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Vol. 452

Pretoria, 7 February 2003

No. 24332

MANUALS

IN ACCORDANCE WITH

THE PROMOTION OF ACCESS TO

INFORMATION ACT (NO. 2 OF 2000)

PART 2 OF 4





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

MANUAL

of

PVC PIPEFIT ENGINEERING 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 PVC PIPEFIT ENGINEERING CC a private body within the manufacturing industry, for whom this manual is drafted.

PART I

2 CONTACT DETAILS

2.1 Information Officer: Moira Anne Conradie

Postal address: P O Box 465, Brackenfell, 7561

Physical Address: 13 Wessel Geldenhuys Street, Brackenfell, 7560

Tel: (021) 981 0503 / 4 (W) or (021) 853 4676 (H)

Fax: (021) 981 4899

2.2 GENERAL INFORMATION

2.2.1	Name of Private Body: PVC PIPEFIT ENGINEERING CC
2.2.2	Registration No: CK89/35923/23
2.2.3	Postal Address: P O Box 465, Brackenfell, 7561
2.2.4	Physical Address (or main place of business): 13 Wessel Geldenhuys Street, Brackenfell, 7560
2.2.5	Telephone Number: (021) 981 0503 /4
2.2.6	Facsimile number: (021) 981 4899

2.2.7 E-mail address: N/A

2.2.8 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.

3.2 PRIVATE BODY DOCUMENTS AND RECORDS

3.2.1	INCORPORATION DOCUMENTS AND RECORDS
3.2.1.1	Copies of documents of incorporation
3.2.2	FINANCIAL DOCUMENTS AND RECORDS
3.2.2.1	Regional Services Council records
3.2.2.2	Vatrecords
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

Statements

3.2.2.11

3.2.4.2

Application forms

3.2.2.12	Delivery notes
3.2.2.13	Goods received vouchers
3.2.2.14	Goods returned vouchers
3.2.2.15	Credit notes
3.2.2.16	Cheque account
3.2.2.17	Cash records
3.2.3	OPERATIONAL DOCUMENTS AND RECORDS
3.2.3.1	Database of customers
3.2.3.2	Credit Application forms and records
3.2.3.3	Correspondence with customers
3.2.3.4	Proof of delivery forms
3.2.3.5	Proof of delivery notes
3.2.3.6	Invoices
3.2.3.7	Price lists
3.2.3.8	Records pertaining to customer complaints / assessments
3.2.3.9	Records pertaining to quotes
3.2.3.10	Internal policies and procedures
92	These records include, but are not limited to, the 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	Employment contracts

3.2.4.3	Qualifications
2244	Salary records
3.2.4.4	Salary records
3.2.4.5	Leave records
3.2.4.6	Conditions of employment
3.2.4.7	Records relating to increases
3.2.4.8	Disciplinary records
J.2.4.0	
3.2.4.9	Employment Equity Plan
3.2.4.10	SETA records
3.2.4.11	Attendance register
22412	Pension Fund records
3.2.4.12	Femsion Fund records
3.2.4.13	Unemployment Insurance
3.2,4.14	Workman's Compensation records
20416	Records of deductions
3.2.4.15	Records of 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, members, all permanent, temporary and part-time staff, as well as contract workers.
	OA PROUNT DECORDO
3.2.5	SAFETY RECORDS
3.2.5.1	Records of corrective action
3.2.5.2	Records relating to the Occupational Health & Safety Act
3.2.6	INFORMATION TECHNOLOGY RECORDS
	A A Commence of the Commence o
3.2.6.1	Software programs
2.0	The second secon
3.2.6.2	Software applications
227	RECORDS REQUIRED IN TERMS OF LEGISLATION
3.2.7	VECOVID VECOVICED II. LEWIS OF PROPRIATION
3.2.7.1	A table of legislation setting out a description of the records of the Private Body
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:-
3.2.7.1	
3.2.7.1	

	8
3.2.7.1.2	Labour Relations Act 66 of 1995
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
3.2.7.1.5	Value Added Tax Act 89 of 1991
3.2.7.1.6	Skills Development Act 9 of 1999
3.2.7.1.7	Unemployment Insurance Act 63 of 2001
3.2.7.1.8	Pension Funds Act 24 of 1956
3.2.7.1.9	Income Tax Act 58 of 1962
3.2.7.1.10	Close Corporation Act
*	D.C.
	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.
80	
*	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;

A requester that is dissatisfied with an information officer's refusal to disclose information, may	97	
	* 44	
EXLEBANT BEMEDIES		5.2
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.		
INTERNAL REMEDIES		1.2
ORMATION	TIME	
MEDIES AVAILABLE WHEN A PRIVATE BODY REFUSES A REQUEST FOR		ç
MON TRAILONG A SASIMAN MON NEW TIME A MANINE THE MANINE STREET		: :
Requests for information that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources shall be refused.		8.4
the research at a serious disadvantage;		
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	147	L'+
собулівас		
a computer program which is owned by the Private Body, and which is protected by	E	4.6.4
formation of the second of the		
information which, if disclosed could put the Private Body at a disadvantage in negotiations or commercial competition;		£.6.4
financial, commercial, scientific or technical information which disclosure of could likely cause harm to the financial or commercial interests of the Private Body;		4.6.2
trade secrets of the Private Body;	ě	1.6.1
N 20		
the commercial activities of the Private Body, which may include –		9.4
mandatory protection of records which would be regarded as privileged in legal proceedings;		2.4
mandatory protection of the safety of individuals and the protection of property;	(4)	4.4
agreement;		
mandatory protection of confidential information of third parties if it is protected in terms of any		€.4
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;		£.2.4

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

1.9

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 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. 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.
- 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.
- 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 ACCESS TO RE	CORDS OF PRIVATE BODY
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(Section 53(1) of the Promoti	on of Access to Inf	ormation Act. No	2 of 2000)		
*		Regulation 4)	- 3.2000)	* 1	
A. Particulars of P					
The Head:	£ ,0	and the same	**	1 °	
a * * *		3 4 6	1	. 101	,
		9 2	N		
*	6)			redictory	
3. Particulars of P	erson requesting a	ccess to the reco	·d		
a) The particulars of the p	erson who requests	access to the rece	ords must be rec	corded below	/.
b) Furnish an address and		0.0	the second secon		
c) Proof of the capacity in					3 :
ull Name and Surname:			e in in		
				7 ·	
lentity Number:ostal Address:			F F		
entity Number:ostal Address:			F F		
entity Number:ostal Address:elephone Number:	N AV	Fax Number	F F		
lentity Number:ostal Address:elephone Number:email address:		Fax Number	er:		
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lentity Number: ostal Address: elephone Number: -mail address: apacity in which request is m	ade, when made on	Fax Number behalf of another	person:		

D.	Particulars of Record:
(a)	Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.
(b)	If the provided space is inadequate please continue on a separate folio and attach it to this form. The
` '	requester must sign all the additional folios
	•
1.	Description of the Record or relevant part of the record:
_	
2	
03	
-/0	
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 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:
777	Form of Access to the Record:
F.	
r.	

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

Disability:	Form in	which reco	rd is required:	
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, n			-	
	#(g - e		2, 8	
fark the appropriate box with an "X	"			
OTES:				
) Your indication as to the require	ed form of access depends of	n the form ir	n which the record is available	
) Access in the form requested ma	y be refused in certain circu	ımstances.	In such a case you will be	
informed if access will be grante			4	
) The fee payable for access to the	record, if any, will be deter	mined partl	ly by the form in which access	
requested.		ā	9	
	# #	g**		
Manager of the way and the				
If the record is in written or prin	nted form:	,		
Copy of record *		Inspection	of record	
If the record consists of visual im (This includes photographs, slides,		r-generated	images, sketches, etc.)	
View the images	Copy of the images *		Transcription of the images	
			L	
*		100	R ²⁷	
If the record consists of recorded	words or information wh	ich can be r	reproduced in sound:	
Listen to the soundtrack		Transcripti	on of soundtrack *	
(audio cassette)	2	(written or printed document)		
ž1			W	
If the record is held on computer	or in an electronic or mac	hine-reada	ble form:	
Printed copy of record	Printed copy of		Copy in computer readable	
v 2 4	information derived fro	om	form * (stiffy or compact	
	the record *			
	me record *		disc)	

If you requested a cor	y or transcription	or a record (a	loove), do you wish the	YES	NO
opy or transcription to	be posted to you?				4
postal fee is payable	•				
02.04			y 8 9		1
. Particular	s of right to be ex	ercised or p	rotected:		
	, 11	7	8.5	(
f the provided space is	inadequate, please	continue of	a separate folio and atta	ch it to this fo	rm
The requester must sig	n all the additiona	ıl folios	8		
			7		
ndicate which right is t	o be exercised or p	protected:			
		<i></i>			
E					
					D #8
1. Explain why the	requested record is	s required for	the exercising or protect	ction of the afo	rementioned
right:	3	1	To B	×	#1 0)
6 8	4 6	1 2		1 4	
					*
And the state of t					
H. Notice of o	decision regarding	g request for	access:	3	
	9		* ²		
You will be notified in	writing whether yo	our request ha	as been approved/denied		
You will be notified in	writing whether yo	our request ha	* ²		
You will be notified in thereof in another mann	writing whether your	our request ha	as been approved/denied		
You will be notified in thereof in another many	writing whether your	our request ha	as been approved/denied		
You will be notified in thereof in another many compliance with your r	writing whether your control of the world whether you may be specify equest.	our request ha	as been approved/denied	y particulars to	o enable
You will be notified in thereof in another many compliance with your r	writing whether your control of the world whether you may be specify equest.	our request ha	as been approved/denied and provide the necessar	y particulars to	o enable
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You will be notified in thereof in another many compliance with your r	writing whether your control of the world whether you may be specify equest.	our request ha	as been approved/denied and provide the necessar	y particulars to	e record?
You will be notified in thereof in another manu compliance with your refered with would you prefer	writing whether your control of the world whether you may be specify equest.	our request ha	as been approved/denied and provide the necessar	y particulars to	o enable
You will be notified in thereof in another manu compliance with your refered with would you prefer	writing whether your control of the world whether you may be specify equest.	our request hat the manner a	as been approved/denied and provide the necessar egarding your request f	y particulars to	e record?
You will be notified in thereof in another manu compliance with your refered with would you prefer	writing whether your control of the world whether you may be specify equest.	our request hat the manner a	as been approved/denied and provide the necessar egarding your request f	y particulars to	e record?
You will be notified in thereof in another manu compliance with your refered.	writing whether your control of the world whether you may be specify equest.	our request hat the manner a	as been approved/denied and provide the necessar egarding your request f	y particulars to	e record?
You will be notified in thereof in another mant compliance with your refered.	writing whether your control of the world whether you may be specify equest.	our request hat the manner a	as been approved/denied and provide the necessar egarding your request f	y particulars to	e record?
You will be notified in thereof in another mant compliance with your refered.	writing whether your control of the world whether you may be specify equest.	our request hat the manner a	as been approved/denied and provide the necessar egarding your request f	y particulars to or access to the	e record? 200
You will be notified in thereof in another many compliance with your r	writing whether your control of the world whether you may be specify equest.	our request hat the manner a	as been approved/denied and provide the necessar egarding your request f	y particulars to or access to the	e 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:

		33	R	-
•	For every photocopy of an A4-size page or part thereof	(10)	1,10	0
•	For every printed copy of an A4-size page or part thereof held on a		€	
	computer or in electronic or machine readable form	E.	0,75	5
•	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	0	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	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

Z A SAUNDERS T/A ANIMAL TRAVEL AGENCY

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:

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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
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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 Z A SAUNDERS T/A ANIMAL TRAVEL AGENCY a private body, 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).

2.2.8

Website: N/A

PART I

2 CONTACT DETAILS

2.1	Information Officer: ZOË ALEXANDRA SAUNDERS
	Postal address: P O Box 733, Chempet, 7442
¥II	Physical Address: Rietvlei Farm, Blouberg Road, Table View
	Tel: (021) 557 6700
	Fax: (021) 557 6661
2.2	GENERAL INFORMATION
2.2.1	Name of Private Body: Z A SAUNDERS T/A ANIMAL TRAVEL AGENCY
2.2.2	Registration No: NOT APPLICABLE
2.2.3	Postal Address: P O Box 733, Chempet, 7442
2.2.4	Physical Address (or main place of business): Rietvlei Farm, Blouberg Road, Table View
2.2.5	Telephone Number: (021) 557 6700
2.2.6	Facsimile number: (021) 557 6661
2.2.7	E-mail address: zoeanimaltravel@mweb.co.za
	a second and the seco

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.

Th 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 record 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

N/A

3.2.2 FINANCIAL DOCUMENTS AND RECORDS

3.2.2.1 Tax records

3.2.2.2 PAYE records

3.2.4.4

Identification records

3.2.2.3	UIF records	
3.2.2.4	Invoices	
3.2.2.5	Cheque Account	
3.2.2.6	Cash records	
3.2.2.7	Financial documents	84.
3.2.3	OPERATIONAL DOCUMENTS AND RECO	PRDS
3.2.3.1	Database of customers	
3.2.3.2	Records relating to transport and safekeeping of	fanimals
3.2.3.3	Application forms of customers	
3.2.3.4	Correspondence with customers	e = e = e
3.2.3.5	Customer account records	
3.2.3.6	Records relating to sales and production	
3.2.3.7	Price lists	
3.2.3.8	Customer complaints / assessments	
3.2.3.9	Records pertaining to costing / quoting	
81 812 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	These records include, but are not limited to, re Body's own affairs.	ecords which pertain to the Private
3.2.4	PERSONNEL DOCUMENTS AND RECORDS	3
SE	Personal records provided by personnel (including employees) including but not limited to:	permanent and limited duration
3.2.4.1	Employment contract	
3.2.4.2	Disciplinary records	
3.2.4.3	Unemployment Insurance	
1.50	TATIVE III	# (m)

"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 and limited duration staff, as well as contract workers.

3.2.5 SAFETY RECORDS

NOT APPLICABLE

3.2.6 INFORMATION TECHNOLOGY RECORDS

NOT APPLICABLE

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

3.2.7.1.1 Unemployment Insurance Act 63 of 2001

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

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

3.2.8 OTHER PARTY RECORDS

- 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.

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; mandatory protection of records which would be regarded as privileged in legal proceedings; 4.5 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 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.
- 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
- 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.
- 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

REC	TEST	FOR	ACCESS	TO	RECORDS	OFP	RIVAT	E RODV
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(Section 53(1) of the I		nformation Act, No 2 of 2	000)
	700 E	(Regulation 4)	
A. Particula	rs of Private Body		9 x x x
The Head:	¥:	· ·	(50) gr

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			*
	rs of Person requesting		
	2500 (55) (55)	ts access to the records m	
		the Republic to which inf	
(c) Proof of the cap	acity in which the reques	t is made, if applicable, m	ust be attached.
Full Name and Surnam	ne:	***************************************	
Identity Number:	magnific and a second		9
Postal Address:			
Telephone Number:	or and the second secon	Fax Number:	**************************************
E-mail address:			
Capacity in which requ	est is made, when made	on behalf of another perso	on:
			· · · · · · · ·
<u> </u>			
C. Particular	rs of person of whose be	half request is made:	
This section must be co	mpleted only if a request	for information is made o	on behalf of another person
F ₂ 200	# 350 # #	6 W	2
*			
Full names and Surnam	ne:		
mino and bunan	** ***********************************	<u> </u>	
Identity Number:	*	· · · · · · · · · · · · · · · · · · ·	
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D.	Particulars of Record:
(a)	Provide full particulars of the record to which access is requested, including the reference number if
	that is known to you, to enable the record to be located.
(b)	If the provided space is inadequate please continue on a separate folio and attach it to this form. The
	requester must sign all the additional folios
1.	Description of the Record or relevant part of the record:
	besorption of the Record of felevant part of the fecold.
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-	
115	
2.	Reference number, if available:
*	
2.	Any further particulars of the record:
44	
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.
(-).	sy you quarify for exemption of the payment of any fee, precise state the reason therefore.
Reas	son 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.

Form of Access to the Record:

Disability:	Form in which record is required:
	* p 1. *
	a to the second of the second
195	
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e .	
Mark the appropriate box with an "X"	
NOTES:	
	faccess depends on the form in which the record is available.
	sed in certain circumstances. In such a case you will be
informed if access will be granted in anoth	300 St. 150
	if any, will be determined partly by the form in which access is
requested.	
e Y ve e	
i. If the record is in written or printed form	n:
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a ce a a a	
5 N	
2. If the record consists of visual images:	
(This includes photographs, slides, video rec	cordings, computer-generated images, sketches, etc.)
View the images Copy	y of the images * Transcription of the images*
# # #	
[81]	* * *
. If the record consists of recorded words o	or information which can be reproduced in sound:
Listen to the soundtrack	Transcription of soundtrack *
(audio cassette)	(written or printed document)
	n e
n 1	
. If the record is held on computer or in an	electronic or machine-readable form:

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

* If y	ou requested	I a copy or trans	scription of a r	coru (a	above), do yo			YES	NO	
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G.	Part	iculars of right	t to be exercise	d or p	rotected:		•	*		
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	4					54		43 4		
f the	provided sp	ace is inadequa	te, please conti	nue of a	a separate fol	lio and at	tach it t	o this for	m	
The 1	requester mu	st sign all the a	additional folio	5						
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ndic	ate which rig	tht is to be exer	cised or protec	ted:				*	,	
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			- 1 -			75 ************************************				
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	Explain wh	y the requested	record is requi	red for	the exercisin	g or prot	ection o	f the afor	rementione	d
	right:						ĺ			
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		×		67.5	320					
L.	Notic	e of decision r	egarding requ	est for	access:			, P		
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ou v	will be notified	ed in writing wl manner, please	hether your req	uest ha	s been appro					med
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You v	will be notific of in another liance with y would you pr	ed in writing wh manner, please your request.	hether your requirements specify the ma	uest ha	s been appro ad provide the	e necessa	ary parti	culars to	enable record?	1 2
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omp	will be notific of in another liance with y would you pr	ed in writing wh manner, please your request.	hether your requestions specify the ma	uest ha	s been appro ad provide the	e necessa	ary parti	culars to	enable record?	1 2
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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:

	9.	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	92
	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:

		9	K
•	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	9	0,75

÷		R	
•	For a copy in a computer-readable form on	79	
	- 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

TILETORIA CAPE 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 TILETORIA CAPE CC, a close corporation which operates as a wholesaler and retailer of ceramic tile and sanitaryware, 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: FREDERICK ALLAN DUCKWORTH

Postal address:

P O Box 580, Paarden Eiland, 7420

Registered address:

86 Bree Street, Cape Town

Physical Address: 43 Paarden Eiland Road, Paarden Eiland

Tel: (021) 511 3125

Fax: (021) 511 3119

Email address: aduckworth@tiletoria.co.za

2.2 GENERAL INFORMATION

2.2.1		Name of Private Body: TILETORIA CAPE CC	* :		59
2.2.2		Head of Private Body: Patrick Michael Francis Thönissen			
2.2.3		Registration No: CK NO 1995/004096/23			
2.2.4		Vat Registration No. 4790148078	*:	:¥	82
2.2.5		Postal Address: P O Box 580, Paarden Eiland	¥		
2.2.6	* - 4	Physical Address (or main place of business): 43 Paarden Eiland I	Road, Pa	arden l	Eiland
2.2.7	8 H	Telephone Number: (021) 511 3125			*
2.2.8		Facsimile number: (021) 511 3119	185		
2.2.9		E-mail address: pthonissen@tiletoria.co.za		e 19	
2.2.10		Website: www.tiletoria.co.za			8

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 Members Association Agreements

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	PAYE records	lan sa
3.2.2.4	UIF records	
3.2.2.5	Stock records	
3.2.2.6	Asset inventory	H 6 6
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3.2.3.7		Price lists				H +
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3.2.3.9		Supply Agreements		. 1.		
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12 7)	a e	These records include, but are not limited to reco	ords whic	h pertain t	o the Privat	te
e 		Body's own affairs.				
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3.2.4.1		Employment contracts		. 10 ¹⁸ 		•
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	"Personnel" refers to any person who we the Private Body, and receives or is entitle who assists in carrying out or conducting without limitation, members, all perman	ed to recei the busine	ve remunera	tion and any vate Body. T	other person
•	workers.				
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oppo	osed to the records held by the	Private Body itself;	deservice i
limit	ation financial records, corre	y pertaining to other parties, in spondence, contractual and trans y, and records third parties have p	actional records,
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4 GROUNDS FOR R	EFUSAL OF ACCESS TO	RECORDS	
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4.2 mandatory protect	ction of the commercial inform	nation of a third party, if the reco	rd contains -
4.2.1 trade secre	ets of that third party;	ar mene ta ka Pereben	
4.2.2 financial, cause harr	commercial, scientific or tech n to the financial or commercial	nnical information which disclosal interests of that third party;	sure could likely
4.2.3 informatic could put	on disclosed in confidence by that third party at a disadvanta	a third party to the Private Body, ge in negotiations or commercial	, if the disclosure competition;
4.3 mandatory prote	ction of confidential informati	on of third parties if it is protecte	ed in terms of any
agreement;			* 4.
	* 14 ×		and the second
E		als and the protection of property	
4.5 mandatory prote	ction of records which would	be regarded as privileged in legal	proceedings;
4.6 the commercial	activities of the Private Body,	which may include -	e def
and commissions.			
4.6.1 trade secre	ets of the Private Body;	AF THE FAMILY I	#
h supported	e No. 18 se seu comme		
4.6.2 financial, cause harm	commercial, scientific or tech m to the financial or commerci	nical information which disclosu al interests of the Private Body;	re of could likely

information which, if disclosed could put the Private Body at a disadvantage in negotiations or commercial competition;

4.6.3

- 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.

