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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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**INFORMATION MANUAL  
FOR  
CHARTER WRAPMASTER (PTY) LIMITED  
("CHARTER WRAPMASTER")**

*In terms of section 51 of the Promotion of Access to Information Act  
Act 2 of 2000*

# 1 INTRODUCTION

Section 32 of the Constitution of the Republic of South Africa, No. 108 of 1996("the Constitution") provides:

- (1) Everyone has the right of access to –**
  - (a) any information held by the state; and**
  - (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 Promotion of Access to Information Act, 2 of 2000 ("the Act"), was enacted on 3 February 2002 to give effect to section 32 of the Constitution, that is giving effect to the constitutional right of access to any information held by the State and any information that is held by another person and that is required for the exercise or protection of any rights. Where a request is made in terms of this Act, the private or public body to whom the request is made is obliged to release the information, except where the Act expressly provides that the information must not be released. The Act sets out the requisite procedural issues attached to such request.

The act came into effect on 9 March 2001 with the exception of sections 10, 14, 16 and 51 which sections were brought into operation on 15 February 2002.

# 2 WHO MAY REQUEST INFORMATION IN TERMS OF THE ACT

Any person who requires information for the exercise or protection of any rights, may request information from a private body. Section 50 of the Act states that;

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

# 3 PROCEDURES FOR OBTAINING ACCESS

## 3.1 Contact Details

Any person who wishes to request any information from Charter Wrapmaster with the object of protecting or exercising a right may contact the information officer whose contact details are as follows;

**Postal Address**

The Information Officer  
Charter Wrapmaster (Pty) Limited  
P O Box 11250  
Johannesburg, 2000

**Physical address**

10 th Floor  
Cnr Barry Hertzog Avenue and Napier Road  
Richmond, Johannesburg, 2092

Tel: (011) 489-4000

Fax (011) 489-4335

**3.2 Prescribed Access Form**

In terms of section 53, a request for access to a record of Charter Wrapmaster must be made in the prescribed form to Charter Wrapmaster at the address, fax number or electronic mail address given above. The form requires the requestor to provide the following information:

- sufficient information to enable the information officer to identify the requestor;
- sufficient information to enable the information officer to identify the record(s) requested;
- the form of access required;
- the requestor's postal address or fax number;
- identification of the right sought to be exercised or protected;
- an explanation on why the record is required to exercise or protect that right;
- the manner in which the requestor wishes to be informed of the decision on the request, if in a manner in addition to written notification; and
- if the request is made on behalf of a person, the submission of proof of the capacity in which the requestor makes the request, to the satisfaction of the information officer.

For a specimen of the request form see **ANNEXURE A** to the manual. Requestors please note that all of the information as listed above should be provided, failing which the process will be delayed while the private body requests such additional information. The prescribed time periods will not commence until all pertinent information has been furnished on the private body by the requestor.



### 3.3 Prescribed Fees

Payment of fees is regulated in terms of section 54 of the Act. The Regulations to the Act provide for two types of fees:

- Request fee: This is a non-refundable administration fee paid by all requestors with the exclusion of personal requestors. It is paid before the request is considered.
- Access fee: This is paid by all requestors only when access is granted. This fee is intended to re-imburse the private body for the costs involved in searching for a record and preparing it for delivery to the requestor.

Charter Wrapmaster may withhold a record until the request fee and the deposit (if applicable) have been paid. A schedule of the prescribed fees is attached as **ANNEXURE B** to the manual.

### 3.4 Requestor other than Personal Requestor

The information officer must give written notice to a requestor other than a personal requestor of the request fee and amount to be paid before the request may be further processed.

If in the information officer's opinion the search for a record, or preparation of the record for disclosure will require more than the prescribed hours, the information officer may require the requestor to pay a deposit, not being more than one third of the access fee that would be payable if the request is granted. If the request is declined, the deposit must be repaid to the requestor.

The notice given by the information officer must advise the requestor that s/he has a right to apply to court against the payment of the request fee or deposit, and also advise of the procedure of the application.

### 3.5 Personal Requestor

A personal requestor is described in terms of the Act as a requestor seeking access to a record containing information about the requestor.

A personal requestor is not liable to pay a request fee, is liable for payment of access fees in the event of a request being granted, but may not be required to pay a deposit before the granting of the record.

## 4 HUMAN RIGHTS COMMISSION GUIDELINE

In terms of section 10 of the Act, the Human Rights Commission must compile a guide by 14 August 2003. This guide is intended to assist users in the interpretation of the Act. The guide will contain a description of the objects of the Act, the contact details of the information officers of all the public bodies, particulars of the public bodies, the manner of access to the records of those public bodies and the remedies available in law regarding a breach of any of the provisions of the Act.

The South African Human Rights Commission's contact details are as follows;

Private Bag 2700

Houghton

2041

Tel: 011 484 8300

Fax 011 4841360

## **5 TYPES OF RECORDS**

The requestor may request access to the following types of documents;

### **5.1 Personnel Records**

These include;

- Any personal records provided to the private body by their personnel;
- Any records a third party has provided to the private body about any of their personnel;
- Conditions of employment and other personnel-related contractual and quasi-legal records;
- Internal evaluation records; and
- Other internal records and correspondence.

### **5.2 Customer-related records**

A customer includes any natural or juristic entity who receives services from the private body. Customer-related information includes the following:

- Any records a customer has provided to a third party acting for or on behalf of the private body;
- Any records a third party has provided to the private body; and
- Records generated by or within the private body pertaining to the customer, including transactional records.

### **5.3 Private body records**

This includes but is not limited to the following:

- Financial records;
- Operational records;
- Databases;
- Information technology;
- Marketing records;
- Internal correspondence;
- Product records;
- Statutory records;
- Internal policies and procedures;
- Treasury-related records;
- Securities and equities; and
- Records held by officials of the private body.

#### **5.4 Other Parties**

The private body may possess records pertaining to other parties, including without limitation, contractors, suppliers, subsidiary/holding/sister companies, joint venture companies, service providers. Alternatively, such other parties may possess records which can be said to belong to the private body.

The following records fall under this category:

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

#### **5.6 Records Available in terms of other legislation**

The requestor may also request information which is available in terms of legislation, such as the following;

alienation of land act (68 of 1981)

basic conditions of employment act (75 of 1997)

companies act (61 of 1973)

compensation for occupational injuries & diseases act (130 of 1993)

employment equity act

financial services board act (97 of 1990)

Income tax act 58 of 1962

labour relations act (66 of 1995)

occupational health and safety act (85 of 1993)

promotion of equality and prevention of unfair discrimination act

regional services councils act (109 of 1985)

short term insurance act (53 of 1998)

skills development act (97 of 1998)

Skills Development Levies act (9 of 1999)

South African Qualifications Authority act (58 of 1995)



VAT act (89 of 1991)

The Information officer will take into considerations section 8 of the manual to decide on whether or not access to any of the information stated above should be given to the requester.

## **6 DECISION-MAKING PROCESS**

- 6.1** In terms of Section 55, the information officer will take all reasonable steps to find a record that has been requested. If the record cannot be found or does not exist, the information officer must notify the requestor by way of affidavit or affirmation that it is not possible to give access to the record. This is deemed to be a refusal of the request. If, however, the record is later found, the requestor must be given access if the request would otherwise have been granted.
- 6.2** Section 56 provides that the information officer must within 30 days of receipt of a correctly completed request notify the requestor of the decision as to whether or not to grant the request. If the request is:
- **Granted:** the notification must state the applicable access fee required to be paid, together with the procedure to be followed should the requestor wish to apply to court against such fee, and the form in which access will be given.
  - **Declined:** the notification must include adequate reasons for the decision, together with the relevant provisions of the Act relied upon, and provide the procedure to be followed should the requestor wish to apply to court against the decision.
- 6.3** The information officer may extend the period of 30 days by a further period not exceeding 30 days if:
- the request is for a large number of records or requires a search through a large number of records;
  - the request requires a search for records located in a different office of the private body not situated in the same city;
  - consultation between divisions of the private body, or with another private body is required; or
  - the requestor consents to the extension.

The requestor must be notified within the initial 30 day period in writing of the extension, together with reasons therefor, and the procedure involved should the requestor wish to apply to court against the extension.

The information officer's failure to respond to the requestor within the 30 day period constitutes a deemed refusal of the request.

- 6.4** Section 59 provides that the information officer may sever a record and grant access only to that portion which the law does not prohibit access to.

If access is granted, access must be given in the form that is reasonably required by the requestor, or if the requestor has not identified a preference, in a form reasonably determined by the information officer.

## 7 THIRD PARTIES

If the request is for a record pertaining to a third party, the information officer must take all reasonable steps to inform that third party of the request. This must be done within 21 days of receipt of the request. The manner in which this is done must be in the fastest means reasonably possible, but if orally, the information officer must thereafter give the third party a written confirmation of the notification. The third party may within 21 days thereafter either make representation to the private body as to why the request should be refused, alternatively grant written consent to the disclosure of the record. The third party must be advised of the decision taken by the information officer on whether to grant or decline the request, and must also be advised of his/her/its right to appeal against the decision by way of application to court within 30 days after the notice.

## 8 GROUNDS FOR REFUSAL OF A REQUEST

Notwithstanding compliance with section 50, the request may be declined in accordance with one of the prescribed grounds in terms of the Act, namely:

- 8.1** Section 63 of the Act prohibits the unreasonable disclosure of the personal information of natural-person third parties to requestors. This includes the personal information of deceased persons. However Section 63(2) does provide exceptions to this.
- 8.2** Section 64 states that a request must be refused if it relates to records containing third party information pertaining to:
- trade secrets;
  - financial, commercial, scientific or technical information where disclosure would be likely to cause harm to the commercial or financial interests of that third party; or
  - information supplied 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 prejudice the third party in commercial competition.

The information must, however, be released if it pertains to the results of product or environmental testing, the disclosure of which would reveal a serious public safety or environmental risk.

- 8.3** Section 65 prohibits disclosure of information if such disclosure would constitute a breach of any duty of confidentiality owed to a third party in terms of an agreement.
- 8.4** In terms of section 66, a private body must refuse a request for access to a record of the body if disclosure could reasonably be expected to:
- endanger the life or physical safety of an individual;
  - prejudice or impair the security of a building, structure or system, including but not limited to a computer or communication system, means of transport or any other property
  - The private body may also refuse a request for access to information which would prejudice methods, systems, plans or procedures for the protection of an individual in accordance with a witness protection scheme or safety of the public.

- 8.5** Section 67 mandates the refusal of a request if the record is privileged from production in legal proceedings, unless the person entitled to the privilege has waived the privilege.
- 8.6** Section 68 pertains to records containing information about the private body itself and unlike the other provisions pertaining to decline of a request, is not mandatory, but rather discretionary. Charter Wrapmaster may refuse access to a record if the record:
- contains trade secrets of Charter Wrapmaster
  - contains financial, commercial, scientific or technical information, the disclosure of which would be likely to cause harm to the commercial or financial interests of Charter Wrapmaster
  - contains information which, if disclosed, could reasonably be expected to put the private body at a disadvantage in contractual or other negotiations, or prejudice Charter Wrapmaster in commercial competition; or
  - consists of a computer program owned by Charter Wrapmaster

Notwithstanding the above, the information must be released if it pertains to the results of product or environmental testing, the disclosure of which would reveal a serious public safety or environmental risk.

- 8.7** Section 69 prohibits the disclosure of information about research where disclosure is likely to expose the third party, the person conducting the research on behalf of the third party, or the subject matter of the research to serious disadvantage. Disclosure is discretionary if such research pertains to Charter Wrapmaster itself.

Notwithstanding any of the above-mentioned provisions, section 70 provides that a record must be disclosed if its disclosure would:

- reveal evidence of a substantial contravention of or failure to comply with the law, imminent and serious public safety or environmental risk; and
- if the public interest in the disclosure clearly outweighs the harm.

## 9 RIGHTS OF APPEAL

A requestor that is dissatisfied with the information officer's refusal to grant access to any information may, within 30 days of notification of the decision, apply to court for relief. Likewise, a third party dissatisfied with the information officer's decision to grant a request may, within 30 days of notification of the decision, apply to court for relief.

It should be noted that notwithstanding any provision in this Act, the court may examine the record(s) in question. No record may be withheld from the court on any grounds. The court may not, however, disclose the contents of the record(s).

The court is empowered to grant any order that is just and equitable, including:

- confirming, amending or setting aside the information officer's decision
- requiring the information officer to take any action, or refrain from taking any action as identified by the court within a specified period;
- granting an interdict, interim or special relief, declaratory order or compensation; or costs.



**ANNEXURE A****REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY – CHARTER WRAPMASTER (PTY) LIMITED**

(Section 53(1) of the Promotion of Access to Information Act, 2000 (Act No 2 of 2000))

**A. Particulars of private body**

The Head:

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**B. Particulars of person requesting access to the record**

- (a) *The particulars of the person who requests access to the records must be recorded below.*
- (b) *Furnish an address and/or fax number in the Republic to which information must be sent.*
- (c) *Proof of the capacity in which the request is made, if applicable, must be attached.*

Full name and surname:

\_\_\_\_\_

Identity number:

\_\_\_\_\_

Postal Address:

\_\_\_\_\_

\_\_\_\_\_

Telephone number: \_\_\_\_\_ Fax 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:

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## 2. Reference number, if available:

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## 3. Any further particulars of record:

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**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 therefor.*

Reason for exemption from payment of fees:

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**F. Form of access to record**

If you are prevented by a disability from reading, viewing or listening 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:
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>



**Mark the appropriate box with an "X"**

**NOTES:**

- (a) *Your indication as to the required form of access depends on the form in which the record is available.*
- (b) *Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.*
- (c) *The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.*

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

	Copy of record*		Inspection of record
--	-----------------	--	----------------------

**2. If record consists of visual images:**

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

	View the images		Copy of the images*		Transcription of the images*
--	-----------------	--	---------------------	--	------------------------------

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

	Listen to the soundtrack (audio cassette)		Transcription of soundtrack* (written or printed document)
--	--	--	---

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

	Printed copy of record		Printed copy of information derived from the record*		Copy in computer readable form* (stiffy or compact disc)
--	------------------------	--	--	--	--

\*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you?

YES NO

**A postal fee 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.***

Indicate which right is to be exercised or protected:

---

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---

---

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

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**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 thereof 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 \_\_\_\_\_ 2003

\_\_\_\_\_  
SIGNATURE OF REQUESTER/PERSON ON  
WHOSE BEHALF REQUEST IS MADE

**ANNEXURE B****FEES IN RESPECT OF PRIVATE BODIES**

1. The fee for a copy of this manual is R1,10 for every photocopy of an A4 size page or part thereof.
2. Where a private body has voluntarily provided the Minister with a list of categories of records that will automatically be made available to any person requesting access thereto, the only charge that may be levied for obtaining such records, will be a fee for reproduction of the record in question.

These fees for reproduction are as follows:

- |    |   |        |
|----|---|--------|
| a) | For every photocopy of an A4 size page or part thereof  | R 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. | R 0,75 |
| c) | For a copy in a computer readable form on –   |        |
|    | i) stiffy disc  | R 7,50 |
|    | ii) compact disc  | R70,00 |
| d) | i) For a transcription of visual images for an A4 size page or part thereof   | R40,00 |
|    | ii) For a copy of visual images   | R60,00 |
| e) | i) For a transcription of an audio record, for an A4 size page or part thereof  | R20,00 |
|    | ii) For a copy of an audio record   | R30,00 |
2. The **request fee** payable by a requester, other than a personal requester is R50,00.
  3. The **access fees** payable by a requester are as follows:
 

a)	For every photocopy of an A4 page or part thereof	R 1,10
b)	For every printed copy of an A4 size page or part thereof held on a computer or in electronic machine readable form	R 0,75
c)	For a copy in a computer readable form on –	
	i) stiffy disc	R 7,50
	ii) compact disc	R70,00
d)	i) For a transcription of visual images for an A4 size page or part thereof	R40,00
	ii) For a copy of visual images	

- e)
    - i) For a transcription of an audio record for an A4 size page or part thereof R20,00
    - ii) For a copy of an audio record R30,00
  - f) To search for and prepare a record that must be disclosed, R30,00 for each hour or part of an hour reasonably required for such search and preparation.
4. Where a private body receives a request for access to information held on a person other than the requester himself/herself and the information officer upon receipt of the request is of the opinion that the preparation of the required record for disclosure will take more than 6 (six) hours, a **deposit** is payable by the requester.
- One third of the access fee is payable as a deposit by the requester.
5. The actual postage is payable when a copy of a record must be posted to a requester.

**INFORMATION MANUAL  
FOR  
HOT-LINE ADMINISTRATIVE SERVICES (PTY) LIMITED  
("HOT-LINE")**

*In terms of section 51 of the Promotion of Access to Information Act  
Act 2 of 2000*



## 1 INTRODUCTION

Section 32 of the Constitution of the Republic of South Africa, No. 108 of 1996("the Constitution") provides:

- (1) Everyone has the right of access to –**
  - (a) any information held by the state; and**
  - (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 Promotion of Access to Information Act, 2 of 2000 ("the Act"), was enacted on 3 February 2002 to give effect to section 32 of the Constitution, that is giving effect to the constitutional right of access to any information held by the State and any information that is held by another person and that is required for the exercise or protection of any rights. Where a request is made in terms of this Act, the private or public body to whom the request is made is obliged to release the information, except where the Act expressly provides that the information must not be released. The Act sets out the requisite procedural issues attached to such request.

The act came into effect on 9 March 2001 with the exception of sections 10, 14, 16 and 51 which sections were brought into operation on 15 February 2002.

## 2 WHO MAY REQUEST INFORMATION IN TERMS OF THE ACT

Any person who requires information for the exercise or protection of any rights, may request information from a private body. Section 50 of the Act states that;

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

## 3 PROCEDURES FOR OBTAINING ACCESS

### 3.1 Contact Details

Any person who wishes to request any information from Hot-line with the object of protecting or exercising a right may contact the information officer whose contact details are as follows;

**Postal Address**

The Information Officer  
Hot-line Administrative Services (Pty) Limited  
P O Box 11250  
Johannesburg, 2000

**Physical address**

10 th Floor  
Cnr Barry Hertzog Avenue and Napier Road  
Richmond, Johannesburg, 2092

Tel: (011) 489-4000  
Fax (011) 489-4125  
e-mail address: accessinfo@hotline.co.za

**3.2 Prescribed Access Form**

In terms of section 53, a request for access to a record of Hot-line must be made in the prescribed form to Hot-line at the address, fax number or electronic mail address given above. The form requires the requestor to provide the following information:

- sufficient information to enable the information officer to identify the requestor;
- sufficient information to enable the information officer to identify the record(s) requested;
- the form of access required;
- the requestor's postal address or fax number;
- identification of the right sought to be exercised or protected;
- an explanation on why the record is required to exercise or protect that right;
- the manner in which the requestor wishes to be informed of the decision on the request, if in a manner in addition to written notification; and
- if the request is made on behalf of a person, the submission of proof of the capacity in which the requestor makes the request, to the satisfaction of the information officer.

For a specimen of the request form see **ANNEXURE A** to the manual. Requestors please note that all of the information as listed above should be provided, failing which the process will be delayed while the private body requests such additional information. The prescribed time periods will not commence until all pertinent information has been furnished on the private body by the requestor.

### 3.3 Prescribed Fees

Payment of fees is regulated in terms of section 54 of the Act. The Regulations to the Act provide for two types of fees:

- Request fee: This is a non-refundable administration fee paid by all requestors with the exclusion of personal requestors. It is paid before the request is considered.
- Access fee: This is paid by all requestors only when access is granted. This fee is intended to re-imburse the private body for the costs involved in searching for a record and preparing it for delivery to the requestor.

Hot-line may withhold a record until the request fee and the deposit (if applicable) have been paid. A schedule of the prescribed fees is attached as **ANNEXURE B** to the manual.

### 3.4 Requestor other than Personal Requestor

The information officer must give written notice to a requestor other than a personal requestor of the request fee and amount to be paid before the request may be further processed.

If in the information officer's opinion the search for a record, or preparation of the record for disclosure will require more than the prescribed hours, the information officer may require the requestor to pay a deposit, not being more than one third of the access fee that would be payable if the request is granted. If the request is declined, the deposit must be repaid to the requestor.

The notice given by the information officer must advise the requestor that s/he has a right to apply to court against the payment of the request fee or deposit, and also advise of the procedure of the application.

### 3.5 Personal Requestor

A personal requestor is described in terms of the Act as a requestor seeking access to a record containing information about the requestor.

A personal requestor is not liable to pay a request fee, is liable for payment of access fees in the event of a request being granted, but may not be required to pay a deposit before the granting of the record.

