

No. 24373

IN ACCORDANCE WITH

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





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INFORMATION MANUAL FOR

CHARTER WRAPMASTER (PTY) LIMITED

("CHARTER WRAPMASTER")

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

1 INTRODUCTION

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

(1) Everyone has the right of access to -

(a) any information held by the state; and

(b) any information that is held by another person and that is required for the exercise or protection of any rights.

(2) National legislation must be enacted to give effect to this right, and may provide for reasonable measures to alleviate the administrative and financial burden on the state.

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

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

2 WHO MAY REQUEST INFORMATION IN TERMS OF THE ACT

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

- (1) A requester must be given access to any record of a private body if -
 - (a) that record is required for the exercise or protection of any rights;
 - (b) that person complies with the procedural requirements in this Act relating to a request for access to that record; and
 - (c) access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.

3 PROCEDURES FOR OBTAINING ACCESS

3.1 Contact Details

Any person who wishes to request any information from Charter Wrapmaster with the object of protecting or exercising a right may contact the information officer whose contact details are as follows;

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Postal Address

The Information Officer Charter Wrapmaster (Pty) Limited P O Box 11250 Johannesburg, 2000 . An Official Control of the Control

Physical address

with also with an artist of the contract 10 th Floor Cnr Barry Hertzog Avenue and Napier Road Richmond, Johannesburg, 2092

Tel: (011) 489-4000 Fax (011) 489-4335

Prescribed Access Form

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

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

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

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3.3 Prescribed Fees

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

- Request fee: This is a non- refundable administration fee paid by all requestors with the exclusion of personal requestors. It is paid before the request is considered.
- Access fee: This is paid by all requestors only when access is granted. This fee is intended to re-imburse the private body for the costs involved in searching for a record and preparing it for delivery to the requestor.

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

3.4 Requestor other than Personal Requestor

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

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

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

3.5 Personal Requestor

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

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

4 HUMAN RIGHTS COMMISSION GUIDELINE

In terms of section 10 of the Act, the Human Rights Commission must compile a guide by 14 August 2003. This guide is intended to assist users in the interpretation of the Act. The guide will contain a description of the objects of the Act, the contact details of the information officers of all the public bodies, particulars of the public bodies, the manner of access to the records of those public bodies and the remedies available in law regarding a breach of any of the provisions of the Act.

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

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Private Bag 2700 Houghton 2041 Tel: 011 484 8300 Fax 011 4841360

5 TYPES OF RECORDS

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

Personnel Records 5.1

These include:

- Any personal records provided to the private body by their personnel;
- Any records a third party has provided to the private body about any of their personnel:
- Conditions of employment and other personnel-related contractual and quasi-legal records;
- Internal evaluation records; and
- Other internal records and correspondence.

5.2 Customer-related records

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

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

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5.3 Private body records

This includes but is not limited to the following:

- Financial records:
- Operational records;
- Databases:
- Information technology;
- Marketing records;
- Internal correspondence;
- Product records;
- Statutory records;
- Internal policies and procedures; Treasury-related records;
- Securities and equities; and
- Records held by officials of the private body.

5.4 Other Parties

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

The following records fall under this category:

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

5.6 Records Available in terms of other legislation

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

alienation of land act (68 of 1981)

basic conditions of employment act (75 of 1997)

companies act (61 of 1973)

compensation for occupational injuries & diseases act (130 of 1993)

employment equity act

financial services board act (97 of 1990)

Income tax act 58 of 1962

labour relations act (66 of 1995)

occupational health and safety act (85 of 1993)

promotion of equality and prevention of unfair discrimination act

regional services councils act (109 of 1985)

short term insurance act (53 of 1998)

skills development act (97 of 1998)

Skills Development Levies act (9 of 1999)

South African Qualifications Authority act (58 of 1995)

VAT act (89 of 1991)

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

6 DECISION-MAKING PROCESS

- 6.1 In terms of Section 55, the information officer will take all reasonable steps to find a record that has been requested. If the record cannot be found or does not exist, the information officer must notify the requestor by way of affidavit or affirmation that it is not possible to give access to the record. This is deemed to be a refusal of the request. If, however, the record is later found, the requestor must be given access if the request would otherwise have been granted.
- 6.2 Section 56 provides that the information officer must within 30 days of receipt of a correctly completed request notify the requestor of the decision as to whether or not to grant the request. If the request is:
 - Granted: the notification must state the applicable access fee required to be paid, together with the procedure to be followed should the requestor wish to apply to court against such fee, and the form in which access will be given.
 - Declined: the notification must include adequate reasons for the decision, together with the relevant provisions of the Act relied upon, and provide the procedure to be followed should the requestor wish to apply to court against the decision.
- 6.3 The information officer may extend the period of 30 days by a further period not exceeding 30 days if:
 - the request is for a large number of records or requires a search through a large number of records;
 - the request requires a search for records located in a different office of the private body not situated in the same city;
 - consultation between divisions of the private body, or with another private body is required; or
 - the requestor consents to the extension.

The requestor must be notified within the initial 30 day period in writing of the extension, together with reasons therefor, and the procedure involved should the requestor wish to apply to court against the extension.

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

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

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

7 THIRD PARTIES

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

8 GROUNDS FOR REFUSAL OF A REQUEST

Notwithstanding compliance with section 50, the request may be declined in accordance with one of the prescribed grounds in terms of the Act, namely:

- 8.1 Section 63 of the Act prohibits the unreasonable disclosure of the personal information of natural-person third parties to requestors. This includes the personal information of deceased persons. However Section 63(2) does provide exceptions to this.
- 8.2 Section 64 states that a request must be refused if it relates to records containing third party information pertaining to:
 - trade secrets:
 - financial, commercial, scientific or technical information where disclosure would be likely to cause harm to the commercial or financial interests of that third party; or
 - information supplied in confidence by the third party, the disclosure of which could reasonably be expected to put the third party at a disadvantage in contractual or other negotiations, or prejudice the third party in commercial competition.

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

- 8.3 Section 65 prohibits disclosure of information if such disclosure would constitute a breach of any duty of confidentiality owed to a third party in terms of an agreement.
- 8.4 In terms of section 66, a private body must refuse a request for access to a record of the body if disclosure could reasonably be expected to:
 - endanger the life or physical safety of an individual;
 - prejudice or impair the security of a building, structure or system, including but not limited to a computer or communication system, means of transport or any other property
 - The private body may also refuse a request for access to information which would prejudice methods, systems, plans or procedures for the protection of an individual in accordance with a witness protection scheme or safety of the public.

- 8.5 Section 67 mandates the refusal of a request if the record is privileged from production in legal proceedings, unless the person entitled to the privilege has waived the privilege.
- 8.6 Section 68 pertains to records containing information about the private body itself and unlike the other provisions pertaining to decline of a request, is not mandatory, but rather discretionary. Charter Wrapmaster <u>may</u> refuse access to a record if the record:
 - contains trade secrets of Charter Wrapmaster
 - contains financial, commercial, scientific or technical information, the disclosure of which would be likely to cause harm to the commercial or financial interests of Charter Wrapmaster
 - contains information which, if disclosed, could reasonably be expected to put the private body at a disadvantage in contractual or other negotiations, or prejudice Charter Wrapmaster in commercial competition; or
 - consists of a computer program owned by Charter Wrapmaster

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

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

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

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

9 RIGHTS OF APPEAL

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

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

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

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

ANNEXURE A

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY - CHARTER WRAPMASTER (PTY) LIMITED

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

A. Particulars of private body

The Head:			
	ar Arman Bureau ar	20 (8)	
	wan verzare	3	

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:	
2	
Identity number:	
Postal Address:	
Telephone number:	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
E-mail address:	
C. Particulars of person o	on whose behalf request is made:
This section must be completed behalf of another person.	d only if a request for information is made on
Full names and surname:	
dentity number:	
D. Particulars of record:	
(a) Provide full particulars of the	e record to which access is requested,

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

1.	Description of record or relevant part of the record:	
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		6
2.	Reference number, if available:	
3.	Any further particulars of record:	ž.
_		a la
E.	Fees	
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NOTES:

- (a) Your indication as to the required form of access depends on the form in which the record is available.
- (b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.
- (c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

1. If th	e record is in written	or printed	d form		* .	4.	
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2.	If record consists of vi (this includes photograp sketches, etc)		, computer-generated images,
19	View the images	Copy of the images*	Transcription of the images*

3.	If record consists of recorded reproduced in sound:	words or	information which can be	
81	Listen to the soundtrack (audio cassette)	i. Ç. b., y	Transcription of soundtrack* (written or printed document)	

	Printed copy of record	Printed copy of information derived from the record*	Copy in coreadable for compact	form* (stiffy
'If y you	ou requested a copy or tran wish the copy or transcription	scription of a record (above) on to be posted to you?	, do YES	NO

G. Particulars of right to be exercised or protected:

The requester mus	fil fil				0
ndicate which right	is to be exe	rcised or prote	ected:	# 107 # 107	
	*				
xplain why the requestioned		rd is required	for the ex	ercising or p	rotection
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R30.00

ANNEXURE B

FEES IN RESPECT OF PRIVATE BODIES

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

These fees for reproduction are as follows:

a)	For every photocopy of an A4 size page or part thereof	R 1,10
b)	For every printed copy of an A4 size page or part thereof held on a computer or in electronic or machine readable	R 0,75
	form.	e
-1	For a convin a computer readable form on -	(9) 20(1920) 91

c)	For a	a copy in a computer readable form on –	72	\$160 F
	i)	stiffy disc		R 7,50
	ii)	compact disc	142 1	R70,00
d)	i) '	For a transcription of visual images for an A4 size page or part thereof		R40,00
	ii)	For a copy of visual images	435	R60,00
e)	i)	For a transcription of an audio record, for an A4 size page or part thereof		R20,00

 The request fee payable by a requester, other than a personal requester is R50,00.

For a copy of visual images

ii)

For a copy of an audio record

The access fees payable by a requester are as follows:

a)	For	For every photocopy of an A4 page or part thereof	
b)	For every printed copy of an A4 size page or part thereof held on a computer or in electronic machine readable form		
c)	For	a copy in a computer readable form on –	
	i) ·	stiffy disc	R 7,50
e -	ii)	compact disc	R70,00
d)	i)	For a transcription of visual images for an A4 size page or part thereof	R40,00
	0.00	ween 2 conservation of the Contract of the Con	

e) i) For a transcription of an audio record for an A4 size page or part thereof
ii) For a copy of an audio record R30.00

- f) To search for and prepare a record that must be disclosed, R30,00 for each hour or part of an hour reasonably required for such search and preparation.
- 4. Where a private body receives a request for access to information held on a person other than the requester himself/herself and the information officer upon receipt of the request is of the opinion that the preparation of the required record for disclosure will take more than 6 (six) hours, a deposit is payable by the requester.

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

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

INFORMATION MANUAL FOR HOT-LINE ADMINISTRATIVE SERVICES (PTY) LIMITED ("HOT-LINE")

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

INTRODUCTION

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

(1) Everyone has the right of access to -

(a) any information held by the state; and

(b) any information that is held by another person and that is required for

the exercise or protection of any rights.

(2) National legislation must be enacted to give effect to this right, and may provide for reasonable measures to alleviate the administrative and financial burden on the state.

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

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

2 WHO MAY REQUEST INFORMATION IN **TERMS** OF THE ACT

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

(1) A requester must be given access to any record of a private body if -

(a) that record is required for the exercise or protection of any rights:

(b) that person complies with the procedural requirements in this Act relating to a request for access to that record; and

(c) access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.

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Contact Details

Any person who wishes to request any information from Hot-line with the object of protecting or exercising a right may contact the information officer whose contact details are as follows;

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Postal Address

The Information Officer
Hot-line Administrative Services (Pty) Limited
P O Box 11250
Johannesburg, 2000

Physical address

10 th Floor Cnr Barry Hertzog Avenue and Napier Road Richmond, Johannesburg, 2092

Tel: (011) 489-4000 Fax (011) 489-4125

e-mail address: accessinfo@hotline.co.za

3.2 Prescribed Access Form

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

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

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

3.3 Prescribed Fees

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

- Request fee: This is a non- refundable administration fee paid by all requestors with the exclusion of personal requestors. It is paid before the request is considered.
- Access fee: This is paid by all requestors only when access is granted. This fee is intended to re-imburse the private body for the costs involved in searching for a record and preparing it for delivery to the requestor.

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

3.4 Requestor other than Personal Requestor

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

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

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

3.5 Personal Requestor

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

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

4 HUMAN RIGHTS COMMISSION GUIDELINE

In terms of section 10 of the Act, the Human Rights Commission must compile a guide by 14 August 2003. This guide is intended to assist users in the interpretation of the Act. The guide will contain a description of the objects of the Act, the contact details of the information officers of all the public bodies, particulars of the public bodies, the manner of access to the records of those public bodies and the remedies available in law regarding a breach of any of the provisions of the Act.

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

Private Bag 2700 Houghton 2041 Tel: 011 484 8300

Fax 011 4841360

5 TYPES OF RECORDS

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

Personnel Records 5.1

These include:

- Any personal records provided to the private body by their personnel;
- Any records a third party has provided to the private body about any of their personnel:
- Conditions of employment and other personnel-related contractual and quasi-legal records;
- Internal evaluation records: and
- Other internal records and correspondence.

5.2 Customer-related records

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

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

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Private body records 5.3

This includes but is not limited to the following:

- Financial records:
- Operational records:
- Databases:
- Information technology;
- Marketing records;
- Internal correspondence;
- Product records:
- Statutory records:
- Internal policies and procedures;
- Records held by officials of the private body.

5.4 Other Parties

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

The following records fall under this category:

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

5.5 Records Available in terms of other legislation

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

alienation of land act (68 of 1981)

basic conditions of employment act (75 of 1997)

companies act (61 of 1973)

compensation for occupational injuries & diseases act (130 of 1993)

employment equity act

financial services board act (97 of 1990)

Income tax act 58 of 1962

labour relations act (66 of 1995)

occupational health and safety act (85 of 1993)

promotion of equality and prevention of unfair discrimination act

regional services councils act (109 of 1985)

short term insurance act (53 of 1998)

skills development act (97 of 1998)

Skills Development Levies act (9 of 1999)

South African Qualifications Authority act (58 of 1995)

VAT act (89 of 1991)

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

6 DECISION-MAKING PROCESS

- In terms of Section 55, the information officer will take all reasonable steps to 6.1 find a record that has been requested. If the record cannot befound or does not exist, the information officer must notify the requestor by way of affidavit or affirmation that it is not possible to give access to the record. This is deemed to be a refusal of the request. If, however, the record is later found, the requestor must be given access if the request would otherwise have been granted.
- Section 56 provides that the information officer must within 30 days of receipt 6.2 of a correctly completed request notify the requestor of the decision as to whether or not to grant the request. If the request is:
 - Granted: the notification must state the applicable access fee required to be paid, together with the procedure to be followed should the requestor wish to apply to court against such fee, and the form in which access will be given.
 - Declined: the notification must include adequate reasons for the decision, together with the relevant provisions of the Act relied upon, and provide the procedure to be followed should the requestor wish to apply to court against the decision.
- The information officer may extend the period of 30 days by a further period not exceeding 30 days if:
 - the request is for a large number of records or requires a search through a large number of records;
 - the request requires a search for records located in a different office of the private body not situated in the same city;
 - consultation between divisions of the private body, or with another private body is required; or
 - the requestor consents to the extension.

The requestor must be notified within the initial 30 day period in writing of the extension, together with reasons therefor, and the procedure involved should the requestor wish to apply to court against the extension.

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

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

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

ANNEXURE A

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY - HOT-LINE ADMINISTRATIVE SERVICES (PTY) LIMITED

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

A. Particulars of private body			8 10 ⁻¹⁰
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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:	
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Telephone number:	Fax number:
E-mail address:	Mark the second
C. Particulars of person	on whose behalf request is made:
behalf of another person.	a angles ganaman alag sang in angles (Sang
Full names and surname:	
Identity number:	
D. Particulars of record:	
including the reference num record to be located.	ne record to which access is requested, mber if that is known to you, to enable the
and attach it to this form. To folios.	dequate please continue on a separate folio he requester must sign all the additional

e)	i)	For a transcription of an audio record for an	R20,00
		A4 size page or part thereof	1
	ii)	For a copy of an audio record	R30,00

- f) To search for and prepare a record that must be disclosed, R30,00 for each hour or part of an hour reasonably required for such search and preparation.
- 4. Where a private body receives a request for access to information held on a person other than the requester himself/herself and the information officer upon receipt of the request is of the opinion that the preparation of the required record for disclosure will take more than 6 (six) hours, a deposit is payable by the requester.

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

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

INFORMATION MANUAL

FOR

NAPIER GARDENS (PTY) LIMITED

("NAPIER GARDENS")

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

1 INTRODUCTION

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

(1) Everyone has the right of access to -

(a) any information held by the state; and

(b) any information that is held by another person and that is required for the exercise or protection of any rights.

(2) National legislation must be enacted to give effect to this right, and may provide for reasonable measures to alleviate the administrative and financial burden on the state.

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

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

2 WHO MAY REQUEST INFORMATION IN TERMS OF THE ACT

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

- (1) A requester must be given access to any record of a private body if -
 - (a) that record is required for the exercise or protection of any rights;
 - (b) that person complies with the procedural requirements in this Act relating to a request for access to that record; and
 - (c) access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.

3 PROCEDURES FOR OBTAINING ACCESS

3.1 Contact Details

Any person who wishes to request any information from Napier Gardens with the object of protecting or exercising a right may contact the information officer whose contact details are as follows;

Postal Address

The Information Officer
Napier Gardens (Pty) Limited
P O Box 11250
Johannesburg, 2000

Physical address

10 th Floor Cnr Barry Hertzog Avenue and Napier Road Richmond, Johannesburg, 2092

Tel: (011) 489-4000 Fax (011) 489-4335

3.2 Prescribed Access Form

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

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

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

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

- Request fee: This is a non- refundable administration fee paid by all requestors with the exclusion of personal requestors. It is paid before the request is considered.
- Access fee: This is paid by all requestors only when access is granted. This fee is intended to re-imburse the private body for the costs involved in searching for a record and preparing it for delivery to the requestor.

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

3.4 Requestor other than Personal Requestor

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

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

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

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

Private Bag 2700 Houghton 2041 Tel: 011 484 8300

Fax 011 4841360

5 TYPES OF RECORDS

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

5.1 Personnel Records

These include:

- Any personal records provided to the private body by their personnel;
- Any records a third party has provided to the private body about any of their personnel;
- Conditions of employment and other personnel-related contractual and quasi-legal records;
- Internal evaluation records; and
- Other internal records and correspondence.

5.2 Customer-related records

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

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

5.3 Private body records

This includes but is not limited to the following:

- Financial records:
- Operational records;
- Databases;
- Information technology;
- Marketing records;
- Internal correspondence;
- Product records;
- Statutory records;
- Internal policies and procedures;
- Treasury-related records;
- Securities and equities; and
- Records held by officials of the private body.

5.4 Other Parties

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

The following records fall under this category:

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

5.6 Records Available in terms of other legislation

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

alienation of land act (68 of 1981)

basic conditions of employment act (75 of 1997)

companies act (61 of 1973)

compensation for occupational injuries & diseases act (130 of 1993)

employment equity act

financial services board act (97 of 1990)

Income tax act 58 of 1962

labour relations act (66 of 1995)

occupational health and safety act (85 of 1993)

promotion of equality and prevention of unfair discrimination act

regional services councils act (109 of 1985)

short term insurance act (53 of 1998)

skills development act (97 of 1998)

Skills Development Levies act (9 of 1999)

South African Qualifications Authority act (58 of 1995)

VAT act (89 of 1991)

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

6 DECISION-MAKING PROCESS

- 6.1 In terms of Section 55, the information officer will take all reasonable steps to find a record that has been requested. If the record cannot be found or does not exist, the information officer must notify the requestor by way of affidavit or affirmation that it is not possible to give access to the record. This is deemed to be a refusal of the request. If, however, the record is later found, the requestor must be given access if the request would otherwise have been granted.
- 6.2 Section 56 provides that the information officer must within 30 days of receipt of a correctly completed request notify the requestor of the decision as to whether or not to grant the request. If the request is:
 - Granted: the notification must state the applicable access fee required to be paid, together with the procedure to be followed should the requestor wish to apply to court against such fee, and the form in which access will be given.
 - Declined: the notification must include adequate reasons for the decision, together with the relevant provisions of the Act relied upon, and provide the procedure to be followed should the requestor wish to apply to court against the decision.
- 6.3 The information officer may extend the period of 30 days by a further period not exceeding 30 days if:
 - the request is for a large number of records or requires a search through a large number of records;
 - the request requires a search for records located in a different office of the private body not situated in the same city;
 - consultation between divisions of the private body, or with another private body is required; or
 - the requestor consents to the extension.

The requestor must be notified within the initial 30 day period in writing of the extension, together with reasons therefor, and the procedure involved should the requestor wish to apply to court against the extension.

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

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

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

7 THIRD PARTIES

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

8 GROUNDS FOR REFUSAL OF A REQUEST

Notwithstanding compliance with section 50, the request may be declined in accordance with one of the prescribed grounds in terms of the Act, namely:

- 8.1 Section 63 of the Act prohibits the unreasonable disclosure of the personal information of natural-person third parties to requestors. This includes the personal information of deceased persons. However Section 63(2) does provide exceptions to this.
- 8.2 Section 64 states that a request must be refused if it relates to records containing third party information pertaining to:
 - trade secrets;
 - financial, commercial, scientific or technical information where disclosure would be likely to cause harm to the commercial or financial interests of that third party; or
 - information supplied in confidence by the third party, the disclosure of which could reasonably be expected to put the third party at a disadvantage in contractual or other negotiations, or prejudice the third party in commercial competition.

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

- 8.3 Section 65 prohibits disclosure of information if such disclosure would constitute a breach of any duty of confidentiality owed to a third party in terms of an agreement.
- 8.4 In terms of section 66, a private body must refuse a request for access to a record of the body if disclosure could reasonably be expected to:
 - endanger the life or physical safety of an individual;
 - prejudice or impair the security of a building, structure or system, including but not limited to a computer or communication system, means of transport or any other property
 - The private body may also refuse a request for access to information which would prejudice methods, systems, plans or procedures for the protection of an individual in accordance with a witness protection scheme or safety of the public.

