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MANUALS

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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PROMOTION OF ACCESS TO INFORMATION ACT (PAIA) SECTION 51 MANUAL FOR THE CAI SA PENSION FUND

INTRODUCTION

"The system of government in South Africa before 27 April 1994, amongst others, resulted in a secretive and unresponsive culture in public and private bodies which often led to the abuse of power and human rights violations."

This statement appears in the preamble of the Promotion of Access to Information Act (PAIA) and was undoubtedly one of the reasons why access of information was made a constitutionally protected human right in terms of section 32(1) of the Constitution.

Section 32 of the Constitution provides as follows,

- 1) *Everyone has the right of access to –*
 - (a) *any information held by the State;*
 - (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 CAI SA Pension Fund (the Fund) is a duly registered pension fund in terms of the Pension Funds Act. As a separate legal entity, the Fund is required in terms of the Promotion of Access to Information Act to make provision for the access of certain information in terms of the Act.

Section 50(1) of the Promotion of Access to Information Act provides for the right of access to records of private bodies and states that;

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

- (a) *that record is required for the exercise or promotion 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.*

The purpose of this manual is to ensure the Fund's compliance with section 51 of The Promotion of Access to Information Act.

PROCEDURE FOR OBTAINING ACCESS TO INFORMATION

The CAI SA Pension Fund is a privately administered pension fund. The administration of the Fund is performed by Glenrand MIB Benefit Services (Pty) Ltd. The Principal Officer as head of the Fund, is required in terms of PAIA to respond to any requests for access to records. The Principal Officer may however request the assistance of Glenrand MIB Benefit Services (Pty) Ltd as and when required.

Any person wishing to request any information from the Fund may use the following contact details [Section 51(1)(a)].

Contact Details for the Principal Officer of the Fund

Principal Officer:	Mr Frans Wessels
Physical Address:	4 Ferreira Street French House MARSHALLTOWN 2001
Postal Address:	P O Box 61523 MARSHALLTOWN 2107
Tel:	(011) 240-0402
Fax:	(011) 240-0538
E-mail:	fwessels@indoseuz.co.za

THE SOUTH AFRICAN HUMAN RIGHTS COMMISSION [SECTION 51(1)(b)]

Section 10 of the PAIA commissioned the SAHRC to compile a guide in every official language containing information that is easily comprehensible to any person wishing to exercise any right as contemplated in PAIA.

The guide will contain information such as the objects of the Act, contact details for information and deputy information officers of public bodies, particulars of private bodies, the manner of access to the records of private and public bodies, assistance that may be obtained from the SAHRC and remedies available in law in the event of a breach of the provisions of PAIA.

The contact details for the South African Human Rights Commission are as follows:

PAIA Unit The Research and Documentation Department Private Bag 2700 Houghton 2041 Tel: (011) 484-8300 Fax: (011) 484-1360 Website: www.sahrc.org.za E-mail: PAIA@sahrc.org.za

RECORDS AVAILABLE IN TERMS OF THE PENSION FUNDS ACT 24 OF 1956

A requester may also request information that is available in terms of other legislation. The Pension Funds Act 24 of 1956 is specifically applicable to retirement funds.

Section 35(1) provides that a fund will deliver to a member a copy of any of the following documents on demand by a member and upon payment of any fee prescribed by the rules of the fund. Such documents include -

- The rules of the fund,
- The last revenue account and the last balance sheet prepared in terms of the Act.

Section 35(2) further provides that any member may inspect without charge a copy of any of the following documents at the registered office of the fund –

- The documents referred to under section 35(1) above;
- The last report by a valuator (if any) in terms of section 16;
- The last statement (if any) and report thereon prepared in terms of section 17;
- Any scheme which is being carried out by the fund in accordance with the provisions of section 18.

Section 22(1) of the Act provides that upon payment of the prescribed fee, any person may inspect at the office of the registrar, any of the documents mentioned in section 35. The person may make a copy of or take extracts from or obtain a copy of or extracts from any of the documents from the registrar.

Section 22(2) further provides that the registrar may exempt any person from paying the prescribed fees if this would further the public interest.

Section 22(3) provides that the registrar will provide any applicant free of charge with the registered address and the name of the principal officer of any registered fund.

Contact details for the Registrar of Pension Funds

The Registrar of Pension Funds
P O Box 35655
Menlo Park
0102

446 Rigel Avenue South
Erasmusrand
Pretoria

Tel: (012) 428-8000
Fax: (012) 347-0221
Website: www.fsb.co.za

ACCESS TO THE RECORDS HELD BY THE FUND [SECTION 51(1)(c)]

Access to the following types of records may be requested by the requester from the Fund. This list is not exhaustive.

Personal Information about Members

The records requested may relate to the following information but is not limited thereto.

- Remuneration/income of members
- Member's contributions and employer contributions
- The value of benefits and benefit statements past and current
- PAYE paid or payable in respect of a member's benefit
- Medical records obtained in respect of any disability benefit

- Reasons for withdrawal – for example resignation, dismissal etc.
- Details of tax directives, deductions, applications and certificates

Private Body Records

This would include the following records but would not be limited thereto:

- Documented proof of FSB registration
- Documented proof of SARS approval
- Financial records of the Fund
- Administrative records
- Contracts including policies of insurance and administration agreements
- Correspondence
- Statutory records
- Minutes of trustees meetings
- Rules, resolutions and amendments
- Databases and spreadsheets
- Investments

Third Parties

The Fund may be in possession of records that pertain to third parties. These records may include but are not limited to details pertaining to dependants and/or nominees of members, divorce and maintenance orders.

THE REQUEST PROCEDURE [SECTION 51(1)(e)]

- The requester must use the prescribed form (Annexure B) to make the request for access to a record. The completed request form must be submitted to the Principal Officer at the address, fax number or electronic mail address provided above.
- The request must contain the following information:
 - It must contain sufficient particulars to enable the Principal Officer of the retirement fund to identify the record requested as well as the requester;
 - It must contain information as to the form of access required;
 - It must provide a postal address or fax number for the requester in the Republic;
 - It must indicate what right will be protected or exercised by providing the requester with access to the record and reasons why the record is required to exercise or protect that right;
 - If the requester wishes to be informed of the decision in terms of the request in any form other than a written notification, this must be stated in the request;
 - If the request is made on behalf of another person, the requester must submit proof of the capacity in which he/she is making the request, to the reasonable satisfaction of the Principal Officer.

FEES IN RESPECT OF A REQUEST [ANNEXURE A]

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 Principal Officer 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.
- If the search for a record held by the Fund in respect of which a request for access by a requester, other than a personal requester, has been made and the preparation of the record for disclosure would in the opinion of the Principal Officer require more than the hours prescribed for this purpose, the Principal Officer must by notice require the requester, other than a personal requester, to pay as a deposit the prescribed portion (not more than one-third) of the access fee which would be payable if the request is granted.
- In respect of the notice mentioned above, such notice must state the amount of the deposit payable, if applicable and must advise the requester that he/she may lodge an application with a court against the tender or payment of a deposit and the procedure for such application.
- If a deposit has been paid in respect of a request for access which is refused, the deposit must be repaid to the requester.
- A record may be withheld until the requester concerned has paid the applicable fees (if any).
- After the Principal Officer 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 reproduction and search and preparation respectively and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

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.

AVAILABILITY OF THE MANUAL [SECTION 51(3)]

The manual is also available for inspection at the offices of Credit Agricole Indoseuz free of charge; copies are lodged with the SAHRC and published in the Government Gazette.

DECISION ON REQUEST AND NOTICE THEREOF

The Principal Officer must within 30 days of receipt of a request for access to a record decide in accordance with the provisions of PAIA whether or not to grant the request. He/she must also notify the requester of the decision.

If the request is granted the notice must include the following details.

- The access fees payable;
- The form in which access will be given; and
- Notice that the requester may lodge an application with the court against the access fee and matters relating thereto.

If the request is refused the notice must contain the following details.

- Reasons for the refusal with reference to the provisions of PAIA relied upon to reach this conclusion;
- Any reference to the content of the record must be excluded from the notice;
- Notice that the requester may lodge an application with a court against the refusal of the request and matters relating thereto.

A request for access to a record may be granted in part and refused in part.

Where circumstances warrant, the Principal Officer may extend the period in which a decision and notification must be made by an additional 30 days.

Where access to a record has been granted, the Principal Officer must as soon as is reasonably possible after notifying the requester of the granting of the access, give access to the requester in the form reasonably required by the requester or where no particular form was requested, in any form that the Principal Officer determines.

WHAT RECORDS MAY BE REFUSED?

PAIA provides for a number of categories of information that may not be disclosed when a request for access to information is received. The Principal Officer must in such instances refuse access.

Mandatory protection of privacy of third party who is a natural person

PAIA requires that the Principal Officer must refuse access to the records of a third person if such disclosure would involve the unreasonable disclosure of personal information about a third party including a deceased person. There are however several exceptions to this provision.

A request for access to a record that pertains to a third party who is a natural person may not be refused if where the information is of the following nature:

- Where an individual has consented to its disclosure;
- The information is already publicly available;
- Where the information was given to the private body by the individual and the individual was advised that such information would or might be made available to the public;
- Information about an individual's physical or mental health, or well-being, who is under the care of the requester and who is under the age of 18 years or is incapable of understanding the nature of the request and if giving access would be in the individual's best interests;
- Where the information is about an individual who is deceased and the requester is the individual's next of kin or made the written request with the consent of the deceased's next of kin;
- Where the information relates to the position or function of the individual who is or was an official of a private body.

Mandatory protection of commercial information of third party

A request for access to records that pertain to the following must also be refused;

- Trade secrets of a third party

- Financial, commercial, scientific or technical information, other than trade secrets, of a third party which would be likely to cause harm to the commercial or financial interests of the third party if it were disclosed.
- Information that was disclosed 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 to prejudice the third party in commercial competition.
- The information must however be granted if the third party has consented to the disclosure or where it pertains to the results of any product or environmental testing supplied by or carried out by the third party and the disclosure of which would reveal a serious public safety or environmental risk.

The Principal Officer must refuse a request for access to a record where such disclosure would be in breach of a duty of confidence owed to a third party in terms of an agreement.

Mandatory protection of safety of individuals and protection of property

The Principal Officer must refuse access to the records of the fund where:

- Such disclosure can reasonably be expected to endanger the life or physical safety of an individual; or may refuse a request where:
- Such disclosure is likely to prejudice or impair the security of a building, structure or system including but not limited to, a computer or communication system or any other property.
- Such disclosure may prejudice or impair methods, systems, plans or procedures for the protection of an individual in accordance with a witness protection scheme or the safety of the public or the security of property.

Mandatory protection of records privileged from production in legal proceedings

A request for access to a record where the record is privileged from production in legal proceedings unless the person entitled to the privilege has waived the privilege.

Commercial Information of a private body

The Principal Officer may refuse to grant access to the records of the private body where the disclosure pertains to the following information in relation to the private body itself and not third parties. Where the information pertains to:

- Trade secrets of the private body;
- Financial, commercial, scientific or technical information, other than trade secrets, of the private body which would be likely to cause harm to the commercial or financial interests of the private body if it were disclosed.
- The disclosure information which could reasonably be expected to put the private body at a disadvantage in contractual or other negotiations or to prejudice the private body in commercial competition.
- A computer program owned by the private body.

The information must however be released where it pertains to the results of product or environmental testing supplied by or carried out by or on behalf of the private body, the disclosure of which would reveal a serious public safety or environmental risk.

Further protection is extended to research information of a third party and research information of a private body.

Mandatory disclosure is required where such disclosure would be in the public interest.

THIRD PARTIES

When the Principal Officer is considering a request for access to a record that pertains to a third party, he/she must take all reasonable steps to inform the third party to whom the record relates of the request. The notification must:

- Be made as soon as in reasonably possible but within 21 days of receiving the request;
- By the fastest means possible. Where this is orally, this must be followed by written notification.
- State that he/she is considering a request for access that may pertain to the third party and the content of the record in question;
- Furnish the name of the requester.

The third party may within 21 days after the third party has been informed, make written or oral representations to the Principal Officer as to why access should be refused or give written consent to the disclosure to the requester. A third party that hasn't been advised in terms of the above requirements may still make written or oral representations to the Principal Officer.

The Principal Officer must advise the third party within a reasonable time but not exceeding 30 days after the third party was informed of his/she decision.

ANNEXURE A

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 every photocopy of an A4-size page or part thereof	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	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
(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 thereof held on a computer or in electronic or machine-readable 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

- (ii) For a copy of an audio record 30,00
- (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:
 - (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.

ANNEXURE B**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**

The Head:

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 fax 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

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

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.*

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.

1. If the record is in written or printed form:

<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record
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2. If record consists of visual images

(this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):

<input type="checkbox"/>	view the images	<input type="checkbox"/>	copy of the images*	<input type="checkbox"/>	transcription of the images*
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3. If record consists of recorded words or information which can be reproduced in sound:

<input type="checkbox"/>	listen to the soundtrack (audio cassette)	<input type="checkbox"/>	transcription of soundtrack* (written or printed document)
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4. If record is held on computer or in an electronic or machine-readable form:

<input type="checkbox"/>	printed copy of record*	<input type="checkbox"/>	printed copy of information derived from the record*	<input type="checkbox"/>	copy in computer readable form* (stiffy or compact disc)
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*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.

1. Indicate which right is to be exercised or protected:
2. 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 _____ 20

**SIGNATURE OF REQUESTER / PERSON
ON WHOSE BEHALF REQUEST IS MADE**

**PROMOTION OF ACCESS TO INFORMATION ACT (PAIA)
SECTION 51 MANUAL FOR THE GLENTIRE PROVIDENT FUND**

INTRODUCTION

"The system of government in South Africa before 27 April 1994, amongst others, resulted in a secretive and unresponsive culture in public and private bodies which often led to the abuse of power and human rights violations."

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Contact Details for the Principal Officer of the Fund

Principal Officer:	Ms Diana Simpson
Physical Address:	291 Surrey Avenue Ferndale RANDBURG 2194
Postal Address:	P O Box 3529 RANDBURG 2125
Tel:	(011) 293-2723
Fax:	(011) 293-2827
E-mail:	DSimpson@glenrandmib.co.za

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Contact details for the Registrar of Pension Funds

The Registrar of Pension Funds
P O Box 35655
Menlo Park
0102

446 Rigel Avenue South
Erasmusrand
Pretoria

Tel: (012) 428-8000
Fax: (012) 347-0221
Website: www.fsb.co.za

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 - It must provide a postal address or fax number for the requester in the Republic;
 - It must indicate what right will be protected or exercised by providing the requester with access to the record and reasons why the record is required to exercise or protect that right;
 - If the requester wishes to be informed of the decision in terms of the request in any form other than a written notification, this must be stated in the request;
 - If the request is made on behalf of another person, the requester must submit proof of the capacity in which he/she is making the request, to the reasonable satisfaction of the Principal Officer.

FEES IN RESPECT OF A REQUEST [ANNEXURE A]

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 Principal Officer 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.
- If the search for a record held by the Fund in respect of which a request for access by a requester, other than a personal requester, has been made and the preparation of the record for disclosure would in the opinion of the Principal Officer require more than the hours prescribed for this purpose, the Principal Officer must by notice require the requester, other than a personal requester, to pay as a deposit the prescribed portion (not more than one-third) of the access fee which would be payable if the request is granted.
- In respect of the notice mentioned above, such notice must state the amount of the deposit payable, if applicable and must advise the requester that he/she may lodge an application with a court against the tender or payment of a deposit and the procedure for such application.
- If a deposit has been paid in respect of a request for access which is refused, the deposit must be repaid to the requester.
- A record may be withheld until the requester concerned has paid the applicable fees (if any).
- After the Principal Officer 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 reproduction and search and preparation respectively and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

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.

AVAILABILITY OF THE MANUAL [SECTION 51(3)]

The manual is also available for inspection at the offices of Glenrand MIB free of charge; copies are lodged with the SAHRC and published in the Government Gazette.

DECISION ON REQUEST AND NOTICE THEREOF

The Principal Officer must within 30 days of receipt of a request for access to a record decide in accordance with the provisions of PAIA whether or not to grant the request. He/she must also notify the requester of the decision.

If the request is granted the notice must include the following details.

- The access fees payable;
- The form in which access will be given; and
- Notice that the requester may lodge an application with the court against the access fee and matters relating thereto.

If the request is refused the notice must contain the following details.

- Reasons for the refusal with reference to the provisions of PAIA relied upon to reach this conclusion;
- Any reference to the content of the record must be excluded from the notice;
- Notice that the requester may lodge an application with a court against the refusal of the request and matters relating thereto.

A request for access to a record may be granted in part and refused in part.

Where circumstances warrant, the Principal Officer may extend the period in which a decision and notification must be made by an additional 30 days.

Where access to a record has been granted, the Principal Officer must as soon as is reasonably possible after notifying the requester of the granting of the access, give access to the requester in the form reasonably required by the requester or where no particular form was requested, in any form that the Principal Officer determines.

WHAT RECORDS MAY BE REFUSED?

PAIA provides for a number of categories of information that may not be disclosed when a request for access to information is received. The Principal Officer must in such instances refuse access.

Mandatory protection of privacy of third party who is a natural person

PAIA requires that the Principal Officer must refuse access to the records of a third person if such disclosure would involve the unreasonable disclosure of personal information about a third party including a deceased person. There are however several exceptions to this provision.

A request for access to a record that pertains to a third party who is a natural person may not be refused if where the information is of the following nature:

- Where an individual has consented to its disclosure;
- The information is already publicly available;
- Where the information was given to the private body by the individual and the individual was advised that such information would or might be made available to the public;
- Information about an individual's physical or mental health, or well-being, who is under the care of the requester and who is under the age of 18 years or is incapable of understanding the nature of the request and if giving access would be in the individual's best interests;
- Where the information is about an individual who is deceased and the requester is the individual's next of kin or made the written request with the consent of the deceased's next of kin;
- Where the information relates to the position or function of the individual who is or was an official of a private body.

Mandatory protection of commercial information of third party

A request for access to records that pertain to the following must also be refused;

- Trade secrets of a third party

- Financial, commercial, scientific or technical information, other than trade secrets, of a third party which would be likely to cause harm to the commercial or financial interests of the third party if it were disclosed.
- Information that was disclosed 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 to prejudice the third party in commercial competition.
- The information must however be granted if the third party has consented to the disclosure or where it pertains to the results of any product or environmental testing supplied by or carried out by the third party and the disclosure of which would reveal a serious public safety or environmental risk.

