & FORGINGS CC a close corporation which operates in the steel industry for which this manual is drafted.

Wherever reference is made to a "document" or "record", it shall include such documents or records that are stored on a computer or in any form of electronic format (precedent included).

PART I

2 CONTACT DETAILS

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2.1	Information Officer	" IH. A INIVH.	IN H. I .E .	STUMPF
4.1	. IIIIUI INALIUII UIIICI	· ULTINITIE		DA CHALL

Postal address: P O Box 3474, Tygerpark, 7536

Registered address:

P O Box 3474, Tygerpark, 7536

Physical Address: 12 Willow Road, Stikland

Tel: (021) 949 7550

Fax: (021) 949 7520

Email address: donsteel@isales.co.za

2.2 GENERAL INFORMATION

2.2.1		Name of Private Body: DONSTEEL & FORGINGS CC
2.2.2	114	Head of Private Body: Donald Michael Griessel
2.2.3		Registration No: 1989/002303/23
2.2.4	ñ	Vat Registration No. 4840102166
2.2.5	*	Postal Address: P O Box 3474, Tygerpark, 7536
2.2.6		Physical Address (or main place of business): 12 Willow Road, Stickland
2.2.7		Telephone Number: (021) 949 7550
2.2.8		Facsimile number: (021) 949 7520
2.2.9		E-mail address: donsteel@isales.co.za
2.2.10		Website: N/A

PART II

3 GUIDE OF SOUTH AFRICAN HUMAN RIGHTS COMMISSION

The South African Human Rights Commission has at the date of printing hereof not yet compiled the guide contemplated in Section 10 of the Act. The guide will contain such information as may reasonably be required by a person who wishes to exercise any right contemplated in the Act. Any enquiries regarding this guide should be directed to:

The South African HUMAN RIGHTS COMMISSION,

at PAIA Unit (THE RESEARCH AND DOCUMENTATION DEPARTMENT),

Private Bag X2700, HOUGHTON, 2041;

Telephone Number: (011) 484-8300;

Facsimile Number: (011) 484-1360;

Website: www.sahrc.org.za;

E-mail Address: PIAI@sahrc.org.za.

PART III

3.1 RECORDS OF THE PRIVATE BODY

This clause serves as a reference to the records that the Private Body holds in order to facilitate a request in terms of the Act.

The information is classified and grouped according to records relating to the following subjects and categories:

It is recorded that the accessibility of the documents listed herein below, may be subject to the grounds of refusal set out hereinafter.

The head of the private body may in addition and on a voluntary basis, also publish notices in terms of Section 52(2) of the Act regarding categories of records which are available without a person having to request access in terms of the Act.

3.2 PRIVATE BODY DOCUMENTS AND RECORDS

3.2.1 INCORPORATION DOCUMENTS AND RECORDS

Copies of documents of incorporation

3.2.1.2	Copies of the Constitution of the business
	14 M
3.2.1.3	Copies of the Association agreement

3.2.1.4 Copies of Shareholders' agreements

3.2.1.1

3.2.1.5	Minutes of Board of Directors meetings
	81 2
2216	Minutes (Classification) managinary
3.2.1.6	Minutes of Shareholders' meetings
3.2.1.7	Minutes of Members meetings
18	201
3.2.1.8	Minutes of staff meetings
3.2.2	FINANCIAL DOCUMENTS AND RECORDS
* *	
3.2.2.1	Regional Services Council records
3.2.2.2	Vat records
3.2.2.3	Tax records
3.2.2.4	PAYE records
5.7574.7574.6575 (2	
3.2.2.5	UIF records
3.2.2.6	Stock records
2007	Out - Come including stores coders
3.2.2.7	Order forms including stores orders
3.2.2.8	Invoices
of the second	
3.2.2.9	Monthly statements and sales reports
3.2.2.9	infolially successful and suite reports
3.2.2.10	Proof of delivery forms and delivery notes
3.2.2.11	Goods returned vouchers
±// :	
22212	Credit notes
3.2.2.12	Credit notes
3.2.2.13	Cheque account
3.2.2.14	Cash records
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3.2.2.15	Financial reporting records
3.2.2.16	Financial documents
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59.5	
3.2.3	OPERATIONAL DOCUMENTS AND RECORDS

3.2.3.1	Promotional material	v y			
3.2.3.2	Product / Section 1			* 1	
3.2.3.2	Product / Service manuals	charts of account	8	*	
3.2.3.3	Work instruction manuals				
3.2.3.4	Database of customers	" " " " " " " " " " " " " " " " " " "		el e	
3.2.3.5	Credit Guarantee forms		•		2
3.2.3.6	Correspondence with custon	mers			
3.2.3.7	Customer account records			 	
3.2.3.8	Records with regards to sale	es			
3.2.3.9	Price lists		- !		
3.2.3.10	Customer complaints / asses	ssments		X	
3.2.3.11	Records pertaining to quoting	ng .			
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3.2.4.9	Training records	
3.2.4.10	Training manuals	e (97)
3.2.4.11	Written company policies	- 5
3.2.4.12	SETA records	
3.2.4.13	Attendance register	
3.2.4.14	Unemployment Insurance	
3.2.4.15	Records of deductions	04 - 30
	"Personnel" refers to any person who works for, or provides services to or on be the Private Body, and receives or is entitled to receive remuneration and any other who assists in carrying out or conducting the business of the Private Body. This in without limitation, members, all permanent and limited duration employees, as contract workers (if applicable).	person cludes,
3.2.5	SAFETY RECORDS	
3.2.5.1	Records relating to incidents	Ť.
3.2.5.2	Records in terms of the Occupational Health and Safety Act	**
3.2.6	INFORMATION TECHNOLOGY RECORDS	
3.2.6.1	Licences	
3.2.6.2	Software programs	* 3
3.2.6.3	Software applications	
3.2.6.4	Computer generated databases	a an a r
3.2.7	RECORDS REQUIRED IN TERMS OF LEGISLATION	
3.2.7.1	A list of certain legislation setting out a description of the records of the Body which are available in accordance with such legislation, is as follows:-	Private
3.2.7.1.1	Short Term Insurance Act 53 of 1998	
3.2.7.1.2	Long Term Insurance Act 52 of 1998	
3.2.7.1.3	Basic Conditions of Employment Act 75 of 1997	**
3.2.7.1.4	Formalities in respect of Leases of Land Act 18 of 1969	
3.2.7.1.5	Compensation for Occupational Injuries and Diseases Act 130 of 1993	

4.4

4.5

4.6

4	
3.2.7.1.6	Unemployment Insurance Act 63 of 2001
3.2.7.1.7	Value Added Tax Act 89 of 1991
3.2.7.1.8	Skills Development Act 9 of 1999
3.2.7.1.9	Income Tax Act 58 of 1962
3.2.7.1.10	Close Corporation Act
	Reference to the above-mentioned legislation shall include subsequent amendments to such legislation and all relevant sections within such legislation in terms of
	which the private body holds records.
3.2.8	OTHER PARTY RECORDS
3.2.8.1	Personnel, customer or Private Body records which are held by another party, as opposed to the records held by the Private Body itself;
3.2.8.2	Records held by the Private Body pertaining to other parties, including without limitation, financial records, correspondence, contractual and transactional records, records provided by the other party, and records third parties have provided.
A 8	PART IV

4 GROUNDS FOR REFUSAL OF ACCESS TO RECORDS

The main grounds for the Private Body to refuse a request for information relates to the -

4.1		mandatory protection of the privacy of a third party who is a natural person, which would involve the unreasonable disclosure of personal information of that natural person;
4.2		mandatory protection of the commercial information of a third party, if the record contains -
4.2.1		trade secrets of that third party;
4.2.2	**	financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party;
4.2.3	**	information disclosed in confidence by a third party to the Private Body, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition;
4.3		mandatory protection of confidential information of third parties if it is protected in terms of any agreement;

mandatory protection of the safety of individuals and the protection of property;

the commercial activities of the Private Body, which may include -

mandatory protection of records which would be regarded as privileged in legal proceedings;

- 4.6.1 trade secrets of the Private Body;
- 4.6.2 financial, commercial, scientific or technical information which disclosure of could likely cause harm to the financial or commercial interests of the Private Body;
- 4.6.3 information which, if disclosed could put the Private Body at a disadvantage in negotiations or commercial competition;
- a computer program which is owned by the Private Body, and which is protected by copyright.
- 4.7 the research information of the Private Body or a third party, if its disclosure would disclose the identity of the Private Body, the researcher or the subject matter of the research and would place the research at a serious disadvantage;
- 4.8 Requests for information that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources shall be refused.

5 REMEDIES AVAILABLE WHEN A PRIVATE BODY REFUSES A REQUEST FOR INFORMATION

5.1 INTERNAL REMEDIES

The Private Body does not have an internal appeal procedure. As such, the decision made by the information officer is final, and requesters will have to exercise such external remedies at their disposal if the request for information is refused, and the requester is not satisfied with the answer supplied by the information officer.

5.2 EXTERNAL REMEDIES

A requester that is dissatisfied with an information officer's refusal to disclose information, may within 30 days of notification of the decision, apply to a relevant Court for relief.

Likewise, a third party dissatisfied with an information officer's decision to grant a request for information, may within 30 days of notification of the decision, apply to a Court for relief. For purposes of the Act, the Courts that have jurisdiction over these applications are the Constitutional Court, the High Court or another court of similar status.

6 REQUEST PROCEDURE

- The requester must comply with all the procedural requirements contained in the Act relating to the request for access to a record.
- 6.2 The requester must complete the prescribed form enclosed herewith in Appendix 1, and submit same as well as payment of a request fee and a deposit, if applicable to the Information Officer at the postal or physical address, fax number or electronic mail address as stated in 2.1 or 2.2 above.
- 6.3 The prescribed form must be filled in with enough particularity to at least enable the Information Officer to identify –
- 6.3.1 The record or records requested;
- 6.3.2 The identity of the requester,

- 6.3.3 Which form of access is required, if the request is granted;
- 6.3.4 The postal address or fax number of the requester.
- The requester must state that he/she requires the information in order to exercise or protect a right, and clearly state what the nature of the right is so to be exercised or protected. In addition, the requester must clearly specify why the record is necessary to exercise or protect such a right.
- 6.5 The Private Body will process the request within 30 days, unless the requester has stated special reasons which would satisfy the Information officer that circumstances dictate that the above time periods not be complied with.
- The requester shall be informed whether access granted or denied. If, in addition, the requester requires the reasons for the decision in any other manner, he/she must state the manner and the particulars so required.
- 6.7 If a request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of the information officer.
- 6.8 If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally.
- 6.9 The requester must pay the prescribed fee, before any further processing can take place.