- 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.

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

(Section 53(1) of the Promotion of Access to Information Act, No 2 of 2000) (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: 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 Full names and Surname:	REQUEST FOR ACCES	S TO RECORDS OF PR	UANTE BODI		
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Form of Access to the Record:

D.	Particulars of Record:
(a)	Provide full particulars of the record to which access is requested, including the reference number if
	that is known to you, to enable the record to be located.
(b)	If the provided space is inadequate please continue on a separate folio and attach it to this form. The
	requester must sign all the additional folios
1.	Description of the Record or relevant part of the record:
2.	Reference number, if available:
2.	Any further particulars of the record:
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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:
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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.

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b) Access in the form requested	d may be refused in c	ertain circumst	ances. In	such a case you will be
informed if access will be gr		2 4	50 6	
c) The fee payable for access t	o the record, if any,	will be determin	ed partly	by the form in which access is
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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	
•	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:

	The state of the s		**
	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	1040 1000	*
	a computer or in electronic or machine readable form	#4 #	0,75

	(A)	R
•	For a copy in a computer-readable form on	75.5 T
	- 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
٠	To search for a record that must be disclosed	30,00
	(per hour or part of an hour reasonably required for such search)	2 0
•	Where a copy of a record needs to be posted the actual postal fee is payable	1

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

SYNCHRON MARKINGS (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 SYNCHRON MARKINGS (PTY) LTD a private body within the retail industry including its branches, 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	S
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2.1 Information Officer: PETRINA WAREHAM

Postal address: P O Box 36921, Chempet, 7442

Registered address: 14 Railway Road, Montague Gardens, 7441

Physical Address: 14 Railway Road, Montague Gardens, 7441

Tel: (021) 5511790 / Fax: (021) 5525291

E-mail address: petrina@synchron.co.za

2.2 Deputy Information Officer: DORIS GARROW

Postal address: P O Box 36921, Chempet, 7442

Registered address: 14 Railway Road, Montague Gardens, 7441

Physical Address: 14 Railway Road, Montague Gardens, 7441

Tel: (021) 5511790 / Fax: (021) 5525291

E-mail address: doris@synchron.co.za

Website: www.synchron.co.za

2.3 GENERAL INFORMATION

2.3.10

2.3.1	2 72 8	Name of Private Body: SYNCHRON MARKINGS (PTY) LTD
2.3.2	ng di na	Head of Private Body: Alan Chetwynd Gillett
2.3.3	58 N	Registration No: 1992/03295/07
2.3.4	7 - 1 1 1, 1	Vat Registration No. 4030108916
2.3.5	£	Postal Address: P O Box 36921, Chempet, 7442
2.3.6	87	Physical Address (or main place of business): 14 Railway Road, Montague Gardens, 7441
2.3.7	9	Telephone Number: (021) 5511790
2.3.8		Facsimile number: (021) 5525291
2.3.9		E-mail address: alan@synchron.co.za

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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 Memorandum and Articles of Association

3.2.1.3 Minutes of Board of Directors meetings

3.2.1.4	Minutes of Management 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 including tax clearance certificates
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	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
3.2.2.16	Current Account records
3.2.2.17	Call Account records
3.2.2.18	Cash records
3.2.2.19	Financial reports records including annual financial statement
3.2.2.20	Financial documents in accordance with accounting practice

3.2.3	OPERATIONAL DOCUMENTS AND RECORDS
3.2.3.1	Minutes of staff meetings
3.2.3.2	Promotional material
3.2.3.3	Marketing call reports
3.2.3.4	Registered designs, patents / trademarks
3.2.3.5	Written product / service specifications
3.2.3.6	Product / service manuals
3.2.3.7	Work instruction manuals
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
3.2.3.12	Records and reports with regards to sales
3.2.3.13	Records with regards to production and records of conversion
3.2.3.14	Records with regards to scheduling and supply of goods / services
3.2.3.15	Business plans
3.2.3.16	Exchange control records
3.2.3.17	Strategy document
3.2.3.18	Vision statement
3.2.3.19	Mission statement
3.2.3.20	Action plans
3.2.3.21	Price lists

3.2.3.22	Records pertaining to customer complaints / assessments
3.2.3.23	Records pertaining to costing and quotations
3.2.3.24	Records with regards to research and development of products
*	
3.2.3.25	Records with regards to research and development of services
3.2.3.26	Records with regards to market research
5.2.5.20	Accords with regards to market research
	These records include, but are not limited to records which pertain to the Private
	Body's own affairs.
3.2.4 PER	SONNEL DOCUMENTS AND RECORDS
	onal records provided by personnel (including permanent and limited duration oyees) including but not limited to:
3.2.4.1	Employment contracts
3.2.4.1	Employment contracts
3.2.4.2	Application forms
a n	
3.2.4.3	Qualifications
*	
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 codes and procedures and records
3.2.4.8	Performance management records
3.2.4.9	Medical history
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	Employment Equity Plan
3.2.4.15	Workplace Skills Plan
* 4	

3.2.4.16

SETA records

3.2.4.17	Attendance register records
3.2.4.18	Provident Fund
3.2.4.19	Unemployment Insurance
3.2.4.20	Medical Aid
3.2.4.21	Records relating to deductions, statutory or otherwise
	"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 any contract workers from time to time.
3.2.5	SAFETY RECORDS
3.2.5.1	Safety manual
3.2.5.2	Records relating to incidents
3.2.5.3	Records relating to corrective action
3.2.5.4	Records in terms of the Occupational Health and Safety Act
3.2.5.5	Records in terms of the Compensation for Occupational Injuries and Diseases
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
3.2.6.5	Inter-company e-mails
3.2.6.6	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
3.2.7.1.2	Employment Equity Act 55 of 1998
3.2.7.1.3	Basic Conditions of Employment Act 75 of 1997
	And the second of the second o
3.2.7.1.4	Compensation for Occupational Injuries and Diseases Act 130 of 1993
	THE REPORT OF THE PARTY OF THE
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	Value Added Tax 89 of 1991
3.2.7.1.8	Skills Development Act 9 of 1999
3.2.7.1.0	e e
X50_5	and the state of t
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.
	which the private body holds records.
	OFFICE DATE OF THE STATE OF THE
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.

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 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; 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 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.
- 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
- 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.**
- 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 OF	PRIVATE BODY
-------------	-----------	------------	--------------

(Section 53(1) of the Promotion of Access to Information Act, No 2 of 2000)	**************************************
(Regulation 4)	E
A. Particulars of Private Body	
The Head:	
The fleat.	
	5582. X
	3 8
B. Particulars of Person requesting access to the record	1
(a) The particulars of the person who requests access to the records must be reco	rded below.
(b) Furnish an address and/or fax number in the Republic to which information m	ust be sent.
(c) Proof of the capacity in which the request is made, if applicable, must be attack	ched.
Full Name and Surname:	
Identity Number:	
Postal Address:	1
Telephone Number: Fax Number:	· · · · · · · · · · · · · · · · · · ·
E-mail address:	
Capacity in which request is made, when made on behalf of another person:	39
8 8 2	
	<u> </u>
C. Particulars of person of whose behalf request is made:	¥1
This section must be completed only if a request for information is made on behalf of	fanother person
	s p
	1
Full names and Surname:	· · · · · · · · · · · · · · · · · · ·
Identity Number:	

(a)	Provide full particulars of the record to which access is requested, including the reference number if
2000	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:
5.7	
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 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
3	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.

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.

isabi	lity:	1	11, 12	гони ш	WIIICH TECO	rd is requir	Ju .
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-							
		*				Š	
lark t	he appropriate box with	an "X"					10) (1)
OTES	S:	* * * * * * * * * * * * * * * * * * * *	10 CF **				
) Yo	ur indication as to the re	equired form	of access de	epends on	the form in	which the	record is available
) Ac	cess in the form requeste	ed may be re	fused in ceri	tain circu	mstances.	In such a co	ise you will be
inf	formed if access will be g	ranted in an	other form.		<u>.</u>	20	* 1
) Th	e fee payable for access	to the record	d, if any, wil	l be deter	mined parti	v bv the for	rm in which acces:
	quested.	**		ti	<i>F</i>	, -,,	
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8			¥0				1 1
	9 84	3.43		a = 5			
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If th		printed to	rm;		Inspection	of record	- X
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	Copy of record *				Inspection	of record	
If th	Copy of record *	ual images:	I I	computer		- 1	atches etc.)
If th	Copy of record * ne record consists of visits includes photographs, s	ual images: slides, video	recordings,			images, sko	The state of the s
If th	Copy of record *	ual images: slides, video	I I			images, sko	etches, etc.)
If th	Copy of record * ne record consists of visits includes photographs, s	ual images: slides, video	recordings,			images, sko	The state of the s
If th	Copy of record * ne record consists of visits includes photographs, s	ual images: slides, video	recordings,			images, sko	The state of the s
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If th	ce record consists of visits includes photographs, so View the images Listen to the soundtrace	ual images: slides, video Co	recordings,	nages *	egenerated	images, ske Transcrip	otion of the image d in sound: dtrack *
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If th	ce record consists of visits includes photographs, so View the images Listen to the soundtrace	ual images: slides, video Co	recordings,	nages *	egenerated	images, ske Transcrip	otion of the image d in sound: dtrack *
If th	ce record consists of visits includes photographs, so View the images Listen to the soundtrace	ual images: slides, video Co	recordings,	nages *	egenerated	images, ske Transcrip	otion of the image d in sound: dtrack *
If th	copy of record * record consists of visits includes photographs, s View the images record consists of rec	ual images: slides, video Co	recordings, opy of the in	nages *	ich can be Transcript (written or	images, ske Transcrip reproduced ion of sound printed do	otion of the image d in sound: dtrack *
If the	ce record consists of visits includes photographs, so view the images e record consists of record consists	ual images: slides, video Co orded word	recordings, opy of the in	ation whi	ich can be Transcript (written or	images, ske Transcrip reproduces ion of soun printed do	d in sound: dtrack * cument)
If the	copy of record * record consists of visits includes photographs, s View the images record consists of rec	ual images: slides, video Co orded word ck	recordings, opy of the in s or inform an electronic	ation whi	-generated ich can be Transcript (written or	reproduced ion of sound printed do	d in sound: dtrack * cument)
If the	ce record consists of visits includes photographs, so view the images e record consists of record consists	ual images: slides, video Co orded word ck puter or in :	recordings, opy of the in	ation whi	-generated ich can be Transcript (written or	reproduced ion of sound printed do	d in sound: dtrack * cument)

* If you requested a copy or transcription of a record copy or transcription to be posted to you? A postal fee is payable.	l (above), do you wish the YES NO
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:	
	The street was discussed the street of
Explain why the requested record is required:	for the exercising or protection of the aforementioned
right:	
	B
H. Notice of decision regarding request	
	has been approved/denied. If you wish to be informed
thereof in another manner, please specify the manne compliance with your request.	and provide the necessary particulars to enable
How would you prefer to be informed of the decision	n regarding your request for access to the record?
Signed atthis	day of 200
Lagragica de la companya de la comp	SIGNATURE OF REQUESTER/PERSON
	ON WHOSE BEHALF REQUEST IS 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	l on a	E (5) (25)
	computer or in electronic or machine readable form	7.0	0,75
•	For a copy in a computer-readable form on	*	i. a
	- Stiffy disc		7,50
	- 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	(a)	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:

(9)			ĸ
•	For every photocopy of an A4-size page or part thereof	900	1,10
•	For every printed copy of an A4-size page or part thereof held on	18 18	
	a computer or in electronic or machine readable form		0,75

9		R	
•	For a copy in a computer-readable form on		
2	- 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.	***y)	

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

DIAL-A-PC 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 DIAL-A-PC CC a private body within the computer industry, for whom this manual is drafted.

PART I

2 CONTACT DETAILS

2.1 Information Officer: JANICE MARY SARA VAN DER MERWE

Postal address: P O Box 1130, Oakdale, 7534

Physical Address: 206 Durban Road, Bellville, 7530

Tel: (021) 949 5600 (W)

Fax: (021) 949 5602

2.2 GENERAL INFORMATION

	121					1
2.2.1		Name of Private Body: DIAL-A-PC CC	2			er "I
2.2.2		Registration No: 1990/18941/23			2 E 2 3	
2.2.3		Postal Address: P O Box 1130, Oakdale, 7534		ne n		2
2.2.4		Physical Address (or main place of business): 206 Dur	ban R	oad, Bel	lville,	7530
2.2.5	21 21 19	Telephone Number: (021) 949 5600		19 56		i.
2.2.6	19	Facsimile number: (021) 949 5602		a a		i I
2.2.7		E-mail address: janice@dialapc.com			9 5	ï
2.2.8	543	Website: www.dialapc.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.

3.2 PRIVATE BODY DOCUMENTS AND RECORDS

3.2.1	INCORPORATION DOCUMENTS	AND RECORDS
3.2.1.1	Copies of documents of incorporation	on
3.2.1.2	Copies of the Memorandum and Art	icles of Association
3.2.1.3	Minutes of Members meetings	a sa ja k
3.2.1.4	Minutes of Management meetings	
3.2.2	FINANCIAL DOCUMENTS AND I	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 register	
3.2.2.8	Invoices	

3.2.2.9	Monthly statements	100
3.2.2.10	Delivery notes	
3.2.2.11	Goods returned vouchers	
3.2.2.12	Debit notes	31
3.2.2.13	Credit notes	
3.2.2.14	Savings Account	66
3.2.2.15	Cheque Account	
3.2.2.16	Current Account	
3.2.2.17	Cash records	*
3.2.2.18	Annual Financial Statements	
3.2.2.19	Rental Agreements	
3.2.3	OPERATIONAL DOCUMENTS AND RECOR	EDS
3.2.3.1	Promotional material	
3.2.3.1 3.2.3.2	Promotional material Written policies re business plan / activities	i
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3.2.3.2	Written policies re business plan / activities	ī.
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3.2.3.2 3.2.3.3 3.2.3.4	Written policies re business plan / activities Software licences Product manuals	.ec
3.2.3.2 3.2.3.4 3.2.3.5	Written policies re business plan / activities Software licences Product manuals Database of customers	in the second se
3.2.3.2 3.2.3.4 3.2.3.5 3.2.3.6	Written policies re business plan / activities Software licences Product manuals Database of customers Credit Application forms	
3.2.3.2 3.2.3.4 3.2.3.5 3.2.3.6 3.2.3.7	Written policies re business plan / activities Software licences Product manuals Database of customers Credit Application forms Correspondence with customers	

3.2.3.11	Invoices	8 5 8 4 5			
3.2.3.12	Monthly rental and sales reports				 1
		, 19	a Tu		2.5
3.2.3.13	Records with regards to scheduling	g and supply of go	oods/services		
(190) 10 94 (190) 10 10					
3.2.3.14	Price lists (current)	* 8			
3.2.3.15	Control sheets	14 gr	Jan 4		
3.2.3.13	Control sheets		259 61		*
		10ints / 000000	nants	* H	
3.2.3.16	Records pertaining to customer co	mpiamis / assessi	nents		
3.2.3.17	Internal policies and procedures				
3.2.3.17	policion				
	These records include, but are	not limited to th	e records which	pertain to	the
	19 as so series	not miniou to, a	.0,1000145	F	
	Private Body's own affairs.	:-: -:			
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3.2.4 PEI	RSONNEL DOCUMENTS AN	D RECORDS	FE 7/2		
		E	Service Commence		
Pers but i	onal records provided by personnel not limited to:	l (including perm	anent and tempor	rary) includ	ling
	- 4				
3.2.4.1	Employment contracts	17.4 5.1 . 4 1		8 8 88	
3.2.4.2	Application forms		+ "a a		
	91		ur ell en		
3.2.4.3	Qualifications				
				3	
3.2.4.4	Salary records				
3.2.4.5	Leave records				
3.2.4.3	Leave records		× ×		
3.2.4.6	Conditions of employment				
3.2.4.7	Records relating to increases	372 J _{g3}			
3.2.4.8	Disciplinary records	- 1971 - 1971		⊕	10
3.2.4.9	Company policies			RE (B)	
3.2.4.10	SETA records				
11		3.5		4	
3.2.4.11	Unemployment Insurance	NJ	5 1465	etres six	
3.2.4.12	Medical Aid			*	
2 2 4 12	Workman's Compensation record	le		÷.	80

3.2.4.14 Records of 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, members, all permanent, temporary and part-time staff, as well as contract workers. 3.2.5 SAFETY RECORDS 3.2.5.1 Records relating to the Occupational Health & Safety Act 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 Customer database 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 which are available in accordance with certain legislation, is as follows:-3.2.7.1.1 Labour Relations Act 66 of 1995 3.2.7.1.2 Basic Conditions of Employment Act 75 of 1997 3.2.7.1.3 Unemployment Insurance Act 63 of 2001 3.2.7.1.4 Value Added Tax Act 89 of 1991 3.2.7.1.5 Skills Development Act 9 of 1999 3.2.7.1.6 Income Tax Act 58 of 1962 3.2.7.1.7 Close Corporation Act 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, 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.
- 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
- 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.
- 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

al e				1 10 10 10	34
(Section 53(1) of the Promo	tion of Access t	o Information	Act No 2 of 2000)	
(Section 55(1) of the Fromo	HOH OF Access to	(Regulatio	awaran Bara Sa		
96 6 88 V	32	(Regulatio	4 ,		11 12 198
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A. Particulars of	Private Body				0.000
The Head:					
	A.				
01 352	1		Ø.	*	1
B. Particulars of	Person request	ing access to	the record	and the second	
a) The particulars of the	person who red	quests access t	o the records mus	t be recorded below.	7
(b) Furnish an address a	•				
	ME	T 0 0 0 0			
	ME	T 0 0 0 0			
(c) Proof of the capacity	in which the req	quest is made,	if applicable, mus		
(c) Proof of the capacity Full Name and Surname:	in which the req	quest is made,	if applicable, mus		
(c) Proof of the capacity Full Name and Surname: Identity Number:	in which the req	quest is made,	if applicable, mus	t be attached.	
(c) Proof of the capacity Full Name and Surname: Identity Number: Postal Address:	in which the reg	quest is made,	if applicable, mus	t be attached.	
(c) Proof of the capacity Full Name and Surname: Identity Number: Postal Address: Telephone Number:	in which the req	quest is made,	if applicable, mus	t be attached.	
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Particulars of	of Record:	
	Particulars of	Particulars of Record:

- (a) Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.
- (b) If the provided space is inadequate please continue on a separate folio and attach it to this form. The requester must sign all the additional folios