The Principal Officer must refuse a request for access to a record where such disclosure would be in breach of a duty of confidence owed to a third party in terms of an agreement.

Mandatory protection of safety of individuals and protection of property

The Principal Officer must refuse access to the records of the fund where:

- Such disclosure can reasonably be expected to endanger the life or physical safety of an individual; or may refuse a request where:
- Such disclosure is likely to prejudice or impair the security of a building, structure or system including but not limited to, a computer or communication system or any other property.
- Such disclosure may prejudice or impair methods, systems, plans or procedures for the protection of an individual in accordance with a witness protection scheme or the safety of the public or the security of property.

Mandatory protection of records privileged from production in legal proceedings

A request for access to a record where the record is privileged from production in legal proceedings unless the person entitled to the privilege has waived the privilege.

Commercial information of a private body

The Principal Officer may refuse to grant access to the records of the private body where the disclosure pertains to the following information in relation to the private body itself and not third parties. Where the information pertains to:

- Trade secrets of the private body;
- Financial, commercial, scientific or technical information, other than trade secrets, of the private body which would be likely to cause harm to the commercial or financial interests of the private body if it were disclosed.
- The disclosure information which could reasonably be expected to put the private body at a disadvantage in contractual or other negotiations or to prejudice the private body in commercial competition.
- A computer program owned by the private body.

The information must however be released where it pertains to the results of product or environmental testing supplied by or carried out by or on behalf of the private body, the disclosure of which would reveal a serious public safety or environmental risk.

Further protection is extended to research information of a third party and research information of a private body.

Mandatory disclosure is required where such disclosure would be in the public interest.

THIRD PARTIES

When the Principal Officer is considering a request for access to a record that pertains to a third party, he/she must take all reasonable steps to inform the third party to whom the record relates of the request. The notification must:

- Be made as soon as is reasonably possible but within 21 days of receiving the request;
- By the fastest means possible. Where this is orally, this must be followed by written notification.
- State that he/she is considering a request for access that may pertain to the third party and the content of the record in question;
- Furnish the name of the requester.

The third party may within 21 days after the third party has been informed, make written or oral representations to the Principal Officer as to why access should be refused or give written consent to the disclosure to the requester. A third party that hasn't been advised in terms of the above requirements may still make written or oral representations to the Principal Officer.

The Principal Officer must advise the third party within a reasonable time but not exceeding 30 days after the third party was informed of his/she decision.

ANNEXURE A

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 every photocopy of an A4-size page or part thereof	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	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
(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 thereof held on a computer or in electronic or machine-readable 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

- (ii) For a copy of an audio record 30,00
- (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:
 - (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.

ANNEXURE B**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**

The Head:

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 fax 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

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

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.*

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.

1. If the record is in written or printed form:

<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record
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2. If record consists of visual images

(this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):

<input type="checkbox"/>	view the images	<input type="checkbox"/>	copy of the images*	<input type="checkbox"/>	transcription of the images*
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3. If record consists of recorded words or information which can be reproduced in sound:

<input type="checkbox"/>	listen to the soundtrack (audio cassette)	<input type="checkbox"/>	transcription of soundtrack* (written or printed document)
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4. If record is held on computer or in an electronic or machine-readable form:

<input type="checkbox"/>	printed copy of record*	<input type="checkbox"/>	printed copy of information derived from the record*	<input type="checkbox"/>	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.

1. Indicate which right is to be exercised or protected:
2. 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 _____ 20

**SIGNATURE OF REQUESTER / PERSON
ON WHOSE BEHALF REQUEST IS MADE**

**PROMOTION OF ACCESS TO INFORMATION ACT (PAIA)
SECTION 51 MANUAL FOR THE IDWALA PROVIDENT FUND**

INTRODUCTION

"The system of government in South Africa before 27 April 1994, amongst others, resulted in a secretive and unresponsive culture in public and private bodies which often led to the abuse of power and human rights violations."

This statement appears in the preamble of the Promotion of Access to Information Act (PAIA) and was undoubtedly one of the reasons why access of information was made a constitutionally protected human right in terms of section 32(1) of the Constitution.

Section 32 of the Constitution provides as follows,

- 1) *Everyone has the right of access to –*
 - (a) *any information held by the State;*
 - (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 Idwala Provident Fund (the Fund) is a duly registered provident fund in terms of the Pension Funds Act. As a separate legal entity, the Fund is required in terms of the Promotion of Access to Information Act to make provision for the access of certain information in terms of the Act.

Section 50(1) of the Promotion of Access to Information Act provides for the right of access to records of private bodies and states that;

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

- (a) *that record is required for the exercise or promotion 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.*

The purpose of this manual is to ensure the Fund's compliance with section 51 of The Promotion of Access to Information Act.

PROCEDURE FOR OBTAINING ACCESS TO INFORMATION

The Idwala Provident Fund is a privately administered provident fund. The administration of the Fund is performed by Glenrand MIB Benefit Services (Pty) Ltd. The Principal Officer as head of the Fund, is required in terms of PAIA to respond to any requests for access to records. The Principal Officer may however request the assistance of Glenrand MIB Benefit Services (Pty) Ltd as and when required.

Any person wishing to request any information from the Fund may use the following contact details [Section 51(1)(a)].

Contact Details for the Principal Officer of the Fund

Principal Officer:	Mr Peter Buchner
Physical Address:	Stonewedge No.1 Wedgelink Road BRYANSTON
Postal Address:	Private Bag X93 BRYANSTON 2021
Tel:	(011) 706-0000
Fax:	(011) 706-0044
E-mail:	pbuchner@idwala.co.za
Website:	www.idwala.co.za

THE SOUTH AFRICAN HUMAN RIGHTS COMMISSION [SECTION 51(1)(b)]

Section 10 of the PAIA commissioned the SAHRC to compile a guide in every official language containing information that is easily comprehensible to any person wishing to exercise any right as contemplated in PAIA.

The guide will contain information such as the objects of the Act, contact details for information and deputy information officers of public bodies, particulars of private bodies, the manner of access to the records of private and public bodies, assistance that may be obtained from the SAHRC and remedies available in law in the event of a breach of the provisions of PAIA.

The contact details for the South African Human Rights Commission are as follows:

PAIA Unit The Research and Documentation Department Private Bag 2700 Houghton 2041 Tel: (011) 484-8300 Fax: (011) 484-1360 Website: www.sahrc.org.za E-mail: PAIA@sahrc.org.za

RECORDS AVAILABLE IN TERMS OF THE PENSION FUNDS ACT 24 OF 1956

A requester may also request information that is available in terms of other legislation. The Pension Funds Act 24 of 1956 is specifically applicable to retirement funds.

Section 35(1) provides that a fund will deliver to a member a copy of any of the following documents on demand by a member and upon payment of any fee prescribed by the rules of the fund. Such documents include -

- The rules of the fund,
- The last revenue account and the last balance sheet prepared in terms of the Act.

Section 35(2) further provides that any member may inspect without charge a copy of any of the following documents at the registered office of the fund –

- The documents referred to under section 35(1) above;
- The last report by a valuator (if any) in terms of section 16;
- The last statement (if any) and report thereon prepared in terms of section 17;
- Any scheme which is being carried out by the fund in accordance with the provisions of section 18.

Section 22(1) of the Act provides that upon payment of the prescribed fee, any person may inspect at the office of the registrar, any of the documents mentioned in section 35. The person may make a copy of or take extracts from or obtain a copy of or extracts from any of the documents from the registrar.

Section 22(2) further provides that the registrar may exempt any person from paying the prescribed fees if this would further the public interest.

Section 22(3) provides that the registrar will provide any applicant free of charge with the registered address and the name of the principal officer of any registered fund.

Contact details for the Registrar of Pension Funds

The Registrar of Pension Funds
P O Box 35655
Menlo Park
0102

446 Rigel Avenue South
Erasmusrand
Pretoria

Tel: (012) 428-8000
Fax: (012) 347-0221
Website: www.fsb.co.za

ACCESS TO THE RECORDS HELD BY THE FUND [SECTION 51(1)(c)]

Access to the following types of records may be requested by the requester from the Fund. This list is not exhaustive.

Personal Information about Members

The records requested may relate to the following information but is not limited thereto.

- Remuneration/income of members
- Member's contributions and employer contributions
- The value of benefits and benefit statements past and current
- PAYE paid or payable in respect of a member's benefit
- Medical records obtained in respect of any disability benefit

- Reasons for withdrawal – for example resignation, dismissal etc.
- Details of tax directives, deductions, applications and certificates

Private Body Records

This would include the following records but would not be limited thereto.

- Documented proof of FSB registration
- Documented proof of SARS approval
- Financial records of the Fund
- Administrative records
- Contracts including policies of insurance and administration agreements
- Correspondence
- Statutory records
- Minutes of trustees meetings
- Rules, resolutions and amendments
- Databases and spreadsheets
- Investments

Third Parties

The Fund may be in possession of records that pertain to third parties. These records may include but are not limited to details pertaining to dependants and/or nominees of members, divorce and maintenance orders.

THE REQUEST PROCEDURE [SECTION 51(1)(e)]

- The requester must use the prescribed form (Annexure B) to make the request for access to a record. The completed request form must be submitted to the Principal Officer at the address, fax number or electronic mail address provided above.
- The request must contain the following information:
 - It must contain sufficient particulars to enable the Principal Officer of the retirement fund to identify the record requested as well as the requester;
 - It must contain information as to the form of access required;
 - It must provide a postal address or fax number for the requester in the Republic;
 - It must indicate what right will be protected or exercised by providing the requester with access to the record and reasons why the record is required to exercise or protect that right;
 - If the requester wishes to be informed of the decision in terms of the request in any form other than a written notification, this must be stated in the request;
 - If the request is made on behalf of another person, the requester must submit proof of the capacity in which he/she is making the request, to the reasonable satisfaction of the Principal Officer.

FEES IN RESPECT OF A REQUEST [ANNEXURE A]

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 Principal Officer 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.
- If the search for a record held by the Fund in respect of which a request for access by a requester, other than a personal requester, has been made and the preparation of the record for disclosure would in the opinion of the Principal Officer require more than the hours prescribed for this purpose, the Principal Officer must by notice require the requester, other than a personal requester, to pay as a deposit the prescribed portion (not more than one-third) of the access fee which would be payable if the request is granted.
- In respect of the notice mentioned above, such notice must state the amount of the deposit payable, if applicable and must advise the requester that he/she may lodge an application with a court against the tender or payment of a deposit and the procedure for such application.
- If a deposit has been paid in respect of a request for access which is refused, the deposit must be repaid to the requester.
- A record may be withheld until the requester concerned has paid the applicable fees (if any).
- After the Principal Officer 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 reproduction and search and preparation respectively and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

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.

AVAILABILITY OF THE MANUAL [SECTION 51(3)]

The manual is also available for inspection at the offices of Idwala Industrial Holdings (Pty) Ltd free of charge; copies are lodged with the SAHRC, published in the Government Gazette and on the Idwala website.

DECISION ON REQUEST AND NOTICE THEREOF

The Principal Officer must within 30 days of receipt of a request for access to a record decide in accordance with the provisions of PAIA whether or not to grant the request. He/she must also notify the requester of the decision.

If the request is granted the notice must include the following details.

- The access fees payable;
- The form in which access will be given; and
- Notice that the requester may lodge an application with the court against the access fee and matters relating thereto.

If the request is refused the notice must contain the following details.

- Reasons for the refusal with reference to the provisions of PAIA relied upon to reach this conclusion;
- Any reference to the content of the record must be excluded from the notice;
- Notice that the requester may lodge an application with a court against the refusal of the request and matters relating thereto.

A request for access to a record may be granted in part and refused in part.

Where circumstances warrant, the Principal Officer may extend the period in which a decision and notification must be made by an additional 30 days.

Where access to a record has been granted, the Principal Officer must as soon as is reasonably possible after notifying the requester of the granting of the access, give access to the requester in the form reasonably required by the requester or where no particular form was requested, in any form that the Principal Officer determines.

WHAT RECORDS MAY BE REFUSED?

PAIA provides for a number of categories of information that may not be disclosed when a request for access to information is received. The Principal Officer must in such instances refuse access.

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A request for access to a record that pertains to a third party who is a natural person may not be refused if where the information is of the following nature:

- Where an individual has consented to its disclosure;
- The information is already publicly available;
- Where the information was given to the private body by the individual and the individual was advised that such information would or might be made available to the public;
- Information about an individual's physical or mental health, or well-being, who is under the care of the requester and who is under the age of 18 years or is incapable of understanding the nature of the request and if giving access would be in the individual's best interests;
- Where the information is about an individual who is deceased and the requester is the individual's next of kin or made the written request with the consent of the deceased's next of kin;
- Where the information relates to the position or function of the individual who is or was an official of a private body.

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A request for access to records that pertain to the following must also be refused;

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The Principal Officer must refuse access to the records of the fund where:

- Such disclosure can reasonably be expected to endanger the life or physical safety of an individual; or may refuse a request where:
- Such disclosure is likely to prejudice or impair the security of a building, structure or system including but not limited to, a computer or communication system or any other property.
- Such disclosure may prejudice or impair methods, systems, plans or procedures for the protection of an individual in accordance with a witness protection scheme or the safety of the public or the security of property.

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A request for access to a record where the record is privileged from production in legal proceedings unless the person entitled to the privilege has waived the privilege.

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The Principal Officer may refuse to grant access to the records of the private body where the disclosure pertains to the following information in relation to the private body itself and not third parties. Where the information pertains to:

- Trade secrets of the private body;
- Financial, commercial, scientific or technical information, other than trade secrets, of the private body which would be likely to cause harm to the commercial or financial interests of the private body if it were disclosed.
- The disclosure information which could reasonably be expected to put the private body at a disadvantage in contractual or other negotiations or to prejudice the private body in commercial competition.
- A computer program owned by the private body.

The information must however be released where it pertains to the results of product or environmental testing supplied by or carried out by or on behalf of the private body, the disclosure of which would reveal a serious public safety or environmental risk.

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Mandatory disclosure is required where such disclosure would be in the public interest.

THIRD PARTIES

When the Principal Officer is considering a request for access to a record that pertains to a third party, he/she must take all reasonable steps to inform the third party to whom the record relates of the request. The notification must:

- Be made as soon as is reasonably possible but within 21 days of receiving the request;
- By the fastest means possible. Where this is orally, this must be followed by written notification.
- State that he/she is considering a request for access that may pertain to the third party and the content of the record in question;
- Furnish the name of the requester.

The third party may within 21 days after the third party has been informed, make written or oral representations to the Principal Officer as to why access should be refused or give written consent to the disclosure to the requester. A third party that hasn't been advised in terms of the above requirements may still make written or oral representations to the Principal Officer.

The Principal Officer must advise the third party within a reasonable time but not exceeding 30 days after the third party was informed of his/she decision.

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(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

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 thereof held on a computer or in electronic or machine-readable 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

- (ii) For a copy of an audio record 30,00
- (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:
 - (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.

ANNEXURE B**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**

The Head:

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 fax 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:

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

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.*

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.	

1. If the record is in written or printed form:					
<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record		
2. If record consists of visual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):					
<input type="checkbox"/>	view the images	<input type="checkbox"/>	copy of the images*		
<input type="checkbox"/>		<input type="checkbox"/>	transcription of the images*		
3. If record consists of recorded words or information which can be reproduced in sound:					
<input type="checkbox"/>	listen to the soundtrack (audio cassette)	<input type="checkbox"/>	transcription of soundtrack* (written or printed document)		
4. If record is held on computer or in an electronic or machine-readable form:					
<input type="checkbox"/>	printed copy of record*	<input type="checkbox"/>	printed copy of information derived from the record*		
<input type="checkbox"/>		<input type="checkbox"/>	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.			<table border="1"> <tr> <td>YES</td> <td>NO</td> </tr> </table>	YES	NO
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.

1. Indicate which right is to be exercised or protected:
2. 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 _____ 20

**SIGNATURE OF REQUESTER / PERSON
ON WHOSE BEHALF REQUEST IS MADE**

**PROMOTION OF ACCESS TO INFORMATION ACT (PAIA)
SECTION 51 MANUAL FOR THE SACM RETIREMENT FUND**

INTRODUCTION

"The system of government in South Africa before 27 April 1994, amongst others, resulted in a secretive and unresponsive culture in public and private bodies which often led to the abuse of power and human rights violations."

This statement appears in the preamble of the Promotion of Access to Information Act (PAIA) and was undoubtedly one of the reasons why access of information was made a constitutionally protected human right in terms of section 32(1) of the Constitution.

Section 32 of the Constitution provides as follows,

- 1) *Everyone has the right of access to –*
 - (a) *any information held by the State;*
 - (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 SACM Retirement Fund (the Fund) is a duly registered retirement fund in terms of the Pension Funds Act. As a separate legal entity, the Fund is required in terms of the Promotion of Access to Information Act to make provision for the access of certain information in terms of the Act.

Section 50(1) of the Promotion of Access to Information Act provides for the right of access to records of private bodies and states that;

- A requester must be given access to any record of a private body if-*
- (a) *that record is required for the exercise or promotion 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.*

The purpose of this manual is to ensure the Fund's compliance with section 51 of The Promotion of Access to Information Act.

PROCEDURE FOR OBTAINING ACCESS TO INFORMATION

The SACM Retirement Fund is a privately administered retirement fund. The administration of the Fund is performed by Glenrand MIB Benefit Services (Pty) Ltd. The Principal Officer as head of the Fund, is required in terms of PAIA to respond to any requests for access to records. The Principal Officer may however request the assistance of Glenrand MIB Benefit Services (Pty) Ltd as and when required.

Any person wishing to request any information from the Fund may use the following contact details [Section 51(1)(a)].

Contact Details for the Principal Officer of the Fund

Principal Officer:	Mr Kenneth Ross
Physical Address:	291 Surrey Avenue Ferndale RANDBURG 2194
Postal Address:	P O Box 3529 RANDBURG 2125
Tel:	(011) 293-2751
Fax:	(011) 293-2802
E-mail:	kross@glenrandmib.co.za

THE SOUTH AFRICAN HUMAN RIGHTS COMMISSION [SECTION 51(1)(b)]

Section 10 of the PAIA commissioned the SAHRC to compile a guide in every official language containing information that is easily comprehensible to any person wishing to exercise any right as contemplated in PAIA.