- 8.5 Section 67 mandates the refusal of a request if the record is privileged from production in legal proceedings, unless the person entitled to the privilege has waived the privilege.
- 8.6 Section 68 pertains to records containing information about the private body itself and unlike the other provisions pertaining to decline of a request, is not mandatory, but rather discretionary. Napier Gardens <u>may</u> refuse access to a record if the record:
 - contains trade secrets of Napier Gardens
 - contains financial, commercial, scientific or technical information, the disclosure of which would be likely to cause harm to the commercial or financial interests of Napier Gardens
 - contains information which, if disclosed, could reasonably be expected to put the private body at a disadvantage in contractual or other negotiations, or prejudice Napier Gardens in commercial competition; or
 - consists of a computer program owned by Napier Gardens

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

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

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

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

9 RIGHTS OF APPEAL

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

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

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

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

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ANNEXURE A

REQUEST FOR ACCESS TO REGORD OF PRIVATE BODY - NAPIER GARDENS (PTY) LIMITED

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

A. Particulars of private body

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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:	8.9					(6), x a 6
		W		D	<u>10</u>	
dentity number:		2.30				
Postal Address:	in the second					
	- The real Confession and			90,		
Telephone number:		Fax numb	er: _			*.*
E-mail address:		ş e			8	ē. g
		6 a	3 (erson:
C. Particulars of person of his section must be complete	on whose	behalf red	quest i	s made	e:	
Capacity in which request is m Capacity in which request is many capacity in which represent in which represent is many capacity in which represent in which	on whose	behalf red	quest i	s made	e:	
C. Particulars of person of his section must be complete	on whose	behalf red	quest i	s made	e:	
This section must be complete ehalf of another person. Tull names and surname:	on whose	behalf red	quest i	s made	e:	
Particulars of person of his section must be complete behalf of another person.	on whose	behalf red	quest i	s made	e:	

- (b) If the provided space is inadequate please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

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2.	Reference num	ber, if available:		
3.	Any further part	iculars of record:		Ç a
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E.	Fees	د الاستكامات ب		
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Mark the appropriate box with an "X" NOTES: (a) Your indication as to the required form of access depends on the form in which the record is available. (b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form. (c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested. 1. If the record is in written or printed form: Copy of record* Inspection of record 2. If record consists of visual images: (this includes photographs, slides, video recordings, computer-generated images, sketches, etc) Copy of the Transcription of the View the images images* images* THE PLANTS AND THE the transfer of the state of the second state of the second the second that the second the second that the second the second the second the second that the second the second that the second 3. If record consists of recorded words or information which can be reproduced in sound: Listen to the soundtrack Transcription of soundtrack* (audio cassette) (written or printed document) If record is held on computer or in an electronic or machine-readable form: Printed copy of Printed copy of Copy in computer record information derived readable form* (stiffy from the record* or compact disc) *If you requested a copy or transcription of a record (above), do YES you wish the copy or transcription to be posted to you? e de la Paris de Brita

A postal fee is payable.

G. Particulars of right to be exercised or protected:

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ANNEXURE B

FEES IN RESPECT OF PRIVATE BODIES

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

These fees for reproduction are as follows:

a)	For every photocopy of an A4 size page or part thereof	R	1,10
b)	For every printed copy of an A4 size page or part thereof held on a computer or in electronic or machine readable	R	0,75
	form.		
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c)		For a	copy in a computer readable form on –	\$0
		i)	stiffy disc	R 7,50
	ē	ii)	compact disc	R70,00
d)	93	i)	For a transcription of visual images for an A4 size page or part thereof	R40,00
		ii)	For a copy of visual images	R60,00
e)		i)	For a transcription of an audio record, for an A4 size page or part thereof	R20,00
		ii)	For a copy of an audio record	R30,00

- The request fee payable by a requester, other than a personal requester is R50,00.
- 3. The access fees payable by a requester are as follows:

a)	For	every photocopy of an A4 page or pa	art thereof	R 1,10
b)	there	every printed copy of an A4 size pag eof held on a computer or in electron able form	e or part ic machine	R 0,75
c)	For	a copy in a computer readable form	on –	141
	i)	stiffy disc		R 7,50
	ii)	compact disc		R70,00
d)	i) -	For a transcription of visual image A4 size page or part thereof	es for an	R40,00

ii) For a copy of visual images

e) i) For a transcription of an audio record for an R20,00 A4 size page or part thereof
ii) For a copy of an audio record R30,00

- f) To search for and prepare a record that must be disclosed, R30,00 for each hour or part of an hour reasonably required for such search and preparation.
- 4. Where a private body receives a request for access to information held on a person other than the requester himself/herself and the information officer upon receipt of the request is of the opinion that the preparation of the required record for disclosure will take more than 6 (six) hours, a deposit is payable by the requester.

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

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

INFORMATION MANUAL FOR **MOTOWISE (PTY) LIMITED** CASE CANADA ELECTRICADA

("MOTOWISE")

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

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1 INTRODUCTION

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

(1) Everyone has the right of access to -

(a) any information held by the state; and

(b) any information that is held by another person and that is required for

the exercise or protection of any rights.

(2) National legislation must be enacted to give effect to this right, and may provide for reasonable measures to alleviate the administrative and financial burden on the state.

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

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

2 WHO MAY REQUEST INFORMATION IN TERMS OF THE ACT

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

(1) A requester must be given access to any record of a private body if -

(a) that record is required for the exercise or protection of any rights;

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

3 PROCEDURES FOR OBTAINING ACCESS

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3.1 Contact Details

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

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Postal Address

The Information Officer Motowise (Pty) Limited P O Box 11250 Johannesburg, 2000

Physical address

10th Floor Cnr Barry Hertzog Avenue and Napier Road Richmond, Johannesburg, 2092

Tel: (011) 489-4000 Fax (011) 489-4335

3.2 Prescribed Access Form

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

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

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

3.3 Prescribed Fees

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

- Request fee: This is a non- refundable administration fee paid by all requestors with the exclusion of personal requestors. It is paid before the request is considered.
- Access fee: This is paid by all requestors only when access is granted. This fee is intended to re-imburse the private body for the costs involved in searching for a record and preparing it for delivery to the requestor.

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

3.4 Requestor other than Personal Requestor

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

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

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

3.5 Personal Requestor

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

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

4 HUMAN RIGHTS COMMISSION GUIDELINE

In terms of section 10 of the Act, the Human Rights Commission must compile a guide by 14 August 2003. This guide is intended to assist users in the interpretation of the Act. The guide will contain a description of the objects of the Act, the contact details of the information officers of all the public bodies, particulars of the public bodies, the manner of access to the records of those public bodies and the remedies available in law regarding a breach of any of the provisions of the Act.

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

Private Bag 2700 Houghton 2041

Tel: 011 484 8300 Fax 011 4841360

5 TYPES OF RECORDS

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

5.1 Personnel Records

These include:

- Any personal records provided to the private body by their personnel;
- Any records a third party has provided to the private body about any of their personnel;
- Conditions of employment and other personnel-related contractual and quasi-legal records;
- Internal evaluation records: and
- Other internal records and correspondence.

5.2 **Customer-related records**

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

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

5.3 Private body records

This includes but is not limited to the following:

- Financial records:
- Operational records;
- Databases:
- Information technology;
- Marketing records;
- Internal correspondence;
- Product records:
- Statutory records;
- Internal policies and procedures;
- Treasury-related records;
- Securities and equities; and
- Records held by officials of the private body.

5.4 Other Parties

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

The following records fall under this category:

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

5.6 Records Available in terms of other legislation

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

alienation of land act (68 of 1981)

basic conditions of employment act (75 of 1997)

companies act (61 of 1973)

compensation for occupational injuries & diseases act (130 of 1993)

employment equity act

financial services board act (97 of 1990)

Income tax act 58 of 1962

labour relations act (66 of 1995)

occupational health and safety act (85 of 1993)

promotion of equality and prevention of unfair discrimination act

regional services councils act (109 of 1985)

short term insurance act (53 of 1998)

skills development act (97 of 1998)

Skills Development Levies act (9 of 1999)

South African Qualifications Authority act (58 of 1995)

VAT act (89 of 1991)

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

6 DECISION-MAKING PROCESS

- 6.1 In terms of Section 55, the information officer will take all reasonable steps to find a record that has been requested. If the record cannot be found or does not exist, the information officer must notify the requestor by way of affidavit or affirmation that it is not possible to give access to the record. This is deemed to be a refusal of the request. If, however, the record is later found, the requestor must be given access if the request would otherwise have been granted.
- 6.2 Section 56 provides that the information officer must within 30 days of receipt of a correctly completed request notify the requestor of the decision as to whether or not to grant the request. If the request is:
 - Granted: the notification must state the applicable access fee required to be paid, together with the procedure to be followed should the requestor wish to apply to court against such fee, and the form in which access will be given.
 - Declined: the notification must include adequate reasons for the decision, together with the relevant provisions of the Act relied upon, and provide the procedure to be followed should the requestor wish to apply to court against the decision.
- 6.3 The information officer may extend the period of 30 days by a further period not exceeding 30 days if:
 - the request is for a large number of records or requires a search through a large number of records;
 - the request requires a search for records located in a different office of the private body not situated in the same city;
 - consultation between divisions of the private body, or with another private body is required; or
 - · the requestor consents to the extension.

The requestor must be notified within the initial 30 day period in writing of the extension, together with reasons therefor, and the procedure involved should the requestor wish to apply to court against the extension.

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

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

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

7 THIRD PARTIES

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

8 GROUNDS FOR REFUSAL OF A REQUEST

Notwithstanding compliance with section 50, the request may be declined in accordance with one of the prescribed grounds in terms of the Act, namely:

- 8.1 Section 63 of the Act prohibits the unreasonable disclosure of the personal information of natural-person third parties to requestors. This includes the personal information of deceased persons. However Section 63(2) does provide exceptions to this.
- 8.2 Section 64 states that a request must be refused if it relates to records containing third party information pertaining to:
 - trade secrets:
 - financial, commercial, scientific or technical information where disclosure would be likely to cause harm to the commercial or financial interests of that third party; or
 - information supplied in confidence by the third party, the disclosure of which could reasonably be expected to put the third party at a disadvantage in contractual or other negotiations, or prejudice the third party in commercial competition.

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

- 8.3 Section 65 prohibits disclosure of information if such disclosure would constitute a breach of any duty of confidentiality owed to a third party in terms of an agreement.
- 8.4 In terms of section 66, a private body must refuse a request for access to a record of the body if disclosure could reasonably be expected to:
 - endanger the life or physical safety of an individual;
 - prejudice or impair the security of a building, structure or system, including but not limited to a computer or communication system, means of transport or any other property
 - The private body may also refuse a request for access to information which would prejudice methods, systems, plans or procedures for the protection of an individual in accordance with a witness protection scheme or safety of the public.

- 8.5 Section 67 mandates the refusal of a request if the record is privileged from production in legal proceedings, unless the person entitled to the privilege has waived the privilege.
- 8.6 Section 68 pertains to records containing information about the private body itself and unlike the other provisions pertaining to decline of a request, is not mandatory, but rather discretionary. Motowise may refuse access to a record if the record:
 - · contains trade secrets of Motowise

7

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

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

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

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

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

9 RIGHTS OF APPEAL

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

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

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

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

ANNEXURE A

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY - MOTOWISE (PTY) LIMITED

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

A. Particulars of private body

The Head:	n a
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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:			A	SMIX.Fr.
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Postal Address:				
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Telephone number:	Fax	number:		<u>s</u>
E-mail address:		5	28 20	P 12 : " .
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C. Particulars of personal penalty of another person. Full names and surname:	on on whose bet leted only if a requ	alf request is	made:	ade on
This section must be compl pehalf of another person.	on on whose bet leted only if a requ	alf request is	made:	ade on

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

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Mark the appropriate box with an "X"

NOTES:

- (a) Your indication as to the required form of access depends on the form in which the record is available.
- (b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.
- (c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

1. If th	e record is in written or printed t	form:
4 2	Copy of record*	Inspection of record

2.	If record consists of v (this includes photograph sketches, etc)	r isual ohs, sl	images: ides, video recordings	, comp	uter-generated images,
12	View the images		Copy of the images*		Transcription of the images*

3.	If record consists of recorded wor reproduced in sound:	rds or information which can be
	Listen to the soundtrack (audio cassette)	Transcription of soundtrack* (written or printed document)

Printed copy of record	Printed copy of information derived from the record*	Copy in com readable for or compact	m* (stiffy
If you requested a copy or ou wish the copy or transo	transcription of a record (above), expition to be posted to you?	do YES	NO

G. Particulars of right to be exercised or protected:

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ANNEXURE B

FEES IN RESPECT OF PRIVATE BODIES

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

These fees for reproduction are as follows:

- For every photocopy of an A4 size page or part thereof a) R 1.10 For every printed copy of an A4 size page or part thereof R 0,75 b)
- held on a computer or in electronic or machine readable form
- C) For a copy in a computer readable form on -

i)	stiffy disc	R 7,50
· ii)	compact disc	R70,00

- d) i) For a transcription of visual images for an R40.00 A4 size page or part thereof
 - ii) For a copy of visual images R60.00
- e) i) For a transcription of an audio record, for an R20.00 A4 size page or part thereof ii)
- The request fee payable by a requester, other than a personal

For a copy of an audio record

The access fees payable by a requester are as follows: 3.

requester is R50.00.

- a) For every photocopy of an A4 page or part thereof R 1.10
 - b) For every printed copy of an A4 size page or part R 0.75 thereof held on a computer or in electronic machine readable form
 - c) For a copy in a computer readable form on -

i)	stiffy disc	R 7,50
ii)	compact disc	R70,00

- d) For a transcription of visual images for an i) R40.00 A4 size page or part thereof
 - ii) For a copy of visual images

2.

R30,00

e) i) For a transcription of an audio record for an A4 size page or part thereof

ii) For a copy of an audio record R30,00

- f) To search for and prepare a record that must be disclosed, R30,00 for each hour or part of an hour reasonably required for such search and preparation.
- Where a private body receives a request for access to information held on a person other than the requester himself/herself and the information officer upon receipt of the request is of the opinion that the preparation of the required record for disclosure will take more than 6 (six) hours, a deposit is payable by the requester.

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

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

INFORMATION MANUAL FOR AUTO & GENERAL INSURANCE COMPANY LIMITED ("AUTO & GENERAL")

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

1 INTRODUCTION

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

(1) Everyone has the right of access to -

(a) any information held by the state; and

(b) any information that is held by another person and that is required for

the exercise or protection of any rights.

(2) National legislation must be enacted to give effect to this right, and may provide for reasonable measures to alleviate the administrative and financial burden on the state.

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

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

2 WHO MAY REQUEST INFORMATION IN TERMS OF THE ACT

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

(1) A requester must be given access to any record of a private body if -

(a) that record is required for the exercise or protection of any rights; (b) that person complies with the procedural requirements in this Act

relating to a request for access to that record; and

(c) access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.

3 PROCEDURES FOR OBTAINING ACCESS

Contact Details 3.1

Any person who wishes to request any information from Auto & General with the object of protecting or exercising a right may contact the information officer whose contact details are as follows;

Postal Address

The Information Officer Auto & General Insurance Company Limited P O Box 11250 Johannesburg, 2000

Physical address

10 th Floor Cnr Barry Hertzog Avenue and Napier Road Richmond, Johannesburg, 2092

Tel: (011) 489-4000 Fax (011) 489-4169

e-mail address: accessinfo@autogen.co.za

3.2 Prescribed Access Form

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

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

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

3.3 Prescribed Fees

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

- Request fee: This is a non- refundable administration fee paid by all requestors with the exclusion of personal requestors. It is paid before the request is considered.
- Access fee: This is paid by all requestors only when access is granted. This fee is intended to re-imburse the private body for the costs involved in searching for a record and preparing it for delivery to the requestor.

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

3.4 Requestor other than Personal Requestor

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

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

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

3.5 Personal Requestor

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

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

4 HUMAN RIGHTS COMMISSION GUIDELINE

In terms of section 10 of the Act, the Human Rights Commission must compile a guide by 14 August 2003. This guide is intended to assist users in the interpretation of the Act. The guide will contain a description of the objects of the Act, the contact details of the information officers of all the public bodies, particulars of the public bodies, the manner of access to the records of those public bodies and the remedies available in law regarding a breach of any of the provisions of the Act.

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

Private Bag 2700 Houghton 2041

Tel: 011 484 8300 Fax 011 4841360

5 TYPES OF RECORDS

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

5.1 Personnel Records

These include:

- Any personal records provided to the private body by their personnel;
- Any records a third party has provided to the private body about any of their personnel;
- Conditions of employment and other personnel-related contractual and quasi-legal records;
- Internal evaluation records: and
- Other internal records and correspondence.

5.2 Customer-related records

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

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

5.3 Private body records

This includes but is not limited to the following:

- Financial records;
- Operational records:
- Databases:
- Information technology;
- Marketing records;
- Internal correspondence;
- Product records:
- Statutory records:
- Internal policies and procedures;
- Treasury-related records:
- Securities and equities; and
- Records held by officials of the private body.

5.4 Other Parties

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

The following records fall under this category:

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

5.5 Records Available in terms of other legislation

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

alienation of land act (68 of 1981)

basic conditions of employment act (75 of 1997)

companies act (61 of 1973)

compensation for occupational injuries & diseases act (130 of 1993)

employment equity act

financial services board act (97 of 1990)

Income tax act 58 of 1962

labour relations act (66 of 1995)

occupational health and safety act (85 of 1993)

promotion of equality and prevention of unfair discrimination act

regional services councils act (109 of 1985)

short term insurance act (53 of 1998)

skills development act (97 of 1998)

Skills Development Levies act (9 of 1999)

South African Qualifications Authority act (58 of 1995)

VAT act (89 of 1991)

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

6 DECISION-MAKING PROCESS

- 6.1 In terms of Section 55, the information officer will take all reasonable steps to find a record that has been requested. If the record cannot be found or does not exist, the information officer must notify the requestor by way of affidavit or affirmation that it is not possible to give access to the record. This is deemed to be a refusal of the request. If, however, the record is later found, the requestor must be given access if the request would otherwise have been granted.
- 6.2 Section 56 provides that the information officer must within 30 days of receipt of a correctly completed request notify the requestor of the decision as to whether or not to grant the request. If the request is:
 - Granted: the notification must state the applicable access fee required to be paid, together with the procedure to be followed should the requestor wish to apply to court against such fee, and the form in which access will be given.
 - Declined: the notification must include adequate reasons for the decision, together with the relevant provisions of the Act relied upon, and provide the procedure to be followed should the requestor wish to apply to court against the decision.
- 6.3 The information officer may extend the period of 30 days by a further period not exceeding 30 days if:
 - the request is for a large number of records or requires a search through a large number of records;
 - the request requires a search for records located in a different office of the private body not situated in the same city;
 - consultation between divisions of the private body, or with another private body is required; or
 - the requestor consents to the extension.

The requestor must be notified within the initial 30 day period in writing of the extension, together with reasons therefor, and the procedure involved should the requestor wish to apply to court against the extension.

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

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

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

7 THIRD PARTIES

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

8 GROUNDS FOR REFUSAL OF A REQUEST

Notwithstanding compliance with section 50, the request may be declined in accordance with one of the prescribed grounds in terms of the Act, namely:

- 8.1 Section 63 of the Act prohibits the unreasonable disclosure of the personal information of natural-person third parties to requestors. This includes the personal information of deceased persons. However Section 63(2) does provide exceptions to this.
- 8.2 Section 64 states that a request must be refused if it relates to records containing third party information pertaining to:
 - trade secrets;
 - financial, commercial, scientific or technical information where disclosure would be likely to cause harm to the commercial or financial interests of that third party; or
 - information supplied in confidence by the third party, the disclosure of which could reasonably be expected to put the third party at a disadvantage in contractual or other negotiations, or prejudice the third party in commercial competition.

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

- 8.3 Section 65 prohibits disclosure of information if such disclosure would constitute a breach of any duty of confidentiality owed to a third party in terms of an agreement.
- 8.4 In terms of section 66, a private body must refuse a request for access to a record of the body if disclosure could reasonably be expected to:
 - endanger the life or physical safety of an individual;
 - prejudice or impair the security of a building, structure or system, including but not limited to a computer or communication system, means of transport or any other property
 - The private body may also refuse a request for access to information which would prejudice methods, systems, plans or procedures for the protection of an individual in accordance with a witness protection scheme or safety of the public.

- 8.5 Section 67 mandates the refusal of a request if the record is privileged from production in legal proceedings, unless the person entitled to the privilege has waived the privilege.
- 8.6 Section 68 pertains to records containing information about the private body itself and unlike the other provisions pertaining to decline of a request, is not mandatory, but rather discretionary. Auto & General may refuse access to a record if the record:
 - contains trade secrets of Auto & General
 - contains financial, commercial, scientific or technical information, the disclosure of which would be likely to cause harm to the commercial or financial interests of Auto & General
 - contains information which, if disclosed, could reasonably be expected to put the private body at a disadvantage in contractual or other negotiations, or prejudice Auto & General in commercial competition; or
 - consists of a computer program owned by Auto & General

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

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

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

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

9 RIGHTS OF APPEAL

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

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

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

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

ANNEXURE A

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY – AUTO & GENERAL INSURANCE COMPANY LIMITED

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

A. Particulars of private body

he Head:		5		
	*			
	14		9	
		38		
		32		

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:		, H 18
Postal Address:		
		8 - 40
Telephone number:	Fax number:	
E-mail address:		
C. Particulars of person on water This section must be completed on		
pehalf of another person.	4.	3
Full names and surname:		
		*
dentity number:	S 52 TR	*
®		

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

1.	Description of record or relevant part of the record:				
2.	Reference number, if available:				
3.	Any further particulars of record				
E.	Fees				
(b) You (c) The according (d) If	een paid. ou will be notified of the amount re ne fee payable for access to a re ccess is required and the reasona repare a record.	equired to be pad as the request fee has equired to be pad as the request fee. ecord depends on the form in which ble time required to search for and eayment of any fee, please state the			
Reas	on for exemption from payment o	f fees:			
F.	Form of access to record				
recor	are prevented by a disability fron d in the form of access provided f ility and indicate in which form the	n reading, viewing or listening to the for in 1 to 4 hereunder, state your e record is required.			
Disal	pility:	Form in which record is required:			

Mark the appropriate box with an "X"

NOTES:

A postal fee is payable.

- (a) Your indication as to the required form of access depends on the form in which the record is available.

(b) Access in the form requestions such a case you will be (c) The fee payable for accept the form in which accept the form requestions are such as the form in which accept the form in which accep	e informed if access to the rec	cess will be g ord, if any, wi	aranted in	another for	m.
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2 If record consists of a		a a			
If record consists of reproduced in sound:	ecoraea wora	s or intorma	tion whic	n can be	
Listen to the soun (audio cassette)	dtrack			soundtrack* d document	
I. If record is held on co	omputer or in	an electronic	c or mac	hine-readab	ole form:
Printed copy of record	informa	copy of tion derived e record*		Copy in com readable for or compact o	m* (stiffy
If you requested a copy or you wish the copy or transc	transcription o	f a record (ab	ove), do	YES	NO

G. Particulars of right to be exercised or protected:

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Indicate which	right is to be e	exercised or pro	tected:	th ey (4
Explain why th the aforementi		ecord is require	d for the exerc	ising or protection o

You will be notif	fied in writing whe	egarding requent the ther your requent another manner, ars to enable com	est has been ap	proved/denied. If you the manner and
How would you	u prefer to be i he record?	informed of the	decision regar	ding your request
Signed at	# * E		this	day
of	2003	E		
SIGNATURE (ER/PERSON C	DN .	

ANNEXURE B

FEES IN RESPECT OF PRIVATE BODIES

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

These fees for reproduction are as follows:

a)	For e	every photocopy of an A4 size page or part thereof	R 1,10	
b)	For e held form	every printed copy of an A4 size page or part thereof on a computer or in electronic or machine readable	R 0,75	100
c) -	For a	a copy in a computer readable form on –	- 10	
-,	i)	stiffy disc	R 7,50	
	ii)	compact disc	R70,00	

- R40,00 For a transcription of visual images for an d) i) A4 size page or part thereof
 - R60,00 For a copy of visual images ii)
- R20,00 For a transcription of an audio record, for an e) i) A4 size page or part thereof R30,00
- The request fee payable by a requester, other than a personal
- 2. requester is R50,00.

For a copy of an audio record

The access fees payable by a requester are as follows: 3.

ii)

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

For a copy in a computer readable form on -C) etiffy disc

i)	stiffy disc	R 7,50
ii)	compact disc	R70,00

R40,00 For a transcription of visual images for an d) i) A4 size page or part thereof

For a copy of visual images ii)

e) i) For a transcription of an audio record for an A4 size page or part thereof
ii) For a copy of an audio record R30.00

- f) To search for and prepare a record that must be disclosed, R30,00 for each hour or part of an hour reasonably required for such search and preparation.
- 4. Where a private body receives a request for access to information held on a person other than the requester himself/herself and the information officer upon receipt of the request is of the opinion that the preparation of the required record for disclosure will take more than 6 (six) hours, a deposit is payable by the requester.

