



# Government Gazette Staatskoerant

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No. 25419

## MANUAL

*IN ACCORDANCE WITH*

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



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

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**HENBAN PROJECTS BK: 1999/009460/23**  
**MANUAL IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT, ACT 2 OF 2002 (The Act)**

**CONTACT DETAILS (S51(1)(a))**

The member of the close corporation will deal with all matters relating to the Act.  
Postal address P O Box 16388 Street address Stasieweg 16  
LYTTELTON LYTTELTON MANOR  
0140 CENTURION  
0157  
Telephone (012)664 1058 Facsimile (012)664 1058  
E-mail henban@worldonline.co.za

**THE GUIDE AS DESCRIBED IN SECTION 10 (S51(1)(b))**

The guide will be available from the Human Rights Commission.

**CATEGORIES OF RECORDS OF THE COMPANY WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS IN TERMS OF THE ACT IN TERMS OF SECTION 52(2). (S51(1)(c))**

No notice of such records has been made to the Minister.

**RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION. (S51(1)(d))**

Records are kept in accordance with the provisions of the following legislation:

The Close Corporation Act, Act 69 of 1984  
The Income Tax Act, Act 58 of 1962  
The Value-Added Tax Act, 1991  
The Unemployment Insurance Act, 1966  
Basic Conditions of Employment Act.

**HOW TO REQUEST A RECORD. A DESCRIPTION OF THE SUBJECTS OF THE RECORDS HELD BY THE COMPANY AND THE CATEGORIES IN WHICH THESE SUBJECTS ARE CLASSED. (S51(1)(e))**

A requester must comply with all the procedural requirements in the Act relating to the request for access to a record and complete Form C that has been published in Annexure B of the Government Gazette Notice 187 on 15 February 2002.

**Categories of records held by the company**

Operational information required in the day-to-day running of the company and is generally of little to no use to persons outside the company.

Records of clients and their instructions to the company details of which cannot be supplied without such client's written consent.

Financial and accounting records.

**OTHER INFORMATION AS MAY BE PRESCRIBED (S51()(f))**

Not applicable.

**FEES IN RESPECT OF PRIVATE BODIES**

The fees payable for requests in terms of sections 52(3), 54(1) and 54(7) shall be the fees listed in Part III which has been published in Annexure A of the Government Gazette Notice 187 on 15 February 2002.

# C H VAN DER MEYDEN - NEUROLOGIE PRAKTYK

## HANDLEIDING INGEVOLGE ARTIKEL 51 VAN DIE WET OP BEVORDERING VAN TOEGANG TOT INLIGTING, WET 2 VAN 2002 (DIE WET)

### KONTAKBESONDERHED (A51(1)(a))

Die praktyk se fisiese adres is Moot Algemene Hospitaal, 18de Laan 572, Rietfontein 0084. Die eienaar van die praktyk sal met alle aangeleenthede rakende die Wet handel. Die kontakbesonderhede van die praktyk is as volg:

Posadres      Posbus 25634      Strataadres  
 GEZINA  
 0031  
 Moot Algemene Hospitaal  
 18de Laan 572  
 RIETFONTEIN  
 0084  
 Telefoon      (012) 330 1698      Faksimilie      (012) 331 1575  
 E-pos      keesvd@icon.co.za

### DIE GIDS SOOS IN ARTIKEL 10 HEDOE (A51(1)(b))

Die gids kan vanaf die Suid-Afrikaanse Menseregtekommissie verkry word.

### KATEGORIE VAN REKORDS WAT BESKIKBAAR IS SONDER DAT 'N PERSOON 'N VERSOEK INGEVOLGE ARTIKEL 52(2) VAN NIERDIE WET HOEF TE NIG (A51(1)(c))

Geen kennisgewing van sodanige rekords is deur die Minister gepubliseer nie.

### REKORDS WAT INGEVOLGE ANDER WETGEWING BESKIKBAAR IS (A51(1)(d))

Rekords word ingevolge die bepaling van die volgende wetgewing gehou:

Die Wet op Gesondheidsberoep, 1974  
 Die Inkomstebelastingwet, Wet 58 van 1962  
 Die Wet op Belasting op Toegevoegde Waarde, 1991  
 Die Werkloosheidsversekeringswet, 1966  
 Die Wet op Vergoeding vir Beroepsbeserings en -sterftes, Wet 130 van 1993  
 Die Wet op Basiese Diensvoorwaardes, Wet 75 van 1997

### HOE OM TOEGANG TOT 'N REKORD TE VERSOEK. 'N BESKRIVING VAN DIE ONDERWERPE WAAROM DIE PRAKTYK REKORDS HOU EN DIE KATEGORIE REKORDS GEHOU. (A51(1)(e))

Die versoeker moet voldoen aan al die prosedurevereistes in die Wet wat verband hou met die versoek vir toegang tot 'n rekord en Vorm C, soos vervat in Aanhangsel A tot Kennisgewing R.187 gepubliseer in Staatskoerant 23119 op 15 Februarie 2002.