7 ACCESS TO RECORDS HELD BY THE PRIVATE BODY

- 7.1 Records held by the Private Body may be accessed by requests only once the prerequisite requirements for access have been met.
- 7.2 A requester is any person making a request for access to a record of the Private Body. There are two types of requesters:

7.2.1 PERSONAL REQUESTER

- 7.2.1.1 A personal requester is a requester who is seeking access to a record containing personal information about the requester.
- 7.2.1.2 The Private Body will voluntarily provide the requested information, or give access to any record with regard to the requester's personal information. The prescribed fee for reproduction of the information requested will be charged.

7.2.2 OTHER REQUESTER

7.2.2.1 This requester (other than a personal requester) is entitled to request access to information on third parties. However, the Private Body is not obliged to voluntarily grant access. The requester must fulfil the prerequisite requirements for access in terms of the Act, including the payment of a request and access fee.

8 FEES

- 8.1 The Act provides for two types of fees, namely:
- 8.1.1 A request fee, which will be a standard fee; and

- An access fee, which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs.
- When the request is received by the Information Officer, such officer shall by notice require the requester, other than a personal requester, to pay the prescribed request fee (if any), before any further processing of the request.
- 8.3 If the search for the record has been made and the preparation of the record for disclosure, including arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, the information officer shall notify the requester to pay as a deposit the prescribed portion of the Access fee which would be payable if the request is granted.
- The information officer shall withhold a record until the requester has paid the fees as indicated in Appendix 2.
- 8.5 A requester whose request for access to a record has been granted, must pay an access fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure including making arrangements to make it available in the request form.
- 8.6 If a deposit has been paid in respect of a request for access, which is refused, then the information officer concerned must repay the deposit to the requester.

9 DECISION

- 9.1 The Private Body will, within 30 days of receipt of the request, decide whether to grant or decline the request and give notice with reasons (if required) to that effect.
- The 30 day period with which the Private Body has to decide whether to grant or refuse the request, may be extended for a further period of not more than thirty days if the request is for a large amount of information, or the request requires a search for information held at another office of the Private Body and the information cannot reasonably be obtained within the original 30 day period. The Private Body will notify the requester in writing should an extension be sought.

10 AVAILABILITY OF THE MANUAL

10.1 This manual is made available in terms of Regulation Number R. 187 of 15 February 2002.

APPENDIX - 1

PRESCRIBED FORM TO BE COMPLETED BY A REQUESTER

FORM B

REQUEST FOR	ACCESS TO	RECORDS O	F PRIVATE BODY
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	•	Ŷ	
(Section 53(1) of the Promotion of Access to	Information Act, No	2 of 2000)	
	(Regulation 4)	* 1	
** ***	a it is	*	
A. Particulars of Private Body	÷ .	1	· *
The Head:			
			(4.
The state of the s		* 0	·
	50 200		
B. Particulars of Person requesting			3
(a) The particulars of the person who reque	1.4		
(b) Furnish an address and/or fax number i	in the Republic to wh	ich information m	ist be sent.
(c) Proof of the capacity in which the reque	est is made, if applica	able, must be attack	ned.
Full Name and Surname:	· ·		
Identity Number:	14		
Postal Address:			
Telephone Number:			
E-mail address:			
Capacity in which request is made, when made		r person:	8 N
	*		
	5* KG	# 19 # 19	10 Ta
C. Particulars of person of whose b	ehalf request is mad	de:	
This section must be completed only if a reques	st for information is n	nade on behalf of a	nother person
Full names and Surname:			2.50
V			B E
dentity Number:			
			

D.	Particulars of Record:	j			· ·
(a)	Provide full particulars of the record to whic	access is requested, i	ncluding the re	eference nun	iber if
	that is known to you, to enable the record to	e located.			
(b)	If the provided space is inadequate please co	ntinue on a separate fo	lio and attach	it to this for	m. The
. ,	requester must sign all the additional folios				V 10 12
-			 		F1
	Description of the Beauty or relevant r	ort of the record:	7x x 1		
1.	Description of the Record or relevant p	art of the record.	0.5		
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			#0	98	
2.	Reference number, if available:	<u> </u>			
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2.	Any further particulars of the record:			\$	* *
			w H s	5 0	
				7	
E.	Fees:		a 500 5		Ÿ.
		useeud sentaining par	esonal informat	ion about w	urself
(a)	A request for access to a record, other than a	43 V	sonat injormat	ion about yo	ursey,
	will be processed only after a request fee has		en A		
(b)	You will be notified of the amount of the requ			·	1.1
(c)	The fee payable for access to a record depen		n the access is	requirea and	i ine
	reasonable time required to search for and p				
(d)	If you qualify for exemption of the payment of	any fee, please state t	he reason ther	zfore.	
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28			• • •		
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F.	Form of Access to the Record:	W W 100		* ₁₂ ×:	
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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.

	ility:			Form in	which recor	rd is required:		
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	he appropriate box with a	ın "X"						-
NOTE.	200 S20				10 9			
	our indication as to the re							
(b) Ac	cess in the form requeste	d may be refi	used in co	ertain circu	mstances. I	n such a case y	ou will b	e
inj	formed if access will be g	ranted in and	ther form	n.			9	
(c) <i>Th</i>	e fee payable for access t	to the record,	if any, w	vill be deter	mined partly	y by the form i	ı which a	ccess is
rec	quested.							
		4				*		
	3	3					\$ 1	2
. If th	ne record is in written on	r printed for	mı					
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	Copy of feeding			1 1	Inspection	or record		
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					w		20	10
. If th	e record consists of visu	al images:			2			194
	e record consists of visus includes photographs, s		ecording	s. computer	-generated i	mages sketch	es atc.)	N.
	s includes photographs, s	lides, video r			-generated i		1	
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(This	view the images record consists of reco Listen to the soundtrac (audio cassette)	Cop rded words k	or infor	mation whi	ch can be r Transcription (written or	eproduced in on of soundtrace	sound:	
(This	view the images record consists of reco Listen to the soundtrac (audio cassette)	Coporded words k	or information electronated cop	mation whi	ch can be r Transcription (written or	eproduced in on of soundtrace printed documents.	sound: ck * ent)	dable

If you requested a copy or transcription of a record	l (above), do you wish the	YES	NO
opy or transcription to be posted to you?		1,150	
postal fee is payable.	The second of th		in the fact
		1	
			10 27%
Particulars of right to be exercised or	protected:	8 V 3	9
	· · · · · · · · · · · · · · · · · · ·	180 pt ac ac	
			53
f the provided space is inadequate, please continue	of a separate folio and attach i	t to this form	
The requester must sign all the additional folios			*P **
The state of the s	ent store to the law engine	1.5	in the f
ndicate which right is to be exercised or protected.			
		1.12-1	
*			-
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Explain why the requested record is required it	for the exercising or protection	of the aforeme	entioned
right:		M70	100
	ly	¥4. 3 8	
I. Notice of decision regarding request i	or access:		er er
You will be notified in writing whether your request	has been annroyed/denied. If	'von wish to be	informed
		20 202 200	
hereof in another manner, please specify the manner	r and provide the necessary pa	I liculais to cha	.DIC
ompliance with your request.			
low would you prefer to be informed of the decision	n regarding your request for ac	ccess to the rec	ord?
		1 1 1 1	
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idat	day of		200
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Signed at this	SIGNATURE OF REQU	923	ON
igned at this		923	ON

APPENDIX - 2

REPRODUCTION FEES

Where requested document appear in the appendix 1 i.e. the 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.

THE APPLICABLE FEES FOR REPRODUCTION AS REFERRED TO ABOVE ARE:

		4.24	R
•	For every photocopy of an A4-size page or part thereof	25	1,10
•	For every printed copy of an A4-size page or part thereof held on a	1	
	computer or in electronic or machine readable form		0,75
•	For a copy in a computer-readable form on		
	- Stiffy disc		7,50
	- Compact disc	Ŧ	70,00
•	A transcription of visual images, for an A4-size page or part thereof		40,00
•	For a copy of visual images	88	60,00
•	A transcription of an audio record, for an A4-size page or part thereof		20,00
•	For a copy of an audio record	V	30,00
	TW Control of the Con	100	

Request fees:

Where a requester submits a request for access to information held by an Private Body on a person other that the requester himself/herself, a request fee in the amount of R50,00 is payable up-front before the Private Body will further process the request received.

Access fees:

An access fee is payable in all instances where a request for access to information is granted, except in those instances where payment of an access fee is specially excluded in terms of the Act or an exclusion is determined by the Minister in terms of Section 54 (8).

The applicable access fees which will be payable are:

				10
•	For every photocopy of an A4-size page or part thereof	*		1,10
•	For every printed copy of an A4-size page or part thereof held on	XCS	for	
	a computer or in electronic or machine readable form	%		0,75

		R
•	For a copy in a computer-readable form on	
	- Stiffy disc	7,50
	- Compact disc	70,00
•	A transcription of visual images, for an A4-size page or part thereof	40,00
•	For a copy of visual images	60,00
•	A transcription of an audio record, for an A4-size page or part thereof	20,00
•	For a copy of an audio record	30,00
•	To search for a record that must be disclosed	30,00
135	(per hour or part of an hour reasonably required for such search)	

Where a copy of a record needs to be posted the actual postal fee is payable.

Deposits:

Where the 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 of disclosure will take more than 6 (six) hours, a deposit is payable by the requester.

The amount of the deposit is equal to $\frac{1}{3}$ (one third) of the amount of the applicable access fee.

Note: In terms of Regulation 8, Value Added Tax (VAT) must be added to all fees prescribed in terms of the Regulations.

MANUAL

of

PRETTY SAFE SECURITY (PTY) LTD T/A EINA IVY

Prepared in accordance with Section 51 of the Promotion of Access to Information Act, No 2 of 2000.

(Private Body)

1 INTRODUCTION

1.1 The Promotion of Access to Information Act, No 2 of 2000 ("the Act") was enacted on 3 February 2000, 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 the Act, the body to whom the request is made is obliged to release the information, except where the Act expressly provides that the information may or must not be released. The Act sets out the requisite procedural issues attached to such request.

1.2 PURPOSE OF THE MANUAL:

In order to promote effective governance of private bodies, it is necessary to ensure that everyone is empowered and educated to understand their rights in terms of the Act in order for them to exercise their rights in relation to public and private bodies.

Section 9 of the Act however recognises that such right to access to information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to:

- · Limitations aimed at the reasonable protection of privacy;
- Commercial confidentiality; and
- Effective, efficient and good governance;

and in a manner which balances that right with any other rights, including such rights contained in the Bill of Rights in the Constitution.