1.	Description of the Record or relevant part of the record:	4	9,
to			
		ï,	
2.	Reference number, if available:	1	
-	restories number, it available.		
2.	Any further particulars of the record:		
E. ,	Fees:	2	
(a)	A request for access to a record, other than a record containing personal information	on about y	ourself,
-	will be processed only after a request fee has been paid.		
(p) .	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 re reasonable time required to search for and prepare a record.	equired an	d the
(d)	If you qualify for exemption of the payment of any fee, please state the reason therefore	ore.	
Reas	on for exemption of payment of the fee:		
•	A PARTY OF THE PAR		

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:	Form in which record is required:
full the assumption has with an "V"	
Mark the appropriate box with an "X" NOTES:	The second secon
	ess depends on the form in which the record is available.
*	n certain circumstances. In such a case you will be
	v, will be determined partly by the form in which access is
. If the record is in written or printed form:	and the second of the second o
Copy of record *	Inspection of record
(This includes photographs, slides, video record	lings, computer-generated images, sketches, etc.)
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he requester must sig	gn all the additional folios			
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ndicate which right is	to be exercised or protected:		· · · · · · · · · · · · · · · · · · ·	
	- A			•
* % x 1				
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Explain why the				
	requested record is required for	the exercising or protection	on of the atore	mentioned
right:	**	8 8	#3 #	
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. Notice of	decision regarding request for	r access:		r.
. Notice of	decision regarding request for	r access:		E:
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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
0	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	0
4	- 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	
	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
*2	- 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
20	(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	161

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

RENNIE COOPER-KING TRAVEL CC t/a HARVEY WORLD TRAVEL FISH HOEK

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 RENNIE COOPER-KING TRAVEL CC T/A HARVEY WORLD TRAVEL FISH HOEK a close corporation which operates in the retail travel 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

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2.1 Information Officer: SEAN PATRICK RENNIE

Postal address: P O Box 22396, Fish Hoek, 7974

Physical Address: G 70 Longbeach Mall, Buller Louw Drive, Noordhoek

Registered Address: G 70 Longbeach Mall, Buller Louw Drive, Noordhoek

Tel: (021) 785 7555

Fax: (021) 785 7575

Email address: michael.rennie@harveyworld.co.za

Website: www.harveyworld.co.za

2.2 GENERAL INFORMATION

2.2.1	Name of Private Body: RENNIE COOPER-KING TRAVEL CC T/A HARVEY WORLD TRAVEL FISH HOEK
2.2.2	Head of Private Body: William Michael Maheir Rennie
2.2.3	Registration No: CK NO 2000/016822/23
2.2.4	Vat Registration No. 4390188615
19 19 19	
2.2.5	Postal Address: P O Box 22396, Fish Hoek, 7974
2.2.6	Physical Address (or main place of business): G 70 Longbeach Mall, Buller Louw Drive,
2.2.0	Noordhoek
. 45 .7	NOOTUILOEK
2.2.7	Telephone Number: (021)785 7555
1. 1. 1. 1. 1. 1.	
2.2.8	Facsimile number: (021) 785 7575
i iza	
2.2.9	E-mail address: michael.rennie@harveyworld.co.za
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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

Close Corporation records and secretarial documentation

3.2.2 FINANCIAL DOCUMENTS AND RECORDS

3.2.2.1 Vat records

3.2.2.2 Tax records

3.2.2.3	PAYE records	
3.2.2.4	UIF records	
	Asset inventory Asset register	
3.2.2.7	Order forms	
3.2.2.8	Invoices	
3.2.2.9	Monthly statements	(8)
3.2.2.10	Credit notes	
3.2.2.11	Cheque Account records	
3.2.2.12	Call Account records	that the
3.2.2.13	Cash records	
3.2.2.14	Bank statements	
	Financial reports	
3.2.2.16	Financial documents and statement	s
	Foreign Exchange details and recor	rds
3.2.3 OPE	RATIONAL DOCUMENTS A	ND RECORDS
3.2.3.1	Promotional material	
3.2.3.2	Registered designs, patents / traden	narks
3.2.3.3	Licences including IAIA document	s and accreditation records
3.2.3.4	Written product / service specificat	ions
3.2.3.5	Product / service manuals	
3.2.3.6	Customer account records	

3.2.4.15

3.2.3.7	Customer and other records relating to passport and visa applications
3.2.3.8	Customer and other records relating to foreign exchange controls, regulations and applications
3.2.3.9	Records with regards to sales and service
3.2.3.10	Records pertaining to costing/quotations
3.2.3.11	Franchise agreements and documentation
	These records include, but are not limited to records which pertain to the Private
	Body's own affairs.
3.2.4	HR DOCUMENTS AND RECORDS
	Personal records provided by personnel (including permanent and limited duration employees) and other records including but not limited to:
3.2.4.1	Employment contracts
3.2.4.2	Salary advice slips
3.2.4.3	Remuneration records
3.2.4.4	Leave records
3.2.4.5	Records relating to increases
3.2.4.6	Disciplinary codes, procedures and records
3.2.4.7	Performance management records
3.2.4.8	Long service awards
3.2.4.9	Training records
3.2.4.10	Training manuals
3.2.4.11	Workplace Skills Plan
3.2.4.12	Attendance register for training purposes
3.2.4.13 3.2.4.14	Unemployment Insurance Medical Aid

Records relating to deductions, statutory or otherwise

"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 and limited duration staff from time to time.

3.2.5 SAFETY RECORDS

NOT APPLICABLE

3.2.6	INFORMATION TECHNOLOGY RECORDS
3.2.6.1	Licences -
3.2.6.2	Software programmes
3.2.6.3	Software applications
3.2.6.4	Computer generated databases
3.2.7	RECORDS REQUIRED IN TERMS OF LEGISLATION
salan u	
3.2.7.1	A list of certain legislation setting out a description of the records of the Privat
	Body which are available in accordance with such legislation, is as follows:-
	그렇게 하고 그렇게 가는 살이 하는 그 없는 사람들이 되었다. 그는 사람들이 되었다. 그를 보고 있다면 보고 있다면 보고 있다. 그는 그는 그를 보고 있다면 보고 있다

3.2.7.1.1	Labour Relations Act 66 of 1995
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3.2.7.1.2	Employment Equity Act 55 of 1998
3.2.7.1.3	Basic Conditions of Employment Act 75 of 199
	s a c ^a
3.2.7.1.4	Unemployment Insurance Act 63 of 2001
3.2.7.1.5	Value Added Tax Act 89 of 1991
3.2.7.1.6	Income Tax Act 58 of 1962
3.2.7.1.7	Close Corporation Act
1 to 1	
3.2.7.1.8	Banks Act 94 of 1990
3.2.7.1.9	South African Reserve Bank Act 90 of 1989

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

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

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 -

- 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; 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; 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; 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 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

- 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.
- 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 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.
- 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.

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.
- 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.

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

REQUEST FOR ACCESS TO RECORDS OF PRIVATE BODY

(Section 53(1) of the Promotion of Access to In	formation Act, No 2 of 2	2000)		
	(Regulation 4)		20	20
A. Particulars of Private Body			*	
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an a gana	27 p. 1500 18			
B. Particulars of Person requesting		T. 180	8 B B	
(a) The particulars of the person who request	ts access to the records i			
- an itemate of releasing	ts access to the records t the Republic to which in	formation must	be sent.	1 as
(a) The particulars of the person who requests (b) Furnish an address and/or fax number in	ts access to the records t the Republic to which in	formation must	be sent.	7 a
(a) The particulars of the person who request (b) Furnish an address and/or fax number in (c) Proof of the capacity in which the request Full Name and Surname:	ts access to the records to the Republic to which in t is made, if applicable, t	formation must	be sent.	
 (a) The particulars of the person who request (b) Furnish an address and/or fax number in (c) Proof of the capacity in which the request 	ts access to the records to the Republic to which in t is made, if applicable, t	formation must	be sent.	
(a) The particulars of the person who request (b) Furnish an address and/or fax number in (c) Proof of the capacity in which the request Full Name and Surname: Identity Number: Postal Address:	ts access to the records to the Republic to which in the Republic to which in the tis made, if applicable, t	formation must nust be attached	be sent.	
(a) The particulars of the person who request (b) Furnish an address and/or fax number in (c) Proof of the capacity in which the request Full Name and Surname: Identity Number:	ts access to the records to the Republic to which in t is made, if applicable, to Fax Number:	formation must nust be attached	be sent.	
(a) The particulars of the person who request (b) Furnish an address and/or fax number in (c) Proof of the capacity in which the request Full Name and Surname: Identity Number: Postal Address: Telephone Number:	ts access to the records of the Republic to which in t is made, if applicable, of Fax Number:	formation must	be sent.	
(a) The particulars of the person who request (b) Furnish an address and/or fax number in (c) Proof of the capacity in which the request Full Name and Surname: Identity Number: Postal Address: Telephone Number: E-mail address:	ts access to the records of the Republic to which in t is made, if applicable, of Fax Number:	formation must	be sent.	

C. Particulars of person of whose behalf request is made:

This section mus	st be completed	l only if	a request for i	nformation is n	ade on behalf	of anothe	er person
		38	18				

run names and Surnar	ne:				 	
		. 1		4		
Identity Number:			15	 	0	

•	Particulars of Record:
1)	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
50	requester must sign all the additional folios
	Description of the Record or relevant part of the record:
8	
-	
	Reference number, if available:
	Any further particulars of the record:
	Fees:
1)	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.
`	
)	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
2	reasonable time required to search for and prepare a record.
)	If you qualify for exemption of the payment of any fee, please state the reason therefore.
eas	on for exemption of payment of the fee:
_	
	Form of Access to the Record:

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(This in V	ncludes photographs iew the images record consists of re Listen to the soundt (audio cassette)	ecorded w	Copy of the cords or info	gs, computerer images * rmation which conic or mach	generated in can be real Transcription (written or paine-readab	nages, sketches Transcription of eproduced in so on of soundtrack printed document	ound: (* nt)
(This in V	ncludes photographs iew the images record consists of re Listen to the soundt (audio cassette)	ecorded w	Copy of the cords or info	gs, computere images * rmation which improve or mach popy of on derived from	generated in can be real Transcription (written or paine-readab	ranscription of produced in some of soundtrack printed documents	ound: (* nt)

* 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?	* E	
A postal fee is payable.		
		(6)
G. Particulars of right to be exercised or protected:	7	
	6	
f 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	on of the aforen	nentioned
right:	72	27
		•-
	10 m	
H. Notice of decision regarding request for access:	41 B	50.41
in the of decision regarding request for access.	H	260
You will be notified in writing whether your request has been approved/denied.	200	
hereof in another manner, please specify the manner and provide the necessary p	particulars to en	able
ompliance with your request.		
		10
How would you prefer to be informed of the decision regarding your request for	access to the re	cord?
Signed at this day of		200
SIGNATURE OF REQ	LIESTER/PER	SON
ON WHOSE BEHALF		
		7-
5 50 50 50 50 50 50 50 50 50 50 50 50 50	ja	
N F		

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	
2	computer or in electronic or machine readable form	0,75
•	For a copy in a computer-readable form on	W 20
99	- 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:

	e la	
•	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.	

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

BEMLAB (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 BEMLAB (PTY) LTD a private body in the agricultural service 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).

2.2.10

PART I

2 CONTACT DETAILS

2.1	Information Officer: WILLEM ADRIAAN GYSBERT KOTZE
	Postal address: P O Box 12457, Die Boord, Stellenbosch, 7613
	Physical Address: AECI Building W21, De Beers Street, Somerset West
	Tel: (021) 851 6401
	Fax: (021) 851 4379
	E-mail address: akotze@adept.co.za
2.2	GENERAL INFORMATION
2.2.1	Name of Private Body: BEMLAB (PTY) LTD
2.2.2	Head of Private Body: Willem Adriaan Gysbert Kotze
2.2.3	Registration No: 2002/017933/07
2.2.4	Vat Registration No. 4160185577
2.2.5	Postal Address: P O Box 12457, Die Boord, Stellenbosch, 7613
2.2.6	Physical Address (or main place of business): AEC1 Building W21, De Beers Street, Somerset West
2.2.7	Registered address: 170 Dorp Street, Stellenbosch, 7600
2.2.8	Telephone Number: (021) 851 6401
2.2.9	Facsimile number: (021) 851 4379

E-mail address: akotze@adept.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 Incorporation and company secretarial documentation

3.2.1.2 Copies of Shareholders' agreements

Please note - may be available at auditor's offices

3.2.2	FIN	ANCIAL DOCUMENTS AND R	ECORDS	ia.	
3.2.2.1		Regional Services Council records	4 4	3	
3.2.2.2		Vat records	9	ăř	*
3.2.2.3	8	Tax records	er er		
3.2.2.4	*	PAYE records			
3.2.2.5	-	UIF records			
3.2.2.6		Asset inventory	80 80	0 0 1	
3.2.2.7		Asset register	8	14	54
3.2.2.8		Invoices			
3.2.2.9		Statements	a 26	27	
3.2.2.10		Credit notes	*	<u> </u>	
3.2.2.11	in the second se	Cheque Account records			
3.2.2.12		Bank statements			
3.2.2.13	1 2 25	Cash records	*	27	
3.2.2.14	of	Financial reports records including and	nual financial	statement	t
3.2.2.15		Financial documents			328
3.2.3	OPE	RATIONAL DOCUMENTS ANI	RECORD	S	
3.2.3.1	85 \$1	Written policies regarding business pla	ın activities		
3.2.3.2		Written product / service specifications	s		***
3.2.3.3	a	Work instruction manuals	92.70 20	÷	
3.2.3.4	* *	Database of customers	E E		
3.2.3.5	*	Correspondence with customers	1	* ** ****	ř
3.2.3.6		Customer / client account records	146		

3.2.3.7	Records and reports with regards to sales and provision of consulting services
3.2.3.8	Records with regards to scheduling and supply of services
3.2.3.9	Price lists
3.2.3.10	Records relating to customer complaints / assessments
3.2.3.11	Records pertaining to costing and quotations
	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 / Letters of appointment
3.2.4.2	Application forms
3.2.4.3	Qualifications
3.2.4,4	Remuneration records / salary advice slips
3.2.4.5	Leave records
3.2.4.6	Records relating to increases
3.2.4.7	Records relating to staff meetings
3.2.4.8	Disciplinary codes, procedures and records
3.2.4.9	Written Workplace Skills Plan
3.2.4.10	SETA records
3.2.4.11	Pension Fund records
3.2.4.12	Medical Aid records
3.2.4.13	Records relating to deductions, statutory or otherwise

[&]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, directors, all permanent, limited duration staff, as well as any contract workers from time to time.

		te
3.2.5	SAFETY RECORDS	8
3.2.5.1	Quality control test results	į.
	Quanty control tost results	5
3.2.6	INFORMATION TECHNOLOGY RECORDS	*
	*	F
3.2.6.1	Computer generated databases including supply of services	and financial
	information.	T.
3.2.7	RECORDS REQUIRED IN TERMS OF LEGISLATION	
		ů.
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 for	
		Mi
3.2.7.1.1	Labour Relations Act 66 of 1995	#3 In
3.2.7.1.2	Basic Conditions of Employment Act 75 of 1997	72
3.2.7.1.3	Compensation for Occupational Injuries and Diseases Act 130	of 1993
22714	* * * * * * * * * * * * * * * * * * * *	
3.2.7.1.4	Insolvency Act, 24 of 1936	
3.2.7.1.5	Constitution of SA Act 108 of 1996	
3.2.7.1.3	Constitution of SA Act 108 of 1990	
3.2.7.1.6	Companies Act 61 of 1973	
	1	
3.2.7.1.7	Unemployment Insurance Act 63 of 2001	
	Sign of the state	(4)
3.2.7.1.8	Value Added Tax 89 of 1991	
		7)
3.2.7.1.9	Skills Development Act 9 of 1999	
222112		W \$1
3.2.7.1.10	Income Tax Act 58 of 1962	*
3.2.7.1.11	National Environmental Management Act 107 of 1995	
5.2.7.1.11	National Environmental Management Act 107 of 1995	
G 26	Reference to the above-mentioned legislation shall include subsequen	t amendments
	to such legislation and all relevant sections within such legislation	
98 9883 GE	which the private body holds records.	THE COMPANY
	Then the private body holds footids.	x ***
3.2.8	OTHER PARTY RECORDS	2 3 2
20 39 39		
3.2.8.1	Personnel, customer or Private Body records which are held by and opposed to the records held by the Private Body itself;	ther party, as

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 -

- 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. 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
- 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.
- 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.
- 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.
- 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

Section 53(1) of the Promotion of Access to	Information Act. No 2 of 2000)
Section 55(1) of the Promotion of Access to	
	(Regulation 4)
A. Particulars of Private Body	a "A"V" ag de ""(ea)" - Se A
The Head:	· · · · · · · · · · · · · · · · · · ·
34	
	the state of the s
B. Particulars of Person requesti	ng access to the record
a) The particulars of the person who requ	uests access to the records must be recorded below.
	r in the Republic to which information must be sent.
	uest is made, if applicable, must be attached.
3, 1103, 3, 110 114	
Full Name and Surname:	
Full Name and Surname:	
Full Name and Surname:	
Full Name and Surname: [dentity Number: Postal Address: [Felephone Number:	Fax Number:
Full Name and Surname: [dentity Number: Postal Address: Telephone Number: E-mail address:	Fax Number:
Full Name and Surname: [dentity Number: Postal Address: [Felephone Number:	Fax Number:
Full Name and Surname: [dentity Number: Postal Address: Telephone Number: E-mail address:	Fax Number:
Full Name and Surname: [dentity Number: Postal Address: Telephone Number: E-mail address:	Fax Number:
Full Name and Surname: [dentity Number: Postal Address: Telephone Number: E-mail address:	Fax Number:
Full Name and Surname: [dentity Number: Postal Address: Telephone Number: E-mail address: Capacity in which request is made, when ma	Fax Number: Inde on behalf of another person: the behalf request is made:
Full Name and Surname: [dentity Number: Postal Address: Telephone Number: E-mail address: Capacity in which request is made, when ma	Fax Number:ade on behalf of another person:
Full Name and Surname: [dentity Number: Postal Address: Telephone Number: E-mail address: Capacity in which request is made, when ma	Fax Number: Inde on behalf of another person: the behalf request is made:
Full Name and Surname: [dentity Number: Postal Address: Telephone Number: E-mail address: Capacity in which request is made, when ma	Fax Number: ide on behalf of another person: e behalf request is made:

Identity Number:

Particulars of Record:

D.

(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:
E.	Fees:
(a)	A request for access to a record, other than a record containing personal information about yourself,
(b)	will be processed only after a request fee has been paid.
(c)	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
(0)	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.