## 4 HUMAN RIGHTS COMMISSION GUIDELINE

In terms of section 10 of the Act, the Human Rights Commission must compile a guide by 14 August 2003. This guide is intended to assist users in the interpretation of the Act. The guide will contain a description of the objects of the Act, the contact details of the information officers of all the public bodies, particulars of the public bodies, the manner of access to the records of those public bodies and the remedies available in law regarding a breach of any of the provisions of the Act.

The South African Human Rights Commission's contact details are as follows;

Private Bag 2700  
Houghton  
2041  
Tel: 011 484 8300  
Fax 011 4841360

## **5 TYPES OF RECORDS**

The requestor may request access to the following types of documents;

### **5.1 Personnel Records**

These include;

- Any personal records provided to the private body by their personnel;
- Any records a third party has provided to the private body about any of their personnel;
- Conditions of employment and other personnel-related contractual and quasi-legal records;
- Internal evaluation records; and
- Other internal records and correspondence.

### **5.2 Customer-related records**

A customer includes any natural or juristic entity who receives services from the private body. Customer-related information includes the following:

- Any records a customer has provided to a third party acting for or on behalf of the private body;
- Any records a third party has provided to the private body; and
- Records generated by or within the private body pertaining to the customer, including transactional records.

### **5.3 Private body records**

This includes but is not limited to the following:

- Financial records;
- Operational records;
- Databases;
- Information technology;
- Marketing records;
- Internal correspondence;
- Product records;
- Statutory records;
- Internal policies and procedures;
- Records held by officials of the private body.

#### **5.4 Other Parties**

The private body may possess records pertaining to other parties, including without limitation, contractors, suppliers, subsidiary/holding/sister companies, joint venture companies, service providers. Alternatively, such other parties may possess records which can be said to belong to the private body.

The following records fall under this category:

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

#### **5.5 Records Available in terms of other legislation**

The requestor may also request information which is available in terms of legislation, such as the following;

alienation of land act (68 of 1981)

basic conditions of employment act (75 of 1997)

companies act (61 of 1973)

compensation for occupational injuries & diseases act (130 of 1993)

employment equity act

financial services board act (97 of 1990)

Income tax act 58 of 1962

labour relations act (66 of 1995)

occupational health and safety act (85 of 1993)

promotion of equality and prevention of unfair discrimination act

regional services councils act (109 of 1985)

short term insurance act (53 of 1998)

skills development act (97 of 1998)

Skills Development Levies act (9 of 1999)

South African Qualifications Authority act (58 of 1995)



VAT act (89 of 1991)

The Information officer will take into considerations section 8 of the manual to decide on whether or not access to any of the information stated above should be given to the requester.

## 6 DECISION-MAKING PROCESS

**6.1** In terms of Section 55, the information officer will take all reasonable steps to find a record that has been requested. If the record cannot be found or does not exist, the information officer must notify the requestor by way of affidavit or affirmation that it is not possible to give access to the record. This is deemed to be a refusal of the request. If, however, the record is later found, the requestor must be given access if the request would otherwise have been granted.

**6.2** Section 56 provides that the information officer must within 30 days of receipt of a correctly completed request notify the requestor of the decision as to whether or not to grant the request. If the request is:

- **Granted:** the notification must state the applicable access fee required to be paid, together with the procedure to be followed should the requestor wish to apply to court against such fee, and the form in which access will be given.
- **Declined:** the notification must include adequate reasons for the decision, together with the relevant provisions of the Act relied upon, and provide the procedure to be followed should the requestor wish to apply to court against the decision.

**6.3** The information officer may extend the period of 30 days by a further period not exceeding 30 days if:

- the request is for a large number of records or requires a search through a large number of records;
- the request requires a search for records located in a different office of the private body not situated in the same city;
- consultation between divisions of the private body, or with another private body is required; or
- the requestor consents to the extension.

The requestor must be notified within the initial 30 day period in writing of the extension, together with reasons therefor, and the procedure involved should the requestor wish to apply to court against the extension.

The information officer's failure to respond to the requestor within the 30 day period constitutes a deemed refusal of the request.

**6.4** Section 59 provides that the information officer may sever a record and grant access only to that portion which the law does not prohibit access to.

If access is granted, access must be given in the form that is reasonably required by the requestor, or if the requestor has not identified a preference, in a form reasonably determined by the information officer.

**ANNEXURE A****REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY – HOT-LINE  
ADMINISTRATIVE SERVICES (PTY) LIMITED**

(Section 53(1) of the Promotion of Access to Information Act, 2000 (Act No 2 of 2000))

**A. Particulars of private body**

The Head:

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**B. Particulars of person requesting access to the record**

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

Full name and surname:

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Identity number:

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Postal Address:

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Telephone number: \_\_\_\_\_ Fax number: \_\_\_\_\_

E-mail address:

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Capacity in which request is made, when made on behalf of another person:

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**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:

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Identity number:

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**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.***

- e)
  - i) For a transcription of an audio record for an A4 size page or part thereof R20,00
  - ii) For a copy of an audio record R30,00
- f) To search for and prepare a record that must be disclosed, R30,00 for each hour or part of an hour reasonably required for such search and preparation.

4. Where a private body receives a request for access to information held on a person other than the requester himself/herself and the information officer upon receipt of the request is of the opinion that the preparation of the required record for disclosure will take more than 6 (six) hours, a **deposit** is payable by the requester.

One third of the access fee is payable as a deposit by the requester.

5. The actual postage is payable when a copy of a record must be posted to a requester.

**INFORMATION MANUAL  
FOR  
NAPIER GARDENS (PTY) LIMITED  
("NAPIER GARDENS")**

*In terms of section 51 of the Promotion of Access to Information Act  
Act 2 of 2000*



## 1 INTRODUCTION

Section 32 of the Constitution of the Republic of South Africa, No. 108 of 1996("the Constitution") provides:

- (1) Everyone has the right of access to –**
  - (a) any information held by the state; and**
  - (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 Promotion of Access to Information Act, 2 of 2000 ("the Act"), was enacted on 3 February 2002 to give effect to section 32 of the Constitution, that is giving effect to the constitutional right of access to any information held by the State and any information that is held by another person and that is required for the exercise or protection of any rights. Where a request is made in terms of this Act, the private or public body to whom the request is made is obliged to release the information, except where the Act expressly provides that the information must not be released. The Act sets out the requisite procedural issues attached to such request.

The act came into effect on 9 March 2001 with the exception of sections 10, 14, 16 and 51 which sections were brought into operation on 15 February 2002.

## 2 WHO MAY REQUEST INFORMATION IN TERMS OF THE ACT

Any person who requires information for the exercise or protection of any rights, may request information from a private body. Section 50 of the Act states that;

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

## 3 PROCEDURES FOR OBTAINING ACCESS

### 3.1 Contact Details

Any person who wishes to request any information from Napier Gardens with the object of protecting or exercising a right may contact the information officer whose contact details are as follows;

**Postal Address**

The Information Officer  
Napier Gardens (Pty) Limited  
P O Box 11250  
Johannesburg, 2000

**Physical address**

10 th Floor  
Cnr Barry Hertzog Avenue and Napier Road  
Richmond, Johannesburg, 2092

Tel: (011) 489-4000

Fax (011) 489-4335

**3.2 Prescribed Access Form**

In terms of section 53, a request for access to a record of Napier Gardens must be made in the prescribed form to Napier Gardens at the address, fax number or electronic mail address given above. The form requires the requestor to provide the following information:

- sufficient information to enable the information officer to identify the requestor;
- sufficient information to enable the information officer to identify the record(s) requested;
- the form of access required;
- the requestor's postal address or fax number;
- identification of the right sought to be exercised or protected;
- an explanation on why the record is required to exercise or protect that right;
- the manner in which the requestor wishes to be informed of the decision on the request, if in a manner in addition to written notification; and
- if the request is made on behalf of a person, the submission of proof of the capacity in which the requestor makes the request, to the satisfaction of the information officer.

For a specimen of the request form see **ANNEXURE A** to the manual. Requestors please note that all of the information as listed above should be provided, failing which the process will be delayed while the private body requests such additional information. The prescribed time periods will not commence until all pertinent information has been furnished on the private body by the requestor.

### 3.3 Prescribed Fees

Payment of fees is regulated in terms of section 54 of the Act. The Regulations to the Act provide for two types of fees:

- Request fee: This is a non-refundable administration fee paid by all requestors with the exclusion of personal requestors. It is paid before the request is considered.
- Access fee: This is paid by all requestors only when access is granted. This fee is intended to re-imburse the private body for the costs involved in searching for a record and preparing it for delivery to the requestor.

Napier Gardens may withhold a record until the request fee and the deposit (if applicable) have been paid. A schedule of the prescribed fees is attached as **ANNEXURE B** to the manual.

### 3.4 Requestor other than Personal Requestor

The information officer must give written notice to a requestor other than a personal requestor of the request fee and amount to be paid before the request may be further processed.

If in the information officer's opinion the search for a record, or preparation of the record for disclosure will require more than the prescribed hours, the information officer may require the requestor to pay a deposit, not being more than one third of the access fee that would be payable if the request is granted. If the request is declined, the deposit must be repaid to the requestor.

The notice given by the information officer must advise the requestor that s/he has a right to apply to court against the payment of the request fee or deposit, and also advise of the procedure of the application.

### 3.5 Personal Requestor

A personal requestor is described in terms of the Act as a requestor seeking access to a record containing information about the requestor.

A personal requestor is not liable to pay a request fee, is liable for payment of access fees in the event of a request being granted, but may not be required to pay a deposit before the granting of the record.

## 4 HUMAN RIGHTS COMMISSION GUIDELINE

In terms of section 10 of the Act, the Human Rights Commission must compile a guide by 14 August 2003. This guide is intended to assist users in the interpretation of the Act. The guide will contain a description of the objects of the Act, the contact details of the information officers of all the public bodies, particulars of the public bodies, the manner of access to the records of those public bodies and the remedies available in law regarding a breach of any of the provisions of the Act.

The South African Human Rights Commission's contact details are as follows;

Private Bag 2700  
Houghton  
2041  
Tel: 011 484 8300  
Fax 011 4841360

## **5 TYPES OF RECORDS**

The requestor may request access to the following types of documents;

### **5.1 Personnel Records**

These include;

- Any personal records provided to the private body by their personnel;
- Any records a third party has provided to the private body about any of their personnel;
- Conditions of employment and other personnel-related contractual and quasi-legal records;
- Internal evaluation records; and
- Other internal records and correspondence.

### **5.2 Customer-related records**

A customer includes any natural or juristic entity who receives services from the private body. Customer-related information includes the following:

- Any records a customer has provided to a third party acting for or on behalf of the private body;
- Any records a third party has provided to the private body; and
- Records generated by or within the private body pertaining to the customer, including transactional records.

### **5.3 Private body records**

This includes but is not limited to the following:

- Financial records;
- Operational records;
- Databases;
- Information technology;
- Marketing records;
- Internal correspondence;
- Product records;
- Statutory records;
- Internal policies and procedures;
- Treasury-related records;
- Securities and equities; and
- Records held by officials of the private body.

#### **5.4 Other Parties**

The private body may possess records pertaining to other parties, including without limitation, contractors, suppliers, subsidiary/holding/sister companies, joint venture companies, service providers. Alternatively, such other parties may possess records which can be said to belong to the private body.

The following records fall under this category:

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

#### **5.6 Records Available in terms of other legislation**

The requestor may also request information which is available in terms of legislation, such as the following;

alienation of land act (68 of 1981)

basic conditions of employment act (75 of 1997)

companies act (61 of 1973)

compensation for occupational injuries & diseases act (130 of 1993)

employment equity act

financial services board act (97 of 1990)

Income tax act 58 of 1962

labour relations act (66 of 1995)

occupational health and safety act (85 of 1993)

promotion of equality and prevention of unfair discrimination act

regional services councils act (109 of 1985)

short term insurance act (53 of 1998)

skills development act (97 of 1998)

Skills Development Levies act (9 of 1999)

South African Qualifications Authority act (58 of 1995)



VAT act (89 of 1991)

The Information officer will take into considerations section 8 of the manual to decide on whether or not access to any of the information stated above should be given to the requester.

## 6 DECISION-MAKING PROCESS

**6.1** In terms of Section 55, the information officer will take all reasonable steps to find a record that has been requested. If the record cannot be found or does not exist, the information officer must notify the requestor by way of affidavit or affirmation that it is not possible to give access to the record. This is deemed to be a refusal of the request. If, however, the record is later found, the requestor must be given access if the request would otherwise have been granted.

**6.2** Section 56 provides that the information officer must within 30 days of receipt of a correctly completed request notify the requestor of the decision as to whether or not to grant the request. If the request is:

- **Granted:** the notification must state the applicable access fee required to be paid, together with the procedure to be followed should the requestor wish to apply to court against such fee, and the form in which access will be given.
- **Declined:** the notification must include adequate reasons for the decision, together with the relevant provisions of the Act relied upon, and provide the procedure to be followed should the requestor wish to apply to court against the decision.

**6.3** The information officer may extend the period of 30 days by a further period not exceeding 30 days if:

- the request is for a large number of records or requires a search through a large number of records;
- the request requires a search for records located in a different office of the private body not situated in the same city;
- consultation between divisions of the private body, or with another private body is required; or
- the requestor consents to the extension.

The requestor must be notified within the initial 30 day period in writing of the extension, together with reasons therefor, and the procedure involved should the requestor wish to apply to court against the extension.

The information officer's failure to respond to the requestor within the 30 day period constitutes a deemed refusal of the request.

**6.4** Section 59 provides that the information officer may sever a record and grant access only to that portion which the law does not prohibit access to.

If access is granted, access must be given in the form that is reasonably required by the requestor, or if the requestor has not identified a preference, in a form reasonably determined by the information officer.

## 7 THIRD PARTIES

If the request is for a record pertaining to a third party, the information officer must take all reasonable steps to inform that third party of the request. This must be done within 21 days of receipt of the request. The manner in which this is done must be in the fastest means reasonably possible, but if orally, the information officer must thereafter give the third party a written confirmation of the notification. The third party may within 21 days thereafter either make representation to the private body as to why the request should be refused, alternatively grant written consent to the disclosure of the record. The third party must be advised of the decision taken by the information officer on whether to grant or decline the request, and must also be advised of his/her/its right to appeal against the decision by way of application to court within 30 days after the notice.

## 8 GROUNDS FOR REFUSAL OF A REQUEST

Notwithstanding compliance with section 50, the request may be declined in accordance with one of the prescribed grounds in terms of the Act, namely:

- 8.1** Section 63 of the Act prohibits the unreasonable disclosure of the personal information of natural-person third parties to requestors. This includes the personal information of deceased persons. However Section 63(2) does provide exceptions to this.
- 8.2** Section 64 states that a request must be refused if it relates to records containing third party information pertaining to:
- trade secrets;
  - financial, commercial, scientific or technical information where disclosure would be likely to cause harm to the commercial or financial interests of that third party; or
  - information supplied 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 prejudice the third party in commercial competition.

The information must, however, be released if it pertains to the results of product or environmental testing, the disclosure of which would reveal a serious public safety or environmental risk.

- 8.3** Section 65 prohibits disclosure of information if such disclosure would constitute a breach of any duty of confidentiality owed to a third party in terms of an agreement.
- 8.4** In terms of section 66, a private body must refuse a request for access to a record of the body if disclosure could reasonably be expected to:
- endanger the life or physical safety of an individual;
  - prejudice or impair the security of a building, structure or system, including but not limited to a computer or communication system, means of transport or any other property
  - The private body may also refuse a request for access to information which would prejudice methods, systems, plans or procedures for the protection of an individual in accordance with a witness protection scheme or safety of the public.

- 8.5 Section 67 mandates the refusal of a request if the record is privileged from production in legal proceedings, unless the person entitled to the privilege has waived the privilege.
- 8.6 Section 68 pertains to records containing information about the private body itself and unlike the other provisions pertaining to decline of a request, is not mandatory, but rather discretionary. Napier Gardens may refuse access to a record if the record:
- contains trade secrets of Napier Gardens
  - contains financial, commercial, scientific or technical information, the disclosure of which would be likely to cause harm to the commercial or financial interests of Napier Gardens
  - contains information which, if disclosed, could reasonably be expected to put the private body at a disadvantage in contractual or other negotiations, or prejudice Napier Gardens in commercial competition; or
  - consists of a computer program owned by Napier Gardens

Notwithstanding the above, the information must be released if it pertains to the results of product or environmental testing, the disclosure of which would reveal a serious public safety or environmental risk.

- 8.7 Section 69 prohibits the disclosure of information about research where disclosure is likely to expose the third party, the person conducting the research on behalf of the third party, or the subject matter of the research to serious disadvantage. Disclosure is discretionary if such research pertains to Napier Gardens itself.

Notwithstanding any of the above-mentioned provisions, section 70 provides that a record must be disclosed if its disclosure would:

- reveal evidence of a substantial contravention of or failure to comply with the law, imminent and serious public safety or environmental risk; and
- if the public interest in the disclosure clearly outweighs the harm.

## 9 RIGHTS OF APPEAL

A requestor that is dissatisfied with the information officer's refusal to grant access to any information may, within 30 days of notification of the decision, apply to court for relief. Likewise, a third party dissatisfied with the information officer's decision to grant a request may, within 30 days of notification of the decision, apply to court for relief.

It should be noted that notwithstanding any provision in this Act, the court may examine the record(s) in question. No record may be withheld from the court on any grounds. The court may not, however, disclose the contents of the record(s).

The court is empowered to grant any order that is just and equitable, including:

- confirming, amending or setting aside the information officer's decision
- requiring the information officer to take any action, or refrain from taking any action as identified by the court within a specified period;
- granting an interdict, interim or special relief, declaratory order or compensation; or costs.

**ANNEXURE A****REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY – NAPIER GARDENS (PTY) LIMITED**

(Section 53(1) of the Promotion of Access to Information Act, 2000 (Act No 2 of 2000)

**A. Particulars of private body**

The Head:

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**B. Particulars of person requesting access to the record**

- (a) *The particulars of the person who requests access to the records must be recorded below.*

(b) *Furnish an address and/or fax number in the Republic to which information must be sent.*

(c) *Proof of the capacity in which the request is made, if applicable, must be attached.*

Full name and surname:

Identity number:

Postal Address:

Telephone number: \_\_\_\_\_ Fax 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:

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## 2. Reference number, if available:

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## 3. Any further particulars of record:

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**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 therefor.

Reason for exemption from payment of fees:

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**F. Form of access to record**

If you are prevented by a disability from reading, viewing or listening 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:

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Form in which record is required:

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**Mark the appropriate box with an "X"**

**NOTES:**

- (a) Your indication as to the required form of access depends 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

**A postal fee 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.***

Indicate which right is to be exercised or protected:

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

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**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 thereof 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?

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Signed at \_\_\_\_\_ this \_\_\_\_\_ day  
of \_\_\_\_\_ 2003

\_\_\_\_\_  
SIGNATURE OF REQUESTER/PERSON ON  
WHOSE BEHALF REQUEST IS MADE

**ANNEXURE B****FEES IN RESPECT OF PRIVATE BODIES**

1. The fee for a copy of this manual is R1,10 for every photocopy of an A4 size page or part thereof.
2. Where a private body has voluntarily provided the Minister with a list of categories of records that will automatically be made available to any person requesting access thereto, the only charge that may be levied for obtaining such records, will be a fee for reproduction of the record in question.

These fees for reproduction are as follows:

- |    |   |        |
|----|---|--------|
| a) | For every photocopy of an A4 size page or part thereof  | R 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. | R 0,75 |
| c) | For a copy in a computer readable form on –   |        |
|    | i) stiffy disc  | R 7,50 |
|    | ii) compact disc  | R70,00 |
| d) | i) For a transcription of visual images for an A4 size page or part thereof   | R40,00 |
|    | ii) For a copy of visual images   | R60,00 |
| e) | i) For a transcription of an audio record, for an A4 size page or part thereof  | R20,00 |
|    | ii) For a copy of an audio record   | R30,00 |
2. The **request fee** payable by a requester, other than a personal requester is R50,00.
  3. The **access fees** payable by a requester are as follows:
 

a)	For every photocopy of an A4 page or part thereof	R 1,10
b)	For every printed copy of an A4 size page or part thereof held on a computer or in electronic machine readable form	R 0,75
c)	For a copy in a computer readable form on –	
	i) stiffy disc	R 7,50
	ii) compact disc	R70,00
d)	i) For a transcription of visual images for an A4 size page or part thereof	R40,00
	ii) For a copy of visual images	

- e)
    - i) For a transcription of an audio record for an A4 size page or part thereof R20,00
    - ii) For a copy of an audio record R30,00
  - f) To search for and prepare a record that must be disclosed, R30,00 for each hour or part of an hour reasonably required for such search and preparation.
4. Where a private body receives a request for access to information held on a person other than the requester himself/herself and the information officer upon receipt of the request is of the opinion that the preparation of the required record for disclosure will take more than 6 (six) hours, a **deposit** is payable by the requester.
- One third of the access fee is payable as a deposit by the requester.
5. The actual postage is payable when a copy of a record must be posted to a requester.

