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No. 27928

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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PARTICULARS IN TERMS OF THE SECTION 51 MANUAL**1. Contact details.**

Postal Address: P.O. Box 311
Kempton Park
1620

Street Address: 3 Zuurfontein Road
Kempton Park
1619

Switchboard number: +27 11 573 2500

Fax number: +27 11 573 2615

2. 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 2004. 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 11 484-7146

Website: www.sahrc.org.za

E-mail: PAIA@sahrc.org.za

3. Records available in terms of any other legislation

- Basic Conditions of Employment Act No 75 of 1997
- Companies Act No 61 of 1973
- Compensation for Occupational Injuries and Health Diseases Act No 130 of 1993
- Employment Equity Act No 55 of 1998
- Income Tax Act No 95 of 1967
- Income Tax Act No 24 of 1936

- Income Tax Act No 27 of 1943
- Labour relations Act No 66 of 1995
- Occupational Health and Safety Act No 85 of 1993
- Unemployment Contributions Act No 4 of 2002
- Value Added Tax Act No 89 of 1991

4. Access to records held by Kelvin Power

- i) Records which are available without a person having to request access in terms of section 52(2) of the Act:

- Audited Annual Financial Statements (available from the Registrar of Companies)

- ii) Records which may be requested from Kelvin Power

Administration

- Minutes of Management Meetings
- Minutes of Board Meetings
- Minutes of Shareholder Meetings
- Minutes of Safety Meetings
- Minutes of Indaba Meetings
- Correspondence

Human Resources

- Staff Recruitment Policies
- Employment Contracts
- Disciplinary Records
- Remuneration records and policies
- Loans to staff
- Electronic mail and telephone usage policies
- Grievance Procedures

Operations

- Production records
- Clients registry
- Document control procedure
- Standard Operating procedure

Finances

- Financial Statements
- Annual Financial Statements
- Stock Records
- Assets Inventory
- Financial Policies

Other

- Health and Safety Procedure
- Environmental Policy
- Confidentiality and Copyright Policy
- Housing estate conditions

Agreements

- Common Terms Agreement
- Power Purchase Agreement
- Sale and Purchase Agreement
- Coal Supply Agreements
- Ash supply Agreement

iii) 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 in 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 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 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 (if any) before further processing the request.

- The fee that the requester must pay to a private body is R50.00. The requester may lodge an application to the court against 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.

5. Other information as may be prescribed

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

6. Availability of the manual

The manual is available for inspection at the Kelvin Power offices free of charge; and copies are available with the SAHRC and in the Government Gazette.

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