The guide will contain information such as the objects of the Act, contact details for information and deputy information officers of public bodies, particulars of private bodies, the manner of access to the records of private and public bodies, assistance that may be obtained from the SAHRC and remedies available in law in the event of a breach of the provisions of PAIA.

The contact details for the South African Human Rights Commission are as follows:

PAIA Unit The Research and Documentation Department Private Bag 2700 Houghton 2041 Tel: (011) 484-8300 Fax: (011) 484-1360 Website: www.sahrc.org.za E-mail: PAIA@sahrc.org.za

RECORDS AVAILABLE IN TERMS OF THE PENSION FUNDS ACT 24 OF 1956

A requester may also request information that is available in terms of other legislation. The Pension Funds Act 24 of 1956 is specifically applicable to retirement funds.

Section 35(1) provides that a fund will deliver to a member a copy of any of the following documents on demand by a member and upon payment of any fee prescribed by the rules of the fund. Such documents include -

- The rules of the fund,
- The last revenue account and the last balance sheet prepared in terms of the Act.

Section 35(2) further provides that any member may inspect without charge a copy of any of the following documents at the registered office of the fund –

- The documents referred to under section 35(1) above;
- The last report by a valuator (if any) in terms of section 16;
- The last statement (if any) and report thereon prepared in terms of section 17;
- Any scheme which is being carried out by the fund in accordance with the provisions of section 18.

Section 22(1) of the Act provides that upon payment of the prescribed fee, any person may inspect at the office of the registrar, any of the documents mentioned in section 35. The person may make a copy of or take extracts from or obtain a copy of or extracts from any of the documents from the registrar.

Section 22(2) further provides that the registrar may exempt any person from paying the prescribed fees if this would further the public interest.

Section 22(3) provides that the registrar will provide any applicant free of charge with the registered address and the name of the principal officer of any registered fund.

Contact details for the Registrar of Pension Funds

The Registrar of Pension Funds
P O Box 35655
Menlo Park
0102

446 Rigel Avenue South
Erasmusrand
Pretoria

Tel: (012) 428-8000
Fax: (012) 347-0221
Website: www.fsb.co.za

ACCESS TO THE RECORDS HELD BY THE FUND [SECTION 51(1)(c)]

Access to the following types of records may be requested by the requester from the Fund. This list is not exhaustive.

Personal Information about Members

The records requested may relate to the following information but is not limited thereto.

- Remuneration/income of members
- Member's contributions and employer contributions
- The value of benefits and benefit statements past and current
- PAYE paid or payable in respect of a member's benefit
- Medical records obtained in respect of any disability benefit

- Reasons for withdrawal – for example resignation, dismissal etc.
- Details of tax directives, deductions, applications and certificates

Private Body Records

This would include the following records but would not be limited thereto.

- Documented proof of FSB registration
- Documented proof of SARS approval
- Financial records of the Fund
- Administrative records
- Contracts including policies of insurance and administration agreements
- Correspondence
- Statutory records
- Minutes of trustees meetings
- Rules, resolutions and amendments
- Databases and spreadsheets
- Investments

Third Parties

The Fund may be in possession of records that pertain to third parties. These records may include but are not limited to details pertaining to dependants and/or nominees of members, divorce and maintenance orders.

THE REQUEST PROCEDURE [SECTION 51(1)(e)]

- The requester must use the prescribed form (Annexure B) to make the request for access to a record. The completed request form must be submitted to the Principal Officer at the address, fax number or electronic mail address provided above.
- The request must contain the following information:
 - It must contain sufficient particulars to enable the Principal Officer of the retirement fund to identify the record requested as well as the requester;
 - It must contain information as to the form of access required;
 - It must provide a postal address or fax number for the requester in the Republic;
 - It must indicate what right will be protected or exercised by providing the requester with access to the record and reasons why the record is required to exercise or protect that right;
 - If the requester wishes to be informed of the decision in terms of the request in any form other than a written notification, this must be stated in the request;
 - If the request is made on behalf of another person, the requester must submit proof of the capacity in which he/she is making the request, to the reasonable satisfaction of the Principal Officer.

FEES IN RESPECT OF A REQUEST [ANNEXURE A]

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 Principal Officer 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.
- If the search for a record held by the Fund in respect of which a request for access by a requester, other than a personal requester, has been made and the preparation of the record for disclosure would in the opinion of the Principal Officer require more than the hours prescribed for this purpose, the Principal Officer must by notice require the requester, other than a personal requester, to pay as a deposit the prescribed portion (not more than one-third) of the access fee which would be payable if the request is granted.
- In respect of the notice mentioned above, such notice must state the amount of the deposit payable, if applicable and must advise the requester that he/she may lodge an application with a court against the tender or payment of a deposit and the procedure for such application.
- If a deposit has been paid in respect of a request for access which is refused, the deposit must be repaid to the requester.
- A record may be withheld until the requester concerned has paid the applicable fees (if any).
- After the Principal Officer 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 reproduction and search and preparation respectively and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

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.

AVAILABILITY OF THE MANUAL [SECTION 51(3)]

The manual is available for inspection at the offices of Glenrand MIB free of charge, copies are lodged with the SAHRC, published in the Government Gazette.

DECISION ON REQUEST AND NOTICE THEREOF

The Principal Officer must within 30 days of receipt of a request for access to a record decide in accordance with the provisions of PAIA whether or not to grant the request. He/she must also notify the requester of the decision.

If the request is granted the notice must include the following details.

- The access fees payable;
- The form in which access will be given; and
- Notice that the requester may lodge an application with the court against the access fee and matters relating thereto.

If the request is refused the notice must contain the following details.

- Reasons for the refusal with reference to the provisions of PAIA relied upon to reach this conclusion;
- Any reference to the content of the record must be excluded from the notice;
- Notice that the requester may lodge an application with a court against the refusal of the request and matters relating thereto.

A request for access to a record may be granted in part and refused in part.

Where circumstances warrant, the Principal Officer may extend the period in which a decision and notification must be made by an additional 30 days.

Where access to a record has been granted, the Principal Officer must as soon as is reasonably possible after notifying the requester of the granting of the access, give access to the requester in the form reasonably required by the requester or where no particular form was requested, in any form that the Principal Officer determines.

WHAT RECORDS MAY BE REFUSED?

PAIA provides for a number of categories of information that may not be disclosed when a request for access to information is received. The Principal Officer must in such instances refuse access.

Mandatory protection of privacy of third party who is a natural person

PAIA requires that the Principal Officer must refuse access to the records of a third person if such disclosure would involve the unreasonable disclosure of personal information about a third party including a deceased person. There are however several exceptions to this provision.

A request for access to a record that pertains to a third party who is a natural person may not be refused if where the information is of the following nature:

- Where an individual has consented to its disclosure;
- The information is already publicly available;
- Where the information was given to the private body by the individual and the individual was advised that such information would or might be made available to the public;
- Information about an individual's physical or mental health, or well-being, who is under the care of the requester and who is under the age of 18 years or is incapable of understanding the nature of the request and if giving access would be in the individual's best interests;
- Where the information is about an individual who is deceased and the requester is the individual's next of kin or made the written request with the consent of the deceased's next of kin;
- Where the information relates to the position or function of the individual who is or was an official of a private body.

Mandatory protection of commercial information of third party

A request for access to records that pertain to the following must also be refused;

- Trade secrets of a third party

- Financial, commercial, scientific or technical information, other than trade secrets, of a third party which would be likely to cause harm to the commercial or financial interests of the third party if it were disclosed.
- Information that was disclosed 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 to prejudice the third party in commercial competition.
- The information must however be granted if the third party has consented to the disclosure or where it pertains to the results of any product or environmental testing supplied by or carried out by the third party and the disclosure of which would reveal a serious public safety or environmental risk.

The Principal Officer must refuse a request for access to a record where such disclosure would be in breach of a duty of confidence owed to a third party in terms of an agreement.

Mandatory protection of safety of individuals and protection of property

The Principal Officer must refuse access to the records of the fund where:

- Such disclosure can reasonably be expected to endanger the life or physical safety of an individual; or may refuse a request where:
- Such disclosure is likely to prejudice or impair the security of a building, structure or system including but not limited to, a computer or communication system or any other property.
- Such disclosure may prejudice or impair methods, systems, plans or procedures for the protection of an individual in accordance with a witness protection scheme or the safety of the public or the security of property.

Mandatory protection of records privileged from production in legal proceedings

A request for access to a record where the record is privileged from production in legal proceedings unless the person entitled to the privilege has waived the privilege.

Commercial information of a private body

The Principal Officer may refuse to grant access to the records of the private body where the disclosure pertains to the following information in relation to the private body itself and not third parties. Where the information pertains to:

- Trade secrets of the private body;
- Financial, commercial, scientific or technical information, other than trade secrets, of the private body which would be likely to cause harm to the commercial or financial interests of the private body if it were disclosed.
- The disclosure information which could reasonably be expected to put the private body at a disadvantage in contractual or other negotiations or to prejudice the private body in commercial competition.
- A computer program owned by the private body.

The information must however be released where it pertains to the results of product or environmental testing supplied by or carried out by or on behalf of the private body, the disclosure of which would reveal a serious public safety or environmental risk.

Further protection is extended to research information of a third party and research information of a private body.

Mandatory disclosure is required where such disclosure would be in the public interest.

THIRD PARTIES

When the Principal Officer is considering a request for access to a record that pertains to a third party, he/she must take all reasonable steps to inform the third party to whom the record relates of the request. The notification must:

- Be made as soon as is reasonably possible but within 21 days of receiving the request;
- By the fastest means possible. Where this is orally, this must be followed by written notification.
- State that he/she is considering a request for access that may pertain to the third party and the content of the record in question;
- Furnish the name of the requester.

The third party may within 21 days after the third party has been informed, make written or oral representations to the Principal Officer as to why access should be refused or give written consent to the disclosure to the requester. A third party that hasn't been advised in terms of the above requirements may still make written or oral representations to the Principal Officer.

The Principal Officer must advise the third party within a reasonable time but not exceeding 30 days after the third party was informed of his/she decision.

ANNEXURE A

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 every photocopy of an A4-size page or part thereof	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	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
(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 thereof held on a computer or in electronic or machine-readable 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

- (ii) For a copy of an audio record 30,00
- (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:
 - (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.

ANNEXURE B**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**

The Head:

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 fax 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

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

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.*

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:
<p>Mark the appropriate box with an X.</p> <p>NOTES:</p> <p>(a) Compliance with your request in the specified form may depend on the form in which the record is available.</p> <p>(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.</p> <p>(c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.</p>	

1. If the record is in written or printed form:

<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record
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2. If record consists of visual images

(this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):

<input type="checkbox"/>	view the images	<input type="checkbox"/>	copy of the images*	<input type="checkbox"/>	transcription of the images*
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3. If record consists of recorded words or information which can be reproduced in sound:

<input type="checkbox"/>	listen to the soundtrack (audio cassette)	<input type="checkbox"/>	transcription of soundtrack* (written or printed document)
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4. If record is held on computer or in an electronic or machine-readable form:

<input type="checkbox"/>	printed copy of record*	<input type="checkbox"/>	printed copy of information derived from the record*	<input type="checkbox"/>	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.

1. Indicate which right is to be exercised or protected:
2. 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 _____ 20

**SIGNATURE OF REQUESTER / PERSON
ON WHOSE BEHALF REQUEST IS MADE**

**PROMOTION OF ACCESS TO INFORMATION ACT (PAIA)
SECTION 51 MANUAL FOR THE JIC MINING PROVIDENT FUND**

INTRODUCTION

"The system of government in South Africa before 27 April 1994, amongst others, resulted in a secretive and unresponsive culture in public and private bodies which often led to the abuse of power and human rights violations."

This statement appears in the preamble of the Promotion of Access to Information Act (PAIA) and was undoubtedly one of the reasons why access of information was made a constitutionally protected human right in terms of section 32(1) of the Constitution.

Section 32 of the Constitution provides as follows,

- 1) *Everyone has the right of access to –*
 - (a) *any information held by the State;*
 - (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 JIC Mining Provident Fund (the Fund) is a duly registered provident fund in terms of the Pension Funds Act. As a separate legal entity, the Fund is required in terms of the Promotion of Access to Information Act to make provision for the access of certain information in terms of the Act.

Section 50(1) of the Promotion of Access to Information Act provides for the right of access to records of private bodies and states that;

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

- (a) *that record is required for the exercise or promotion 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.*

The purpose of this manual is to ensure the Fund's compliance with section 51 of The Promotion of Access to Information Act.

PROCEDURE FOR OBTAINING ACCESS TO INFORMATION

The JIC Mining Provident Fund is a privately administered provident fund. The administration of the Fund is performed by Glenrand MIB Benefit Services (Pty) Ltd. The Principal Officer as head of the Fund, is required in terms of PAIA to respond to any requests for access to records. The Principal Officer may however request the assistance of Glenrand MIB Benefit Services (Pty) Ltd as and when required.

Any person wishing to request any information from the Fund may use the following contact details [Section 51(1)(a)].

Contact Details for the Principal Officer of the Fund

Principal Officer:	Mr Gert Van den Berg
Physical Address:	28 Visagie Street PRETORIA 0001
Postal Address:	28 Visagie Street PRETORIA 0001
Tel:	(012) 324-3320
Fax:	(012) 323-2027
E-mail:	gertv@jic.co.za

THE SOUTH AFRICAN HUMAN RIGHTS COMMISSION [SECTION 51(1)(b)]

Section 10 of the PAIA commissioned the SAHRC to compile a guide in every official language containing information that is easily comprehensible to any person wishing to exercise any right as contemplated in PAIA.

The guide will contain information such as the objects of the Act, contact details for information and deputy information officers of public bodies, particulars of private bodies, the manner of access to the records of private and public bodies, assistance that may be obtained from the SAHRC and remedies available in law in the event of a breach of the provisions of PAIA.

The contact details for the South African Human Rights Commission are as follows:

PAIA Unit The Research and Documentation Department Private Bag 2700 Houghton 2041
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Tel: (011) 484-8300 Fax: (011) 484-1360 Website: www.sahrc.org.za E-mail: PAIA@sahrc.org.za

RECORDS AVAILABLE IN TERMS OF THE PENSION FUNDS ACT 24 OF 1956

A requester may also request information that is available in terms of other legislation. The Pension Funds Act 24 of 1956 is specifically applicable to retirement funds.

Section 35(1) provides that a fund will deliver to a member a copy of any of the following documents on demand by a member and upon payment of any fee prescribed by the rules of the fund. Such documents include -

- The rules of the fund;
- The last revenue account and the last balance sheet prepared in terms of the Act.

Section 35(2) further provides that any member may inspect without charge a copy of any of the following documents at the registered office of the fund –

- The documents referred to under section 35(1) above;
- The last report by a valuator (if any) in terms of section 16;
- The last statement (if any) and report thereon prepared in terms of section 17;
- Any scheme which is being carried out by the fund in accordance with the provisions of section 18.

Section 22(1) of the Act provides that upon payment of the prescribed fee, any person may inspect at the office of the registrar, any of the documents mentioned in section 35. The person may make a copy of or take extracts from or obtain a copy of or extracts from any of the documents from the registrar.

Section 22(2) further provides that the registrar may exempt any person from paying the prescribed fees if this would further the public interest.

Section 22(3) provides that the registrar will provide any applicant free of charge with the registered address and the name of the principal officer of any registered fund.

Contact details for the Registrar of Pension Funds

The Registrar of Pension Funds
P O Box 35655
Menlo Park
0102

446 Rigel Avenue South
Erasmusrand
Pretoria

Tel: (012) 428-8000
Fax: (012) 347-0221
Website: www.fsb.co.za

ACCESS TO THE RECORDS HELD BY THE FUND [SECTION 51(1)(c)]

Access to the following types of records may be requested by the requester from the Fund. This list is not exhaustive.

Personal Information about Members

The records requested may relate to the following information but is not limited thereto.

- Remuneration/income of members
- Member's contributions and employer contributions
- The value of benefits and benefit statements past and current
- PAYE paid or payable in respect of a member's benefit
- Medical records obtained in respect of any disability benefit

- Reasons for withdrawal – for example resignation, dismissal etc.
- Details of tax directives, deductions, applications and certificates

Private Body Records

This would include the following records but would not be limited thereto.

- Documented proof of FSB registration
- Documented proof of SARS approval
- Financial records of the Fund
- Administrative records
- Contracts including policies of insurance and administration agreements
- Correspondence
- Statutory records
- Minutes of trustees meetings
- Rules, resolutions and amendments
- Databases and spreadsheets
- Investments

Third Parties

The Fund may be in possession of records that pertain to third parties. These records may include but are not limited to details pertaining to dependants and/or nominees of members, divorce and maintenance orders.

THE REQUEST PROCEDURE [SECTION 51(1)(e)]

- The requester must use the prescribed form (Annexure B) to make the request for access to a record. The completed request form must be submitted to the Principal Officer at the address, fax number or electronic mail address provided above.
- The request must contain the following information:
 - It must contain sufficient particulars to enable the Principal Officer of the retirement fund to identify the record requested as well as the requester;
 - It must contain information as to the form of access required;
 - It must provide a postal address or fax number for the requester in the Republic;
 - It must indicate what right will be protected or exercised by providing the requester with access to the record and reasons why the record is required to exercise or protect that right;
 - If the requester wishes to be informed of the decision in terms of the request in any form other than a written notification, this must be stated in the request;
 - If the request is made on behalf of another person, the requester must submit proof of the capacity in which he/she is making the request, to the reasonable satisfaction of the Principal Officer.

FEES IN RESPECT OF A REQUEST [ANNEXURE A]

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 Principal Officer 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.
- If the search for a record held by the Fund in respect of which a request for access by a requester, other than a personal requester, has been made and the preparation of the record for disclosure would in the opinion of the Principal Officer require more than the hours prescribed for this purpose, the Principal Officer must by notice require the requester, other than a personal requester, to pay as a deposit the prescribed portion (not more than one-third) of the access fee which would be payable if the request is granted.
- In respect of the notice mentioned above, such notice must state the amount of the deposit payable, if applicable and must advise the requester that he/she may lodge an application with a court against the tender or payment of a deposit and the procedure for such application.
- If a deposit has been paid in respect of a request for access which is refused, the deposit must be repaid to the requester.
- A record may be withheld until the requester concerned has paid the applicable fees (if any).
- After the Principal Officer 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 reproduction and search and preparation respectively and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

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.