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

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

INFORMATION MANUAL FOR BUDGET INSURANCE BROKERS (PTY) LIMITED ("BUDGET")

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

1 INTRODUCTION

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

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

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

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

2 WHO MAY REQUEST INFORMATION IN TERMS OF THE ACT

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

- (1) A requester must be given access to any record of a private body if -
 - (a) that record is required for the exercise or protection of any rights;
 - (b) that person complies with the procedural requirements in this Act relating to a request for access to that record; and
 - (c) access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.

3 PROCEDURES FOR OBTAINING ACCESS

3.1 Contact Details

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

Postal Address

The Information Officer
Budget Insurance Brokers (Pty) Limited
P O Box 11250
Johannesburg, 2000

Physical address

10 th Floor Cnr Barry Hertzog Avenue and Napier Road Richmond, Johannesburg, 2092

Tel: (011) 489-4000 Fax (011) 489-4159

e-mail address: accessinfo@budgetins.co.za

3.2 Prescribed Access Form

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

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

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

3.3 Prescribed Fees

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

- Request fee: This is a non- refundable administration fee paid by all requestors with the exclusion of personal requestors. It is paid before the request is considered.
- Access fee: This is paid by all requestors only when access is granted. This fee is intended to re-imburse the private body for the costs involved in searching for a record and preparing it for delivery to the requestor.

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

3.4 Requestor other than Personal Requestor

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

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

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

3.5 Personal Requestor

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

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

4 HUMAN RIGHTS COMMISSION GUIDELINE

In terms of section 10 of the Act, the Human Rights Commission must compile a guide by 14 August 2003. This guide is intended to assist users in the interpretation of the Act. The guide will contain a description of the objects of the Act, the contact details of the information officers of all the public bodies, particulars of the public bodies, the manner of access to the records of those public bodies and the remedies available in law regarding a breach of any of the provisions of the Act.

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

Private Bag 2700 Houghton 2041

Tel: 011 484 8300 Fax 011 4841360

5 TYPES OF RECORDS

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

5.1 Personnel Records

These include;

- Any personal records provided to the private body by their personnel;
- Any records a third party has provided to the private body about any of their personnel;
- Conditions of employment and other personnel-related contractual and quasi-legal records;
- Internal evaluation records; and
- Other internal records and correspondence.

5.2 Customer-related records

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

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

5.3 Private body records

This includes but is not limited to the following:

- · Financial records;
- Operational records;
- Databases:
- Information technology:
- Marketing records;
- Internal correspondence;
- Product records:
- Statutory records;
- Internal policies and procedures;
- · Records held by officials of the private body.

5.4 Other Parties

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

The following records fall under this category:

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

5.5 Records Available in terms of other legislation

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

alienation of land act (68 of 1981)

basic conditions of employment act (75 of 1997)

companies act (61 of 1973)

compensation for occupational injuries & diseases act (130 of 1993)

employment equity act

financial services board act (97 of 1990)

Income tax act 58 of 1962

labour relations act (66 of 1995)

occupational health and safety act (85 of 1993)

promotion of equality and prevention of unfair discrimination act

regional services councils act (109 of 1985)

short term insurance act (53 of 1998)

skills development act (97 of 1998)

Skills Development Levies act (9 of 1999)

South African Qualifications Authority act (58 of 1995)

VAT act (89 of 1991)

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

6 DECISION-MAKING PROCESS

- 6.1 In terms of Section 55, the information officer will take all reasonable steps to find a record that has been requested. If the record cannot be found or does not exist, the information officer must notify the requestor by way of affidavit or affirmation that it is not possible to give access to the record. This is deemed to be a refusal of the request. If, however, the record is later found, the requestor must be given access if the request would otherwise have been granted.
- 6.2 Section 56 provides that the information officer must within 30 days of receipt of a correctly completed request notify the requestor of the decision as to whether or not to grant the request. If the request is:
 - Granted: the notification must state the applicable access fee required to be paid, together with the procedure to be followed should the requestor wish to apply to court against such fee, and the form in which access will be given.
 - Declined: the notification must include adequate reasons for the decision, together with the relevant provisions of the Act relied upon, and provide the procedure to be followed should the requestor wish to apply to court against the decision.
- 6.3 The information officer may extend the period of 30 days by a further period not exceeding 30 days if:
 - the request is for a large number of records or requires a search through a large number of records;
 - the request requires a search for records located in a different office of the private body not situated in the same city;
 - consultation between divisions of the private body, or with another private body is required; or
 - the requestor consents to the extension.

The requestor must be notified within the initial 30 day period in writing of the extension, together with reasons therefor, and the procedure involved should the requestor wish to apply to court against the extension.

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

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

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

7 THIRD PARTIES

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

8 GROUNDS FOR REFUSAL OF A REQUEST

Notwithstanding compliance with section 50, the request may be declined in accordance with one of the prescribed grounds in terms of the Act, namely:

- 8.1 Section 63 of the Act prohibits the unreasonable disclosure of the personal information of natural-person third parties to requestors. This includes the personal information of deceased persons. However Section 63(2) does provide exceptions to this.
- 8.2 Section 64 states that a request must be refused if it relates to records containing third party information pertaining to:
 - trade secrets:
 - financial, commercial, scientific or technical information where disclosure would be likely to cause harm to the commercial or financial interests of that third party; or
 - information supplied in confidence by the third party, the disclosure of which could reasonably be expected to put the third party at a disadvantage in contractual or other negotiations, or prejudice the third party in commercial competition.

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

- 8.3 Section 65 prohibits disclosure of information if such disclosure would constitute a breach of any duty of confidentiality owed to a third party in terms of an agreement.
- 8.4 In terms of section 66, a private body must refuse a request for access to a record of the body if disclosure could reasonably be expected to:
 - endanger the life or physical safety of an individual;
 - prejudice or impair the security of a building, structure or system, including but not limited to a computer or communication system, means of transport or any other property
 - The private body may also refuse a request for access to information which would prejudice methods, systems, plans or procedures for the protection of an individual in accordance with a witness protection scheme or safety of the public.

- Section 67 mandates the refusal of a request if the record is privileged from 8.5 production in legal proceedings, unless the person entitled to the privilege has waived the privilege.
- Section 68 pertains to records containing information about the private body 8.6 itself and unlike the other provisions pertaining to decline of a request, is not mandatory, but rather discretionary. Budget may refuse access to a record if the record:

contains trade secrets of Budget

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

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

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

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

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

9 RIGHTS OF APPEAL

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

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

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

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

ANNEXURE A

A. Particulars of private body

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY – BUDGET INSURANCE BROKERS (PTY) LIMITED

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

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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.

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dentity number:		
Postal Address:	·	11152
1 2 E		217
Геlephone number:	Fax number:	_
E-mail address:	·	
Capacity in which request is made	e, when made on behalf of another perso	n:
the second secon		
C. Particulars of person on v	whose behalf request is made:	29 10 22
This section must be completed or		n
This section must be completed or	whose behalf request is made:	n
This section must be completed or behalf of another person.	whose behalf request is made:	n
This section must be completed or behalf of another person.	whose behalf request is made:	n
This section must be completed or behalf of another person. Full names and surname:	whose behalf request is made:	n
	whose behalf request is made:	n

- 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.

	No. of the last of	
2.	Reference number, if available:	
3.	Any further particulars of record	
E.	Fees	
(c) <i>T</i>	The fee payable for access to a re	equired to be pad as the request fee. cord depends on the form in which ble time required to search for and
a p d) <i>If</i>	The fee payable for access to a re access is required and the reasonal arepare a record.	cord depends on the form in which
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a p d) If re	The fee payable for access to a reaccess is required and the reasonal prepare a record. If you qualify for exemption of the payers on the refor.	cord depends on the form in which ble time required to search for and ayment of any fee, please state the
a p p q q q q q q q q q q q q q q q q q	The fee payable for access to a respect to a record. If you qualify for exemption of the payable ason therefor. Son for exemption from payment of the payable are payable as a record. Form of access to record.	reading, viewing or listening to the or in 1 to 4 hereunder, state your
Reas	The fee payable for access to a respect to some second of the reasonal prepare a record. If you qualify for exemption of the payable ason therefor. Son for exemption from payment of the payable access to record are prevented by a disability from the form of access provided for the fo	reading, viewing or listening to the or in 1 to 4 hereunder, state your
Reas	The fee payable for access to a respect to a repare a record. If you qualify for exemption of the payable pason therefor. Son for exemption from payment of the payable payable are prevented by a disability from a red in the form of access provided for bility and indicate in which form the	record depends on the form in which ble time required to search for and ayment of any fee, please state the fees: Treading, viewing or listening to the or in 1 to 4 hereunder, state your record is required.

Mark the appropriate	box	with	an	"X"
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NOTES:

- (a) Your indication as to the required form of access depends on the form in which the record is available.
- (b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.
- (c) The fee payable for access to the record, if any, will be determined partly

	2 4 8			- 12	
. If	the record is in writter	or printed fo	orm:		e 9
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				*	
(11	nis includes photographs	s, slides, video	o recording	js, comp	outer-generated image
	View the images	Copy of	the	js, comp	Transcription of the images*
	(etches, etc)		the	js, comp	
sk	vetches, etc) View the images record consists of rec	Copy of images*	the		Transcription of the images*
sk	vetches, etc) View the images	Copy of images*	the or inform	ation w	Transcription of the images*

Printed copy of record	Printed copy of information derived from the record*	Copy in coreadable for compact	orm* (stiffy
	or transcription of a record (above scription to be posted to you?	e), do YES	NO

G. Particulars of right to be exercised or protected:

If the provided s to this form.	pace is inadequ	ate please con	tinue on a sep	arate folio a	and attach it
The requester	must sign all	the addition	al folios.		
Indicate which	right is to be e	xercised or pr	otected:	-	
Explain why the the aforemention	requested reconed right:	cord is require	d for the exe	rcising or p	rotection o
		*			
				¥3	
H. Notice o	f decision reg	arding reque	est for acces	s:	
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How would you for access to the		formed of the	decision rega	arding your	request
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Signed at			_ this		day
of	2003			•	
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SIGNATURE OF			N		

ANNEXURE B

FEES IN RESPECT OF PRIVATE BODIES

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

These fees for reproduction are as follows:

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

i)	stiffy disc	9	R 7,50
ii)	compact disc		R70,00

- d) i) For a transcription of visual images for an R40,00 A4 size page or part thereof
 - ii) For a copy of visual images R60,00
- e) i) For a transcription of an audio record, for an R20,00 A4 size page or part thereof
 - ii) For a copy of an audio record R30,00
- 2. The **request fee** payable by a requester, other than a personal requester is R50,00.
- 3. The access fees payable by a requester are as follows:

a)	For every photocopy of an A4 page or part thereof	R 1,10
b)	For every printed copy of an A4 size page or part	R 0,75

- b) For every printed copy of an A4 size page or part thereof held on a computer or in electronic machine readable form
- c) For a copy in a computer readable form on -

i)	stiffy disc	R 7,50
ii)	compact disc	R70,00

- d) i) For a transcription of visual images for an R40,00 A4 size page or part thereof
 - ii) For a copy of visual images

e) i) For a transcription of an audio record for an R20,00
A4 size page or part thereof
ii) For a copy of an audio record R30,00

f) To search for and prepare a record that must be disclosed, R30,00 for each hour or part of an hour reasonably required for such search and preparation.

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

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

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

FOR IS SERVICES PTY LIMITED ("IS SERVICES")

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

1 INTRODUCTION

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

(1) Everyone has the right of access to -

(a) any information held by the state; and

(b) any information that is held by another person and that is required for

the exercise or protection of any rights.

(2) National legislation must be enacted to give effect to this right, and may provide for reasonable measures to alleviate the administrative and financial burden on the state.

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

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

(b) that person complies with the procedural requirements in this Act

relating to a request for access to that record; and

(c) access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.

3 PROCEDURES FOR OBTAINING ACCESS

Contact Details 3.1

Any person who wishes to request any information from IS Services with the object of protecting or exercising a right may contact the information officer whose contact details are as follows;

Postal Address

The Information Officer IS Services P O Box 11250 Johannesburg, 2000

Physical address

10 th Floor Cnr Barry Hertzog Avenue and Napier Road Richmond, Johannesburg, 2092

Tel: (011) 489-4000 Fax (011) 489-4335

e-mail address: accessinfo@is services.co.za

3.2 Prescribed Access Form

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

- sufficient information to enable the information officer to identify the requestor;
- sufficient information to enable the information officer to identify the record(s) requested;
- the form of access required;
- the requestor's postal address or fax number;
- identification of the right sought to be exercised or protected;
- an explanation on why the record is required to exercise or protect that right;
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- if the request is made on behalf of a person, the submission of proof of the capacity in which the requestor makes the request, to the satisfaction of the information officer.

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

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- Request fee: This is a non- refundable administration fee paid by all requestors with the exclusion of personal requestors. It is paid before the request is considered.
- Access fee: This is paid by all requestors only when access is granted. This fee is intended to re-imburse the private body for the costs involved in searching for a record and preparing it for delivery to the requestor.

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

3.4 Requestor other than Personal Requestor

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

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Tel: 011 484 8300 Fax 011 4841360

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

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

5.3 Private body records

This includes but is not limited to the following:

- Financial records;
- Operational records;
- Databases;
- Information technology;
- Marketing records;
- Internal correspondence:
- Product records:
- Statutory records;
- Internal policies and procedures; and
- Records held by officials of the private body.

5.4 Other Parties

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

The following records fall under this category:

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

5.6 Records Available in terms of other legislation

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

alienation of land act (68 of 1981)

basic conditions of employment act (75 of 1997)

companies act (61 of 1973)

compensation for occupational injuries & diseases act (130 of 1993)

employment equity act

financial services board act (97 of 1990)

Income tax act 58 of 1962

labour relations act (66 of 1995)

occupational health and safety act (85 of 1993)

promotion of equality and prevention of unfair discrimination act

regional services councils act (109 of 1985)

short term insurance act (53 of 1998)

skills development act (97 of 1998)

Skills Development Levies act (9 of 1999)

South African Qualifications Authority act (58 of 1995)

VAT act (89 of 1991)

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

6 DECISION-MAKING PROCESS

- 6.1 In terms of Section 55, the information officer will take all reasonable steps to find a record that has been requested. If the record cannot be found or does not exist, the information officer must notify the requestor by way of affidavit or affirmation that it is not possible to give access to the record. This is deemed to be a refusal of the request. If, however, the record is later found, the requestor must be given access if the request would otherwise have been granted.
- 6.2 Section 56 provides that the information officer must within 30 days of receipt of a correctly completed request notify the requestor of the decision as to whether or not to grant the request. If the request is:
 - Granted: the notification must state the applicable access fee required to be paid, together with the procedure to be followed should the requestor wish to apply to court against such fee, and the form in which access will be given.
 - Declined: the notification must include adequate reasons for the decision, together with the relevant provisions of the Act relied upon, and provide the procedure to be followed should the requestor wish to apply to court against the decision.
- 6.3 The information officer may extend the period of 30 days by a further period not exceeding 30 days if:
 - the request is for a large number of records or requires a search through a large number of records;
 - the request requires a search for records located in a different office of the private body not situated in the same city;
 - consultation between divisions of the private body, or with another private body is required; or
 - · the requestor consents to the extension.

The requestor must be notified within the initial 30 day period in writing of the extension, together with reasons therefor, and the procedure involved should the requestor wish to apply to court against the extension.

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

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

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

7 THIRD PARTIES

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

8 GROUNDS FOR REFUSAL OF A REQUEST

Notwithstanding compliance with section 50, the request may be declined in accordance with one of the prescribed grounds in terms of the Act, namely:

- 8.1 Section 63 of the Act prohibits, the unreasonable disclosure of the personal information of natural-person third parties to requestors. This includes the personal information of deceased persons. However Section 63(2) does provide exceptions to this.
- 8.2 Section 64 states that a request must be refused if it relates to records containing third party information pertaining to:
 - trade secrets:
 - financial, commercial, scientific or technical information where disclosure would be likely to cause harm to the commercial or financial interests of that third party; or
 - information supplied in confidence by the third party, the disclosure of which could reasonably be expected to put the third party at a disadvantage in contractual or other negotiations, or prejudice the third party in commercial competition.

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

- 8.3 Section 65 prohibits disclosure of information if such disclosure would constitute a breach of any duty of confidentiality owed to a third party in terms of an agreement.
- 8.4 In terms of section 66, a private body must refuse a request for access to a record of the body if disclosure could reasonably be expected to:
 - endanger the life or physical safety of an individual;
 - prejudice or impair the security of a building, structure or system, including but not limited to a computer or communication system, means of transport or any other property
 - The private body may also refuse a request for access to information which would prejudice methods, systems, plans or procedures for the protection of an individual in accordance with a witness protection scheme or safety of the public.

- 8.5 Section 67 mandates the refusal of a request if the record is privileged from production in legal proceedings, unless the person entitled to the privilege has waived the privilege.
- 8.6 Section 68 pertains to records containing information about the private body itself and unlike the other provisions pertaining to decline of a request, is not mandatory, but rather discretionary. IS Services may refuse access to a record if the record:
 - contains trade secrets of IS Services
 - contains financial, commercial, scientific or technical information, the disclosure of which would be likely to cause harm to the commercial or financial interests of IS Services
 - contains information which, if disclosed, could reasonably be expected to put the private body at a disadvantage in contractual or other negotiations, or prejudice IS Services in commercial competition; or
 - · consists of a computer program owned by IS Services

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

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

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

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

9 RIGHTS OF APPEAL

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

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

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

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

ANNEXURE A

A. Particulars of private body

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY - IS SERVICES (PTY) LIMITED

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

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			81

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:				
	5			
dentity number:		±		e n e
Postal Address:	e e			
elephone number:	Fax numb	er:	9 8	
E-mail address:		# P		
Capacity in which request is made	e, when made on	behalf of	another	person:
C. Particulars of person on vertical fields.	whose behalf red	quest is r	nade:	20
E. Particulars of person on vertical fields.	whose behalf red	quest is r	nade:	20
Particulars of person on value of the section must be completed or behalf of another person.	whose behalf red	quest is r	nade:	10
Particulars of person on value of this section must be completed or ehalf of another person.	whose behalf red	quest is r	nade:	10
C. Particulars of person on vertical person on vertical person of person of person. Full names and surname:	whose behalf red	quest is r	nade:	10
Capacity in which request is made Capacity in whit	whose behalf red	quest is r	nade: ion is m	ade on

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

1.	Description of record or	relevant part of the record:
*		
6.5		
2.	Reference number, if av	<i>r</i> ailable:
3.	Any further particulars o	of record:
E.	Fees	
(d) //	access is required and the larger of the lar	ss to a record depends on the form in which reasonable time required to search for and of the payment of any fee, please state the yment of fees:
F.	Form of access to rec	ord
reco	rd in the form of access pr	oility from reading, viewing or listening to the ovided for in 1 to 4 hereunder, state your form the record is required.
Disa	bility:	Form in which record is required:
	Annual Control of the	

Mark the appropriate box with an "X"

NOTES:

- (a) Your indication as to the required form of access depends on the form in which the record is available.
- (b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.
- (c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

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

(th	record consists of voice includes photographet etches, etc)	isual images: ohs, slides, video recordings	, computer-generated images,
	View the images	Copy of the images*	Transcription of the images*

3.	If record consists of recorded we reproduced in sound:	ords or	information which can be	223,523
	Listen to the soundtrack (audio cassette)		Transcription of soundtrack* (written or printed document)	

	Printed copy of record		Printed copy of information derived from the record*		Copy in co readable for or compac	orm* (stiffy
'If yo ou v	ou requested a copy o vish the copy or trans	r trans criptio	cription of a record (above) n to be posted to you?), do	YES	NO

G. Particulars of right to be exercised or protected:

If the provided s to this form,	pace is inadequate	e please continue on a sepa	arate folio and attach it
The requester	must sign all th	ne additional folios.	
8. 60			
Indicate which	right is to be exe	rcised or protected:	e e e
Section 1			
- T	Water State of State	- 4	
			9 3
		8	
Explain why the	e requested reco	rd is required for the exer	cising or protection of
· · · · · · · · · · · · · · · · · · ·		A Property and the second seco	
			1
	2		ti di
2	· .		
H. Notice	of decision rega	rding request for acces	s:
wish to be inforn	ned thereof in ano	ner your request has been a ther manner, please specify o enable compliance with y	the manner and
How would you for access to th		rmed of the decision rega	arding your request
		7. NA ROS	
想。		*	
Signed at	N 15	this	day
of	2003	a 3	
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# 10 pt	2 6		œ.
SIGNATURE	F REQUESTER	/PERSON ON	£57.
	LF REQUEST IS		a a

R70,00

ANNEXURE B

FEES IN RESPECT OF PRIVATE BODIES

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

These fees for reproduction are as follows:

compact disc

(ii

ii)

a)	For every photocopy of an A4 size page or part thereof	R 1,10
b)	For every printed copy of an A4 size page or part thereof held on a computer or in electronic or machine readable form.	R 0,75
c)	For a copy in a computer readable form on –	R 7,50
	i) stiffy disc	K 7,50

	")	Compact also	
d)	i)	For a transcription of visual images for an A4 size page or part thereof	R40,00
	ii)	For a copy of visual images	R60,00
e)	i)	For a transcription of an audio record, for an A4 size page or part thereof	R20,00
	ii)	For a copy of an audio record	R30,00

The request fee payable by a requester, other than a personal 2. requester is R50,00.

For a copy of visual images

The access fees payable by a requester are as follows: 3.

a)	For every photocopy of an A4 page or part thereof			1,10
b)	For there	R	0,75	
c)	For a copy in a computer readable form on –			
	i)	stiffy disc	R	7,50
	ii)	compact disc	R	70,00
d)	i)	For a transcription of visual images for an A4 size page or part thereof	R	40,00

e) i) For a transcription of an audio record for an A4 size page or part thereof
ii) For a copy of an audio record R30,00

- f) To search for and prepare a record that must be disclosed, R30,00 for each hour or part of an hour reasonably required for such search and preparation.
- 4. Where a private body receives a request for access to information held on a person other than the requester himself/herself and the information officer upon receipt of the request is of the opinion that the preparation of the required record for disclosure will take more than 6 (six) hours, a deposit is payable by the requester.

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

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

INFORMATION MANUAL FOR TELESURE INVESTMENT HOLDINGS (PTY) LIMITED ("TELESURE")

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

1 INTRODUCTION

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

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

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

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

2 WHO MAY REQUEST INFORMATION IN TERMS OF THE ACT

Any person who requires information for the exercise or protection of any rights, may request information from a private body. Section 50 of the Act states that:

- (1) A requester must be given access to any record of a private body if -
 - (a) that record is required for the exercise or protection of any rights;
 - (b) that person complies with the procedural requirements in this Act relating to a request for access to that record; and
 - (c) access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.

3 PROCEDURES FOR OBTAINING ACCESS

3.1 Contact Details

Any person who wishes to request any information from Telesure with the object of protecting or exercising a right may contact the information officer whose contact details are as follows:

Postal Address

The Information Officer
Telesure Investment Holdings (Pty) Limited
P O Box 11250
Johannesburg, 2000

Physical address

10 th Floor Cnr Barry Hertzog Avenue and Napier Road Richmond, Johannesburg, 2092

Tel: (011) 489-4000 Fax (011) 489-4335

3.2 Prescribed Access Form

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

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

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

3.3 Prescribed Fees

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

- Request fee: This is a non- refundable administration fee paid by all requestors with the exclusion of personal requestors. It is paid before the request is considered.
- Access fee: This is paid by all requestors only when access is granted. This fee is intended to re-imburse the private body for the costs involved in searching for a record and preparing it for delivery to the requestor.