### Kategorie van rekords gehou deur die praktyk:

Bedryfsinligting benodig vir die dag-tot-dag bestuur van die praktyk en is gewoonlik min of geen waarde vir persone buite die praktyk

Personeel rekords gehou ingevolge die verskeie arbeids- en belastingwette

Finansiële en rekeningkundige rekords

### NADER INLIGTING WAT VOORGESKRIF MAG WORD (A51(1)(f))

Nie van toepassing

### GELDE TEN OPSIGTE VAN PRIVAATLIGGAMES

Die gelde betaalbaar vir versoeke ingevolge Artikel 52(3), 54(1) en 54(7) sal die gelde soos gepubliseer in Deel III tot die Bylae van Kennisgewing R.187 in Staatskoerant 23119 van 15 Februarie 2002.

**RIAN STRYDOM TRUST****HANDLEIDING INGEVOLGE ARTIKEL 51 VAN DIE WET OP BEVORDERING VAN TOEGANG TOT INLIGTING, WET 2 VAN 2002 (Die Wet)****KONTAKBESONDERHEDE (A51(1)(a))**

Die Trust se fisiese adres is Cannonsingel 38, Ifafi 0260. Die Trustees van die Trust het enige een van die Trustees wat met alle aangeleenthede rakende die Wet sal handel, as inligtingsbeamptes aangestel. Die kontakbesonderhede van beide die Trust en die inligtingsbeampte is as volg:

Posadres	Posbus 154	Straatadres	Cannonsingel 38
	IFAFI		IFAFI
	0260		0260

Telefoon	(012)259 0453	Faksimilee	(012)253 0469
E-pos	parc@icon.co.za		

**DIE GIDS SOOS IN ARTIKEL 10 BEDOEL (A51(1)(b))**

Die gids kan vanaf die Suid-Afrikaanse Menseregtekommissie verkry word.

**KATEGORIEË VAN REKORDS WAT BESIKBAAR IS SONDER DAT 'N PERSOON 'N VERSOEK INGEVOLGE ARTIKEL 52(2) VAN HIERDIE WET HOEF TE RIG (A51(1)(c))**

Geen kennisgewing van sodanige rekords is deur die Minister gepubliseer nie.

**REKORDS WAT INGEVOLGE ANDER WETGEWING BESIKBAAR IS (A51(1)(d))**

Rekords word ingevolge die bepalings van die volgende wetgewing gehou:

Die Inkomstebelastingwet, Wet 58 van 1962

**HOE OM TOEGANG TOT 'N REKORD TE VERSOEK. 'N BESKRYWING VAN DIE ONDERWERPE WAAROM DIE TRUST REKORDS HOU EN DIE KATEGORIEË REKORDS GEHOU. (A51(1)(e))**

Die versoeker moet voldoen aan al die prosedurevereistes in die Wet wat verband hou met die versoek vir toegang tot 'n rekord en Vorm C, soos vervat in Aanhangsel A tot Kennisgewing R.187 gepubliseer in Staatskoerant 23119 op 15 Februarie 2002.

Kategorieë van rekords gehou deur die Trust:

Bedryfsinligting benodig vir die dag-tot-dag bestuur van die Trust en is gewoonlik min of geen waarde vir persone buite die Trust

Finansiële en rekeningkundige rekords

**NADER INLIGTING WAT VOORGESKRYF MAG WORD (A51(1)(f))**

Nie van toepassing

**GELDE TEN OPSIGTE VAN PRIVAATLIGGAME**

Die gelde betaalbaar vir versoeke ingevolge Artikel 52(3), 54(1) en 54(7) sal die gelde soos gepubliseer in Deel III tot die Bylae van Kennisgewing R.187 in Staatskoerant 23119 van 15 Februarie 2002.

INDUSTRIAL CAPITAL PLANT (PTY) LTD

**1. INTRODUCTION**

- 1.1 The Promotion of Access to Information Act, No. 2 of 2000 ("the Act") was enacted on 3 February 2000, giving effect to the constitutional right of access to any information held by the State and any information that is held by another person and that is required for the exercise or protection of any rights. Where a request is made in terms of the Act, the body to whom the request is made is obliged to release the information, **except where the Act expressly provides that the information may or must not be released.** The Act sets out the requisite procedural issues attached to such request.

**1.2 PURPOSE OF THE MANUAL**

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

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

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

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

Wherever reference is made to "Private Body" in this manual, it will refer to

INDUSTRIAL CAPITAL PLANT (PTY) LTD

for whom this manual is

drafted.