AVAILABILITY OF THE MANUAL [SECTION 51(3)]

The manual is available for inspection at the offices of JIC Mining (Pty) Ltd free of charge, copies are lodged with the SAHRC, published in the Government Gazette.

DECISION ON REQUEST AND NOTICE THEREOF

The Principal Officer must within 30 days of receipt of a request for access to a record decide in accordance with the provisions of PAIA whether or not to grant the request. He/she must also notify the requester of the decision.

If the request is granted the notice must include the following details.

- The access fees payable;
- The form in which access will be given; and
- Notice that the requester may lodge an application with the court against the access fee and matters relating thereto.

If the request is refused the notice must contain the following details.

- Reasons for the refusal with reference to the provisions of PAIA relied upon to reach this conclusion;
- Any reference to the content of the record must be excluded from the notice;
- Notice that the requester may lodge an application with a court against the refusal of the request and matters relating thereto.

A request for access to a record may be granted in part and refused in part.

Where circumstances warrant, the Principal Officer may extend the period in which a decision and notification must be made by an additional 30 days.

Where access to a record has been granted, the Principal Officer must as soon as is reasonably possible after notifying the requester of the granting of the access, give access to the requester in the form reasonably required by the requester or where no particular form was requested, in any form that the Principal Officer determines.

WHAT RECORDS MAY BE REFUSED?

PAIA provides for a number of categories of information that may not be disclosed when a request for access to information is received. The Principal Officer must in such instances refuse access.

Mandatory protection of privacy of third party who is a natural person

PAIA requires that the Principal Officer must refuse access to the records of a third person if such disclosure would involve the unreasonable disclosure of personal information about a third party including a deceased person. There are however several exceptions to this provision.

A request for access to a record that pertains to a third party who is a natural person may not be refused if where the information is of the following nature:

- Where an individual has consented to its disclosure;
- The information is already publicly available;
- Where the information was given to the private body by the individual and the individual was advised that such information would or might be made available to the public;
- Information about an individual's physical or mental health, or well-being, who is under the care of the requester and who is under the age of 18 years or is incapable of understanding the nature of the request and if giving access would be in the individual's best interests;
- Where the information is about an individual who is deceased and the requester is the individual's next of kin or made the written request with the consent of the deceased's next of kin;
- Where the information relates to the position or function of the individual who is or was an official of a private body.

Mandatory protection of commercial information of third party

A request for access to records that pertain to the following must also be refused;

- Trade secrets of a third party

- Financial, commercial, scientific or technical information, other than trade secrets, of a third party which would be likely to cause harm to the commercial or financial interests of the third party if it were disclosed.
- Information that was disclosed 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 to prejudice the third party in commercial competition.
- The information must however be granted if the third party has consented to the disclosure or where it pertains to the results of any product or environmental testing supplied by or carried out by the third party and the disclosure of which would reveal a serious public safety or environmental risk.

The Principal Officer must refuse a request for access to a record where such disclosure would be in breach of a duty of confidence owed to a third party in terms of an agreement.

Mandatory protection of safety of individuals and protection of property

The Principal Officer must refuse access to the records of the fund where:

- Such disclosure can reasonably be expected to endanger the life or physical safety of an individual; or may refuse a request where:
- Such disclosure is likely to prejudice or impair the security of a building, structure or system including but not limited to, a computer or communication system or any other property.
- Such disclosure may prejudice or impair methods, systems, plans or procedures for the protection of an individual in accordance with a witness protection scheme or the safety of the public or the security of property.

Mandatory protection of records privileged from production in legal proceedings

A request for access to a record where the record is privileged from production in legal proceedings unless the person entitled to the privilege has waived the privilege.

Commercial Information of a private body

The Principal Officer may refuse to grant access to the records of the private body where the disclosure pertains to the following information in relation to the private body itself and not third parties. Where the information pertains to:

- Trade secrets of the private body;
- Financial, commercial, scientific or technical information, other than trade secrets, of the private body which would be likely to cause harm to the commercial or financial interests of the private body if it were disclosed.
- The disclosure information which could reasonably be expected to put the private body at a disadvantage in contractual or other negotiations or to prejudice the private body in commercial competition.
- A computer program owned by the private body.

The information must however be released where it pertains to the results of product or environmental testing supplied by or carried out by or on behalf of the private body, the disclosure of which would reveal a serious public safety or environmental risk.

Further protection is extended to research information of a third party and research information of a private body.

Mandatory disclosure is required where such disclosure would be in the public interest.

THIRD PARTIES

When the Principal Officer is considering a request for access to a record that pertains to a third party, he/she must take all reasonable steps to inform the third party to whom the record relates of the request. The notification must:

- Be made as soon as is reasonably possible but within 21 days of receiving the request;
- By the fastest means possible. Where this is orally, this must be followed by written notification.
- State that he/she is considering a request for access that may pertain to the third party and the content of the record in question;
- Furnish the name of the requester.

The third party may within 21 days after the third party has been informed, make written or oral representations to the Principal Officer as to why access should be refused or give written consent to the disclosure to the requester. A third party that hasn't been advised in terms of the above requirements may still make written or oral representations to the Principal Officer.

The Principal Officer must advise the third party within a reasonable time but not exceeding 30 days after the third party was informed of his/she decision.

ANNEXURE A

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 every photocopy of an A4-size page or part thereof	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	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
(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 thereof held on a computer or in electronic or machine-readable 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

- (ii) For a copy of an audio record 30,00
- (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:
 - (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.

ANNEXURE B**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**

The Head:

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 fax 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

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

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.*

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:
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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:

<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record
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2. If record consists of visual images

(this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):

<input type="checkbox"/>	view the images	<input type="checkbox"/>	copy of the images*	<input type="checkbox"/>	transcription of the images*
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3. If record consists of recorded words or information which can be reproduced in sound:

<input type="checkbox"/>	listen to the soundtrack (audio cassette)	<input type="checkbox"/>	transcription of soundtrack* (written or printed document)
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4. If record is held on computer or in an electronic or machine-readable form:

<input type="checkbox"/>	printed copy of record*	<input type="checkbox"/>	printed copy of information derived from the record*	<input type="checkbox"/>	copy in computer readable form* (stiffy or compact disc)
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*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you?	YES	NO
---	-----	----

Postage is payable.

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.

1. Indicate which right is to be exercised or protected:
2. 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 _____ 20

SIGNATURE OF REQUESTER / PERSON
ON WHOSE BEHALF REQUEST IS MADE

SPENCER STUART & ASSOCIATES (PTY) LTD ("the Company")**PROMOTION OF ACCESS TO INFORMATION ACT MANUAL ("the Act")**
SECTION 51MANUAL**A. INTRODUCTION TO SPENCER STUART**

Spencer Stuart & Associates (Pty) Ltd is part of a multi-national executive search firm founded in 1956. The firm remains a privately held corporation, wholly owned by its consultants. With 52 offices in 25 countries across the Americas, Europe, Asia and Africa, the firm has developed an international network of professionals fluent in both local and multi-national business.

The consultants of Spencer Stuart are organized in the following primary industry and functional practice groups:

Industry Practices:

Consumer Goods & Services
Financial Services
Industrial
Life Sciences
Not-for-Profit
Technology, Communications & Media

Functional Practices:

Board Services
Chief Information Officer
Diversity
Financial Officer

In addition to senior-level executive search, Spencer Stuart offers a range of human capital solutions including board director appointments, strategic leadership assessment and mid-level recruiting. Our Internet-enabled middle management recruiting practice combines advanced online research and dedicated consulting talent to match the most qualified mid-level executives with positions in leading companies. This fulfills our clients' leadership needs quickly and with the same quality, personal touch that has been the Spencer Stuart standard for years.

B. PARTICULARS IN TERMS OF SECTION 51 OF THE ACT**1. Contact Details:**

Address: Fountain Grove Office Park
5 2nd Road
Hyde Park
Johannesburg, Gauteng,
South Africa

Telephone: 27 (11) 880-2217
Facsimile: 27 (11) 880-4051
Email: Imariano@spencerstuart.com

2. The Section 10 Guide on how to use the Act

Section 10 of the Act requires the Human Rights Commission ("the HRC") to compile a Guide for persons who wish to exercise any rights under the Act. The Guide will be published in each official language and will be available from the HRC. Spencer Stuart does not know when the Guide will be published, but is informed that it may be available from August 2003. Please direct any inquiries 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

The company records that are available to the public are all corporate documents that have been filed with the appropriate Chamber of Commerce office and the Registrar of Companies, namely, all corporate tax identification numbers, the Memorandum and Articles of Association of the Company, lists of persons who may bind the Company to agreements, statutory registers, lists of all registered trademarks, patents and domain names, and any registered permits or licenses.

4. Access to the records held by the private body in question

- i. Any request for any other records held by the Company must be made in writing to the Company (by post, fax or e-mail) at the address (es) set out in section 1 above. The request must contain all of the information required in the form set out in this manual. The request document must state what records are

being requested and why they are necessary for you to exercise or protect any of your rights. If it does then the Company will process your request in accordance with the Act. For an explanation of the process and the fees and time periods which could be involved, please consult the Guide.

- ii. Should you wish to make a request to obtain documentation regarding your personal information, such request must be made in writing and sent to Office Manager at the address noted above. The request document must state what information is being requested and why such disclosure is required to exercise or protect any rights of the individual. Such requests shall be addressed in a reasonable and timely fashion with an appropriate response. Requests may also be made via email communications, but sufficient information must be given by the individual in such email so that Spencer Stuart may sufficiently identify the individual making the request.
- iii. Requests may also be made via email communications, but sufficient information must be given by the individual in such email so that Spencer Stuart may sufficiently identify the individual making the request, or on whose behalf the request is being made.
- iv. All requests which are not made in terms of the above procedures will not fall within the scope of the Act, and in those cases, records shall be released only pursuant to a valid subpoena, court order, or other legal requirement, pursuant to current legislation.

5. Availability of the manual

This Spencer Stuart manual is available, for inspection, free of charge, at the offices of Spencer Stuart in Johannesburg during office hours at the specific address (es) as listed in the contact section. Copies shall also be available with the HRC. This manual will also be published in the Government Gazette.



UNION CO-OPERATIVE LIMITED

MANUAL (FOR PRIVATE BODIES)

In Terms Of The

PROMOTION OF ACCESS TO INFORMATION ACT

(NO. 2 OF 2000)

(Hereinafter Referred To As "THE ACT")



Union Co-operative Limited
(Registered under the Co-operatives Act 1981)

1. COMPANY PARTICULARS

NAME OF THE COMPANY

Union Co-operative Limited

HEAD OF THE COMPANY

Mr. B. A. Charlton

POSTAL ADDRESS

P. O. BOX 1

DALTON, 3236

KWAZULU-NATAL

STREET ADDRESS

1 NOODSBERG ROAD

DALTON

KWAZULU-NATAL

TELEPHONE NUMBER

(033) 501-1600

TELEFAX NUMBER

(033) 501-1187

E-MAIL ADDRESS

charltont@uclho.co.za



Union Co-operative Limited
(Registered under the Co-operatives Act 1981)

2. GUIDE REFERRED TO IN SECTION 10 OF THE ACT

The guide referred to in Section 10 is a guide that must be compiled by the Human Rights Commission containing such information as may reasonably be required by a person who wishes to exercise any right contemplated in the Act.

The Regulations regarding the Promotion of Access to Information published under Government Gazette Notice R187 of 15 February 2002 set forth how the Human Rights Commission should make the guide available.

Please direct any queries to:

The South African Human Rights Commission
PAIA Unit

The Research and Documentation Department
Private Bag 2700

HOUGHTON

2041

Telephone : (011) 484-8300

Telefax : (011) 484-0582/1360

Website : www.sarhc.org.za

e-mail : PAIA@sahrc.org.za

3. LATEST NOTICE REFERRED TO IN SECTION 52 (2)

Not applicable.



UCL Union Co-operative Limited
(Registered under the Co-operatives Act 1981)

4. RECORDS AVAILABLE IN ACCORDANCE WITH OTHER LEGISLATION

The relevant records of a public nature provided in terms of the following Acts can be found in the Company's various policies and procedures, and the relevant notifications, and are held at its Head Office:

- Basic Conditions of Employment Act, 75 of 1997
- Co-operatives Act and Regulations 91 of 1981
- Employment Equity Act, 55 of 1998
- Environment Conservation Act 73 of 1989
- Labour Relations Act 66 of 1995
- National Water Act 36 of 1998
- Occupational Health and Safety Act 85 of 1993
- Pensions Fund Act 24 of 1956
- Skills Development Act 97 of 1998
- Skills Development Levies Act 9 of 1999
- Unemployment Insurance Act 36 of 2001

5. REQUESTS FOR ACCESS TO RECORDS, DESCRIPTIONS OF SUBJECTS ON WHICH THE COMPANY HOLDS RECORDS

Requests for access to the records available under 4 above, or other relevant operational information, should be made in terms of Section 53 of the Act and directed to The General Manager at P. O. Box 1, Dalton, 3236.

6. OTHER INFORMATION AS PRESCRIBED

Not applicable

**MANUAL OF
TNT INTERNATIONAL
EXPRESS (PTY) LIMITED
("TNT") IN TERMS OF THE
PROMOTION OF ACCESS
TO INFORMATION
ACT 2 of 2000**

A. CONTENTS

Introduction to TNT

- 1. Contact details of head**
- 2. The Guide**
- 3. Records available in terms of other legislation**
- 4. Access to records held by TNT**
 - (i) Subjects and categories of records held by TNT**
 - (ii) The request procedures**
- 5. Availability of the manual**
- 6. Prescribed fees and forms for private bodies**

B. PARTICULARS IN TERMS OF THE SECTION 51 MANUAL**Introduction to TNT**

TNT is a private company which provides express domestic and international distribution services and logistic management solutions to customers throughout the Republic of South Africa. TNT has 11 branches and employs approximately 300 employees countrywide.

Mr Johan van Buuren has been duly appointed by the head of TNT, to act as the person to whom requests for access to information must be made in terms of the Act.

1. Contact details of head

Mr Johan van Buuren

National Finance and Administrative Manager

Postal address : TNT International Express (Pty) Limited
P O Box 2185
Johannesburg
2000
South Africa

Physical address : Old Mutual Business Park
Gewel Street
Isando
Johannesburg
South Africa

Telephone : 011-392 2891

Facsimile : 011-974 4007

e-mail : Johan.Van.Buuren@TNT.com

2. The Guide

The Guide will, according to the South African Human Rights Commission, be available by no 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

Facsimile : +27 11 484 0582

Website : www.sahrc.org.za

E-mail : PAIA@sahrc.org.za

3. Records available in terms of other legislation

3.1 Companies Act 61 of 1973

- 3.1.1 All documents of incorporation of TNT are lodged at the offices of the Registrar of Companies, and may be inspected there. These documents include the memorandum and articles of association of TNT, as well as the relevant company forms.
- 3.1.2 The register of members and registers of transfers (of members), pledges and bonds of TNT are available for inspection at the registered office of TNT.
- 3.1.3 Special resolutions are lodged with the Registrar of Companies, and are therefore available for inspection there.
- 3.1.4 A register of the directors' and officials' interests in contracts entered into by TNT is kept at the registered office of TNT, and is available for inspection.

3.2 **Pension Funds Act 24 of 1956** – The rules of the pension fund utilised by TNT, as well as the last revenue account and balance sheet of such fund, are available for inspection at the offices of the Registrar of Pension Funds.

3.3 **Employment Equity Act 55 of 1998** – As a designated employer, TNT has lodged a copy of its employment equity report at the Department of Labour.

4. Access to records held by TNT

(i) Subjects and categories of records held by TNT

Note: This section of the Manual sets out the subject and categories of records held by TNT. The inclusion of any subject or category of records should not be taken as an indication that records falling within those subjects and/or categories will be made available under the Act. In particular, certain grounds of refusal as set out in the Act may be applicable to a request for such records.

4.1 Incorporation documents

4.1.1 The memorandum and articles of association of TNT.

4.1.2 The incorporation forms of TNT.

4.2 Constitution of TNT

4.2.1 The share register of TNT.

4.2.2 Shareholders' agreements of TNT, including pre-emption, option and nominee agreements.

4.2.3 Minutes of general meetings of the shareholders of TNT.

4.2.4 Register or list of directors of TNT.

4.2.5 Minute books and internal resolutions of TNT.

4.2.6 Power of attorney agreements, and a list of persons authorised to bind TNT.

4.2.7 Statutory registers of TNT, including a register of bonds and pledges, and a register of directors' interests in contracts.

4.3 Financial records of TNT

- 4.3.1 Accounting records, books and documents of TNT.
- 4.3.2 Interim and annual financial reports of TNT.
- 4.3.3 Details of auditors of TNT.
- 4.3.4 Auditors' reports in respect of audits conducted on TNT.
- 4.3.5 Details of actuaries of the pension scheme utilised by TNT.
- 4.3.6 Tax returns of TNT.
- 4.3.7 Other documents and agreements relating to taxation.
- 4.3.8 Other financial records of TNT.

4.4 Banking details of TNT

- 4.4.1 Indebtedness to bankers.
- 4.4.2 Bank facilities and accounts details.
- 4.4.3 Bank statements.
- 4.4.4 The level of overdraft and other borrowings of TNT.
- 4.4.5 Debt securities issued by TNT.
- 4.4.6 Guarantees given by, or in respect of, TNT.
- 4.4.7 Other financial commitments of TNT.
- 4.4.8 Other banking records of TNT.

4.5 Human resources / employment records

- 4.5.1 List of employees.
- 4.5.2 Letters or contracts of employment with directors, officers and employees of TNT, and/or documentation pertaining to arrangements with directors, officers and employees of TNT.

