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MANUAL

IN ACCORDANCE WITH

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



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TSGO SUN HOLDINGS (PROPRIETARY) LIMITED
(AND ITS SUBSIDIARIES)

Manual in terms of the Promotion of Access to Information Act

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This Manual is based on the document issued by the South African Human Rights Commission.

A. INTRODUCTION TO TSGO SUN

Tsogo Sun is a Joint Venture company constituted between Tsogo Investments and Southern Sun Gaming to pursue opportunities in the South African casino industry. Each of Tsogo Investments and Southern Sun Gaming hold a 50% interest in Tsogo Sun. Tsogo Investments is a broad-based Black empowerment focused group whose shareholding benefits organised Black business and labour movements, together with Women's Groupings, Black business interests and individual promoters. This shareholding includes FABCOS, NAFCOC, NACTU and SACTWU. Southern Sun Gaming is a wholly-owned subsidiary of Southern Sun Holdings, the leading southern African hotel Group which is in turn, wholly owned by SABMiller, a multinational brewing company.

Tsogo Sun has been awarded licences to operate casinos in Witbank and Nelspruit, Mpumalanga Province and at Fourways, Gauteng Province. An associate of Tsogo Sun named Tsogo Sun KwaZulu—Natal (Proprietary) Limited in which Tsogo Sun has a 33% indirect interest, has been licensed to operate a casino in Durban, KwaZulu—Natal Province and a second associate of Tsogo Sun named Tsogo Sun Emonti (Proprietary) Limited in which Tsogo Sun has a 60% direct interest has been licensed to operate a casino in East London, Eastern Cape Province.

B. PARTICULARS IN TERMS OF THE SECTION 51 MANUAL

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

Tsogo Sun Holdings (Proprietary) Limited

The Head : Attention The Company Secretary

Address: 7th Floor, Twin Towers West, Sandton City, Sandton

Postal: PO Box 782553, Sandton 2146

Telephone: (011) 780—0233

Facsimile: (011) 780—0261

E-mail: wynandv@southernsun.com

2. Guide on how to use the Act [Section 51(1)(b)]

The Promotion of Access to Information Act grants a requester access to records of a company, if the record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest. Requests in terms of the Act are required to be made in accordance with the prescribed procedures, at the rates provided.

A Guide on how to use the Act is to be compiled by the South African Human Rights Commission and will be available in August 2003. Please direct any queries to:

The South African Human Rights Commission:

PAIA Unit, The Research and Documentation Department

Postal: Private Bag 2700, Houghton 2041

Telephone: +27 11 484-8300

Facsimile: +27 11 484-0582

Website: www.sahrc.org.za

E-mail: PAIA@sahrc.org.za

3. **Records available in terms of any other legislation [Section 51(1)(d)]**

Records are kept and are available upon specified conditions in accordance with such other legislation as is applicable to Tsogo Sun and its subsidiaries, including:

- i. **Company Secretarial and Administration**
 - Companies Act 61 of 1973
 - Copyright Act 98 of 1978
- ii. **Accounting and Finance**
 - Income Tax Act 58 of 1962
 - Stamp Duties Act 77 of 1968
 - Value Added Tax Act 89 of 1991
 - Regional Services Council's Act 109 of 1985
 - Unemployment Insurance Act 63 of 2001
- iii. **Human Resources**
 - Labour Relations Act 66 of 1995
 - Basic Conditions of Employment Act 75 of 1997
 - Employment Equity Act 55 of 1998
 - Skills Development Levies Act 9 of 1999
 - Pension Funds Act 24 of 1956
 - Medical Schemes Act 131 of 1998
 - Compensation for Occupational Injuries and Diseases Act 130 of 1993
 - Occupational Health and Safety Act 85 of 1993
- iv. **Gaming**
 - National Gambling Act 33 of 1996
 - Gambling and Betting Act 5 of 1997 (Eastern Cape)
 - Gauteng Gambling Act 4 of 1995
 - KwaZulu—Natal Gambling Act 10 of 1996
 - Mpumalanga Gaming Act 5 of 1995

4. **Access to the records held by Tsogo Sun**

[Sections 51(1)(c) and 51(1)(e)]

- i. **The categories of records which are available without a person having to request access in terms of the Act [Section 51(1)(c)].**
Information was not available at the time of publication of this Manual.
- ii. **Records that may be requested. [Section 51(1)(e)]**
Kindly note that there are a number of grounds for refusal of access to records. [Sections 7, 61 and 63 to 70]
Human Resources
 - Staff records
 - Contracts of employment
 - Employment equity
 - Policy and Procedures
 - Pension and Provident Fund details
 - Code of Conduct**Financial**
 - Audited financial statements
 - Taxation records
 - Asset register
 - Management accounts
 - Banking details
 - Treasury documents**Company Secretarial / Legal**
 - General contracts
 - Statutory records
 - Licences
 - Minutes of meetings
 - Title Deeds
 - Correspondence
 - Organogram
- iii. **The request procedure**
To facilitate the processing of your request, kindly:
 - Use the prescribed form.
 - Address your request to the Head : Attention The Company Secretary at the address, facsimile number or electronic mail address of Tsogo Sun.