**INFORMATION MANUAL  
FOR  
MOTOWISE (PTY) LIMITED  
("MOTOWISE")**

*In terms of section 51 of the Promotion of Access to Information Act  
Act 2 of 2000*

## 1 INTRODUCTION

Section 32 of the Constitution of the Republic of South Africa, No. 108 of 1996("the Constitution") provides:

- (1) Everyone has the right of access to –**
  - (a) any information held by the state; and**
  - (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 Promotion of Access to Information Act, 2 of 2000 ("the Act"), was enacted on 3 February 2002 to give effect to section 32 of the Constitution, that is giving effect to the constitutional right of access to any information held by the State and any information that is held by another person and that is required for the exercise or protection of any rights. Where a request is made in terms of this Act, the private or public body to whom the request is made is obliged to release the information, except where the Act expressly provides that the information must not be released. The Act sets out the requisite procedural issues attached to such request.

The act came into effect on 9 March 2001 with the exception of sections 10, 14, 16 and 51 which sections were brought into operation on 15 February 2002.

## 2 WHO MAY REQUEST INFORMATION IN TERMS OF THE ACT

Any person who requires information for the exercise or protection of any rights, may request information from a private body. Section 50 of the Act states that:

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

## 3 PROCEDURES FOR OBTAINING ACCESS

### 3.1 Contact Details

Any person who wishes to request any information from Motowise with the object of protecting or exercising a right may contact the information officer whose contact details are as follows;



Postal Address

The Information Officer  
Motowise (Pty) Limited  
P O Box 11250  
Johannesburg, 2000

Physical address

10th Floor  
Cnr Barry Hertzog Avenue and Napier Road  
Richmond, Johannesburg, 2092

Tel: (011) 489-4000  
Fax (011) 489-4335

### 3.2 Prescribed Access Form

In terms of section 53, a request for access to a record of Motowise must be made in the prescribed form to Motowise at the address, fax number or electronic mail address given above. The form requires the requestor to provide the following information:

- sufficient information to enable the information officer to identify the requestor;
- sufficient information to enable the information officer to identify the record(s) requested;
- the form of access required;
- the requestor's postal address or fax number;
- identification of the right sought to be exercised or protected;
- an explanation on why the record is required to exercise or protect that right;
- the manner in which the requestor wishes to be informed of the decision on the request, if in a manner in addition to written notification; and
- if the request is made on behalf of a person, the submission of proof of the capacity in which the requestor makes the request, to the satisfaction of the information officer.

For a specimen of the request form see **ANNEXURE A** to the manual. Requestors please note that all of the information as listed above should be provided, failing which the process will be delayed while the private body requests such additional information. The prescribed time periods will not commence until all pertinent information has been furnished on the private body by the requestor.

### 3.3 Prescribed Fees

Payment of fees is regulated in terms of section 54 of the Act. The Regulations to the Act provide for two types of fees:

- Request fee: This is a non-refundable administration fee paid by all requestors with the exclusion of personal requestors. It is paid before the request is considered.
- Access fee: This is paid by all requestors only when access is granted. This fee is intended to re-imburse the private body for the costs involved in searching for a record and preparing it for delivery to the requestor.

Motowise may withhold a record until the request fee and the deposit (if applicable) have been paid. A schedule of the prescribed fees is attached as **ANNEXURE B** to the manual.

### 3.4 Requestor other than Personal Requestor

The information officer must give written notice to a requestor other than personal requestor of the request fee and amount to be paid before the request may be further processed.

If in the information officer's opinion the search for a record, or preparation of the record for disclosure will require more than the prescribed hours, the information officer may require the requestor to pay a deposit, not being more than one third of the access fee that would be payable if the request is granted. If the request is declined, the deposit must be repaid to the requestor.

The notice given by the information officer must advise the requestor that s/he has a right to apply to court against the payment of the request fee or deposit, and also advise of the procedure of the application.

### 3.5 Personal Requestor

A personal requestor is described in terms of the Act as a requestor seeking access to a record containing information about the requestor.

A personal requestor is not liable to pay a request fee, is liable for payment of access fees in the event of a request being granted, but may not be required to pay a deposit before the granting of the record.

## 4 HUMAN RIGHTS COMMISSION GUIDELINE

In terms of section 10 of the Act, the Human Rights Commission must compile a guide by 14 August 2003. This guide is intended to assist users in the interpretation of the Act. The guide will contain a description of the objects of the Act, the contact details of the information officers of all the public bodies, particulars of the public bodies, the manner of access to the records of those public bodies and the remedies available in law regarding a breach of any of the provisions of the Act.

The South African Human Rights Commission's contact details are as follows;

Private Bag 2700  
Houghton  
2041  
Tel: 011 484 8300  
Fax 011 4841360

## **5 TYPES OF RECORDS**

The requestor may request access to the following types of documents;

### **5.1 Personnel Records**

These include;

- Any personal records provided to the private body by their personnel;
- Any records a third party has provided to the private body about any of their personnel;
- Conditions of employment and other personnel-related contractual and quasi-legal records;
- Internal evaluation records; and
- Other internal records and correspondence.

### **5.2 Customer-related records**

A customer includes any natural or juristic entity who receives services from the private body. Customer-related information includes the following:

- Any records a customer has provided to a third party acting for or on behalf of the private body;
- Any records a third party has provided to the private body; and
- Records generated by or within the private body pertaining to the customer, including transactional records.

### **5.3 Private body records**

This includes but is not limited to the following:

- Financial records;
- Operational records;
- Databases;
- Information technology;
- Marketing records;
- Internal correspondence;
- Product records;
- Statutory records;
- Internal policies and procedures;
- Treasury-related records;
- Securities and equities; and
- Records held by officials of the private body.

#### **5.4 Other Parties**

The private body may possess records pertaining to other parties, including without limitation, contractors, suppliers, subsidiary/holding/sister companies, joint venture companies, service providers. Alternatively, such other parties may possess records which can be said to belong to the private body.

The following records fall under this category:

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

#### **5.6 Records Available in terms of other legislation**

The requestor may also request information which is available in terms of legislation, such as the following;

alienation of land act (68 of 1981)

basic conditions of employment act (75 of 1997)

companies act (61 of 1973)

compensation for occupational injuries & diseases act (130 of 1993)

employment equity act

financial services board act (97 of 1990)

Income tax act 58 of 1962

labour relations act (66 of 1995)

occupational health and safety act (85 of 1993)

promotion of equality and prevention of unfair discrimination act

regional services councils act (109 of 1985)

short term insurance act (53 of 1998)

skills development act (97 of 1998)

Skills Development Levies act (9 of 1999)

South African Qualifications Authority act (58 of 1995)

## VAT act (89 of 1991)

The Information officer will take into considerations section 8 of the manual to decide on whether or not access to any of the information stated above should be given to the requester.

## 6 DECISION-MAKING PROCESS

- 6.1** In terms of Section 55, the information officer will take all reasonable steps to find a record that has been requested. If the record cannot be found or does not exist, the information officer must notify the requestor by way of affidavit or affirmation that it is not possible to give access to the record. This is deemed to be a refusal of the request. If, however, the record is later found, the requestor must be given access if the request would otherwise have been granted.
- 6.2** Section 56 provides that the information officer must within 30 days of receipt of a correctly completed request notify the requestor of the decision as to whether or not to grant the request. If the request is:
- **Granted:** the notification must state the applicable access fee required to be paid, together with the procedure to be followed should the requestor wish to apply to court against such fee, and the form in which access will be given.
  - **Declined:** the notification must include adequate reasons for the decision, together with the relevant provisions of the Act relied upon, and provide the procedure to be followed should the requestor wish to apply to court against the decision.
- 6.3** The information officer may extend the period of 30 days by a further period not exceeding 30 days if:
- the request is for a large number of records or requires a search through a large number of records;
  - the request requires a search for records located in a different office of the private body not situated in the same city;
  - consultation between divisions of the private body, or with another private body is required; or
  - the requestor consents to the extension.

The requestor must be notified within the initial 30 day period in writing of the extension, together with reasons therefor, and the procedure involved should the requestor wish to apply to court against the extension.

The information officer's failure to respond to the requestor within the 30 day period constitutes a deemed refusal of the request.

- 6.4** Section 59 provides that the information officer may sever a record and grant access only to that portion which the law does not prohibit access to.

If access is granted, access must be given in the form that is reasonably required by the requestor, or if the requestor has not identified a preference, in a form reasonably determined by the information officer.



## 7 THIRD PARTIES

If the request is for a record pertaining to a third party, the information officer must take all reasonable steps to inform that third party of the request. This must be done within 21 days of receipt of the request. The manner in which this is done must be in the fastest means reasonably possible, but if orally, the information officer must thereafter give the third party a written confirmation of the notification. The third party may within 21 days thereafter either make representation to the private body as to why the request should be refused, alternatively grant written consent to the disclosure of the record. The third party must be advised of the decision taken by the information officer on whether to grant or decline the request, and must also be advised of his/her/its right to appeal against the decision by way of application to court within 30 days after the notice.

## 8 GROUNDS FOR REFUSAL OF A REQUEST

Notwithstanding compliance with section 50, the request may be declined in accordance with one of the prescribed grounds in terms of the Act, namely:

- 8.1** Section 63 of the Act prohibits the unreasonable disclosure of the personal information of natural-person third parties to requestors. This includes the personal information of deceased persons. However Section 63(2) does provide exceptions to this.
- 8.2** Section 64 states that a request must be refused if it relates to records containing third party information pertaining to:
- trade secrets;
  - financial, commercial, scientific or technical information where disclosure would be likely to cause harm to the commercial or financial interests of that third party; or
  - information supplied 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 prejudice the third party in commercial competition.

The information must, however, be released if it pertains to the results of product or environmental testing, the disclosure of which would reveal a serious public safety or environmental risk.

- 8.3** Section 65 prohibits disclosure of information if such disclosure would constitute a breach of any duty of confidentiality owed to a third party in terms of an agreement.
- 8.4** In terms of section 66, a private body must refuse a request for access to a record of the body if disclosure could reasonably be expected to:
- endanger the life or physical safety of an individual;
  - prejudice or impair the security of a building, structure or system, including but not limited to a computer or communication system, means of transport or any other property
  - The private body may also refuse a request for access to information which would prejudice methods, systems, plans or procedures for the protection of an individual in accordance with a witness protection scheme or safety of the public.



**8.5** Section 67 mandates the refusal of a request if the record is privileged from production in legal proceedings, unless the person entitled to the privilege has waived the privilege.

**8.6** Section 68 pertains to records containing information about the private body itself and unlike the other provisions pertaining to decline of a request, is not mandatory, but rather discretionary. Motowise may refuse access to a record if the record:

- contains trade secrets of Motowise
- contains financial, commercial, scientific or technical information, the disclosure of which would be likely to cause harm to the commercial or financial interests of Motowise
- contains information which, if disclosed, could reasonably be expected to put the private body at a disadvantage in contractual or other negotiations, or prejudice Motowise in commercial competition; or
- consists of a computer program owned by Motowise

Notwithstanding the above, the information must be released if it pertains to the results of product or environmental testing, the disclosure of which would reveal a serious public safety or environmental risk.

**8.7** Section 69 prohibits the disclosure of information about research where disclosure is likely to expose the third party, the person conducting the research on behalf of the third party, or the subject matter of the research to serious disadvantage. Disclosure is discretionary if such research pertains to Motowise itself.

Notwithstanding any of the above-mentioned provisions, section 70 provides that a record must be disclosed if its disclosure would:

- reveal evidence of a substantial contravention of or failure to comply with the law, imminent and serious public safety or environmental risk; and
- if the public interest in the disclosure clearly outweighs the harm.

## 9 RIGHTS OF APPEAL

A requestor that is dissatisfied with the information officer's refusal to grant access to any information may, within 30 days of notification of the decision, apply to court for relief. Likewise, a third party dissatisfied with the information officer's decision to grant a request may, within 30 days of notification of the decision, apply to court for relief.

It should be noted that notwithstanding any provision in this Act, the court may examine the record(s) in question. No record may be withheld from the court on any grounds. The court may not, however, disclose the contents of the record(s).

The court is empowered to grant any order that is just and equitable, including:

- confirming, amending or setting aside the information officer's decision
- requiring the information officer to take any action, or refrain from taking any action as identified by the court within a specified period;
- granting an interdict, interim or special relief, declaratory order or compensation; or costs.

**ANNEXURE A****REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY – MOTOWISE (PTY) LIMITED**

(Section 53(1) of the Promotion of Access to Information Act, 2000 (Act No 2 of 2000)

**A. Particulars of private body**

The Head:

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**B. Particulars of person requesting access to the record**

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

Full name and surname:

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---

Identity number:

---

Postal Address:

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Telephone number: \_\_\_\_\_ Fax number: \_\_\_\_\_

E-mail address:

---

Capacity in which request is made, when made on behalf of another person:

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**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:

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**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:

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## 2. Reference number, if available:

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## 3. Any further particulars of record:

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**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 therefor.

Reason for exemption from payment of fees:

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**F. Form of access to record**

If you are prevented by a disability from reading, viewing or listening 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:
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>

**Mark the appropriate box with an "X"**

**NOTES:**

- (a) Your indication as to the required form of access depends on the form in which the record is available.
- (b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.
- (c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

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

	Copy of record*		Inspection of record
--	-----------------	--	----------------------

**2. If record consists of visual images:**

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

	View the images		Copy of the images*		Transcription of the images*
--	-----------------	--	---------------------	--	------------------------------

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

	Listen to the soundtrack (audio cassette)		Transcription of soundtrack* (written or printed document)
--	---	--	--

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

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

Indicate which right is to be exercised or protected:

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

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**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 thereof 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 \_\_\_\_\_ 2003

\_\_\_\_\_  
SIGNATURE OF REQUESTER/PERSON ON  
WHOSE BEHALF REQUEST IS MADE



**ANNEXURE B****FEES IN RESPECT OF PRIVATE BODIES**

1. The fee for a copy of this manual is R1,10 for every photocopy of an A4 size page or part thereof.
2. Where a private body has voluntarily provided the Minister with a list of categories of records that will automatically be made available to any person requesting access thereto, the only charge that may be levied for obtaining such records, will be a fee for reproduction of the record in question.

These fees for reproduction are as follows:

- |    |   |        |
|----|---|--------|
| a) | For every photocopy of an A4 size page or part thereof  | R 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. | R 0,75 |
| c) | For a copy in a computer readable form on –   |        |
|    | i) stiffy disc  | R 7,50 |
|    | ii) compact disc  | R70,00 |
| d) | i) For a transcription of visual images for an A4 size page or part thereof   | R40,00 |
|    | ii) For a copy of visual images   | R60,00 |
| e) | i) For a transcription of an audio record, for an A4 size page or part thereof  | R20,00 |
|    | ii) For a copy of an audio record   | R30,00 |
2. The **request fee** payable by a requester, other than a personal requester is R50,00.
  3. The **access fees** payable by a requester are as follows:
 

a)	For every photocopy of an A4 page or part thereof	R 1,10
b)	For every printed copy of an A4 size page or part thereof held on a computer or in electronic machine readable form	R 0,75
c)	For a copy in a computer readable form on –	
	i) stiffy disc	R 7,50
	ii) compact disc	R70,00
d)	i) For a transcription of visual images for an A4 size page or part thereof	R40,00
	ii) For a copy of visual images	

- |    |   |  |        |
|----|---|--|--------|
| e) | i)  | For a transcription of an audio record for an A4 size page or part thereof | R20,00 |
|    | ii)   | For a copy of an audio record  | R30,00 |
| f) | To search for and prepare a record that must be disclosed, R30,00 for each hour or part of an hour reasonably required for such search and preparation. |  |        |
4. Where a private body receives a request for access to information held on a person other than the requester himself/herself and the information officer upon receipt of the request is of the opinion that the preparation of the required record for disclosure will take more than 6 (six) hours, a **deposit** is payable by the requester.
- One third of the access fee is payable as a deposit by the requester.
5. The actual postage is payable when a copy of a record must be posted to a requester.

**INFORMATION MANUAL**  
**FOR**  
**AUTO & GENERAL INSURANCE COMPANY LIMITED**  
**("AUTO & GENERAL")**

*In terms of section 51 of the Promotion of Access to Information Act  
Act 2 of 2000*

## 1 INTRODUCTION

Section 32 of the Constitution of the Republic of South Africa, No. 108 of 1996("the Constitution") provides:

- (1) Everyone has the right of access to –**
  - (a) any information held by the state; and**
  - (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 Promotion of Access to Information Act, 2 of 2000 ("the Act"), was enacted on 3 February 2002 to give effect to section 32 of the Constitution, that is giving effect to the constitutional right of access to any information held by the State and any information that is held by another person and that is required for the exercise or protection of any rights. Where a request is made in terms of this Act, the private or public body to whom the request is made is obliged to release the information, except where the Act expressly provides that the information must not be released. The Act sets out the requisite procedural issues attached to such request.

The act came into effect on 9 March 2001 with the exception of sections 10, 14, 16 and 51 which sections were brought into operation on 15 February 2002.

## 2 WHO MAY REQUEST INFORMATION IN TERMS OF THE ACT

Any person who requires information for the exercise or protection of any rights, may request information from a private body. Section 50 of the Act states that;

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

## 3 PROCEDURES FOR OBTAINING ACCESS

### 3.1 Contact Details

Any person who wishes to request any information from Auto & General with the object of protecting or exercising a right may contact the information officer whose contact details are as follows;

Postal Address

The Information Officer  
Auto & General Insurance Company Limited  
P O Box 11250  
Johannesburg, 2000

Physical address

10 th Floor  
Cnr Barry Hertzog Avenue and Napier Road  
Richmond, Johannesburg, 2092

Tel: (011) 489-4000

Fax (011) 489-4169

e-mail address: accessinfo@autogen.co.za

### 3.2 Prescribed Access Form

In terms of section 53, a request for access to a record of Auto & General must be made in the prescribed form to Auto & General at the address, fax number or electronic mail address given above. The form requires the requestor to provide the following information:

- sufficient information to enable the information officer to identify the requestor;
- sufficient information to enable the information officer to identify the record(s) requested;
- the form of access required;
- the requestor's postal address or fax number;
- identification of the right sought to be exercised or protected;
- an explanation on why the record is required to exercise or protect that right;
- the manner in which the requestor wishes to be informed of the decision on the request, if in a manner in addition to written notification; and if the request is made on behalf of a person, the submission of proof of the capacity in which the requestor makes the request, to the satisfaction of the information officer.

For a specimen of the request form see **ANNEXURE A** to the manual. Requestors please note that all of the information as listed above should be provided, failing which the process will be delayed while the private body requests such additional information. The prescribed time periods will not commence until all pertinent information has been furnished on the private body by the requestor.

### 3.3 Prescribed Fees

Payment of fees is regulated in terms of section 54 of the Act. The Regulations to the Act provide for two types of fees:

- Request fee: This is a non-refundable administration fee paid by all requestors with the exclusion of personal requestors. It is paid before the request is considered.
- Access fee: This is paid by all requestors only when access is granted. This fee is intended to re-imburse the private body for the costs involved in searching for a record and preparing it for delivery to the requestor.

Auto & General may withhold a record until the request fee and the deposit (if applicable) have been paid. A schedule of the prescribed fees is attached as **ANNEXURE B** to the manual.

### 3.4 Requestor other than Personal Requestor

The information officer must give written notice to a requestor other than a personal requestor of the request fee and amount to be paid before the request may be further processed.

If in the information officer's opinion the search for a record, or preparation of the record for disclosure will require more than the prescribed hours, the information officer may require the requestor to pay a deposit, not being more than one third of the access fee that would be payable if the request is granted. If the request is declined, the deposit must be repaid to the requestor.

The notice given by the information officer must advise the requestor that s/he has a right to apply to court against the payment of the request fee or deposit, and also advise of the procedure of the application.

### 3.5 Personal Requestor

A personal requestor is described in terms of the Act as a requestor seeking access to a record containing information about the requestor.

A personal requestor is not liable to pay a request fee, is liable for payment of access fees in the event of a request being granted, but may not be required to pay a deposit before the granting of the record.

## 4 HUMAN RIGHTS COMMISSION GUIDELINE

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Private Bag 2700  
Houghton  
2041  
Tel: 011 484 8300  
Fax 011 4841360

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- Internal evaluation records; and
- Other internal records and correspondence.

### **5.2 Customer-related records**

A customer includes any natural or juristic entity who receives services from the private body. Customer-related information includes the following:

- Any records a customer has provided to a third party acting for or on behalf of the private body;
- Any records a third party has provided to the private body; and
- Records generated by or within the private body pertaining to the customer, including transactional records.

### **5.3 Private body records**

This includes but is not limited to the following:

- Financial records;
- Operational records;
- Databases;
- Information technology;
- Marketing records;
- Internal correspondence;
- Product records;
- Statutory records;
- Internal policies and procedures;
- Treasury-related records;
- Securities and equities; and
- Records held by officials of the private body.

