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MANUAL

IN ACCORDANCE WITH

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



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**PROMOTION OF ACCESS TO INFORMATION ACT,
ACT 2 OF 2000 (The Act)**

**SECTION 51 MANUAL FOR
ENTERPRISE DEVELOPEMNT ADVISERS (PTY) LTD**

INTRODUCTION TO ENTERPRISE DEVELOPMENT ADVISERS (PTY) LTD

Enterprise Development Advisers (Pty) Ltd is a privately owned South African company that was established in July 2000. The company consults to Industrialists and Entrepreneurs with regards to Government's various incentive packages and administers these packages throughout the Republic of South Africa once Government Approval has been obtained.

PARTICULARS IN TERMS OF SECTION 51

1. CONTACT DETAILS [Section 51 (1)(a)]

The Director of Enterprise Development Advisers (Pty) Ltd have duly authorized **the Financial Director** to deal with all matters in connection with requested for information in terms of the Promotion of Access to Information Act, 2 of 2000.

Postal Address:	P.O. Box 22352 Glenashley 4022	Street Address:	Suite 3A, Glenashley Views 36 Newport Avenue, Glenashley Durban
Telephone:	(031) 572 6710	Facsimile:	(031) 572 6740
E-Mail:	advisers@mwweb.co.za		

2. THE GUIDE AS DESCRIBED IN SECTION 10. [Section 51 (1)(b)]

The guide will be available from the Human Rights Commission. Please direct any queries to:

The Human Rights Commission:

Postal address: Private Bag 2700
Houghton
2041

Telephone: +27 11 484 8300 **Facsimile:** +27 11 484 0582

Website: <http://www.sahrc.org.za>

3. CATEGORIES OF RECORDS OF ENTERPRISE DEVELOPMENT ADVISERS (PTY) LTD WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS IN TERMS OF THE ACT IN TERMS OF SECTION 52(2). [Section 51(1)(c)]

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

4. RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION. [Section 51(1)(d)]

There are no records available in terms of any other legislation

5. HOW TO REQUEST A RECORD. A DESCRIPTION OF THE SUBJECTS OF THE RECORDS HELD BY ENTERPRISE DEVELOPMENT ADVISERS (PTY) LTD AND THE CATEGORIES IN WHICH THESE SUBJECTS ARE CLASSED. [Section 51(1)(d)]

5.1 How to request a record [See *pro forma* request from Section 9]

- Section 53 prescribes that 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, or this duly authorized deputy. 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 he or she wishes to be informed in any other manner and state the necessary particulars to be so informed.
- 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 private body.
- 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 for private bodies is R50. The requester may lodge an internal appeal or an application to the court against the tender or payment of the request fee.
- If the request is granted then a further access must be paid for the reproduction and the search and preparation, and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

The head of the private body will then make a decision on the request and notify the requester in the required form.

5.2 Categories of records held by Enterprise Development Advisers (Pty) Ltd

5.2.1 Other Records

- *Operational information*
This information can be defined as information needed in the day-to-day running of the company and is generally of little to no use to persons outside the organization. (Examples of such information are telephone lists, address lists, directives, contracts, employee records and general "house-keeping" information).
- *Internal and External Communications*
- *Historical Sales Information*
- *Client Records*
- *Financial records, including accounting records and auditor's report.*

6. OTHER INFORMATION AS MAY BE PRESCRIBED [Section 51(1)(f)]

Not applicable.

7. AVAILABILITY OF THE MANUAL [Section 51(3)]

This manual is available from the South African Human Rights Commission (see details above), Enterprise Development Advisers (Pty) Ltd (see details above).

COMPANY NAME

Registration Number IT/203/99

Manual in terms of section 51 of the Promotion of Access to Information Act, 2 of 2000**Introduction**

MARTIN KLOPPER FINANCIAL SERVICES is a trust providing a range of advisory services to clients, situated in (WORCESTER, Western Cape, RSA.

Section 51(1)(a)

Street address: 12 A Faibairnstreet , Worcester, 6850
 Postal address: Po Box 744, Worcester, 6849
 Telephone: +27 [0]23 3424453
 Facsimile: +27 [0]23 3424453
 Electronic mail: mklopper@intekom.co.za

Section 51(1)(b)

The manual contemplated in terms of section 10 of the Promotion of Access to Information Act ("the Act") has not been published.