- 4.5.3 Expenditure or reimbursement agreements with directors of TNT.
- 4.5.4 Documents relating to employee benefits.
- 4.5.5 Compensation or redundancy payments.
- 4.5.6 Documents and information in respect of a share incentive scheme.
- 4.5.7 Personnel files.
- 4.5.8 Collective and recognition agreements with trade unions.
- 4.5.9 Employment equity plan of TNT.
- 4.5.10 Procedural agreements and policies of TNT.
- 4.5.11 Disciplinary records and documentation pertaining to disciplinary proceedings.
- 4.5.12 Training manuals and information pertaining to skills management.
- 4.5.13 Other information relating to employees of TNT.
- 4.6 Health and safety requirements**
 - 4.6.1 Information required to be held by TNT in terms of the Occupational Health and Safety Act, 1993.
 - 4.6.2 Other documents held by TNT relating to health and safety.
- 4.7 Pension and provident funds**
 - Documentation held by TNT relating to pension or provident funds.
- 4.8 Intellectual Property**
 - 4.8.1 Trade-marks, patents, copyrights and designs held by TNT.
 - 4.8.2 Licences relating to intellectual property rights.
 - 4.8.3 Other agreements relating to intellectual property rights.

4.9 Permits

4.9.1 Licences, material permits, consents, approvals, authorisations and certificates.

4.9.2 Applications for permits, licences and authorisations.

4.9.3 Registrations and declarations of permits.

4.10 Insurance records

Insurance policies taken out for the benefit of TNT and its employees.

4.11 Immovable and movable property

4.11.1 Agreements for the lease or sale of land by TNT.

4.11.2 Agreements for the lease or sale of movable property by TNT.

4.11.3 Liens, notarial bonds or security interests on movable property.

4.11.4 Credit sale agreements and/or hire purchase agreements.

4.11.5 Other agreements for the purchase, ordinary sale, conditional sale, or hire of assets.

4.12 Information technology

4.12.1 Computer software, support and maintenance agreements.

4.12.2 Computer software licence agreements.

4.12.3 Agreements in respect of computer hardware used by TNT.

4.12.4 Rate stability agreement.

4.12.5 Agreements with Internet Service Providers, and other telecommunications entities.

4.12.6 Leased line agreements.

4.12.7 Other documentation pertaining to computer systems and computer programs held by TNT.

4.13 Miscellaneous agreements of TNT

- 4.13.1 Structured finance agreements.
- 4.13.2 Loans from third parties (including banks).
- 4.13.3 Loans to third parties.
- 4.13.4 Suretyship agreements.
- 4.13.5 Security agreements, guarantees and indemnities, including notarial bond agreements.
- 4.13.6 Agreements restricting the trading activities of TNT.
- 4.13.7 Agency, management and distribution agreements.
- 4.13.8 Owner-driver agreements.
- 4.13.9 Royalty agreements.
- 4.13.10 Marketing agreements.
- 4.13.11 Service level agreements.
- 4.13.12 Standard conditions of business and standard-form contracts including consignment notes and commercial invoices.
- 4.13.13 Agreements in terms of which TNT is a member of a joint venture, consortium, partnership, incorporated or unincorporated association, and shareholders' agreements of another entity which TNT is a party to.
- 4.13.14 Distribution agreements.
- 4.13.15 Confidentiality and/or non-disclosure agreements.
- 4.13.16 Any other agreements.

4.14 Overseas interests and investments of TNT

- 4.14.1 Agreements with foreign entities.
- 4.14.2 Documents pertaining to overseas interests and investments of TNT.

4.15 Correspondence

Correspondence of TNT, including internal and external memoranda.

4.16 Information relating to legal proceedings

Records relating to legal proceedings involving TNT.

4.17 Environmental records

4.17.1 Environmental impact assessments and documents pertaining to studies conducted in this regard.

4.17.2 Agreements pertaining to environmental issues.

4.17.3 Policy of TNT regarding environmental issues.

4.18 Research and scientific or technical information of TNT

4.18.1 Documentation pertaining to research conducted by TNT.

4.18.2 Research reports prepared by TNT.

4.18.3 Scientific and/or technical information in the possession of TNT.

(ii) 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 TNT. This request must be made to the address, fax number or electronic mail address of the head of TNT.
- The requester must provide sufficient detail on the request form to enable the head of TNT 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 as to 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 submit proof of the capacity in which the requester is making the request to the satisfaction of the head of TNT.

Fees:

- The head of TNT must notify the requester (other than a personal requester) by notice, requiring the requester to pay the fee of R50 before further processing the request. A personal requester does not pay such fee.
- The requester may lodge an internal appeal or an application to the court against the tender or payment of the request fee.
- The head of TNT will then make a decision on the request and notify the requester 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 had exceeded the prescribed hours to search and prepare the record for disclosure.

5. Availability of the manual

The manual is available for inspection at the offices of TNT free of charge. Copies are also available with the SAHRC and in the Government Gazette.

6. Prescribed fees and forms in respect of private bodies

The prescribed forms and fees for requests to private bodies, are available on the website of the Department of Justice and Constitutional Development:

www.doi.gov.za

TIPCO (PTY) LTD

Reg. No.: 1998/012557/07

**MANUAL PREPARED IN ACCORDANCE WITH SECTION 51 OF
THE PROMOTION OF ACCESS TO INFORMATION ACT, NO. 2 OF 2000
("the Act")****PART I****(INFORMATION REQUIRED UNDER SECTION 51 (1) (a) OF THE ACT)**

Name of body: TIPCO (PTY) LTD

Chief Executive: L C BARNES

Address: GEO. PARKES BUILDING
1 ST. GEORGE'S STREET
KNYSNA

Postal Address: P O BOX 913
KNYSNA
6570

Telephone No: 044 382 0727

Fax No: 044 382 0747

e-mail: tipco@mweb.co.za

PART II**(INFORMATION REQUIRED UNDER SECTION 51 (1) (b) OF THE ACT)**

Section 51 (1) (b) of the Act calls for a description of the guide referred to in section 10 of the Act, if available, and how to obtain access to it. The guide referred to in section 10 is a guide that must be compiled by the Human Rights Commission containing such information as may reasonably be required by a person who wishes to exercise any right contemplated in the Act. The regulations regarding the Promotion of Access to

Information published under Government Notice No. R187 of 15 February 2002 set forth how the Human Rights Commission should make the guide available.

PART III

(COPY OF NOTICE, IF ANY, REQUIRED UNDER SECTION 51 (1) (c) OF THE ACT)

Not applicable

PART IV

(INFORMATION REQUIRED UNDER SECTION 51 (1) (d) OF THE ACT)

Records are kept in accordance with the following legislation:

Income Tax Act

Value Added Tax Act, 89 of 1991 (section 55)

Unemployment Insurance Act 30 of 1996

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

Companies Act No. 61 of 1973

Customs and Excise Act of 1964

PART V

(INFORMATION REQUIRED UNDER SECTION 51 (1) (e) OF THE ACT)

Operational Information

This information can be defined as information needed in the day to day running of the organisation and is generally of little or no use to persons outside the organisation.

Communications

Correspondence to and from persons within and without the organisation since incorporation.

PART VI

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 he or she wishes to be informed in any other manner and state the necessary particulars required to be so informed.
- The requester must identify the right that he or she is seeking to exercise or protect and provide an explanation as to 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.
- Access to certain records may be refused on the grounds set out in the Act.

Fees:

- 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. A personal requester does not pay such a fee.
- The fee that the requester must pay to a private body is R50. The requester may make an application to the court against the tender or payment of the request fee.
- The head of the private body will make the decision on the request and notify the requester 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.

PART VII AVAILABILITY OF THE MANUAL

The manual is available for inspection at the offices of this private body free of charge, furthermore it will be available at the offices of the Human Rights Commission.

PART VIII PRESCRIBED FORMS AND FEE STRUCTURE

The forms and fee structure prescribed under the Act are available at the SAHRC website (www.sahrc.org.za) or the Department of Justice and Constitutional Development website (www.doj.gov.za) under "regulations".

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



SECTION 51 MANUAL FOR SICPA SOUTHERN AFRICA (PTY) LIMITED, REGISTRATION NO.1989/004347/07

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INTRODUCTION TO SICPA SOUTHERN AFRICA (PTY) LIMITED (SICPA)

The SICPA Group: A global commitment to quality, innovation, added value for the customer, and the environment.

SICPA Southern Africa is a subsidiary of SICPA Holding S. A., a privately owned Swiss company with its head office in Lausanne, Switzerland. SICPA was founded in 1927 and has grown to be a leading manufacturer of inks for packaging applications and security solutions. The Group employs 3,800 people with a global presence in five continents, operating in 38 countries and at 25 manufacturing sites around the world.

Products

The company manufactures a comprehensive range of high quality, state of the art inks and coatings.

Security Inks

SICPA continually develops systems of technically advanced inks and complementary security technologies that effectively impede product and document fraud and counterfeiting, as well as Brand Protection Systems.

Commercial Inks and Coatings

SICPA offers a comprehensive range of inks, and ranks as a world class specialist in packaging inks. SICPA's products include:

- Offset inks and coatings
- UV inks and coatings
- Waterbased and Solvent based flexo inks and coatings
- Gravure inks and coatings
- Metal Decorating inks and coatings

Environmental Policy

SICPA takes pride in being a global ink manufacturer, committed to health, safety and the environment. It is one of the world's most safety conscious ink manufacturers, accepted by customers and end-users as a leading company in product stewardship. SICPA uses the most advanced technology and latest scientific findings to develop, promote and manufacture products and ensures that its products, processes and installations meet the most stringent standards of health, safety and environment. SICPA's central analytical laboratory in Lausanne, Switzerland, in conjunction with regional laboratories, contribute to ensuring continuous improvements in health, safety and environment, as well as product safety.

In line with SICPA's policy of product stewardship, SICPA has a number of innovative products to meet these requirements. These include:

- UV inks for food packaging applications
- Food and pharmaceutical inks and coatings with minimal migration properties
- Low odour inks for cigarette packaging
- Vegetable oil offset inks.

Locations

SICPA Southern Africa has been active in South Africa since 1992 and has made a significant investment in the South African economy over the past decade years, including the construction of a state-of-the-art manufacturing facility in Meadowdale, near Johannesburg.

The company also has three colour centres located in Pinetown, Port Elizabeth and Cape Town.

PARTICULARS IN TERMS OF SECTION 51**1. CONTACT DETAILS [Section 51 (1) (a)]**

The Managing Director of SICPA Southern Africa has duly authorised the Financial Manager 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: P O Box 1334
BEDFORDVIEW
2008

Street Address: 236 Albert Amon Road
Meadowdale, Ext. 7
GERMISTON
1401

Telephone: +27 11 453 0582

Facsimile: +27 11 453 0929

E-mail: blaize.wulfsohn@SICPA.com

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 SICPA 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)]

Records are kept in accordance with the following legislation:

- Pension Funds Act, 24 of 1956 as amended
- Companies Act, 1 of 1973 as amended

5. HOW TO REQUEST A RECORD. A DESCRIPTION OF THE SUBJECTS OF THE RECORDS HELD BY SICPA AND THE CATEGORIES IN WHICH THESE SUBJECTS ARE CLASSIFIED. [Section 51(1)(e)]

5.1 How to request a record [See pro forma request form in 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 his duly authorised 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 fee 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 SICPA

5.2.1 Web page and library records

The web page, www.sicpa.com is accessible to anyone who has access to the Internet. SICPA's website has the following categories:

About SICPA

- Commitment
- Key figures
- Organisation
- History
- Contact us
- Working at SICPA

Solutions

- Security Inks
- Product security
- Commercial inks

Products

- Access
- Masterblend
- Secura
- Tempo
- UNI

HSE

Locations

News

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

Library

SICPA Southern Africa does not maintain a library.

5.2.2 Other records

- Operational information

This information can be defined as information needed in the day-to-day running of the company. Examples include internal telephone lists, company policies procedures and directives, employee records and general information.

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) and SICPA (see details above).

8. FEES IN RESPECT OF PRIVATE BODIES

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

	R
(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 thereof held on a computer or in electronic or machine-readable 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
(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

- The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2) is R50,00
- 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 thereof held on a computer or in electronic or machine-readable 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 |
| | (ii) | For a copy of an audio record | 30,00 |
| (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:
- (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 REQUEST FORM

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

The Managing Director: SICPA Southern Africa (Pty) Limited

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 fax 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:

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

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.**

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 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:			
<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record
2. If record consists of visual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):			
<input type="checkbox"/>	view the images	<input type="checkbox"/>	copy of the images*
<input type="checkbox"/>		<input type="checkbox"/>	transcription of the images*
3. If record consists of recorded words or information which can be reproduced in sound:			
<input type="checkbox"/>	listen to the soundtrack (audio cassette)	<input type="checkbox"/>	transcription of soundtrack (written or printed document)
4. If record is held on computer or in an electronic or machine-readable form:			
<input type="checkbox"/>	printed copy of record*	<input type="checkbox"/>	printed copy of information derived from the record*
<input type="checkbox"/>		<input type="checkbox"/>	copy in computer readable form* (stiffy or compact disc)

*If you requested a copy of 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.

1. Indicate which right is to be exercised or protected:
2. 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 _____ 20

SIGNATURE OF REQUESTER/PERSON ON WHOSE BEHALF REQUEST IS MADE

INTRODUCTION TO CIRCLE TRAVEL (PTY) LTD**CIRCLE TRAVEL (PTY) LTD CARRIES ON THE BUSINESS OF A TRAVEL AGENT.****B PARTICULARS IN TERMS OF THE SECTION 51 MANUAL****1 A CONTACT DETAILS****PHYSICAL ADDRESS :**BLOCK A
FERN MANOR
10 HUNTER STREET
FERNDAL
2194**POSTAL ADDRESS:**P.O. BOX 2629
RANDBURG
2125**TELEPHONE:**

(011) 886 - 9442

FAX:

(011) 787 - 0071

B DIRECTORS:**BE TAFFS****GROUP FINANCIAL DIRECTOR****LP CURD****MANAGING DIRECTOR****R SMIT****GEN. MANAGER / INFO. OFFICER****TELEPHONE:**

(011) 886 - 9442

FAX:

(011) 787 - 0071

E-MAIL ADDRESS:rsmit@plp.co.za

- 2 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
ENQUIRIES TO THE SAHRC AT TEL NO +27 11 484 - 8300.

3 RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION.

- 1 INCOME TAX ACT NO 95 OF 1967**
- 2 COMPANIES ACT NO 61 OF 1973**
- 3 VALUE ADDED TAX ACT NO. 89 OF 1991**
- 4 REGIONAL SERVICES COUNCIL ACT NO. 109 OF 1985**
- 5 COMPENSATION FOR OCCUPATIONAL INJURIES AND HEALTH DISEASES ACT NO. 130 OF 1993**
- 6 EMPLOYMENT EQUITY ACT NO 55 OF 1998**
- 7 UNEMPLOYMENT CONTRIBUTIONS ACT NO 4 OF 2002**
- 8 UNEMPLOYMENT INSURANCE ACT NO 63 OF 2001**
- 9 EMPLOYMENT EQUITY ACT NO NO. 55 OF 1998**
- 10 BASIC CONDITIONS OF EMPLOYMENT ACT NO. 75 OF 1997**
- 11 SKILLS DEVELOPMENT LEVIES ACT NO. 9 OF 1999**
- 12 SKILLS DEVELOPMENT ACT NO. 97 OF 1998**
- 13 ACCESS TO INFORMATION ACT NO 2 OF 2000**

- 4 A ACCESS TO INFORMATION HELD BY CIRCLE TRAVEL (PTY) LTD (SECT 51(1))**
THE FOLLOWING RECORDS ARE AVAILABLE WITHOUT A PERSON HAVING TO
REQUEST ACCESS IN TERMS OF THIS ACT IN TERMS OF SECTION 52(2).

1 ANY BROCHURES OR ADVERTISING MATERIAL**B RECORDS THAT MAY BE REQUESTED****THE FOLLOWING RECORDS CAN BE REQUESTED FOLLOWING THE PROCEDURE**
AS SET OUT IN POINT C.**1 HUMAN RESOURCES****EMPLOYMENT RECORDS AND OTHER RELATED POLICIES****POLICIES ON STAFF RECRUITMENT AND OTHER STAFF RELATED POLICIES**

2 ADMINISTRATION RECORDS

REGISTERS AND REGISTRATION FORMS IN TERMS OF THE RELEVANT ACTS
MINUTES OF MEETINGS

3 LEGAL

CONTRACTS, AGREEMENTS, AND ANY OTHER LEGAL DOCUMENTS

4 ACCOUNTING RECORDS

FINANCIAL STATEMENTS, CLIENTS - AND SUPPLIERS INVOICES AND STATEMENTS
BANK STATEMENTS, JOURNALS, LEDGERS
CLIENTS AND SUPPLIERS INFORMATION
REGISTERS OF DIRECTORS AND COMPANY OFFICERS
FIXED ASSETS REGISTER

5 SALES AND MARKETING

SALES AND MARKETING STRATEGIES
MINUTES OF MEETINGS

6 MANUAL IN TERMS OF THE ACCESS TO INFORMATION ACT NO 2 OF 2000**C THE REQUEST PROCEDURE**

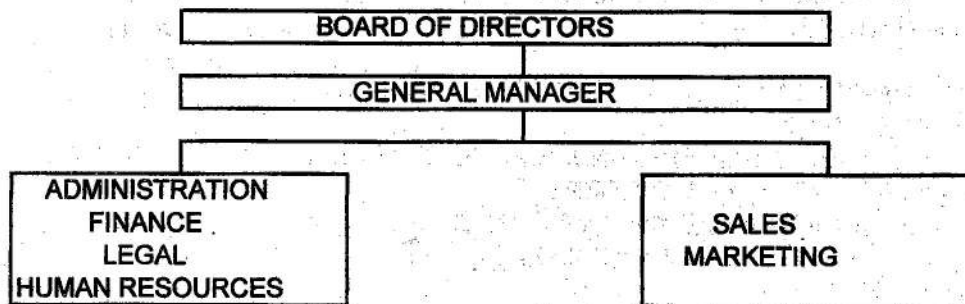
- 1 THE REQUESTER MUST USE THE PRESCRIBED FORM TO MAKE THE REQUEST FOR ACCESS TO A RECORD. THIS REQUEST MUST BE MADE TO THE INFORMATION OFFICER AT THE ADDRESS OF CIRCLE TRAVEL (PTY) LTD.
- 2 THE REQUESTER MUST PROVIDE SUFFICIENT DETAIL ON THE REQUEST FORM TO ENABLE THE INFORMATION OFFICER TO IDENTIFY 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.
- 3 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.
- 4 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 INFORMATION OFFICER OF CIRCLE TRAVEL (PTY) LTD.