Wherever reference is made to "Private Body" in this manual, it will refer to PRETTY SAFE SECURITY (PTY) LTD t/a EINA IVY a private body within the security manufacturing industry for whom this manual is drafted.

PART I

2 CONTACT DETAILS

2.1 Information Officer: **Terence Harlow**

Postal address:

P O Box 252, Goodwood, 7459

Physical Address: 18 Jones Street, Parow

Tel: (021) 930 9300

Fax: (021) 930 5384

E-mail: mailin@eina-ivy.co.za

2.2 GENERAL INFORMATION

2.2.1	Name of Private Body: PRETTY SAFE SECURITY (PTY)	LT (D'	T/A	EINA	IVY
2.2.2	Registration No. 1999/24944/07					
2.2.3	Postal Address: P O Box 252, Goodwood, 7459	湖 田 選				
2.2.4	Physical Address (or main place of business): 18 Jones Stre	et, I	Par	ow,	Cape T	`own
2.2.5	Telephone Number: (021) 930 9300				*	
2.2.6	Facsimile number: (021) 930 5384	1		Q.		
2.2.7	E-mail address: mailin@eina-ivy.co.za			•		
2.2.8	Website: www.eina-ivy.co.za	1				

PART II

3 GUIDE OF SOUTH AFRICAN HUMAN RIGHTS COMMISSION

The South African Human Rights Commission has at the date of printing hereof not yet compiled the guide contemplated in Section 10 of the Act. The guide will contain such information as may reasonably be required by a person who wishes to exercise any right contemplated in the Act. Any enquiries regarding this guide should be directed to:

The South African HUMAN RIGHTS COMMISSION,

at PAIA Unit (THE RESEARCH AND DOCUMENTATION DEPARTMENT),

Private Bag X2700, HOUGHTON, 2041;

Telephone Number: (011) 484-8300;

Facsimile Number: (011) 484-1360;

Website: www.sahrc.org.za;

E-mail Address: PIAI@sahrc.org.za.

PART III

3.1 RECORDS OF THE PRIVATE BODY

This clause serves as a reference to the records that the Private Body holds in order to facilitate a request in terms of the Act.

The information is classified and grouped according to records relating to the following subjects and categories:

It is recorded that the accessibility of the documents listed herein below, may be subject to the grounds of refusal set out hereinafter.

3.2 PRIVATE BODY DOCUMENTS AND RECORDS

3.2.1	INCORPORATION DOCUMENTS	AND RECORDS
3.2.1.1	Copies of documents of incorporation	n z
3.2.1.2	Copies of the Memorandum and Art	icles of Association
3.2.1.3	Copies of Shareholder's agreements	
3.2.2	FINANCIAL DOCUMENTS AND F	RECORDS
3.2.2.1	Auditing	
3.2.2.2	Annual Financial Statements	
3.2.2.3	Regional Services Council levy reco	ords
3.2.2.4	Vat records	Sec. M. Sec. 1
3.2.2.5	Tax records	
3.2.2.6	PAYE records	
3.2.2.7	UIF records	
3.2.2.8	Stock records	
3.2.2.9	Asset inventory	

3.2.2.10	Asset register		i
3.2.2.11	Order forms	4.	
3.2.2.12	Invoices		* 3
3.2.2.13	Delivery notes	9	ĸ
3.2.2.14	Proof of delivery forms	*	
3.2.2.15	Goods received vouchers	8	
3.2.2.16	Debit notes		
3.2.2.17	Credit notes	5.000 5.	æ
3.2.2.18	Cheque account		87
3.2.2.19	Cash records		
3.2.2.20	Detailed Ledger		
3.2.2.21	Income statements	¥	
3.2.2.22	Trial Balance Sheets		20
3.2.3	OPERATIONAL DOCUMENTS AND RE	CORI	os
3.2.3.1	Promotional material		21 %
3.2.3.2	Marketing call reports	E E	
3.2.3.3	Written policies regarding business plan		
3.2.3.4	Registered designs, patents / trademarks		
3.2.3.5	Product / service specifications	Gen 19 41.	25 24
3.2.3.6	Product / service manuals	ž .	5 7
3.2.3.7	Work instruction manuals	130 51	
3.2.3.8	Database of customers	(4)	3.4

2220	Correspondence with customers
3.2.3.9	Correspondence with customers
880 820 040 1 842 T	
3.2.3.10	Records with regards to sales and production
9	
3.2.3.11	Records with regards to scheduling and supply of goods
3.2.3.12	Business plans
3.2.3.12	
3.2.3.13	Strategy
•	
3.2.3.14	Vision
3.2.3.15	Mission
0 ,	
22216	Action plans
3.2.3.16	Action plans
3.2.3.17	Price lists
3.2.3.18	Records pertaining to customer complaints / assessments
22210	Records pertaining to costing
3.2.3.19	Records perfaming to costing
3.2.3.20	Records relating to products
3.2.3.21	Records relating to market research
3.2.3.22	Internal policies and procedures
3.2.3.22	
3.2.3.23	Supply Agreements
· ·	
3.2.3.24	Distribution Agreements
	These records include, but are not limited to, the records which pertain to the
8,	Private Body's own affairs.
	THE CORDS
3.2.4	PERSONNEL DOCUMENTS AND RECORDS
	and the second s
	Personal records provided by personnel / employees (including permanent and temporary) including but not limited to:
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3.2.4.1	Employment contracts
.v=10000.0000000000000000000000000000000	and the second s
2242	Identity documents
3.2.4.2	Identity documents
3243	Application forms

15 72		
3.2.4.4	Qualifications and Curriculum Vitae	
		En or
3.2.4.5	Salary records	
te a file		38
3.2.4.6	Leave records	
	231717000	*
3.2.4.7	Conditions of employment and other personnel-related records	
3.2.4.8	Disciplinary records	
3.2.4.9	Attendance register	
3.2.4.10	Unemployment Insurance	
3.2.4.11	Records of deductions	2
		10.
3.2.4.12	Workman's Compensation records	
		35
3.2.4.13	SETA Records	
	"Personnel" refers to any person who works for, or provides services to or the Private Body, and receives or is entitled to receive remuneration and any who assists in carrying out or conducting the business of the Private Body. I without limitation, directors and all permanent staff.	other person
3.2.5	SAFETY RECORDS	
3.2.5.1	Records relating to incidents	
3.2.6	INFORMATION TECHNOLOGY RECORDS	
		К
	NOT APPLICABLE	1 (A)
3.2.7	RECORDS REQUIRED IN TERMS OF LEGISLATION	
3.2.7.1	A 4-11	
3.2.7.1	A table of legislation setting out a description of the records of the P	
	which are available in accordance with certain legislation, is as follows:	4
3.2.7.1.1	Labour Relations Act 66 of 1995	et e
	Labour Relations Act of 01 1995	
3.2.7.1.2	Basic Conditions of Employment Act 75 of 1997	
3.2.7.1.3	Companies Act 61 of 1973	
3.2.7,1.4	Unemployment Insurance Act 63 of 2001	2 % *uE
3.2.7.1.5	Value Added Tax Act 89 of 1991	5 N N N N
3.2.7.1.6	Skills Development Act 9 of 1999	

3.2.7.1.7	Income Tax Act 58 of 1962
8 2	
3.2.8	OTHER PARTY RECORDS
3.2.8.1	Personnel, customer or Private Body records which are held by another party (e.g. agents), as opposed to the records held by the Private Body itself;
3.2.8.2	Records held by the Private Body pertaining to other parties, including without limitation, financial records, correspondence, contractual and transactional records, records provided by the other party, and records third parties have provided about contractors/suppliers.
· ·	records provided by the other party, and records third parties have provided about

PART IV

4 GROUNDS FOR REFUSAL OF ACCESS TO RECORDS

T	he main grounds for the Private Body to refuse a request for information relates to the -
4.1	mandatory protection of the privacy of a third party who is a natural person, which would involve the unreasonable disclosure of personal information of that natural person;
4.2	mandatory protection of the commercial information of a third party, if the record contains -
596 5	
4.2.1	trade secrets of that third party;
4.2.2	financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party;
4.2.3	information disclosed in confidence by a third party to the Private Body, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition;
4.3	mandatory protection of confidential information of third parties if it is protected in terms of any agreement;
4.4	mandatory protection of the safety of individuals and the protection of property;
4.5	mandatory protection of records which would be regarded as privileged in legal proceedings;
4.6	the commercial activities of the Private Body, which may include -
(2)	
4.6.1	trade secrets of the Private Body;
4.6.2	financial, commercial, scientific or technical information which disclosure of could likely cause harm to the financial or commercial interests of the Private Body;
4.6.3	information which, if disclosed could put the Private Body at a disadvantage in negotiations or commercial competition;
ts conservor	
4.6.4	a computer program which is owned by the Private Body, and which is protected by copyright.
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- 4.7 the research information of the Private Body or a third party, if its disclosure would disclose the identity of the Private Body, the researcher or the subject matter of the research and would place the research at a serious disadvantage;
- 4.8 Requests for information that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources shall be refused.

5 REMEDIES AVAILABLE WHEN A PRIVATE BODY REFUSES A REQUEST FOR INFORMATION

5.1 INTERNAL REMEDIES

The Private Body does not have an internal appeal procedure. As such, the decision made by the information officer is final, and requesters will have to exercise such external remedies at their disposal if the request for information is refused, and the requester is not satisfied with the answer supplied by the information officer.

5.2 EXTERNAL REMEDIES

A requester that is dissatisfied with an information officer's refusal to disclose information, may within 30 days of notification of the decision, apply to a relevant Court for relief.

Likewise, a third party dissatisfied with an information officer's decision to grant a request for information, may within 30 days of notification of the decision, apply to a Court for relief. For purposes of the Act, the Courts that have jurisdiction over these applications are the Constitutional Court, the High Court or another court of similar status.

6 REQUEST PROCEDURE

- The requester must comply with all the procedural requirements contained in the Act relating to the request for access to a record.
- The requester must complete the prescribed form enclosed herewith in Appendix 1, and submit same as well as payment of a request fee and a deposit, if applicable to the Information Officer at the postal or physical address, fax number or electronic mail address as stated in 2.1 or 2.2 above.
- 6.3 The prescribed form must be filled in with enough particularity to at least enable the Information Officer to identify –
- 6.3.1 The record or records requested;
- 6.3.2 The identity of the requester,
- 6.3.3 Which form of access is required, if the request is granted;
- 6.3.4 The postal address or fax number of the requester.
- 6.4 The requester must state the he/she requires the information in order to exercise or protect a right, and clearly state what the nature of the right is so to be exercised or protected. In addition, the requester must clearly specify why the record is necessary to exercise or protect such a right.
- 6.5 The Private Body will process the request within 30 days, unless the requester has stated special reasons which would satisfy the Information officer that circumstances dictate that the above time periods not be complied with.