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

3.4 Requestor other than Personal Requestor

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

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

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

3.5 Personal Requestor

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

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

4 HUMAN RIGHTS COMMISSION GUIDELINE

In terms of section 10 of the Act, the Human Rights Commission must compile a guide by 14 August 2003. This guide is intended to assist users in the interpretation of the Act. The guide will contain a description of the objects of the Act, the contact details of the information officers of all the public bodies, particulars of the public bodies, the manner of access to the records of those public bodies and the remedies available in law regarding a breach of any of the provisions of the Act.

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

Private Bag 2700 Houghton 2041

Tel: 011 484 8300 Fax 011 4841360

5 TYPES OF RECORDS

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

5.1 Personnel Records

These include:

- Any personal records provided to the private body by their personnel;
- Any records a third party has provided to the private body about any of their personnel;
- Conditions of employment and other personnel-related contractual and quasi-legal records;
- · Internal evaluation records; and
- Other internal records and correspondence.

5.2 Customer-related records

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

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

5.3 Private body records

This includes but is not limited to the following:

- Financial records;
- Operational records;
- Databases:
- Information technology;
- Marketing records;
- Internal correspondence:
- Product records:
- Statutory records;
- Internal policies and procedures;
- Treasury-related records;
- Securities and equities; and
- Records held by officials of the private body.

5.4 Other Parties

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

The following records fall under this category:

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

5.5 Records Available in terms of other legislation

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

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basic conditions of employment act (75 of 1997)

companies act (61 of 1973)

compensation for occupational injuries & diseases act (130 of 1993)

employment equity act

financial services board act (97 of 1990)

Income tax act 58 of 1962

labour relations act (66 of 1995)

occupational health and safety act (85 of 1993)

promotion of equality and prevention of unfair discrimination act

regional services councils act (109 of 1985)

short term insurance act (53 of 1998)

skills development act (97 of 1998)

Skills Development Levies act (9 of 1999)

South African Qualifications Authority act (58 of 1995)

VAT act (89 of 1991)

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

6 DECISION-MAKING PROCESS

- 6.1 In terms of Section 55, the information officer will take all reasonable steps to find a record that has been requested. If the record cannot be found or does not exist, the information officer must notify the requestor by way of affidavit or affirmation that it is not possible to give access to the record. This is deemed to be a refusal of the request. If, however, the record is later found, the requestor must be given access if the request would otherwise have been granted.
- Section 56 provides that the information officer must within 30 days of receipt 6.2 of a correctly completed request notify the requestor of the decision as to whether or not to grant the request. If the request is:
 - Granted: the notification must state the applicable access fee required to be paid, together with the procedure to be followed should the requestor wish to apply to court against such fee, and the form in which access will be given.
 - Declined: the notification must include adequate reasons for the decision, together with the relevant provisions of the Act relied upon, and provide the procedure to be followed should the requestor wish to apply to court against the decision.
- 6.3 The information officer may extend the per of 30 days by a further period not exceeding 30 days if:
 - the request is for a large number of records or requires a search through a large number of records;
 - the request requires a search for records located in a different office of the private body not situated in the same city;
 - consultation between divisions of the private body, or with another private body is required; or
 - the requestor consents to the extension.

The requestor must be notified within the initial 30 day period in writing of the extension, together with reasons therefor, and the procedure involved should the requestor wish to apply to court against the extension.

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

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

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

7 THIRD PARTIES

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

8 GROUNDS FOR REFUSAL OF A REQUEST

Notwithstanding compliance with section 50, the request may be declined in accordance with one of the prescribed grounds in terms of the Act, namely:

- 8.1 Section 63 of the Act prohibits the unreasonable disclosure of the personal information of natural-person third parties to requestors. This includes the personal information of deceased persons. However Section 63(2) does provide exceptions to this.
- 8.2 Section 64 states that a request must be refused if it relates to records containing third party information pertaining to:
 - trade secrets;
 - financial, commercial, scientific or technical information where disclosure would be likely to cause harm to the commercial or financial interests of that third party; or
 - information supplied in confidence by the third party, the disclosure of which could reasonably be expected to put the third party at a disadvantage in contractual or other negotiations, or prejudice the third party in commercial competition.

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

- 8.3 Section 65 prohibits disclosure of information if such disclosure would constitute a breach of any duty of confidentiality owed to a third party in terms of an agreement.
- 8.4 In terms of section 66, a private body must refuse a request for access to a record of the body if disclosure could reasonably be expected to:
 - endanger the life or physical safety of an individual;
 - prejudice or impair the security of a building, structure or system, including but not limited to a computer or communication system, means of transport or any other property
 - The private body may also refuse a request for access to information which would prejudice methods, systems, plans or procedures for the protection of an individual in accordance with a witness protection scheme or safety of the public.

- Section 67 mandates the refusal of a request if the record is privileged from 8.5 production in legal proceedings, unless the person entitled to the privilege has waived the privilege.
- Section 68 pertains to records containing information about the private body 8.6 itself and unlike the other provisions pertaining to decline of a request, is not mandatory, but rather discretionary. Telesure may refuse access to a record if the record:
 - contains trade secrets of Telesure
 - contains financial, commercial, scientific or technical information, the disclosure of which would be likely to cause harm to the commercial or financial interests of Telesure
 - contains information which, if disclosed, could reasonably be expected to put the private body at a disadvantage in contractual or other negotiations, or prejudice Telesure in commercial competition; or
 - consists of a computer program owned by Telesure

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

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

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

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

9 RIGHTS OF APPEAL

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

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

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

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

ANNEXURE A

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY - TELESURE INVESTMENT HOLDINGS (PTY) LIMITED

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

A. Particulars of private be	odv	V
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The He	ead:	8	14			
		***************************************	M.Sr.	ai a		***
	** *** *** *** *** *** *** *** *** ***	8 4		-	ar and a second	

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:		
	3	8
dentity number:		
Postal Address:	9	Я
Telephone number: Fa	ax number:	-
E-mail address:		86.1
Capacity in which request is made, when r	nade on behalf of a	nother person:
C. Particulars of person on whose b	ehalf request is m	ade:
C. Particulars of person on whose b	ehalf request is m	ade:
C. Particulars of person on whose b	ehalf request is m	ade:
C. Particulars of person on whose be section must be completed only if a repethalf of another person.	ehalf request is m	ade:
C. Particulars of person on whose b This section must be completed only if a repetable of another person.	ehalf request is m	ade:
C. Particulars of person on whose bearing the completed only if a rebehalf of another person. Full names and surname:	ehalf request is m	ade:
Capacity in which request is made, when recommon controls and surname: Capacity in which request is made, when recommon controls and surname.	ehalf request is m	ade:

(b) If the provided space is inadequate please continue on a separate folio and attach it to this form. The requester must sign all the additional

folios.

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- - - 2. I			
- 2. l			
- 2. I			4
2. 1			
	Reference number, if available		
3. /	Any further particulars of record	d:	3 S
_			
E. 1	Fees	***************************************	6 4 5
prep d) If yo	ess is required and the reasona pare a record. u qualify for exemption of the p con therefor.		*
Reason	for exemption from payment of	of fees:	
7			
. г	Form of access to record	×	
		· · · · · · · · · · · · · · · · · · ·	-
ecord in	re prevented by a disability from In the form of access provided to Ity and indicate in which form the	for in 1 to 4 hereund	er, state your
ecord in	n the form of access provided to and indicate in which form the	for in 1 to 4 hereund	er, state your
ecord in	n the form of access provided to and indicate in which form the	for in 1 to 4 hereund e record is required.	er, state your

Mark the appropriate box with an "X"

NOTES:

- (a) Your indication as to the required form of access depends on the form in which the record is available.
- (b) Access in the form requested may be refused in certain circumstances. In

		G =	9 8	*e x	10		3
1. If t	he record is in writ	ten or print	ed form:	© ©		t. *	n x
6 5	Copy of record*			Inspect	ion of r	ecord	. ti
				*:		a se	19
(thi	record consists of value is includes photogra etches, etc)			ordings,	, comp	uter-generated im	ages
	View the images		y of the ges*			Transcription of images*	the
	100 Te 10 Te	1. 34	118,	S 9			
	record consists of r produced in sound:		ords or in	ıformat	ion wh	nich can be	
4	Listen to the sour (audio cassette)	ndtrack		Transci (written	ription of or prin	of soundtrack* nted document)	0 B
l. If	record is held on c	omputer o	r in an ele	ctronic	or ma	achine-readable	form
100	Printed copy of record		ited copy		12 12 12 12 12 12 12 12 12 12 12 12 12 1	Copy in comput	ter (stiffv

Printed copy of record	Printed copy of information derived from the record*	Copy in con readable for or compact	m* (stiffy
	transcription of a record (above), do cription to be posted to you?	YES	NO

G. Particulars of right to be exercised or protected:

to this form.		uate please continue on a se	parate folio and attach
The request	er must sign al	I the additional folios.	851
			1
r			- No.
indicate whic	n right is to be e	exercised or protected:	
	*	TO THE REAL PROPERTY OF THE PERSON OF THE PE	
100		12	
F	e^{ik}		
		5:	
Explain why t	he requested re	cord is required for the exe	ercising or protection
he aforemen		•	
		•	3
		Citta	
	VIII.	- 34	
			The same of the sa
d. Notice	of decision re	garding request for acce	ss:
ou will be not	ified in writing wh	ether your request has been nother manner, please speci	approved/denied. If yo
ou will be not	ified in writing wh	ether your request has been	approved/denied. If yo
ou will be not vish to be information in the inform	ified in writing who rmed thereof in an cessary particular ou prefer to be in	ether your request has been nother manner, please speci	approved/denied. If yo fy the manner and your request.
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ou will be not vish to be information from would your access to the information for access to the information of the informatio	ified in writing whomed thereof in an cessary particular ou prefer to be in the record?	ether your request has been nother manner, please speci is to enable compliance with aformed of the decision reg	approved/denied. If yo fy the manner and your request. garding your request

ANNEXURE B

FEES IN RESPECT OF PRIVATE BODIES

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

These fees for reproduction are as follows:

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

i)	stiffy disc	R 7,50
::\		

- ii) compact disc R70,00
- d) i) For a transcription of visual images for an R40,00 A4 size page or part thereof
 - ii) For a copy of visual images R60,00
- e) i) For a transcription of an audio record, for an R20,00
- A4 size page or part thereof
 ii) For a copy of an audio record R30,00
- 2. The **request fee** payable by a requester, other than a personal requester is R50,00.
- 3. The access fees payable by a requester are as follows:

a) F	or every photocopy	of an A4 page or part thereof	R 1,10
------	--------------------	-------------------------------	--------

- b) For every printed copy of an A4 size page or part R 0,75 thereof held on a computer or in electronic machine readable form
- c) For a copy in a computer readable form on -

i)	stiffy disc	R 7,50

- ii) compact disc R70,00
- d) i) For a transcription of visual images for an R40,00 A4 size page or part thereof
 - ii) For a copy of visual images

e) i) For a transcription of an audio record for an R20,00
A4 size page or part thereof
ii) For a copy of an audio record R30,00

- f) To search for and prepare a record that must be disclosed, R30,00 for each hour or part of an hour reasonably required for such search and preparation.
- 4. Where a private body receives a request for access to information held on a person other than the requester himself/herself and the information officer upon receipt of the request is of the opinion that the preparation of the required record for disclosure will take more than 6 (six) hours, a deposit is payable by the requester.

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

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

SECTION 51 MANUAL FOR VISICARE Pty (LTD) Reg number: 1996004553/07

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1. Contents				1
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iii. The stru	cture of VISICA	RE Pty (LTD		2
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III. I ne requ	est procedures l	Section 51(1)(e)1		

2. PARTICULARS IN TERMS OF SECTION 51

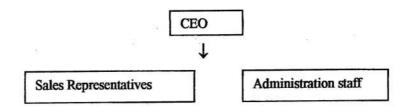
A. The functions and structure of the VISICARE Pty (LTD) [Section 51.(1)(a)]

i. The functions of the VISICARE Pty (LTD)

As an ophthalmic distributive company provide a service to the ophthalmic field in regards to

- (a) Ophthalmic surgical equipment
- (b) Information on surgical techniques
- (c) Wide range of ophthalmic products

ii. A schematic diagram of the structure of VISICARE Pty (LTD)



iii The structure of the VISICARE Pty (LTD)

VISICARE Pty (LTD) consists of offices that is situated in Gauteng

VISICARE Pty (LTD) is made up of a CEO Mr. D van Wyk
The Full Time Administrative staff is Me CE Barnardo, Mrs. A.E. Savva and Mr. S Dhlamini
and Sales Representatives Mr. A. Thompson, Mr. C. Small, Mrs. F Green,

B. Contact details [Section 51(1)(a)]

Information officer:

Mr. D van Wyk - CEO deonvanwyk@visicare.co.za

Deputy information officer:

Me CE Barnardo - Administration carolb@visicare.co.za

General information:

Address

:269 Beyers Naude Ave

Visiomed Office Park

Building NO.5

Cresta

Johannesburg

Postal address

: PO Box 1010

Cresta 2118

Telephone

: +27 11 478 - 3431

Fax

: +27 11 478 - 0524

General enquiries

: deonvanwyk@visicare.co.za

C. The section 10 Guide on how to use the Act [Section 51(1)(b)]

The guide will be available from the South African Human Rights Commission.

D. Access to the records held by VISICARE Pty (LTD) [Section 51(1)(c)]

i. Automatic disclosures [Section 51(1)(c)]

A notice in terms of section 52(1) describes the categories of records of the bodies that are available without a person having to request access in terms of the Act.

Voluntary disclosures:

- 1. Booklets
- 2. Pamphlets
- 3. Posters
- 4. Newsletters

ii. Records that may be requested [Sections 51(1)(d)]

Description of the subjects and categories of records held by VISICARE Pty (LTD):

1. PHARMACY RECORDS

2. FINANCE AND ADMINISTRATION

1. HUMAN RESOURCES

- Policies on staff recruitment and other staff related policies
- Employment records and other related policies

2. PROCUREMENT

- Asset register
- 3. FINANCIAL MANAGEMENT

- Budgets
- Strategic plans

3. DIRECTORS

- 1. Minutes of meetings of Directors and senior management
- 2. Records of workshops and conferences attended

iii. The request procedures

Reference: Chapter 3 on the Promotion of access to information act

Manual contemplated in terms of the Promotion of Access to Information Act 2 of 2000(the Act), section 51

CVT TRUST

((REG NO. IT 1808/98) ,(EN COMMANDITE PARTNER))

Tel +27-(0)11- 957-2000 Fax +27-(0)11- 957-2020 Email tonder@xsinet.co.za PO BOX 961, MULDERSDRIFT, 1747

----- TAX SPECIALISTS - ACCOUNTING - BUSINESS SOLUTIONS - ESTATES --

(TRUSTEE & HEAD) CHRIS VAN TONDER
PLOT 305, RIETFONTEIN 189 IQ, DIST KRUGERSDORP

CVT TRUST is a private body as contemplated in the Act

A request in terms of the Act will be considered by CVT TRUST upon receipt by CVT TRUST of the duly completed prescribed form per Regulation 10 i.t.o. sec 53(1) of the ACT (FORM C) The form must be completed in either English or Afrikaans;

1116	le form will inter alla require you to specify:	₩
	particulars of requester and person on whose behalf request is n	nade
	particulars of the record	di g
	the form of access required -(which form might not be available	to you)
	particulars of right to be exercised or protected and give a detail	ed explanation why the record is
	needed.	***************************************
(FOR	RM C can be obtained from CVT TRUST at the prescribed fee(s) sho	uld you require)
	. sec 10 of the Act the Human Rights Commission(HRC) will compile cial language:	e a guide containing inter alia in each
	what the objects of the Act are	
	particulars of every private body as are practicable	8 8 W
	the manner and form required to make a request	
	any assistance available by information officers of public bodies	& HRC
	how to get access to the manual of a private body	3
	all (sic) remedies available in law to you.	
The gu the HR	guide to be published in the <i>Government Gazette</i> should be available iRC who can be contacted at, tel: 011 484 8300; fax 011 484 7146; w	for inspection by you at the offices of www.sahrc.org.za (www.sahrc.org.za)
Record	ords which are automatically available without a request for access in t	erms of the Act heing necessary are-
	List of companies & close corporations who use the offices of CV (to be viewed only).	T TRUST as their registered address
0	This manual (to be viewed only)	20 TO 10 TO
REQUE	THER RECORDS/ INFORMATION IS FREELY AVAILABLE WI UEST ACCESS IN TERMS OF THE ACT AND PAY THE PRESCI TRUST APPROVING AND GRANTING ACCESS.	THOUT A REQUESTER HAVING TO RIBED FEE(S) AND THE HEAD OF
	UNDS FOR REFUSAL OF ACCESS TO RECORDS	
Sec 62 t	2 to 69 of the Act specify some grounds for refusal to access which ar	
_	Mandatory protection of privacy of a third party who is a natural p	person or its deceased estate.
3	Mandatory protection of privileged records subject to legal proceed	edings.
ב	Certain commercial information of any private body	
3	Mandatory protection of research information of third party and ar	y private body.

Apart from the above grounds there are or may be other grounds for refusal of access to records or parts thereof and CVT TRUST reserves all its rights

A non exhaustive list of other legislation in terms whereof or how records are kept where applicable from time to

time	(if any) are:	
n	Administration of Estates Act 66 of 1965	
0	Arbitration Act 42 of 1965	
0	Basic Conditions of Employment Act 75 of 1997/ Sectoral determinations	
0	Bills of Exchange Act 34 of 1964	
0	Close Corporations Act 69 of 1985	
0	Companies Act 61 of 1973	
	Compensation for Occupational Injuries and Diseases Act 130 of 1993	114
	Customs and Excise Act 91 of 1964	
0	Electronic Communications and Transactions Act 25 of 2002	
<u> </u>		
	Employment Equity Act 55 of 1998	
	Estate Duty Act 45 of 1955	
	Financial Intelligence Centre Act 38 of 2001	
	Financial Advisory and Intermediary Services Act 37 of 2002	
<u> </u>	Income Tax Act 58 of 1962	
<u> </u>	Insolvency Act 24 of 1936	
	Labour Relations Act 66 of 1995	
	Occupational Health and Safety Act 85 of 1993	
	Prevention of Organised Crime 121 of 1998	
	Price Control Act 25 of 1964	
	Regional Services Councils Act 109 of 1985	
	Skills Development Act 97 of 1998	
	Skills Development Levy Act 9 of 1999	
	Stamp Duties Act 77 of 1968	
	Trust Property Control Act 57 of 1988	
	Unemployment Insurance Contributions Act 4 of 2002	
	Unemployment Insurance Act 63 of 2001 and 30 of 1966	
	Value Added Tax 89 of 1991	
		PECOPIN
Subjec	cts on which records are held resort under "OWN RECORDS" and "CLIENT/OTHER PERSONS	KECOKD
and re	sort under the following types:	
OWN	PECONDO	
	RECORDS	
<u> </u>	accounting, commercial & financial	
	compliance	
	created & generated, notes, letters, etc. human resources and related matters	
<u> </u>		
	new technology	
	operational/ technology research/ reference	*
	stakeholders ie shareholder/ member /owner/ trustee/ partner	
	strategy ,marketing & advertising	
	third party records subject to a lien or hypothecate	
a	TO A CONTIER DED COME DECONDO	
	T / OTHER PERSONS RECORDS	
0	accounting, commercial & financial	_ =
	compliance	
	created & generated, notes, letters, etc.	
0	human resources and related matters	0
	new technology	400
	operational/ technology	
	personal records/ items belonging to staff	
	research/ reference	55
	stakeholders ie shareholder/ member /owner/ trustee/ partner	
	strategy ,marketing & advertising	

third party records subject to a lien or hypothecate

GROUN	NDS FOR REFUSAL OF ACCESS TO RECORDS
Sec 62 t	o 69 of the Act specify some grounds for refusal to access which are:
	Mandatory protection of privacy of a third party who is a natural person or its deceased estate.
	Mandatory protection of privileged records subject to legal proceedings.
	Certain commercial information of any private body
	Mandatory protection of research information of third party and any private body.
Apart f	from the above grounds there are or may be other grounds for refusal of access to records or parts thereof and
CVT TE	RUST reserves all its rights
	E&OE

Date of manual 29/1/2003



Van Wyk & Associates

ATTORNEYS & CONVEYANCERS

Manual in terms of Section 51 of the Promotion of Access to Information, Act No. 2 of 2000

1. CONTACT DETAILS

Head of Body -

Gary Van Wyk

212 St Thomas Road, Musgrave, DURBAN, 4001

P O Box 50873, MUSGRAVE ROAD, 4062

Tel. 031-2028500, Fax 031-2014345

Dx 392, DURBAN

2. GUIDE IN TERMS OF SECTION 10 OF THE ACT

In terms of the above Section, the South African Human Rights Commission (SAHRC) must compile a guide containing information any person may require who wishes to exercise a right in terms of this Act. At the date of drafting this manual, such guide had not yet been made available by the SAHRC. The contact details for the SAHRC are as follows:

PAIA Unit The Research and Documentation Department Private Bag 2700 Houghton, 2041

Tel. 011-4848300, Fax 011-4840582

Website: www.sahrc.org.za E-Mail: PAIA@sahrc.org.za

3. NOTICE IN TERMS OF SECTION 52(2)

No voluntary disclosure in terms of the abovementioned section has been made by Van Wyk & Associates.

4. RECORDS HELD BY VAN WYK & ASSOCIATES IN ACCORDANCE WITH OTHER LEGISLATION

Van Wyk & Associates keeps information in accordance with the following legislation:

- 4.1 Income Tax Act, Act No. 58 of 1962;
- 4.2 Value Added Tax Act, Act No. 89 of 1991;
- 4.3 Unemployment Insurance Act, Act No. 30 of 1966;
- 4.4 Basic Conditions of Employment Act, Act No. 75 of 1997;
- 4.5 Compensation for Occupation Injuries and Diseases Act, Act No. 130 of 1993;
- 4.6 Occupation Health and Safety Act, Act No. 85 of 1993;

4.7 Attorneys Act, Act No. 53 of 1979;

Please note that the above list may not be exhaustive.

5. SUBJECTS AND CATEGORIES OF INFORMATION HELD BY VAN WYK & ASSOCIATES

Please note the following:

- 5.1 A person requesting information from Van Wyk & Associates must use the prescribed form (Form C of Annexure B of the Regulations under this Act GNR.187 of 15 February 2002). This form may also be obtained from the SAHRC website.
- 5.2 A request for access to a record, other than a record containing personal information about yourself will be processed only after the request fee in terms of the aforementioned regulations has been paid.
- 5.3 Should access be granted, you will also be required to pay the prescribed access and reproduction fees as set out in the aforementioned regulations.

No.	Subject	Categories of Information
1.	Employee Details	Contact details of employees; Full names and identity numbers; Salaries and benefits; Employment Contracts; Disciplinary or performance records.
2.	Client Details	Contact details; Details of legal work undertaken on behalf of clients.

WIZ@RD UNIVERSAL PENSION FUND

("Fund")

MANUAL IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT 20/2000 ("Act")

The Fund is a pension fund as defined in the Pension Funds Act 24 of 1956. It is a private body as defined by the Act.