#### **5.4 Other Parties**

The private body may possess records pertaining to other parties, including without limitation, contractors, suppliers, subsidiary/holding/sister companies, joint venture companies, service providers. Alternatively, such other parties may possess records which can be said to belong to the private body.

The following records fall under this category:

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

#### **5.5 Records Available in terms of other legislation**

The requestor may also request information which is available in terms of legislation, such as the following;

alienation of land act (68 of 1981)

basic conditions of employment act (75 of 1997)

companies act (61 of 1973)

compensation for occupational injuries & diseases act (130 of 1993)

employment equity act

financial services board act (97 of 1990)

Income tax act 58 of 1962

labour relations act (66 of 1995)

occupational health and safety act (85 of 1993)

promotion of equality and prevention of unfair discrimination act

regional services councils act (109 of 1985)

short term insurance act (53 of 1998)

skills development act (97 of 1998)

Skills Development Levies act (9 of 1999)

South African Qualifications Authority act (58 of 1995)

VAT act (89 of 1991)

The Information officer will take into considerations section 8 of the manual to decide on whether or not access to any of the information stated above should be given to the requester.

## 6 DECISION-MAKING PROCESS

- 6.1 In terms of Section 55, the information officer will take all reasonable steps to find a record that has been requested. If the record cannot be found or does not exist, the information officer must notify the requestor by way of affidavit or affirmation that it is not possible to give access to the record. This is deemed to be a refusal of the request. If, however, the record is later found, the requestor must be given access if the request would otherwise have been granted.
- 6.2 Section 56 provides that the information officer must within 30 days of receipt of a correctly completed request notify the requestor of the decision as to whether or not to grant the request. If the request is:
- **Granted:** the notification must state the applicable access fee required to be paid, together with the procedure to be followed should the requestor wish to apply to court against such fee, and the form in which access will be given.
  - **Declined:** the notification must include adequate reasons for the decision, together with the relevant provisions of the Act relied upon, and provide the procedure to be followed should the requestor wish to apply to court against the decision.
- 6.3 The information officer may extend the period of 30 days by a further period not exceeding 30 days if:
- the request is for a large number of records or requires a search through a large number of records;
  - the request requires a search for records located in a different office of the private body not situated in the same city;
  - consultation between divisions of the private body, or with another private body is required; or
  - the requestor consents to the extension.

The requestor must be notified within the initial 30 day period in writing of the extension, together with reasons therefor, and the procedure involved should the requestor wish to apply to court against the extension.

The information officer's failure to respond to the requestor within the 30 day period constitutes a deemed refusal of the request.

- 6.4 Section 59 provides that the information officer may sever a record and grant access only to that portion which the law does not prohibit access to.

If access is granted, access must be given in the form that is reasonably required by the requestor, or if the requestor has not identified a preference, in a form reasonably determined by the information officer.

## 7 THIRD PARTIES

If the request is for a record pertaining to a third party, the information officer must take all reasonable steps to inform that third party of the request. This must be done within 21 days of receipt of the request. The manner in which this is done must be in the fastest means reasonably possible, but if orally, the information officer must thereafter give the third party a written confirmation of the notification. The third party may within 21 days thereafter either make representation to the private body as to why the request should be refused, alternatively grant written consent to the disclosure of the record. The third party must be advised of the decision taken by the information officer on whether to grant or decline the request, and must also be advised of his/her/its right to appeal against the decision by way of application to court within 30 days after the notice.

## 8 GROUNDS FOR REFUSAL OF A REQUEST

Notwithstanding compliance with section 50, the request may be declined in accordance with one of the prescribed grounds in terms of the Act, namely:

- 8.1** Section 63 of the Act prohibits the unreasonable disclosure of the personal information of natural-person third parties to requestors. This includes the personal information of deceased persons. However Section 63(2) does provide exceptions to this.
- 8.2** Section 64 states that a request must be refused if it relates to records containing third party information pertaining to:
- trade secrets;
  - financial, commercial, scientific or technical information where disclosure would be likely to cause harm to the commercial or financial interests of that third party; or
  - information supplied 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 prejudice the third party in commercial competition.

The information must, however, be released if it pertains to the results of product or environmental testing, the disclosure of which would reveal a serious public safety or environmental risk.

- 8.3** Section 65 prohibits disclosure of information if such disclosure would constitute a breach of any duty of confidentiality owed to a third party in terms of an agreement.
- 8.4** In terms of section 66, a private body must refuse a request for access to a record of the body if disclosure could reasonably be expected to:
- endanger the life or physical safety of an individual;
  - prejudice or impair the security of a building, structure or system, including but not limited to a computer or communication system, means of transport or any other property
  - The private body may also refuse a request for access to information which would prejudice methods, systems, plans or procedures for the protection of an individual in accordance with a witness protection scheme or safety of the public.

- 8.5** Section 67 mandates the refusal of a request if the record is privileged from production in legal proceedings, unless the person entitled to the privilege has waived the privilege.
- 8.6** Section 68 pertains to records containing information about the private body itself and unlike the other provisions pertaining to decline of a request, is not mandatory, but rather discretionary. Auto & General may refuse access to a record if the record:
- contains trade secrets of Auto & General
  - contains financial, commercial, scientific or technical information, the disclosure of which would be likely to cause harm to the commercial or financial interests of Auto & General
  - contains information which, if disclosed, could reasonably be expected to put the private body at a disadvantage in contractual or other negotiations, or prejudice Auto & General in commercial competition; or
  - consists of a computer program owned by Auto & General

Notwithstanding the above, the information must be released if it pertains to the results of product or environmental testing, the disclosure of which would reveal a serious public safety or environmental risk.

- 8.7** Section 69 prohibits the disclosure of information about research where disclosure is likely to expose the third party, the person conducting the research on behalf of the third party, or the subject matter of the research to serious disadvantage. Disclosure is discretionary if such research pertains to Auto & General itself.

Notwithstanding any of the above-mentioned provisions, section 70 provides that a record must be disclosed if its disclosure would:

- reveal evidence of a substantial contravention of or failure to comply with the law, imminent and serious public safety or environmental risk; and
- if the public interest in the disclosure clearly outweighs the harm.

## 9 RIGHTS OF APPEAL

A requestor that is dissatisfied with the information officer's refusal to grant access to any information may, within 30 days of notification of the decision, apply to court for relief. Likewise, a third party dissatisfied with the information officer's decision to grant a request may, within 30 days of notification of the decision, apply to court for relief.

It should be noted that notwithstanding any provision in this Act, the court may examine the record(s) in question. No record may be withheld from the court on any grounds. The court may not, however, disclose the contents of the record(s).

The court is empowered to grant any order that is just and equitable, including:

- confirming, amending or setting aside the information officer's decision
- requiring the information officer to take any action, or refrain from taking any action as identified by the court within a specified period;
- granting an interdict, interim or special relief, declaratory order or compensation; or costs.

**ANNEXURE A****REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY – AUTO & GENERAL INSURANCE COMPANY LIMITED**

(Section 53(1) of the Promotion of Access to Information Act, 2000 (Act No 2 of 2000)

**A. Particulars of private body**

The Head:

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**B. Particulars of person requesting access to the record**

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



Full name and surname:

\_\_\_\_\_

Identity number:

\_\_\_\_\_

Postal Address:

\_\_\_\_\_

\_\_\_\_\_

Telephone number: \_\_\_\_\_ Fax 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:

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## 2. Reference number, if available:

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## 3. Any further particulars of record:

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**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 therefor.*

Reason for exemption from payment of fees:

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**F. Form of access to record**

If you are prevented by a disability from reading, viewing or listening 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:
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>

**Mark the appropriate box with an "X"**

**NOTES:**

- (a) Your indication as to the required form of access depends 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*
--------------------------	-----------------	--------------------------	---------------------	--------------------------	------------------------------

**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?					YES	NO
A postal fee 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.***

Indicate which right is to be exercised or protected:

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

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**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 thereof 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?

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---

Signed at \_\_\_\_\_ this \_\_\_\_\_ day  
of \_\_\_\_\_ 2003

\_\_\_\_\_  
SIGNATURE OF REQUESTER/PERSON ON  
WHOSE BEHALF REQUEST IS MADE

**ANNEXURE B****FEES IN RESPECT OF PRIVATE BODIES**

1. The fee for a copy of this manual is R1,10 for every photocopy of an A4 size page or part thereof.
2. Where a private body has voluntarily provided the Minister with a list of categories of records that will automatically be made available to any person requesting access thereto, the only charge that may be levied for obtaining such records, will be a fee for reproduction of the record in question.

These fees for reproduction are as follows:

- |    |   |        |
|----|---|--------|
| a) | For every photocopy of an A4 size page or part thereof  | R 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. | R 0,75 |
| c) | For a copy in a computer readable form on –   |        |
|    | i) stiffy disc  | R 7,50 |
|    | ii) compact disc  | R70,00 |
| d) | i) For a transcription of visual images for an A4 size page or part thereof   | R40,00 |
|    | ii) For a copy of visual images   | R60,00 |
| e) | i) For a transcription of an audio record, for an A4 size page or part thereof  | R20,00 |
|    | ii) For a copy of an audio record   | R30,00 |
2. The **request fee** payable by a requester, other than a personal requester is R50,00.
  3. The **access fees** payable by a requester are as follows:
 

a)	For every photocopy of an A4 page or part thereof	R 1,10
b)	For every printed copy of an A4 size page or part thereof held on a computer or in electronic machine readable form	R 0,75
c)	For a copy in a computer readable form on –	
	i) stiffy disc	R 7,50
	ii) compact disc	R70,00
d)	i) For a transcription of visual images for an A4 size page or part thereof	R40,00
	ii) For a copy of visual images	

- 
- |    |   |  |        |
|----|---|--|--------|
| e) | i)  | For a transcription of an audio record for an A4 size page or part thereof | R20,00 |
|    | ii)   | For a copy of an audio record  | R30,00 |
| f) | To search for and prepare a record that must be disclosed, R30,00 for each hour or part of an hour reasonably required for such search and preparation. |  |        |
4. Where a private body receives a request for access to information held on a person other than the requester himself/herself and the information officer upon receipt of the request is of the opinion that the preparation of the required record for disclosure will take more than 6 (six) hours, a **deposit** is payable by the requester.
- One third of the access fee is payable as a deposit by the requester.
5. The actual postage is payable when a copy of a record must be posted to a requester.



**INFORMATION MANUAL  
FOR  
BUDGET INSURANCE BROKERS (PTY) LIMITED  
("BUDGET")**

*In terms of section 51 of the Promotion of Access to Information Act  
Act 2 of 2000*

# 1 INTRODUCTION

Section 32 of the Constitution of the Republic of South Africa, No. 108 of 1996("the Constitution") provides:

- (1) Everyone has the right of access to –**
  - (a) any information held by the state; and**
  - (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 Promotion of Access to Information Act, 2 of 2000 ("the Act"), was enacted on 3 February 2002 to give effect to section 32 of the Constitution, that is giving effect to the constitutional right of access to any information held by the State and any information that is held by another person and that is required for the exercise or protection of any rights. Where a request is made in terms of this Act, the private or public body to whom the request is made is obliged to release the information, except where the Act expressly provides that the information must not be released. The Act sets out the requisite procedural issues attached to such request.

The act came into effect on 9 March 2001 with the exception of sections 10, 14, 16 and 51 which sections were brought into operation on 15 February 2002.

## 2 WHO MAY REQUEST INFORMATION IN TERMS OF THE ACT

Any person who requires information for the exercise or protection of any rights, may request information from a private body. Section 50 of the Act states that;

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

## 3 PROCEDURES FOR OBTAINING ACCESS

### 3.1 Contact Details

Any person who wishes to request any information from Budget with the object of protecting or exercising a right may contact the information officer whose contact details are as follows;

Postal Address

The Information Officer  
Budget Insurance Brokers (Pty) Limited  
P O Box 11250  
Johannesburg, 2000

Physical address

10 th Floor  
Cnr Barry Hertzog Avenue and Napier Road  
Richmond, Johannesburg, 2092

Tel: (011) 489-4000

Fax (011) 489-4159

e-mail address: accessinfo@budgetins.co.za

### 3.2 Prescribed Access Form

In terms of section 53, a request for access to a record of Budget must be made in the prescribed form to Budget at the address, fax number or electronic mail address given above. The form requires the requestor to provide the following information:

- sufficient information to enable the information officer to identify the requestor;
- sufficient information to enable the information officer to identify the record(s) requested;
- the form of access required;
- the requestor's postal address or fax number;
- identification of the right sought to be exercised or protected;
- an explanation on why the record is required to exercise or protect that right;
- the manner in which the requestor wishes to be informed of the decision on the request, if in a manner in addition to written notification; and
- if the request is made on behalf of a person, the submission of proof of the capacity in which the requestor makes the request, to the satisfaction of the information officer.

For a specimen of the request form see **ANNEXURE A** to the manual. Requestors please note that all of the information as listed above should be provided, failing which the process will be delayed while the private body requests such additional information. The prescribed time periods will not commence until all pertinent information has been furnished on the private body by the requestor.

### **3.3 Prescribed Fees**

Payment of fees is regulated in terms of section 54 of the Act. The Regulations to the Act provide for two types of fees:

- Request fee: This is a non-refundable administration fee paid by all requestors with the exclusion of personal requestors. It is paid before the request is considered.
- Access fee: This is paid by all requestors only when access is granted. This fee is intended to re-imburse the private body for the costs involved in searching for a record and preparing it for delivery to the requestor.

Budget may withhold a record until the request fee and the deposit (if applicable) have been paid. A schedule of the prescribed fees is attached as **ANNEXURE B** to the manual.

### **3.4 Requestor other than Personal Requestor**

The information officer must give written notice to a requestor other than a personal requestor of the request fee and amount to be paid before the request may be further processed.

If in the information officer's opinion the search for a record, or preparation of the record for disclosure will require more than the prescribed hours, the information officer may require the requestor to pay a deposit, not being more than one third of the access fee that would be payable if the request is granted. If the request is declined, the deposit must be repaid to the requestor.

The notice given by the information officer must advise the requestor that s/he has a right to apply to court against the payment of the request fee or deposit, and also advise of the procedure of the application.

### **3.5 Personal Requestor**

A personal requestor is described in terms of the Act as a requestor seeking access to a record containing information about the requestor.

A personal requestor is not liable to pay a request fee, is liable for payment of access fees in the event of a request being granted, but may not be required to pay a deposit before the granting of the record.

## **4 HUMAN RIGHTS COMMISSION GUIDELINE**

In terms of section 10 of the Act, the Human Rights Commission must compile a guide by 14 August 2003. This guide is intended to assist users in the interpretation of the Act. The guide will contain a description of the objects of the Act, the contact details of the information officers of all the public bodies, particulars of the public bodies, the manner of access to the records of those public bodies and the remedies available in law regarding a breach of any of the provisions of the Act.

The South African Human Rights Commission's contact details are as follows;

Private Bag 2700

Houghton

2041

Tel: 011 484 8300

Fax 011 4841360

## **5 TYPES OF RECORDS**

The requestor may request access to the following types of documents;

### **5.1 Personnel Records**

These include;

- Any personal records provided to the private body by their personnel;
- Any records a third party has provided to the private body about any of their personnel;
- Conditions of employment and other personnel-related contractual and quasi-legal records;
- Internal evaluation records; and
- Other internal records and correspondence.

### **5.2 Customer-related records**

A customer includes any natural or juristic entity who receives services from the private body. Customer-related information includes the following:

- Any records a customer has provided to a third party acting for or on behalf of the private body;
- Any records a third party has provided to the private body; and
- Records generated by or within the private body pertaining to the customer, including transactional records.

### **5.3 Private body records**

This includes but is not limited to the following:

- Financial records;
- Operational records;
- Databases;
- Information technology;
- Marketing records;
- Internal correspondence;
- Product records;
- Statutory records;
- Internal policies and procedures;
- Records held by officials of the private body.

#### **5.4 Other Parties**

The private body may possess records pertaining to other parties, including without limitation, contractors, suppliers, subsidiary/holding/sister companies, joint venture companies, service providers. Alternatively, such other parties may possess records which can be said to belong to the private body.

The following records fall under this category:

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

#### **5.5 Records Available in terms of other legislation**

The requestor may also request information which is available in terms of legislation, such as the following;

alienation of land act (68 of 1981)

basic conditions of employment act (75 of 1997)

companies act (61 of 1973)

compensation for occupational injuries & diseases act (130 of 1993)

employment equity act

financial services board act (97 of 1990)

Income tax act 58 of 1962

labour relations act (66 of 1995)

occupational health and safety act (85 of 1993)

promotion of equality and prevention of unfair discrimination act

regional services councils act (109 of 1985)

short term insurance act (53 of 1998)

skills development act (97 of 1998)

Skills Development Levies act (9 of 1999)

South African Qualifications Authority act (58 of 1995)



VAT act (89 of 1991)

The Information officer will take into considerations section 8 of the manual to decide on whether or not access to any of the information stated above should be given to the requester.

## 6 DECISION-MAKING PROCESS

- 6.1** In terms of Section 55, the information officer will take all reasonable steps to find a record that has been requested. If the record cannot be found or does not exist, the information officer must notify the requestor by way of affidavit or affirmation that it is not possible to give access to the record. This is deemed to be a refusal of the request. If, however, the record is later found, the requestor must be given access if the request would otherwise have been granted.
- 6.2** Section 56 provides that the information officer must within 30 days of receipt of a correctly completed request notify the requestor of the decision as to whether or not to grant the request. If the request is:
- **Granted:** the notification must state the applicable access fee required to be paid, together with the procedure to be followed should the requestor wish to apply to court against such fee, and the form in which access will be given.
  - **Declined:** the notification must include adequate reasons for the decision, together with the relevant provisions of the Act relied upon, and provide the procedure to be followed should the requestor wish to apply to court against the decision.
- 6.3** The information officer may extend the period of 30 days by a further period not exceeding 30 days if:
- the request is for a large number of records or requires a search through a large number of records;
  - the request requires a search for records located in a different office of the private body not situated in the same city;
  - consultation between divisions of the private body, or with another private body is required; or
  - the requestor consents to the extension.

The requestor must be notified within the initial 30 day period in writing of the extension, together with reasons therefor, and the procedure involved should the requestor wish to apply to court against the extension.

The information officer's failure to respond to the requestor within the 30 day period constitutes a deemed refusal of the request.

- 6.4** Section 59 provides that the information officer may sever a record and grant access only to that portion which the law does not prohibit access to.

If access is granted, access must be given in the form that is reasonably required by the requestor, or if the requestor has not identified a preference, in a form reasonably determined by the information officer.

## 7 THIRD PARTIES

If the request is for a record pertaining to a third party, the information officer must take all reasonable steps to inform that third party of the request. This must be done within 21 days of receipt of the request. The manner in which this is done must be in the fastest means reasonably possible, but if orally, the information officer must thereafter give the third party a written confirmation of the notification. The third party may within 21 days thereafter either make representation to the private body as to why the request should be refused, alternatively grant written consent to the disclosure of the record. The third party must be advised of the decision taken by the information officer on whether to grant or decline the request, and must also be advised of his/her/its right to appeal against the decision by way of application to court within 30 days after the notice.

## 8 GROUNDS FOR REFUSAL OF A REQUEST

Notwithstanding compliance with section 50, the request may be declined in accordance with one of the prescribed grounds in terms of the Act, namely:

- 8.1** Section 63 of the Act prohibits the unreasonable disclosure of the personal information of natural-person third parties to requestors. This includes the personal information of deceased persons. However Section 63(2) does provide exceptions to this.
- 8.2** Section 64 states that a request must be refused if it relates to records containing third party information pertaining to:
- trade secrets;
  - financial, commercial, scientific or technical information where disclosure would be likely to cause harm to the commercial or financial interests of that third party; or
  - information supplied 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 prejudice the third party in commercial competition.

The information must, however, be released if it pertains to the results of product or environmental testing, the disclosure of which would reveal a serious public safety or environmental risk.

- 8.3** Section 65 prohibits disclosure of information if such disclosure would constitute a breach of any duty of confidentiality owed to a third party in terms of an agreement.
- 8.4** In terms of section 66, a private body must refuse a request for access to a record of the body if disclosure could reasonably be expected to:
- endanger the life or physical safety of an individual;
  - prejudice or impair the security of a building, structure or system, including but not limited to a computer or communication system, means of transport or any other property
  - The private body may also refuse a request for access to information which would prejudice methods, systems, plans or procedures for the protection of an individual in accordance with a witness protection scheme or safety of the public.

**8.5** Section 67 mandates the refusal of a request if the record is privileged from production in legal proceedings, unless the person entitled to the privilege has waived the privilege.