- The requester shall be informed whether access granted or denied. If, in addition, the requester requires the reasons for the decision in any other manner, he/she must state the manner and the particulars so required.
- 6.7 If a request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of the information officer.
- 6.8 If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally.
- 6.9 The requester must pay the prescribed fee, before any further processing can take place.

7 ACCESS TO RECORDS HELD BY THE PRIVATE BODY

- 7.1 Records held by the Private Body may be accessed by requests only once the prerequisite requirements for access have been met.
- 7.2 A requester is any person making a request for access to a record of the Private Body. There are two types of requesters:

7.2.1 PERSONAL REQUESTER

- 7.2.1.1 A personal requester is a requester who is seeking access to a record containing personal information about the requester.
- 7.2.1.2 The Private Body will voluntarily provide the requested information, or give access to any record with regard to the requester's personal information. The prescribed fee for reproduction of the information requested will be charged.

7.2.2 OTHER REQUESTER

7.2.2.1 This requester (other than a personal requester) is entitled to request access to information on third parties. However, the Private Body is not obliged to voluntarily grant access. The requester must fulfil the prerequisite requirements for access in terms of the Act, including the payment of a request and access fee.

8 FEES

- 8.1 The Act provides for two types of fees, namely:
- 8.1.1 A request fee, which will be a standard fee; and
- 8.1.2 An access fee, which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs.
- When the request is received by the Information Officer, such officer shall by notice require the requester, other than a personal requester, to pay the prescribed request fee (if any), before any further processing of the request.
- 8.3 If the search for the record has been made and the preparation of the record for disclosure, including arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, the information officer shall notify the requester to pay as a deposit the prescribed portion of the Access fee which would be payable if the request is granted.

- The information officer shall withhold a record until the requester has paid the fees as indicated in Appendix 2.
- 8.5 A requester whose request for access to a record has been granted, must pay an access fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure including making arrangements to make it available in the request form.
- 8.6 If a deposit has been paid in respect of a request for access, which is refused, then the information officer concerned must repay the deposit to the requester.

9 DECISION

- 9.1 The Private Body will, within 30 days of receipt of the request, decide whether to grant or decline the request and give notice with reasons (if required) to that effect.
- 9.2 The 30 day period with which the Private Body has to decide whether to grant or refuse the request, may be extended for a further period of not more than thirty days if the request is for a large amount of information, or the request requires a search for information held at another office of the Private Body and the information cannot reasonably be obtained within the original 30 day period. The Private Body will notify the requester in writing should an extension be sought.

10 AVAILABILITY OF THE MANUAL

- 10.1 This manual is made available in terms of Regulation Number R. 187 of 15 February 2002.
- 10.2 The manual of the Private Body may also be available on the website of the Private Body (if applicable).

APPENDIX - 1

PRESCRIBED FORM TO BE COMPLETED BY A REQUESTER

FORM B

REQUEST FOR		

2	Same restants	e e e e e e e e e e e e e e e e e e e		
(Section 53(1) of the Promotion of Acces	s to Information Ac	t, No 2 of 2000)		
	(Regulation		atur.	
		·		
A. Particulars of Private Body	,		"H" to M	*
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The nead.			- 11.	
			Turk His	
	#)		100	
B. Particulars of Person reque	esting access to the	record	ar M	2 8 8 2
(a) The particulars of the person who	reauests access to ti	ne records must be r	ecorded below.	
(b) Furnish an address and/or fax num	2822	100		
(c) Proof of the capacity in which the				8
(c) 1700) by the capacity in which the r	equest is made, if a	ppricaore, mast be a	mucheu.	
Full Name and Surname:			ar of	
Identity Number:		9 to		
Postal Address:				
Telephone Number:	Fax 1	Number:		
E-mail address:				
Capacity in which request is made, when	made on behalf of a	nother person:		
78 - 40 - 12 COAR				
a 4 7 54 6				
C. Particulars of person of wh	ose behalf request	is made:	*	F. P.
This section must be completed only if a r	equest for informat	on is made on beha	f of another per	son
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	· + · · ·	, , , , , , , , , , , , , , , , , , ,	#i	W 700
Full names and Surname:	33 N	X EX ST	-	
	n te	2	(2)	
Identity Number:	14 32 14 wi	p 37	(*	

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D.	Particulars of R	
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(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 the Record or relevant pa	rt of the reco	ord:		60	8
	8	26	*			
-					Se disease and the second	
_	2					
	Reference number, if available:					
	Reference number, if available.	(*) (*)	-		************	
	Any further particulars of the record:	1/2	*	9 9		
	e de la company de la comp La company de la company d		*			5
			*			
_		*				
		32				
•	Fees:	3F 19		,	*	
1)	A request for access to a record, other than a r	ecord contai	ining perso	nal informa	ition about	yourself
	will be processed only after a request fee has b	een paid.	4	22		
)	You will be notified of the amount of the reques	t fee.	社			ė.
:)	The fee payable for access to a record depends	on the form	in which	he access is	required o	ind the
5	reasonable time required to search for and pre	72 (7)			(1.)	
I)	If you qualify for exemption of the payment of a			reason the	refore.	
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F. Form of Access to the 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.

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(This	includes photogra	phs, slides, v	video recordings	, computer	generated i	mages, sketches, etc	.)
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YES

NO

* If you requested a copy or transcription of a record (above), do you wish the

copy or transcription to be posted to y	/ou?		4		- 3
A postal fee is payable.					
	11.				
G. Particulars of right to b	e exercised or	protected:			
		e 2	49	\$6 98	
) ja	18			-3
f the provided space is inadequate, pl	lease continue o	f a separate folio an	d attach i	t to this for	n
The requester must sign all the additi	ional folios				-
ndicate which right is to be exercised	or protected: _	ű.			
				18	
			*		7.
. Explain why the requested recor	rd is required fo	r the exercising or	rotection	of the afore	ementioned
right:					
			¥		2
0					
I. Notice of decision regard	ding request fo	r access:			¥
ou will be notified in writing whether	r your request h	as been approved/d			
ou will be notified in writing whether	r your request h	as been approved/d			
Notice of decision regard ou will be notified in writing whether nereof in another manner, please speci- compliance with your request.	r your request h	as been approved/d and provide the nec	essary par	ticulars to e	enable
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APPENDIX - 2

REPRODUCTION FEES

Where requested document appear in the appendix 1 i.e. the 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.

THE APPLICABLE FEES FOR REPRODUCTION AS REFERRED TO ABOVE ARE:

		K	
•	For every photocopy of an A4-size page or part thereof	1,10	3
•	For every printed copy of an A4-size page or part thereof held on a		
	computer or in electronic or machine readable form	0,75	
•	For a copy in a computer-readable form on		
	- Stiffy disc	7,50	
88	- Compact disc	70,00	23
•	A transcription of visual images, for an A4-size page or part thereof	40,00	
•	For a copy of visual images	60,00	¥
•	A transcription of an audio record, for an A4-size page or part thereof	20,00	١.
•	For a copy of an audio record	30,00	×

Request fees:

Where a requester submits a request for access to information held by an Private Body on a person other that the requester himself/herself, a request fee in the amount of R50,00 is payable up-front before the Private Body will further process the request received.

Access fees:

An access fee is payable in all instances where a request for access to information is granted, except in those instances where payment of an access fee is specially excluded in terms of the Act or an exclusion is determined by the Minister in terms of Section 54 (8).

The applicable access fees which will be payable are:

		R
•	For every photocopy of an A4-size page or part thereof	1,10
•	For every printed copy of an A4-size page or part thereof held on	
1	a computer or in electronic or machine readable form	0,75

	* ** ** ** ** ** ** ** ** ** ** ** ** *		R	
•	For a copy in a computer-readable form on		#	
	- Stiffy disc		7,50	
	- Compact disc		70,00	
•	A transcription of visual images, for an A4-size page or part thereof		40,00	
•	For a copy of visual images		60,00	
•	A transcription of an audio record, for an A4-size page or part thereof	20	20,00	
•	For a copy of an audio record		30,00	
•	To search for a record that must be disclosed	or.	30,00 per	
	Hour or part of an hour reasonably required for such search.			
•	Where a copy of a record needs to be posted the actual postal fee is payab	ole.		

Deposits:

Where the 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 of disclosure will take more than 6 (six) hours, a deposit is payable by the requester.

The amount of the deposit is equal to 1/3 (one third) of the amount of the applicable access fee.

Note: In terms of Regulation 8, Value Added Tax (VAT) must be added to all fees prescribed in terms of the Regulations.

MANUAL

of

GMP PROGRAPHICS AFRICA (PTY) LTD

Prepared in accordance with Section 51 of the Promotion of Access to Information Act, No 2 of 2000.

(Private Body)

1 INTRODUCTION

1.1 The Promotion of Access to Information Act, No 2 of 2000 ("the Act") was enacted on 3 February 2000, 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 the Act, the body to whom the request is made is obliged to release the information, except where the Act expressly provides that the information may or must not be released. The Act sets out the requisite procedural issues attached to such request.

1.2 PURPOSE OF THE MANUAL:

In order to promote effective governance of private bodies, it is necessary to ensure that everyone is empowered and educated to understand their rights in terms of the Act in order for them to exercise their rights in relation to public and private bodies.

Section 9 of the Act however recognises that such right to access to information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to:

- Limitations aimed at the reasonable protection of privacy;
- · Commercial confidentiality; and
- Effective, efficient and good governance;

and in a manner which balances that right with any other rights, including such rights contained in the Bill of Rights in the Constitution.

Wherever reference is made to "Private Body" in this manual, it will refer to GMP PROGRAPHICS AFRICA (PTY) LTD including its branches in Durban, Port Elizabeth and Midrand which operates as a manufacturer and wholesaler and for whom this manual is drafted.

Wherever reference is made to a "document" or "record" it shall include such documents or records that are stored on a computer or in any form of electronic format (precedent included).