Section 51(1)(c)

No notice has been published in terms of section 52(2) of the Act.

Section 51(1)(d)

Basic Conditions of Employment No. 75 of 1997
 Companies Act No. 61 of 1973
 Compensation for Occupational Injuries and Health Diseases Act No. 130 of 1993
 Copyright Act No. 98 of 1978
 Credit Agreements Act No. 75 of 1980
 Currency and Exchanges Act No. 9 of 1933
 Finance Act No. 35 of 2000
 Financial Services Board Act No. 97 of 1990
 Financial Relations Act No. 65 of 1976
 Income Tax Act No. 95 of 1967
 Intellectual Property Laws Amendments Act No. 38 of 1997
 Labour Relations Act No. 66 of 1995
 Long Term Insurance Act No. 52 of 1998
 Medical Schemes Act No. 131 of 1998
 Occupational Health & Safety Act No. 85 of 1993
 Pension Funds Act No. 24 of 1956
 Short Term Insurance Act No. 53 of 1998
 Skills Development Levies Act No. 9 of 1999
 Skills Development Act No. 97 of 1998
 Stamp Duties Act No. 77 of 1968
 Trade Marks Act No. 194 of 1993
 Unemployment Contributions Act No. 4 of 2002
 Unemployment Insurance Act No. 63 of 2001
 Usury Act No 73 of 1968
 Value Added Tax Act No. 89 of 1991

Section 51(1)(e)**Classification of records:**

Operations	Human Resources	Finances
<ul style="list-style-type: none"> ▪ Client details ▪ Client files and matter details ▪ Minutes of meetings ▪ Contracts with external parties 	<ul style="list-style-type: none"> ▪ Company policy documents ▪ Employment contracts 	<ul style="list-style-type: none"> ▪ Financial statements ▪ Assets inventory

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, set out above [s 53(1) of the Act].

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 [s 53(2)(a) and (b) and (c) of the Act].

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) of the Act].

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 [s 53(2)(f) of the Act].

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 (if any) before further processing the request [s 54(1) of the Act].

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 [s 54(6) of the Act].

SANTA CRUZ TRADING cc
t/a
STARPACK DISTRIBUTORS

SALES, MARKETING AND DISTRIBUTION SERVICES

**MANUAL PREPARED IN ACCORDANCE WITH SECTION 51 OF
 THE PROMOTION OF ACCESS TO INFORMATION ACT,
 NR, 2 OF 2000**

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1. INTRODUCTION

The aim of the manual is to assist potential requestors as to the procedure to be followed when requesting access to information / documents from STARPACK DISTRIBUTORS as contemplated in terms of the Act.

The manual may be amended from time to time and as soon as any amendments have been finalized, the latest version of the manual will be made public.

Any requestor is advised to contact Mr. Gouveia should he/she require any assistance in respect of this manual and / or the requesting of information / documents from STARPACK DISTRIBUTORS.

“the Act” shall mean the Promotion of Access to Information Act, Nr. 2 of 2000, together with all the relevant regulations published;

“the / this manual” shall mean this manual together with all the annexures thereto as available at the offices of STARPACK DISTRIBUTORS from time to time ;

“STARPACK DISTRIBUTORS” shall mean STARPACK DISTRIBUTORS , structured as a incorporated company which renders distribution services including sales and marketing representation to individual clients and business/organizations;

“SAHRC”	shall mean South African Human Rights Commission;
“Information Officer”	the senior partner of STARPACK DISTRIBUTORS has been appointed as the Information Officer of STARPACK DISTRIBUTORS, to which requests for information in terms of the Act, should be addressed;

2. Contact Details

Name of body:	STARPACK DISTRIBUTORS
Partner and appointed information Officer:	Mrs. J.C.A.B. Gouveia
Address:	130 Edward Avenue Hennospark Centurion
Postal address:	P.O. Box 17082 Randhart 1457
Telephone:	(012) 653-6335
Fax:	(012) 653-8150
E-mail:	info@starpack.co.za
Website address:	N/A

3. GUIDE IN TERMS OF SECTION 10 OF THE ACT

In terms of Section 10 of the Act, a guide will be compiled by the South African Human Rights Commission 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 in all official languages by the SAHRC and is obtainable from the SAHRC.