Disabil	lity:			Form in w	vhich r	ecord 1	s requir	ed:		€
				1,52, 1	7	<i>}</i>		7.		
				77.				7		· ·
	*		2 -					*		
		((373)							-	17
	the appropriate box with	an "X"		80 FS		.9		200		
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	our indication as to the r									we.
	ccess in the form request		•		mstanc	es. In	sucn a c	ase you w	viii oe	
	formed if access will be		2000				_	10 g		œ
c) Th	he fee payable for access	to the r	ecord, if any, w	ill be deteri	mined j	partly	by the fo	orm in wh	ich acc	ess is
re	equested.							2	9	
Sec. 17-15.	8					9	7	8		
	5		7 2							
. If t	the record is in written	or print	ted form:							
. If t	Copy of record *	or print	ted form:		Inspe	ection (of record	<u> </u>		
. If t	Copy of record *	sual im	ages:							,
. If t	Copy of record *	sual im	ages:	gs, compute			nages, s	ketches, e		
. If t	Copy of record *	sual im	ages:				nages, s			nges*
. If t	Copy of record * the record consists of vi	sual im	ages: video recording				nages, s	ketches, e		ages*
. If t	Copy of record * the record consists of vi	sual im	ages: video recording				nages, s	ketches, e		ages*
. If t	Copy of record * the record consists of vi	sual im	ages: video recording				nages, s	ketches, e		nges*
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t. If t	Copy of record * the record consists of vinis includes photographs. View the images	sual im, slides,	ages: video recording Copy of the	images *	r-gene	rated in	mages, s Transco	ketches, e	the ima	ages*
. If t	the record consists of vinis includes photographs. View the images the record consists of record consists	sual im, slides,	ages: video recording Copy of the	images *	r-gener	n be r	mages, s Transc	ketches, e ription of	the ima	ages*
. If t	Copy of record * the record consists of vinis includes photographs. View the images	sual im, slides,	ages: video recording Copy of the	images *	r-gener	n be r	mages, s Transc	ketches, eription of	the ima	ages*
t. If t	the record consists of vinis includes photographs. View the images the record consists of record consists	sual im, slides,	ages: video recording Copy of the	images *	r-gener	n be r	mages, s Transc	ketches, eription of	the ima	ages*
. If t	the record consists of vinis includes photographs. View the images the record consists of record consists	sual im, slides,	ages: video recording Copy of the	images *	r-gener	n be r	mages, s Transc	ketches, eription of	the ima	nges*
(Tr	Copy of record * the record consists of vinis includes photographs. View the images the record consists of record consists.	sual im, slides,	ages: video recording Copy of the	images *	r-gener	n be r	eproduce on of so	ketches, e ription of ced in sou undtrack *	the ima	nges*
2. If t	the record consists of vinis includes photographs. View the images the record consists of relative to the soundtre (audio cassette)	sual im, slides, ecorded	ages: video recording Copy of the words or infor	rmation wh	r-gener	n be r	eproduce on of so	ketches, eription of	md:	
2. If t	Copy of record * the record consists of vinis includes photographs. View the images the record consists of record consists.	sual im, slides, ecorded	ages: video recording Copy of the words or inform or in an electr Printed co	rmation wh	r-generation chine-	n be r	eproduce on of sor	ketches, eription of ced in sou undtrack document	ind: *)	dable
2. If t	the record consists of vinis includes photographs. View the images the record consists of relative to the soundtre (audio cassette)	sual im, slides, ecorded	ages: video recording Copy of the words or inform or in an electr Printed co	rmation where onic or material	r-generation chine-	n be r	eproduce on of sor	ketches, eription of ced in sou undtrack adocument	ind: *)	dable

* If you requested a copy or transcription of a record (ab	ove), do you wish the	YES	NO
copy or transcription to be posted to you?	2	1	10.00
A postal fee is payable.	1		
2			
G. Particulars of right to be exercised or pro	tected:	2 2 3	,
		₩	
R.			
If 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	E(A,	0 8 6
Indicate which right is to be exercised or protected:			
,			
 Explain why the requested record is required for the 	ne evercising or protection	of the aforeme	ntioned
right:	te exercising of protection	of the aforeme	muoned
ngu.	747	9 *	
		2	
		*	
You will be notified in writing whether your request has	been approved/denied. If	von wish to be	informed
thereof in another manner, please specify the manner and			
compliance with your request.	provide the necessary par	inculais to cha	,
The second secon			
How would you profer to be informed of the decision and			10
How would you prefer to be informed of the decision reg	arding your request for ac	cess to the reco	ora?
		1.	
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Signed at this	day of		_ 200
		a e	
	SIGNATURE OF REQUI	ESTER/PERSO	ON .
	ON WHOSE BEHALF R	EQUEST IS M	ADE
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			40

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
		8 4
•	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
0 19	- 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:

		10. 10.		R
•	For every photocopy of an A4-size page or part thereof		0	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		7.00	0,75

			R
•	For a copy in a computer-readable form on	10 10 10	
	- Stiffy disc		7,50
32	- Compact disc		70,00
•	A transcription of visual images, for an A4-size page or part thereof	10	40,00
•	For a copy of visual images	8	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)		\$ B
	Where a conv 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

PROMPT DEALS THIRTY TWO CC T/A A. L. ALUMINIUM

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 PROMPT DEALS THIRTY TWO CC, a close corporation which operates in the manufacturing and retail 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

CONTACT DETAILS 2

2.1	Information Officer:	WALLACE BOTHA AND/OR FELECIA	VAN TONDER
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Postal address:

Suite 152, Private Bag X3018, Strand, 7139

Registered address: 23 Smit Avenue, George Park, Strand

Physical Address: 23 Smit Avenue, George Park, Strand

Tel: (021) 854 3158

Fax: (021) 854 8990

Email address: N/A

GENERAL INFORMATION 2.2

2.2.1	Name of Private Body: PROMPT DEALS THIRTY TWO CC
2.2.2	Head of Private Body: Wallace Botha
2.2.3	Registration No: CK NO 2000/016765/23
2.2.4	Vat Registration No. 4610193890
2.2.5	Postal Address: Suite 152, Private Bag X3018, Strand, 7139
2.2.6	Physical Address (or main place of business): 23 Smit Avenue, George Park, Strand
2.2.7	Telephone Number: (021) 854 3158
2.2.8	Facsimile number: (021) 854 8990
2.2.9	E-mail 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

3.2.1.1 Close Corporation documents and records

3.2.2 FINANCIAL DOCUMENTS AND RECORDS

3.2.2.1 Order forms

3.2.2.2 Invoices

3.2.2.3	Statements	
3.2.2.4	Goods received vouchers	
3.2.2.5	Goods returned vouchers	
3.2.2.6	Debit notes	
3.2.2.7	Credit notes	
3.2.2.8	Cheque Account records and statement	ents
3.2.2.9	Cash records	
3.2.2.10	Financial statements	a a
3.2.2.11	Financial documents	
3.2.2.12	Financial records	na a ^a na
3.2.3	OPERATIONAL DOCUMENTS AN	D RECORDS
3.2.3.1	Management meetings	* * * * * * * * * * * * * * * * * * * *
3.2.3.2	Supply Agreements	
3.2.3.3	Waste disposal manuals / policies	8 8
3.2.3.4	Internal telephone directory	3
3.2.3.5	Promotional material	
3.2.3.6	Database of customers	
3.2.3.7	Correspondence with customers	*
3.2.3.8	Customer account records	
3.2.3.9	Records with regards to scheduling a	nd supply of goods / services
3.2.3.10	Price lists	
3.2.3.11	Records relating to customer compla	ints / assessments

3.2.3.12 Records pertaining to costing and quoting

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 and other records (including permanent and limited duration employees) including but not limited to:

3.2.4.1	Employment contracts	
3.2.4.2	Application forms	1
3.2.4.3	Qualifications	
3.2.4.4	Salary advice slips	
3.2.4.5	Remuneration records	
3.2.4.6	Leave records	
3.2.4.7	Medical history	
3.2.4.8	Disciplinary codes and records	
3.2.4.9	Attendance register	
3.2.4.10	Provident Fund	
3.2.4.11	Unemployment Insurance	
3.2.4.12	Records relating to deductions statutor	ry and otherwise
	"Personnel" refers to any person who work the Private Body, and receives or is entitled	

"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

- 3.2.5.1 Records relating to incidents
- 3.2.5.2 Records in terms of the Compensation for Occupational Injuries and Diseases

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
F0	Body which are available in accordance with such legislation, is as follows:-
3.2.7.1.1	Debt Collector's Act 114 of 1998
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	Home Loan and Mortgage Disclosure Act 63 of 2000
5.2.7.1.5	Home Loan and Mortgage Disciosure Act 05 of 2000
3.2.7.1.6	Inspection of Financial Institutions Act 18 of 1998
3.2.7.1.7	Compensation for Occupational Injuries and Diseases Act 130 of 1993
3.2.7.1.8	Insolvency Act 24 of 1936
3.2.7.1.9	Unemployment Insurance Act 63 of 2001
3.2.7.1.10	Value Added Tax Act 89 of 1991
3.2.7.1.11	Pension Funds Act 24 of 1956
3.2.7.1.12	Income Tax Act 58 of 1962
3.2.7.1.13	Close Corporation Act
47	
.5	Reference to the above-mentioned legislation shall include subsequent amendments
54 (46)	to such legislation and all relevant sections within such legislation in terms of
	which the private body holds records.
A	
3.2.8	OTHER PARTY RECORDS
3.2.8.1	Personnel, customer or Private Body records which are held by another party example accountants, 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.
	The second of th

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

- 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
- 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.
- 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

20	****	E	*	(8)	
(Section 53(1) of the	Promotion of Access to Info	ormation Act, No 2 of 20	000)		
# # # # # # # # # # # # # # # # # # #	(I	Regulation 4)	e 878		
A. Particul	ars of Private Body			* * # * *	Ē.
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			je.	* 1 9	
E CONTRACTOR OF THE CONTRACTOR		v		19	-
*					
3. Particul	ars of Person requesting a	ccess to the record	in E	e e	
a) The particulars	of the person who requests	access to the records m	ust be recorded	below.	50
	ress and/or fax number in t				#1
	pacity in which the request i	4.7		20 00 00 00 00 00 00 00 00 00 00 00 00 0	
dentity Number:	me:				_
					14
					-
	uest is made, when made or		vn.		
		- Committee of the Color period			
			V		
	7 10 B	*			
C. Particula	ars of person of whose beh	alf request is made:		8.	-
	ars of person of whose beh ompleted only if a request fo	14-75	on behalf of ano	ther person	
		14-75	on behalf of ano	ther person	
	ompleted only if a request f	14-75	on behalf of ano	ther person	
his section must be c	ompleted only if a request f	14-75	on behalf of ano	ther person	

(a)	Provide full particulars of the record to which access is requested, including the reference number	ber 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
(0)	requester must sign all the additional folios	
	requester must sign an the auditional joiles	
15 12		
1.,	Description of the Record or relevant part of the record:	.0
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		e de
2.	Reference number, if available:	
_		
2.	Any further particulars of the record:	
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		1
E.	Fees:	
(a)	A request for access to a record, other than a record containing personal information about you	arself,
	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.	50 H
Desc	son for exemption of payment of the fee:	
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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.

Disability:	896 \$6 (5.50)	Form in	which recor	d is required:	
* * * * * * * * * * * * * * * * * * *			¥.	e o o o o o o	
Mark the appropriate box with	an "X"		y + y	· ·	
a) Your indication as to the r	required form of acc	ess depends or	n the form in	which the record is a	vailable.
o) Access in the form request	ted may be refused i	in certain circu	F)		
informed if access will be	granted in another j	form.	81	60 92	
 The fee payable for access requested. 	to the record, if an	y, will be deter	mined parti	y by the form in which	n access is
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Copy of record * If the record consists of vi (This includes photographs, View the images If the record consists of re	corded words or in ack	nformation wheetronic or ma	r-generated nich can be Transcrip (written o	images, sketches, etc. Transcription of the reproduced in sound tion of soundtrack * r printed document) able form: Copy in computer	e images*
Copy of record * If the record consists of vi (This includes photographs, View the images If the record consists of re Listen to the soundtr (audio cassette)	corded words or in ack	nformation wheetronic or mad copy of	r-generated nich can be Transcrip (written o	images, sketches, etc. Transcription of the reproduced in sound tion of soundtrack * r printed document)	e images*

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postal fee is payable.		*	10.	8	· · · · · · · · · · · · · · · · · · ·	
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dicate which right is to b	e exercised or	protected: _	9 B	- 01	- 4	
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ou will be notified in writereof in another manner, ompliance with your requow would you prefer to be	iting whether you please specify test.	our request l the manner the decision	and provide the necessary regarding your required and of	essary par nest for acc	cess to the rec	able cord?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	60 W
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

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:

			κ.
•	For every photocopy of an A4-size page or p	art thereof	1,10
•	For every printed copy of an A4-size page or	part thereof held on	W
	a computer or in electronic or machine reada	ble form	0,75

		W W W	K
•	For a copy in a computer-readable form on	7 m	14 - 1
	- Stiffy disc		7,50
	- Compact disc	40 14 800 W	70,00
	A transcription of visual images, for an A4-size page or part thereof	19	40,00
•	For a copy of visual images	1/2	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	£0 _{€0}	30,00
	To search for a record that must be disclosed	1.00	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 paya	able.	
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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

CAWMAT ENGINEERING 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 CAWMAT ENGINEERING CC, a close corporation which operates in the manufacturing and engineering 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).

2.2.10

PART I

2 CONTACT DETAILS

2.1	Information Officer:	MR JOHN EDWARD MULLON

Postal Address: P O Box 3019, George Industria 6536

Physical Address: Corner Fabriek & Laing Street, George Industria

Tel: (044) 8744794

Fax: (044) 8747919

Email address: N/A

2.2 GENERAL INFORMATION

Website: N/A

2.2.1	Name of Private Body: CAWMAT ENGINEERING CC
2.2.2	Head of Private Body: MR JOHN EDWARD MULLON
2.2.3	Registration No: CK NO 1989/14911/23
2.2.4	Vat Registration No. 4400101616
2.2.5	Postal Address: P O Box 3019, George Industria, 6536
2.2.6	Physical Address (or main place of business): Corner Fabriek & Laing Street, George Industria
2.2.7	Telephone Number: (044) 8744794
2.2.8	Facsimile number: (044) 8747919
2.2.9	E-mail 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: PLAI@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

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	Invoices		
3.2.2.7	Monthly statements		
3.2.2.8	Proof of delivery forms		
3.2.2.9	Credit notes		
3.2.2.10	Current Account records and bank sta	tements	
3.2.2.11	Cash records		
3.2.2.12	Financial reporting records including financial statements	monthly income / expense reports and annual	
3.2.2.13	Financial documents		
3.2.3 OP	ERATIONAL DOCUMENTS ANI	D RECORDS	
3.2.3.1	Supply Agreements		
3.2.3.2			
**************************************	Distribution Agreements		
3.2.3.3	Distribution Agreements Database of customers		
3.2.3.3 3.2.3.4			
	Database of customers		
3.2.3.4	Database of customers Credit application forms		
3.2.3.4 3.2.3.5	Database of customers Credit application forms Correspondence with customers		
3.2.3.4 3.2.3.5 3.2.3.6	Database of customers Credit application forms Correspondence with customers Customer account records		
3.2.3.4 3.2.3.5 3.2.3.6 3.2.3.7	Database of customers Credit application forms Correspondence with customers Customer account records Records with regards to sales	aints / assessments	

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

HUMAN RESOURCES DOCUMENTS AND RECORDS 3.2.4 Personal records provided by employees and other records including:-Employment contracts / Letters of appointment 3.2.4.1 3.2.4.2 Application forms Qualifications 3.2.4.3 3.2.4.4 Remuneration records 3.2.4.5 Leave records 3.2.4.6 Records relating to increases 3.2.4.7 Disciplinary codes, procedures and records Training records 3.2.4.8 Training manuals 3.2.4.9 3.2.4.10 Workplace Skills Plan 3.2.4.11 SETA records 3.2.4.12 Bargaining Council (MIBCO) records 3.2.4.13 Provident Fund records Pension Fund records 3.2.4.14 Unemployment Insurance records 3.2.4.15 Records relating to deductions, statutory or otherwise 3.2.4.16

Records relating to Independent Contractors

Identification records

Tax deduction records in respect of Independent Contractors

3.2.4.17

3.2.4.18

3.2.4.19

[&]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 all members, permanent and limited duration employees as well as contract and/or seasonal workers.

3.2.5	SAFETY RECORDS
3.2.5.1	Records relating to incidents in the workplace
3.2.5.2	Records in terms of the Occupational Health and Safety Act
3.2.5.3	Records in terms of the Compensation for Occupational Injuries and Diseases
3.2.6	INFORMATION TECHNOLOGY RECORDS
3.2.6.1	Licences
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
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	Unemployment Insurance Act 63 of 2001
3.2.7.1.5	Value Added Tax 89 of 1991
3.2.7.1.6	Skills Development Act 9 of 1999
3.2.7.1.7	Pension Funds Act 24 of 1956
3.2.7.1.8	Income Tax Act 58 of 1962
3.2.7.1.9	Close Corporation Act
30	Reference to the above-mentioned legislation shall include subsequent amendments
	to such legislation and all relevant sections within such legislation in terms of
30 ³²	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

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;
- 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.
- 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 RECORDS OF PRIVATE BODY

							-		
(Section 53(1) of the Property	motion of Access to	Information	n Act, N	o 2 of 20)00)	~	10	3	(1)
	8 8 5 8 8 8 8	(Regulat	ion 4)				1 .		
24			2. 1	. •	E i	e new			3
A. Particulars	of Private Body			35 39		48		20	5
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		18	a .		9			1,	
						8			
B. Particulars	of Person requesti	ng access to	the rec	ord	00.00	(2.3 ++	V-4	187	
(a) The particulars of	the person who req	uests access	to the r	ecords m	ust be r	ecorde	l below.		
(b) Furnish an address	s and/or fax number	r in the Rep	ublic to 1	which in	formatio	n must	be sent.		.2
LOI A MITTER WITE MANUEL COL									
	ity in which the req			icable, n	ust be a	ttached	<i>I</i> . '		3
State-				icable, n	ust be a	ttached			-
(c) Proof of the capac	ity in which the req			icable, m	ust be a	ittached			
(c) Proof of the capaci	ity in which the req	uest is made	e, if appl	icable, m	ust be a	ttached	1. '		
(c) Proof of the capace Full Name and Surname: Identity Number:	ity in which the req	uest is made	e, if appl	icable, m	ust be a	ttached	1.		
(c) Proof of the capace Full Name and Surname: Identity Number: Postal Address:	ity in which the req	uest is made	e, if appl		ust be a	attached	1.		
(c) Proof of the capaci	ity in which the req	uest is made	e, if appl		ust be d	attached			

C. Particulars of person of whose behalf request is made:

This section must be comple	ted only if a	request for inj	formation is	made on beha	alf of another perso	n
	9 9	200 10	W 88	15 (35)		

		1 9	*	4	**	
Full names and Surname:	** # %			\$	E 5 5	. 0 6
	T.	ALEX DATACONICA		(0)		**
Identity Number:			-		÷	*

D.	Particulars of Record:	
(a)	Provide full particulars of the record to which access is requested, including the reference number is	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. The	ie
	requester must sign all the additional folios	52
1.	Description of the Record or relevant part of the record:	
		_
2.	Reference number, if available:	
2.	Any further particulars of the record:	
3		_
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.	(6)
Reas	on for exemption of payment of the fee:	
155		: . :20

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:	Form in which record is required:	
		i)
2 22 5	a 8	
		
Mark the appropriate box with an "X"		8
NOTES:		
a) Your indication as to the required form of access	s depends on the form in which the record i	is available.
b) Access in the form requested may be refused in	certain circumstances. In such a case you v	will be
informed if access will be granted in another fo	rm.	
c) The fee payable for access to the record, if any,	will be determined partly by the form in wh	ich access is
requested.	2	¥
		9
	3 4	- 050 - 500 - 500
. If the record is in written or printed form:		
Copy of record *	Inspection of record	
Copy of record *		etc.)
Copy of record * 2. If the record consists of visual images: (This includes photographs, slides, video recording the content of the content		
Copy of record * 2. If the record consists of visual images: (This includes photographs, slides, video recordi	ngs, computer-generated images, sketches, one images * Transcription of	the images*
Copy of record * 2. If the record consists of visual images: (This includes photographs, slides, video recordi	ngs, computer-generated images, sketches, the images * Transcription of Cormation which can be reproduced in sou	the images*
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Copy of record * 2. If the record consists of visual images: (This includes photographs, slides, video recordid view the images Copy of the company Copy of the cord consists of recorded words or included the cord consists of the cord consists of recorded words or included the cord consists of the cord c	ngs, computer-generated images, sketches, the images * Transcription of Cormation which can be reproduced in sou	the images* und:
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Copy of record * 2. If the record consists of visual images: (This includes photographs, slides, video recording the limit of the limit of the limit of the limit of the soundtrack that the limit of the soundtrack images the soundtrack images that the soundtrack images that the sound limit of the soundtrack images that the sound limit of	ngs, computer-generated images, sketches, on the images * Transcription of transcription of transcription of transcription of transcription of soundtrack (written or printed document)	the images* und:
Copy of record * 2. If the record consists of visual images: (This includes photographs, slides, video records View the images Copy of t Listen to the soundtrack (audio cassette) 4. If the record is held on computer or in an election	ngs, computer-generated images, sketches, on the images * Transcription of transcription of transcription of transcription of transcription of soundtrack (written or printed document)	the images* und: *
Copy of record * 2. If the record consists of visual images: (This includes photographs, slides, video recording to the limages and the limages are compared to the soundtrack (audio cassette) 4. If the record is held on computer or in an election of the limages are consisted to the soundtrack (audio cassette) Printed copy of record Printed	ngs, computer-generated images, sketches, che images * Transcription of Cormation which can be reproduced in sou Transcription of soundtrack (written or printed document tronic or machine-readable form:	the images* und: * t)

YES

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

copy or transcr	iption to be po	sted to you?		F (N) 9			
A postal fee is	payable.	*			. *	(0)	
		116-2				¥ g	
G. Pa	articulars of r	ight to be ex	kercised or	protected:		•.	40
				(9		1	
If the provided	space is inade	quate please	e continue o	f a separate folio and	d attach it	to this form	*
The requester		3 - 3 - 3 - 3		ra separate 10110 and	u anach n	to this form	
- The requester is							
Indicate which	right is to be e	xercised or	protected:			1	€
(4)			_				
		-					
	2					No.	- iran-commerc
1. Explain	why the reques	ted record is	s required fo	r the exercising or p	protection	of the aforem	entioned
right:	,				1010011011		omnomou

	ē	X		71°			
							1
H. No	tice of decisio	n regarding	g request fo	r access:			
			ş .				197
	59	at at		e .			3
You will be not	ified in writing	g whether yo	our request h	as been approved/d	enied. If	you wish to b	e informed
thereof in anoth	er manner, ple	ase specify	the manner	and provide the nece	essary par	ticulars to ena	ible
compliance with	h your request.			3		20 05	
			***************************************	9	· · · · · · · · · · · · · · · · · · ·		
How would you	prefer to be in	nformed of t	he decision	regarding your requ	est for acc	ess to the rec	ord?
 				·-····································		A.	
		10	t8 G				
Signed at			this	day of			200
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74				SIGNATURE O	F REQUE	STER/PERS	ON
W e		7		ON WHOSE BE	HALF RI	EQUEST IS N	IADE
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				(SE			

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	
	- 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	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	Ø
8 77 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)	8 8
•	Where a copy of a record needs to be nosted the actual postal fee is payable	32

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

VENTANA CC T/A HIRE CITY

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 VENTANA CC T/A HIRE CITY, a private body within the hiring of construction equipment industry, for whom this manual is drafted.