PART I

2 CONTACT DETAILS

2.1 Information Officer: Andrew Hoyle

Postal address:

P O Box 36712, Chempet, 7442

Physical Address: 3 Baker Street, Montague Gardens

Tel: (021) 551 1380

Fax: (021) 552 3645

E-mail: andrew@gmpsa.co.za

2.2 GENERAL INFORMATION

2.2.1	Name of Private Body: GMP PROGRAPHICS AFRICA (PTY) LTD
2.2.2	Registration No: 1993/004546/07
2.2.3	Postal Address: P O Box 36712, Chempet, 7442
2.2.4	Physical Address (or main place of business): 3 Baker Street, Montague Gardens
2.2.5	Telephone Number: (021) 551 1380
2.2.6	Facsimile number: (021) 552 3645
2.2.7	E-mail address: andrew@gmpsa.co.za
2.2.8	Website: N/A

3.2.1

PART II

3 GUIDE OF SOUTH AFRICAN HUMAN RIGHTS COMMISSION

The South African Human Rights Commission has at the date of printing hereof not yet compiled the guide contemplated in Section 10 of the Act. The guide will contain such information as may reasonably be required by a person who wishes to exercise any right contemplated in the Act. Any enquiries regarding this guide should be directed to:

The South African HUMAN RIGHTS COMMISSION.

at PAIA Unit (THE RESEARCH AND DOCUMENTATION DEPARTMENT),

Private Bag X2700, HOUGHTON, 2041;

Telephone Number: (011) 484-8300;

Facsimile Number: (011) 484-1360;

Website: www.sahrc.org.za;

E-mail Address: PIAI@sahrc.org.za.

PART III

3.1 RECORDS OF THE PRIVATE BODY

This clause serves as a reference to the records that the Private Body holds in order to facilitate a request in terms of the Act.

The information is classified and grouped according to records relating to the following subjects and categories:

It is recorded that the accessibility of the documents listed herein below, may be subject to the grounds of refusal set out hereinafter.

The head of the private body may, in addition and on a voluntary basis, also publish notices in terms of Section 52(2) of the Act regarding categories of records which are available without a person having to request access in terms of the Act.

3.2 PRIVATE BODY DOCUMENTS AND RECORDS

INCORPORATION DOCUMENTS AND RECORDS 3.2.1.1 Copies of documents of the incorporation 3.2.1.2 Copies of the Memorandum and Articles of Association 3.2.1.3 Copies of Shareholder's agreements 3.2.1.4 Minutes of Board of Directors' meetings

3.2.1.5	Minutes of Shareholders' meetings
3.2.1.6	Minutes of Management meetings
3.2.1.7	Minutes of Staff meetings
3.2.2 FI	NANCIAL DOCUMENTS AND RECORDS
3.2.2.1	Auditing
3.2.2.2	Annual Financial Statements
3.2.2.3	Regional Services Council levy records
3.2.2.4	Vat records
3.2.2.5	Tax records
3.2.2.6	PAYE records
3.2.2.7	UIF records
3.2.2.8	Stock records
3.2.2.9	Asset inventory
3.2.2.10	Asset register
3.2.2.11	Order forms
3.2.2.12	Invoices and statements
3.2.2.13	Annual statement
3,2.2.14	Auditor's reports
3.2.2.15	Debit notes
3.2.2.16	Credit notes
3.2.2.17	Cheque account
2 2 2 10	Call account

3.2.2.19	Cash records	ti @ *
3.2.2.20	Statements	e e e
3.2.3	OPERATIONAL DOCUMENTS AND	D RECORDS
3.2.3.1	Promotional material	15
3.2.3.2	Marketing call reports	Table 1
3.2.3.3	Product / service manuals	
3.2.3.4	Work instruction manuals	
3.2.3.5	Database of customers	
3.2.3.6	Credit Application forms and records	
3.2.3.7	Correspondence with customers	*
3.2.3.8	Delivery notes	25
3.2.3.9	Proof of delivery forms	* 0
3.2.3.10	Proof of delivery notes	ž.
3.2.3.11	Invoices	*
3.2.3.12	Goods received vouchers	
3.2.3.13	Goods returned vouchers	in the second
3.2.3.14	Records with regards to sales and produ	ction
3.2.3.15	Business plans	20
3.2.3.16	Strategy	
3.2.3.17	Vision	
3.2.3.18	Mission statements	_{io} in
3.2.3.19	Action plans	

3.2.3.20	Price lists
3.2.3.21	Records pertaining to costing
esser somewhere were	
3.2.3.22	Internal policies and procedures
	These records include, but are not limited to records which pertain to the Private
	Body's own affairs.
3.2.4	PERSONNEL DOCUMENTS AND RECORDS
	Personal records provided by personnel (including permanent and limited duration employees) including but not limited to:
3.2.4.1	Employment contracts
3.2.7.7	
3.2.4.2	Identity documents
5,2.7.2	
3.2.4.3	Application forms
3.2.4.4	Qualifications
3.2.4.5	Salary records
3.2.4.6	Leave records
3.2.4.7	Conditions of employment and other personnel-related records
3.2.4.8	Records relating to increases
3.2.4.9	Disciplinary records
3.2.4.10	Performance management records
3.2.4.11	Medical history records
3.2.4.12	Attendance register
3.2.4.13	Pension Fund records
3.2.4.14	Unemployment Insurance
3.2.4.15	Records of deductions
3.2.4.16	Identification records
3.2.4.17	Workman's Compensation records
32418	Records relating to Independent Contractors

"Personnel" refers to any person who works for, or provides services to or on behalf of the Private Body, and receives or is entitled to receive remuneration and any other person who assists in carrying out or conducting the business of the Private Body. This includes, without limitation, directors, all permanent, limited duration staff, as well as contract workers.

3.2.5	SAFETY RECORDS
3.2.5.1	Records relating to Occupational Injuries and Diseases
3.2.6	INFORMATION TECHNOLOGY RECORDS
3.2.6.1	Licences
3.2.6.2	Software programs
3.2.6.3	Computer generated databases and backups
3.2.7	RECORDS REQUIRED IN TERMS OF LEGISLATION
3.2.7.1	A list of certain legislation setting out a description of the records of the Private
	Body which are available in accordance with such legislation, is as follows:-
3.2.7.1.1	Deeds Registries Act, 47 of 1937
3.2.7.1.2	Basic Conditions of Employment Act 75 of 1997
3.2.7.1.3	Compensation for Occupational Injuries and Diseases Act 130 of 1993
3.2.7.1.4	Companies Act 61 of 1973
3.2.7.1.5	Unemployment Insurance Act 63 of 2001
3.2.7.1.6	South African Reserve Bank Act 90 of 1989
3.2.7.1.7	Value Added Tax Act 89 of 1991
3.2.7.1.8	Skills Development Act 9 of 1999
3.2.7.1.9	Income Tax Act 58 of 1962

Reference to the above-mentioned legislation shall include subsequent amendments to such legislation and all relevant sections within such legislation in terms of which the private body holds records.

3.2.8	HTO	ER PARTY RECORDS
3.2.8.1		Personnel, customer or Private Body records which are held by another party (e.g. marketing agent), as opposed to the records held by the Private Body itself;
3.2.8.2	5	Records held by the Private Body pertaining to other parties, including without limitation, financial records, correspondence, contractual and transactional records, records provided by the other party, and records third parties have provided;
3.2.8.3	6 4 6 7 <u>1</u>	Records relating to the Private Body's marketers / agents.

PART IV

4 GROUNDS FOR REFUSAL OF ACCESS TO RECORDS

- The main grounds for the Private Body to refuse a request for information relates to the mandatory protection of the privacy of a third party who is a natural person, which would 4.1 involve the unreasonable disclosure of personal information of that natural person; mandatory protection of the commercial information of a third party, if the record contains -4.2 trade secrets of that third party; 4.2.1 financial, commercial, scientific or technical information which disclosure could likely 4.2.2 cause harm to the financial or commercial interests of that third party; information disclosed in confidence by a third party to the Private Body, if the disclosure 4.2.3 could put that third party at a disadvantage in negotiations or commercial competition; mandatory protection of confidential information of third parties if it is protected in terms of any 4.3 agreement; mandatory protection of the safety of individuals and the protection of property; 4.4 mandatory protection of records which would be regarded as privileged in legal proceedings; 4.5 the commercial activities of the Private Body, which may include -4.6 trade secrets of the Private Body; 4.6.1 financial, commercial, scientific or technical information which disclosure of could likely 4.6.2 cause harm to the financial or commercial interests of the Private Body; information which, if disclosed could put the Private Body at a disadvantage in 4.6.3 negotiations or commercial competition; a computer program which is owned by the Private Body, and which is protected by 4.6.4 copyright.
- 4.7 the research information of the Private Body or a third party, if its disclosure would disclose the identity of the Private Body, the researcher or the subject matter of the research and would place the research at a serious disadvantage;

4.8 Requests for information that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources shall be refused.

5 REMEDIES AVAILABLE WHEN A PRIVATE BODY REFUSES A REQUEST FOR INFORMATION

5.1 INTERNAL REMEDIES

The Private Body does not have an internal appeal procedure. As such, the decision made by the information officer is final, and requesters will have to exercise such external remedies at their disposal if the request for information is refused, and the requester is not satisfied with the answer supplied by the information officer.

5.2 EXTERNAL REMEDIES

A requester that is dissatisfied with an information officer's refusal to disclose information, may within 30 days of notification of the decision, apply to a relevant Court for relief.

Likewise, a third party dissatisfied with an information officer's decision to grant a request for information, may within 30 days of notification of the decision, apply to a Court for relief. For purposes of the Act, the Courts that have jurisdiction over these applications are the Constitutional Court, the High Court or another court of similar status.

6 REQUEST PROCEDURE

- The requester must comply with all the procedural requirements contained in the Act relating to the request for access to a record.
- The requester must complete the prescribed form enclosed herewith in Appendix 1, and submit same as well as payment of a request fee and a deposit, if applicable to the Information Officer at the postal or physical address, fax number or electronic mail address as stated in 2.1 or 2.2 above.
- 6.3 The prescribed form must be filled in with enough particularity to at least enable the Information Officer to identify—
- 6.3.1 The record or records requested:
- 6.3.2 The identity of the requester,
- 6.3.3 Which form of access is required, if the request is granted;
- 6.3.4 The postal address or fax number of the requester.
- The requester must state that he/she requires the information in order to exercise or protect a right, and clearly state what the nature of the right is so to be exercised or protected. In addition, the requester must clearly specify why the record is necessary to exercise or protect such a right.
- 6.5 The Private Body will process the request within 30 days, unless the requester has stated special reasons which would satisfy the Information officer that circumstances dictate that the above time periods not be complied with.
- The requester shall be informed whether access granted or denied. If, in addition, the requester requires the reasons for the decision in any other manner, he/she must state the manner and the particulars so required.

- 6.7 If a request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of the information officer.
- 6.8 If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally.
- 6.9 The requester must pay the prescribed fee, before any further processing can take place.