D 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 REQUESTED FEE:

- a THE INFORMATION OFFICER WILL NOTIFY THE REQUESTER, REQUIRING THE REQUESTER TO PAY THE PRESCRIBED FEE (IF ANY) BEFORE FURTHER PROCESSING THE REQUEST.
- b THE FEE THAT THE REQUESTER MUST PAY IS R57. THE REQUESTER MAY LODGE AN APPLICATION TO THE COURT AGAINST THE PAYMENT OF THE REQUEST FEE.
- c AFTER THE DIRECTOR HAS MADE A DECISION ON THE REQUEST, THE REQUESTER WILL BE NOTIFIED IN THE REQUIRED FORM.
- d IF THE REQUEST IS GRANTED 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 LINE DIAGRAM OF THE COMPANY'S OPERATIONS



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
THE MANUAL WILL BE AVAILABLE FOR INSPECTION AT THE PREMISES OF
CIRCLE TRAVEL (PTY) LTD, FREE OF CHARGE.
COPIES OF THE MANUAL IS AVAILABLE AT THE SAHRC AND IN THE GOVERNMENT
GAZETTE.

8	PREScribed FEES	AMOUNT	VAT	TOTAL
A	REQUEST FEE	50.00	7.00	57.00
B	REPRODUCTION FEES			
a	PHOTOCOPIES PER A4 OR PART THEREOF	1.10	0.15	1.25
b	PRINTED COPIES @ A4 OR PART ON COMPUTER	0.75	0.11	0.86
c	COPY IN COMPUTER READABLE FORM			
	1) STIFFY DISC	7.50	1.05	8.55
	2) COMPACT DISC	70.00	9.80	79.80
C	ACCESS FEES			
a	PHOTOCOPIES PER A4 OR PART THEREOF	1.10	0.15	1.25
b	PRINTED COPIES @ A4 OR PART ON COMPUTER	0.75	0.11	0.86
c	COPY IN COMPUTER READABLE FORM			
	1) STIFFY DISC	7.50	1.05	8.55
	2) COMPACT DISC	70.00	9.80	79.80
D	TO SEARCH AND PREPARE THE RECORD FOR DISCLOSURE, FOR EACH HOUR OR PART OF AN HOUR REASONABLY REQUIRED FOR	30.00	4.20	34.20
	IF ANY OTHER FORM OF ACCESS IS REQUIRED, THE FEES AS PRESCRIBED BY THE SAHRC WILL APPLY.			
E	POSTAGE			
	THE ACTUAL COST OF THE POSTAGE WILL BE PAYABLE BY THE REQUESTER IF A COPY OF THE RECORD IS TO BE POSTED.			
F	LINKS FOR FEES			
	THE FOLLOWING WEBSITES CAN BE ACCESSED TO OBTAIN OR CONFIRM THE FEES:			
1	www.sahrc.org.za	SOUTH AFRICAN HUMAN RIGHTS COMMISSION WEBSITE		
2	www.doj.gov.za	DEPT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT		

9 PRESCRIBED FORMS
COPIES OF THE FORMS ARE ATTACHED AS AN ADDENDUM TO THE MANUAL.
COPIES OF THE FORMS ARE AVAILABLE AT THE PREMISES OF CIRCLE TRAVEL
(PTY) LTD.

10 GUIDELINES
THE GUIDELINES AS LAID OUT BY THE SAHRC FOR THE COMPILATION OF THE
MANUAL, WAS USED IN THE PREPARATION OF THE MANUAL.

INTRODUCTION TO PRIVATE LABEL PROMOTIONS (PTY) LTD

PRIVATE LABEL PROMOTIONS (PTY) LTD CARRIES ON THE BUSINESS OF MANAGING CALL CENTRES ON BEHALF OF ITS CLIENTS AND DIRECTORY SALES AND SERVICES. PRIVATE LABEL PROMOTIONS (PTY) LTD IS THE HOLDING COMPANY OF CIRCLE TRAVEL (PTY) LTD.

B PARTICULARS IN TERMS OF THE SECTION 51 MANUAL

1 A CONTACT DETAILS

PHYSICAL ADDRESS : FERN MANOR
10 HUNTER STREET
FERNDALE

POSTAL ADDRESS: 2194
P.O. BOX 2629
RANDBURG
2125

TELEPHONE: (011) 886 - 9631

FAX: (011) 789 - 5480

B DIRECTORS: BE TAFFS GROUP FINANCIAL DIRECTOR
LP CURD MANAGING DIRECTOR

INFORMATION OFFICER: LJ BENNETS

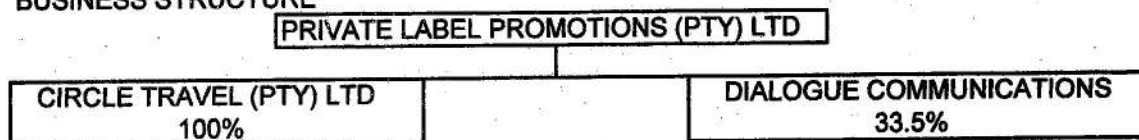
TELEPHONE: (011) 886 - 9631

FAX: (011) 787 - 0071

E-MAIL ADDRESS: lbennets@plp.co.za

WEBSITE ADDRESS: www.plp.co.za

C BUSINESS STRUCTURE



2 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 ENQUIRIES TO THE SAHRC AT TEL NO +27 11 484 - 8300.

3 RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION.

- 1 INCOME TAX ACT NO 95 OF 1967
- 2 COMPANIES ACT NO 61 OF 1973
- 3 VALUE ADDED TAX ACT NO. 89 OF 1991
- 4 REGIONAL SERVICES COUNCIL ACT NO. 109 OF 1985
- 5 COMPENSATION FOR OCCUPATIONAL INJURIES AND HEALTH DISEASES ACT NO. 130 OF 1993
- 6 EMPLOYMENT EQUITY ACT NO 55 OF 1998
- 7 UNEMPLOYMENT CONTRIBUTIONS ACT NO 4 OF 2002
- 8 UNEMPLOYMENT INSURANCE ACT NO 63 OF 2001
- 9 EMPLOYMENT EQUITY ACT NO NO. 55 OF 1998
- 10 BASIC CONDITIONS OF EMPLOYMENT ACT NO. 75 OF 1997
- 11 SKILLS DEVELOPMENT LEVIES ACT NO. 9 OF 1999
- 12 SKILLS DEVELOPMENT ACT NO. 97 OF 1998
- 13 ACCESS TO INFORMATION ACT NO 2 OF 2000

4 A ACCESS TO INFORMATION HELD BY PRIVATE LABEL PROMOTIONS (PTY) LTD
THE FOLLOWING RECORDS ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS IN TERMS OF THIS ACT IN TERMS OF SECTION 52(2).

- 1 ANY BROCHURES OR ADVERTISING MATERIAL
- 2 INSPECTION OF THE MANUAL IN TERMS OF THE PROMOTION OF ACCESS TO INFORMATION ACT, NO 2 OF 2000.

B RECORDS THAT MAY BE REQUESTED

THE FOLLOWING RECORDS CAN BE REQUESTED FOLLOWING THE PROCEDURE AS SET OUT IN POINT C.

1 HUMAN RESOURCES (HR)

EMPLOYMENT RECORDS AND OTHER RELATED POLICIES

POLICIES ON STAFF RECRUITMENT AND OTHER STAFF RELATED POLICIES

2 ADMINISTRATION RECORDS (ADMIN)

REGISTERS AND REGISTRATION FORMS IN TERMS OF THE RELEVANT ACTS

MINUTES OF MEETINGS

3 LEGAL

CONTRACTS, AGREEMENTS, AND ANY OTHER LEGAL DOCUMENTS

4 FINANCIAL RECORDS (FINANCE)

FINANCIAL STATEMENTS, CLIENTS - AND SUPPLIERS INVOICES AND STATEMENTS

BANK STATEMENTS, JOURNALS, LEDGERS

CLIENTS AND SUPPLIERS INFORMATION

REGISTERS OF DIRECTORS AND COMPANY OFFICERS

FIXED ASSETS REGISTER

5 INFORMATION TECHNOLOGY (IT)

SYSTEM RECORDS

6 OPERATIONS

CALL CENTRE OPERATIONS

7 SALES AND MARKETING

SALES AND MARKETING STRATEGIES

MINUTES OF MEETINGS

8 MANUAL IN TERMS OF THE ACCESS TO INFORMATION ACT NO 2 OF 2000**C THE REQUEST PROCEDURE****1 THE REQUESTER MUST USE THE PRESCRIBED FORM TO MAKE THE REQUEST**

FOR ACCESS TO A RECORD. THIS REQUEST MUST BE MADE TO THE INFORMATION OFFICER AT THE ADDRESS OF PRIVATE LABEL PROMOTIONS (PTY) LTD.

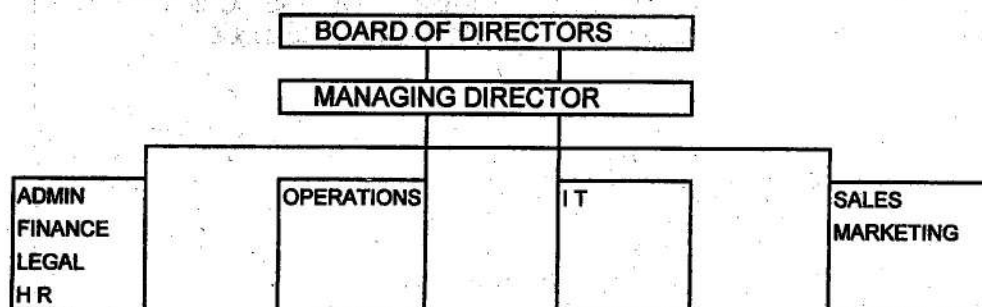
2 THE REQUESTER MUST PROVIDE SUFFICIENT DETAIL ON THE REQUEST FORM TO ENABLE THE INFORMATION OFFICER TO IDENTIFY THE RECORD AND THE REQUESTER. THE REQUESTER SHOULD ALSO INDICATE WHICH FORM OF ACCESS IS REQUIRED. THE REQUESTER SHOULD ALSO INDICATE IF ANY OTHER MANNER IS TO BE USED TO INFORM THE REQUESTER AND STATE THE NECESSARY PARTICULARS TO BE SO INFORMED.**3 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.****4 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 INFORMATION OFFICER OF PRIVATE LABEL PROMOTIONS (PTY) LTD.****D 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 REQUESTED FEE.

a THE INFORMATION OFFICER WILL NOTIFY THE REQUESTER, REQUIRING THE REQUESTER TO PAY THE PRESCRIBED FEE (IF ANY) BEFORE FURTHER PROCESSING THE REQUEST.**b THE FEE THAT THE REQUESTER MUST PAY IS R57. THE REQUESTER MAY LODGE AN APPLICATION TO THE COURT AGAINST THE PAYMENT OF THE REQUEST FEE.****c AFTER THE DIRECTOR HAS MADE A DECISION ON THE REQUEST, THE REQUESTER WILL BE NOTIFIED IN THE REQUIRED FORM.**

d IF THE REQUEST IS GRANTED 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 LINE DIAGRAM OF THE COMPANY'S OPERATIONS



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
THE MANUAL WILL BE AVAILABLE FOR INSPECTION AT THE PREMISES OF PRIVATE LABEL PROMOTIONS (PTY) LTD, FREE OF CHARGE.
COPIES OF THE MANUAL IS AVAILABLE AT THE SAHRC AND IN THE GOVERNMENT GAZETTE.

8	PRESCRIBED FEES	AMOUNT	VAT	TOTAL
A	REQUEST FEE	50.00	7.00	57.00
B	REPRODUCTION FEES			
a	PHOTOCOPIES PER A4 OR PART THEREOF	1.10	0.15	1.25
b	PRINTED COPIES @ A4 OR PART ON COMPUTER	0.75	0.11	0.86
c	COPY IN COMPUTER READABLE FORM			
	1) STIFFY DISC	7.50	1.05	8.55
	2) COMPACT DISC	70.00	9.80	79.80
C	ACCESS FEES			
a	PHOTOCOPIES PER A4 OR PART THEREOF	1.10	0.15	1.25
b	PRINTED COPIES @ A4 OR PART ON COMPUTER	0.75	0.11	0.86
c	COPY IN COMPUTER READABLE FORM			
	1) STIFFY DISC	7.50	1.05	8.55
	2) COMPACT DISC	70.00	9.80	79.80
D	TO SEARCH AND PREPARE THE RECORD FOR DISCLOSURE, FOR EACH HOUR OR PART OF AN HOUR REASONABLY REQUIRED FOR SL	30.00	4.20	34.20
	IF ANY OTHER FORM OF ACCESS IS REQUIRED, THE FEES AS PRESCRIBED BY THE SAHRC WILL APPLY.			
E	POSTAGE			
	THE ACTUAL COST OF THE POSTAGE WILL BE PAYABLE BY THE REQUESTER IF A COPY OF THE RECORD IS TO BE POSTED.			
F	LINKS FOR FEES			
	THE FOLLOWING WEBSITES CAN BE ACCESSED TO OBTAIN OR CONFIRM THE FEES:			
1	www.sahrc.org.za	SOUTH AFRICAN HUMAN RIGHTS COMMISSION WEBSITE		
2	www.doj.gov.za	DEPT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT		

- 9 **PRESCRIBED FORMS**
COPIES OF THE FORMS ARE ATTACHED AS AN ADDENDUM TO THE MANUAL.
COPIES OF THE FORMS ARE AVAILABLE AT THE PREMISES OF PRIVATE LABEL
PROMOTIONS (PTY) LTD.
- 10 **GUIDELINES**
THE GUIDELINES AS LAID OUT BY THE SAHRC FOR THE COMPILATION OF THE
MANUAL, WAS USED IN THE PREPARATION OF THE MANUAL.

INTRODUCTION TO HORAK INSURANCE BROKERS CC

HORAK INSURANCE BROKERS CC IS A CLOSE CORPORATION WHICH SPECIALISES IN LONG TERM INSURANCE BROKERING.

B PARTICULARS IN TERMS OF THE SECTION 51 MANUAL**1 A CONTACT DETAILS**

PHYSICAL ADDRESS: 10 3RD STREET
LA ROCHELLE
JOHANNESBURG
2000

POSTAL ADDRESS: P.O. BOX 90224
BERTSHAM
2013

TELEPHONE: (011) 435 - 0200

FAX: (011) 435 - 0224

B MEMBER: A. J. HORAK

TELEPHONE: (011) 435 - 0200

FAX: (011) 435 - 0224

E-MAIL ADDRESS: horak@global.co.za

2 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 ENQUIRIES TO THE SAHRC AT TEL NO +27 11 484 - 8300.

3 RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION.

1 INCOME TAX ACT NO 95 OF 1967

2 COMPANIES ACT NO 61 OF 1973

3 VALUE ADDED TAX ACT NO. 89 OF 1991

4 REGIONAL SERVICES COUNCIL ACT NO. 109 OF 1985

5 COMPENSATION FOR OCCUPATIONAL INJURIES AND HEALTH DISEASES ACT NO. 130 OF 1993

6 UNEMPLOYMENT EQUITY ACT NO 55 OF 1998

7 UNEMPLOYMENT CONTRIBUTIONS ACT NO 4 OF 2002

8 UNEMPLOYMENT INSURANCE ACT NO 63 OF 2001

9 EMPLOYMENT EQUITY ACT NO NO. 55 OF 1998

10 BASIC CONDITIONS OF EMPLOYMENT ACT NO. 75 OF 1997

11 SKILLS DEVELOPMENT LEVIES ACT NO. 9 OF 1999

12 SKILLS DEVELOPMENT ACT NO. 97 OF 1998

13 ACCESS TO INFORMATION ACT NO 2 OF 2000

4 A THE FOLLOWING RECORDS ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS IN TERMS OF THIS ACT IN TERMS OF SECTION 52(2).

1 ANY BROCHURES OR ADVERTISING MATERIAL WHICH DISPLAYS THE PRODUCTS SOLD BY THE CORPORATION.

B RECORDS THAT MAY BE REQUESTED

THE FOLLOWING RECORDS CAN BE REQUESTED FOLLOWING THE PROCEDURE AS SET OUT IN POINT C.