Contact details of the South African Human Rights Commission are as follows

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. NOTICE(S) IN TERMS OF SECTION 52(2) OF THE ACT

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

5. INFORMATION / DOCUMENTS AVAILABLE IN ACCORDANCE WITH OTHER LEGISLATION

STARPACK DISTRIBUTORS keeps information / documents inter alias in accordance with the following legislation

- Income Tax Act, Nr. 58 of 1962 (Section 75)
- Companies Act, Nr. 61 of 1973
- Regional Services Councils Act, Nr. 109 of 1985
- Value Added Tax Act, Nr. 89 of 1991 (section 65)
- Compensation for Occupational Injuries and Diseases Act, Nr. 130 of 1993 (Section 93)
- Basic Conditions of Employment Act, Nr. 75 1997 (Section 31)
- Employment Equity Act, Nr. 55 of 1998 (Section 26)
- Skills Development Act, Nr. 97 of 1998
- Skills Development Levies Act, Nr. 9 of 1999
- Unemployment Insurance Act, Nr. 63 of 2001

The above records, in so far as it being of a public nature are available automatically without a person having to request access thereto in terms of the Act, as envisaged in Section 52.

6. DOCUMENTS / INFORMATION HELD BY STARPACK DISTRIBUTORS IN TERMS OF THE ACT

STARPACK DISTRIBUTORS holds the Information / Documents listed herein below:

- Commercial contracts

ARGENT INDUSTRIAL PROVIDENT

("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:

MISS SUSAN JOAN COX

2. Registrar of Pension Funds PF Number of the Fund:

12/8/34152/349

The registered address of the Fund:

13 JACK PIENAAR ROAD GERMISTON SOUTH X7

3. The postal address of the Fund:

P O Box 14461 WADEVILLE 1422

4. The contact telephone number for the Fund:

(011) 873 1149

5. The contact facsimile number for the Fund:

(011) 873 7239

6. The e-mail address of the Head of the Fund:

Argent4@argent.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 member 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 **member** 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

SECTION 51 MANUAL FOR: BLUEPRINT INTERNATIONAL SOLUTIONS (Pty) Ltd

Introduction to Blueprint International Solutions (Pty) Ltd

Blueprint International Solutions (Pty) Ltd is a company of strategic and research professionals in industrial, business, trade and economic research.

PARTICULARS IN TERMS OF THE SECTION 51 MANUAL

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

Full Name	: Blueprint International solutions (Pty) Ltd
Registration Number	: 2002/015677/07
Registered Address	: 75 Voortrekker Road, Edenvale, 1610
Postal Address	: P O Box 45, Edenvale
Telephone Number	: 082-339-9425
Managing Director	: Kevin Ponter
Email Address of MD	: ktponter@netactive.co.za
Website	: www.blueprintgp.co.za

2. 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 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

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

- Companies Act No. 61 of 1973
- Income Tax Act No. 95 of 1967
- Skills Development Levies Act No. 9 of 1999

- Unemployment Contributions Act No. 4 of 2002
- Value Added Tax Act No. 89 of 1991

4. **Access to the records held by the private body in question** [Sections 51(1)(c) and 51(1)(e)]

- 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)** [Section 51(1)(c)]

Not Applicable

- ii. **Records that may be requested. A description of the subjects of the records held by the body and the categories in which these subjects are classed** [Section 51(1)(e)]

Statutory Information:

- Certificate of Incorporation, Certificate of Name change, Certificate to commence business.
- Memorandum & Articles of Association
- Minutes of directors meetings & Annual General Meetings
- Register of Directors & Officers; CM 27 & CM 29 forms.