PART I

CONTACT DETAILS

J J STREICHER AND E G STREICHER Information Officer: 2.1

Postal address: P O Box 2718, Bellville

Registered address:

155 Durban Road, Bellville 7530

Physical Address: 155 Durban Road, Bellville, 7530

Tel: (021) 949 0208

Fax: (021) 9491 1270

GENERAL INFORMATION 2.2

2.2.1	Name of Private Body: VENTANA CC T/A HIRE CITY
2.2.2	Registration No: CK 1986/0834/23
2.2.3	Vat Registration No. 4390107300
2.2.4	Postal Address: P O Box 2718, Bellville, 7530
2.2.5	Physical Address (or main place of business): 155 Durban Road, Bellville, 7530
2.2.6	Telephone Number: (021) 949 0208
2.2.7	Facsimile number: (021) 949 1270
2.2.8	E-mail address: reicher@iafrica.com
229	Website: N/A

PART II

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;

3.2

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.

PRIVATE BODY DOCUMENTS AND RECORDS

3.2.1	INC	ORPORATION D	OCUMENTS	AND REC	CORDS
3.2.1.1	20	Copies of documents	of the incorpo	ration	
3.2.1.2		Copies of the Constit	tution of the bu	siness	
3.2.1.3	18	Minutes of Managen	nent meetings	e	
3.2.1.4	3 .f. x:	Minutes of staff mee	tings	to run	: 80
3.2.2	FIN	ANCIAL DOCUM	ENTS AND I	RECORDS	
3.2.2.1		Regional Services Co	ouncil records	18	*
3.2.2.2	e = 2 A	Vat records			
	**************************************				*
3.2.2.3	3 × 3	Tax records		a (a)	
2 8	1, 2		10 E0	. E	
3.2.2.4		PAYE records			(.6)
3.2.2.5	10 H	UIF records			
3.2.2.6	<u> </u>	Stock records	a. a _r = 10	r ye	×
3.2.2.7	8	Asset Inventory			

3.2.2.8	Asset register	
3.2.2.9	Order forms	
3.2.2.10	Invoices	90 90 1
3.2.2.11	Financial statements	1 4 8 E
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	e 1
3.2.2.17	Cheque & Current Account	e" :
3.2.2.18	Call Account	
3.2.2.19	Financial statements	
3.2.3	OPERATIONAL DOCUMENTS AND	RECORDS
3.2.3.1	Motor vehicle licenses	
3.2.3.2	Work instruction manuals	
3.2.3.3	Application forms	CH H
3.2.3.4	Correspondence with customers	
3.2.3.5	Customer account records	
3.2.3.6	Records with regards to sales	
3.2.3.7	Strategy	10
3.2.3.8	Vision	
3.2.3.9	Action plans	9 62 9 5

3.2.3.10

Price lists

These records include, but are not limited to, the 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:

	14
3.2.4.1	Employment contracts
3.2.4.2	Application forms
3.2.4.3	Qualifications
3.2.4.4	Salary records
3.2.4.5	Leave records
3.2.4.6	Records relating to increases

3.2.4.7 Medical history

3.2.4.8 Disciplinary records

3.2.4.9 SETA records

3.2.4.10 Attendance register

3.2.4.11 Medical Aid

3.2.4.12 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, members, all permanent, temporary and part-time staff, as well as contract workers.

3.2.5 SAFETY RECORDS

3.2.5.1 Safety manual

3.2.5.2 Records of incidents

3.2.6 INFORMATION TECHNOLOGY RECORDS

3.2.6.1 Software programs

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
	which are available in accordance with certain legislation, is as follows:-
* - ** · ·	
3.2.7.1.1	Debt Collector's Act 114 of 1998
3.2.7.1.2	Labour Relations Act 66 of 1995
3.2.7.1.3	Employment Equity Act 55 of 1998
4 4	
3.2.7.1.4	Basic Conditions of Employment Act 75 of 1997
3.2.7.1.5	Compensation for Occupational Injuries and Diseases Act 130 of 1993
3.2.7.1.6	Constitution of SA Act 108 of 1996
X.	
3.2.7.1.7	Close Corporation Act 69 of 1984
3.2.7.1.8	Unemployment Insurance Act 63 of 2001
5.2.7.1.0	Chemployment insurance Act 05 of 2001
22710	CI-III- D1 A-40 -61000
3.2.7.1.9	Skills Development Act 9 of 1999
65 (6)	
(E) (E) (E) (E) (E)	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, 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; Requests for information that are clearly frivolous or vexatious, or which involve an 4.8 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.
- 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.

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.
- 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 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.
- 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.

DECISION 9

- 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 R	ECORDS OF	PRIVATE	BODY
-------------	-------------	-----------	---------	------

Section 53(1) of the Promotion of Access t	o Information Act, No	o 2 of 2000)	+	
*		0 2 01 2000)		
	(Regulation 4)			
± 10 € 10 € 10 € 10 € 10 € 10 € 10 € 10		e (6)	g	
A. Particulars of Private Body		127	10 II	
The Head:		<u>#</u>		No.
		-,		
				- 0
· v · ·			361 8 8	<i>i</i> .
3. Particulars of Person request	ting access to the rec	ord		
a) The particulars of the person who req	quests access to the re	cords must be	recorded below.	
b) Furnish an address and/or fax number	er in the Republic to w	vhich informa	tion must be sent.	to See
c) Proof of the capacity in which the req	quest is made, if appli	cable, must be	e attached.	
oull Name and Surname:dentity Number:				-
				-
Postal Address:				
Celephone Number:	Fax Nun	nber:		
E-mail address:				
Capacity in which request is made, when m	ade on behalf of anot	her person:	u e	
N S		* "		
			€ .	
to 1981	3			
C. Particulars of person of whos	se behalf request is n	nade:	" ist	96
This section must be completed only if a req	uest for information	is made on he	half of another perso	n
his section must be completed only if a req	uest for information i	is muue on oe	naij oj anomer perso	<u> </u>
			·	
			3	
full names and Surname:				

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. Th
,	requester must sign all the additional folios
	Description of the Record or relevant part of the record:
5	Reference number, if available:
la Tra	
	Any further particulars of the record:
	Tally Interest parameters of the 1999 to 1
	Fees:
1)	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.
)	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
	reasonable time required to search for and prepare a record.
i)	If 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:
•	Form of Access to the Record:

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

Disability:	Form i	in which record is required:
8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8		
Mark the appropriate box with an "X"	199 1 2	
Your indication as to the required forAccess in the form requested may be		on the form in which the record is available cumstances. In such a case you will be
informed if access will be granted in	4	tomorius desemble has the Grama in subjet assesses
requested.	ora, ij any, will be aet	termined partly by the form in which access
	*	
If the record is in written or printed	form:	
Copy of record *	· · · · · · · · · · · · · · · · · · ·	Inspection of record
	о ж ж	
If the record consists of visual image (This includes photographs, slides, vide	100	iter-generated images, sketches, etc.)
View the images	Copy of the images *	* Transcription of the images
	25 E	
If the record consists of recorded wo	rds or information v	which can be reproduced in sound:
Listen to the soundtrack (audio cassette)		Transcription of soundtrack * (written or printed document)
	, :	
If the record is held on computer or i	in an electronic or m	nachine-readable form:
Printed copy of record	Printed copy of information derived	Copy in computer readable form * (stiffy or compact

the record *

disc)

If you requested a copy or transcription of a recor opy or transcription to be posted to you?	ia (above), ao you wish i	he YES	NO
a postal fee is payable.			
G. Particulars of right to be exercised o	or protected:		
f the provided space is inadequate, please continue	of a separate folio and a	ttach it to this	form
The requester must sign all the additional folios	of a separate fone and		
ndicate which right is to be exercised or protected:		ħ	И
. Explain why the requested record is required	for the exercising or pro	tection of the	aforementioned
right:		# # # # # # # # # # # # # # # # # # #	
I. Notice of decision regarding request	t for access:		
You will be notified in writing whether your request the manner, please specify the manner.	st has been approved/der		
H. Notice of decision regarding request You will be notified in writing whether your request thereof in another manner, please specify the manner compliance with your request.	st has been approved/der		
You will be notified in writing whether your request thereof in another manner, please specify the manner compliance with your request.	st has been approved/den er and provide the neces	sary particula	rs to enable
You will be notified in writing whether your request the manner, please specify the manner.	st has been approved/den er and provide the neces	sary particula	rs to enable
You will be notified in writing whether your request nereof in another manner, please specify the mann ompliance with your request. How would you prefer to be informed of the decision.	st has been approved/den er and provide the neces	sary particula	rs to enable
You will be notified in writing whether your request nereof in another manner, please specify the mann ompliance with your request. How would you prefer to be informed of the decision.	st has been approved/denter and provide the neces	sary particula	o the record?
You will be notified in writing whether your request hereof in another manner, please specify the mann compliance with your request. How would you prefer to be informed of the decision of t	st has been approved/denter and provide the neces	sary particula	o the record?
You will be notified in writing whether your request hereof in another manner, please specify the mann compliance with your request. How would you prefer to be informed of the decision of t	st has been approved/denter and provide the neces	sary particular st for access to	o 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
•	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	9	
	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	26.5	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).

R

The applicable access fees which will be payable are:

•	For every photocopy of an A4-size page or part thereof	v	1,10
•	For every printed copy of an A4-size page or part thereof held on	63	
	a computer or in electronic or machine readable form		0,75

		R	
•	For a copy in a computer-readable form on	ä	
134	- Stiffy disc	7,50	
100	- 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	i i
•	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	X 153
	(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

TOLLA'S DAIRY CC

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

(Private Body)

INTRODUCTION 1

The Promotion of Access to Information Act, No 2 of 2000 ("the Act") was enacted on 3 1.1 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.

PURPOSE OF THE MANUAL: 1.2

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 TOLLA'S DAIRY CC a private body within the dairy and agricultural industry, for whom this manual is drafted.

PART I

2 CONTACT DETAILS

2.1 Information Officer: JOHANNES CHRISTIAAN JAKOBUS TOLKEN

Postal address:

P O Box 1677, Brackenfell, 7561

Physical Address: Saamstaan, Joostenbergvlakte

Tel: (021) 982 0495

Fax: (021) 982 0493

2.2 GENERAL INFORMATION

Name of Private Body: TOLLA'S DAIRY CC		90
Registration No: 1999/068978/23		
Vat Registration No. 4820187294		#11 90 00
Postal Address: P O Box 1677, Brackenfell, 7561		
Physical Address (or main place of business): Saamstaan, Jo	oostenbe	ergvlakte
Telephone Number: (021) 982 0495		¥
Facsimile number: (021) 982 0493	20)	
E-mail address: N/A	#1 #1	*
Website: N/A		* *
	Registration No: 1999/068978/23 Vat Registration No. 4820187294 Postal Address: P O Box 1677, Brackenfell, 7561 Physical Address (or main place of business): Saamstaan, Jo Telephone Number: (021) 982 0495 Facsimile number: (021) 982 0493 E-mail address: N/A	Registration No: 1999/068978/23 Vat Registration No. 4820187294 Postal Address: P O Box 1677, Brackenfell, 7561 Physical Address (or main place of business): Saamstaan, Joostenber Telephone Number: (021) 982 0495 Facsimile number: (021) 982 0493 E-mail 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.

3.2 PRIVATE BODY DOCUMENTS AND RECORDS

3.2.1 INCORPORATION DOCUMENTS AND RECORDS

N/A

3.2.2 FINANCIAL DOCUMENTS AND RECORDS

3.2.2.1	nou es,	Vat records
3.2.2.2	:# E3	Tax records
3.2.2.3		PAYE records
3.2.2.4		UIF records
3.2.2.5		Stock records
3.2.2.6		Asset inventory
3.2.2.7		Invoices
3.2.2.8		Statements
3.2.2.9		Delivery notes
3.2.2.10		Debit notes

Credit notes

3.2.2.11

464	No. 24332	GOVERNMENT GAZETTE, 7 FEBRUARY 2	003
	3.2.2.12	Cheque Account	
	3.2.2.13	Trust Account	
	3.2.2.14	Cash records	
	3.2.2.15	Annual Financial Statements	2 (4) A (4) A
	3.2.2.16	Financial documents	* * * * * * * * * * * * * * * * * * *
30 B	3.2.3	OPERATIONAL DOCUMENTS AND RECORDS	S
	3.2.3.1	Written product / service specifications Database of customers	
	3.2.3.3	Customer account records	
		These records include, but are not limited to, the Private Body's own affairs.	e records which pertain to the
	3.2.4	PERSONNEL DOCUMENTS AND RECORDS	
		Personal records provided by personnel (including permateut not limited to:	ment and temporary) including
	3.2.4.1	Employment contracts	
a	3.2.4.2	Application forms	a n N
	3.2.4.3	Qualifications	14 14 18 18 18
8	3.2.4.4	Leave records Disciplinary records	
×		"Personnel" refers to any person who works for, or prove the Private Body, and receives or is entitled to receive rem who assists in carrying out or conducting the business of the without limitation, members, all permanent, temporary a contract workers.	uneration and any other person the Private Body. This includes,
	3.2.5	SAFETY RECORDS	1
i i	3.2.5.1	Quality control test results	
*, *			w.,
	a a		

3.2.6 INFO	RMATION TECHNOLOGY RECORDS		
3.2.6.1	Software programs		
3.2.6.2	Bookkeeping and accounting package		
3.2.7 REC	CORDS REQUIRED IN TERMS OF LEGISLATION		
g ×			
3.2.7.1	A table of legislation setting out a description of the records of the Private Bo		
)// 	which are available in accordance with certain legislation, is as follows:-		
3.2.7.1.1	Labour Relations Act 66 of 1995		
3.2.7.1.2	Basic Conditions of Employment Act 75 of 1997		
, a			
3.2.7.1.3	Compensation for Occupational Injuries and Diseases Act 130 of 1993		
3.2.7.1.4	Insolvency Act 24 of 1936		
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	Income Tax Act 58 of 1962		
3.2.7.1.9	Close Corporation Act		
2 N 99 g	Reference to the above-mentioned legislation shall include subsequent amendments		
	to such legislation.		
3.2.8 OT	HER 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.		

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

- 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 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.
- 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.
- 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.

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

REQUEST FOR	ACCESS TO	RECORDS (OF PRIVATI	E BODY
-------------	-----------	-----------	------------	--------

(Section 52(1) of the Promotion of A		
Section 53(1) of the Promotion of Access to Information Act, No 2 of 2000))	
(Regulation 4)		W.
	3	
A. Particulars of Private Body	×	5555 LB
The Head:		
		* 5
B. Particulars of Person requesting access to the record	19	*
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 inform		
c) Proof of the capacity in which the request is made, if applicable, must		152
e, 1999 of the capacity in which the request is made, if applicable, must	ое анаспеи.	
NII N	4	
ull Name and Surname:	***	-
uentity Number:		
ostal Address:		
elephone Number: Fax Number:		
-mail address:		
apacity in which request is made, when made on behalf of another person:		
. 20	·	
Particulars of person of whose behalf request is made.		98
- m declare of person of whose behalf request is made:		
his section must be completed only if a request for information is made on b	ehalf of another pers	on
	(6	* .
ull names and Surname:		

D.	Particulars of Record:						
(a)	Provide full particulars of the record to which access is re	equested	l, includi	ng the	referenc	ce numb	er if
	that is known to you, to enable the record to be located.				12		
(b)	If the provided space is inadequate please continue on a s	separate	folio an	d attac	h it to th	is form.	The
` .	requester must sign all the additional folios		* .		0		
	Desired the Desired or relevant most of the re-	oord:	* ,		5,5		8.0
1.	Description of the Record or relevant part of the rec	cora.				ë.,	
-							1
							-
	3 1						_
		3.7	41	*		90	
2.	Reference number, if available:		7.				
- 57						H 6	
2.	Any further particulars of the record:		. V - 10				
•	7 m.y 10 m.			8 G	A.0		4
×:							
				*	· ·		34,
E.	Fees:		- 55				
(a)	A request for access to a record, other than a record con	taining p	personal	inform	ation al	bout you	ırself,
.,	will be processed only after a request fee has been paid.					100	
(b)	You will be notified of the amount of the request fee.			(6)		8 S	
	The fee payable for access to a record depends on the for	rm in wh	hich the d	access i	is requi	red and	the
(c)	reasonable time required to search for and prepare a rec	33				- P	
			to the rec	reon th	erefore		
(d)	If you qualify for exemption of the payment of any fee, pla	euse siui	ie me rec		er ejore.		
*	a d	38	25	*		1	ar.
Reas	son for exemption of payment of the fee:			9			
		and "					
THE STREET							
1		3 2					0
F.	Form of Access to the Record:			190		#E	
	**************************************	V-120	8	(%)		æ	