1 EMPLOYMENT RECORDS AND OTHER RELATED POLICIES

2 POLICIES ON STAFF RECRUITMENT AND OTHER STAFF RELATED POLICIES

3 ACCOUNTING RECORDS

C THE REQUEST PROCEDURE

- 1 THE REQUESTER MUST USE THE PRESCRIBED FORM TO MAKE THE REQUEST FOR ACCESS TO A RECORD. THIS MUST BE MADE TO THE MEMBER OF HORAK INSURANCE BROKERS CC. THIS REQUEST MUST BE MADE TO THE ADDRESS OR FAX NUMBER OF HORAK INSURANCE BROKERS CC.**
- 2 THE REQUESTER MUST PROVIDE SUFFICIENT DETAIL ON THE REQUEST FORM TO ENABLE THE MEMBER 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.**
- 3 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.**
- 4 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 MEMBER OF HORAK INSURANCE BROKERS CC.**

D 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 REQUESTED FEE:

- a THE MEMBER WILL NOTIFY THE REQUESTER, REQUIRING THE REQUESTER TO PAY THE PRESCRIBED FEE (IF ANY) BEFORE FURTHER PROCESSING THE REQUEST.**
- b THE FEE THAT THE REQUESTER MUST PAY IS R57. THIS AMOUNT INCLUDES VAT AT 14%. THE REQUESTER MAY LODGE AN APPLICATION TO THE COURT AGAINST THE PAYMENT OF THE REQUEST FEE.**
- c AFTER THE MEMBER HAS MADE A DECISION ON THE REQUEST, THE REQUESTER WILL BE NOTIFIED IN THE REQUIRED FORM.**
- d IF THE REQUEST IS GRANTED 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 WILL BE AVAILABLE FOR INSPECTION AT THE PREMISES OF HORAK INSURANCE BROKERS CC, FREE OF CHARGE.
COPIES OF THE MANUAL IS AVAILABLE AT THE SAHRC AND IN THE GOVERNMENT GAZETTE.**

7	PREScribed FEES	AMOUNT	VAT	TOTAL
A	REQUEST FEE	50.00	7.00	57.00
B	REPRODUCTION FEES			
a	PHOTOCOPIES PER A4 OR PART THEREOF	1.10	0.15	1.25
b	PRINTED COPIES @ A4 OR PART ON COMPUTER	0.75	0.11	0.86
c	COPY IN COMPUTER READABLE FORM			
1)	STIFFY DISC	7.50	1.05	8.55
2)	COMPACT DISC	70.00	9.80	79.80
C	ACCESS FEES			
a	PHOTOCOPIES PER A4 OR PART THEREOF	1.10	0.15	1.25
b	PRINTED COPIES @ A4 OR PART ON COMPUTER	0.75	0.11	0.86
c	COPY IN COMPUTER READABLE FORM			
1)	STIFFY DISC	7.50	1.05	8.55
2)	COMPACT DISC	70.00	9.80	79.80
D	TO SEARCH AND PREPARE THE RECORD FOR DISCLOSURE, FOR EACH HOUR OR PART OF AN HOUR REASONABLY REQUIRED FOR SUCH SEARCH AND PREPARATION	30.00	4.20	34.20
E	POSTAGE			
	THE ACTUAL COST OF THE POSTAGE WILL BE PAYABLE BY THE REQUESTER IF A COPY OF THE RECORD IS TO BE POSTED.			
F	LINKS FOR FEES			
	THE FOLLOWING WEBSITES CAN BE ACCESSED TO OBTAIN OR CONFIRM THE FEES:			
1	www.sahrc.org.za	SOUTH AFRICAN HUMAN RIGHTS COMMISSION WEBSITE		
2	www.doi.gov.za	DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT		
8	PREScribed FORMS			
	COPIES OF THE FORMS ARE ATTACHED AS AN ADDENDUM TO THE MANUAL.			
	COPIES OF THE FORMS ARE AVAILABLE AT THE PREMISES OF THE FOURIE FOUNDATION FAMILY TRUST.			
9	GUIDELINES			
	THE GUIDELINES AS LAID OUT BY THE SAHRC FOR THE COMPILATION OF THE MANUAL, WAS USED IN THE PREPARATION OF THE MANUAL.			

INTRODUCTION TO HORAK PROPERTIES CC

HORAK PROPERTIES CC IS A CLOSE CORPORATION WHOSE MAIN BUSINESS IS THE LETTING OF PROPERTY. THE CORPORATION HAS NO EMPLOYEES.

B PARTICULARS IN TERMS OF THE SECTION 51 MANUAL

1 A CONTACT DETAILS PHYSICAL ADDRESS :

10 3RD STREET
LA ROCHELLE
JOHANNESBURG
2000

POSTAL ADDRESS:

P.O. BOX 90224
BERTSHAM
2013

TELEPHONE:

(011) 435 - 0200

FAX:

(011) 435 - 0224

B MEMBER:

A. J. HORAK

TELEPHONE:

(011) 435 - 0200

FAX:

(011) 435 - 0224

- 2 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 ENQUIRIES TO THE SAHRC AT TEL NO +27 11 484 - 8300.

3 RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION.

- 1 INCOME TAX ACT NO 95 OF 1967
- 2 COMPANIES ACT NO 61 OF 1973
- 3 REGIONAL SERVICES COUNCIL ACT NO. 109 OF 1985

- 4 A ACCESS TO INFORMATION HELD BY HORAK PROPERTIES CC (SECT 51(1))
THE FOLLOWING RECORDS ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS IN TERMS OF THIS ACT IN TERMS OF SECTION 52(2).
1 ANY BROCHURES OR ADVERTISING MATERIAL WHICH DISPLAYS THE PROPERTY TO BE LET.

B RECORDS THAT MAY BE REQUESTED

THE FOLLOWING RECORDS CAN BE REQUESTED FOLLOWING THE PROCEDURE AS SET OUT IN POINT C.

- 1 ACCOUNTING RECORDS
- 2 STATUTORY RETURNS
- 3 ADMINISTRATION RECORDS

C THE REQUEST PROCEDURE

- 1 THE REQUESTER MUST USE THE PRESCRIBED FORM TO MAKE THE REQUEST FOR ACCESS TO A RECORD. THIS MUST BE MADE TO THE MEMBER OF HORAK PROPERTIES CC. THIS REQUEST MUST BE MADE TO THE ADDRESS OR FAX NUMBER OF HORAK PROPERTIES CC.
- 2 THE REQUESTER MUST PROVIDE SUFFICIENT DETAIL ON THE REQUEST FORM TO ENABLE THE MEMBER 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.

3 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.

4 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 MEMBER OF HORAK PROPERTIES CC.

D 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 REQUESTED FEE:

- a THE MEMBER WILL NOTIFY THE REQUESTER, REQUIRING THE REQUESTER TO PAY THE PRESCRIBED FEE (IF ANY) BEFORE FURTHER PROCESSING THE REQUEST.
- b THE FEE THAT THE REQUESTER MUST PAY IS R50. THE CORPORATION IS NOT REGISTERED FOR VAT. THE REQUESTER MAY LODGE AN APPLICATION TO THE COURT AGAINST THE PAYMENT OF THE REQUEST FEE.
- c AFTER THE MEMBER HAS MADE A DECISION ON THE REQUEST, THE REQUESTER WILL BE NOTIFIED IN THE REQUIRED FORM.
- d IF THE REQUEST IS GRANTED 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 WILL BE AVAILABLE FOR INSPECTION AT THE PREMISES OF HORAK IPROPERTIES CC, FREE OF CHARGE.
COPIES OF THE MANUAL IS AVAILABLE AT THE SAHRC AND IN THE GOVERNMENT GAZETTE.

7 PRESCRIBED FEES

	AMOUNT
A REQUEST FEE	50.00
B REPRODUCTION FEES	
a PHOTOCOPIES PER A4 OR PART THEREOF	1.10
b PRINTED COPIES @ A4 OR PART ON COMPUTER	0.75
c COPY IN COMPUTER READABLE FORM	
1) STIFFY DISC	7.50
2) COMPACT DISC	70.00
C ACCESS FEES	
a PHOTOCOPIES PER A4 OR PART THEREOF	1.10
b PRINTED COPIES @ A4 OR PART ON COMPUTER	0.75
c COPY IN COMPUTER READABLE FORM	
1) STIFFY DISC	7.50
2) COMPACT DISC	70.00
D TO SEARCH AND PREPARE THE RECORD FOR DISCLOSURE, FOR EACH HOUR OR PART OF AN HOUR REASONABLY REQUIRED FOR SUCH SEARCH AND PREPARATION	30.00
E POSTAGE	
THE ACTUAL COST OF THE POSTAGE WILL BE PAYABLE BY THE REQUESTER IF A COPY OF THE RECORD IS TO BE POSTED.	

F LINKS FOR FEES

THE FOLLOWING WEBSITES CAN BE ACCESSED TO OBTAIN OR CONFIRM THE FEES:

1 www.sahrc.org.za

SOUTH AFRICAN HUMAN RIGHTS COMMISSION WEBSITE

2 www.doj.gov.za

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

8 PRESCRIBED FORMS

COPIES OF THE FORMS ARE ATTACHED AS AN ADDENDUM TO THE MANUAL.

COPIES OF THE FORMS ARE AVAILABLE AT THE PREMISES OF HORAK PROPERTIES

9 GUIDELINES

THE GUIDELINES AS LAID OUT BY THE SAHRC FOR THE COMPILATION OF THE MANUAL, WAS USED IN THE PREPARATION OF THE MANUAL.

INTRODUCTION TO THE KARO INVESTMENT TRUST

THE KARO INVESTMENT TRUST IS A PROPERTY TRUST WITH NO EMPLOYEES.

B PARTICULARS IN TERMS OF THE SECTION 51 MANUAL

1 A CONTACT DETAILS

PHYSICAL ADDRESS : 10 3RD STREET
LA ROCHELLE
2000

POSTAL ADDRESS: P.O. BOX 90224
BERTSHAM
2013

TELEPHONE: (011) 435 - 0200

B TRUSTEES:

AJ HORAK

JE HORAK

H TABACK

TELEPHONE: (011) 435 - 0200

- 2 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 ENQUIRIES TO THE SAHRC AT TEL NO +27 11 484 - 8300.

3 RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION.

1 INCOME TAX ACT NO 95 OF 1967

2 COMPANIES ACT NO 61 OF 1973

- 4 A ACCESS TO INFORMATION HELD BY THE KARO INVESTMENT TRUST**
THE FOLLOWING RECORDS ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS IN TERMS OF THIS ACT
1 THERE ARE NO RECORDS WHICH CAN BE ACCESSED WITHOUT A REQUEST FOR ACCESS IN TERMS OF THIS ACT.

B RECORDS THAT MAY BE REQUESTED

THE FOLLOWING RECORDS CAN BE REQUESTED FOLLOWING THE PROCEDURE AS SET OUT IN POINT C.

1 ACCOUNTING RECORDS

C THE REQUEST PROCEDURE

- 1 THE REQUESTER MUST USE THE PRESCRIBED FORM TO MAKE THE REQUEST FOR ACCESS TO A RECORD. THIS MUST BE MADE TO THE TRUSTEES OF THE KARO INVESTMENT TRUST. THIS REQUEST MUST BE MADE TO THE ADDRESS OF THE KARO INVESTMENT TRUST.**
- 2 THE REQUESTER MUST PROVIDE SUFFICIENT DETAIL ON THE REQUEST FORM TO ENABLE THE TRUSTEE 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.**
- 3 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.**

- 4 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 TRUSTEE OF THE KARO INVESTMENT TRUST.

D 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 REQUESTED FEE:

- a THE TRUSTEE WILL NOTIFY THE REQUESTER, REQUIRING THE REQUESTER TO PAY THE PRESCRIBED FEE (IF ANY) BEFORE FURTHER PROCESSING THE REQUEST.
- b THE FEE THAT THE REQUESTER MUST PAY IS R50. THE TRUST IS NOT REGISTERED FOR VAT. THE REQUESTER MAY LODGE AN APPLICATION TO THE COURT AGAINST THE PAYMENT OF THE REQUEST FEE.
- c AFTER THE TRUSTEE HAS MADE A DECISION ON THE REQUEST, THE REQUESTER WILL BE NOTIFIED IN THE REQUIRED FORM.
- d IF THE REQUEST IS GRANTED 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 WILL BE AVAILABLE FOR INSPECTION AT THE PREMISES OF THE KARO INVESTMENT TRUST, FREE OF CHARGE.
COPIES OF THE MANUAL IS AVAILABLE AT THE SAHRC AND IN THE GOVERNMENT GAZETTE.

7	PRESCRIBED FEES	AMOUNT
A	REQUEST FEE	50.00
B	REPRODUCTION FEES	
	a PHOTOCOPIES PER A4 OR PART THEREOF	1.10
	b PRINTED COPIES @ A4 OR PART ON COMPUTER	0.75
	c COPY IN COMPUTER READABLE FORM	
	1) STIFFY DISC	7.50
	2) COMPACT DISC	70.00
C	ACCESS FEES	
	a PHOTOCOPIES PER A4 OR PART THEREOF	1.10
	b PRINTED COPIES @ A4 OR PART ON COMPUTER	0.75
	c COPY IN COMPUTER READABLE FORM	
	1) STIFFY DISC	7.50
	2) COMPACT DISC	70.00
D	TO SEARCH AND PREPARE THE RECORD FOR DISCLOSURE, FOR EACH HOUR OR PART OF AN HOUR REASONABLY REQUIRED FOR SUCH SEARCH AND PREPARATION	30.00
E	POSTAGE	
	THE ACTUAL COST OF THE POSTAGE WILL BE PAYABLE BY THE REQUESTER IF A COPY OF THE RECORD IS TO BE POSTED.	

F LINKS FOR FEES

THE FOLLOWING WEBSITES CAN BE ACCESSED TO OBTAIN OR CONFIRM THE FEES:

- 1 www.sahrc.org.za SOUTH AFRICAN HUMAN RIGHTS COMMISSION WEBSITE
- 2 www.doi.gov.za DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

8 PRESCRIBED FORMS

COPIES OF THE FORMS ARE ATTACHED AS AN ADDENDUM TO THE MANUAL.
COPIES OF THE FORMS ARE AVAILABLE AT THE PREMISES OF THE FOURIE
FOUNDATION FAMILY TRUST.

9 GUIDELINES

THE GUIDELINES AS LAID OUT BY THE SAHRC FOR THE COMPILATION OF THE
MANUAL, WAS USED IN THE PREPARATION OF THE MANUAL.

INTRODUCTION TO SAJACK INSURANCE BROKERS CC

SAJACK INSURANCE BROKERS CC IS A CLOSE CORPORATION WHICH SPECIALISES IN SHORT TERM INSURANCE BROKERING.

B PARTICULARS IN TERMS OF THE SECTION 51 MANUAL**1 A CONTACT DETAILS****PHYSICAL ADDRESS :**

10 3RD STREET
LA ROCHELLE
JOHANNESBURG
2000

POSTAL ADDRESS:

P.O. BOX 488
ROSETTENVILLE
2130

TELEPHONE:

(011) 435 - 0200

FAX:

(011) 435 - 0224

B MEMBERS:

A. J. HORAK

S. HORAK

TELEPHONE:

(011) 435 - 0200

FAX:

(011) 435 - 0224

- 2 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 ENQUIRIES TO THE SAHRC AT TEL NO +27 11 484 - 8300.

3 RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION.

- 1 INCOME TAX ACT NO 95 OF 1967
- 2 COMPANIES ACT NO 61 OF 1973
- 3 VALUE ADDED TAX ACT NO. 89 OF 1991
- 4 REGIONAL SERVICES COUNCIL ACT NO. 109 OF 1985
- 5 COMPENSATION FOR OCCUPATIONAL INJURIES AND HEALTH DISEASES ACT NO. 130 OF 1993
- 6 UNEMPLOYMENT EQUITY ACT NO 55 OF 1998
- 7 UNEMPLOYMENT CONTRIBUTIONS ACT NO 4 OF 2002
- 8 UNEMPLOYMENT INSURANCE ACT NO 63 OF 2001
- 9 EMPLOYMENT EQUITY ACT NO NO. 55 OF 1998
- 10 BASIC CONDITIONS OF EMPLOYMENT ACT NO. 75 OF 1997
- 11 SKILLS DEVELOPMENT LEVIES ACT NO. 9 OF 1999
- 12 SKILLS DEVELOPMENT ACT NO. 97 OF 1998
- 13 ACCESS TO INFORMATION ACT NO 2 OF 2000

4 THE FOLLOWING RECORDS ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS IN TERMS OF THIS ACT IN TERMS OF SECTION 52(2).

- 1 ANY BROCHURES OR ADVERTISING MATERIAL WHICH DISPLAYS THE PRODUCTS SOLD BY THE CORPORATION.

B RECORDS THAT MAY BE REQUESTED

THE FOLLOWING RECORDS CAN BE REQUESTED FOLLOWING THE PROCEDURE AS SET OUT IN POINT C.

- 1 EMPLOYMENT RECORDS AND OTHER RELATED POLICIES
- 2 POLICIES ON STAFF RECRUITMENT AND OTHER STAFF RELATED POLICIES
- 3 ACCOUNTING RECORDS

C THE REQUEST PROCEDURE

- 1 THE REQUESTER MUST USE THE PRESCRIBED FORM TO MAKE THE REQUEST FOR ACCESS TO A RECORD. THIS MUST BE MADE TO THE MEMBER OF SAJACK INSURANCE BROKERS CC. THIS REQUEST MUST BE MADE TO THE ADDRESS OR FAX NUMBER OF SAJACK INSURANCE BROKERS CC.
- 2 THE REQUESTER MUST PROVIDE SUFFICIENT DETAIL ON THE REQUEST FORM TO ENABLE THE MEMBER 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.
- 3 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.
- 4 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 MEMBER OF SAJACK INSURANCE BROKERS CC.

D 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 REQUESTED FEE:

- a THE MEMBER WILL NOTIFY THE REQUESTER, REQUIRING THE REQUESTER TO PAY THE PRESCRIBED FEE (IF ANY) BEFORE FURTHER PROCESSING THE REQUEST.
 - b THE FEE THAT THE REQUESTER MUST PAY IS R57. THIS AMOUNT INCLUDES VAT AT 14%. THE REQUESTER MAY LODGE AN APPLICATION TO THE COURT AGAINST THE PAYMENT OF THE REQUEST FEE.
 - c AFTER THE MEMBER HAS MADE A DECISION ON THE REQUEST, THE REQUESTER WILL BE NOTIFIED IN THE REQUIRED FORM.
 - d IF THE REQUEST IS GRANTED 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 WILL BE AVAILABLE FOR INSPECTION AT THE PREMISES OF SAJACK INSURANCE BROKERS CC, FREE OF CHARGE.
COPIES OF THE MANUAL IS AVAILABLE AT THE SAHRC AND IN THE GOVERNMENT GAZETTE.

7 PRESCRIBED FEES

	AMOUNT	VAT	TOTAL
A REQUEST FEE	50.00	7.00	57.00
B REPRODUCTION FEES			
a PHOTOCOPIES PER A4 OR PART THEREOF	1.10	0.15	1.25
b PRINTED COPIES @ A4 OR PART ON COMPUTER	0.75	0.11	0.86
c COPY IN COMPUTER READABLE FORM			
1) STIFFY DISC	7.50	1.05	8.55
2) COMPACT DISC	70.00	9.80	79.80
C ACCESS FEES			
a PHOTOCOPIES PER A4 OR PART THEREOF	1.10	0.15	1.25
b PRINTED COPIES @ A4 OR PART ON COMPUTER	0.75	0.11	0.86
c COPY IN COMPUTER READABLE FORM			
1) STIFFY DISC	7.50	1.05	8.55
2) COMPACT DISC	70.00	9.80	79.80
D TO SEARCH AND PREPARE THE RECORD FOR DISCLOSURE, FOR EACH HOUR OR PART OF AN HOUR REASONABLY REQUIRED FOR SUCH SEARCH AND PREPARATION	30.00	4.20	34.20

E POSTAGE

THE ACTUAL COST OF THE POSTAGE WILL BE PAYABLE BY THE REQUESTER IF A COPY OF THE RECORD IS TO BE POSTED.