- Provide sufficient details to enable Tsogo Sun to identify:
 - (a) the record(s) requested;
 - (b) the requester (and if an agent is lodging the request, proof of capacity);
 - (c) the form of access required;
 - (d) (i) the postal address or facsimile number of the requester in the Republic;
 - (ii) if the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particular thereof;
 - (e) the right which the requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.

iv. **Prescribed Fees**

The following applies to requests (other than personal requests):

- A requester is required to pay the prescribed fees (R50,00) before a request will be processed;
- If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted);
- A requester may lodge an application with a court against the tender/payment of the request fee and/or deposit;
- Records may be withheld until the fees have been paid.

5. **Other information as may be prescribed [Section 51(1)(f)]**

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

6. **Availability of the Manual [Section 51(3)]**

This Manual is also available for inspection at the offices of Tsogo Sun free of charge and copies are available with the SAHRC, in the Gazette and on the website of the Department of Justice and Constitutional Development www.doj.gov.za — under Regulations.)

7. **Fees in respect of private bodies**

- i. 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.
- ii. The fees for reproduction referred to in Regulation 11(1) are as follows:

(a)	For every photocopy of an A4-size page or part thereof	R1,10
(b)	For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,75c
(c)	For a copy in a computer-readable form on:	
(i)	stiffy disc	R7,50
(ii)	compact disc	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	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
- iii. The request fee payable by a requester, other than a personal requester, referred to in Regulation 11(2) is R50,00.
- iv. The access fees payable by a requester referred to in Regulation 11(3) are as follows:

(1)(a)	For every photocopy of an A4-size page or part thereof	R1,10
(b)	For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,75c
(c)	For a copy in a computer-readable form on:	
(i)	stiffy disc	R7,50
(ii)	compact disc	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	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
(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:
- Six hours as the hours to be exceeded before a deposit is payable; and
 - 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.

8. Prescribed forms

**REQUEST FOR ACCESS TO RECORD OF
TSOGO SUN HOLDINGS (PROPRIETARY) LIMITED**
(Section 53(1) of the Promotion of Access to Information Act, 2000
(Act No. 2 of 2000))

[Regulation 4]

A. Particulars

Tsogo Sun Holdings (Proprietary) Limited
The Head : Attention The Company Secretary
7th Floor, Twin Towers West, Sandton City, Sandton
PO Box 782553, Sandton 2146
Telephone +27 11 780—0233
Facsimile +27 11 780—0261

B. Particulars of person requesting access to the record

- | | |
|-----|---|
| (a) | The particulars of the person who requests access to the record must be given below. |
| (b) | The address and/or facsimile number in the Republic to which the information is to be sent must be given. |
| (c) | Proof of the capacity in which the request is made, if applicable, must be attached. |

Full names and surname: _____
Identity number: _____
Postal address: _____
Facsimile 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

This section must be completed ONLY if a request for information is made on behalf of another person.

Full names and surname: _____
Identity number: _____

D. Particulars of record

- | | |
|-----|---|
| (a) | Provide full particulars of the record to which access is requested, 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: _____

Reference number, if available: _____
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.

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.):

	view the images		copy of the images*		transcription of the images*
--	-----------------	--	---------------------	--	------------------------------

3. If record consists of recorded words or information which can be reproduced in sound:

	listen to the sound-track (audio cassette)		Transcription of soundtrack* (written or printed document)
--	---	--	---

4. If record is held on computer or in an electronic or machine-readable form:

	printed copy of record*		Printed copy of information derived from the record*		copy in computer readable form* (stiffy or compact disc)
*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.				YES	NO

G. Particulars of right to be exercised or protected

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.

Indicate which right is to be exercised or protected : _____

Explain why the record requested is required for the exercise or protection of the aforementioned right : _____

H. Notice of decision regarding request for access

You will be notified in writing whether your request has been approved/denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record : _____

SIGNED at _____ this _____ day of _____

SIGNATURE OF REQUESTER/PERSON
ON WHOSE BEHALF REQUEST IS MADE

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