A. CONTACT DETAILS

1.	Head of the Fund:	Wessel Adriaan Swart	9
2.	Registrar of Pension F	unds PF Number of the Fund:	12/8/36828
Th	ne registered address of t	he Fund:	2 Strand Road, Bellville, 7530
		3 and 31	B & D
3.	The postal address of the	ne Fund:	P.O. Box 1, Sanlamhof, 7532
	35 40		
4.	The contact telephone	number for the Fund:	(021) 947-2397
	*	,	
5.	The contact facsimile r	number for the Fund:	(021) 947-5787
	al e		
6.	The e-mail address of t	he Head of the Fund:	Wessel.swart@sanlam.co.za

B. SOUTH AFRICAN HUMAN RIGHTS COMMISSION GUIDE

In terms of section 10 of the Act, the Human Rights Commission is required to compile a guide to the Act to assist people to exercise their rights under the Act. This guide will become available not later than August 2003. The Human Rights Commission may be contacted at:

Address

Private Bag 2700 Houghton 2041,

Telephone:

(011) 484 8300

Facsimile:

(011) 484 0582

Website:

www.sahrc.org.za.

C. FUND RECORDS AVAILABLE IN TERMS OF THE PENSION FUNDS ACT 24 of 1956

- (a) Copies of the following records of the Fund are available on request by a <u>member</u> of the Fund after payment of any fees determined by the rules of the Fund:
 - (i) The registered rules of the Fund (including amendments);
 - (ii) The last revenue account and the last balance sheet prepared in terms of section 15(1) of the Pension Funds Act, 1956.
- (b) The following records are available on request by a <u>member</u> for inspection at the registered address of the Fund (see A3 above) at no charge:
 - (i) the documents referred to in C(a) above;
 - (ii) the last report (if any) by a valuator prepared in terms of section 16 of the Pension Funds Act, 1956;
 - (iii) the last statement (if any) and report thereon prepared in terms of section 17 of the Pension Funds Act, 1956;
 - (iv) any scheme which is being carried out by the Fund in accordance with the provisions of section 18 of the Pension Funds Act, 1956.
- (c) Any person (upon payment of prescribed fees) may inspect at the office of the Registrar of Pension Funds any record referred to in (a) and (b) above and make a copy thereof or take extracts therefrom, or obtain from the Registrar a copy thereof or extract therefrom. The Registrar may be contacted at:

Address:

446 Rigel Avenue Pretoria

Telephone

(012) 428 8000

Facsimile:

(012) 3470221

Website:

www.fsb.co.za.

D. INFORMATION TO FACILITATE A REQUEST FOR ACCESS TO FUND RECORDS

- The request must be made to the person specified in A1 above and at the contact details specified in A above.
- Any request for access to records in terms of the Act must be completed on the prescribed form in terms
 of the Act and the Regulations thereto.
- Please note that the Fund is a separate legal entity from the employer(s) that participate in the Fund as well as from the Fund's administrators and other advisors/service providers.
- The requester must provide sufficient detail on the request form to enable the head of the private body to
 identify the record and the requester. The requester should also indicate what form of access is required.
- The requester must identify the right that he or she is seeking to exercise or protect and provide an
 explanation of why the requested record is required for the exercise or protection of that right.
- If a request is made on behalf of a person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the head of the Fund
- The head of the Fund must notify the requester by notice, requiring the requester to pay the prescribed fee (if any) before further processing the request

- The head of the Fund will then make a decision whether to grant the request or not and notify the requestor in the required form.
- If the request is granted, then a further access fee must be paid for the search, reproduction and preparation, and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

E. AVAILABILITY OF THE MANUAL

The Fund's manual is available for inspection free of charge at the registered address of the Fund (see A3 above). A copy is also available from the Human Rights Commission (see contact details in B above).

F. DESCRIPTION OF RECORDS HELD BY THE FUND

Claims (Withdrawals, Retirements, Deaths & (where applicable) Disabilities)

- Claim Notification Forms
- Calculations (where available), or computerised statement of claim
- Tax Application (where applicable)
- Tax Directive (where applicable)
- IT 88 notifications
- Tax Certificate (Duplicate -where applicable)
- Client / broker payment instruction (where applicable).
- Section 37D- deduction instruction (where applicable).
- Copy of any other court order against benefits
- Payment letter
- Copy of cheque (or cheque/EFT payment reference)
- · Beneficiary nomination form (death only)
- Potential beneficiary schedule (if completed by member)
- Potential beneficiary data affidavits (where applicable)
- Insurance received -statement by insurer (deaths only)
- · Copy of death certificate
- Statement by Employer (disability only)
- · Statement by Employee (disability only)
- Acceptance / Declination Letter (disability only)

Member Data

- New entrant data
- · Contribution records
- Member investment choice investment option forms (where applicable)
- Installation & Acquisition data
- · Statement of member fund value
- Additional benefit calculations
- Member investment choice investment switch forms (where applicable)
- Flexible benefit member option forms (where applicable)
- Housing loan application and confirmation (where applicable)

Section 14 Transfers / Liquidations

- Calculations
- Option forms (where applicable)
- Tax application forms (where applicable)
- Tax directives (where applicable)
- Tax certificates (duplicate -where applicable)
- Payment letter (liquidations only)
- Copy of Section 14 application lodged (transferor fund)
- Copy of Section 14 (1) (e) certificate (transferee and transferor funds)

Pensioners (where applicable):

- Special tax directives or court orders
- Commutation of pensions –calculations
- Annuity option forms
- Trustee instruction regarding payments
- Certificate of existence

Disability (if applicable):

- Medical Reviews -correspondence (where applicable)
- Certificate of continued disability
- Payment/Benefit confirmation
- EFT payment reference
- Recovery Documentation
- · Letter of Suspension/Reinstatement from underwriter

Accounting records

If audit exempt:

Abbreviated financial returns prescribed by Pension Funds Act

If subject to audit:

- Cashbooks and reconciliations to bank
- General Ledgers.
- Trial Balances
- Annual financial statements
- Audit files with working papers
- Bank statements of fund bank accounts
- EFT files (ACB whilst still applied)
- Deposit slips (where applicable)
- Trustees' annual reports

Miscellaneous

- Copies of signed rules and amendments
- Confirmation of registration and tax approval
- Minute books
- Trustees registers
- Original or copies of any insurance policy documents relating to risk benefits and investments
- · Documentation relating to the review of insurances on an annual basis
- Agendas for all meetings to be held (if applicable secretarial services are performed)
- Investment manager mandates or policies of insurance depending on the nature of the investment

- Copies of statements detailing the asset values for a fund
- Copies of communication sent to members of the fund
- Copy of service agreement between fund and Administrator and any other service provider
- Correspondence to the trustees in respect of fund matters
- Correspondence to members/beneficiaries/pensioners, where applicable
- Fund statutory valuation reports, where applicable
- Copies of Pension Funds Adjudicator complaints lodged
- Certain communication with the Adjudicator, SARS and FSB
- Copy of investment strategy
- Original or copy of fidelity and professional indemnity policy (where applicable)
- Housing loan documents (where applicable) including any suretyship granted to a bank

WIZ@RD UNIVERSAL PROVIDENT FUND

("Fund")

MANUAL IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT 20/2000 ("Act")

The Fund is a pension fund as defined in the Pension Funds Act 24 of 1956. It is a private body as defined by the Act.

A. CONTACT DETAILS

1.	Head of the Fund:	Wessel Adriaan Swart	
2.	Registrar of Pension Funds PF Number of the Fund:		12/8/36813
Th	ne registered address of	the Fund:	2 Strand Road, Bellville, 7530
3.	The postal address of t	he Fund:	P.O. Box 1, Sanlamhof, 7532
4.	The contact telephone	number for the Fund:	(021) 947-2397
5.	The contact facsimile	number for the Fund:	(021) 947-5787
6.	The e-mail address of	the Head of the Fund:	Wessel.swart@sanlam.co.za

B. SOUTH AFRICAN HUMAN RIGHTS COMMISSION GUIDE

In terms of section 10 of the Act, the Human Rights Commission is required to compile a guide to the Act to assist people to exercise their rights under the Act. This guide will become available not later than August 2003. The Human Rights Commission may be contacted at:

Address

Private Bag 2700 Houghton 2041,

Telephone:

(011) 484 8300

Facsimile:

(011) 484 0582

Website:

www.sahrc.org.za.

C. FUND RECORDS AVAILABLE IN TERMS OF THE PENSION FUNDS ACT 24 of 1956

- (a) Copies of the following records of the Fund are available on request by a <u>member</u> of the Fund after payment of any fees determined by the rules of the Fund:
 - (i) The registered rules of the Fund (including amendments);
 - (ii) The last revenue account and the last balance sheet prepared in terms of section 15(1) of the Pension Funds Act, 1956.
- (b) The following records are available on request by a <u>member</u> for inspection at the registered address of the Fund (see A3 above) at no charge:
 - (i) the documents referred to in C(a) above;
 - (ii) the last report (if any) by a valuator prepared in terms of section 16 of the Pension Funds Act, 1956;
 - (iii) the last statement (if any) and report thereon prepared in terms of section 17 of the Pension Funds Act, 1956;
 - (iv) any scheme which is being carried out by the Fund in accordance with the provisions of section 18 of the Pension Funds Act, 1956.
- (c) Any person (upon payment of prescribed fees) may inspect at the office of the Registrar of Pension Funds any record referred to in (a) and (b) above and make a copy thereof or take extracts therefrom, or obtain from the Registrar a copy thereof or extract therefrom. The Registrar may be contacted at:

Address:

446 Rigel Avenue Pretoria

Telephone

(012) 428 8000

Facsimile:

(012) 3470221

Website:

www.fsb.co.za.

D. INFORMATION TO FACILITATE A REQUEST FOR ACCESS TO FUND RECORDS

- The request must be made to the person specified in A1 above and at the contact details specified in A above.
- Any request for access to records in terms of the Act must be completed on the prescribed form in terms
 of the Act and the Regulations thereto.
- Please note that the Fund is a separate legal entity from the employer(s) that participate in the Fund as well as from the Fund's administrators and other advisors/service providers.
- The requester must provide sufficient detail on the request form to enable the head of the private body to
 identify the record and the requester. The requester should also indicate what form of access is required.
- The requester must identify the right that he or she is seeking to exercise or protect and provide an explanation of why the requested record is required for the exercise or protection of that right.
- If a request is made on behalf of a person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the head of the Fund
- The head of the Fund must notify the requester by notice, requiring the requester to pay the prescribed fee (if any) before further processing the request

- The head of the Fund will then make a decision whether to grant the request or not and notify the requestor in the required form.
- If the request is granted, then a further access fee must be paid for the search, reproduction and preparation, and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

E. AVAILABILITY OF THE MANUAL

The Fund's manual is available for inspection free of charge at the registered address of the Fund (see A3 above). A copy is also available from the Human Rights Commission (see contact details in B above).

F. DESCRIPTION OF RECORDS HELD BY THE FUND

Claims (Withdrawals, Retirements, Deaths & (where applicable) Disabilities)

- Claim Notification Forms
- Calculations (where available), or computerised statement of claim
- Tax Application (where applicable)
- Tax Directive (where applicable)
- IT 88 notifications
- Tax Certificate (Duplicate -where applicable)
- Client / broker payment instruction (where applicable).
- Section 37D- deduction instruction (where applicable).
- · Copy of any other court order against benefits
- Payment letter
- Copy of cheque (or cheque/EFT payment reference)
- Beneficiary nomination form (death only)
- Potential beneficiary schedule (if completed by member)
- Potential beneficiary data affidavits (where applicable)
- Insurance received -statement by insurer (deaths only)
- Copy of death certificate
- Statement by Employer (disability only)
- Statement by Employee (disability only)
- Acceptance / Declination Letter (disability only)

Member Data

- New entrant data
- Contribution records
- Member investment choice investment option forms (where applicable)
- Installation & Acquisition data
- Statement of member fund value
- Additional benefit calculations
- Member investment choice investment switch forms (where applicable)
- Flexible benefit member option forms (where applicable)
- Housing loan application and confirmation (where applicable)

Section 14 Transfers / Liquidations

- Calculations
- Option forms (where applicable)
- Tax application forms (where applicable)
- Tax directives (where applicable)
- Tax certificates (duplicate -where applicable)
- Payment letter (liquidations only)
- Copy of Section 14 application lodged (transferor fund)
- Copy of Section 14 (1) (e) certificate (transferee and transferor funds)

Pensioners (where applicable):

- · Special tax directives or court orders
- Commutation of pensions –calculations
- Annuity option forms
- · Trustee instruction regarding payments
- Certificate of existence

Disability (if applicable):

- Medical Reviews -correspondence (where applicable)
- Certificate of continued disability
- Payment/Benefit confirmation
- EFT payment reference
- Recovery Documentation
- Letter of Suspension/Reinstatement from underwriter

Accounting records

If audit exempt:

· Abbreviated financial returns prescribed by Pension Funds Act

If subject to audit:

- Cashbooks and reconciliations to bank
- General Ledgers.
- Trial Balances
- · Annual financial statements
- Audit files with working papers
- Bank statements of fund bank accounts
- EFT files (ACB whilst still applied)
- Deposit slips (where applicable)
- Trustees' annual reports

Miscellaneous

- Copies of signed rules and amendments
- Confirmation of registration and tax approval
- Minute books
- Trustees registers
- Original or copies of any insurance policy documents relating to risk benefits and investments
- Documentation relating to the review of insurances on an annual basis
- Agendas for all meetings to be held (if applicable secretarial services are performed)

- Investment manager mandates or policies of insurance depending on the nature of the investment
- Copies of statements detailing the asset values for a fund
- Copies of communication sent to members of the fund
- Copy of service agreement between fund and Administrator and any other service provider
- Correspondence to the trustees in respect of fund matters
- · Correspondence to members/beneficiaries/pensioners, where applicable
- · Fund statutory valuation reports, where applicable
- Copies of Pension Funds Adjudicator complaints lodged
- Certain communication with the Adjudicator, SARS and FSB
- Copy of investment strategy
- Original or copy of fidelity and professional indemnity policy (where applicable)
- · Housing loan documents (where applicable) including any suretyship granted to a bank

PROMOTION OF ACCESS TO INFORMATION ACT (Act 2 of 2000)

SECTION 51 MANUAL FOR TSG cc 1999/43030/23

A. CONTENTS

- 1 Introduction to TSG cc
- 2 Contact details
- 3 The section 10 Guide on how to use the Act
- 4. Records available in terms of any other legislation
- 5. Access to the records held by TSG cc
 - i Classification of records held by the body
 - ii Categories of records of the body, which are available without a person having to request access in terms of this Act in terms of section 52(2).
 - iii Records that may be requested in terms of Section 52(2) of the Act.
 - iv The request procedures
- Other information as may be prescribed
- 7. Availability of the manual
- 8. Prescribed fees
- Prescribed forms
- 10. Acknowledgements

1 Introduction to TSG cc

TSG cc is a specialist consultancy delivering services with regard to the implementation of the Skills Development Act, the Skills Development Levies Act, the Employment Equity Act, the Occupational Health & Safety Act, and the Promotion of Access to Information Act.

2. Contact details

Peter Riches TSG cc 3 de Kock Ave Constantia 7806

Tel (021) 794-8242 Fax (021) 794-8242 E-mail priches@iafrica.com

3. The section 10 Guide on how to use the Act

The Guide will be available from the South African Human Rights Commission by not later than August 2003. Please direct any queries to:

The South African Human Rights Commission:

PAIA Unit

The Research and Documentation Department

Postal address:

Private Bag 2700

Houghton 2041

Telephone:

+27 11 484-8300

Fax:

+27 11 484-0582

Website:

www.sahrc.org.za

E-mail:

PAIA@sahrc.org.za

4. Records available in terms of any other legislation

TSG cc holds details of its own registration as a company, together with its financial statements and all other documentation relating to its business as a company as outlined in the "Introduction to TSG cc" above.

5. Access to the records held by TSG cc

i Company Record Classification Key

Classification Number	Classification
1	Public Access Documents
2	Limited Disclosure - Personal information known to the individual
3	May not be disclosed - would breach a confidence owed to a third party.
4	May not be disclosed - likely to harm the commercial or financial interests of the company.

ii Categories of records of the body which are available without a person having to request access in terms of section 52(2) of this Act

No	Record Description	Record Format	Maintained by	Stored at	Classification	Retention
1	Demographic company details	Hard Copy	Member	3 de Kock Ave Constantia	1	Indefinite
2	Correspondence with students on SDF, IDTT and IAA programmes	Hard copy and electronic	Member	3 de Kock Ave Constantia	2	Indefinite

iii Categories of records that may be requested in terms of Section 52(2) of the Act, and the categories in which these subjects are classed

No	Record Description	Record Format	Maintained by	Stored at	Classification	Retention
3	Details of third party relationships	Hard copy and electronic	Member	3 de Kock Ave Constantia	3	Indefinite
4	Company correspondence and documentation	Hard copy and electronic	Member	3 de Kock Ave Constantia	4	Indefinite

iv The request procedures

Form of request:

- The requester must use the prescribed form to make the request for access to a
 record. This must be made to the head of the private body. This request must be
 made to the address, fax number or electronic mail address of the body concerned.
- The requester must provide sufficient detail on the request form to enable the head
 of the private body to identify the record and the requester. The requester should
 also indicate which form of access is required. The requester should also indicate
 if any other manner is to be used to inform the requester and state the necessary
 particulars to be so informed.
- The requester must identify the right that is sought to be exercised or to be
 protected and provide an explanation of why the requested record is required for
 the exercise or protection of that right
- If a request is made on behalf of a another person, the requester must then submit
 proof of the capacity in which the requester is making the request to the
 satisfaction of the head of the private body.

Fees:

A requester who seeks access to a record containing personal information about that requester is not required to pay the request fee. Every other requester, who is not a personal requester, must pay the required request fee:

- The head of the private body must notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed fee before further processing the request.
- The fee that the requester must pay to a private body is R50. The requester may lodge an application to the court against the tender or payment of the request fee.

- After the head of the private body has made a decision on the request, the requester must be notified in the required form.
- If the request is granted then a further access fee must be paid for the search, reproduction, preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

6. Other information as may be prescribed

The Minister of Justice and Constitutional Development has not made any regulations in this regard.

7. Availability of the manual

This Manual is available for scrutiny at the offices of TSG cc at 3 de Kock Ave, Constantia, 7806, and copies are available from the SAHRC, and in the Government Gazette.

8. Fees in respect of private bodies

1. The fee for a copy of the manual as contemplated in regulation 9(2)(c) is R1,10 for every photocopy of an A4-size page or part thereof.

2. The fees for reproduction referred to in regulation 11(1) are as follows:

	9		R
(a)	For e	every photocopy of an A4-size page or	
	part t	hereof	1,10
(b)	For e	every printed copy of an A4-size page or part	
	there	of held on a computer or in electronic or machine) -
72	reada	ble form	0,75
(c)	For a	copy in a computer-readable form on -	
	(i)	stiffy disc	7,50
	(ii)	compact disc	70,00
(d)	(i)	For a transcription of visual images,	70
		for an A4-size page or part thereof	40,00
	(ii)	For a copy of visual images	60,00
(e)	(i)	For a transcription of an audio record,	
	0.8	for an A4-size page or part thereof	20,00
	(ii)	For a copy of an audio record	30,00

3. The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2) is R50,00.

4. The access fees payable by a requester referred to in regulation 11(3) are as follows:

			R	
(1)(a)	For e	every photocopy of an A4-size page or	N	
	part	thereof	1,10	
(b)	For e	every printed copy of an A4-size page or part		
	there	of held on a computer or in electronic or machine	;	
(3)	reada	able form	0,75	
(c)	For a	a copy in a computer-readable form on -		
	(i)	stiffy disc	7,50	
	(ii)	compact disc	70,00	
(d)	(i)	For a transcription of visual images,		
		for an A4-size page or part thereof	40,00	
	(ii)	For a copy of visual images	60,00	*
(e)	(i)	For a transcription of an audio record,	• • • • • • • • • • • • • • • • • • • •	
		for an A4-size page or part thereof	20,00	
	(ii)	For a copy of an audio record	30,00	
(f)	To se	earch for and prepare the record for disclosure. I	R30.00 for each hour	or

- (f) To search for and prepare the record for disclosure, R30,00 for each hour or part of an hour reasonably required for such search and preparation.
- (2) For purposes of section 54(2) of the Act, the following applies:
 - (a) Six hours as the hours to be exceeded before a deposit is payable; and
 - (b) one third of the access fee is payable as a deposit by the requester.
- (3) The actual postage is payable when a copy of a record must be posted to a requester.

9. Prescribed forms

Identity number:

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY

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

[Regulation 10]

A. F	Particulars	of private	e body

۸.	ratificulars of private body	
The H	Head:	v ala
	2.00 M	
TSG		
	Kock Ave	
	stantia	2 8
7806		
B.	Particulars of person requesting access to the record	
(a) giver	The particulars of the person who requests access to the record n below.	must be
(b)	The address and/or fax number in the Republic to which the information	nation is
I Read to the least	e sent must be given.	
(c) attac	Proof of the capacity in which the request is made, if applicable,	must be
anac	oneu.	
F0		
Full n	names and surname:	
	Identity number:	
	Postal address:	•
	Fax number:Telephone number:	
	E-mail address:	
	Capacity in which request is made, when made on behalf of another	person:
C.	Particulars of person on whose behalf request is made	2 8
	section must be completed ONLY if a request for information is realf of another person.	nade on
		1.
Full n	names and surname:	

D. Particulars of record

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

E. Fees

- (a) A request for access to a record, other than a record containing personal information about yourself, will be processed only after a request fee has been paid.
- (b) You will be notified of the amount required to be paid as the request fee.
- (c) The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.
- (d) If you qualify for exemption of the payment of any fee, please state the reason for exemption.

Reason for exemption from payment of fees:

F. Form of access to record

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

Disability:

Form in which record is required:

Mark the appropriate box with an X.

NOTES:

- (a) Compliance with your request in the specified form may depend on the form in which the record is available.
- (b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.
- (c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

	copy of record*		inspection of record			·	
2.	If record consists of vis	sual in	nades				
	includes photographs, slides			ated ir	nages	s, sketch	es, etc.
	view the images		copy of the images*			scription	
3. sou		corde	words or information which	ch car	n be r	eproduc	ed in
	listen to the soundtrack		transcription of soundtrack*			10.4	15-17-55-
	(audio cassette)		(written or printed documen				-110-12
4.	If record is held on con	nputer	or in an electronic or mach	nine-re	eadab	ole form	
	printed copy of record*		printed copy of information derived from the record*		read	in complable forming or complete (m*
op	ou requested a copy or trans y or transcription to be posted tage is payable.			wish 1	the	YES	NO
the	Particulars of right to be provided space is inadequa requester must sign all the	ite, ple	ase continue on a separate f	olio ar	nd atta	ach it to	his for
the	provided space is inadequa requester must sign all the	ite, ple additi	ase continue on a separate f onal folios.	olio ar	nd atte	ach it to	his for
the	provided space is inadequa	ite, ple additi	ase continue on a separate f onal folios.	olio ar	nd atta	ach it to i	his for
the	e provided space is inadequa requester must sign all the Indicate which right is to b	ate, ple additi	ase continue on a separate f onal folios.				his fon
f the	e provided space is inadequa requester must sign all the Indicate which right is to b	ate, ple additi	ase continue on a separate fonal folios. cised or protected:				this for
	provided space is inadequal requester must sign all the Indicate which right is to be Explain why the record rec	ate, ple additi de exerc questec	ase continue on a separate fonal folios. cised or protected: d is required for the exercise				this for
f the	e provided space is inadequal requester must sign all the Indicate which right is to b Explain why the record red aforementioned right:	e exerciples exerciple	ase continue on a separate fonal folios. cised or protected: d is required for the exercise equest for access	or pro	tectio	n of the	ish to b
You info	e provided space is inadequal requester must sign all the Indicate which right is to be Explain why the record regard aforementioned right: Notice of decision regard will be notified in writing where the manner, please ble compliance with your requirements.	ding reter yease special and the special and t	ase continue on a separate fonal folios. cised or protected: d is required for the exercise equest for access four request has been approved	or pro	tectio	n of the If you w ary parti	ish to b
f the	Indicate which right is to be Explain why the record reduction aforementioned right: Notice of decision regard will be notified in writing whermed in another manner, pleased be compliance with your requivould you prefer to be informationed in another manner.	ding reter yease special and the special and t	ase continue on a separate fonal folios. cised or protected: d is required for the exercise equest for access four request has been approved	or pro	tectio	n of the If you w ary parti	ish to b

SIGNATURE OF REQUESTER / PERSON ON WHOSE BEHALF REQUEST IS MADE

10 Acknowledgements

This Section 51 Manual is produced on a template supplied by the South African Human Rights Commission, whose assistance is acknowledged. The Section 51 Manual is produced by Peter Riches of TSG, 3 de Kock Ave, Constantia, 7806, Western Cape. Tel/Fax (021) 794-8242. E-mail priches@iafrica.com

PROMOTION OF ACCESS TO INFORMATION ACT (ACT No 2 of 2000) SECTION 51 MANUAL FOR Industri-Bag cc CK/1998/013240/23

CONTENTS

- 1 Introduction to Industri Bag cc
- Contact details
- 3 The section 10 Guide on how to use the Act
- 4 Records available in terms of any other legislation
- 5. Access to the records held by Industri Bag cc
 - Categories of records of the body, which are available without a person having to request access in terms of this Act in terms of section 52 (1) (c)
 - ii. Records that may be requested in terms of Section 51 (1) (e)
 - iii. The request procedures
- 6. Other information as may be prescribed
- 7. Availability of the manual
- Prescribed fees
- Prescribed forms
- 10. Acknowledgements

1 Introduction to Industri-Bag cc

Industri-Bag cc is a manufacturer of liquid packaging, supplying products to the food and beverages industry, and is situated in Blackheath in the Western Cape.