F LINKS FOR FEES

THE FOLLOWING WEBSITES CAN BE ACCESSED TO OBTAIN OR CONFIRM THE FEES:

- 1 www.sahrc.org.za SOUTH AFRICAN HUMAN RIGHTS COMMISSION WEBSITE
- 2 www.doj.gov.za DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

8 PRESCRIBED FORMS

COPIES OF THE FORMS ARE ATTACHED AS AN ADDENDUM TO THE MANUAL. COPIES OF THE FORMS ARE AVAILABLE AT THE PREMISES OF THE FOURIE FOUNDATION FAMILY TRUST.

9 GUIDELINES

THE GUIDELINES AS LAID OUT BY THE SAHRC FOR THE COMPILATION OF THE MANUAL, WAS USED IN THE PREPARATION OF THE MANUAL.

eEquals Group (Pty) Ltd

Fourways Office Park
eEquals House
cnr Roos & Fourways Blvd
Fourways

eEquals

we are the solution

Private Bag X99
Bryanston
2021

Tel: (011) 790 5000

Fax: (011) 790 5299

Manual

prepared in accordance with Section 51 of

The Promotion of Access to Information Act

2/2000

("the Act")

Version 1.0

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Introduction

The Promotion of Access to Information Act No 2 of 2000 was enacted to give effect to the constitutional right of access to any information that is held by another person and that is required for the exercise or protection of any rights as well as to provide for matters connected therewith.

This manual is to assist potential requesters as to the procedure to be followed when requesting access to information from the eEquals Group in terms of the Act.

This manual may be amended from time to time and any new versions of the manual will be made public.

eEquals Group Contact Information

Head: Stuart Herd (COO)

Authorised Person: Elaine Marshall

Postal Address: Private Bag X99
Bryanston
2021

Physical Address: eEquals House
Fourways Office Park
c/o Roos & Fourways Blvd
Fourways

Telephone: 0117905000

Fax: 0117905299

E-mail Address: contact@equals.co.za

South African Human Rights Commission - Guide on the Act

In terms of section 10 of the Promotion of Access to Information Act 2 of 2000, the Human Rights Commission has compiled a guide on the use of this Act. It is available from the Human Rights Commission at any of the following offices:

Johannesburg: Private Bag 2700, Houghton, 2041
Tel: 011 484 8300
Fax: 011 484 1360

Bloemfontein: PO Box 4245, Bloemfontein, 9300
Tel: 051 447 1130
Fax: 051 447 1128

Port Elizabeth: PO Box 1854, Port Elizabeth, 6001
Tel: 041 582 2611
Fax: 041 582 2204

Polokwane: PO Box 55796, Polokwane, 0700
Tel: 015 291 3500
Fax: 015 291 3505

Durban: PO Box 1456, Durban, 4000
Tel/Fax: 031 304 7323/4/5

Cape Town: PO Box 3563, Cape Town, 8000
Tel: 021 426 2277
Fax: 021 426 2875

Records Held by the eEquals Group

Company Record Classification Key

<u>Classification No</u>	<u>Access</u>	<u>Classification</u>
1	May be disclosed	Public Access Document
2	May be disclosed	Subject to Copyright
3	Limited disclosure	Personal information own to requester of information
4	May not be disclosed	Unreasonable disclosure of personal information
5	May not be disclosed	Request after commencement of criminal proceedings
6	May not be disclosed	Would breach duty of confidence owed to a third party
7	May not be disclosed	Could harm the commercial or financial interests of third party
8	May not be disclosed	Could harm the company or third party in contract or other negotiations
9	May not be disclosed	Could compromise the safety of individuals or protection of property
10	May not be disclosed	Legally privileged document
11	May not be disclosed	Commercial information of company
12	May not be disclosed	Could prejudice research and development information of the company or third party

Company Records

Area	Subject	Classification
Websites	Group and divisional profiles	2
	News and Publications	2
	Company Structure	2
Communication	Public Product Information	2
	Media Releases	2
	Promotion of Access to Information Act Manual	2
Human Resource	Staff Records	3, 4, 9
	Employment Contracts	3, 4, 10
	Policies and Procedures	3, 11
	Information Pertaining to Provident Fund	3
	Information Pertaining to Medical Aid	3, 4
	Financial Statements	11
Financial Records	Financial and Tax Records (Company & Employee)	11
	Management Accounts	11
	Operational Financial Records	11
	Asset Register	11
	Trade Marks	2
Legal Records	Statutory Records	11
	Records kept in Terms of Company Laws of RSA	11
	Agreements and Contracts	6, 7, 8, 11
	Policy Records	3, 11
Operational Records	Claim Records	3, 11
	Voice Recordings	3, 11
	Policy Documents	2
	Sales Records	3, 11
	Customer / Subscriber Records	11
	Security Records	9
	Internal Communication Records	3, 11
	Supplier Records	6, 7, 8, 11
Quality	ISO Documentation	11
	Customer Service Evaluation Records (CSI)	3, 11
	Quality Records	11

Access to Records Held by the eEquals Group

To facilitate the processing of a request, the requester must:-

- Use the prescribed form attached to this manual or on the eEquals website (www.equals.co.za);
- Address the request to the authorised person supplied within this manual, and fax or e-mail the request form as per provided details;
- Provide sufficient particulars to enable the head of the organization to identify

- the record/s requested;
- the requester;
- Indicate which form of access is required;
- Specify a postal address or fax number of the requester;
- Identify the right the requester 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 the requester, in addition to a written reply, wish to be informed of the decision on the request in any other manner, state that manner and the necessary particulars to be so informed;
- If the request is made on behalf of a person, submit proof of the capacity in which the requester is making the request, to the reasonable satisfaction of the organization.

Prescribed Fees

On request of access to information, the head, or duly authorized person, will by notice require the requester, other than a personal requester, to pay the prescribed fee as set out below (sourced from www.doj.gov.za), before processing the request.

If the search for the record has been made and the preparation of the record for disclosure, including arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, the authorized person shall notify the requester to pay as a deposit the prescribed portion of the access fee.

A requester, whose request for access has been granted, must pay an access fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure including making arrangement to make it available in the request form.

If a deposit has been paid in respect of a request for access, which is refused, the deposit will be repaid to the requester.

Prescribed Fees

The fee for a copy of the manual for every photocopy of an A4-size page or part thereof.		R1,10
Fees for reproduction	Photocopy of A4-size page or part thereof	R1,10
	Printed copy of A4-size page or part thereof	R0,75
	For a copy in PC format	
	○ Stiffy Disc	R7,50
	○ Compact Disc	R70,00
	For a transcription of visual images, A4-size page	R40,00
	For a copy of visual images	R60,00
	For a transcription of audio record, A4-size page	R20,00
	For a copy of an audio record	R30,00
	The request fee payable by a requester, other than a personal requester	R50,00

Access fees payable by a requester	Photocopy of A4-size page or part thereof	R1,10
	Printed copy of A4-size page or part thereof	R0,75
	For a copy in PC format	
	o Stiffy Disc	R7,50
	o Compact Disc	R70,00
	For a transcription of visual images, A4-size page	R40,00
	For a copy of visual images	R60,00
	For a transcription of audio record, A4-size page	R20,00
	For a copy of an audio record	R30,00
To search for and prepare a record for disclosure, for each hour or part of an hour reasonable required for such search and preparation.		R30,00
Six hours is to be exceeded before a deposit is payable, and 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.		

*All fees exclude VAT

Availability of the Manual

- This manual is available for inspection at the offices of the eEquals Group free of charge;
- Copies of the manual may be obtained by request at the prescribed fees from the eEquals Group;
- The manual can also be accessed on the eEquals Group website (www.equals.co.za), the South African Human Rights Commission website (www.sahrc.org.za) and will be published in the Government Gazette.

Divisions and Companies in the eEquals Group

Divisions:

Corporate Warranty Administrators;
 Corporate Maintenance Administrators;
 callDynamics;
 callAlert;
 fleetNetics;
 warrantyCare;
 eEquals Sales and Marketing;
 Specialised Warranty Administrators;
 xtralInfo.

Companies:

Mead & McGrouther (Pty) Ltd;
 masSA (Pty) Ltd;
 motorCare (Pty) Ltd;
 Statsure (Pty) Ltd.

REQUEST FORM 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

Authorised Person: Elaine Marshall

Postal Address: Private Bag X99
Bryanston
2021

Physical Address: eEquals House
Fourways Office Park
c/o Roos & Fourways Blvd
Fourways

Telephone: 0117905000

Fax: 0117905299

E-mail Address: contact@equals.co.za

B. Particulars of person requesting access to the record

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

Full 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

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.*

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.

1. If the record is in written or printed form:					
<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	Inspection of record		
2. If record consists of visual images: (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)					
<input type="checkbox"/>	view the images	<input type="checkbox"/>	copy of the images*		
<input type="checkbox"/>		<input type="checkbox"/>	transcription of the images*		
3. If record consists of recorded words or information which can be reproduced in sound:					
<input type="checkbox"/>	listen to the soundtrack	<input type="checkbox"/>	transcription of soundtrack*		
4. If record is held on computer or in an electronic or machine-readable form:					
<input type="checkbox"/>	printer copy of record*	<input type="checkbox"/>	printed copy of information derived from record*		
<input type="checkbox"/>		<input type="checkbox"/>	copy in computer readable form* (stiffy or compact disc)		
*If you requested a copy or transcription of a record (above), do wish the copy or transcription to be posted to you? Postage is payable.			<table border="1"> <tr> <td>YES</td> <td>NO</td> </tr> </table>	YES	NO
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.

1. Indicate which right is to be exercised or protected:

2. 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 _____ 20 _____

SIGNATURE OF REQUESTER/PERSON
ON WHOSE BEHALF REQUEST IS MADE

Mead & McGrouther (Pty) Ltd

Fourways Office Park
eQuals House
cnr Roos & Fourways Blvd
Fourways



Private Bag X99
Bryanston
2021

Tel: (011) 790 5858
Fax: (011) 790 5899

Manual prepared in accordance with Section 51 of **The Promotion of Access to Information Act** 2/2000 ("the Act")

Version 1.0
© Mead & McGrouther (Pty) Ltd 2003

Introduction

The Promotion of Access to Information Act No 2 of 2000 was enacted to give effect to the constitutional right of access to any information that is held by another person and that is required for the exercise or protection of any rights as well as to provide for matters connected therewith.

This manual is to assist potential requesters as to the procedure to be followed when requesting access to information from the Mead & McGrouther in terms of the Act.

This manual may be amended from time to time and any new versions of the manual will be made public.

Mead & McGrouther Contact Information

Head: Tony Stone (Managing Director)

Authorised Person: Gavin Dembo

Postal Address: Private Bag X99
Bryanston
2021

Physical Address: eEquals House
Fourways Office Park
c/o Roos & Fourways Blvd
Fourways

Telephone: 0117905858

Fax: 0117905899

E-mail Address: info@mead.co.za

South African Human Rights Commission - Guide on the Act

In terms of section 10 of the Promotion of Access to Information Act 2 of 2000, the Human Rights Commission has compiled a guide on the use of this Act. It is available from the Human Rights Commission at any of the following offices:

Johannesburg: Private Bag 2700, Houghton, 2041
Tel: 011 484 8300
Fax: 011 484 1360

Bloemfontein: PO Box 4245, Bloemfontein, 9300
Tel: 051 447 1130
Fax: 051 447 1128

Port Elizabeth: PO Box 1854, Port Elizabeth, 6001
Tel: 041 582 2611
Fax: 041 582 2204

Polokwane: PO Box 55796, Polokwane, 0700
Tel: 015 291 3500
Fax: 015 291 3505

Durban: PO Box 1456, Durban, 4000
Tel/Fax: 031 304 7323/4/5

Cape Town: PO Box 3563, Cape Town, 8000
Tel: 021 426 2277
Fax: 021 426 2875

Records Held by the Mead & McGrouther

Company Record Classification Key

Classification No	Access	Classification
1	May be disclosed	Public Access Document
2	May be disclosed	Subject to Copyright
3	Limited disclosure	Personal information own to requester of information
4	May not be disclosed	Unreasonable disclosure of personal information
5	May not be disclosed	Request after commencement of criminal proceedings
6	May not be disclosed	Would breach duty of confidence owed to a third party
7	May not be disclosed	Could harm the commercial or financial interests of third party
8	May not be disclosed	Could harm the company or third party in contract or other negotiations
9	May not be disclosed	Could compromise the safety of individuals or protection of property
10	May not be disclosed	Legally privileged document
11	May not be disclosed	Commercial information of company
12	May not be disclosed	Could prejudice research and development information of the company or third party

Company Records

Area	Subject	Classification
Websites	Group and divisional profiles	2
	News and Publications	2
	Company Structure	2
Communication	Public Product Information	2
	Media Releases	2
	Promotion of Access to Information Act Manual	2
Human Resource	Staff Records	3, 4, 9
	Employment Contracts	3, 4, 10
	Policies and Procedures	3, 11
	Information Pertaining to Provident Fund	3
	Information Pertaining to Medical Aid	3, 4
	Financial Statements	11
Financial Records	Financial and Tax Records (Company & Employee)	11
	Management Accounts	11
	Operational Financial Records	11
	Asset Register	11
	Trade Marks	2
Legal Records	Statutory Records	11
	Records kept in Terms of Company Laws of RSA	11
	Agreements and Contracts	6, 7, 8, 11
	Policy Records	3, 11
Operational Records	Claim Records	3, 11
	Voice Recordings	3, 11
	Policy Documents	2
	Sales Records	3, 11
	Customer / Subscriber Records	11
	Security Records	9
	Internal Communication Records	3, 11
	Supplier Records	6, 7, 8, 11
Quality	ISO Documentation	11
	Customer Service Evaluation Records (CSI)	3, 11
	Quality Records	11

Access to Records Held by the Mead & McGrouther

To facilitate the processing of a request, the requester must:-

- Use the prescribed form attached to this manual or on the Mead & McGrouther website (www.meadnet.co.za);
- Address the request to the authorised person supplied within this manual, and fax or e-mail the request form as per provided details;
- Provide sufficient particulars to enable the head of the organization to identify

- the record/s requested;
- the requester;
- Indicate which form of access is required;
- Specify a postal address or fax number of the requester;
- Identify the right the requester 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 the requester, in addition to a written reply, wish to be informed of the decision on the request in any other manner, state that manner and the necessary particulars to be so informed;
- If the request is made on behalf of a person, submit proof of the capacity in which the requester is making the request, to the reasonable satisfaction of the organization.

Prescribed Fees

On request of access to information, the head, or duly authorized person, will by notice require the requester, other than a personal requester, to pay the prescribed fee as set out below (sourced from www.doi.gov.za), before processing the request.

If the search for the record has been made and the preparation of the record for disclosure, including arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, the authorized person shall notify the requester to pay as a deposit the prescribed portion of the access fee.

A requester, whose request for access has been granted, must pay an access fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure including making arrangement to make it available in the request form.

If a deposit has been paid in respect of a request for access, which is refused, the deposit will be repaid to the requester.

Prescribed Fees

The fee for a copy of the manual for every photocopy of an A4-size page or part thereof.		R1,10
Fees for reproduction	Photocopy of A4-size page or part thereof	R1,10
	Printed copy of A4-size page or part thereof	R0,75
	For a copy in PC format	
	○ Stiffy Disc	R7,50
	○ Compact Disc	R70,00
	For a transcription of visual images, A4-size page	R40,00
	For a copy of visual images	R60,00
	For a transcription of audio record, A4-size page	R20,00
	For a copy of an audio record	R30,00
	The request fee payable by a requester, other than a personal requester	R50,00

Access fees payable by a requester	Photocopy of A4-size page or part thereof	R1,10
	Printed copy of A4-size page or part thereof	R0,75
	For a copy in PC format	
	o Stiffy Disc	R7,50
	o Compact Disc	R70,00
	For a transcription of visual images, A4-size page	R40,00
	For a copy of visual images	R60,00
	For a transcription of audio record, A4-size page	R20,00
	For a copy of an audio record	R30,00
To search for and prepare a record for disclosure, for each hour or part of an hour reasonable required for such search and preparation.		R30,00
Six hours is to be exceeded before a deposit is payable, and 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.		

*All fees exclude VAT

Availability of the Manual

- This manual is available for inspection at the offices of the Mead & McGrouther free of charge;
- Copies of the manual may be obtained by request at the prescribed fees from the Mead & McGrouther;
- The manual can also be accessed on the Mead & McGrouther website (www.meadnet.co.za), the South African Human Rights Commission website (www.sahrc.org.za) and will be published in the Government Gazette.

Divisions/Departments in the Mead & McGrouther

Divisions:

Managing Directors Office;
Sales & Marketing;
Operations;
Finance & Administration;
Information Technology;

REQUEST FORM 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

Authorised Person: Gavin Dembo

Postal Address: Private Bag X99
Bryanston
2021

Physical Address: eEquals House
Fourways Office Park
c/o Roos & Fourways Blvd
Fourways

Telephone: 0117905858

Fax: 0117905899

E-mail Address: info@mead.co.za

B. Particulars of person requesting access to the record

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

Full 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

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.*

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.

1. If the record is in written or printed form:

<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	Inspection of record
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2. If record consists of visual images:

(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)

<input type="checkbox"/>	view the images	<input type="checkbox"/>	copy of the images*	<input type="checkbox"/>	transcription of the images*
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3. If record consists of recorded words or information which can be reproduced in sound:

<input type="checkbox"/>	listen to the soundtrack	<input type="checkbox"/>	transcription of soundtrack*
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4. If record is held on computer or in an electronic or machine-readable form:

<input type="checkbox"/>	printer copy of record*	<input type="checkbox"/>	printed copy of information derived from record*	<input type="checkbox"/>	copy in computer readable form* (stiffy or compact disc)
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*If you requested a copy or transcription of a record (above), do 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.

1. Indicate which right is to be exercised or protected:
2. 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 _____ 20 _____

SIGNATURE OF REQUESTER/PERSON
ON WHOSE BEHALF REQUEST IS MADE

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