7 ACCESS TO RECORDS HELD BY THE PRIVATE BODY

- 7.1 Records held by the Private Body may be accessed by requests only once the prerequisite requirements for access have been met.
- 7.2 A requester is any person making a request for access to a record of the Private Body. There are two types of requesters:

7.2.1 PERSONAL REQUESTER

- 7.2.1.1 A personal requester is a requester who is seeking access to a record containing personal information about the requester.
- 7.2.1.2 The Private Body will voluntarily provide the requested information, or give access to any record with regard to the requester's personal information. The prescribed fee for reproduction of the information requested will be charged.

7.2.2 OTHER REQUESTER

7.2.2.1 This requester (other than a personal requester) is entitled to request access to information on third parties. However, the Private Body is not obliged to voluntarily grant access. The requester must fulfil the prerequisite requirements for access in terms of the Act, including the payment of a request and access fee.

8 FEES

- 8.1 The Act provides for two types of fees, namely:
- 8.1.1 A request fee, which will be a standard fee; and
- An access fee, which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs.
- When the request is received by the Information Officer, such officer shall by notice require the requester, other than a personal requester, to pay the prescribed request fee (if any), before any further processing of the request.
- 8.3 If the search for the record has been made and the preparation of the record for disclosure, including arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, the information officer shall notify the requester to pay as a deposit the prescribed portion of the Access fee which would be payable if the request is granted.
- The information officer shall withhold a record until the requester has paid the fees as indicated in Appendix 2.

- A requester whose request for access to a record has been granted, must pay an access fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure including making arrangements to make it available in the request form.
- 8.6 If a deposit has been paid in respect of a request for access, which is refused, then the information officer concerned must repay the deposit to the requester.

9 DECISION

- 9.1 The Private Body will, within 30 days of receipt of the request, decide whether to grant or decline the request and give notice with reasons (if required) to that effect.
- The 30 day period with which the Private Body has to decide whether to grant or refuse the request, may be extended for a further period of not more than thirty days if the request is for a large amount of information, or the request requires a search for information held at another office of the Private Body and the information cannot reasonably be obtained within the original 30 day period. The Private Body will notify the requester in writing should an extension be sought.

10 AVAILABILITY OF THE MANUAL

- 10.1 This manual is made available in terms of Regulation Number R. 187 of 15 February 2002.
- The manual of the Private Body may also be available on the website of the Private Body (if applicable).

APPENDIX - 1

PRESCRIBED FORM TO BE COMPLETED BY A REQUESTER

FORM B

(Section 53(1) of the Promotion of Acces	ss to Information Act, No 2 of 2000)
	(Regulation 4)
A. Particulars of Private Bod	
The Head:	
	in the section of the third beginning
B. Particulars of Person requ	nesting access to the record
(a) The narriculars of the nerson who	requests access to the records must be recorded below.
total security contracts and the contract of t	- 보통 - 사람들은 보통 - 10 전
(b) Furnish an address and/or fax num	mber in the Republic to which information must be sent.
(c) Proof of the capacity in which the	· · · · · · · · · · · · · · · · · · ·
(c) Proof of the capacity in which the	request is made, if applicable, must be attached.
(c) Proof of the capacity in which the	· · · · · · · · · · · · · · · · · · ·
	request is made, if applicable, must be attached.
Full Name and Surname:	request is made, if applicable, must be attached.
Full Name and Surname: Identity Number: Postal Address:	request is made, if applicable, must be attached.
Full Name and Surname: Identity Number: Postal Address:	request is made, if applicable, must be attached.
Full Name and Surname: Identity Number: Postal Address: Telephone Number:	request is made, if applicable, must be attached.
Full Name and Surname: Identity Number: Postal Address: Telephone Number: E-mail address:	request is made, if applicable, must be attached. Fax Number:
Full Name and Surname: Identity Number: Postal Address: Telephone Number: E-mail address:	request is made, if applicable, must be attached. Fax Number:
Full Name and Surname: Identity Number: Postal Address: Telephone Number: E-mail address:	request is made, if applicable, must be attached. Fax Number:
Full Name and Surname: Identity Number: Postal Address: Telephone Number: E-mail address:	request is made, if applicable, must be attached. Fax Number:
Full Name and Surname: Identity Number: Postal Address: Telephone Number: E-mail address: Capacity in which request is made, when	request is made, if applicable, must be attached. Fax Number:
Full Name and Surname: Identity Number: Postal Address: Telephone Number: E-mail address: Capacity in which request is made, when	request is made, if applicable, must be attached. Fax Number: n made on behalf of another person:
Full Name and Surname: Identity Number: Postal Address: Telephone Number: E-mail address: Capacity in which request is made, when	request is made, if applicable, must be attached. Fax Number: n made on behalf of another person: Phose behalf request is made:
Full Name and Surname: Identity Number: Postal Address: Telephone Number: E-mail address: Capacity in which request is made, when	request is made, if applicable, must be attached. Fax Number: n made on behalf of another person: Phose behalf request is made:

Identity Number:

D.

Particulars of Record:

(a)	4. 프로스 - 10 10 10 10 10 10 10 10 10 10 10 10 10		requested, i	ncluding the re	eference number if
(h)	that is known to you, to enable the record		4 9 E		
(b)			separate fo	lio and attach	it to this form. The
L	requester must sign all the additional foli	os	٠ ر		
		*		*	
1.	Description of the Record or relevan	nt part of the re-	cord:		
		· · · · · · · · · · · · · · · · · · ·		* ,	
1			-	**	
			-		
	20 U 900 com common			** B	#
2.	Reference number, if available:				, (*)
	· · · · · · · · · · · · · · · · · · ·	(R) (E)	* *	E 125 2	E
2.	Any further particulars of the record				
		E 560			
		1:			
E.	Fees:	9		. 1	
(a)	A request for access to a record, other than	a record conto	ining perso	nal information	on about yourself.
	will be processed only after a request fee he		100		
(b)	You will be notified of the amount of the req	uest fee.	2 2 2	*	
(c)	The fee payable for access to a record depe	nds on the forn	n in which i	he access is re	auired and the
	reasonable time required to search for and				•
(d)	If you qualify for exemption of the payment			reason therefo	ore.
10	· · · · · · · · · · · · · · · · · · ·			-	
Reas	on for exemption of payment of the fee:	*		1	
		· 1			
8		4		. ,	
					-
			el el		3.,
F.	Form of Access to the Record:			50° 10	

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:
	
2	
* * *	
Mark the appropriate box with an "X"	
NOTES:	
(a) Your indication as to the required form of access	s depends on the form in which the record is available.
(b) Access in the form requested may be refused in c	certain circumstances. In such a case you will be
informed if access will be granted in another for	# 197
	will be determined partly by the form in which access i
requested.	
8 14	
. If the record is in written or printed form:	
Copy of record *	Inspection of record
	2 2 2 2 3 3 3 4 5
2. If the record consists of visual images:	
10 TO 10	1
(This includes photographs, slides, video recording	The second secon
(This includes photographs, slides, video recording	ngs, computer-generated images, sketches, etc.) te images * Transcription of the images
(This includes photographs, slides, video recording	The second secon
(This includes photographs, slides, video recording	The second secon
(This includes photographs, slides, video recording	The second secon
(This includes photographs, slides, video recording View the images Copy of the	e images * Transcription of the images
(This includes photographs, slides, video recording View the images Copy of the Copy of th	re images * Transcription of the images or mation which can be reproduced in sound:
(This includes photographs, slides, video recording View the images	ormation which can be reproduced in sound: Transcription of soundtrack *
(This includes photographs, slides, video recording View the images Copy of the Copy of th	re images * Transcription of the images or mation which can be reproduced in sound:
(This includes photographs, slides, video recording View the images	ormation which can be reproduced in sound: Transcription of soundtrack *
(This includes photographs, slides, video recording View the images	ormation which can be reproduced in sound: Transcription of soundtrack *
(This includes photographs, slides, video recording View the images	ormation which can be reproduced in sound: Transcription of soundtrack *
(This includes photographs, slides, video recording View the images Copy of the B. If the record consists of recorded words or info Listen to the soundtrack (audio cassette)	ormation which can be reproduced in sound: Transcription of soundtrack * (written or printed document)
(This includes photographs, slides, video recording View the images	ormation which can be reproduced in sound: Transcription of soundtrack * (written or printed document) ronic or machine-readable form:

the record *

disc)

* If you requested a copy or transcription of a record (above), do you wish the	YES	NO
copy or transcription to be posted to you?		
A postal fee is payable.	RI.	
G. Particulars of right to be exercised or protected:		
		*
f the provided space is inadequate, please continue of a separate folio and atta	ch it to this form	n
he requester must sign all the additional folios		-
		
ndicate which right is to be exercised or protected:	# a	
•	*	
	77	
	-1	
Explain why the requested record is required for the exercising or protect	tion of the afore	mentioned
right:		
		36
Notice of decision regarding request for access:	3 5 0 0	
rouse of accision regarding request for access.	1	
	9 4 4	
ou will be notified in writing whether your request has been approved/denied.	(e) *** ***	10 market
ereof in another manner, please specify the manner and provide the necessary mpliance with your request.		
w would you prefer to be informed of the decision regarding your request for		10
would you protot to be informed of the decision regarding your request for	access to the re	cora?
	,	D.
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ned at day of		200
		T E
		55 555 55
SIGNATURE OF PEO	TIEGTED MED C	
SIGNATURE OF REQ		
ON WHOSE BEHALF	REQUEST IS I	MADE
		£

APPENDIX - 2

REPRODUCTION FEES

Where requested document appear in the appendix 1 i.e. the 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.

THE APPLICABLE FEES FOR REPRODUCTION AS REFERRED TO ABOVE ARE:

		R
-	For every photocopy of an A4-size page or part thereof	1,10
	• For every printed copy of an A4-size page or part thereof held on a	ti ir s
	computer or in electronic or machine readable form	0,75
	For a copy in a computer-readable form on	
	- Stiffy disc	7,50
	△ - Compact disc	70,00
	A transcription of visual images, for an A4-size page or part thereof	40,00
	For a copy of visual images	60,00
	A transcription of an audio record, for an A4-size page or part thereof	20,00
	For a copy of an audio record	30,00
	**	

Request fees:

Where a requester submits a request for access to information held by an Private Body on a person other that the requester himself/herself, a request fee in the amount of R50,00 is payable up-front before the Private Body will further process the request received.

Access fees:

An access fee is payable in all instances where a request for access to information is granted, except in those instances where payment of an access fee is specially excluded in terms of the Act or an exclusion is determined by the Minister in terms of Section 54 (8).