**8.6** Section 68 pertains to records containing information about the private body itself and unlike the other provisions pertaining to decline of a request, is not mandatory, but rather discretionary. Budget may refuse access to a record if the record:

- contains trade secrets of Budget
- contains financial, commercial, scientific or technical information, the disclosure of which would be likely to cause harm to the commercial or financial interests of Budget
- contains information which, if disclosed, could reasonably be expected to put the private body at a disadvantage in contractual or other negotiations, or prejudice Budget in commercial competition; or
- consists of a computer program owned by Budget

Notwithstanding the above, the information must be released if it pertains to the results of product or environmental testing, the disclosure of which would reveal a serious public safety or environmental risk.

**8.7** Section 69 prohibits the disclosure of information about research where disclosure is likely to expose the third party, the person conducting the research on behalf of the third party, or the subject matter of the research to serious disadvantage. Disclosure is discretionary if such research pertains to Budget itself.

Notwithstanding any of the above-mentioned provisions, section 70 provides that a record must be disclosed if its disclosure would:

- reveal evidence of a substantial contravention of or failure to comply with the law, imminent and serious public safety or environmental risk; and
- if the public interest in the disclosure clearly outweighs the harm.

## 9 RIGHTS OF APPEAL

A requestor that is dissatisfied with the information officer's refusal to grant access to any information may, within 30 days of notification of the decision, apply to court for relief. Likewise, a third party dissatisfied with the information officer's decision to grant a request may, within 30 days of notification of the decision, apply to court for relief.

It should be noted that notwithstanding any provision in this Act, the court may examine the record(s) in question. No record may be withheld from the court on any grounds. The court may not, however, disclose the contents of the record(s).

The court is empowered to grant any order that is just and equitable, including:

- confirming, amending or setting aside the information officer's decision
- requiring the information officer to take any action, or refrain from taking any action as identified by the court within a specified period;
- granting an interdict, interim or special relief, declaratory order or compensation; or costs.

**ANNEXURE A****REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY – BUDGET  
INSURANCE BROKERS (PTY) LIMITED**

(Section 53(1) of the Promotion of Access to Information Act, 2000 (Act No 2 of 2000))

**A. Particulars of private body**

The Head:

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**B. Particulars of person requesting access to the record**

- (a) *The particulars of the person who requests access to the records must be recorded below.*

(b) *Furnish an address and/or fax number in the Republic to which information must be sent.*

(c) *Proof of the capacity in which the request is made, if applicable, must be attached.*

Full name and surname:

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Identity number:

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Postal Address:

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Telephone number: \_\_\_\_\_ Fax number: \_\_\_\_\_

E-mail address:

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Capacity in which request is made, when made on behalf of another person:

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**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:

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Identity number:

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**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:

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## 2. Reference number, if available:

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## 3. Any further particulars of record:

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**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 therefor.

Reason for exemption from payment of fees:

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**F. Form of access to record**

If you are prevented by a disability from reading, viewing or listening 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:
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>



**Mark the appropriate box with an "X"**

**NOTES:**

- (a) Your indication as to the required form of access depends 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

**A postal fee 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.***

Indicate which right is to be exercised or protected:

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

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**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 thereof 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?

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Signed at \_\_\_\_\_ this \_\_\_\_\_ day  
of \_\_\_\_\_ 2003

\_\_\_\_\_  
SIGNATURE OF REQUESTER/PERSON ON  
WHOSE BEHALF REQUEST IS MADE

**ANNEXURE B****FEES IN RESPECT OF PRIVATE BODIES**

1. The fee for a copy of this manual is R1,10 for every photocopy of an A4 size page or part thereof.
2. Where a private body has voluntarily provided the Minister with a list of categories of records that will automatically be made available to any person requesting access thereto, the only charge that may be levied for obtaining such records, will be a fee for reproduction of the record in question.

These fees for reproduction are as follows:

- |    |   |        |
|----|---|--------|
| a) | For every photocopy of an A4 size page or part thereof  | R 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. | R 0,75 |
| c) | For a copy in a computer readable form on –   |        |
|    | i) stiffy disc  | R 7,50 |
|    | ii) compact disc  | R70,00 |
| d) | i) For a transcription of visual images for an A4 size page or part thereof   | R40,00 |
|    | ii) For a copy of visual images   | R60,00 |
| e) | i) For a transcription of an audio record, for an A4 size page or part thereof  | R20,00 |
|    | ii) For a copy of an audio record   | R30,00 |
2. The **request fee** payable by a requester, other than a personal requester is R50,00.
  3. The **access fees** payable by a requester are as follows:
 

a)	For every photocopy of an A4 page or part thereof	R 1,10
b)	For every printed copy of an A4 size page or part thereof held on a computer or in electronic machine readable form	R 0,75
c)	For a copy in a computer readable form on –	
	i) stiffy disc	R 7,50
	ii) compact disc	R70,00
d)	i) For a transcription of visual images for an A4 size page or part thereof	R40,00
	ii) For a copy of visual images	

- e)
    - i) For a transcription of an audio record for an A4 size page or part thereof R20,00
    - ii) For a copy of an audio record R30,00
  - f) To search for and prepare a record that must be disclosed, R30,00 for each hour or part of an hour reasonably required for such search and preparation.
4. Where a private body receives a request for access to information held on a person other than the requester himself/herself and the information officer upon receipt of the request is of the opinion that the preparation of the required record for disclosure will take more than 6 (six) hours, a **deposit** is payable by the requester.
- One third of the access fee is payable as a deposit by the requester.
5. The actual postage is payable when a copy of a record must be posted to a requester.

**INFORMATION MANUAL  
FOR  
IS SERVICES PTY LIMITED  
("IS SERVICES")**

*In terms of section 51 of the Promotion of Access to Information Act  
Act 2 of 2000*

# 1 INTRODUCTION

Section 32 of the Constitution of the Republic of South Africa, No. 108 of 1996("the Constitution") provides:

- (1) Everyone has the right of access to –**
  - (a) any information held by the state; and**
  - (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 Promotion of Access to Information Act, 2 of 2000 ("the Act"), was enacted on 3 February 2002 to give effect to section 32 of the Constitution, that is giving effect to the constitutional right of access to any information held by the State and any information that is held by another person and that is required for the exercise or protection of any rights. Where a request is made in terms of this Act, the private or public body to whom the request is made is obliged to release the information, except where the Act expressly provides that the information must not be released. The Act sets out the requisite procedural issues attached to such request.

The act came into effect on 9 March 2001 with the exception of sections 10, 14, 16 and 51 which sections were brought into operation on 15 February 2002.

# 2 WHO MAY REQUEST INFORMATION IN TERMS OF THE ACT

Any person who requires information for the exercise or protection of any rights, may request information from a private body. Section 50 of the Act states that;

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

# 3 PROCEDURES FOR OBTAINING ACCESS

## 3.1 Contact Details

Any person who wishes to request any information from IS Services with the object of protecting or exercising a right may contact the information officer whose contact details are as follows;



**Postal Address**

The Information Officer  
IS Services  
P O Box 11250  
Johannesburg, 2000

**Physical address**

10 th Floor  
Cnr Barry Hertzog Avenue and Napier Road  
Richmond, Johannesburg, 2092

Tel: (011) 489-4000

Fax (011) 489-4335

e-mail address: accessinfo@is services.co.za

**3.2 Prescribed Access Form**

In terms of section 53, a request for access to a record of IS Services must be made in the prescribed form to IS Services at the address, fax number or electronic mail address given above. The form requires the requestor to provide the following information:

- sufficient information to enable the information officer to identify the requestor;
- sufficient information to enable the information officer to identify the record(s) requested;
- the form of access required;
- the requestor's postal address or fax number;
- identification of the right sought to be exercised or protected;
- an explanation on why the record is required to exercise or protect that right;
- the manner in which the requestor wishes to be informed of the decision on the request, if in a manner in addition to written notification; and
- if the request is made on behalf of a person, the submission of proof of the capacity in which the requestor makes the request, to the satisfaction of the information officer.

For a specimen of the request form see **ANNEXURE A** to the manual. Requestors please note that all of the information as listed above should be provided, failing which the process will be delayed while the private body requests such additional information. The prescribed time periods will not commence until all pertinent information has been furnished on the private body by the requestor.

### 3.3 Prescribed Fees

Payment of fees is regulated in terms of section 54 of the Act. The Regulations to the Act provide for two types of fees:

- Request fee: This is a non-refundable administration fee paid by all requestors with the exclusion of personal requestors. It is paid before the request is considered.
- Access fee: This is paid by all requestors only when access is granted. This fee is intended to re-imburse the private body for the costs involved in searching for a record and preparing it for delivery to the requestor.

IS Services may withhold a record until the request fee and the deposit (if applicable) have been paid. A schedule of the prescribed fees is attached as **ANNEXURE B** to the manual.

### 3.4 Requestor other than Personal Requestor

The information officer must give written notice to a requestor other than a personal requestor of the request fee and amount to be paid before the request may be further processed.

If in the information officer's opinion the search for a record, or preparation of the record for disclosure will require more than the prescribed hours, the information officer may require the requestor to pay a deposit, not being more than one third of the access fee that would be payable if the request is granted. If the request is declined, the deposit must be repaid to the requestor.

The notice given by the information officer must advise the requestor that s/he has a right to apply to court against the payment of the request fee or deposit, and also advise of the procedure of the application.

### 3.5 Personal Requestor

A personal requestor is described in terms of the Act as a requestor seeking access to a record containing information about the requestor.

A personal requestor is not liable to pay a request fee, is liable for payment of access fees in the event of a request being granted, but may not be required to pay a deposit before the granting of the record.

## 4 HUMAN RIGHTS COMMISSION GUIDELINE

In terms of section 10 of the Act, the Human Rights Commission must compile a guide by 14 August 2003. This guide is intended to assist users in the interpretation of the Act. The guide will contain a description of the objects of the Act, the contact details of the information officers of all the public bodies, particulars of the public bodies, the manner of access to the records of those public bodies and the remedies available in law regarding a breach of any of the provisions of the Act.

The South African Human Rights Commission's contact details are as follows;

Private Bag 2700  
Houghton  
2041  
Tel: 011 484 8300  
Fax 011 4841360

## **5 TYPES OF RECORDS**

The requestor may request access to the following types of documents;

### **5.1 Personnel Records**

These include;

- Any personal records provided to the private body by their personnel;
- Any records a third party has provided to the private body about any of their personnel;
- Conditions of employment and other personnel-related contractual and quasi-legal records;
- Internal evaluation records; and
- Other internal records and correspondence.

### **5.2 Customer-related records**

A customer includes any natural or juristic entity who receives services from the private body. Customer-related information includes the following:

- Any records a customer has provided to a third party acting for or on behalf of the private body;
- Any records a third party has provided to the private body; and
- Records generated by or within the private body pertaining to the customer, including transactional records.

### **5.3 Private body records**

This includes but is not limited to the following:

- Financial records;
- Operational records;
- Databases;
- Information technology;
- Marketing records;
- Internal correspondence;
- Product records;
- Statutory records;
- Internal policies and procedures; and
- Records held by officials of the private body.

#### **5.4 Other Parties**

The private body may possess records pertaining to other parties, including without limitation, contractors, suppliers, subsidiary/holding/sister companies, joint venture companies, service providers. Alternatively, such other parties may possess records which can be said to belong to the private body.

The following records fall under this category:

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

#### **5.6 Records Available in terms of other legislation**

The requestor may also request information which is available in terms of legislation, such as the following;

alienation of land act (68 of 1981)

basic conditions of employment act (75 of 1997)

companies act (61 of 1973)

compensation for occupational injuries & diseases act (130 of 1993)

employment equity act

financial services board act (97 of 1990)

Income tax act 58 of 1962

labour relations act (66 of 1995)

occupational health and safety act (85 of 1993)

promotion of equality and prevention of unfair discrimination act

regional services councils act (109 of 1985)

short term insurance act (53 of 1998)

skills development act (97 of 1998)

Skills Development Levies act (9 of 1999)

South African Qualifications Authority act (58 of 1995)

**VAT act (89 of 1991)**

The Information officer will take into considerations section 8 of the manual to decide on whether or not access to any of the information stated above should be given to the requester.

**6 DECISION-MAKING PROCESS**

- 6.1** In terms of Section 55, the information officer will take all reasonable steps to find a record that has been requested. If the record cannot be found or does not exist, the information officer must notify the requestor by way of affidavit or affirmation that it is not possible to give access to the record. This is deemed to be a refusal of the request. If, however, the record is later found, the requestor must be given access if the request would otherwise have been granted.
- 6.2** Section 56 provides that the information officer must within 30 days of receipt of a correctly completed request notify the requestor of the decision as to whether or not to grant the request. If the request is:
- **Granted:** the notification must state the applicable access fee required to be paid, together with the procedure to be followed should the requestor wish to apply to court against such fee, and the form in which access will be given.
  - **Declined:** the notification must include adequate reasons for the decision, together with the relevant provisions of the Act relied upon, and provide the procedure to be followed should the requestor wish to apply to court against the decision.
- 6.3** The information officer may extend the period of 30 days by a further period not exceeding 30 days if:
- the request is for a large number of records or requires a search through a large number of records;
  - the request requires a search for records located in a different office of the private body not situated in the same city;
  - consultation between divisions of the private body, or with another private body is required; or
  - the requestor consents to the extension.

The requestor must be notified within the initial 30 day period in writing of the extension, together with reasons therefor, and the procedure involved should the requestor wish to apply to court against the extension.

The information officer's failure to respond to the requestor within the 30 day period constitutes a deemed refusal of the request.

- 6.4** Section 59 provides that the information officer may sever a record and grant access only to that portion which the law does not prohibit access to.

If access is granted, access must be given in the form that is reasonably required by the requestor, or if the requestor has not identified a preference, in a form reasonably determined by the information officer.



## 7 THIRD PARTIES

If the request is for a record pertaining to a third party, the information officer must take all reasonable steps to inform that third party of the request. This must be done within 21 days of receipt of the request. The manner in which this is done must be in the fastest means reasonably possible, but if orally, the information officer must thereafter give the third party a written confirmation of the notification. The third party may within 21 days thereafter either make representation to the private body as to why the request should be refused, alternatively grant written consent to the disclosure of the record. The third party must be advised of the decision taken by the information officer on whether to grant or decline the request, and must also be advised of his/her/its right to appeal against the decision by way of application to court within 30 days after the notice.

## 8 GROUNDS FOR REFUSAL OF A REQUEST

Notwithstanding compliance with section 50, the request may be declined in accordance with one of the prescribed grounds in terms of the Act, namely:

- 8.1** Section 63 of the Act prohibits the unreasonable disclosure of the personal information of natural-person third parties to requestors. This includes the personal information of deceased persons. However Section 63(2) does provide exceptions to this.
- 8.2** Section 64 states that a request must be refused if it relates to records containing third party information pertaining to:
- trade secrets;
  - financial, commercial, scientific or technical information where disclosure would be likely to cause harm to the commercial or financial interests of that third party; or
  - information supplied 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 prejudice the third party in commercial competition.

The information must, however, be released if it pertains to the results of product or environmental testing, the disclosure of which would reveal a serious public safety or environmental risk.

- 8.3** Section 65 prohibits disclosure of information if such disclosure would constitute a breach of any duty of confidentiality owed to a third party in terms of an agreement.
- 8.4** In terms of section 66, a private body must refuse a request for access to a record of the body if disclosure could reasonably be expected to:
- endanger the life or physical safety of an individual;
  - prejudice or impair the security of a building, structure or system, including but not limited to a computer or communication system, means of transport or any other property
  - The private body may also refuse a request for access to information which would prejudice methods, systems, plans or procedures for the protection of an individual in accordance with a witness protection scheme or safety of the public.



- 8.5 Section 67 mandates the refusal of a request if the record is privileged from production in legal proceedings, unless the person entitled to the privilege has waived the privilege.
- 8.6 Section 68 pertains to records containing information about the private body itself and unlike the other provisions pertaining to decline of a request, is not mandatory, but rather discretionary. IS Services may refuse access to a record if the record:
- contains trade secrets of IS Services
  - contains financial, commercial, scientific or technical information, the disclosure of which would be likely to cause harm to the commercial or financial interests of IS Services
  - contains information which, if disclosed, could reasonably be expected to put the private body at a disadvantage in contractual or other negotiations, or prejudice IS Services in commercial competition; or
  - consists of a computer program owned by IS Services

Notwithstanding the above, the information must be released if it pertains to the results of product or environmental testing, the disclosure of which would reveal a serious public safety or environmental risk.

- 8.7 Section 69 prohibits the disclosure of information about research where disclosure is likely to expose the third party, the person conducting the research on behalf of the third party, or the subject matter of the research to serious disadvantage. Disclosure is discretionary if such research pertains to IS Services itself.

Notwithstanding any of the above-mentioned provisions, section 70 provides that a record must be disclosed if its disclosure would:

- reveal evidence of a substantial contravention of or failure to comply with the law, imminent and serious public safety or environmental risk; and
- if the public interest in the disclosure clearly outweighs the harm.

## 9 RIGHTS OF APPEAL

A requestor that is dissatisfied with the information officer's refusal to grant access to any information may, within 30 days of notification of the decision, apply to court for relief. Likewise, a third party dissatisfied with the information officer's decision to grant a request may, within 30 days of notification of the decision, apply to court for relief.

It should be noted that notwithstanding any provision in this Act, the court may examine the record(s) in question. No record may be withheld from the court on any grounds. The court may not, however, disclose the contents of the record(s).

The court is empowered to grant any order that is just and equitable, including:

- confirming, amending or setting aside the information officer's decision
- requiring the information officer to take any action, or refrain from taking any action as identified by the court within a specified period;
- granting an interdict, interim or special relief, declaratory order or compensation; or costs.

**ANNEXURE A****REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY – IS  
SERVICES (PTY) LIMITED**

(Section 53(1) of the Promotion of Access to Information Act, 2000 (Act No 2 of 2000))

**A. Particulars of private body**

The Head:

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**B. Particulars of person requesting access to the record**

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

Full name and surname:

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Identity number:

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Postal Address:

---

---

Telephone number: \_\_\_\_\_ Fax number: \_\_\_\_\_

E-mail address:

---

Capacity in which request is made, when made on behalf of another person:

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**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:

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## 2. Reference number, if available:

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## 3. Any further particulars of record:

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**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 therefor.*

Reason for exemption from payment of fees:

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**F. Form of access to record**

If you are prevented by a disability from reading, viewing or listening 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:

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Form in which record is required:

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**Mark the appropriate box with an "X"**

**NOTES:**

- (a) Your indication as to the required form of access depends 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"/>	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"/>	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?

YES NO

**A postal fee 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.***

Indicate which right is to be exercised or protected:

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

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**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 thereof 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?

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Signed at \_\_\_\_\_ this \_\_\_\_\_ day  
of \_\_\_\_\_ 2003

\_\_\_\_\_  
SIGNATURE OF REQUESTER/PERSON ON  
WHOSE BEHALF REQUEST IS MADE



**ANNEXURE B****FEES IN RESPECT OF PRIVATE BODIES**

1. The fee for a copy of this manual is R1,10 for every photocopy of an A4 size page or part thereof.
2. Where a private body has voluntarily provided the Minister with a list of categories of records that will automatically be made available to any person requesting access thereto, the only charge that may be levied for obtaining such records, will be a fee for reproduction of the record in question.

These fees for reproduction are as follows:

- |    |   |        |
|----|---|--------|
| a) | For every photocopy of an A4 size page or part thereof  | R 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. | R 0,75 |
| c) | For a copy in a computer readable form on –   |        |
|    | i) stiffy disc  | R 7,50 |
|    | ii) compact disc  | R70,00 |
| d) | i) For a transcription of visual images for an A4 size page or part thereof   | R40,00 |
|    | ii) For a copy of visual images   | R60,00 |
| e) | i) For a transcription of an audio record, for an A4 size page or part thereof  | R20,00 |
|    | ii) For a copy of an audio record   | R30,00 |
2. The **request fee** payable by a requester, other than a personal requester is R50,00.
  3. The **access fees** payable by a requester are as follows:

a)	For every photocopy of an A4 page or part thereof	R 1,10
b)	For every printed copy of an A4 size page or part thereof held on a computer or in electronic machine readable form	R 0,75
c)	For a copy in a computer readable form on –	
	i) stiffy disc	R 7,50
	ii) compact disc	R70,00
d)	i) For a transcription of visual images for an A4 size page or part thereof	R40,00
	ii) For a copy of visual images	

- |    |   |  |        |
|----|---|--|--------|
| e) | i)  | For a transcription of an audio record for an A4 size page or part thereof | R20,00 |
|    | ii)   | For a copy of an audio record  | R30,00 |
| f) | To search for and prepare a record that must be disclosed, R30,00 for each hour or part of an hour reasonably required for such search and preparation. |  |        |
4. Where a private body receives a request for access to information held on a person other than the requester himself/herself and the information officer upon receipt of the request is of the opinion that the preparation of the required record for disclosure will take more than 6 (six) hours, a **deposit** is payable by the requester.
- One third of the access fee is payable as a deposit by the requester.
5. The actual postage is payable when a copy of a record must be posted to a requester.