Operations:

- Client information not in the public domain.
- Agreements with clients
- Strategy reports and research findings relating to clients

Finances:

- Annual financial statements
- General Ledger, Journals, Debtors Ledger
- Receipts, Vouchers, Invoices, Statements, Bank Statements
- Income Tax returns, & other Tax returns & Documentation

- 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 [s 53(1)].
- 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 [s 53(2)(a) and (b) and (c)].
- 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 [s 53(2)(f)].

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 (if any) before further processing the request [s 54(1)].
- 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 [s 54(3)(b)].
- 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 [s 54(6)].

Relevant Forms and Fee Tariffs are available, in terms of regulation 187, from the SAHRC's website (www.sahrc.org.za), or the Department of Justice and Constitutional Development (www.doj.gov.za)

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)]

The manual is also available for inspection upon arrangement with our managing director free of charge; and copies are available with the SAHRC, in the Gazette.

LARBOW INVESTMENTS (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

LARBOW INVESTMENTS (PTY) LTD

for whom this manual is drafted.

PROPERTY INVESTOR

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

2.2 GENERAL INFORMATION

2.2.1 Name of Private Body: Larbow Investments (Pty) Ltd

2.2.2 Registration number: 1998/004503/07

2.2.3 Vat No: N/A

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

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;

E-mail address: 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.

Introduction to The Institute of Bankers in South Africa (IOB)

The Institute which was founded in Cape Town in 1904 has always seen as its main objective the promotion of efficiency through education in the banking and financial services sector in general and of its members in particular. It seeks to do this by the dissemination of knowledge on the theory and practice of banking and financial services and by conducting examinations and other educational activities.

In today's rapidly changing technological, economic and social climate, competence is the key. Our courses are constantly updated to ensure that our members are kept abreast of current trends, new technology, new legislation and other facets relevant to the changing face of banking and financial services locally and internationally.

PARTICULARS IN TERMS OF THE SECTION 51 MANUAL**1. Contact details [Section 51(1)(a)]**

The Council of the IOB has duly authorised the Finance, IT and HR Executive to deal with all matters in connection with requests for information in terms of the Promotion of Access to Information Act, 2 of 2000.

Postal address: PO Box 61420, Marshalltown, 2107
Street Address: 17 Harrison Street, Johannesburg, 2000
Telephone: +27 11 832 1371
Facsimile: +27 11 834 6592
E-mail: iobinfo@iob.co.za

2. 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. 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

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

N/A

4. **Access to the records held by the private body in question** [Sections 51(1)(c) and 51(1)(e)]

i. **Categories of records of the IOB which are available without a person having to request access in terms of this Act in terms of section 52(2)** [Section 51(1)(c)]

Website records – the website, www.iob.co.za is accessible to anyone who has access to the Internet. IOB's website has the following categories:

- General info on the IOB
- Membership information
- The Academy
- Examinations
- Examination results
- Breaking news
- Contact details
- Events calendar
- Links to other sites

NOTE: Automatic access to certain sections of the website may be limited.

Information Brochures

Various information brochures are produced:

- Handbook /guidelines to students
- Various short courses

ii. **Other records** [Section 51(1)(e)]

• **Operational information**

This information relates to the day-to-day running of the organization and is generally of little or no use to persons outside the organization and includes information such as company policies, employee records, contracts etc.

- **Communications**
- **Membership files and electronic database**
- **Examination scripts** (in terms of the examination regulations, these are only retained for 2 months after the date of the examination)
- **Committee minutes** (Automatic access to minutes is limited to members of each committee)
- **Incorporation documents of the IOB** (Constitution, By-laws)

- **Financial records** (including accounting records and auditor's report)

iii. **Procedure to be followed in making a request.**

Form of request: (to download a copy of the required form, please refer the SAHRC's website: www.sahrc.org.za)

- i. 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 [s 53(1)].
- ii. 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 [s 53(2)(a) and (b) and (c)].
- iii. 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)].
- iv. 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 [s 53(2)(f)].

Fees: (for details / fee structure please refer to the SAHRC website: www.sahrc.org.za)

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 (if any) before further processing the request [s 54(1)].

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 [s 54(3)(b)].

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, and preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure [s 54(6)].

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)]

Copies of this manual are available from the SAHRC (see details above), in the Gazette, the IOB (see details above) and on the IOB's website (see details above).

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