2. Contact details

Christa McIver Industri-Bag cc PO Box 20 Blackheath 7581

Tel/Fax

(021) 905-1431

Fax

(021) 905-1632

E-mail

christa@ibag.co.za

3. The section 10 Guide on how to use the Act

The Guide will be available from the South African Human Rights Commission by not later than August 2003. Please direct any queries to:

The South African Human Rights Commission:

PAIA Unit

The Research and Documentation Department

Postal address:

Private Bag 2700

Houghton

2041

Telephone:

+27 11 484-8300

Fax:

+27 11 484-0582

Website:

www.sahrc.org.za

E-mail:

PAIA@sahrc.org.za

4. Records available in terms of any other legislation

Industri-Bag cc holds details of its own registration as a closed corporation, together with its financial statements and all other documentation relating to its business as a company as outlined in the "Introduction to Industri-Bag cc" above.

5. Access to the records held by Industri-Bag cc

Company Classification Schedule

Classification Number	Classification
1	Public Access Documents
2	Limited Disclosure - Personal information known to the individual
3	May not be disclosed - would breach a confidence owed to a third party.
4	May not be disclosed - likely to harm the commercial or financial interests of the company.

i Categories of records of the body which are available without a person having to request access in terms of Section 51 (1)(c)

No	Record Description	Record Format	Maintained by	Stored at	Classification	Retention Period
1	Public company records	Hard Copy	Member	Industri Bag cc Blackheath	1	Indefinite
2	Records relative to past employees	Hard copy and electronic	Member	Industri Bag cc Blackheath	2	Indefinite

ii Records that may be requested in terms of Section 51 (1) (e) of the Act

No	Record Description	Record Format	Maintained by	Stored at	Classification	Retention Period
3	Records relevant to third parties	Hard copy and electronic	Member	Industri Bag cc Blackheath	3	Indefinite
4	Company specific correspondence and documentation	Hard copy and electronic	Member	Industri Bag cc Blackheath	4	Indefinite

iii The request procedures

Form of request:

- The requester must use the prescribed form to make the request for access to a
 record. This must be made to the head of the private body. This request must be
 made to the address, fax number or electronic mail address of the body concerned.
- The requester must provide sufficient detail on the request form to enable the head
 of the private body to identify the record and the requester. The requester should
 also indicate which form of access is required. The requester should also indicate
 if any other manner is to be used to inform the requester and state the necessary
 particulars to be so informed
- The requester must identify the right that is sought to be exercised or to be protected and provide an explanation of why the requested record is required for the exercise or protection of that right [s 53(2)(d)].
- If a request is made on behalf of another person, the requester must then submit
 proof of the capacity in which the requester is making the request to the
 satisfaction of the head of the private body.

Fees:

A requester who seeks access to a record containing personal information about that requester is not required to pay the request fee. Every other requester, who is not a personal requester, must pay the required request fee:

- The head of the private body must notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed fee before further processing the request.
- The fee that the requester must pay to a private body is R50. The requester may lodge an application to the court against the tender or payment of the request fee.
- After the head of the private body has made a decision on the request, the requester must be notified in the required form.

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

6. Other information as may be prescribed

The Minister of Justice and Constitutional Development has not made any regulations in this regard.

7. Availability of the manual

This Manual is available for scrutiny at the offices of Industri-Bag cc, 20 Nebula Crescent, Blackheath, and copies are available from the SAHRC, and in the Government Gazette.

8. Fees in respect of private bodies

1. The fee for a copy of the manual as contemplated in regulation 9(2)(c) is R1,10 for every photocopy of an A4-size page or part thereof.

2. The fees for reproduction referred to in regulation 11(1) are as follows:

			R
(a)	For e	very photocopy of an A4-size page or	
	part t	hereof	1,10
(b)	For e	very printed copy of an A4-size page or part	
	there	of held on a computer or in electronic or machine-	
	reada	ble form	0,75
(c)	For a	copy in a computer-readable form on -	
	(i)	stiffy disc	7,50
	(ii)	compact disc	70,00
(d)	(i)	For a transcription of visual images,	
		for an A4-size page or part thereof	40,00
	(ii)	For a copy of visual images	60,00
(e)	(i)	For a transcription of an audio record,	
		for an A4-size page or part thereof	20,00
27	(ii)	For a copy of an audio record	30,00

- 3. The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2) is R50,00.
- 4. The access fees payable by a requester referred to in regulation 11(3) are as follows:

R

(1)(a) For every photocopy of an A4-size page or

	part	thereof	1,10
(b)	For	every printed copy of an A4-size page or part	
	there	of held on a computer or in electronic or mach	nine-
	reada	able form	0,75
(c)	For a	a copy in a computer-readable form on -	
	(i)	stiffy disc	7,50
	(ii)	compact disc	70,00
(d)	(i)	For a transcription of visual images,	
e a		for an A4-size page or part thereof	40,00
	(ii)	For a copy of visual images	60,00
(e)	(i)	For a transcription of an audio record,	
*		for an A4-size page or part thereof	20,00
8	(ii)	For a copy of an audio record	30,00
(f)		earch for and prepare the record for disclosure of an hour reasonably required for such search	
	•	y significant sources for business of the second sources.	and proportion.

- (2) For purposes of section 54(2) of the Act, the following applies:
 - (a) Six hours as the hours to be exceeded before a deposit is payable; and
 - (b) one third of the access fee is payable as a deposit by the requester.
- (3) The actual postage is payable when a copy of a record must be posted to a requester.

9. Prescribed forms

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY

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

[Regulation 10]

A.	Particulars	of private body	1
----	--------------------	-----------------	---

The Head: Industri-Bag cc PO Box 20 Blackheath 7581

Full names and surname:

Identity number:

B. Particulars of person requesting access to the record

(a) give	The particulars of the person on below.	who requests access to the record must be
(b)	The address and/or fax number e sent must be given.	er in the Republic to which the information is
(c)	Proof of the capacity in which ched.	the request is made, if applicable, must be
Full	names and surname:	*
	Identity number:	
	Postal address:	
	Fax number:	Telephone number:
	E-mail address:	8 4
	Capacity in which request is ma	ide, when made on behalf of another person:
C.	Particulars of person on who	se behalf request is made
	s section must be completed ON alf of another person.	ILY if a request for information is made on

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.
- Description of record or relevant part of the record:
- 2. Reference number, if available:
- 3. Any further particulars of record

E. Fees

- (a) A request for access to a record, other than a record containing personal information about yourself, will be processed only after a request fee has been paid.
- (b) You will be notified of the amount required to be paid as the request fee.
- (c) The **fee payable for access** to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.
- (d) If you qualify for exemption of the payment of any fee, please state the reason for exemption.

Reason for exemption from payment of fees:

F. Form of access to record

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

Disability:

Form in which record is required:

Mark the appropriate box with an X. NOTES:

- (a) Compliance with your request in the specified form may depend on the form in which the record is available.
- (b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.
- (c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

PROMOTION OF ACCESS TO INFORMATION ACT (Act 2 of 2000)

SECTION 51 MANUAL FOR Uniplastics 2002 (Pty) Ltd 2001/018938/07

A. CONTENTS

- 1 Introduction to Uniplastics 2002 (Pty) Ltd
- 2 Contact details
- 3 The section 10 Guide on how to use the Act
- 4. Records available in terms of any other legislation
- Access to the records held by Uniplastics 2002 (Pty) Ltd
 - i. The latest notice regarding the categories of records of the body, which are available without a person having to request access in terms of this Act in terms of section 52(2).
 - ii. Records that may be requested
 - iii. The request procedures
- 6. Other information as may be prescribed
- 7. Availability of the manual
- 8. Prescribed fees
- 9 Prescribed forms
- 10. Acknowledgements

1 Introduction to Uniplastics 2002 (Pty) Ltd

Uniplastics 2002 (Pty) Ltd is a specialist manufacturer of refuse bags in a variety of colours, plain and printed, in flat format or rolls. It also manufactures products to service the building industry, including damp proof course, roof underlay and hazard tape.

2. Contact details

Ronald George Sampson Uniplastics 2002 (Pty) Ltd Tederic Ave Stickland Industria Bellville 7530

Tel

(021) 945-1017/8

Fax

(021) 948-1864

E-mail

3. The section 10 Guide on how to use the Act

The Guide will be available from the South African Human Rights Commission by not later than August 2003. Please direct any queries to:

The South African Human Rights Commission:

PAIA Unit

The Research and Documentation Department

Postal address:

Private Bag 2700

Houghton 2041

Telephone:

+27 11 484-8300

Fax:

+27 11 484-0582

Website:

www.sahrc.org.za

E-mail:

PAIA@sahrc.org.za

4. Records available in terms of any other legislation

Uniplastics 2002 (Pty) Ltd holds details of its own registration as a company, together with its financial statements and all other documentation relating to its business as a company as outlined in the "Introduction to Uniplastics 2002 (Pty) Ltd" above.

5. Access to the records held by Uniplastics 2002 (Pty) Ltd

Company Record Classification Key

Classification Number	Classification
1	Public Access Documents
2	Limited Disclosure - Personal information known to the individual
3	May not be disclosed - would breach a confidence owed to a third party.
4	May not be disclosed - likely to harm the commercial or financial interests of the company.

i. Categories of records of the body which are available without a person having to request access in terms of this Act in terms of section 51 (1)(c)

No	Record Description	Record Format	Maintained by	Stored at	Classificati on	Retention Period
1	Demographic company details	Hard Copy	Member	Tedric Ave Stickland Industria	1	Indefinite
2	Details of past employees	Hard Copy and Electronic	Member	Tedric Ave Stickland Industria	2	Indefinite

ii. Records that may be requested in terms of Section 51 (1) (e) of the Act

Records

No	Record Description	Record . Format	Maintained by	Stored at	Classification	Retention Period
3	Details relating to third parties	Hard copy and electronic	Member	Tedric Ave Stickland Industria	3	Indefinite
4	Company correspondence and documentation	Hard copy and electronic	Member	Tedric Ave Stickland Industria	4	Indefinite

iii. The request procedures

Form of request:

- The requester must use the prescribed form to make the request for access to a record. This must be made to the head of the private body. This request must be made to the address, fax number or electronic mail address of the body concerned.
- The requester must provide sufficient detail on the request form to enable the head
 of the private body to identify the record and the requester. The requester should
 also indicate which form of access is required. The requester should also indicate
 if any other manner is to be used to inform the requester and state the necessary
 particulars to be so informed.
- The requester must identify the right that is sought to be exercised or to be
 protected and provide an explanation of why the requested record is required for
 the exercise or protection of that right
- If a request is made on behalf of a another person, the requester must then submit
 proof of the capacity in which the requester is making the request to the
 satisfaction of the head of the private body.

Fees:

A requester who seeks access to a record containing personal information about that requester is not required to pay the request fee. Every other requester, who is not a personal requester, must pay the required request fee:

 The head of the private body must notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed fee before further processing the request.

- The fee that the requester must pay to a private body is R50. The requester may lodge an application to the court against the tender or payment of the request fee.
- After the head of the private body has made a decision on the request, the requester must be notified in the required form.
- If the request is granted then a further access fee must be paid for the search, reproduction, preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

6. Other information as may be prescribed

The Minister of Justice and Constitutional Development has not made any regulations in this regard.

7. Availability of the manual

This Manual is available for scrutiny at the offices of Uniplastics 2002 (Pty) Ltd at Tedric Ave, Stickland Industria, Bellville, and copies are available from the SAHRC, and in the Government Gazette.

8. Fees in respect of private bodies

1. The fee for a copy of the manual as contemplated in regulation 9(2)(c) is R1,10 for every photocopy of an A4-size page or part thereof.

2. The fees for reproduction referred to in regulation 11(1) are as follows:

	ž.		R
(a)	For e	every photocopy of an A4-size page or	
P	part	thereof	1,10
(b)	For e	every printed copy of an A4-size page or part	
	there	of held on a computer or in electronic or machine-	
	reada	able form	0,75
(c)	For a	copy in a computer-readable form on -	
0+	(i)	stiffy disc	7,50
	(ii)	compact disc	70,00
(d)	(i)	For a transcription of visual images,	
		for an A4-size page or part thereof	40,00
69	(ii)	For a copy of visual images	60,00
(e)	(i)	For a transcription of an audio record,	9
		for an A4-size page or part thereof	20,00
	(ii)	For a copy of an audio record	30,00

3. The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2) is R50,00.

4. The access fees payable by a requester referred to in regulation 11(3) are as follows:

			R
(1)(a)	For e	every photocopy of an A4-size page or	*
	part 1	thereof	1,10
(b)	For e	every printed copy of an A4-size page or part	
	there	of held on a computer or in electronic or mach	nine-
	reada	able form	0,75
(c)	For a	copy in a computer-readable form on -	#0 GB #7
	(i)	stiffy disc	7,50
	(ii)	compact disc	70,00
(d)	(i)	For a transcription of visual images,	
		for an A4-size page or part thereof	40,00
*	(ii)	For a copy of visual images	60,00
(e)	(i)	For a transcription of an audio record,	
		for an A4-size page or part thereof	20,00
	(ii)	For a copy of an audio record	30,00
(f)	To s	earch for and prepare the record for disclosur	e, R30,00 for each hour or

- (f) To search for and prepare the record for disclosure, R30,00 for each hour or part of an hour reasonably required for such search and preparation.
- (2) For purposes of section 54(2) of the Act, the following applies:
 - (a) Six hours as the hours to be exceeded before a deposit is payable; and
 - (b) one third of the access fee is payable as a deposit by the requester.
- (3) The actual postage is payable when a copy of a record must be posted to a requester.

9. **Prescribed forms**

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY

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

[Regulation 10]

Particulars of private body

The Head: Uniplastics 2002 (Pty) Ltd PO Box 503 Sanlamhof 7532

B. Particulars of person requesting access to the record

(a)	The particulars	of the	person	who	requests	access	to the	erecord	must	be
	below.				:			30		
(b)	The address ar	nd/or fa	x numh	er in	the Renu	hlic to v	vhich	the infor	matio	o ie

(c) atta	ched.	ch the request is made, if applicable, must be
c		
ruli i	names and surname:	* * *
	Identity number:	9
	Postal address:	
	Fax number:	Telephone number:
720	E-mail address:	- You Take 12 18 18 19
	Capacity in which request is n	nade, when made on behalf of another person:
C.	Particulars of person on wh	ose behalf request is made
This	section must be completed C	ONLY if a request for information is made on

Full names and surname:

Identity number:

D. Particulars of record

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

E. Fees

- (a) A request for access to a record, other than a record containing personal information about yourself, will be processed only after a request fee has been paid.
- (b) You will be notified of the amount required to be paid as the request fee.
- (c) The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.
- (d) If you qualify for exemption of the payment of any fee, please state the reason for exemption.

Reason for exemption from payment of fees:

F. Form of access to record

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

Disability:

Form in which record is required:

Mark the appropriate box with an X.

NOTES

- (a) Compliance with your request in the specified form may depend on the form in which the record is available.
- (b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.
- (c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

ī.	If the record is in writte	en or printed form:				
		en or printed form.			*	
	copy of record*	inspection of record				
•	If record consists of vi	sual images				4
his i	ncludes photographs, slide:	s, video recordings, computer-g	generated	mage	s, sketch	es. etc
	view the images	copy of the images*			scription	
oun	If record consists of re	corded words or information	which ca	n be r	eprodu	ced in
	listen to the soundtrack	transcription of soundtr	rack*		- 1//	
	(audio cassette)	(written or printed docu	ument)			
•	If record is held on con	mputer or in an electronic or i	machine-r	eadal	ole form	:
	printed copy of record*	printed copy of informa		copy	in com	outer
		derived from the record	d*	read	able for	m* .
					y or com	pact
f wa	il			disc		T.::-
you	u requested a copy or trans	scription of a record (above), do	you wish	the	YES	NO
ру	or transcription to be posted age is payable.	d to you?				1
he p	Particulars of right to be	nte, please continue on a separ	ate folio ai	nd atta	ach it to i	his for
he p		nte, please continue on a separ	rate folio ai	nd atta	ach it to i	his for
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SIGNATURE OF REQUESTER / PERSON ON WHOSE BEHALF REQUEST IS MADE

10 Acknowledgements

This Section 51 Manual is produced on a template supplied by the South African Human Rights Commission, whose assistance is acknowledged. The Section 51 Manual is produced by Peter Riches of TSG, 3 de Kock Ave, Constantia, 7806, Western Cape. Tel/Fax (021) 794-8242. E-mail priches@iafrica.com

ACME (PTY) LTD PROVIDENT FUND

("Fund")

MANUAL IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT 20/2000 ("Act")

The Fund is a pension fund as defined in the Pension Funds Act 24 of 1956. It is a private body as defined by the Act.

A. CONTACT DETAILS

1.	Head of the Fund: AURIEL N WEBEI	₹
2.	Registrar of Pension Funds PF Number of the Fund:	12/8/28348
Th	e registered address of the Fund:	MONTREAL DRIVE, AIRPORT INDUSTRIA, 7490
3.	The postal address of the Fund:	P O BOX 6074, ROGGEBAAI, 8012
4.	The contact telephone number for the Fund:	(021) 386 1923
5.	The contact facsimile number for the Fund:	(021) 386 2514
6.	The e-mail address of the Head of the Fund:	mcivil@iafrica.com

B. SOUTH AFRICAN HUMAN RIGHTS COMMISSION GUIDE

In terms of section 10 of the Act, the Human Rights Commission is required to compile a guide to the Act to assist people to exercise their rights under the Act. This guide will become available not later than August 2003. The Human Rights Commission may be contacted at:

Address

Private Bag 2700 Houghton 2041,

Telephone:

(011) 484 8300

Facsimile:

(011) 484 0582

Website:

www.sahrc.org.za.

C. FUND RECORDS AVAILABLE IN TERMS OF THE PENSION FUNDS ACT 24 of 1956

(a) Copies of the following records of the Fund are available on request by a <u>member</u> of the Fund after payment of any fees determined by the rules of the Fund:

- (i) The registered rules of the Fund (including amendments);
- (ii) The last revenue account and the last balance sheet prepared in terms of section 15(1) of the Pension Funds Act, 1956.
- (b) The following records are available on request by a <u>member</u> for inspection at the registered address of the Fund (see A3 above) at no charge:
 - (i) the documents referred to in C(a) above;
 - (ii) the last report (if any) by a valuator prepared in terms of section 16 of the Pension Funds Act, 1956;
 - (iii) the last statement (if any) and report thereon prepared in terms of section 17 of the Pension Funds Act, 1956;
 - (iv) any scheme which is being carried out by the Fund in accordance with the provisions of section 18 of the Pension Funds Act, 1956.
- (c) Any person (upon payment of prescribed fees) may inspect at the office of the Registrar of Pension Funds any record referred to in (a) and (b) above and make a copy thereof or take extracts therefrom, or obtain from the Registrar a copy thereof or extract therefrom. The Registrar may be contacted at:

Address:

446 Rigel Avenue Pretoria

Telephone

(012) 428 8000

Facsimile:

(012) 3470221

Website:

www.fsb.co.za.

D. INFORMATION TO FACILITATE A REQUEST FOR ACCESS TO FUND RECORDS

- The request must be made to the person specified in A1 above and at the contact details specified in A above.
- Any request for access to records in terms of the Act must be completed on the prescribed form in terms
 of the Act and the Regulations thereto.
- Please note that the Fund is a separate legal entity from the employer(s) that participate in the Fund as well as from the Fund's administrators and other advisors/service providers.
- The requester must provide sufficient detail on the request form to enable the head of the private body to
 identify the record and the requester. The requester should also indicate what form of access is required.
- The requester must identify the right that he or she is seeking to exercise or protect and provide an
 explanation of why the requested record is required for the exercise or protection of that right.
- If a request is made on behalf of a person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the head of the Fund
- The head of the Fund must notify the requester by notice, requiring the requester to pay the prescribed fee (if any) before further processing the request
- The head of the Fund will then make a decision whether to grant the request or not and notify the requestor in the required form.
- If the request is granted, then a further access fee must be paid for the search, reproduction and preparation, and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

E. AVAILABILITY OF THE MANUAL

The Fund's manual is available for inspection free of charge at the registered address of the Fund (see A3 above). A copy is also available from the Human Rights Commission (see contact details in B above).