**INFORMATION MANUAL  
FOR  
TELESURE INVESTMENT HOLDINGS (PTY) LIMITED  
("TELESURE")**

*In terms of section 51 of the Promotion of Access to Information Act  
Act 2 of 2000*

# 1 INTRODUCTION

Section 32 of the Constitution of the Republic of South Africa, No. 108 of 1996 ("the Constitution") provides:

- (1) Everyone has the right of access to –**
  - (a) any information held by the state; and**
  - (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 Promotion of Access to Information Act, 2 of 2000 ("the Act"), was enacted on 3 February 2002 to give effect to section 32 of the Constitution, that is giving effect to the constitutional right of access to any information held by the State and any information that is held by another person and that is required for the exercise or protection of any rights. Where a request is made in terms of this Act, the private or public body to whom the request is made is obliged to release the information, except where the Act expressly provides that the information must not be released. The Act sets out the requisite procedural issues attached to such request.

The act came into effect on 9 March 2001 with the exception of sections 10, 14, 16 and 51 which sections were brought into operation on 15 February 2002.

## 2 WHO MAY REQUEST INFORMATION IN TERMS OF THE ACT

Any person who requires information for the exercise or protection of any rights, may request information from a private body. Section 50 of the Act states that;

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

## 3 PROCEDURES FOR OBTAINING ACCESS

### 3.1 Contact Details

Any person who wishes to request any information from Telesure with the object of protecting or exercising a right may contact the information officer whose contact details are as follows;

Postal Address

The Information Officer  
Telesure Investment Holdings (Pty) Limited  
P O Box 11250  
Johannesburg, 2000

Physical address

10 th Floor  
Cnr Barry Hertzog Avenue and Napier Road  
Richmond, Johannesburg, 2092

Tel: (011) 489-4000  
Fax (011) 489-4335

**3.2 Prescribed Access Form**

In terms of section 53, a request for access to a record of Telesure must be made in the prescribed form to Telesure at the address, fax number or electronic mail address given above. The form requires the requestor to provide the following information:

- sufficient information to enable the information officer to identify the requestor;
- sufficient information to enable the information officer to identify the record(s) requested;
- the form of access required;
- the requestor's postal address or fax number;
- identification of the right sought to be exercised or protected;
- an explanation on why the record is required to exercise or protect that right;
- the manner in which the requestor wishes to be informed of the decision on the request, if in a manner in addition to written notification; and
- if the request is made on behalf of a person, the submission of proof of the capacity in which the requestor makes the request, to the satisfaction of the information officer.

For a specimen of the request form see **ANNEXURE A** to the manual. Requestors please note that all of the information as listed above should be provided, failing which the process will be delayed while the private body requests such additional information. The prescribed time periods will not commence until all pertinent information has been furnished on the private body by the requestor.

### **3.3 Prescribed Fees**

Payment of fees is regulated in terms of section 54 of the Act. The Regulations to the Act provide for two types of fees:

- Request fee: This is a non-refundable administration fee paid by all requestors with the exclusion of personal requestors. It is paid before the request is considered.
- Access fee: This is paid by all requestors only when access is granted. This fee is intended to re-imburse the private body for the costs involved in searching for a record and preparing it for delivery to the requestor.

Telesure may withhold a record until the request fee and the deposit (if applicable) have been paid. A schedule of the prescribed fees is attached as **ANNEXURE B** to the manual.

### **3.4 Requestor other than Personal Requestor**

The information officer must give written notice to a requestor other than a personal requestor of the request fee and amount to be paid before the request may be further processed.

If in the information officer's opinion the search for a record, or preparation of the record for disclosure will require more than the prescribed hours, the information officer may require the requestor to pay a deposit, not being more than one third of the access fee that would be payable if the request is granted. If the request is declined, the deposit must be repaid to the requestor.

The notice given by the information officer must advise the requestor that s/he has a right to apply to court against the payment of the request fee or deposit, and also advise of the procedure of the application.

### **3.5 Personal Requestor**

A personal requestor is described in terms of the Act as a requestor seeking access to a record containing information about the requestor.

A personal requestor is not liable to pay a request fee, is liable for payment of access fees in the event of a request being granted, but may not be required to pay a deposit before the granting of the record.

## **4 HUMAN RIGHTS COMMISSION GUIDELINE**

In terms of section 10 of the Act, the Human Rights Commission must compile a guide by 14 August 2003. This guide is intended to assist users in the interpretation of the Act. The guide will contain a description of the objects of the Act, the contact details of the information officers of all the public bodies, particulars of the public bodies, the manner of access to the records of those public bodies and the remedies available in law regarding a breach of any of the provisions of the Act.



The South African Human Rights Commission's contact details are as follows;

Private Bag 2700

Houghton

2041

Tel: 011 484 8300

Fax 011 4841360

## **5 TYPES OF RECORDS**

The requestor may request access to the following types of documents;

### **5.1 Personnel Records**

These include;

- Any personal records provided to the private body by their personnel;
- Any records a third party has provided to the private body about any of their personnel;
- Conditions of employment and other personnel-related contractual and quasi-legal records;
- Internal evaluation records; and
- Other internal records and correspondence.

### **5.2 Customer-related records**

A customer includes any natural or juristic entity who receives services from the private body. Customer-related information includes the following:

- Any records a customer has provided to a third party acting for or on behalf of the private body;
- Any records a third party has provided to the private body; and
- Records generated by or within the private body pertaining to the customer, including transactional records.

### **5.3 Private body records**

This includes but is not limited to the following:

- Financial records;
- Operational records;
- Databases;
- Information technology;
- Marketing records;
- Internal correspondence;
- Product records;
- Statutory records;
- Internal policies and procedures;
- Treasury-related records;
- Securities and equities; and
- Records held by officials of the private body.

#### **5.4 Other Parties**

The private body may possess records pertaining to other parties, including without limitation, contractors, suppliers, subsidiary/holding/sister companies, joint venture companies, service providers. Alternatively, such other parties may possess records which can be said to belong to the private body.

The following records fall under this category:

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

#### **5.5 Records Available in terms of other legislation**

The requestor may also request information which is available in terms of legislation, such as the following;

alienation of land act (68 of 1981)

basic conditions of employment act (75 of 1997)

companies act (61 of 1973)

compensation for occupational injuries & diseases act (130 of 1993)

employment equity act

financial services board act (97 of 1990)

Income tax act 58 of 1962

labour relations act (66 of 1995)

occupational health and safety act (85 of 1993)

promotion of equality and prevention of unfair discrimination act

regional services councils act (109 of 1985)

short term insurance act (53 of 1998)

skills development act (97 of 1998)

Skills Development Levies act (9 of 1999)

South African Qualifications Authority act (58 of 1995)

**VAT act (89 of 1991)**

The Information officer will take into considerations section 8 of the manual to decide on whether or not access to any of the information stated above should be given to the requester.

**6 DECISION-MAKING PROCESS**

**6.1** In terms of Section 55, the information officer will take all reasonable steps to find a record that has been requested. If the record cannot be found or does not exist, the information officer must notify the requestor by way of affidavit or affirmation that it is not possible to give access to the record. This is deemed to be a refusal of the request. If, however, the record is later found, the requestor must be given access if the request would otherwise have been granted.

**6.2** Section 56 provides that the information officer must within 30 days of receipt of a correctly completed request notify the requestor of the decision as to whether or not to grant the request. If the request is:

- **Granted:** the notification must state the applicable access fee required to be paid, together with the procedure to be followed should the requestor wish to apply to court against such fee, and the form in which access will be given.
- **Declined:** the notification must include adequate reasons for the decision, together with the relevant provisions of the Act relied upon, and provide the procedure to be followed should the requestor wish to apply to court against the decision.

**6.3** The information officer may extend the period of 30 days by a further period not exceeding 30 days if:

- the request is for a large number of records or requires a search through a large number of records;
- the request requires a search for records located in a different office of the private body not situated in the same city;
- consultation between divisions of the private body, or with another private body is required; or
- the requestor consents to the extension.

The requestor must be notified within the initial 30 day period in writing of the extension, together with reasons therefor, and the procedure involved should the requestor wish to apply to court against the extension.

The information officer's failure to respond to the requestor within the 30 day period constitutes a deemed refusal of the request.

**6.4** Section 59 provides that the information officer may sever a record and grant access only to that portion which the law does not prohibit access to.

If access is granted, access must be given in the form that is reasonably required by the requestor, or if the requestor has not identified a preference, in a form reasonably determined by the information officer.

## 7 THIRD PARTIES

If the request is for a record pertaining to a third party, the information officer must take all reasonable steps to inform that third party of the request. This must be done within 21 days of receipt of the request. The manner in which this is done must be in the fastest means reasonably possible, but if orally, the information officer must thereafter give the third party a written confirmation of the notification. The third party may within 21 days thereafter either make representation to the private body as to why the request should be refused, alternatively grant written consent to the disclosure of the record. The third party must be advised of the decision taken by the information officer on whether to grant or decline the request, and must also be advised of his/her/its right to appeal against the decision by way of application to court within 30 days after the notice.

## 8 GROUNDS FOR REFUSAL OF A REQUEST

Notwithstanding compliance with section 50, the request may be declined in accordance with one of the prescribed grounds in terms of the Act, namely:

- 8.1 Section 63 of the Act prohibits the unreasonable disclosure of the personal information of natural-person third parties to requestors. This includes the personal information of deceased persons. However Section 63(2) does provide exceptions to this.
- 8.2 Section 64 states that a request must be refused if it relates to records containing third party information pertaining to:
- trade secrets;
  - financial, commercial, scientific or technical information where disclosure would be likely to cause harm to the commercial or financial interests of that third party; or
  - information supplied 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 prejudice the third party in commercial competition.

The information must, however, be released if it pertains to the results of product or environmental testing, the disclosure of which would reveal a serious public safety or environmental risk.

- 8.3 Section 65 prohibits disclosure of information if such disclosure would constitute a breach of any duty of confidentiality owed to a third party in terms of an agreement.
- 8.4 In terms of section 66, a private body must refuse a request for access to a record of the body if disclosure could reasonably be expected to:
- endanger the life or physical safety of an individual;
  - prejudice or impair the security of a building, structure or system, including but not limited to a computer or communication system, means of transport or any other property
  - The private body may also refuse a request for access to information which would prejudice methods, systems, plans or procedures for the protection of an individual in accordance with a witness protection scheme or safety of the public.

- 8.5** Section 67 mandates the refusal of a request if the record is privileged from production in legal proceedings, unless the person entitled to the privilege has waived the privilege.
- 8.6** Section 68 pertains to records containing information about the private body itself and unlike the other provisions pertaining to decline of a request, is not mandatory, but rather discretionary. Telesure may refuse access to a record if the record:
- contains trade secrets of Telesure
  - contains financial, commercial, scientific or technical information, the disclosure of which would be likely to cause harm to the commercial or financial interests of Telesure
  - contains information which, if disclosed, could reasonably be expected to put the private body at a disadvantage in contractual or other negotiations, or prejudice Telesure in commercial competition; or
  - consists of a computer program owned by Telesure

Notwithstanding the above, the information must be released if it pertains to the results of product or environmental testing, the disclosure of which would reveal a serious public safety or environmental risk.

- 8.7** Section 69 prohibits the disclosure of information about research where disclosure is likely to expose the third party, the person conducting the research on behalf of the third party, or the subject matter of the research to serious disadvantage. Disclosure is discretionary if such research pertains to Telesure itself.

Notwithstanding any of the above-mentioned provisions, section 70 provides that a record must be disclosed if its disclosure would:

- reveal evidence of a substantial contravention of or failure to comply with the law, imminent and serious public safety or environmental risk; and
- if the public interest in the disclosure clearly outweighs the harm.

## 9 RIGHTS OF APPEAL

A requestor that is dissatisfied with the information officer's refusal to grant access to any information may, within 30 days of notification of the decision, apply to court for relief. Likewise, a third party dissatisfied with the information officer's decision to grant a request may, within 30 days of notification of the decision, apply to court for relief.

It should be noted that notwithstanding any provision in this Act, the court may examine the record(s) in question. No record may be withheld from the court on any grounds. The court may not, however, disclose the contents of the record(s).

The court is empowered to grant any order that is just and equitable, including:

- confirming, amending or setting aside the information officer's decision
- requiring the information officer to take any action, or refrain from taking any action as identified by the court within a specified period;
- granting an interdict, interim or special relief, declaratory order or compensation; or costs.

**ANNEXURE A****REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY – TELESURE INVESTMENT HOLDINGS (PTY) LIMITED**

(Section 53(1) of the Promotion of Access to Information Act, 2000 (Act No 2 of 2000)

**A. Particulars of private body**

The Head:

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**B. Particulars of person requesting access to the record**

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



Full name and surname:

---

---

Identity number:

---

Postal Address:

---

---

Telephone number: \_\_\_\_\_ Fax 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:

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## 2. Reference number, if available:

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## 3. Any further particulars of record:

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## 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 therefor.*

Reason for exemption from payment of fees:

---



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## F. Form of access to record

If you are prevented by a disability from reading, viewing or listening 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:
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>

**Mark the appropriate box with an "X"**

**NOTES:**

- (a) Your indication as to the required form of access depends on the form in which the record is available.
- (b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.
- (c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

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

	Copy of record*		Inspection of record
--	-----------------	--	----------------------

**2. If record consists of visual images:**

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

	View the images		Copy of the images*		Transcription of the images*
--	-----------------	--	---------------------	--	------------------------------

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

	Listen to the soundtrack (audio cassette)		Transcription of soundtrack* (written or printed document)
--	--	--	---

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

	Printed copy of record		Printed copy of information derived from the record*		Copy in computer readable form* (stiffy or compact disc)
--	------------------------	--	--	--	--

\*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you?

**A postal fee is payable.**

YES

NO

**G. Particulars of right to be exercised or protected:**

If the provided space is inadequate please continue on a separate folio and attach it to this form.

***The requester must sign all the additional folios.***

Indicate which right is to be exercised or protected:

---

---

---

---

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

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**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 thereof 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 \_\_\_\_\_ 2003

\_\_\_\_\_  
SIGNATURE OF REQUESTER/PERSON ON  
WHOSE BEHALF REQUEST IS MADE

**ANNEXURE B****FEES IN RESPECT OF PRIVATE BODIES**

1. The fee for a copy of this manual is R1,10 for every photocopy of an A4 size page or part thereof.
2. Where a private body has voluntarily provided the Minister with a list of categories of records that will automatically be made available to any person requesting access thereto, the only charge that may be levied for obtaining such records, will be a fee for reproduction of the record in question.

These fees for reproduction are as follows:

- |    |   |        |
|----|---|--------|
| a) | For every photocopy of an A4 size page or part thereof  | R 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. | R 0,75 |
| c) | For a copy in a computer readable form on –   |        |
|    | i) stiffy disc  | R 7,50 |
|    | ii) compact disc  | R70,00 |
| d) | i) For a transcription of visual images for an A4 size page or part thereof   | R40,00 |
|    | ii) For a copy of visual images   | R60,00 |
| e) | i) For a transcription of an audio record, for an A4 size page or part thereof  | R20,00 |
|    | ii) For a copy of an audio record   | R30,00 |
2. The **request fee** payable by a requester, other than a personal requester is R50,00.
  3. The **access fees** payable by a requester are as follows:
 

a)	For every photocopy of an A4 page or part thereof	R 1,10
b)	For every printed copy of an A4 size page or part thereof held on a computer or in electronic machine readable form	R 0,75
c)	For a copy in a computer readable form on –	
	i) stiffy disc	R 7,50
	ii) compact disc	R70,00
d)	i) For a transcription of visual images for an A4 size page or part thereof	R40,00
	ii) For a copy of visual images	

- e)
    - i) For a transcription of an audio record for an A4 size page or part thereof R20,00
    - ii) For a copy of an audio record R30,00
  - f) To search for and prepare a record that must be disclosed, R30,00 for each hour or part of an hour reasonably required for such search and preparation.
4. Where a private body receives a request for access to information held on a person other than the requester himself/herself and the information officer upon receipt of the request is of the opinion that the preparation of the required record for disclosure will take more than 6 (six) hours, a **deposit** is payable by the requester.
- One third of the access fee is payable as a deposit by the requester.
5. The actual postage is payable when a copy of a record must be posted to a requester.



## SECTION 51 MANUAL FOR VISICARE Pty (LTD)

### Reg number: 1996004553/07

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## **2. PARTICULARS IN TERMS OF SECTION 51**

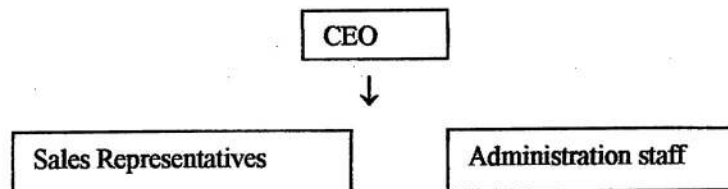
### **A. The functions and structure of the VISICARE Pty (LTD) [Section 51.(1)(a)]**

#### **i. The functions of the VISICARE Pty (LTD)**

As an ophthalmic distributive company provide a service to the ophthalmic field in regards to

- (a) Ophthalmic surgical equipment
- (b) Information on surgical techniques
- (c) Wide range of ophthalmic products

#### **ii. A schematic diagram of the structure of VISICARE Pty (LTD)**



#### **iii The structure of the VISICARE Pty (LTD)**

VISICARE Pty (LTD) consists of offices that is situated in Gauteng

VISICARE Pty (LTD) is made up of a CEO Mr. D van Wyk

The Full Time Administrative staff is Me CE Barnardo, Mrs. A.E. Savva and Mr. S Dhlamini and Sales Representatives Mr. A. Thompson, Mr. C. Small, Mrs. F Green,

### **B. Contact details [Section 51(1)(a)]**

#### **Information officer:**

Mr. D van Wyk – CEO [deonvanwyk@visicare.co.za](mailto:deonvanwyk@visicare.co.za)

#### **Deputy information officer:**

Me CE Barnardo – Administration [carolb@visicare.co.za](mailto:carolb@visicare.co.za)

**General information:**

Address : 269 Beyers Naude Ave  
Visiomed Office Park  
Building NO.5  
Cresta  
Johannesburg

Postal address : PO Box 1010  
Cresta  
2118

Telephone : +27 11 478 - 3431  
Fax : +27 11 478 - 0524  
General enquiries : [deonvanwyk@visicare.co.za](mailto:deonvanwyk@visicare.co.za)

**C. The section 10 Guide on how to use the Act [Section 51(1)(b)]**

The guide will be available from the South African Human Rights Commission.

**D. Access to the records held by VISICARE Pty (LTD) [Section 51(1)(c)]****i. Automatic disclosures [Section 51(1)(c)]**

A notice in terms of section 52(1) describes the categories of records of the bodies that are available without a person having to request access in terms of the Act.

**Voluntary disclosures:**

1. Booklets
2. Pamphlets
3. Posters
4. Newsletters

**ii. Records that may be requested [Sections 51(1)(d)]****Description of the subjects and categories of records held by VISICARE Pty (LTD):****1. PHARMACY RECORDS****2. FINANCE AND ADMINISTRATION****1. HUMAN RESOURCES**

- Policies on staff recruitment and other staff related policies
- Employment records and other related policies

**2. PROCUREMENT**

- Asset register

**3. FINANCIAL MANAGEMENT**

- Budgets
- Strategic plans

### **3. DIRECTORS**

1. Minutes of meetings of Directors and senior management
2. Records of workshops and conferences attended

#### **iii. The request procedures**

Reference: Chapter 3 on the Promotion of access to information act

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

# CVT TRUST

((REG NO. IT 1808/98), (EN COMMANDITE PARTNER))

Tel +27-(0)11- 957-2000 Fax +27-(0)11- 957-2020 Email [tonder@xsinet.co.za](mailto:tonder@xsinet.co.za)

PO BOX 961, MULDERSDRIFT, 1747

----- TAX SPECIALISTS - ACCOUNTING - BUSINESS SOLUTIONS - ESTATES -----

**(TRUSTEE & HEAD) CHRIS VAN TONDER**  
PLOT 305, RIETFontein 189 IQ, DIST KRUGERSDORP

CVT TRUST is a private body as contemplated in the Act

A request in terms of the Act will be considered by CVT TRUST upon receipt by CVT TRUST of the duly completed prescribed form per Regulation 10 i.t.o. sec 53(1) of the ACT (**FORM C**) The form must be completed in either English or Afrikaans ;

The form will inter alia require you to specify:

- ☐ particulars of requester and person on whose behalf request is made
- ☐ particulars of the record
- ☐ the form of access required -(which form might not be available to you)
- ☐ particulars of right to be exercised or protected and give a detailed explanation why the record is needed.