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

Disabi	lity:			rom m	ATTICIT LECOI	d is required:	ŷ.
						7	-
-						187	
						15	
				J.,			
	· a					- *	
-	(%)		0	*:			76
Mark t	he appropriate box w	ith an "X"		.0			1
VOTES	S:			14	300	4	
a) Yo	ur indication as to th	e required	form of access	depends on	the form in	which the re	cord is available.
b) <i>Ac</i>	cess in the form requ	ested may	be refused in ce	rtain circun	nstances.	n such a case	you will be
	formed if access will b				10		*
c) Th	e fee payable for acco	ess to the r	record, if any, w	ill be detern	nined parti	v by the form	in which access i
	quested.		,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,			, 0,,0	
111							0 243
		1		19			
							E
. If th	ne record is in writte	n or print	ted form:				
	Copy of record *				Inspection	of record	
	Copy of record *		4		Inspection	of record	
#2		visual ima			Inspection	of record	
. If th	ne record consists of	to and to	ages:	s, computer			hes, etc.)
. If th		to and to	ages:	1000		images, sketc	hes, etc.)
. If th	ne record consists of	to and to	ages: video recording:	1000		images, sketc	
. If th	ne record consists of	to and to	ages: video recording:	1000		images, sketc	
. If th	ne record consists of	to and to	ages: video recording:	1000		images, sketc	
If th	ne record consists of is includes photograph View the images	hs, slides, v	ages: video recording: Copy of the	images *	-generated	images, sketc	on of the images
. If th	ne record consists of	hs, slides, v	ages: video recording: Copy of the	images *	-generated	images, sketc	on of the images*
If th	ne record consists of includes photograph. View the images	hs, slides, v	ages: video recording: Copy of the	images *	-generated ch can be	images, sketc Transcription	on of the images* n sound: ack *
. If th	record consists of s includes photograph View the images	hs, slides, v	ages: video recording: Copy of the	images *	-generated ch can be	images, sketc	on of the images* n sound: ack *
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If th	te record consists of a includes photograph. View the images the record consists of the Listen to the sound (audio cassette)	recorded v	ages: video recording: Copy of the	mation whi	ch can be Transcript (written or	images, sketc Transcription reproduced in ion of sounds printed documents.	on of the images* n sound: ack *
If the	record consists of s includes photograph View the images record consists of Listen to the sound (audio cassette)	recorded vitrack	ages: video recordings Copy of the words or inform or in an electro	mation whi	ch can be Transcript (written or	images, sketc Transcription reproduced in ion of sounds printed documents	on of the images* n sound: ack * ment)
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If you requested a copy of	r transcription of a record (al	bove), do you wish the	YES	NO
opy or transcription to be	posted to you?	E		
A postal fee is payable.				
	W - W	20		
G. Particulars of	right to be exercised or pr	otected:	•	
9 4	×	8	-	
7.7	dequate, please continue of a	s senarate folio and attach	it to this form	,
I the provided space is ma The requester must sign at		separate folio and atmos	10 00 000	-
The requester must sign in				
Indicate which right is to b	e exercised or protected:			٠.
		i.		
	res g		0	
 Explain why the requirement. 	uested record is required for	the exercising or protection	n of the afore	ementioned
right:			1.50	
H. Notice of dec	ision regarding request for	access:		8,0
		е п	If you wish to	be informe
You will be notified in wri	ting whether your request ha	s been approved/denied.		
You will be notified in wri	ting whether your request hat please specify the manner a	s been approved/denied.		
You will be notified in wri	ting whether your request hat please specify the manner a	s been approved/denied.		
You will be notified in wri thereof in another manner, compliance with your requ	ting whether your request hat please specify the manner at test.	is been approved/denied. Indicate the necessary part of the neces	particulars to	enable
You will be notified in wri thereof in another manner, compliance with your requ	ting whether your request hat please specify the manner a	is been approved/denied. Indicate the necessary part of the neces	particulars to	enable
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You will be notified in writhereof in another manner, compliance with your required with your required with your prefer to be	ting whether your request hat please specify the manner at lest. De informed of the decision recommendation in the decision recommendation recomm	is been approved/denied. Indicate the necessary properties of the necessary propertie	access to the	record?
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You will be notified in writhereof in another manner, compliance with your required with your required with your prefer to be	ting whether your request hat please specify the manner at lest. De informed of the decision recommendation in the decision recommendation recomm	is been approved/denied. Indicate the necessary properties of the necessary propertie	access to the	record?
You will be notified in writhereof in another manner, compliance with your required with your required with your prefer to be	ting whether your request hat please specify the manner at lest. De informed of the decision recommendation of the decision of	is been approved/denied. Indicate the necessary properties of the necessary propertie	access to the	record?
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You will be notified in writhereof in another manner, compliance with your required with your required with your prefer to be	ting whether your request hat please specify the manner at lest. De informed of the decision recommendation of the decision of	as been approved/denied. Ind provide the necessary processes and provide the necessary process and provide the necessary process. The provide the necessary provide the necess	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:

361		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	227
	- 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		12
	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	93	70,00
•	A transcription of visual images, for an A4-size page or part thereof		40,00
•	For a copy of visual images	3	60,00
•	A transcription of an audio record, for an A4-size page or part thereof	ñ(20,00
•	For a copy of an audio record		30,00
•	To search for a record that must be disclosed		30,00
£0.	(per hour or part of an hour reasonably required for such search)		瓷
_	Where a conv 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

J H VAN DER MERWE

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 J H VAN DER MERWE a private body within the agricultural industry, for whom this manual is drafted.

PART I

2 CONTACT DETAILS

I DER MERWE
١

Postal address:

P O Box 47, Koue Bokkeveld, 6836

Physical Address: Kalifornie, Koue Bokkeveld

Tel: 023-317 0250

Fax: N/A

2.2 GENERAL INFORMATION

2.2.1	Name of Private Body: J H VAN DER MERWE
2.2.2	Registration No: N/A
2.2.3	Vat Registration No. 4720113218
2.2.4	Postal Address: P O Box 47, Koue Bokkeveld, 6836
2.2.5	Physical Address (or main place of business): Kalifornie, Koue Bokkevelo
2.2.6	Telephone Number: 023-3170250

2.2.7 Facsimile number: N/A

2.2.8 E-mail address: N/A

2.2.9 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

RECORDS OF THE PRIVATE BODY 3.1

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

EDS

3.2.1	INCORPORATION	N DOCUMENTS AND RECOR
.5	NOT APPLICABLE	
3.2.2	FINANCIAL DOC	UMENTS AND RECORDS
3.2.2.1	Vat records	
3.2.2.2	Tax records	
3.2.2.3	PAYE records	
3.2.2.4	UIF records	
3.2.2.5	Order forms	
3.2.2.6	Statements	

Cheque account 3.2.2.7

Annual Financial Statements and budgets 3.2.2.8

OPERATIONAL DOCUMENTS AND RECORDS 3.2.3

Europ Gap Compliance documentation 3.2.3.1

Work instruction manuals 3.2.3.2

480	No. 24332	GOVERNMENT GAZETTE, 7 FEBRUARY 2003
		GOVERNMENT GAZETTE, 7 FEBRUARY 2003
	3.2.3.3	Customer account records
	3.2.3.4	Records relating to sales
	3.2.3.5	Records relating to production
	* A	resolves resisting to production
	3 2	These records include, but are not limited to, the records which pertain to the
	2	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	Employment contracts
	2.1	
*	3.2.4.2	Application forms
	3,2,4.3	Qualifications
	3.2.4.4	Salary records
	3.2.4.5	Leave records
	3.2.4.6	Disciplinary records
	3.2.4.7	Medical history records
	3.2.4.8	Training records
0	3.2.4.9	Written Workplace Skills Plan
	3.2.4.10	SETA records
	3.2.4.11	Attendance register
2	3.2.4.12	Attendance register for training purposes
	3.2.4.13	Records relating to deductions
98 20 21	e S	"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, all permanent, temporary and part-time staff, as well as contract and/or seasonal workers.
V	3.2.5	SAFETY RECORDS
10	3.2.5.1	Records relating to incidents in the work place

3.2.5.2	Records relating to the Occupational Health & Safety Act
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
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:-
3.2.7.1.1	Labour Relations Act 66 of 1995
3.2.7.1.2	Basic Conditions of Employment Act 75 of 1997
3.2.7.1.3	Firearms Control Act 60 of 2000
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 89 of 1991
3.2.7.1.7	Skills Development Act 9 of 1999
36	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 may 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.

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.
- 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 -
- The record or records requested; 6.3.1
- 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.
- 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 BOD	REC	DUEST FOR	ACCESS	TO	RECORDS	OF	PRIV	ATE I	BOD
--	-----	-----------	--------	----	---------	----	------	-------	-----

Sect	ion 53(1) of the Promotion of Access to Information Act, No 2 of 2000)
	(Regulation 4)
4.	Particulars of Private Body
Γhe I	Head:
1	
3.	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.
Posta	ity Number:
	phone Number: Fax Number:
	il address:
Capa	city in which request is made, when made on behalf of another person:
c.	Particulars of person of whose behalf request is made:
his .	section must be completed only if a request for information is made on behalf of another person
ull 1	names and Surname:

- 11	n
D.	Particulars of Record:

(a)	Provide full particulars of the record to which access is reques	sted, including the refere	nce 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. The requester must sign all the additional folios

	requester must sign all the additional folios			27,
			1.	F
1.	Description of the Record or relevant part of the record:	ing in	6 8 8	27 - 18 20 - 20 - 10
		1 44	6) 7)	5. N. N.
			4 F	
2.	Reference number, if available:	natta si		. in
۷.	Reference number, it available.			1 .
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2.	Any further particulars of the record:	ž		
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E.	Fees:	107	(55) (5)	12 NE
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(a)	A request for access to a record, other than a record containing	g personai	injormation t	iooui yourseij,
	will be processed only after a request fee has been paid.		*	
(b)	You will be notified of the amount of the request fee.	N W 2		
(c)	The fee payable for access to a record depends on the form in v	which the	access is requ	ired and the
9	reasonable time required to search for and prepare a record.			
(d)	If you qualify for exemption of the payment of any fee, please st	tate the rec	ison therefore	
Reas	on for exemption of payment of the fee:	100		
		¢2		
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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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will be determine	neu partiy by the form in which access i
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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
•	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			2.0
55	computer or in electronic or machine readable form			0,75
•	For a copy in a computer-readable form on	100 400		ā
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		10
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		R
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60	- Compact disc	70,00
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•	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)	4.
•	Where a copy of a record needs to be posted the actual postal fee is payable.	1 -1

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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 NAUDE FAMILIE 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.

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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 NAUDE FAMILIE TRUST a private body within the farming industry, for whom this manual is drafted.

PART I

CONTACT DETAILS

2.1 Information Officer: DAVID J NAUDE

Postal address:

P O Box 365, Worcester, 6849

Physical Address: Excelsior Overhex, Worcester, 6850

Tel: (023) 342 1260

Fax: (023) 347 1434

2.2 **GENERAL INFORMATION**

Website: N/A

2.2.9

2.2.1	Name of Private Body: DAVID NAUDE FAMILIE TRUST
2.2.2	Registration No: IT332/97
2.2.3	Vat Registration No. 4480163924
2.2.4	Postal Address: P O Box 365, Worcester, 6849
2.2.5	Physical Address (or main place of business): Excelsior, Overhex, Worcester, 6850
2.2.6	Telephone Number: (023) 342 1260
2.2.7	Facsimile number: (023) 347 1434
2.2.8	E-mail address: dinaude@mweb.co.za

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,

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

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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

NOT APPLICABLE

3.2.2 FINANCIAL DOCUMENTS AND RECORDS

		290	
3.2.2.1		Regional Service	es Council records
3.2.2.2		VAT records	
3.2.2.3		Tax records	
. J. L. L. J		Tax records	
3.2.2.4	(i) (i)	PAYE records	
3.2.2.5		UIF records	10 NR NR
3.2.2.6		Asset inventory	* *
4.4	98	3.5	
3.2.2.7		Asset register	49.
3.2.2.8	. (4)	Invoices	pa 1
3.2.2.9		Statements	5 %
3.2.2.10		Savings Account	[SI]

Savings Account

Cheque Account

3.2.2.11

6	No. 24332	GOVERNMENT GAZETTE, 7 FEBRUARY 2003	
	3.2.2.12	Current Account	1 50
80	3.2.2.13	Annual Financial Statements	
	40 @	Please note – above-mentioned records available from Accounts Officer	
	3.2.3	OPERATIONAL DOCUMENTS AND RECORDS	:: ::
	3.2.3.1	License in respect of water irrigation	88
	3.2.3.2	Europ Gap Compliance documentation	
	3.2.3.3	Records relating to production	
	z *	The above records include, but are not limited to, the records which pertain to the	ıe
		Private Body's own affairs.	95
	3.2.4	PERSONNEL DOCUMENTS AND RECORDS	19
Œ.		Personal records provided by personnel (including permanent and temporary) including but not limited to:	g
	3.2.4.1	Employment contracts	40
	3.2.4.2	Application forms	,
	3.2.4.3	Qualifications	
	3.2.4.4	Salary records	
	3.2.4.5	Leave records	
	3.2.4.6	Records relating to increases Disciplinary records	
	3.2.4.8	Medical history records	
9	3.2.4.9	SETA records	
	3.2.4.10	Attendance register	*
	3.2.4.11	Provident fund records	
	3.2.4.12	Trade Union records	
	3.2.4.13	Collective Agreement	

3.2.4.14	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, trustee, all permanent, temporary and part-time staff, as well as
*:	contract and/or seasonal workers.
3.2.5	SAFETY RECORDS
3.2.5.1	Recording relating to incidents
3.2.5.2	Records relating to the Occupational Health and Safety Act
3.2.6	INFORMATION TECHNOLOGY RECORDS
	NOT APPLICABLE
降	
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
	which are available in accordance with certain legislation, is as follows:-
E	
3.2.7.1.1	Deeds Registries Act 47 of 1937
	Davis Gardidians of Employment Act 75 of 1997
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	Unemployment Insurance Act 63 of 2001
3.2.7.1.5	Value Added Tax Act 89 of 1991
n * 5	
85	Reference to the above-mentioned legislation shall include subsequent amendments
8	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 accountant, 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 withou 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;

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

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

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 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.
- 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.

Identiteits Nommer:

AANHANGSEL-1

VOORGESKREWE VORM TER VOLTOOIING DEUR DIE AANVRAER

VORM B

(Arti	el 53(1) van die Wet op die Bevordering van Toegang tot Inligting, 2 of 2000)
	(Regulasie 4)
A.	Besonderhede van die private instansie
Die I	200V
	
в.	Besonderhede van die persoon wat die versoek rig tot insae in die rekord
(a)	Die besonderhede van die persoon wat toegang tot die rekords versoek moet hieronder aangeteken word.
(b)	Verskaf 'n adres en/of 'n faks nommer in die Republiek waarna die inligting gestuur moet word.
(c)	Bewys van die kapasiteit waarin die versoek gerig word, indien van toepassing, moet aangeheg wor
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	onnommer: Faks nommer:
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c .	Besonderhede van die persoon namens wie die versoek gerig word:
lierd	gedeelte moet slegs voltooi word indien inligting versoek word namens 'n ander persoon

D.	Besonderhede van die rekord:
(a)	Verskaf volle besonderhede van die rekord waartoe toegang versoek word, insluitend die
	Pverwysingsnommer indien bekend aan u, ten einde in staat te wees om die rekord te allokeer.
(b)	Sou die spasie voorsien nie voldoende wees nie, gaan voort op 'n aparte folio en heg aan tot hierdie
	vorm. Die aanvraer moet al die addisionele folios onderteken.
1.	Beskrywing van die rekord of relevante gedeelte daarvan:
45	
2.	Verwysings nommer, indien beskikbaar:
2.	Enige verdere besonderhede van die rekord:
E.	Foole:
(a)	'n Versoek tot toegang tot 'n rekord, anders as 'n rekord wat persoonlike inligting bevat aangaande
	uself,sal slegs verwerk word nadat 'n versoekfooi betaal is.
(b)	U sal in kennis gestel word aangaande die bedrag van die versoekfooi.
(c)	Die fooi betaalbaar vir toegang tot 'n rekord sal afhang van die vorm waarin die toegang tot die
	inligting versoek word sowel as die redelike tyd vereis in die soektog en voorbereiding van die rekord.
(d)	Sou u kwytskelding geniet ten aansien van die betaling van enige fooi, dui die rede daarvoor aan
2	hieronder.
Rede	vir die kwytskelding van die betaling van 'n fooi:
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AANHANGSEL - 2

REPRODUKSIE FOOIE

Waar die aangevraagde dokumente in Aanhangsel 1 verskyn i.e waar die instansie vrywilliglik die Minister verskaf het met 'n lys van die kategorieë rekords, wat automaties beskikbaar sal wees aan enige persoon wat toegang daartoe versoek, sal die enigste fooie wat gehef sal kan word daarop, die koste vir die reproduksie daarvan wees.

DIE TOEPASLIKE FOOIE VIR REPRODUKSIE SO HIERBO GENOEM:

R

•	Vir elke kopie van 'n A4-grootte bladsy of gedeelte daarvan	1	1,10
•	Vir elke kopie van 'n A4-grootte bladsy of gedeelte daarvan soos gehou op 'n rek	enaar o	f elektroniese-
0	masjien leesbare vorm		0,75
•	Vir 'n kopie op rekenaar leesbare vorm op		
	- "Stiffy" skyf		7,50
	- Kompakskyf	7	70,00
•	'n Transkripsie van visuele beeldmateriaal, vir 'n A4-grootte bladsy of gedeelte d	aarvan	
			40,00
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•	'n Transkripsie vanaf 'n klankbaan, vir 'n A4-grootte bladsy of gedeelte daarvan	0.	20,00
•	Vir 'n kopie van 'n klankbaan		30,00
	A 6.		

Versoek fooie:

Waar die aanvraer toegang tot insae in inligting aanvra soos gehou deur 'n instansie of 'n persoon anders As die aanvraer hom-/haarself, sal 'n versoekfooi gehef word in die bedrag van R 50.00 wat voor-af betaalbaar sal wees en waarsonder die instansie nie die versoek verder sal verwerk nie.

Toegangsfooie:

Hierdie fooi is betaalbaar in alle gevalle waar die versoek tot insae in die inligting toegestaan word, behalwe waar die betaling van 'n toegangsfooi spesifiek uitgeluit word in terme van die Wet of soos bepaal deur die Minister in terme van artikel 54(8).

Die toepaslike fooie soos hierbo genoem:

R

Vir elke kopie van 'n A4-grootte bladsy of gedeelte daarvan

- 1,10
- Vir elke kopie van 'n A4-grootte bladsy of gedeelte daarvan soos gehou op 'n rekenaar of elektroniese-,
 masjien leesbare vorm
- · Vir 'n kopie op rekenaar leesbare vorm op

9	- "Stiffy" skyf	7,50	
	- Kompakskyf	70,00	
•	'n Transkripsie van visuele beeldmateriaal, vir 'n A4-grootte bladsy of gedeelte daarvan		10
		40,00	
•	Vir 'n kopie van visuele beeldmateriaal	60,00	
•	'n Transkripsie vanaf 'n klankbaan, vir 'n A4-grootte bladsy of gedeelte daarvan	20,00	
•	Vir 'n kopie van 'n klankbaan	30,00	
•	Vir die soektog na 'n rekord wat openbaar moet word	30,00 per	
	uur of gedeelte daarvan soos redelikerwys vereis kan word vir so 'n soektog	39	
•	Waar 'n kopie van die rekord per pos gestuur moet word, die werklike) (42) 19)	
	versendingskoste.		

Deposito's:

Waar die instansie 'n versoek ontvang vir toegang tot inligting van inligting anders as die aanvraer hom-/haarself en die data beampte is by ontvangs van die versoek van oordeel dat die voorbereiding van die vereiste rekord vir openbaarmaking langer as ses (6) ure sal neem, sal hy 'n deposito vanaf die aanvraer versoek.

Die bedrag van die deposito is gelykstaande aan 1/3 (een derde) van die bedrag van die toepaslike toegangsfooi.

Neem kennis: In terme van Regulasie 8, moet Belasting op Toegevoegde Waarde (BTW) bygevoeg word vir alle fooie voorgeskryf in terme van die Regulasies.