F. DESCRIPTION OF RECORDS HELD BY THE FUND

Claims (Withdrawals, Retirements, Deaths & (where applicable) Disabilities)

- Claim Notification Forms
- · Calculations (where available), or computerised statement of claim
- Tax Application (where applicable)
- Tax Directive (where applicable)
- IT 88 notifications
- Tax Certificate (Duplicate -where applicable)
- Client / broker payment instruction (where applicable).
- Section 37D- deduction instruction (where applicable).
- · Copy of any other court order against benefits
- Payment letter
- Copy of cheque (or cheque/EFT payment reference)
- · Beneficiary nomination form (death only)
- Potential beneficiary schedule (if completed by member)
- Potential beneficiary data affidavits (where applicable)
- Insurance received -statement by insurer (deaths only)
- · Copy of death certificate
- Statement by Employer (disability only)
- Statement by Employee (disability only)
- Acceptance / Declination Letter (disability only)

Member Data

- New entrant data
- Contribution records
- Member investment choice investment option forms (where applicable)
- Installation & Acquisition data
- Statement of member fund value
- Additional benefit calculations
- Member investment choice investment switch forms (where applicable)
- Flexible benefit member option forms (where applicable)
- Housing loan application and confirmation (where applicable)

Section 14 Transfers / Liquidations

- Calculations
- Option forms (where applicable)
- · Tax application forms (where applicable)
- Tax directives (where applicable)
- Tax certificates (duplicate -where applicable)
- Payment letter (liquidations only)
- Copy of Section 14 application lodged (transferor fund)
- Copy of Section14 (1) (e) certificate (transferee and transferor funds)

Pensioners (where applicable):

- Special tax directives or court orders
- Commutation of pensions –calculations
- Annuity option forms
- Trustee instruction regarding payments
- Certificate of existence

Disability (if applicable):

- · Medical Reviews -correspondence (where applicable)
- Certificate of continued disability
- Payment/Benefit confirmation
- EFT payment reference
- · Recovery Documentation
- Letter of Suspension/Reinstatement from underwriter

Accounting records

If audit exempt:

Abbreviated financial returns prescribed by Pension Funds Act

If subject to audit:

- · Cashbooks and reconciliations to bank
- General Ledgers.
- Trial Balances
- Annual financial statements
- Audit files with working papers
- Bank statements of fund bank accounts
- EFT files (ACB whilst still applied)
- Deposit slips (where applicable)
- Trustees' annual reports

Miscellaneous

- · Copies of signed rules and amendments
- Confirmation of registration and tax approval
- Minute books
- Trustees registers
- Original or copies of any insurance policy documents relating to risk benefits and investments
- Documentation relating to the review of insurances on an annual basis
- Agendas for all meetings to be held (if applicable secretarial services are performed)
- Investment manager mandates or policies of insurance depending on the nature of the investment
- Copies of statements detailing the asset values for a fund
- Copies of communication sent to members of the fund
- Copy of service agreement between fund and Administrator and any other service provider
- Correspondence to the trustees in respect of fund matters
- Correspondence to members/beneficiaries/pensioners, where applicable
- Fund statutory valuation reports, where applicable
- Copies of Pension Funds Adjudicator complaints lodged
- Certain communication with the Adjudicator, SARS and FSB
- Copy of investment strategy
- Original or copy of fidelity and professional indemnity policy (where applicable)
- Housing loan documents (where applicable) including any suretyship granted to a bank

Pryde Trussus and Roofing Supplies cc. (Registration Number CK97/28504/23)

Manual prepared in accordance with Section 51 of the Promotion of Access to Information Act, No 2 of 2000 ("The Act")

1. Name of body (business):

Pryde Trussus and Roofing

Supplies cc.

Registration Number:

CK97/28504/23

Chief executive officer:

Stephen Ronald Mostert

The appointed information officer:

M.A. Baird

Address:

20 Kariga Street, Stikland, 7530

Postal Address:

P.O. Box 6154, Welgemoed, 7538

Telephone:

021 949 8344

Fax Number:

021 949 0099

E-Mail:

2. INFORMATION / DOCUMENTS AVAILABLE IN ACCORDANCE WITH OTHER LEGISLATION (Section 51(1)(d) of the Act)

The business keeps information / documents in accordance with the following legislation (please note that this is not an exhaustive list):-

- Companies Act, Act No. 61 of 1973
- Income Tax Act, Act No. 58 of 1962 (Section 75)
- Value-Added Tax Act, Act No. 89 of 1991 (Section 65)
- Unemployment Insurance Act, Act No.30 of 1966 (Section 32)
- Basic Conditions of Employment Act, Act No. 75 of 1997 (Section 31)
- Employment Equity Act, Act no. 55 of 1998 (Section 26)
- Compensation for Occupational Injuries and Diseases Act, Act No. 130 of 1993 (Section 97)
- Occupational Health and Safety Act, Act No. 85 0f 1993
- Skills Development Act

It is recorded that any and all documents / information requested pertaining to the aforesaid shall always only be made available to a requestor subject to the provisions of the Act.

3. DOCUMENTS / INFORMATION HELD BY THE BUSINESS IN TERMS OF THE ACT (Section 51(1)(e) of the Act)

Operational Information

The business keeps information on

- Personnel related issues: Employees records, conditions of employment and company policy, address lists, etc.
- Clients: contact information, product subscriptions, contractual agreements, accounting information and general communication.
- Suppliers: contact information, contractual agreements, accounting information and general communication.
- Technical product information.

Financial statements

The above-mentioned records are of a confidential nature and only accessible to authorised people.

4. GUIDE IN TERMS OF SECTION 10 OF THE ACT (Section 51(1)(b) of the Act)

In terms of section 10 of the Act a guide will be compiles by the SAHRC containing such information as may be required by a person who wishes to exercise any right contemplated in the Act. The guide will be made available by the SAHRC by not later than August 2003.

Contact details of the South African Human Rights Commission:

PAIA Unit
The Research and Documentation Department
Private Bag 2700
2041 Houghton

Telephone: +27 11 484 8300

Fax:

+27 11 484 0582

Website:

www.sahrc.org.za

E-Mail:

PAIA@sahrc.org.za

5. NOTICE(S) IN TERMS OF SECTION 52(2) OF THE ACT (Section 51(1)(c) of the Act)

At this stage no notice(s) has / have been published.

6. FEES

The fees applicable to any application for information, is displayed on the South African Human Rights Commission's website at www.sahrc.org.za

Gromek Investments cc t/a Cupboards & Kitchens (Registration Number CK1995/47840/23) Softform Components (Registration Number CK1997/05882/23)

Manual prepared in accordance with Section 51 of the Promotion of Access to Information Act, No 2 of 2000 ("The Act")

Name of body (business): Gromek Investments cc t/a 1.

Cupboards & Kitchens

Registration Number:

CK1995/47840/23

Name of Body (business):

Softform Components

Registration Number:

CK1997/05882/23

Chief executive officer:

A.H Grobbelaar & E.M. Mekel

The appointed information officer: A. Vorster

Address:

60 Gemini Street, Brackenfell 7560

Postal Address:

P.O. Box 1472, Durbanville, 7551

Telephone:

021 981 4924

Fax Number:

021 981 4997

E-Mail:

cupkit@mweb.co.za

2. INFORMATION / DOCUMENTS AVAILABLE IN ACCORDANCE WITH OTHER LEGISLATION (Section 51(1)(d) of the Act)

The business keeps information / documents in accordance with the following legislation (please note that this is not an exhaustive list):-

- Companies Act, Act No. 61 of 1973
- Income Tax Act, Act No. 58 of 1962 (Section 75)
- Value-Added Tax Act, Act No. 89 of 1991 (Section 65)
- Unemployment Insurance Act, Act No.30 of 1966 (Section 32)
- Basic Conditions of Employment Act, Act No. 75 of 1997 (Section 31)
- Employment Equity Act, Act no. 55 of 1998 (Section 26)
- Compensation for Occupational Injuries and Diseases Act, Act No. 130 of 1993 (Section 97)
- Occupational Health and Safety Act, Act No. 85 0f 1993
- Skills Development Act

It is recorded that any and all documents / information requested pertaining to the aforesaid shall always only be made available to a requestor subject to the provisions of the Act.

3. DOCUMENTS / INFORMATION HELD BY THE BUSINESS IN TERMS OF THE ACT (Section 51(1)(e) of the Act)

Operational Information

The business keeps information on

- Personnel related issues: Employees records, conditions of employment and company policy, address lists, etc.
- Clients: contact information, product subscriptions, contractual agreements, accounting information and general communication.
- Suppliers: contact information, contractual agreements, accounting information and general communication.
- Sub-Contractors records

Financial statements

The above-mentioned records are of a confidential nature and only accessible to authorised people.

4. GUIDE IN TERMS OF SECTION 10 OF THE ACT (Section 51(1)(b) of the Act)

In terms of section 10 of the Act a guide will be compiles by the SAHRC containing such information as may be required by a person who wishes to exercise any right contemplated in the Act. The guide will be made available by the SAHRC by not later than August 2003.

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E-Mail:

PAIA@sahrc.org.za

5. NOTICE(S) IN TERMS OF SECTION 52(2) OF THE ACT (Section 51(1)(c) of the Act)

At this stage no notice(s) has / have been published.

6. FEES

The fees applicable to any application for information, is displayed on the South African Human Rights Commission's website at www.sahrc.org.za

Sale's Hire (Registration Number CK95/52972/23

Manual prepared in accordance with Section 51 of the Promotion of Access to Information Act, No 2 of 2000 ("The Act")

1. Name of body (business): Sale's Hire

Registration Number: CK95/52972/23

Chief executive officer: Shaun Sale

The appointed information officer: Hermann Voigt

Address: 140 Joubert Street, Parow Valley, 7500

Postal Address: 140 Joubert Street, Parow Valley 7500

Telephone: 021 936 8606

Fax Number: 021 931 4163

E-Mail:

2. INFORMATION / DOCUMENTS AVAILABLE IN ACCORDANCE WITH OTHER LEGISLATION (Section 51(1)(d) of the Act)

The business keeps information / documents in accordance with the following legislation (please note that this is not an exhaustive list):-

- Companies Act, Act No. 61 of 1973
- Income Tax Act, Act No. 58 of 1962 (Section 75)
- Value-Added Tax Act, Act No. 89 of 1991 (Section 65)
- Unemployment Insurance Act, Act No.30 of 1966 (Section 32)
- Basic Conditions of Employment Act, Act No. 75 of 1997 (Section 31)
- Employment Equity Act, Act no. 55 of 1998 (Section 26)
- Compensation for Occupational Injuries and Diseases Act, Act No. 130 of 1993 (Section 97)
- Occupational Health and Safety Act, Act No. 85 0f 1993
- Skills Development Act

It is recorded that any and all documents / information requested pertaining to the aforesaid shall always only be made available to a requestor subject to the provisions of the Act.

3. DOCUMENTS / INFORMATION HELD BY THE BUSINESS IN TERMS OF THE ACT

(Section 51(1)(e) of the Act)

Operational Information

The business keeps information on

- Personnel related issues: Employees records, conditions of employment and company policy, address lists, etc.
- Clients: contact information, product subscriptions, contractual agreements, accounting information and general communication.
- Suppliers: contact information, contractual agreements, accounting information and general communication.
- Technical product information.

Financial statements

The above-mentioned records are of a confidential nature and only accessible to authorised people.

4. GUIDE IN TERMS OF SECTION 10 OF THE ACT (Section 51(1)(b) of the Act)

In terms of section 10 of the Act a guide will be compiles by the SAHRC containing such information as may be required by a person who wishes to exercise any right contemplated in the Act. The guide will be made available by the SAHRC by not later than August 2003.

Contact details of the South African Human Rights Commission:

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E-Mail:

PAIA@sahrc.org.za

5. NOTICE(S) IN TERMS OF SECTION 52(2) OF THE ACT (Section 51(1)(c) of the Act)

At this stage no notice(s) has / have been published.

6. FEES

The fees applicable to any application for information, is displayed on the South African Human Rights Commission's website at www.sahrc.org.za

Leather-Chem (Pty) Ltd. and Leather-Chem (Pty) Ltd. t/a Papillon Pigment Pastes (Registration Number 1998/007811/07)

Manual prepared in accordance with Section 51 of the Promotion of Access to Information Act, No 2 of 2000 ("The Act")

1. Name of body (business):

1. Leather-Chem (Pty) Ltd. and

2. Leather-Chem (Pty) Ltd. t/a Papillon Pigment Pastes.

Registration Number:

1998/007811/07

Chief executive officer:

Jan Hemmes

The appointed information officer:

Jan Hemmes

Address:

12 Jig Ave, Montague Gardens

Postal Address:

P.O. Box 122, Goodwood, 7459

Telephone:

021 551 5656 or 551 5657

Fax Number:

021 552 4439

E-Mail:

Jan@Leatherchem.co.za

3. INFORMATION / DOCUMENTS AVAILABLE IN ACCORDANCE WITH OTHER LEGISLATION (Section 51(1)(d) of the Act)

The business keeps information / documents in accordance with the following legislation (please note that this is not an exhaustive list):-

- Companies Act, Act No. 61 of 1973
- Income Tax Act, Act No. 58 of 1962 (Section 75)
- Value-Added Tax Act, Act No. 89 of 1991 (Section 65)
- Unemployment Insurance Act, Act No.30 of 1966 (Section 32)
- Basic Conditions of Employment Act, Act No. 75 of 1997 (Section 31)
- Employment Equity Act, Act no. 55 of 1998 (Section 26)
- Compensation for Occupational Injuries and Diseases Act, Act No. 130 of 1993 (Section 97)
- Occupational Health and Safety Act, Act No. 85 0f 1993
- Skills Development Act

It is recorded that any and all documents / information requested pertaining to the aforesaid shall always only be made available to a requestor subject to the provisions of the Act.

3. DOCUMENTS / INFORMATION HELD BY THE BUSINESS IN TERMS OF THE ACT (Section 51(1)(e) of the Act)

Operational Information

The business keeps information on

- Personnel related issues: Employees records, conditions of employment and company policy, address lists, etc.
- Clients: contact information, product subscriptions, contractual agreements, accounting information and general communication.
- Suppliers: contact information, contractual agreements, accounting information and general communication.
- Technical product information.
- Import documentation

Financial statements

The above-mentioned records are of a confidential nature and only accessible to authorised people.

4. GUIDE IN TERMS OF SECTION 10 OF THE ACT (Section 51(1)(b) of the Act)

In terms of section 10 of the Act a guide will be compiles by the SAHRC containing such information as may be required by a person who wishes to exercise any right contemplated in the Act. The guide will be made available by the SAHRC by not later than August 2003.

Contact details of the South African Human Rights Commission:

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Telephone: +27 11 484 8300

Fax:

+27 11 484 0582

Website:

www.sahrc.org.za

E-Mail:

PAIA@sahrc.org.za

5. NOTICE(S) IN TERMS OF SECTION 52(2) OF THE ACT (Section 51(1)(c) of the Act)

At this stage no notice(s) has / have been published.

6. FEES

The fees applicable to any application for information, is displayed on the South African Human Rights Commission's website at www.sahrc.org.za

Drs. Schnetler, Corbett & Partners Incorporated Radiologists

Manual prepared in accordance with Section 51 of the Promotion of Access to Information Act, No 2 of 2000 ("The Act")

1. Name of body (business)

Registration Number:

and all subsidiary companies:

Drs. Schnetler, Corbett & Partners Inc.

Practice Number: 3903279 1994/007331/21

Northern Radiology Trust IT3294/97 26 Dorp Street (Pty) Ltd. 1996/016359/07

28 Dorp Street (Pty) Ltd. 1993/003065/07

30 Dorp Street (Pty) Ltd. 1993/003066/07

42 Oxford Street (Pty) Ltd. 1992/002571/07 SCP Trust 174662/96

Paarl Radiology Trust IT5053/97

Diagnostic Management Services (Pty) Ltd. 1994/000632/07

Roentgen Equipment (Pty) Ltd. 1997/003033/07 Durbanville Doctors Properties (Pty) Ltd. 1996/005609/07

Delta Trust (Travel Trust) IT5038/97

Dr. Melonas & Partners

Dr. Truter & Partners

Durbanville Orthopedic Centre - Body Corporate

Chief executive officer: J.S. Kruger

Body Corporate: Dr. Rocco de Villiers

The appointed information officer: J.J.B. Louw

Address: 30 Dorp Street, Panorama, 7500

Postal Address: P.O. Box 15094, Panorama 7506

Telephone: 021 930 5564

Fax Number: 021 930 4464

E-Mail: <u>bennie@xray.co.za</u>

2. INFORMATION / DOCUMENTS AVAILABLE IN ACCORDANCE WITH OTHER LEGISLATION (Section 51(1)(d) of the Act)

The business keeps information / documents in accordance with the following legislation (please note that this is not an exhaustive list):-

- Companies Act, Act No. 61 of 1973
- Income Tax Act, Act No. 58 of 1962 (Section 75)
- Value-Added Tax Act, Act No. 89 of 1991 (Section 65)
- Unemployment Insurance Act, Act No.30 of 1966 (Section 32)
- Basic Conditions of Employment Act, Act No. 75 of 1997 (Section 31)
- Employment Equity Act, Act no. 55 of 1998 (Section 26)
- Compensation for Occupational Injuries and Diseases Act, Act No. 130 of 1993 (Section 97)
- Occupational Health and Safety Act, Act No. 85 0f 1993
- Skills Development Act

It is recorded that any and all documents / information requested pertaining to the aforesaid shall always only be made available to a requestor subject to the provisions of the Act.

3. DOCUMENTS / INFORMATION HELD BY THE BUSINESS IN TERMS OF THE ACT (Section 51(1)(e) of the Act)

Operational Information

The business keeps information on

- Personnel related issues: Employees records, conditions of employment and company policy, address lists, etc.
- Patients: contact information, product subscriptions, contractual agreements, accounting information and general communication.
- Suppliers: contact information, contractual agreements, accounting information and general communication.
- Technical product information.

Financial statements

The above-mentioned records are of a confidential nature and only accessible to authorised people.

4. GUIDE IN TERMS OF SECTION 10 OF THE ACT (Section 51(1)(b) of the Act)

In terms of section 10 of the Act a guide will be compiles by the SAHRC containing such information as may be required by a person who wishes to exercise any right contemplated in the Act. The guide will be made available by the SAHRC by not later than August 2003.

Contact details of the South African Human Rights Commission:

PAIA Unit The Research and Documentation Department Private Bag 2700 2041 Houghton

Telephone: +27 11 484 8300

Fax: +27 11 484 0582

Website: www.sahrc.org.za

E-Mail: PAIA@sahrc.org.za

5. NOTICE(S) IN TERMS OF SECTION 52(2) OF THE ACT (Section 51(1)(c) of the Act)

At this stage no notice(s) has / have been published.

6. FEES

The fees applicable to any application for information, is displayed on the South African Human Rights Commission's website at www.sahrc.org.za

Weskem Apteek (Registration Number BK92/15484/23)

Manual prepared in accordance with Section 51 of the Promotion of Access to Information Act, No 2 of 2000 ("The Act")

Name of body (business): 1.

Engelbrecht & van Heerden BK t/a

Weskem Apteek

Registration Number:

BK92/15484/23

Chief executive officer:

Mnr. Ben van Heerden

The appointed information officer: Mnr. Ben van Heerden

Address:

Pick 'n Pay Centre, Hoofstraat,

Vredenburg, 7380

Postal Address:

Pick 'n Pay Centre, Hoofstraat,

Vredenburg, 7380

Telephone:

022 713 1184

Fax Number:

022 713 1851

E-Mail:

Weskem@Webmail.co.za

2. INFORMATION / DOCUMENTS AVAILABLE IN ACCORDANCE WITH OTHER LEGISLATION (Section 51(1)(d) of the Act)

The business keeps information / documents in accordance with the following legislation (please note that this is not an exhaustive list):-

- Companies Act, Act No. 61 of 1973
- Income Tax Act, Act No. 58 of 1962 (Section 75)
- Value-Added Tax Act, Act No. 89 of 1991 (Section 65)
- Unemployment Insurance Act, Act No.30 of 1966 (Section 32)
- Basic Conditions of Employment Act, Act No. 75 of 1997 (Section 31)
- Employment Equity Act, Act no. 55 of 1998 (Section 26)
- Compensation for Occupational Injuries and Diseases Act, Act No. 130 of 1993 (Section 97)
- Occupational Health and Safety Act, Act No. 85 0f 1993
- Skills Development Act

It is recorded that any and all documents / information requested pertaining to the aforesaid shall always only be made available to a requestor subject to the provisions of the Act.

3. DOCUMENTS / INFORMATION HELD BY THE BUSINESS IN TERMS OF THE ACT

(Section 51(1)(e) of the Act)

Operational Information

The business keeps information on

- Personnel related issues: Employees records, conditions of employment and company policy, address lists, etc.
- Clients: contact information, product subscriptions, contractual agreements, accounting information and general communication.
- Suppliers: contact information, contractual agreements, accounting information and general communication.
- Technical product information.

Financial statements

The above-mentioned records are of a confidential nature and only accessible to authorised people.

4. GUIDE IN TERMS OF SECTION 10 OF THE ACT (Section 51(1)(b) of the Act)

In terms of section 10 of the Act a guide will be compiles by the SAHRC containing such information as may be required by a person who wishes to exercise any right contemplated in the Act. The guide will be made available by the SAHRC by not later than August 2003.

Contact details of the South African Human Rights Commission:

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2041 Houghton

Telephone: +27 11 484 8300

Fax:

+27 11 484 0582

Website:

www.sahrc.org.za

E-Mail:

PAIA@sahrc.org.za

5. NOTICE(S) IN TERMS OF SECTION 52(2) OF THE ACT (Section 51(1)(c) of the Act)

At this stage no notice(s) has / have been published.

6. FEES

The fees applicable to any application for information, is displayed on the South African Human Rights Commission's website at www.sahrc.org.za

Hannasbaai Fishing Company (Pty) Ltd. (Registration Number 92/002567/07)

Manual prepared in accordance with Section 51 of the Promotion of Access to Information Act, No 2 of 2000 ("The Act")

Name of body (business): 1.

Hannasbaai Fishing Company

(Pty) Ltd.

Registration Number:

92/002567/07

Name of body (business):

Jaloersbaai (Pty) Ltd.

Registration Number:

92/021359/07

Chief executive officer:

(MD) Sarel Meiring

The appointed information officer: Bernie Pols

Address:

Main Road, St. Helena Bay, 7390

Postal Address:

P.O. Box 78, St. Helena Bay 7390

Telephone:

022 736 1028

Fax Number:

022 7361308

E-Mail:

bernie@vdg.co.za

2. INFORMATION / DOCUMENTS AVAILABLE IN ACCORDANCE WITH OTHER LEGISLATION (Section 51(1)(d) of the Act)

The business keeps information / documents in accordance with the following legislation (please note that this is not an exhaustive list):-

- Companies Act, Act No. 61 of 1973
- Income Tax Act, Act No. 58 of 1962 (Section 75)
- Value-Added Tax Act, Act No. 89 of 1991 (Section 65)
- Unemployment Insurance Act, Act No.30 of 1966 (Section 32)
- Basic Conditions of Employment Act, Act No. 75 of 1997 (Section 31)
- Employment Equity Act, Act no. 55 of 1998 (Section 26)
- Compensation for Occupational Injuries and Diseases Act, Act No. 130 of 1993 (Section 97)
- Occupational Health and Safety Act, Act No. 85 0f 1993
- Skills Development Act. 1998
- Marine Living Resources Act. 1998

It is recorded that any and all documents / information requested pertaining to the aforesaid shall always only be made available to a requestor subject to the provisions of the Act.

3. DOCUMENTS / INFORMATION HELD BY THE BUSINESS IN TERMS OF THE ACT (Section 51(1)(e) of the Act)

Operational Information

The business keeps information on

- Personnel related issues: Employees records, conditions of employment and company policy, address lists, etc.
- Clients: contact information, product subscriptions, contractual agreements, accounting information and general communication.
- Suppliers: contact information, contractual agreements, accounting information and general communication.
- Technical product information.

- Export documentation.
- HACCP Documentation
- Financial statements

The above-mentioned records are of a confidential nature and only accessible to authorised people.

4. GUIDE IN TERMS OF SECTION 10 OF THE ACT (Section 51(1)(b) of the Act)

In terms of section 10 of the Act a guide will be compiles by the SAHRC containing such information as may be required by a person who wishes to exercise any right contemplated in the Act. The guide will be made available by the SAHRC by not later than August 2003.

Contact details of the South African Human Rights Commission:

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Website: www.sahrc.org.za

E-Mail: PAIA@sahrc.org.za

5. NOTICE(S) IN TERMS OF SECTION 52(2) OF THE ACT (Section 51(1)(c) of the Act)

At this stage no notice(s) has / have been published.

6. FEES

The fees applicable to any application for information, is displayed on the South African Human Rights Commission's website at www.sahrc.org.za

Bongolethu Fishing Enterprises (Pty) Ltd. (Registration Number 1998/016997/07)

Manual prepared in accordance with Section 51 of the Promotion of Access to Information Act, No 2 of 2000 ("The Act")

Name of body (business): 1.