(FORM C can be obtained from CVT TRUST at the prescribed fee(s) should you require)

I.t.o. sec 10 of the Act the Human Rights Commission(HRC) will compile a guide containing inter alia in each official language:

- ☐ what the objects of the Act are
- ☐ particulars of every private body as are practicable
- ☐ the manner and form required to make a request
- ☐ any assistance available by information officers of public bodies & HRC
- ☐ how to get access to the manual of a private body
- ☐ all (sic) remedies available in law to you.

The guide to be published in the *Government Gazette* should be available for inspection by you at the offices of the HRC who can be contacted at, tel: 011 484 8300; fax 011 484 7146; [www.sahrc.org.za](http://www.sahrc.org.za) ([www.sahrc.org.za](http://www.sahrc.org.za))

Records which are automatically available without a request for access in terms of the Act being necessary are:

- ☐ List of companies & close corporations who use the offices of CVT TRUST as their registered address (to be viewed only).
- ☐ This manual ( to be viewed only)

**NO OTHER RECORDS/ INFORMATION IS FREELY AVAILABLE WITHOUT A REQUESTER HAVING TO REQUEST ACCESS IN TERMS OF THE ACT AND PAY THE PRESCRIBED FEE(S) AND THE HEAD OF CVT TRUST APPROVING AND GRANTING ACCESS.**

## GROUND FOR REFUSAL OF ACCESS TO RECORDS

Sec 62 to 69 of the Act specify some grounds for refusal to access which are:

- ☐ Mandatory protection of privacy of a third party who is a natural person or its deceased estate.
- ☐ Mandatory protection of privileged records subject to legal proceedings.
- ☐ Certain commercial information of any private body
- ☐ Mandatory protection of research information of third party and any private body.

Apart from the above grounds there are or may be other grounds for refusal of access to records or parts thereof and CVT TRUST reserves all its rights

A non exhaustive list of other legislation in terms whereof or how records are kept where applicable from time to time (if any) are:

- ☐ Administration of Estates Act 66 of 1965
- ☐ Arbitration Act 42 of 1965
- ☐ Basic Conditions of Employment Act 75 of 1997/ Sectoral determinations
- ☐ Bills of Exchange Act 34 of 1964
- ☐ Close Corporations Act 69 of 1985
- ☐ Companies Act 61 of 1973
- ☐ Compensation for Occupational Injuries and Diseases Act 130 of 1993
- ☐ Customs and Excise Act 91 of 1964
- ☐ Electronic Communications and Transactions Act 25 of 2002
- ☐ Employment Equity Act 55 of 1998
- ☐ Estate Duty Act 45 of 1955
- ☐ Financial Intelligence Centre Act 38 of 2001
- ☐ Financial Advisory and Intermediary Services Act 37 of 2002
- ☐ Income Tax Act 58 of 1962
- ☐ Insolvency Act 24 of 1936
- ☐ Labour Relations Act 66 of 1995
- ☐ Occupational Health and Safety Act 85 of 1993
- ☐ Prevention of Organised Crime 121 of 1998
- ☐ Price Control Act 25 of 1964
- ☐ Regional Services Councils Act 109 of 1985
- ☐ Skills Development Act 97 of 1998
- ☐ Skills Development Levy Act 9 of 1999
- ☐ Stamp Duties Act 77 of 1968
- ☐ Trust Property Control Act 57 of 1988
- ☐ Unemployment Insurance Contributions Act 4 of 2002
- ☐ Unemployment Insurance Act 63 of 2001 and 30 of 1966
- ☐ Value Added Tax 89 of 1991

Subjects on which records are held resort under "OWN RECORDS" and "CLIENT/OTHER PERSONS RECORDS" and resort under the following types:

#### OWN RECORDS

- ☐ accounting, commercial & financial
- ☐ compliance
- ☐ created & generated, notes, letters, etc.
- ☐ human resources and related matters
- ☐ new technology
- ☐ operational/ technology
- ☐ research/ reference
- ☐ stakeholders ie shareholder/ member /owner/ trustee/ partner
- ☐ strategy ,marketing & advertising
- ☐ third party records subject to a lien or hypothecate

#### CLIENT / OTHER PERSONS RECORDS

- ☐ accounting, commercial & financial
- ☐ compliance
- ☐ created & generated, notes, letters, etc.
- ☐ human resources and related matters
- ☐ new technology
- ☐ operational/ technology
- ☐ personal records/ items belonging to staff
- ☐ research/ reference
- ☐ stakeholders ie shareholder/ member /owner/ trustee/ partner
- ☐ strategy ,marketing & advertising
- ☐ third party records subject to a lien or hypothecate



**GROUND FOR REFUSAL OF ACCESS TO RECORDS**

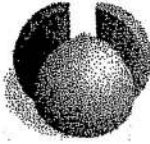
Sec 62 to 69 of the Act specify some grounds for refusal to access which are:

- ☐ Mandatory protection of privacy of a third party who is a natural person or its deceased estate.
- ☐ Mandatory protection of privileged records subject to legal proceedings.
- ☐ Certain commercial information of any private body
- ☐ Mandatory protection of research information of third party and any private body.

Apart from the above grounds there are or may be other grounds for refusal of access to records or parts thereof and CVT TRUST reserves all its rights

E&OE

Date of manual 29/1/2003



## **Van Wyk & Associates**

**ATTORNEYS & CONVEYANCERS**

### **Manual in terms of Section 51 of the Promotion of Access to Information, Act No. 2 of 2000**

#### **1. CONTACT DETAILS**

Head of Body - Gary Van Wyk  
212 St Thomas Road, Musgrave, DURBAN, 4001  
P O Box 50873, MUSGRAVE ROAD, 4062  
Tel. 031-2028500, Fax 031-2014345  
Dx 392, DURBAN

#### **2. GUIDE IN TERMS OF SECTION 10 OF THE ACT**

In terms of the above Section, the South African Human Rights Commission (SAHRC) must compile a guide containing information any person may require who wishes to exercise a right in terms of this Act. At the date of drafting this manual, such guide had not yet been made available by the SAHRC. The contact details for the SAHRC are as follows:

PAIA Unit  
The Research and Documentation Department  
Private Bag 2700  
Houghton, 2041

Tel. 011-4848300, Fax 011-4840582  
Website: [www.sahrc.org.za](http://www.sahrc.org.za)  
E-Mail: [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)

#### **3. NOTICE IN TERMS OF SECTION 52(2)**

No voluntary disclosure in terms of the abovementioned section has been made by Van Wyk & Associates.

#### **4. RECORDS HELD BY VAN WYK & ASSOCIATES IN ACCORDANCE WITH OTHER LEGISLATION**

Van Wyk & Associates keeps information in accordance with the following legislation:

- 4.1 Income Tax Act, Act No. 58 of 1962;
- 4.2 Value Added Tax Act, Act No. 89 of 1991;
- 4.3 Unemployment Insurance Act, Act No. 30 of 1966;
- 4.4 Basic Conditions of Employment Act, Act No. 75 of 1997;
- 4.5 Compensation for Occupation Injuries and Diseases Act, Act No. 130 of 1993;
- 4.6 Occupation Health and Safety Act, Act No. 85 of 1993;

**4.7 Attorneys Act, Act No. 53 of 1979;**

Please note that the above list may not be exhaustive.

**5. SUBJECTS AND CATEGORIES OF INFORMATION HELD BY VAN WYK & ASSOCIATES**

Please note the following:

- 5.1 A person requesting information from Van Wyk & Associates must use the prescribed form (Form C of Annexure B of the Regulations under this Act – GNR.187 of 15 February 2002). This form may also be obtained from the SAHRC website.
- 5.2 A request for access to a record, other than a record containing personal information about yourself will be processed only after the request fee in terms of the aforementioned regulations has been paid.
- 5.3 Should access be granted, you will also be required to pay the prescribed access and reproduction fees as set out in the aforementioned regulations.

No.	Subject	Categories of Information
1.	Employee Details	Contact details of employees; Full names and identity numbers; Salaries and benefits; Employment Contracts; Disciplinary or performance records.
2.	Client Details	Contact details; Details of legal work undertaken on behalf of clients.

**WIZ@RD UNIVERSAL PENSION FUND**

("Fund")

**MANUAL IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT 20/2000 ("Act")**

The Fund is a pension fund as defined in the Pension Funds Act 24 of 1956. It is a private body as defined by the Act.

**A. CONTACT DETAILS**

1. Head of the Fund:

*Wessel Adriaan Swart*

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

12/8/36828

The registered address of the Fund:

2 Strand Road, Bellville, 7530

3. The postal address of the Fund:

P.O. Box 1, Sanlamhof, 7532

4. The contact telephone number for the Fund:

(021) 947-2397

5. The contact facsimile number for the Fund:

(021) 947-5787

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

*Wessel.swart@sanlam.co.za***B. SOUTH AFRICAN HUMAN RIGHTS COMMISSION GUIDE**

In terms of section 10 of the Act, the Human Rights Commission is required to compile a guide to the Act to assist people to exercise their rights under the Act. This guide will become available not later than August 2003. The Human Rights Commission may be contacted at:

Address Private Bag 2700 Houghton 2041,  
Telephone: (011) 484 8300  
Facsimile: (011) 484 0582  
Website: [www.sahrc.org.za](http://www.sahrc.org.za).

## C. FUND RECORDS AVAILABLE IN TERMS OF THE PENSION FUNDS ACT 24 of 1956

- (a) Copies of the following records of the Fund are available on request by a **member** of the Fund after payment of any fees determined by the rules of the Fund:
- (i) The registered rules of the Fund (including amendments);
  - (ii) The last revenue account and the last balance sheet prepared in terms of section 15(1) of the Pension Funds Act, 1956.
- (b) The following records are available on request by a **member** for inspection at the registered address of the Fund (see A3 above) at no charge:
- (i) the documents referred to in C(a) above;
  - (ii) the last report (if any) by a valuator prepared in terms of section 16 of the Pension Funds Act, 1956;
  - (iii) the last statement (if any) and report thereon prepared in terms of section 17 of the Pension Funds Act, 1956;
  - (iv) any scheme which is being carried out by the Fund in accordance with the provisions of section 18 of the Pension Funds Act, 1956.
- (c) **Any person** (upon payment of prescribed fees) may inspect at the office of the Registrar of Pension Funds any record referred to in (a) and (b) above and make a copy thereof or take extracts therefrom, or obtain from the Registrar a copy thereof or extract therefrom. The Registrar may be contacted at:
- Address: 446 Rigel Avenue Pretoria  
Telephone: (012) 428 8000  
Facsimile: (012) 3470221  
Website: [www.fsb.co.za](http://www.fsb.co.za).

## D. INFORMATION TO FACILITATE A REQUEST FOR ACCESS TO FUND RECORDS

- The request must be made to the person specified in A1 above and at the contact details specified in A above.
- Any request for access to records in terms of the Act must be completed on the prescribed form in terms of the Act and the Regulations thereto.
- Please note that the Fund is a separate legal entity from the employer(s) that participate in the Fund as well as from the Fund's administrators and other advisors/service providers.
- The requester must provide sufficient detail on the request form to enable the head of the private body to identify the record and the requester. The requester should also indicate what form of access is required.
- The requester must identify the right that he or she is seeking to exercise or protect and provide an explanation of why the requested record is required for the exercise or protection of that right.
- If a request is made on behalf of a person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the head of the Fund.
- The head of the Fund must notify the requester by notice, requiring the requester to pay the prescribed fee (if any) before further processing the request.

- The head of the Fund will then make a decision whether to grant the request or not and notify the requestor in the required form.
- If the request is granted, then a further access fee must be paid for the search, reproduction and preparation, and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

## **E. AVAILABILITY OF THE MANUAL**

The Fund's manual is available for inspection free of charge at the registered address of the Fund (see A3 above). A copy is also available from the Human Rights Commission (see contact details in B above).

## **F. DESCRIPTION OF RECORDS HELD BY THE FUND**

### **Claims (Withdrawals, Retirements, Deaths & (where applicable) Disabilities)**

- Claim Notification Forms
- Calculations (where available), or computerised statement of claim
- Tax Application (where applicable)
- Tax Directive (where applicable)
- IT 88 notifications
- Tax Certificate (Duplicate -where applicable)
- Client / broker payment instruction (where applicable).
- Section 37D- deduction instruction (where applicable).
- Copy of any other court order against benefits
- Payment letter
- Copy of cheque (or cheque/EFT payment reference)
- Beneficiary nomination form (death only)
- Potential beneficiary schedule (if completed by member)
- Potential beneficiary data affidavits (where applicable)
- Insurance received -statement by insurer (deaths only)
- Copy of death certificate
- Statement by Employer (disability only)
- Statement by Employee (disability only)
- Acceptance / Declination Letter (disability only)

### **Member Data**

- New entrant data
- Contribution records
- Member investment choice investment option forms (where applicable)
- Installation & Acquisition data
- Statement of member fund value
- Additional benefit calculations
- Member investment choice investment switch forms (where applicable)
- Flexible benefit member option forms (where applicable)
- Housing loan application and confirmation (where applicable)



**Section 14 Transfers / Liquidations**

- Calculations
- Option forms (where applicable)
- Tax application forms (where applicable)
- Tax directives (where applicable)
- Tax certificates (duplicate -where applicable)
- Payment letter (liquidations only)
- Copy of Section 14 application lodged (transferor fund)
- Copy of Section 14 (1) (e) certificate (transferee and transferor funds)

**Pensioners (where applicable):**

- Special tax directives or court orders
- Commutation of pensions –calculations
- Annuity option forms
- Trustee instruction regarding payments
- Certificate of existence

**Disability (if applicable):**

- Medical Reviews -correspondence (where applicable)
- Certificate of continued disability
- Payment/Benefit confirmation
- EFT payment reference
- Recovery Documentation
- Letter of Suspension/Reinstatement from underwriter

**Accounting records****If audit exempt:**

- Abbreviated financial returns prescribed by Pension Funds Act

**If subject to audit:**

- Cashbooks and reconciliations to bank
- General Ledgers.
- Trial Balances
- Annual financial statements
- Audit files with working papers
- Bank statements of fund bank accounts
- EFT files (ACB whilst still applied)
- Deposit slips (where applicable)
- Trustees' annual reports

**Miscellaneous**

- Copies of signed rules and amendments
- Confirmation of registration and tax approval
- Minute books
- Trustees registers
- Original or copies of any insurance policy documents relating to risk benefits and investments
- Documentation relating to the review of insurances on an annual basis
- Agendas for all meetings to be held (if applicable secretarial services are performed)
- Investment manager mandates or policies of insurance depending on the nature of the investment

- Copies of statements detailing the asset values for a fund
- Copies of communication sent to members of the fund
- Copy of service agreement between fund and Administrator and any other service provider
- Correspondence to the trustees in respect of fund matters
- Correspondence to members/beneficiaries/pensioners, where applicable
- Fund statutory valuation reports, where applicable
- Copies of Pension Funds Adjudicator complaints lodged
- Certain communication with the Adjudicator, SARS and FSB
- Copy of investment strategy
- Original or copy of fidelity and professional indemnity policy (where applicable)
- Housing loan documents (where applicable) including any suretyship granted to a bank

**WIZ@RD UNIVERSAL PROVIDENT FUND**

("Fund")

**MANUAL IN TERMS OF SECTION 51 OF THE PROMOTION OF  
ACCESS TO INFORMATION ACT 20/2000 ("Act")**

The Fund is a pension fund as defined in the Pension Funds Act 24 of 1956. It is a private body as defined by the Act.

**A. CONTACT DETAILS**

1. Head of the Fund:

*Wessel Adriaan Swart*

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

12/8/36813

The registered address of the Fund:

2 Strand Road, Bellville, 7530

3. The postal address of the Fund:

P.O. Box 1, Sanlamhof, 7532

4. The contact telephone number for the Fund:

(021) 947-2397

5. The contact facsimile number for the Fund:

(021) 947-5787

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

*Wessel.swart@sanlam.co.za***B. SOUTH AFRICAN HUMAN RIGHTS COMMISSION GUIDE**

In terms of section 10 of the Act, the Human Rights Commission is required to compile a guide to the Act to assist people to exercise their rights under the Act. This guide will become available not later than August 2003. The Human Rights Commission may be contacted at:

Address Private Bag 2700 Houghton 2041,  
Telephone: (011) 484 8300  
Facsimile: (011) 484 0582  
Website: [www.sahrc.org.za](http://www.sahrc.org.za).

## C. FUND RECORDS AVAILABLE IN TERMS OF THE PENSION FUNDS ACT 24 of 1956

- (a) Copies of the following records of the Fund are available on request by a member of the Fund after payment of any fees determined by the rules of the Fund:
- (i) The registered rules of the Fund (including amendments);
  - (ii) The last revenue account and the last balance sheet prepared in terms of section 15(1) of the Pension Funds Act, 1956.
- (b) The following records are available on request by a member for inspection at the registered address of the Fund (see A3 above) at no charge:
- (i) the documents referred to in C(a) above;
  - (ii) the last report (if any) by a valuator prepared in terms of section 16 of the Pension Funds Act, 1956;
  - (iii) the last statement (if any) and report thereon prepared in terms of section 17 of the Pension Funds Act, 1956;
  - (iv) any scheme which is being carried out by the Fund in accordance with the provisions of section 18 of the Pension Funds Act, 1956.
- (c) Any person (upon payment of prescribed fees) may inspect at the office of the Registrar of Pension Funds any record referred to in (a) and (b) above and make a copy thereof or take extracts therefrom, or obtain from the Registrar a copy thereof or extract therefrom. The Registrar may be contacted at:
- Address: 446 Rigel Avenue Pretoria  
Telephone: (012) 428 8000  
Facsimile: (012) 3470221  
Website: [www.fsb.co.za](http://www.fsb.co.za).

## D. INFORMATION TO FACILITATE A REQUEST FOR ACCESS TO FUND RECORDS

- The request must be made to the person specified in A1 above and at the contact details specified in A above.
- Any request for access to records in terms of the Act must be completed on the prescribed form in terms of the Act and the Regulations thereto.
- Please note that the Fund is a separate legal entity from the employer(s) that participate in the Fund as well as from the Fund's administrators and other advisors/service providers.
- The requester must provide sufficient detail on the request form to enable the head of the private body to identify the record and the requester. The requester should also indicate what form of access is required.
- The requester must identify the right that he or she is seeking to exercise or protect and provide an explanation of why the requested record is required for the exercise or protection of that right.
- If a request is made on behalf of a person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the head of the Fund
- The head of the Fund must notify the requester by notice, requiring the requester to pay the prescribed fee (if any) before further processing the request

- The head of the Fund will then make a decision whether to grant the request or not and notify the requestor in the required form.
- If the request is granted, then a further access fee must be paid for the search, reproduction and preparation, and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

## **E. AVAILABILITY OF THE MANUAL**

The Fund's manual is available for inspection free of charge at the registered address of the Fund (see A3 above). A copy is also available from the Human Rights Commission (see contact details in B above).