MANUAL

of

DJ BOSMAN TRANSPORT (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 DJ BOSMAN TRANSPORT (PTY) LTD a private body within the transport 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 Officer: MR COENRAAD LODEWYK BESTER

Postal address: P O Box 90, Grabouw, 7160

Registered address:

Industrial Road, Grabouw

Physical Address: Industrial Road, Grabouw

Tel: (021) 859 2608

Fax: (021) 859 4785

Email address: djbosma1@mweb.co.za

GENERAL INFORATION 2.2

2.2.1	Name of Private Body: DJ BOSMAN TRANSPORT (PTY) LTD
2.2.2	Head of Private Body: Mr Hermanus Abram Bosman
2.2.3	Registration No: 1980/009748/07
2.2.4	Vat Registration No. 4260108073
2.2.5	Postal Address: P O Box 90, Grabouw, 7160
2.2.6	Physical Address (or main place of business): Industrial Road, Grabouw
2.2.7	Telephone Number: (021) 859 2608
2.2.8	Facsimile number: (021) 859 4785
2.2.9	E-mail address: djbosma1@mweb.co.za

PART I

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 the Memorandum and Articles of Association
3.2.1.4	Minutes of Board of Directors meetings

3.2.1.5	Minutes of Shareholders' 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
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 (debtors and creditors)
3.2.2.11	Statements (debtors and creditors)
3.2.2.12	Proof of delivery forms
3.2.2.13	Proof of payment records including cheques
3.2.2.14	Goods returned vouchers agreements
3.2.2.15	Debit notes
3.2.2.16	Credit notes
3.2.2.17	Cheque Account / Current Account
3.2.2.18	Call Account
3.2.2.19	Investment account
3.2.2.20	Cheque vouchers

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	3.2.2.21	Loan accounts	and the second
	3.2.2.22	Cash records	
	3.2.2.23	Instalment sale agreements	in the state of th
	3.2.2.24	Bank statements	
	3.2.2.25	Financial statements including budgets and management	at accounts.
	3.2.3 OPF	CRATIONAL DOCUMENTS AND RECORDS	
	3.2.3.1	Promotional material	
	3.2.3.2	Licences including vehicles and transport	
	3.2.3.3	Internal telephone directory	
	3.2.3.4	Database of customers	
	3.2.3.5	Correspondence with customers	
	3.2.3.6	Customer account records	
	3.2.3.7	Records with regards to sales including analysis	
	3.2.3.8	Records with regards to scheduling and supply of good	s / services
	3.2.3.9	Price lists	
	3.2.3.10	Records relating to customer complaints / assessments	e e e e e e e e e e e e e e e e e e e
	3.2.3.11	Records pertaining to costing / quoting	
		These records include, but are not limited to records Body's own affairs.	which pertain to the Private
	3.2.4 PER	SONNEL DOCUMENTS AND RECORDS	2 °
		onal records provided by personnel (including permoyees) including but not limited to:	anent and limited duration
	3.2.4.1	Employment contracts	2 8° =
	3.2.4.2	Application forms	E 2

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3.2.4.0		Disciplinary codes and	records		St.	8
3.2.4.7		Medical history		Company (C)		
3.2.4.8		Employment Equity Pla	an .		38 8	
3.2.4.9		Work Skills Plan				
3.2.4.10		SETA records	$\epsilon = \frac{\epsilon}{v_i - c^2}$		v J	
3.2.4.11		Attendance register				
3.2.4.12		Bargaining Council reco	ords including exemption	B ==		
3.2.4.13		Trade Union records	10 10	(F)	# #	
3.2.4.14		Provident Fund			ALC IN	
3.2.4.15		Unemployment Insuran	ce	1/2	1"	
3.2.4.16		Medical Aid	n a	32	59	94
3.2.4.17		Records relating to dedu	ictions		0)	
	the l who with	rsonnel" refers to any per Private Body, and receives assists in carrying out or tout limitation, directors, a kers from time to time.	s or is entitled to receive conducting the business of all permanent, limited dur	remuneration of the Private	and any oth Body. This	er person includes,
3.2.5	SAI	FETY RECORDS			*	
3.2.5.1	2%	Safety manual	s		F1 3	
3.2.5.2		Records relating to incid	lents			
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3.2.5.3		Records relating to inspe	ection	18	i	

Records in terms of the Occupational Health and Safety Act

Records in terms of the Commission for Occupational Injuries and Diseases

3.2.6 INFORMATION TECHNOLOGY RECORDS

3.2.6.1 Licences

3.2.5.4

3.2.5.5

3.2.6.2	Software programs
3.2.6.3	Software applications
3.2.6.4	Computer generated databases
3.2.6.5	Outlook Express
3.2.6.6	Internet connectivity reports
3.2.7 REC	ORDS REQUIRED IN TERMS OF LEGISLATION
3.2.7.1	A list of certain legislation setting out a description of the records of the Private
to State y	Body which are available in accordance with such legislation, is as follows:-
8 90	
3.2.7.1.1	Labour Relations Act 66 of 1995
3.4	
	D 4 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 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	Compensation for Occupational Injuries and Diseases Act 130 of 1993
3.2.7.1.5	Insolvency Act 24 of 1936
3.2.7.1.6	Constitution of SA Act 108 of 1996
3.2.7.1.7	Companies Act 61 of 1973
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3.2.7.1.8	Unemployment Insurance Act 63 of 2001
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3.2.7.1.9	Value Added Tax 89 of 1991
3.2.7.1.10	Skills Development Act 9 of 1999
(a) 3 (a) (b)	
3.2.7.1.11	Income Tax Act 58 of 1962
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and the second	Reference to the above-mentioned legislation shall include subsequent amendments
	to such legislation and all relevant sections within such legislation in terms of
s * % %	which the private body holds records.
3.2.8 OTB	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;

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

- 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.
- 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.
- 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.

PRESCRIBED FORM TO BE COMPLETED BY A REQUESTER

FORM B

REC	DUEST FOR	ACCESS TO	RECORDS	OF PRIVAT	E RODY
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(Section 53(1) of the Promotion of Access to	Information Act, No 2 of 2000)	
9 W	(Regulation 4)	E.
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A. Particulars of Private Body		*
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B. Particulars of Person requestin	ng access to the record	×
(a) The particulars of the person who reque	ests access to the records must be re	ecorded below.
(b) Furnish an address and/or fax number		
(c) Proof of the capacity in which the reque		30
	, y -FF,	
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Full Name and Surname:		4 2
dentity Number:		
Postal Address:	P No. 1	
Telephone Number:		
B-mail address:		
Capacity in which request is made, when made	e on behalf of another person:	
	*	† (1)
C. Particulars of person of whose b	behalf request is made:	# 12 12
		16 G
This section must be completed only if a reque	est for information is made on behal	f of another person
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Full names and Surname:		
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dentity Number:		1

Particulars of Record:
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known to you, to enable the record to be located.
provided space is inadequate please continue on a separate folio and attach it to this form. The
ster must sign all the additional folios
Description of the Record or relevant part of the record:
Reference number, if available:
and the second s
Any further particulars of the record:
Fees:
uest for access to a record, other than a record containing personal information about yourself,
e processed only after a request fee has been paid.
vill be notified of the amount of the request fee.
ee payable for access to a record depends on the form in which the access is required and the
nable time required to search for and prepare a record.
qualify for exemption of the payment of any fee, please state the reason therefore.
exemption of payment of the fee:
Form of Access to the Record:
revented 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.

	Form in v	which record is required:
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		100
Mark the appropriate box with an ">	Ċ"	F. S.
NOTES:	W (#)	V
a) Your indication as to the require	ed form of access depends on	the form in which the record is available.
b) Access in the form requested ma	y be refused in certain circun	nstances. In such a case you will be
informed if access will be grante	ed in another form.	
c) The fee payable for access to the	e record, if any, will be detern	nined partly by the form in which access is
requested.	a la cama commence	
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	*	
. If the record is in written or pri	nted form:	
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		generated images, sketches, etc.) Transcription of the images*
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View the images If the record consists of recorde Listen to the soundtrack (audio cassette) If the record is held on compute	copy of the images * d words or information whi	Transcription of the images* ch can be reproduced in sound: Transcription of soundtrack * (written or printed document) hine-readable form: Copy in computer readable

	a record (above),	do you wish the	YI	ES	NO
copy or transcription to be posted to you?			8 1		
A postal fee is payable.	11 A 3.7				
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G. Particulars of right to be exerc	ised or protecte	d:			
	-			100	
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f the provided space is inadequate, please co	entinue of a senar	ate folio and atta	ch it to t	his form	
The requester must sign all the additional fo	926				0 - 9
the requester must sign an the additional jo	***************************************				
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indicate which right is to be exercised or pro-	tected:	er alleria	A STATE		
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. Explain why the requested record is re	quired for the ex	ercising or protec	tion of t	he aforem	entioned
right:	•				
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hereof in another manner, please specify the compliance with your request. How would you prefer to be informed of the	manner and providecision regarding this	ride the necessary	y particu	to the rec	ord?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:

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		1
•	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	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	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:

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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 computer or in electronic or machine readable form	0,75

1		R	100
•	For a copy in a computer-readable form on	$(s_1,\ldots,s_r) \leftarrow s_r$	
	- 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	. W.
•	A transcription of an audio record, for an A4-size page or part thereof	20,00	see ja
•	For a copy of an audio record	30,00	92
•	To search for a record that must be disclosed	30,00	e e v
	(per hour or part of an hour reasonably required for such search)		ti
•	Where a copy of a record needs to be posted the actual postal fee is payable.	8 8	

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

DURO SKRYNWERKERS CC t/a HENRY'S POOLTABLE

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 DURO SKRYNWERKERS CC T/A HENRY'S POOLTABLE a close corporation which operates as a manufacturer 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

CONTACT DETAILS

2.1 Information Officer: **CORNELIUS DURING**

Postal address:

P O Box 292, Parow

Registered address:

9 Jones Street, Parow East, Parow

Physical Address: 9 Jones Street, Parow East, Parow

Tel: (021) 939 2147

Fax: (021) 939 2147

Email address: henrypool@mweb.co.za

2.2 Deputy Information Officer: ANN-MARIE DURING

Postal address: P O Box 292, Parow

Registered address:

9 Jones Street, Parow East, Parow

Physical Address: 9 Jones Street, Parow East, Parow

Tel: (021) 939 2147

Fax: (021) 939 2147

Email address: henrypool@mweb.co.za

Website: NOT APPLICABLE

2.3 **GENERAL INFORMATION**

2.3.10

- 42 *40			E	
2.3.1	Name of Private Body: DURO SKRYNWERKERS CC T/A I	HENRY'S	POOLTABLE	
2.3.2	Head of Private Body: Cornelius During	9		
2.3.3	Registration No: CK NO 1997/09494/23			
2.3.4	Vat Registration No. 4030132239		1	
2.3.5	Postal Address: P O Box 292, Parow	X: (290)	3	
2.3.6	Physical Address (or main place of business): 9 Jones Street, I	Parow East	, Parow	
2.3.7	Telephone Number: (021) 939 2147	(e)	*	
2.3.8	Facsimile number: (021) 939 2147		:	
2.3.9	E-mail address: henrypool@mweb.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

Copies of Members Association Agreements

3.2.2 FINANCIAL DOCUMENTS AND RECORDS

3.2.2.1 Regional Services Council records

530	No. 24332	GOVERNMENT GAZET	TE, 7 FEBRUARY 2003
	3.2.2.2	Vat records	
	3.2.2.3	Tax records	* · · · · · · · · · · · · · · · · · · ·
	3.2.2.4	PAYE records	
	3.2.2.5	UIF records	re un
6	3.2.2.6	Stock records	8
	3.2.2.7	Asset inventory	
	3.2.2.8	Asset register	
	3.2.2.9	Order forms	
	3.2.2.10	Invoices	
a X	3.2.2.11	Proof of delivery forms	
	3.2.2.12	Goods received vouchers	2 8 E
	3.2.2.13	Goods returned vouchers	
1	3.2.2.14	Debit notes	*
	3.2.2.15	Credit notes	
	3.2.2.16	Cheque Account	(90)
	3.2.2.17	Cash records	38
	3.2.2.18	Financial reporting	
. IT	3.2.2.19	Financial documents	
	3.2.3	OPERATIONAL DOCUMENT	TS AND RECORDS
4	3.2.3.1	Customer account records	а
2	3.2.3.2	Records with regards to sales	
	3.2.3.3	Price lists	

3.2.3.4 Records pertaining to costing and quoting

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	4. 3. 1. 1	Employment contracts
3.2.4.2	** * * * * * *	Application forms
3.2.4.3	* * * * * * * * * * * * * * * * * * *	Qualifications
3.2.4.4		Salary records
3.2.4.5	874	Leave records
3.2.4.6		Records relating to increases
3.2.4.7		Disciplinary records
3.2.4.8		Attendance register
3.2.4.9		Bargaining Council records
3.2.4.10		Provident Fund
3.2.4.11		Unemployment Insurance
3.2.4.12		Medical Aid
3.2.4.13		Trade Union details and records
3.2.4.14	in a	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, members, all permanent and limited duration staff, as well as contract workers.

3.2.5 SAFETY RECORDS

NOT APPLICABLE

*		(i)
3.2.6	INFORMATION TECHNOLOGY RECORDS	
3.2.6.1	Software programs	
3.2.6.2	Inter-company emails	
3.2.6.3	Internet connectivity reports	
3.2.7	RECORDS REQUIRED IN TERMS OF LEGISLATION	Ü
		T.
3.2.7.1	A list of certain legislation setting out a description of the rec	cords of the Private
	Body which are available in accordance with such legislation, is	
		Ĩ
3.2.7.1.1	Short Term Insurance Act 53 of 1998	e S
	a a	
3.2.7.1.2	Labour Relations Act 66 of 1995	9 2 2
		To the second se
3.2.7.1.3	Employment Equity Act 55 of 1998	¥1
		10 10
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	R A
3.2.7.1.6		
3.2.7.1.0	Compensation for Occupational Injuries and Diseases Act	130 of 1993
	Deference to the character of the late of the character of	3
57*	Reference to the above-mentioned legislation shall include subse	(55)
	to such legislation and all relevant sections within such legis	slation in terms of
0	which the private body holds records.	r.
3.2.8	OTHER PARTY RECORDS	
3.2.8.1	Personnel, customer or Private Body records which are held by opposed to the records held by the Private Body itself;	y another party, as
3.2.8.2	Records held by the Private Body pertaining to other parties, limitation, financial records, correspondence, contractual and tra records provided by the other party, and records third parties have	nsactional records,
	PART IV	# 12 # 180
	3 K	#* *

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;

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 relieft. 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.	to, to
and transport a transport moiningly of anti-parameter and thin to Division to the best of an in-parameter at	
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.	9 34 19
EXLEBNAL REMEDIES	5.2
answer supplied by the information officer.	36
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	
The Private Body does not have an internal appeal procedure. As such, the decision made by	
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INLERNAL REMEDIES	I'S
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MOTTETINIO	NTT.
FORMATION	
EMEDIES AVAILABLE WHEN A PRIVATE BODY REFUSES A REQUEST FOR	S BE
unreasonable diversion of resources shall be refused.	
Requests for information that are clearly frivolous or vexatious, or which involve an	8.4
	S
the research at a serious disadvantage;	No.
identity of the Private Body, the researcher or the subject matter of the research and would place	
the research information of the Private Body or a third party, if its disclosure would disclose the	L't
	# ste
copyright.	4
a computer program which is owned by the Private Body, and which is protected by	4.6.4
negotiations or commercial competition;	5 24
information which, if disclosed could put the Private Body at a disadvantage in	6.6.3
cause harm to the financial or commercial interests of the Private Body;	
financial, commercial, scientific or technical information which disclosure of could likely	4.6.2
trade secrets of the Private Body;	1.6.1
the commercial activities of the Private Body, which may include -	9.4
mandatory protection of records which would be regarded as privileged in legal proceedings;	2.4
(C. J. J	11
mandatory protection of the safety of individuals and the protection of property;	4.4
agreement,	
mandatory protection of confidential information of third parties if it is protected in terms of any	27
	· · · · · ·
could put that third party at a disadvantage in negotiations or commercial competition;	CIMIL
information disclosed in confidence by a third party to the Private Body, if the disclosure	4.2.3
	1970x E.S.
cause harm to the financial or commercial interests of that third party;	7'7'-
financial, commercial, scientific or technical information which disclosure could likely	4.2.2

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 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.

FEES 8

- 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 8.1.2 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.
- 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 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.
- 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

REC	DIEST	FOR A	CCESS	TO	RECORDS	OF	PRIVA	TE	RODY
TIE (OEGI	TOK		\mathbf{I}	KECOKOS	O.	TIME		DUDI

(Section 53(1) of the Promotion of Access to Information Act, No 2 of 2000)
(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
Full names and Surname:
Identity Number:

D.	Particulars of Re	cord:			" e s",			
(a)	7.475 (CAST) 49.	of the record to which acc		ng the referenc	e number if			
	that is known to you, to e	enable the record to be lo	cated.	25	0.50 88			
(b)	If the provided space is inadequate please continue on a separate folio and attach it to this form. The							
	requester must sign all t	he additional folios		19 50				
1.	Description of the Record or relevant part of the record:							
_	and the same of th	*	The second secon	37 m				
	0							
		×.			7			
	60				***			
2.	Reference number	, if available:			* *			
2.	Any further particu	ulars of the record:	e se e	*	e" "			
	TIME OF THE STATE		* g . •	A .				
			BC 7 7 5000 14.0					
E.	Fees:	i i juliani	writer					
(a)	A request for access to a	record, other than a reco	ord containing personal i	information abo	out yourself,			
	will be processed only af	ter a request fee has beer	n paid.		40.0			
(b)	ENAME	e amount of the request fe	3					
(c)		ss to a record depends on		ccess is require	d and the			
(0)				regaire	u unu me			
	reasonable time required	i io search jor ana prepar	e a recora.		87			

(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:

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:	-	Form in wh	ich record	is required:
7).		-		
10 10 10 10 10 10 10 10 10 10 10 10 10 1		1		
#I		2		
Mark the appropriate box with	an "X"	10	127	·
OTES:				
a) Your indication as to the	required form of access	depends on th	e form in	which the record is available.
b) Access in the form request	ted may be refused in ce	ertain circumsi	tances. In	such a case you will be
informed if access will be	granted in another forn	ı.		
c) The fee payable for access	s to the record, if any, w	vill be determin	ned partly	by the form in which access is
requested.				
25	0			· · · · · · · · · · · · · · · · · · ·
	*			
If the record is in written	or printed form:			
Copy of record *		Inspection of record		
If the record consists of vi				
(This includes photographs, View the images			enerated in	
view the images	Copy of the	images *		Transcription of the images*
	8 H	2		
If the record consists of re	corded words or infor	mation which	can be r	eproduced in sound:
Listen to the soundtr	ack	Ti	ranscription	on of soundtrack *
(audio cassette)		(v	vritten or	printed document)
7	o a		** Tage	a e
If the record is held on cor	nputer or in an electro	nic or machi	ne-readal	
Printed copy of record				
Finited copy of fecold		oy of n derived from	1-	Copy in computer readable form * (stiffy or compact

YES

NO

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

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 dicate which right is to be exercised or protected: Explain why the requested record is required for the exercising or protection of the aforementioned right: Notice of decision regarding request for access: In will be notified in writing whether your request has been approved/denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable impliance with your request. We would you prefer to be informed of the decision regarding your request for access to the record?		er to be inform	ned of the decision	regarding you	V1001		record?
licate which right is to be exercised or protected: Explain why the requested record is required for the exercising or protection of the aforementioned right: Notice of decision regarding request for access: u will be notified in writing whether your request has been approved/denied. If you wish to be informered in another manner, please specify the manner and provide the necessary particulars to enable impliance with your request.		- 4- L- ! C			r request for	access to me	manard?
licate which right is to be exercised or protected: Explain why the requested record is required for the exercising or protection of the aforementioned right: Notice of decision regarding request for access: In will be notified in writing whether your request has been approved/denied. If you wish to be informereof in another manner, please specify the manner and provide the necessary particulars to enable		Ψ.				seeses to the	
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licate which right is to be exercised or protected: Explain why the requested record is required for the exercising or protection of the aforementioned right: Notice of decision regarding request for access:							2000 W
e requester must sign all the additional folios dicate which right is to be exercised or protected: Explain why the requested record is required for the exercising or protection of the aforementioned right:							
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e requester must sign all the additional folios licate which right is to be exercised or protected: Explain why the requested record is required for the exercising or protection of the aforementioned		g g		- 12	f:		
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e requester must sign all the additional folios	Explain why th	e requested re	ecord is required for	r the exercisin	g or protection	on of the afor	ementioned
e requester must sign all the additional folios							٠.
e requester must sign all the additional folios	· · · · · · · · · · · · · · · · · · ·		: 6% N	*		. 100 19	
	licate which right	is to be exercis	sed or protected: _				5% 14
	***					¥ - 1	
	. 1 (5)		- 50	1			
		**	* 3'	=		£0	ēī.
	1 2 2	mrs or right t	o be exercised or p	protected:		¥ (1)	Er W

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	
	- 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:

		. 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	
	a computer or in electronic or machine readable form	0,75

		R
For a copy in a computer-readable form on	3.	
- Stiffy disc		7,50
- Compact disc	18	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	12	20,00
For a copy of an audio record	-	30,00
To search for a record that must be disclosed	12	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.		
	 Stiffy disc Compact disc A transcription of visual images, for an A4-size page or part thereof For a copy of visual images A transcription of an audio record, for an A4-size page or part thereof For a copy of an audio record To search for a record that must be disclosed (per hour or part of an hour reasonably required for such search) 	- Stiffy disc - Compact disc A transcription of visual images, for an A4-size page or part thereof For a copy of visual images A transcription of an audio record, for an A4-size page or part thereof For a copy of an audio record To search for a record that must be disclosed (per hour or part of an hour reasonably required for such search)

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

NAUDE BROERS

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 NAUDE BROERS a partnership and private body in the agricultural industry for whom this manual is drafted.