Bongolethu Fishing Enterprises

(Pty) Ltd.

Registration Number:

1998/016997/07

Chief executive officer:

Mr. Abe Esau

The appointed information officer: Mrs. A. Barnard

Address:

Kreef Avenue, Pepper Bay, Saldanha,

7395

Postal Address:

P.O. Box 1044, Saldanha, 7395

Telephone:

022 714 4510/1

Fax Number:

022 714 4493

E-Mail:

bong@imaginet.co.za

2. INFORMATION / DOCUMENTS AVAILABLE IN ACCORDANCE WITH OTHER LEGISLATION (Section 51(1)(d) of the Act)

The business keeps information / documents in accordance with the following legislation (please note that this is not an exhaustive list):-

- Companies Act, Act No. 61 of 1973
- Income Tax Act, Act No. 58 of 1962 (Section 75)
- Value-Added Tax Act, Act No. 89 of 1991 (Section 65)
- Unemployment Insurance Act, Act No.30 of 1966 (Section 32)
- Basic Conditions of Employment Act, Act No. 75 of 1997 (Section 31)
- Employment Equity Act, Act no. 55 of 1998 (Section 26)
- Compensation for Occupational Injuries and Diseases Act, Act No. 130 of 1993 (Section 97)
- Occupational Health and Safety Act, Act No. 85 0f 1993
- Skills Development Act. 1998
- Marine Living Resources Act. 1998

It is recorded that any and all documents / information requested pertaining to the aforesaid shall always only be made available to a requestor subject to the provisions of the Act.

3. DOCUMENTS / INFORMATION HELD BY THE BUSINESS IN TERMS OF THE ACT (Section 51(1)(e) of the Act)

Operational Information

The business keeps information on

- Personnel related issues: Employees records, conditions of employment and company policy, address lists, etc.
- Clients: contact information, product subscriptions, contractual agreements, accounting information and general communication.
- Suppliers: contact information, contractual agreements, accounting information and general communication.
- Technical product information.

- Export documentation.
- HACCP Documentation
- Financial statements

The above-mentioned records are of a confidential nature and only accessible to authorised people.

4. GUIDE IN TERMS OF SECTION 10 OF THE ACT (Section 51(1)(b) of the Act)

In terms of section 10 of the Act a guide will be compiles by the SAHRC containing such information as may be required by a person who wishes to exercise any right contemplated in the Act. The guide will be made available by the SAHRC by not later than August 2003.

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Website: www.sahrc.org.za

E-Mail: PAIA@sahrc.org.za

5. NOTICE(S) IN TERMS OF SECTION 52(2) OF THE ACT (Section 51(1)(c) of the Act)

At this stage no notice(s) has / have been published.

6. FEES

The fees applicable to any application for information, is displayed on the South African Human Rights Commission's website at www.sahrc.org.za

A.J.F. Eigelaar & Seuns (Edms) Bpk. (Registration Number 58/00821/07)

Manual prepared in accordance with Section 51 of the Promotion of Access to Information Act, No 2 of 2000 ("The Act")

1. Name of body (business)

Registration Number:

and all subsidiary companies:

A.J.F. Eigelaar & Seuns (Edms) Bpk

58/00821/07

Hoedjiesbaai Eiendomme (Edms) Bpk

70/02669/07

Vredenburg Kelders (Edms) Bpk.

56/01753/07

Laaiplek Handelshuis (Edms) Bpk.

63/02888/07

King's Cellars Hotel (Pty) Ltd.

60/02543/07

Diazvill Liqour Sales (Pty) Ltd.

94/01706/07

Chief executive officer:

A.J.F. Eigelaar

The appointed information officer:

A.J. Gresse

Address:

de Villiersstraat, Laaiplek

Postal Address:

P.O. Box 242, Velddrif, 7365

Telephone:

022 783 1125

Fax Number:

022 783 0618

E-Mail:

2. INFORMATION / DOCUMENTS AVAILABLE IN ACCORDANCE WITH OTHER LEGISLATION (Section 51(1)(d) of the Act)

The business keeps information / documents in accordance with the following legislation (please note that this is not an exhaustive list):-

- Companies Act, Act No. 61 of 1973
- Income Tax Act, Act No. 58 of 1962 (Section 75)
- Value-Added Tax Act, Act No. 89 of 1991 (Section 65)
- Unemployment Insurance Act, Act No.30 of 1966 (Section 32)
- Basic Conditions of Employment Act, Act No. 75 of 1997 (Section 31)
- Employment Equity Act, Act no. 55 of 1998 (Section 26)
- Compensation for Occupational Injuries and Diseases Act, Act No. 130 of 1993 (Section 97)
- Occupational Health and Safety Act, Act No. 85 0f 1993
- Skills Development Act. 1998
- Marine Living Resources Act. 1998

It is recorded that any and all documents / information requested pertaining to the aforesaid shall always only be made available to a requestor subject to the provisions of the Act.

3. DOCUMENTS / INFORMATION HELD BY THE BUSINESS IN TERMS OF THE ACT (Section 51(1)(e) of the Act)

Operational Information

The business keeps information on

- Personnel related issues: Employees records, conditions of employment and company policy, address lists, etc.
- Clients: contact information, product subscriptions, contractual agreements, accounting information and general communication.
- Suppliers: contact information, contractual agreements, accounting information and general communication.
- Technical product information.

- Export documentation.
- HACCP Documentation
- Financial statements

The above-mentioned records are of a confidential nature and only accessible to authorised people.

4. GUIDE IN TERMS OF SECTION 10 OF THE ACT (Section 51(1)(b) of the Act)

In terms of section 10 of the Act a guide will be compiles by the SAHRC containing such information as may be required by a person who wishes to exercise any right contemplated in the Act. The guide will be made available by the SAHRC by not later than August 2003.

Contact details of the South African Human Rights Commission:

PAIA Unit The Research and Documentation Department Private Bag 2700 2041 Houghton

Telephone: +27 11 484 8300

Fax:

+27 11 484 0582

Website:

www.sahrc.org.za

E-Mail:

PAIA@sahrc.org.za

5. NOTICE(S) IN TERMS OF SECTION 52(2) OF THE ACT (Section 51(1)(c) of the Act)

At this stage no notice(s) has / have been published.

6. FEES

The fees applicable to any application for information, is displayed on the South African Human Rights Commission's website at www.sahrc.org.za

Komicx Products (Pty) Ltd. (Registration Number 1995/012949/07)

Manual prepared in accordance with Section 51 of the Promotion of Access to Information Act, No 2 of 2000 ("The Act")

1. Name of body (business):

Komicx Products (Pty) Ltd.

Registration Number:

1995/012949/07

Name of body (business):

Biz Afrika 131 (Pty) Ltd.

Registration Number:

1999/04544/07

Chief executive officer:

Keith Anthony Anderson

The appointed information officer:

Michelle Shortt

Address:

25 Fish Eagle Place, Fish Eagle Park,

Kommetjie, 7975

Postal Address:

P.O. Box 48145, Kommetjie, 7976

Telephone:

021 783 5016

Fax Number:

021 783 5020

E-Mail:

komicx@gem.co.za

2. INFORMATION / DOCUMENTS AVAILABLE IN ACCORDANCE WITH OTHER LEGISLATION (Section 51(1)(d) of the Act)

The business keeps information / documents in accordance with the following legislation (please note that this is not an exhaustive list):-

- Companies Act, Act No. 61 of 1973
- Income Tax Act, Act No. 58 of 1962 (Section 75)
- Value-Added Tax Act, Act No. 89 of 1991 (Section 65)
- Unemployment Insurance Act, Act No.30 of 1966 (Section 32)
- Basic Conditions of Employment Act, Act No. 75 of 1997 (Section 31)
- Employment Equity Act, Act no. 55 of 1998 (Section 26)
- Compensation for Occupational Injuries and Diseases Act, Act No. 130 of 1993 (Section 97)
- Occupational Health and Safety Act, Act No. 85 0f 1993
- Skills Development Act. 1998
- Marine Living Resources Act. 1998

It is recorded that any and all documents / information requested pertaining to the aforesaid shall always only be made available to a requestor subject to the provisions of the Act.

3. DOCUMENTS / INFORMATION HELD BY THE BUSINESS IN TERMS OF THE ACT

(Section 51(1)(e) of the Act)

Operational Information

The business keeps information on

- Personnel related issues: Employees records, conditions of employment and company policy, address lists, etc.
- Clients: contact information, product subscriptions, contractual agreements, accounting information and general communication.
- Suppliers: contact information, contractual agreements, accounting information and general communication.
- Technical product information.

- Export documentation.
- HACCP Documentation
- Financial statements

The above-mentioned records are of a confidential nature and only accessible to authorised people.

4. GUIDE IN TERMS OF SECTION 10 OF THE ACT (Section 51(1)(b) of the Act)

In terms of section 10 of the Act a guide will be compiles by the SAHRC containing such information as may be required by a person who wishes to exercise any right contemplated in the Act. The guide will be made available by the SAHRC by not later than August 2003.

Contact details of the South African Human Rights Commission:

PAIA Unit
The Research and Documentation Department
Private Bag 2700
2041 Houghton

Telephone: +27 11 484 8300

Fax: +27 11 484 0582

Website: www.sahrc.org.za

E-Mail: PAIA@sahrc.org.za

5. NOTICE(S) IN TERMS OF SECTION 52(2) OF THE ACT (Section 51(1)(c) of the Act)

At this stage no notice(s) has / have been published.

6. FEES

The fees applicable to any application for information, is displayed on the South African Human Rights Commission's website at www.sahrc.org.za



DE JAGER • KRUGER • VAN BLERK

Attorneys

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

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1. INTRODUCTION

The manual is to assist potential requestors as to the procedure to be followed when requesting access to information / documents from De Jager, Kruger, Van Blerk as contemplated in terms of the Act.

The manual may be amended from time to time and as soon as any amendments have been finalised the latest version of the manual will be made public.

Any requestor is advised to contact Philip De Jager should he / she require any assistance in respect of the utilisation of this manual and / or the requesting of documents / information from De Jager, Kruger, Van Blerk.

The following words will bear the following meaning in this manual:-

"the Act"

shall mean the Promotion of Access to Information Act, No. 2 of 2000, together with all relevant regulations published in terms thereof;

"the/this manual"

shall mean this manual together with all annexures thereto as available at the offices of De Jager, Kruger, Van Blerk from time to time;

"De Jager, Kruger, Van Blerk"

shall mean De Jager, Kruger, Van Blerk Attorneys;

"SAHRC"

shall mean the South African Human Rights Commission.

2. <u>CONTACT DETAILS</u> (Section 51(1)(a) of the Act)

Name of body:

De Jager, Kruger, Van Blerk Attorneys

Partner and appointed

information Officer:

Philip De Jager

Address:

Lexforum

Corner 5th Street and 7th Avenue

Springs, 1560

Postal Address:

P.O. Box 835

Springs 1560

Telephone:

(011) 812-1455

Fax:

(011) 362-4493

E-mail:

PdeJager@webmail.co.za

3. GUIDE IN TERMS OF SECTION 10 OF THE ACT

(Section 51(1)(b) of the Act)

In terms of section 10 of the Act a guide will be compiled by the SAHRC containing such information as may be required by a person who wishes to exercise any right contemplated in the Act. The guide will be made available by the SAHRC by no later than August 2003.

Contact details of the South African Human Rights Commission:

PAIA Unit The Research and Documentation Department Private Bag 2700 HOUGHTON 2041

Telephone:

+27 11 484 8300

Fax:

+27 11 484 0582

Website:

www.sahrc.org.za

E-mail:

PAIA@sahrc.org.za

4. NOTICE(S) IN TERMS OF SECTION 52(2) OF THE ACT (Section 51(1)(c) of the Act)

At this stage no notice(s) has / have been published.

5. <u>INFORMATION / DOCUMENTS AVAILABLE IN ACCORDANCE</u> <u>WITH OTHER LEGISLATION</u> (Section 51(1)(d) of the Act)

De Jager, Kruger, Van Blerk keeps information / documents in accordance with the following legislation (please note that this is not an exhaustive list):-

- Income Tax Act, Act No. 58 of 1962 (Section 75)
- Valued-Added Tax Act, Act No. 89 of 1991 (Section 65)
- Unemployment Insurance Act, Act No. 30 of 1966 (Section 32)
- Basic Conditions of Employment Act, Act No. 75 of 1997 (Section 31)
- Employment Equity Act, Act No. 55 of 1998 (Section 26)
- Compensation for Occupational Injuries and Diseases Act, Act No. 130 of 1993 (Section 97)
- Attorneys Act, Act No. 53 of 1979
- Skills Development Act, Act No. 97 of 1998
- Regional Services Act, Act No. 109 of 1985 as amended
- Promotion of Access to information Act, Act 2 of 2000

6. DOCUMENTS / INFORMATION HELD BY DE JAGER, KRUGER, VAN BLERK IN TERMS OF THE ACT (Section 51(1)(e) of the Act)

The documents / information listed herein below pertain to the day-today management of the business of De Jager, Kruger, Van Blerk:-

- Standard Employment Contracts
- Human Resources Manual
- Insurance Policies
- · Rules and regulations relating to Pension funds
- · Other commercial contracts

It is recorded that any and all documents / information requested pertaining to the aforesaid shall always only be made available to a requestor subject to the provisions of the Act.

7. OTHER INFORMATION (Section 51(1)(f) of the Act)

The Minister of Justice and Constitutional Development has to date not published any regulations in terms of this section.

- 8. **AVAILIBILITY OF THE MANUAL** (Section 51(3) of the Act)
- 1.1 This manual is available for inspection at the offices of De Jager, Kruger, Van Blerk free of charge.
- 1.2 Copies of the manual may be obtained, subject to the prescribed fees, at the offices of De Jager, Kruger, Van Blerk.
- 1.3 The manual can also be accessed on the websites of the SAHRC (www.sahrc.org.za) and will be published in the Government Gazette. However, it should be noted that the manual accessible on the website of SAHRC and in the Government Gazette, does not include the request forms or fee structure. The request forms and fee structure can be obtained on the SAHRC website (www.sahrc.org.za) or the website of the Department of Justice and Constitutional Development (www.doj.gov.za) (under "regulations").

DE JAGER, KRUGER, VAN BLERK EIENDOMME (PTY) LTD (95/011667/07)

PROPERTY OWNING COMPANY

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

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1. <u>INTRODUCTION</u>

The manual is to assist potential requestors as to the procedure to be followed when requesting access to information / documents from De Jager, Kruger, Van Blerk Eiendomme (Pty) Ltd as contemplated in terms of the Act.

The manual may be amended from time to time and as soon as any amendments have been finalised the latest version of the manual will be made public.

Any requestor is advised to contact Philip De Jager should he / she require any assistance in respect of the utilisation of this manual and / or the requesting of documents / information from De Jager, Kruger, Van Blerk Eiendomme (Pty) Ltd.

The following words will bear the following meaning in this manual:-

"the Act"

shall mean the Promotion of Access to Information Act, No. 2 of 2000, together with all relevant regulations published in terms thereof;

"the/this manual"

shall mean this manual together with all annexures thereto as available at the offices of De Jager, Kruger, Van Blerk Eiendomme (Pty) Ltd from time to time:

"De Jager, Kruger, Van Blerk Eiendomme (Pty) Ltd"

shall mean De Jager, Kruger, Van Blerk Eiendomme (Pty) Ltd

"SAHRC"

shall mean the South African Human Rights Commission.

2. <u>CONTACT DETAILS</u> (Section 51(1)(a) of the Act)

Name of body:

De Jager, Kruger, Van Blerk Eiendomme

(Pty) Ltd

Director and appointed

information Officer:

Philip De Jager

Address:

Lexforum

Corner 5th Street and 7th Avenue

Springs, 1560

Postal Address:

P.O. Box 835

Springs 1560

Telephone:

(011) 812-1455

Fax:

(011) 362-4493

E-mail:

PdeJager@webmail.co.za

3. GUIDE IN TERMS OF SECTION 10 OF THE ACT

(Section 51(1)(b) of the Act)

In terms of section 10 of the Act a guide will be compiled by the SAHRC containing such information as may be required by a person who wishes to exercise any right contemplated in the Act. The guide will be made available by the SAHRC by no later than August 2003.

Contact details of the South African Human Rights Commission:

PAIA Unit The Research and Documentation Department Private Bag 2700 HOUGHTON 2041

Telephone:

+27 11 484 8300

Fax:

+27 11 484 0582

Website:

www.sahrc.org.za

E-mail:

PAIA@sahrc.org.za

4. NOTICE(S) IN TERMS OF SECTION 52(2) OF THE ACT (Section 51(1)(c) of the Act)

At this stage no notice(s) has / have been published.

5. <u>INFORMATION / DOCUMENTS AVAILABLE IN ACCORDANCE</u> <u>WITH OTHER LEGISLATION</u> (Section 51(1)(d) of the Act)

De Jager, Kruger, Van Blerk Eiendomme (Pty) Ltd keeps information / documents in accordance with the following legislation (please note that this is not an exhaustive list):-

- Income Tax Act, Act No. 58 of 1962 (Section 75)
- Valued-Added Tax Act, Act No. 89 of 1991 (Section 65)
- Unemployment Insurance Act, Act No. 30 of 1966 (Section 32)
- Basic Conditions of Employment Act, Act No. 75 of 1997 (Section 31)
- Employment Equity Act, Act No. 55 of 1998 (Section 26)
- Compensation for Occupational Injuries and Diseases Act, Act No. 130 of 1993 (Section 97)
- Skills Development Act, Act No. 97 of 1998
- Regional Services Act, Act No. 109 of 1985 as amended
- Promotion of Access to information Act, Act 2 of 2000

6. <u>DOCUMENTS</u> / <u>INFORMATION HELD BY JAVLIN INVESTMENTS CC IN TERMS OF THE ACT</u> (Section 51(1)(e) of the Act)

The documents / information listed herein below pertain to the day-to-day management of the business of De Jager, Kruger, Van Blerk Eiendomme (Pty) Ltd:-

- Standard Employment Contracts
- Human Resources Manual
- Insurance Policies
- Rules and regulations relating to Pension funds
- Other commercial contracts

It is recorded that any and all documents / information requested pertaining to the aforesaid shall always only be made available to a requestor subject to the provisions of the Act.

7. OTHER INFORMATION (Section 51(1)(f) of the Act)

The Minister of Justice and Constitutional Development has to date not published any regulations in terms of this section.

- 8. AVAILIBILITY OF THE MANUAL (Section 51(3) of the Act)
- 1.1 This manual is available for inspection at the offices of De Jager, Kruger, Van Blerk Eiendomme (Pty) Ltd free of charge.
- 1.2 Copies of the manual may be obtained, subject to the prescribed fees, at the offices of De Jager, Kruger, Van Blerk Eiendomme (Pty) Ltd.
- 1.3 The manual can also be accessed on the websites of the SAHRC (www.sahrc.org.za) and will be published in the Government Gazette. However, it should be noted that the manual accessible on the website of SAHRC and in the Government Gazette, does not include the request forms or fee structure. The request forms and fee structure can be obtained on the SAHRC website (www.sahrc.org.za) or the website of the Department of Justice and Constitutional Development (www.doj.gov.za) (under "regulations").

JAVLIN INVESTMENTS CC (88/015441/23)

CESSIONARY OF CIVIL ACTIONS AND EMPLOYEE CONTRACTOR

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

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1. <u>INTRODUCTION</u>

The manual is to assist potential requestors as to the procedure to be followed when requesting access to information / documents from Javlin Investments CC as contemplated in terms of the Act.

The manual may be amended from time to time and as soon as any amendments have been finalised the latest version of the manual will be made public.

Any requestor is advised to contact Philip De Jager should he / she require any assistance in respect of the utilisation of this manual and / or the requesting of documents / information from Javlin Investments CC.

The following words will bear the following meaning in this manual:-

"the Act"

shall mean the Promotion of Access to Information Act, No. 2 of 2000, together with all relevant regulations published in terms thereof;

"the/this manual"

shall mean this manual together with all annexures thereto as available at the offices of Javlin Investments CC from time to time;

"Javlin Investments CC"

shall mean Javlin Investments CC

"SAHRC"

shall mean the South African Human Rights Commission.

CONTACT DETAILS (Section 51(1)(a) of the Act) 2.

Name of body:

Javlin Investments CC

Member and appointed

information Officer:

Philip De Jager

Address:

Lexforum

Corner 5th Street and 7th Avenue

Springs, 1560

Postal Address:

P.O. Box 835

Springs

1560

Telephone:

(011) 812-1455

Fax:

(011) 362-4493

E-mail:

PdeJager@webmail.co.za

3. GUIDE IN TERMS OF SECTION 10 OF THE ACT

(Section 51(1)(b) of the Act)

In terms of section 10 of the Act a guide will be compiled by the SAHRC containing such information as may be required by a person who wishes to exercise any right contemplated in the Act. The guide will be made available by the SAHRC by no later than August 2003.

Contact details of the South African Human Rights Commission:

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The Research and Documentation Department
Private Bag 2700
HOUGHTON
2041

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+27 11 484 8300

Fax:

+27 11 484 0582

Website:

www.sahrc.org.za

E-mail:

PAIA@sahrc.org.za

4. NOTICE(S) IN TERMS OF SECTION 52(2) OF THE ACT (Section 51(1)(c) of the Act)

At this stage no notice(s) has / have been published.

5. <u>INFORMATION / DOCUMENTS AVAILABLE IN ACCORDANCE</u> <u>WITH OTHER LEGISLATION</u> (Section 51(1)(d) of the Act)

Javlin Investments CC keeps information / documents in accordance with the following legislation (please note that this is not an exhaustive list):-

- Income Tax Act, Act No. 58 of 1962 (Section 75)
- Valued-Added Tax Act, Act No. 89 of 1991 (Section 65)
- Unemployment Insurance Act, Act No. 30 of 1966 (Section 32)
- Basic Conditions of Employment Act, Act No. 75 of 1997 (Section 31)
- Employment Equity Act, Act No. 55 of 1998 (Section 26)
- Compensation for Occupational Injuries and Diseases Act, Act No. 130 of 1993 (Section 97)
- Skills Development Act, Act No. 97 of 1998
- Regional Services Act, Act No. 109 of 1985 as amended
- Promotion of Access to information Act, Act 2 of 2000

6. <u>DOCUMENTS</u> / <u>INFORMATION HELD BY JAVLIN</u>
<u>INVESTMENTS CC IN TERMS OF THE ACT</u> (Section 51(1)(e) of the Act)

The documents / information listed herein below pertain to the day-to-day management of the business of Javlin Investments CC:-

- Standard Employment Contracts
- Human Resources Manual
- Insurance Policies
- Rules and regulations relating to Pension funds
- Other commercial contracts

It is recorded that any and all documents / information requested pertaining to the aforesaid shall always only be made available to a requestor subject to the provisions of the Act.

7. OTHER INFORMATION (Section 51(1)(f) of the Act)

The Minister of Justice and Constitutional Development has to date not published any regulations in terms of this section.

- 8. AVAILIBILITY OF THE MANUAL (Section 51(3) of the Act)
- 1.1 This manual is available for inspection at the offices of Javlin Investments CC free of charge.
- 1.2 Copies of the manual may be obtained, subject to the prescribed fees, at the offices of Javlin Investments CC.
- 1.3 The manual can also be accessed on the websites of the SAHRC (www.sahrc.org.za) and will be published in the Government Gazette. However, it should be noted that the manual accessible on the website of SAHRC and in the Government Gazette, does not include the request forms or fee structure. The request forms and fee structure can be obtained on the SAHRC website (www.sahrc.org.za) or the website of the Department of Justice and Constitutional Development (www.doj.gov.za) (under "regulations").

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Cape Town Branch: Tel: (021) 465-7531

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