IMPORTERS & DISTRIBUTORS



## PART 1

### 2. CONTACT DETAILS

#### 2.1 Information Officer: Mr A L Hoffmann

Postal address: P O Box 260329 Excom 2023

Physical address: 10 Heidelberg Road Village Main Johannesburg

Tel: (011) 3346573

Fax: (011) 3341711

E-mail: [hoffintl@iafrica.com](mailto:hoffintl@iafrica.com)

#### 2.2 GENERAL INFORMATION

2.2.1 Name of Private Body: INDUSTRIAL CAPITAL PLANT (PTY) LTD

2.2.2 Registration number: 1995/003628/07

2.2.3 Vat No: 4430149452

2.2.4 Postal address: P O Box 260329 Excom 2023

2.2.5 Physical address (or main place of business):  
10 Heidelberg Road, Village Main, Johannesburg

2.2.6 Telephone number: (011) 3346573

2.2.7 Facsimile number: (011) 3341711

2.2.8 E-mail address: [hoffintl@iafrica.com](mailto:hoffintl@iafrica.com)

2.2.9 Website: N/A

## PART II

### 3. GUIDE OF SOUTH AFRICAN HUMAN RIGHTS COMMISSION

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

***The South African HUMAN RIGHTS COMMISSION,  
At PAIA Unit (THE RESEARCH AND DOCUMENTATION DEPARTMENT),  
Private Bag X2700, HOUGHTON, 2041;  
Telephone number: (011) 484-8300  
Facsimile number: (011) 484-1360;  
Website: [www.sahrc.org.co.za](http://www.sahrc.org.co.za);  
E-mail address: [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)***

## PART III

### 3.1 RECORDS OF THE PRIVATE BODY

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

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

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

### 3.2 PRIVATE BODY DOCUMENTS AND RECORDS

#### 3.2.1 INCORPORATION DOCUMENTS AND RECORDS

3.2.1.1 Copies of documents of incorporation.

#### 3.2.2 FINANCIAL DOCUMENTS AND RECORDS

3.2.2.1 Regional Services Council records

3.2.2.2 Vat records

3.2.2.3 Tax records

3.2.2.4 PAYE records

3.2.2.5 UIF records

3.2.2.6 Invoices

3.2.2.7 Monthly statements

3.2.2.8 Debit notes

3.2.2.9 Credit notes

3.2.2.10 Banking records

3.2.2.11 Annual Financial Statements

#### 3.2.3 OPERATIONAL DOCUMENTS AND RECORDS

3.2.3.1 Database of customers

3.2.3.2 Invoices

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

#### 3.2.4 PERSONNEL DOCUMENTS AND RECORDS

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

3.2.4.1 Employment contracts

3.2.4.2 Salary records



- 3.2.4.3 Leave records
- 3.2.4.4 Conditions of employment
- 3.2.4.5 Records relating to increases
- 3.2.4.6 Disciplinary records
- 3.2.4.7 Daily attendance register
- 3.2.4.8 Disability insurance
- 3.2.4.9 Records of deductions

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

### **3.2.5 INFORMATION TECHNOLOGY RECORDS**

- 3.2.5.1 Licences
- 3.2.5.2 Software programs
- 3.2.5.3 Internet deduction records

### **3.2.6 RECORDS REQUIRED IN TERMS OF LEGISLATION**

- 3.2.6.1 A table of legislation setting out a description of the records of the Private Body is available in accordance with certain legislation. We list the legislation as follows:
  - 3.2.6.1.1 The Criminal Procedures Act No. 51 of 1977
  - 3.2.6.1.2 The Labour Relations Act 66 of 1995
  - 3.2.6.1.3 Employment Equity Act No. 55 of 1998
  - 3.2.6.1.4 Basic Conditions of Employment Act 75 of 1997
  - 3.2.6.1.5 Competition Act 89 of 1998
  - 3.2.6.1.6 Insolvency Act 24 of 1936
  - 3.2.6.1.7 Constitution of SA Act No. 108 of 1996
  - 3.2.6.1.8 Companies Act No. 61 of 1973
  - 3.2.6.1.9 Unemployment Insurance Act 63 of 2001
  - 3.2.6.1.10 Value Added Tax Act 89 of 1991
  - 3.2.6.1.11 Income Tax Act 58 of 1962

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

**3.2.7 OTHER PARTY RECORDS**

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

## PART IV

### 4. GROUNDS FOR REFUSAL OF ACCESS TO RECORDS

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

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

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

#### 5.1 INTERNAL REMEDIES

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

#### 5.2 EXTERNAL REMEDIES

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

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

## 6. REQUEST PROCEDURE

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

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