The applicable access fees which will be payable are:

	The second secon	XX 22	10
•	For every photocopy of an A4-size page or part thereof		1,10
•	For every printed copy of an A4-size page or part thereof held on	180	. * 9
	a computer or in electronic or machine readable form	• 4	0,75

		\$3	R
•	For a copy in a computer-readable form on	1	
	- Stiffy disc	90, 00	7,50
	- Compact disc		70,00
•	A transcription of visual images, for an A4-size page or part thereof	1 1	40,00
•	For a copy of visual images	28	60,00
•	A transcription of an audio record, for an A4-size page or part thereof		20,00
•	For a copy of an audio record		30,00
•	To search for a record that must be disclosed	* *	30,00
	(per hour or part of an hour reasonably required for such search)		,,
•	Where a copy of a record needs to be nosted the actual nostal fee is navable	00	

Deposits:

Where the 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 of disclosure will take more than 6 (six) hours, a deposit is payable by the requester.

The amount of the deposit is equal to 1/3 (one third) of the amount of the applicable access fee.

Note: In terms of Regulation 8, Value Added Tax (VAT) must be added to all fees prescribed in terms of the Regulations.

MANUAL

of

HENRI NICOLAAS RADEMAN DU PLESSIS (SNR)

Prepared in accordance with Section 51 of the Promotion of Access to Information Act, No 2 of 2000.

(Private Body)

1 INTRODUCTION

1.1 The Promotion of Access to Information Act, No 2 of 2000 ("the Act") was enacted on 3 February 2000, 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 the Act, the body to whom the request is made is obliged to release the information, except where the Act expressly provides that the information may or must not be released. The Act sets out the requisite procedural issues attached to such request.

1.2 PURPOSE OF THE MANUAL:

In order to promote effective governance of private bodies, it is necessary to ensure that everyone is empowered and educated to understand their rights in terms of the Act in order for them to exercise their rights in relation to public and private bodies.

Section 9 of the Act however recognises that such right to access to information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to:

- Limitations aimed at the reasonable protection of privacy;
- · Commercial confidentiality; and
- Effective, efficient and good governance;

and in a manner which balances that right with any other rights, including such rights contained in the Bill of Rights in the Constitution.

Wherever reference is made to "Private Body" in this manual, it will refer to HENRI NICOLAAS RADEMAN DU PLESSIS (SNR) a sole proprietor and private body in the farming industry for whom this manual is drafted.

PART I

CONTACT DETAILS 2

HENRI NICOLAAS RADEMAN DU PLESSIS (JNR) Information Officer: 2.1

Postal address:

P O Box 8, Prince Alfreds Hamlet, 6840

Physical Address: Elandsrivier, Prince Alfreds Hamlet

Tel: (023) 313 3375

Fax: (023) 313 3375

E-mail: hnrduplessis@lando.co.za

GENERAL INFORMATION

2.2.6

2.2.1		Name of Private Body: HENRI NICOLAAS RADEMAN DO PLESSIS (SNR)
2.2.2		Postal Address: P O Box 8, Prince Alfreds Hamlet, 6840
2.2.3		Physical Address (or main place of business): Elandsrivier, Prince Alfreds Hamlet
2.2.4		Telephone Number:(023) 313 3375
2.2.5	100	Facsimile number: (023) 313 3375

PART II

GUIDE OF SOUTH AFRICAN HUMAN RIGHTS COMMISSION 3

The South African Human Rights Commission has at the date of printing hereof not yet compiled the guide contemplated in Section 10 of the Act. The guide will contain such information as may reasonably be required by a person who wishes to exercise any right contemplated in the Act. Any enquiries regarding this guide should be directed to:

The South African HUMAN RIGHTS COMMISSION,

E-mail address: hnrduplessis@lando.co.za

at PAIA Unit (THE RESEARCH AND DOCUMENTATION DEPARTMENT)

Private Bag X2700, HOUGHTON, 2041;

Telephone Number: (011) 484-8300;

Facsimile Number: (011) 484-1360;

Website: www.sahrc.org.za;

E-mail Address: PIAI@sahrc.org.za.

PART III

3.1 RECORDS OF THE PRIVATE BODY

This clause serves as a reference to the records that the Private Body holds in order to facilitate a request in terms of the Act.

The information is classified and grouped according to records relating to the following subjects and categories:

It is recorded that the accessibility of the documents listed herein below, may be subject to the grounds of refusal set out hereinafter.

3.2	PRIVATE BODY DOCUMENTS AND RECORDS

3.2.1	INCORPORATION DOCUMENTS AND RECOR	DS
3.2.1.1	Minutes of Staff meetings	
3.2.2	FINANCIAL DOCUMENTS AND RECORDS	
3.2.2.1	Vat records	
1.00		
3.2.2.2	Tax records	
3.2.2.3	PAYE records	9
*		
3.2.2.4	UIF records	
		3
3.2.2.5	Stock records	
170		3
3.2.2.6	Asset inventory	
3.2.2.7	Asset register	ě
8		
3.2.2.8	Cheque account	
3.2.2.9	Current account	
		20
3.2.2.10	General financial Statements	
5 6	As a second of the second of t	15 15
3.2.2.11	Invoices	
a * a		
3.2.3	OPERATIONAL DOCUMENTS AND RECORDS	

3.2.3.1 Correspondence with customers

3.2.3.2	Invoices	
3.2.3.3	Records with regards to sales and production	
12		
3.2.3.4	Records pertaining to costing	
3.2.3.5	Europ Gap Compliance documentation	
3.2.3.6	Internal policies and procedures	8
3.2.3.7	Supply Agreements	
3.2.3.8	Distribution Agreements	
3.2.3.9	Waste disposal manuals / policies	
	These records include, but are not limited to, the records which pertain to	the
	AND THE PROPERTY OF THE PROPER	, 1110
60 to 100 to	Private Body's own affairs.	1.0
a a a	CONNEL DOCUMENTS AND DECODDS	
3.2.4 PEF	RSONNEL DOCUMENTS AND RECORDS	
	onal records provided by personnel (including permanent and temporary) inclused limited to:	ıding
		11.
3.2.4.1	Employment contracts	
3.2.4.2	Personal details	
3.2.4.3	Application forms and Curriculum Vitae	96 A
3.2.4.4	Qualifications	8
3.2.4.5	Salary records	
3.2.4.6	Leave records	
3.2.4.7	Conditions of employment and other personnel-related records	*
3.2.4.8	Records relating to increases	
3.2.4.9	Disciplinary records	
3.2.4.10	Medical history records	*
3.2.4.11	Training records	9.
3.2.4.12	Policies and procedures	

3.2.7.1.5 ·

H44 1 111 41 427 4	at a to the least to a section where the section is
3.2.4.13	Employment Equity Plan
3.2.4.14	SETA records
3.2.4.15	Attendance register
3.2.4.16	Attendance register for training purposes
3.2.4.17	Provident Fund
3.2.4.18	Pension and Disability Fund records
3.2.4.19	Unemployment Insurance
3.2.4.20	Trade Union records and documentation
· 22	
3.2.4.21	Collective Agreements
3.2.4.22	Records of salary deductions
3.2.4.23	Workman's Compensation records
	who assists in carrying out or conducting the business of the Private Body. This includes, without limitation, all permanent, temporary and part-time staff, as well as contract or seasonal workers.
3.2.5	SAFETY RECORDS
3.2.5.1	Records relating to quality control test results
3.2.6	INFORMATION TECHNOLOGY RECORDS
2261	NOT ANY SOLVE
3.2.6.1	NOT APPLICABLE
3.2.7	RECORDS REQUIRED IN TERMS OF LEGISLATION
	THE COLUMN THE COLUMN OF THE COLUMN TO THE COLUMN THE C
3.2.7.1	A table of legislation setting out a description of the records of the Private Body
	which are available in accordance with certain legislation, is as follows:-
	the first of the second of
3.2.7.1.1	Labour Relations Act 66 of 1995
3.2.7.1.2	Employment Paris, Augs C1000
J.L. / . L. L	Employment Equity Act 55 of 1998
3.2.7.1.3	Basic Conditions of Employment Act 75 of 1997
3.2.7.1.4	Compensation for Occupational Injuries and Diseases Act 130 of 1993

Unemployment Insurance Act 63 of 2001

3.2.7.1.6	Value Added Tax Act 89 of 1991
26	
3.2.7.1.7	Skills Development Act 9 of 1999
3.2.7.1.8	Income Tax Act 58 of 1962
25	Reference to the above-mentioned legislation shall include subsequent amendments
	to such legislation.
3.2.8	OTHER PARTY RECORDS
3.2.8.1	Personnel, customer or Private Body records which are held by another party (e.g. marketing agent), as opposed to the records held by the Private Body itself;
3.2.8.2	Records held by the Private Body pertaining to other parties, including without limitation, financial records, correspondence, contractual and transactional records, records provided by the other party, and records third parties have provided about contractors/suppliers;
*	
3.2.8.3	Records relating to the Private Body's marketers / agents.

PART IV

4 GROUNDS FOR REFUSAL OF ACCESS TO RECORDS

The main grounds for the Private Body to refuse a request for information relates to the

	The main grounds for the Private Body to refuse a request for information relates to the -
4.1	mandatory protection of the privacy of a third party who is a natural person, which would involve the unreasonable disclosure of personal information of that natural person;
4.2	mandatory protection of the commercial information of a third party, if the record contains -
4.2.1	trade secrets of that third party;
4.2.2	financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party;
4.2.3	information disclosed in confidence by a third party to the Private Body, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition;
4.3	mandatory protection of confidential information of third parties if it is protected in terms of any agreement;
4.4	mandatory protection of the safety of individuals and the protection of property;
4.5	mandatory protection of records which would be regarded as privileged in legal proceedings;

the commercial activities of the Private Body, which may include -

trade secrets of the Private Body;

- 4.6.2 financial, commercial, scientific or technical information which disclosure of could likely cause harm to the financial or commercial interests of the Private Body;
- 4.6.3 information which, if disclosed could put the Private Body at a disadvantage in negotiations or commercial competition;
- 4.6.4 a computer program which is owned by the Private Body, and which is protected by copyright.
- 4.7 the research information of the Private Body or a third party, if its disclosure would disclose the identity of the Private Body, the researcher or the subject matter of the research and would place the research at a serious disadvantage;
- 4.8 Requests for information that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources shall be refused.

5 REMEDIES AVAILABLE WHEN A PRIVATE BODY REFUSES A REQUEST FOR INFORMATION

5.1 INTERNAL REMEDIES

The Private Body does not have an internal appeal procedure. As such, the decision made by the information officer is final, and requesters will have to exercise such external remedies at their disposal if the request for information is refused, and the requester is not satisfied with the answer supplied by the information officer.

5.2 EXTERNAL REMEDIES

A requester that is dissatisfied with an information officer's refusal to disclose information, may within 30 days of notification of the decision, apply to a relevant Court for relief.