PART I

2 CONTACT DETAILS

2.1 Information Officer: PAUL JACQUES NAUDE

Postal address: P O Box 1

P O Box 127, Worcester, 6849

Physical Address: Esperance, Overhex

Tel: (023) 342 1417

Fax: (023) 3472523

E-mail: esperance@lando.co.za

2.2 GENERAL INFORMATION

N N N N			
2.2,1	Name of Private Body: NAUDE BROERS		3
2.2.2	Postal Address: P O Box 127, Worcester, 684	9	v.
2.2.3	Registered address: P O Box 801, Worcester,	6849	(i)
2.2.4	Physical Address (or main place of business):	Esperance, Ove	rhex
2.2.5	Telephone Number:(023) 342 1417	, 15	
2.2.6	Facsimile number: (023) 347 2523		6)
2.2.7	E-mail address: esperance@lando.co.za		
2.2.8	Vat registration No. 4790102372	X 2	

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

NOT APPLICABLE

3.2.2 FINANCIAL DOCUMENTS AND RECORDS

Goods returned vouchers

Debit notes

3.2.2.1	Vat records
3.2.2.2	Tax records
3.2.2.3	UIF records
3.2.2.4	Asset inventory
3.2.2.5	Asset register
3.2.2.6	Invoices
3.2.2.7	Statements
3.2.2.8	Proof of delivery forms
3.2.2.9	Goods received vouchers

3.2.2.10

3.2.2.11

3.2.2.12	Credit notes	2 10 1	E 60 800 E	
3.2.2.13	Cheque account		# # <u>*</u>	
3.2.2.14	Current account	1 18 mm		
3.2.2.15	Cash records			
3.2.2.16	Financial statements			7 N
3.2.2.17	Financial documents		*.	
3.2.3	OPERATIONAL DOCUMENTS AN	ND RECORDS		
3.2.3.1	Licences in respect of grape crushin	g, export of fruit, sel	ling of milk	
3.2.3.2	Records with regards to production		a g	V 5.
3.2.3.3	Records with regards to scheduling	and supply of goods	/ services	a 7
3.2.3.4	Europ Gap Compliance documentation	ion	16	Ŷ
3.2.3.5	Price lists			3
\$ E	These records include, but are no	t limited to the rec	ords which n	partain to the
# #	Private Body's own affairs.	t immed to, the fee	ords winch p	ertam to the
3.2.4	PERSONNEL DOCUMENTS AND	RECORDS		
3 4 4 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5	Personal records provided by personnel (i but not limited to:	including permanent	and temporar	ry) including
3.2.4.1	Minutes of staff meetings			
3.2.4.2	Employment contracts			
3.2.4.3	Personal details	in the second		
3.2.4.4	Application forms and Curriculum V	itae	4	
3.2.4.5	Qualifications		Ψ - 60	* 5 %
3.2.4.6	Salary records		э 2	*
3.2.4.7	Leave records	pt of the		

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3.2.4.8	Conditions of employment and other personnel-related records
3.2.4.9	Records relating to increases
3.2.4.10	Disciplinary records
3.2.4.11	Medical history records
3.2.4.12	Training records
3.2.4.13	Policies and procedures
3.2.4.14	Employment Equity Plan
3.2.4.15	SETA records
3.2.4.16	Attendance register
3.2.4.17	Provident Fund
3.2.4.18	Pension Fund
3.2.4.19	Unemployment Insurance
3.2.4.20	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, 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 incidents
3.2.5.2	Records relating to the Occupational Health and Safety Act
3.2.5.3	Records relating to 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
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:-

3.2.7.1.1	Basic Conditions of Employment Act 75 of 1997
3.2.7.1.2	Unemployment Insurance Act 63 of 2001
	Chempley Ment Institution 1101 03 01 2001
	Reference to the above-mentioned legislation shall include subsequent amendments
	to such legislation.
	w such registation.
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.
177	PART IV
	OUNDS FOR REFUSAL OF ACCESS TO RECORDS 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;
0.00	
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.

- 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
- 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.
- 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

REQUEST FOR ACCESS TO RECORDS OF PRIVATE BODY

Section 33(1) of the Promotion of Access to	a Information Act No 2 of 2000)
	o Information Act, No 2 of 2000)
	(Regulation 4)
A. Particulars of Private Body	
The Head:	
	a 7 .
>:	
=	
B. Particulars of Person requesti	ing access to the record
	nuests access to the records must be recorded below.
	r in the Republic to which information must be sent.
c) Proof of the capacity in which the requ	uest is made, if applicable, must be attached.
t to the second	4.
Full Name and Surname:	
dentity Number:	
Postal Address:	
elephone Number:	Fax Number
Celephone Number:	rax Number:
3-mail address:	Fax Number:
3-mail address:	Fax Number:
3-mail address:	Fax Number:
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D.	Particulars of Record:			* *
(a)	Provide full particulars of the record to which access is request	ted, including th	e reference nui	nber if
	that is known to you, to enable the record to be located.		10	
(b)	If the provided space is inadequate please continue on a separa	te folio and atta	ch it to this for	m. The
*	requester must sign all the additional folios			
1.	Description of the Record or relevant part of the record:			© 83
		0.04		
-				8
	x g x	9 E	2	
2.	Reference number, if available:			
	V 20 2 22 22 2	, a		
2.	Any further particulars of the record:		7 10	
				15
E.	Fees:			
(a)	A request for access to a record, other than a record containing will be processed only after a request fee has been paid.	personal inform	nation about ye	ourself,
(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	d the
	reasonable time required to search for and prepare a record.			
(d)	If you qualify for exemption of the payment of any fee, please sto	ate the reason th	erefore.	5)
			it is	
Reas	on for exemption of payment of the fee:		x 3 222 =	

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.

Disabili	ity:			Form in	which recor	d is required:	
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			# nai		n 4	15 B A	
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	e appropriate box with	an "X"					
OTES.				. 2			
) You	r indication as to the r	equired fo	rm of access	depends on	the form in	which the record is ave	ilable
) Acc	ess in the form request	ted may be	refused in c	ertain circu	mstances. I	n such a case you will b	e
info	ormed if access will be	granted in	another for	n.	* + +		
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	Copy of record *				Inspection	of record	
· ,	Copy of record *				Inspection	of record	82
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If the	Copy of record *	sual imag	es:		* 2		nages
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If the	Copy of record * record consists of visincludes photographs,	sual imag	es: leo recording		* 2	mages, sketches, etc.)	mages
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* If you requested a co	py or transcription of a record (above), do you wish the	YES NO
copy or transcription to	be posted to you?		
A postal fee is payabl	e.	8	
C Poutieule			
G. Particula	rs of right to be exercised or p	protected:	
		(4)	
If the provided space i	s inadequate, please continue of	a separate folio and attach	it to this form
The requester must sig	gn all the additional folios	10 H	
	. 1	8	d
indicate which right is	to be exercised or protected: _		
	AN HILLANDS		, to ,
	£	(Mg)	
1. Explain why the	requested record is required for	r the exercising or protection	n of the aforementioned
right:		2	
· · · · · · · · · · · · · · · · · · ·			
		* .	* 1
H. Notice of	decision regarding request for	r access:	. 1
			19
Van will be notified in	writing whether your request h	as been approved/denied. I	f you wish to be informed
	ner, please specify the manner a		
compliance with your		and provide the necessary p	articulars to camolo
	request.	- Allendaria	
How would you prefer	to be informed of the decision	regarding your request for a	access to the record?
	8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8	•	
Signed at	this	day of	200
	¥ 2		
	8 9		jā , j
	25	GIONAMENTO DE PROM	TEGTED (DED COM
26 E3		SIGNATURE OF REQU	7
	2	ON WHOSE BEHALF	KEQUEST IS MADE
	e a		*
			pli

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
		- A
•	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:

		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

		1	R
•	For a copy in a computer-readable form on		
	- Stiffy disc	i.	7,50
	- Compact disc	W	70,00
•	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	1	20,00
•	For a copy of an audio record	3	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)	8	29
	Where a copy of a record needs to be posted the actual postal fee is payable.	8.9	

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 BOTHA PROTEA HEIGHTS (PTY) LTD T/A BASTION PHARMACY

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 BOTHA PROTEA HEIGHTS (PTY) LTD t/a BASTION PHARMACY a private body within the retail pharmaceutical industry, for which this manual is drafted.

PART I

CONTACT DETAILS 2

21	Information Officer	CHRISTOFFEL VAN	DER	MERWE	BOTHA	١
71	intormation () inter:	CHRISTOFFED VAN	DELL	TANKE III	~~~	-

Postal address:

23 Protea Road, Protea Heights, Brackenfell, 7560

Registered address:

23 Protea Road, Protea Heights, Brackenfell, 7560

Physical Address: 23 Protea Road, Protea Heights, Brackenfell, 7560

Tel: (021) 982 6086

Fax: (021) 982 6837

E-mail address: bothacr@iafrica.com

GENERAL INFORMATION 2.2

2.2.1	Name of Private Body: C BOTHA PROTEA HEIGHTS (PTY) LTD T/A BASTION PHARMACY
2.2.2	Head of Private Body: Christoffel Van Der Merwe Botha
2.2.3	Registration No: NOT APPLICABLE
2.2.4	Postal Address: 23 Protea Road, Protea Heights, Brackenfell, 7560
2.2.5	Physical Address (or main place of business): 23 Protea Road, Protea Heights, Brackenfell, 7560
2.2.6	Telephone Number: (021) 982 6086
2.2.7	Facsimile number: (021) 982 6837
2.2.8	E-mail address: bothacr@iafrica.com
2.2.9	Website: NOT APPLICABLE

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,

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
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	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	Financial 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
3.2.2.16	Cheque Account
3.2.2.17	Current Account
3.2.2.18	Cash records
3.2.2.19	Financial reports relating to management accounts
3.2.2.20	Financial documents
3.2.3 OP	RATIONAL DOCUMENTS AND RECORDS
3.2.3.1	Distribution Agreements
3.2.3.2	Internal telephone directory
3.2.3.3	Promotional material
3.2.3.4	Written policies regarding business plan /activities

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	-37	· · · · · · · · · · · · · · · · · · ·	
564	No. 24332	GOVERNMENT GAZETTE, 7 FEBRUARY 2003	
	3.2.3.5	Registered designs, patents / trademarks	
	3.2.3.6	Licences	9
	3.2.3.7	Database of customers	
	3.2.3.8	Credit Application forms	
	3.2.3.9	Correspondence with customers	5
(%)	3.2.3.10	Customer account records	
	3,2.3.11	Records with regards to sales	
	3.2.3.12	Records with regards to scheduling and supply of goods /services	
	3.2.3.13	Business Plan	
	3.2.3.14	Strategy	
	3.2.3.15	Vision	
8	3.2.3.16	Action plan	I e
	3.2.3.17	Price lists	* 1
	3.2.3.18	Records pertaining to customer complaints / assessments	er er er er
		These records include, but are not limited to, the records which Private Body's own affairs.	h pertain to the
	3.2.4	PERSONNEL DOCUMENTS AND RECORDS	й К
9		Personal records provided by personnel (including permanent and temp but not limited to:	orary) including
	3.2.4.1	Employment contracts	

3.2.4.2

3.2.4.3

3.2.4.4

3.2.4.5

Application forms

Qualifications

Salary records

Leave records

3.2.4.6	Disciplinary records	€ 2
3.2.4.7	SETA records	
3.2.4.8	Attendance register	
3.2.4.9	Unemployment Insurance	
3.2.4.10	Retirement Annuity Policies	25
3.2.4.11	Records relating to deductions	#
*	"Personnel" refers to any person who works for, or provides services to or of the Private Body, and receives or is entitled to receive remuneration and any of who assists in carrying out or conducting the business of the Private Body.	on behalf of other person
3.2.5	SAFETY RECORDS	€
3.2.5.1	Records of incidents	
3.2.5.2	Records relating to corrective action	
3.2.6	INFORMATION TECHNOLOGY RECORDS	
3.2.6.1	Licences	das do
3.2.6.2	Software programs	
3.2.6.3	Computer generated databases including Quick Book and Unisolv	
3.2.6.4	Inter-company emails	
3.2.6.5	Internet connectivity reports	
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 P which are available in accordance with certain legislation, is as follows:	
3.2.7.1.1	Deeds Registries Act 47 of 1937	ts.
3.2.7.1.2	Short Term Insurance Act 53 of 1998	79
3.2.7.1.3	Long Term Insurance Act 52 of 1998	
3.2.7.1.4	Labour Relations Act 66 of 1995	
3.2.7.1.5	Employment Equity Act 55 of 1998	
3.2.7.1.6	Basic Conditions of Employment Act 75 of 1997	

	B	8 9	e	
	90			
566	No. 24332	GOVERNMENT GAZETTE, 7 FEBRUARY 2	003	47
	3.2.7.1.7	Insider Trading Act 135 of 1998		r (************************************
	3.2.7.1.8	Compensation for Occupational Injuries and D	iseases Act 130 of 1	993
	3.2.7.1.9	Competition Act 89 of 1998		
	3.2.7.1.10	Constitution of SA Act 108 of 1996		. 1
	3.2.7.1.11	Companies Act 61 of 1973	& %	T E
N N	3.2.7.1.12	Unemployment Insurance Act 63 of 2001		
	3.2.7.1.13	Value Added Tax 89 of 1991	- 12	*5
	3.2.7.1.14	Skills Development Act 9 of 1999		100
	3.2.7.1.15	Pension Funds Act 24 of 1956	* * * * * * * * * * * * * * * * * * *	
	3.2.7.1.16	Income Tax Act 58 of 1962		
	3.2.7.1.17	Medical, Dental and Pharmacy Act 13 of 1928		
	3.2.7.1.18	Health Professions Act 56 of 1974	\$ # S	2 6
v.	3.2.7.1.19	Medical Schemes Act 131 of 1998		
	3.2.7.1.20	Medicines and Related Substances Control Act	101 of 1965	lit.
	3.2.7.1.21	Pharmacy Act 53 of 1974	er er er	ig.
		Reference to the above-mentioned legislation shall incl	lude subsequent ame	ndments
0		to such legislation.		
	3.2.8	OTHER PARTY RECORDS	4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4	88
	3.2.8.1	Personnel, customer or Private Body records which ar auditors), as opposed to the records held by the Private	e held by another pa Body itself;	arty (e.g.
18	3.2.8.2	Records held by the Private Body pertaining to othe limitation, financial records, correspondence, contracture records provided by the other party, and records third contractors/suppliers.	al and transactional	records.

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

- 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 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.

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.

FEES

- 8.1 The Act provides for two types of fees, namely:
- A request fee, which will be a standard fee; and 8.1.1
- An access fee, which must be calculated by taking into account reproduction costs, search 8.1.2 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
- 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.

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 REC	ORDS OF PRIVATE BODY	
(Section 53(1) of the Promotion of Acc	cess to Information Act, No 2 of 2000)	
	(Regulation 4)	
A. Particulars of Private Bo	ody	
The Head:	*	
B. Particulars of Person re	questing access to the record	
[12]	ho requests access to the records must be recorded below.	
	number in the Republic to which information must be sent.	
(c) Proof of the capacity in which the	he request is made, if applicable, must be attached.	
Eull Name and Surname		
The second control of		
	Fax Number:	
E-mail address:		
Capacity in which request is made, wh		
Cupacity in winds request is muce, wa		
*		
	- 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1	
	whose behalf request is made:	
This section must be completed only if	a request for information is made on behalf of another person	
81		
		•
Full names and Surname:		
75 (10)	- 150 H	
• • • • •	VICTOR (1997) 1997	

D.	Particulars of Record:
(a)	Provide full particulars of the record to which access is requested, including the reference number if
	that is known to you, to enable the record to be located.
(b)	If the provided space is inadequate please continue on a separate folio and attach it to this form. The
	requester must sign all the additional folios
1.	Description of the Record or relevant part of the record:
	E0.
2.	Reference number, if available:
_	
2.	Any further particulars of the record:
oane.	
Е.	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.
Keas	on for exemption of payment of the fee:
7.	Form of Access to the Record:
NIES	~ v v 200000 to title 220001 tt.

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:
Pleast p			
31			
and a company of the			
¥ 9 &			
Mark the appropriate box with an "X"	*		X or ex
NOTES:	is a	2 X 1 30	W 1
a) Your indication as to the required	d form of access depends o	on the form in	which the record is available.
b) Access in the form requested may			
informed if access will be granted			
c) The fee payable for access to the		ermined partly	by the form in which access i
1000 - 1000 100 - 1000 1000 1000	, 000, 11, 13 11.05		
requested.			
		8 10 a	
100			* IIV
Y6 43	stad forms		
. If the record is in written or prin	itea iorm:	1	<u> </u>
Copy of record *			
		Inspection	or record
2. If the record consists of visual in			
			mages, sketches, etc.)
2. If the record consists of visual in		ter-generated i	
2. If the record consists of visual in (This includes photographs, slides,	, video recordings, compu	ter-generated i	mages, sketches, etc.)
2. If the record consists of visual in (This includes photographs, slides,	, video recordings, compu	ter-generated i	mages, sketches, etc.)
. If the record consists of visual in (This includes photographs, slides,	, video recordings, compu	ter-generated i	mages, sketches, etc.)
C. If the record consists of visual in (This includes photographs, slides, View the images	copy of the images *	ter-generated i	mages, sketches, etc.) Transcription of the images
2. If the record consists of visual in (This includes photographs, slides, View the images	copy of the images *	ter-generated i	mages, sketches, etc.) Transcription of the images eproduced in sound:
C. If the record consists of visual in (This includes photographs, slides, View the images 3. If the record consists of recorder Listen to the soundtrack	copy of the images *	ter-generated i	mages, sketches, etc.) Transcription of the images reproduced in sound:
2. If the record consists of visual in (This includes photographs, slides, View the images	copy of the images *	ter-generated i	mages, sketches, etc.) Transcription of the images eproduced in sound:
C. If the record consists of visual in (This includes photographs, slides, View the images 3. If the record consists of recorder Listen to the soundtrack	copy of the images *	ter-generated i	mages, sketches, etc.) Transcription of the images reproduced in sound:
2. If the record consists of visual in (This includes photographs, slides, View the images 3. If the record consists of recorder Listen to the soundtrack	copy of the images *	ter-generated i	mages, sketches, etc.) Transcription of the images reproduced in sound:
C. If the record consists of visual in (This includes photographs, slides, View the images 3. If the record consists of recorded Listen to the soundtrack (audio cassette)	compusion of the images *	vhich can be a Transcript (written or	mages, sketches, etc.) Transcription of the images reproduced in sound: on of soundtrack * printed document)
2. If the record consists of visual in (This includes photographs, slides, View the images 3. If the record consists of recorded Listen to the soundtrack (audio cassette)	compusion of the images *	vhich can be a Transcript (written or	mages, sketches, etc.) Transcription of the images reproduced in sound: on of soundtrack * printed document)
C. If the record consists of visual in (This includes photographs, slides, View the images 3. If the record consists of recorded Listen to the soundtrack (audio cassette)	compusion of the images *	vhich can be a Transcript (written or	mages, sketches, etc.) Transcription of the images reproduced in sound: on of soundtrack * printed document)
2. If the record consists of visual in (This includes photographs, slides View the images 3. If the record consists of recorded Listen to the soundtrack (audio cassette) 4. If the record is held on computer	compusion of the images * d words or information v	vhich can be a Transcript (written or	mages, sketches, etc.) Transcription of the images eproduced in sound: ion of soundtrack * printed document)

conv. or transac		-F	(above), do you wish the	YES	NO
opy of transcr	ription to be posted to	you?			
A postal fee is	payable.				
G. Pr	articulars of right to	be exercised or p	protected:		
8				20	184
			<u> </u>		
			a separate folio and atta	ach it to this forr	n
ne requesier	must sign all the add	utonat Jouos		***************************************	
ndicate which	right is to be exercise	ed or protected:			
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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	- 1 T
	computer or in electronic or machine readable form	0,75
•	For a copy in a computer-readable form on	a e for
3	- 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:

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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	n e
	a computer or in electronic or machine readable form	0,75

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•	For a copy in a computer-readable form on	w g
	- 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.

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