Likewise, a third party dissatisfied with an information officer's decision to grant a request for information, may within 30 days of notification of the decision, apply to a Court for relief. For purposes of the Act, the Courts that have jurisdiction over these applications are the Constitutional Court, the High Court or another court of similar status.

6 REQUEST PROCEDURE

- The requester must comply with all the procedural requirements contained in the Act relating to the request for access to a record.
- The requester must complete the prescribed form enclosed herewith in **Appendix 1**, and submit same as well as payment of a request fee and a deposit, if applicable to the Information Officer at the postal or physical address, fax number or electronic mail address as stated in 2.1 or 2.2 above.
- 6.3 The prescribed form must be filled in with enough particularity to at least enable the Information Officer to identify –
- 6.3.1 The record or records requested;
- 6.3.2 The identity of the requester,
- 6.3.3 Which form of access is required, if the request is granted;

- 6.3.4 The postal address or fax number of the requester.
- 6.4 The requester must state that he/she requires the information in order to exercise or protect a right, and clearly state what the nature of the right is so to be exercised or protected. In addition, the requester must clearly specify why the record is necessary to exercise or protect such a right.
- 6.5 The Private Body will process the request within 30 days, unless the requester has stated special reasons which would satisfy the Information officer that circumstances dictate that the above time periods not be complied with.
- 6.6 The requester shall be informed whether access granted or denied. If, in addition, the requester requires the reasons for the decision in any other manner, he/she must state the manner and the particulars so required.
- 6.7 If a request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of the information officer.
- 6.8 If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally.
- 6.9 The requester must pay the prescribed fee, before any further processing can take place.

7 ACCESS TO RECORDS HELD BY THE PRIVATE BODY

- 7.1 Records held by the Private Body may be accessed by requests only once the prerequisite requirements for access have been met.
- 7.2 A requester is any person making a request for access to a record of the Private Body. There are two types of requesters:

7.2.1 PERSONAL REQUESTER

- 7.2.1.1 A personal requester is a requester who is seeking access to a record containing personal information about the requester.
- 7.2.1.2 The Private Body will voluntarily provide the requested information, or give access to any record with regard to the requester's personal information. The prescribed fee for reproduction of the information requested will be charged.

7.2.2 OTHER REQUESTER

7.2.2.1 This requester (other than a personal requester) is entitled to request access to information on third parties. However, the Private Body is not obliged to voluntarily grant access. The requester must fulfil the prerequisite requirements for access in terms of the Act, including the payment of a request and access fee.

8 FEES

- 8.1 The Act provides for two types of fees, namely:
- 8.1.1 A request fee, which will be a standard fee; and

- An access fee, which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs.
- When the request is received by the Information Officer, such officer shall by notice require the requester, other than a personal requester, to pay the prescribed request fee (if any), before any further processing of the request.
- 8.3 If the search for the record has been made and the preparation of the record for disclosure, including arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, the information officer shall notify the requester to pay as a deposit the prescribed portion of the Access fee which would be payable if the request is granted.
- 8.4 The information officer shall withhold a record until the requester has paid the fees as indicated in Appendix 2.
- 8.5 A requester whose request for access to a record has been granted, must pay an access fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure including making arrangements to make it available in the request form.
- 8.6 If a deposit has been paid in respect of a request for access, which is refused, then the information officer concerned must repay the deposit to the requester.

9 DECISION

- 9.1 The Private Body will, within 30 days of receipt of the request, decide whether to grant or decline the request and give notice with reasons (if required) to that effect.
- 9.2 The 30 day period with which the Private Body has to decide whether to grant or refuse the request, may be extended for a further period of not more than thirty days if the request is for a large amount of information, or the request requires a search for information held at another office of the Private Body and the information cannot reasonably be obtained within the original 30 day period. The Private Body will notify the requester in writing should an extension be sought.

10 AVAILABILITY OF THE MANUAL

- 10.1 This manual is made available in terms of Regulation Number R. 187 of 15 February 2002.
- The manual of the Private Body may also be available on the website of the Private Body (if applicable).

APPENDIX - 1

PRESCRIBED FORM TO BE COMPLETED BY A REQUESTER

FORM B

	PRIVATE BODY

20 OTO 20 11 Sand (
(Section 53(1) of the Pron	notion of Access to Inform	nation Act, No 2 of 2	2000)	
	(Reg	gulation 4)		1
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No. 10 to 10	M Frivate Body	atang My setta	n last me en	- 1-
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SP	The second of the second	the field of the same	···· y · · · · · · · · · · · ·	9 8
A				4.4
£ 4	production of party of	**********		
B. Particulars o	of Person requesting acce	ess to the record		
(b) Furnish an address	he person who requests ac and/or fax number in the . ty in which the request is n	Republic to which in	formation must be sent.	
Baratan arang data Tahunggaran Kabupatèn		erie de la composición della c		
Full Name and Surname:_				
dentity Number:				
dentity Number:		Fax Number:		
dentity Number:Postal Address:		Fax Number:_		
dentity Number: Postal Address: Celephone Number: 3-mail address:			son:	
dentity Number: Postal Address: Felephone Number: S-mail address:			son:	
dentity Number:Postal Address: Felephone Number: S-mail address:			son:	
dentity Number:Postal Address: Felephone Number: S-mail address:			son:	
dentity Number: Postal Address: Telephone Number: E-mail address: Capacity in which request		ehalf of another pers	son:	
Costal Address: Celephone Number: Capacity in which request Capacity in which request	is made, when made on b	ehalf of another pers		son
dentity Number: Postal Address: Felephone Number: E-mail address: Capacity in which request Capacity in which request	is made, when made on b	ehalf of another pers		son
Identity Number: Postal Address: Felephone Number: E-mail address: Capacity in which request C. Particulars o	is made, when made on b	ehalf of another pers		son

T	n " 1 cn 1	
	Particulars of Record	۰

<u></u>	
(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 the Record or relevant part of the record:
45	
2.	Reference number, if available:
2.	Any further particulars of the record:
į.	
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 of the request fee.
(c)	The fee payable for access to a record depends on the form in which the 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 therefore.
Reas	on for exemption of payment of the fee:
-	

F. Form of Access to the 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:	7	Form in which	h record is requi	red:
FT 27 454 (a)		1		· 4
and the second s		3 1 2		1 5 6
	#50 #			
Mark the appropriate box with	ı an "X"			
Your indication as to the i Access in the form request informed if access will be	ted may be refused in co	ertain circumsta	53 33	
The fee payable for access requested.		7 2 2	ed partly by the fo	rm in which access i
			·	
			os "S" "Al "	
. If the record is in written	or printed form:			
Copy of record *		Ins	pection of record	
If the record consists of vi (This includes photographs,	, FA 10			intelliging ato X
View the images	Copy of the		36 - 5	iption of the images*
If the record consists of re	corded words or infor	mation which	can be reproduc	ed in sound:
Listen to the soundtr	ack	Tra	nscription of sou	ndtrack *
		1		
(audio cassette)	e)	(wı	itten or printed d	ocument)
(audio cassette)	nputer or in an electro			

* If you requested a	copy or transcri	ption of a record	(above), do you wish the	YES	NO
copy or transcription	n to be posted to	you?	20 20		1 . "
A postal fee is pay	able.	T			
		£ 8 8			
G. Partice	ulars of right to	be exercised or	protected:	u _m	
		5 9 9	B 8	*	
If the provided space	e is inadequate	nlease continue	of a separate folio and attac	h it to this form	70 °C
The requester must	· .		or a sopulato folio and attack	a it to did form	•
					
Indicate which right	is to be exercise	d or protected:			
·.					
<u> </u>	17				
				88	
1. Explain why t	the requested rec	ord is required fe	or the exercising or protecti	on of the afore	mentioned
right:					
	2 0				-
20 CONT. CO.		2			
	×.		10		
		14			
H. Notice	of decision rega	rding request fo	or access:	19	
		1 2			100 E
₩				>	
You will be notified	in writing wheth	er your request l	nas been approved/denied.	If you wish to	be informed
thereof in another m	anner, please spe	cify the manner	and provide the necessary p	particulars to en	nable
compliance with you	ır request.				
					A
How would you pref	er to be informed	d of the decision	regarding your request for	access to the re	cord?
	-				
			· ·		
Signed at		this	day of		200
	500		42 40	e 2	
9			38		
			1,000 Pt.		
	50 500		*,		1
	5. The second se		SIGNATURE OF REQ	UESTER/PER	SON
	30°	E	SIGNATURE OF REQ		

APPENDIX - 2

REPRODUCTION FEES

Where requested document appear in the appendix 1 i.e. the 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.

THE APPLICABLE FEES FOR REPRODUCTION AS REFERRED TO ABOVE ARE:

		R
•	• For every photocopy of an A4-size page or part thereof	1,10
•	For every printed copy of an A4-size page or part thereof held on a	
	computer or in electronic or machine readable form	0,75
٠	For a copy in a computer-readable form on	* * *
	- Stiffy disc	7,50
	- Compact disc	70,00
	A transcription of visual images, for an A4-size page or part thereof	40,00
•	For a copy of visual images	60,00
•	A transcription of an audio record, for an A4-size page or part thereof	20,00
•	For a copy of an audio record	30,00

Request fees:

Where a requester submits a request for access to information held by an Private Body on a person other that the requester himself/herself, a request fee in the amount of R50,00 is payable up-front before the Private Body will further process the request received.

Access fees:

An access fee is payable in all instances where a request for access to information is granted, except in those instances where payment of an access fee is specially excluded in terms of the Act or an exclusion is determined by the Minister in terms of Section 54 (8).

The applicable access fees which will be payable are:

		g 5		R
•	For every photocopy of an A4-size page or part thereof	8.5		1,10
•	For every printed copy of an A4-size page or part thereof held on			
	a computer or in electronic or machine readable form		95	0.75

			R
•	For a copy in a computer-readable form on		
	- Stiffy disc		7,50
	- Compact disc		70,00
•	A transcription of visual images, for an A4-size page or part thereof	3 .	40,00
•	For a copy of visual images	15	60,00
•	A transcription of an audio record, for an A4-size page or part thereof		20,00
•	For a copy of an audio record	1	30,00
•	To search for a record that must be disclosed	(40)	30,00
	(per hour or part of an hour reasonably required for such search)	w.:	
	Where a copy of a record needs to be posted the actual postal fee is pay	able.	#1 5965

Deposits:

Where the 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 of disclosure will take more than 6 (six) hours, a deposit is payable by the requester.

The amount of the deposit is equal to 1/3 (one third) of the amount of the applicable access fee.

Note: In terms of Regulation 8, Value Added Tax (VAT) must be added to all fees prescribed in terms of the Regulations.

PART 2 OF 4 STARTS ON PAGE 289