## **F. DESCRIPTION OF RECORDS HELD BY THE FUND**

### **Claims (Withdrawals, Retirements, Deaths & (where applicable) Disabilities)**

- Claim Notification Forms
- Calculations (where available), or computerised statement of claim
- Tax Application (where applicable)
- Tax Directive (where applicable)
- IT 88 notifications
- Tax Certificate (Duplicate -where applicable)
- Client / broker payment instruction (where applicable).
- Section 37D- deduction instruction (where applicable).
- Copy of any other court order against benefits
- Payment letter
- Copy of cheque (or cheque/EFT payment reference)
- Beneficiary nomination form (death only)
- Potential beneficiary schedule (if completed by member)
- Potential beneficiary data affidavits (where applicable)
- Insurance received -statement by insurer (deaths only)
- Copy of death certificate
- Statement by Employer (disability only)
- Statement by Employee (disability only)
- Acceptance / Declination Letter (disability only)

### **Member Data**

- New entrant data
- Contribution records
- Member investment choice investment option forms (where applicable)
- Installation & Acquisition data
- Statement of member fund value
- Additional benefit calculations
- Member investment choice investment switch forms (where applicable)
- Flexible benefit member option forms (where applicable)
- Housing loan application and confirmation (where applicable)

**Section 14 Transfers / Liquidations**

- Calculations
- Option forms (where applicable)
- Tax application forms (where applicable)
- Tax directives (where applicable)
- Tax certificates (duplicate -where applicable)
- Payment letter (liquidations only)
- Copy of Section 14 application lodged (transferor fund)
- Copy of Section 14 (1) (e) certificate (transferee and transferor funds)

**Pensioners (where applicable):**

- Special tax directives or court orders
- Commutation of pensions –calculations
- Annuity option forms
- Trustee instruction regarding payments
- Certificate of existence

**Disability (if applicable):**

- Medical Reviews -correspondence (where applicable)
- Certificate of continued disability
- Payment/Benefit confirmation
- EFT payment reference
- Recovery Documentation
- Letter of Suspension/Reinstatement from underwriter

**Accounting records****If audit exempt:**

- Abbreviated financial returns prescribed by Pension Funds Act

**If subject to audit:**

- Cashbooks and reconciliations to bank
- General Ledgers.
- Trial Balances
- Annual financial statements
- Audit files with working papers
- Bank statements of fund bank accounts
- EFT files (ACB whilst still applied)
- Deposit slips (where applicable)
- Trustees' annual reports

**Miscellaneous**

- Copies of signed rules and amendments
- Confirmation of registration and tax approval
- Minute books
- Trustees registers
- Original or copies of any insurance policy documents relating to risk benefits and investments
- Documentation relating to the review of insurances on an annual basis
- Agendas for all meetings to be held (if applicable secretarial services are performed)



- Investment manager mandates or policies of insurance depending on the nature of the investment
- Copies of statements detailing the asset values for a fund
- Copies of communication sent to members of the fund
- Copy of service agreement between fund and Administrator and any other service provider
- Correspondence to the trustees in respect of fund matters
- Correspondence to members/beneficiaries/pensioners, where applicable
- Fund statutory valuation reports, where applicable
- Copies of Pension Funds Adjudicator complaints lodged
- Certain communication with the Adjudicator, SARS and FSB
- Copy of investment strategy
- Original or copy of fidelity and professional indemnity policy (where applicable)
- Housing loan documents (where applicable) including any suretyship granted to a bank

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

**SECTION 51 MANUAL FOR TSG cc  
1999/43030/23**

**A. CONTENTS**

- 1 Introduction to TSG cc
- 2 Contact details
- 3 The section 10 Guide on how to use the Act
- 4 Records available in terms of any other legislation
- 5 Access to the records held by TSG cc
  - i Classification of records held by the body
  - ii Categories of records of the body, which are available without a person having to request access in terms of this Act in terms of section 52(2).
  - iii Records that may be requested in terms of Section 52(2) of the Act.
  - iv The request procedures
- 6 Other information as may be prescribed
- 7 Availability of the manual
- 8 Prescribed fees
- 9 Prescribed forms
- 10 Acknowledgements

**1 Introduction to TSG cc**

TSG cc is a specialist consultancy delivering services with regard to the implementation of the Skills Development Act, the Skills Development Levies Act, the Employment Equity Act, the Occupational Health & Safety Act, and the Promotion of Access to Information Act.

**2. Contact details**

Peter Riches  
TSG cc  
3 de Kock Ave  
Constantia  
7806

Tel (021) 794-8242  
Fax (021) 794-8242  
E-mail [priches@iafrica.com](mailto:priches@iafrica.com)

### 3. 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 queries to:

The South African Human Rights Commission:

PAIA Unit  
The Research and Documentation Department

Postal address: Private Bag 2700  
Houghton  
2041

Telephone: +27 11 484-8300  
Fax: +27 11 484-0582  
Website: [www.sahrc.org.za](http://www.sahrc.org.za)  
E-mail: [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)

### 4. Records available in terms of any other legislation

TSG cc holds details of its own registration as a company, together with its financial statements and all other documentation relating to its business as a company as outlined in the "Introduction to TSG cc" above.

### 5. Access to the records held by TSG cc

#### i Company Record Classification Key

Classification Number	Classification
1	Public Access Documents
2	Limited Disclosure - Personal information known to the individual
3	May not be disclosed - would breach a confidence owed to a third party.
4	May not be disclosed - likely to harm the commercial or financial interests of the company.

#### ii Categories of records of the body which are available without a person having to request access in terms of section 52(2) of this Act

No	Record Description	Record Format	Maintained by	Stored at	Classification	Retention
1	Demographic company details	Hard Copy	Member	3 de Kock Ave Constantia	1	Indefinite
2	Correspondence with students on SDF, IDTT and IAA programmes	Hard copy and electronic	Member	3 de Kock Ave Constantia	2	Indefinite

**iii Categories of records that may be requested in terms of Section 52(2) of the Act, and the categories in which these subjects are classed**

No	Record Description	Record Format	Maintained by	Stored at	Classification	Retention
3	Details of third party relationships	Hard copy and electronic	Member	3 de Kock Ave Constantia	3	Indefinite
4	Company correspondence and documentation	Hard copy and electronic	Member	3 de Kock Ave Constantia	4	Indefinite

**iv 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 any other manner is to be used to inform the requester and state the necessary particulars to be so informed.
- The requester must identify the right that is sought to be exercised or to be protected and provide an explanation of why the requested record is required for the exercise or protection of that right
- If a request is made on behalf of a another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the head of the private body.

**Fees:**

A requester who seeks access to a record containing personal information about that requester is not required to pay the request fee. Every other requester, who is not a personal requester, must pay the required request fee:

- The head of the private body must notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed fee before further processing the request.
- The fee that the requester must pay to a private body is R50. The requester may lodge an application to the court against the tender or payment of the request fee.

- After the head of the private body has made a decision on the request, the requester must be notified in the required form.
- If the request is granted then a further access fee must be paid for the search, reproduction, preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

#### 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

This Manual is available for scrutiny at the offices of TSG cc at 3 de Kock Ave, Constantia, 7806, and copies are available from the SAHRC, and in the Government Gazette.

#### 8. Fees in respect of private bodies

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.	



**9. Prescribed forms****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:  
TSG cc  
3 de Kock Ave  
Constantia  
7806

**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.

<b>1. If the record is in written or printed form:</b>					
<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record		
<b>2. If record consists of visual images</b> (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*		
<b>3. If record consists of recorded words or information which can be reproduced in sound:</b>					
<input type="checkbox"/>	listen to the soundtrack (audio cassette)	<input type="checkbox"/>	transcription of soundtrack* (written or printed document)		
<b>4. If record is held on computer or in an electronic or machine-readable form:</b>					
<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

**10 Acknowledgements**

This Section 51 Manual is produced on a template supplied by the South African Human Rights Commission, whose assistance is acknowledged. The Section 51 Manual is produced by Peter Riches of TSG, 3 de Kock Ave, Constantia, 7806, Western Cape. Tel/Fax (021) 794-8242. E-mail [priches@iafrica.com](mailto:priches@iafrica.com)

**PROMOTION OF ACCESS TO INFORMATION ACT  
(ACT No 2 of 2000)  
SECTION 51 MANUAL FOR Industri-Bag cc  
CK/1998/013240/23**

**CONTENTS**

- 1 Introduction to Industri Bag cc
- 2 Contact details
- 3 The section 10 Guide on how to use the Act
- 4 Records available in terms of any other legislation
- 5 Access to the records held by Industri Bag cc
  - i. Categories of records of the body, which are available without a person having to request access in terms of this Act in terms of section 52 (1) (c)
  - ii. Records that may be requested in terms of Section 51 (1) (e)
  - iii. The request procedures
- 6 Other information as may be prescribed
- 7 Availability of the manual
- 8 Prescribed fees
- 9 Prescribed forms
- 10 Acknowledgements

**1 Introduction to Industri-Bag cc**

Industri-Bag cc is a manufacturer of liquid packaging, supplying products to the food and beverages industry, and is situated in Blackheath in the Western Cape.

**2. Contact details**

Christa McIver  
Industri-Bag cc  
PO Box 20  
Blackheath  
7581

Tel/Fax (021) 905-1431  
Fax (021) 905-1632  
E-mail [christa@ibag.co.za](mailto:christa@ibag.co.za)

### 3. **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 queries to:

The South African Human Rights Commission:

PAIA Unit  
The Research and Documentation Department  
Postal address: Private Bag 2700  
Houghton  
2041

Telephone: +27 11 484-8300  
Fax: +27 11 484-0582  
Website: [www.sahrc.org.za](http://www.sahrc.org.za)  
E-mail: [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)

### 4. **Records available in terms of any other legislation**

Industri-Bag cc holds details of its own registration as a closed corporation, together with its financial statements and all other documentation relating to its business as a company as outlined in the "Introduction to Industri-Bag cc" above.

### 5. **Access to the records held by Industri-Bag cc**

Company Classification Schedule

Classification Number	Classification
1	Public Access Documents
2	Limited Disclosure - Personal information known to the individual
3	May not be disclosed - would breach a confidence owed to a third party.
4	May not be disclosed - likely to harm the commercial or financial interests of the company.

#### i **Categories of records of the body which are available without a person having to request access in terms of Section 51 (1)(c)**

No	Record Description	Record Format	Maintained by	Stored at	Classification	Retention Period
1	Public company records	Hard Copy	Member	Industri Bag cc Blackheath	1	Indefinite
2	Records relative to past employees	Hard copy and electronic	Member	Industri Bag cc Blackheath	2	Indefinite



**ii Records that may be requested in terms of Section 51 (1) (e) of the Act**

No	Record Description	Record Format	Maintained by	Stored at	Classification	Retention Period
3	Records relevant to third parties	Hard copy and electronic	Member	Industri Bag cc Blackheath	3	Indefinite
4	Company specific correspondence and documentation	Hard copy and electronic	Member	Industri Bag cc Blackheath	4	Indefinite

**iii The request procedures**

**Form of request:**

- The requester must use the prescribed form to make the request for access to a record. This must be made to the head of the private body. This request must be made to the address, fax number or electronic mail address of the body concerned.
- The requester must provide sufficient detail on the request form to enable the head of the private body to identify the record and the requester. The requester should also indicate which form of access is required. The requester should also indicate if any other manner is to be used to inform the requester and state the necessary particulars to be so informed
- The requester must identify the right that is sought to be exercised or to be protected and provide an explanation of why the requested record is required for the exercise or protection of that right [s 53(2)(d)].
- If a request is made on behalf of another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the head of the private body.

**Fees:**

A requester who seeks access to a record containing personal information about that requester is not required to pay the request fee. Every other requester, who is not a personal requester, must pay the required request fee:

- The head of the private body must notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed fee before further processing the request.
- The fee that the requester must pay to a private body is R50. The requester may lodge an application to the court against the tender or payment of the request fee.
- After the head of the private body has made a decision on the request, the requester must be notified in the required form.

- If the request is granted then a further access fee must be paid for the search, reproduction, preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

#### 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

This Manual is available for scrutiny at the offices of Industri-Bag cc, 20 Nebula Crescent, Blackheath, and copies are available from the SAHRC, and in the Government Gazette.

#### 8. Fees in respect of private bodies

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.

**9. Prescribed forms****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:

Industri-Bag cc

PO Box 20

Blackheath

7581

**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.

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

**SECTION 51 MANUAL FOR Uniplastics 2002 (Pty) Ltd  
2001/018938/07**

**A. CONTENTS**

- 1 Introduction to Uniplastics 2002 (Pty) Ltd
- 2 Contact details
- 3 The section 10 Guide on how to use the Act
4. Records available in terms of any other legislation
5. Access to the records held by Uniplastics 2002 (Pty) Ltd
  - i. The latest notice regarding the categories of records of the body, which are available without a person having to request access in terms of this Act in terms of section 52(2).
  - ii. Records that may be requested
  - iii. The request procedures
6. Other information as may be prescribed
7. Availability of the manual
8. Prescribed fees
9. Prescribed forms
10. Acknowledgements

**1 Introduction to Uniplastics 2002 (Pty) Ltd**

Uniplastics 2002 (Pty) Ltd is a specialist manufacturer of refuse bags in a variety of colours, plain and printed, in flat format or rolls. It also manufactures products to service the building industry, including damp proof course, roof underlay and hazard tape.

**2. Contact details**

Ronald George Sampson  
Uniplastics 2002 (Pty) Ltd  
Tederic Ave  
Stickland Industria  
Bellville  
7530

Tel (021) 945-1017/8  
Fax (021) 948-1864  
E-mail

### 3. 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 queries to:

The South African Human Rights Commission:

PAIA Unit  
The Research and Documentation Department

Postal address: Private Bag 2700  
Houghton  
2041

Telephone: +27 11 484-8300  
Fax: +27 11 484-0582  
Website: [www.sahrc.org.za](http://www.sahrc.org.za)  
E-mail: [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)

### 4. Records available in terms of any other legislation

Uniplastics 2002 (Pty) Ltd holds details of its own registration as a company, together with its financial statements and all other documentation relating to its business as a company as outlined in the "Introduction to Uniplastics 2002 (Pty) Ltd" above.

### 5. Access to the records held by Uniplastics 2002 (Pty) Ltd

Company Record Classification Key

Classification Number	Classification
1	Public Access Documents
2	Limited Disclosure - Personal information known to the individual
3	May not be disclosed - would breach a confidence owed to a third party.
4	May not be disclosed - likely to harm the commercial or financial interests of the company.

#### i. Categories of records of the body which are available without a person having to request access in terms of this Act in terms of section 51 (1)(c)

No	Record Description	Record Format	Maintained by	Stored at	Classification	Retention Period
1	Demographic company details	Hard Copy	Member	Tedric Ave Stickland Industria	1	Indefinite
2	Details of past employees	Hard Copy and Electronic	Member	Tedric Ave Stickland Industria	2	Indefinite



## ii. Records that may be requested in terms of Section 51 (1) (e) of the Act

### Records

No	Record Description	Record Format	Maintained by	Stored at	Classification	Retention Period
3	Details relating to third parties	Hard copy and electronic	Member	Tedric Ave Stickland Industria	3	Indefinite
4	Company correspondence and documentation	Hard copy and electronic	Member	Tedric Ave Stickland Industria	4	Indefinite

## iii. The request procedures

### Form of request:

- The requester must use the prescribed form to make the request for access to a record. This must be made to the head of the private body. This request must be made to the address, fax number or electronic mail address of the body concerned.
- The requester must provide sufficient detail on the request form to enable the head of the private body to identify the record and the requester. The requester should also indicate which form of access is required. The requester should also indicate if any other manner is to be used to inform the requester and state the necessary particulars to be so informed.
- The requester must identify the right that is sought to be exercised or to be protected and provide an explanation of why the requested record is required for the exercise or protection of that right
- If a request is made on behalf of a another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the head of the private body.

### Fees:

A requester who seeks access to a record containing personal information about that requester is not required to pay the request fee. Every other requester, who is not a personal requester, must pay the required request fee:

- The head of the private body must notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed fee before further processing the request.

- The fee that the requester must pay to a private body is R50. The requester may lodge an application to the court against the tender or payment of the request fee.
- After the head of the private body has made a decision on the request, the requester must be notified in the required form.
- If the request is granted then a further access fee must be paid for the search, reproduction, preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

#### **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**

This Manual is available for scrutiny at the offices of Uniplastics 2002 (Pty) Ltd at Tedric Ave, Stickland Industria, Bellville, and copies are available from the SAHRC, and in the Government Gazette.

#### **8. Fees in respect of private bodies**

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.	

**9. Prescribed forms**

**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:

Uniplastics 2002 (Pty) Ltd

PO Box 503

Sanlamhof

7532

**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.

<b>1. If the record is in written or printed form:</b>					
<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record		
<b>2. If record consists of visual images</b> (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*		
<b>3. If record consists of recorded words or information which can be reproduced in sound:</b>					
<input type="checkbox"/>	listen to the soundtrack (audio cassette)	<input type="checkbox"/>	transcription of soundtrack* (written or printed document)		
<b>4. If record is held on computer or in an electronic or machine-readable form:</b>					
<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? <b>Postage is payable.</b>			<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

## 10 Acknowledgements

This Section 51 Manual is produced on a template supplied by the South African Human Rights Commission, whose assistance is acknowledged. The Section 51 Manual is produced by Peter Riches of TSG, 3 de Kock Ave, Constantia, 7806, Western Cape. Tel/Fax (021) 794-8242. E-mail [priches@iafrica.com](mailto:priches@iafrica.com)



**ACME (PTY) LTD PROVIDENT FUND**

("Fund")

**MANUAL IN TERMS OF SECTION 51 OF THE PROMOTION OF  
ACCESS TO INFORMATION ACT 20/2000 ("Act")**

The Fund is a pension fund as defined in the Pension Funds Act 24 of 1956. It is a private body as defined by the Act.

**A. CONTACT DETAILS**

1. Head of the Fund:

**AURIEL N WEBER**

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

12/8/28348

The registered address of the Fund:

MONTREAL DRIVE, AIRPORT INDUSTRIA, 7490

3. The postal address of the Fund:

P O BOX 6074, ROGGEBAAI, 8012

4. The contact telephone number for the Fund:

(021) 386 1923

5. The contact facsimile number for the Fund:

(021) 386 2514

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

mcivil@iafrica.com

**B. SOUTH AFRICAN HUMAN RIGHTS COMMISSION GUIDE**

In terms of section 10 of the Act, the Human Rights Commission is required to compile a guide to the Act to assist people to exercise their rights under the Act. This guide will become available not later than August 2003. The Human Rights Commission may be contacted at:

Address Private Bag 2700 Houghton 2041,  
Telephone: (011) 484 8300  
Facsimile: (011) 484 0582  
Website: [www.sahrc.org.za](http://www.sahrc.org.za).

**C. FUND RECORDS AVAILABLE IN TERMS OF THE PENSION  
FUNDS ACT 24 of 1956**

- (a) Copies of the following records of the Fund are available on request by a member of the Fund after payment of any fees determined by the rules of the Fund:

- (i) The registered rules of the Fund (including amendments);
  - (ii) The last revenue account and the last balance sheet prepared in terms of section 15(1) of the Pension Funds Act, 1956.
- (b) The following records are available on request by a **member** for inspection at the registered address of the Fund (see A3 above) at no charge:
- (i) the documents referred to in C(a) above;
  - (ii) the last report (if any) by a valuator prepared in terms of section 16 of the Pension Funds Act, 1956;
  - (iii) the last statement (if any) and report thereon prepared in terms of section 17 of the Pension Funds Act, 1956;
  - (iv) any scheme which is being carried out by the Fund in accordance with the provisions of section 18 of the Pension Funds Act, 1956.
- (c) **Any person** (upon payment of prescribed fees) may inspect at the office of the Registrar of Pension Funds any record referred to in (a) and (b) above and make a copy thereof or take extracts therefrom, or obtain from the Registrar a copy thereof or extract therefrom. The Registrar may be contacted at:
- Address: 446 Rigel Avenue Pretoria  
Telephone: (012) 428 8000  
Facsimile: (012) 3470221  
Website: [www.fsb.co.za](http://www.fsb.co.za).

## D. INFORMATION TO FACILITATE A REQUEST FOR ACCESS TO FUND RECORDS

- The request must be made to the person specified in A1 above and at the contact details specified in A above.
- Any request for access to records in terms of the Act must be completed on the prescribed form in terms of the Act and the Regulations thereto.
- Please note that the Fund is a separate legal entity from the employer(s) that participate in the Fund as well as from the Fund's administrators and other advisors/service providers.
- The requester must provide sufficient detail on the request form to enable the head of the private body to identify the record and the requester. The requester should also indicate what form of access is required.
- The requester must identify the right that he or she is seeking to exercise or protect and provide an explanation of why the requested record is required for the exercise or protection of that right.
- If a request is made on behalf of a person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the head of the Fund
- The head of the Fund must notify the requester by notice, requiring the requester to pay the prescribed fee (if any) before further processing the request
- The head of the Fund will then make a decision whether to grant the request or not and notify the requestor in the required form.
- If the request is granted, then a further access fee must be paid for the search, reproduction and preparation, and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

## **E. AVAILABILITY OF THE MANUAL**

The Fund's manual is available for inspection free of charge at the registered address of the Fund (see A3 above). A copy is also available from the Human Rights Commission (see contact details in B above).

## **F. DESCRIPTION OF RECORDS HELD BY THE FUND**

### **Claims (Withdrawals, Retirements, Deaths & (where applicable) Disabilities)**

- Claim Notification Forms
- Calculations (where available), or computerised statement of claim
- Tax Application (where applicable)
- Tax Directive (where applicable)
- IT 88 notifications
- Tax Certificate (Duplicate -where applicable)
- Client / broker payment instruction (where applicable).
- Section 37D- deduction instruction (where applicable).
- Copy of any other court order against benefits
- Payment letter
- Copy of cheque (or cheque/EFT payment reference)
- Beneficiary nomination form (death only)
- Potential beneficiary schedule (if completed by member)
- Potential beneficiary data affidavits (where applicable)
- Insurance received -statement by insurer (deaths only)
- Copy of death certificate
- Statement by Employer (disability only)
- Statement by Employee (disability only)
- Acceptance / Declination Letter (disability only)

### **Member Data**

- New entrant data
- Contribution records
- Member investment choice investment option forms (where applicable)
- Installation & Acquisition data
- Statement of member fund value
- Additional benefit calculations
- Member investment choice investment switch forms (where applicable)
- Flexible benefit member option forms (where applicable)
- Housing loan application and confirmation (where applicable)

### **Section 14 Transfers / Liquidations**

- Calculations
- Option forms (where applicable)
- Tax application forms (where applicable)
- Tax directives (where applicable)
- Tax certificates (duplicate -where applicable)
- Payment letter (liquidations only)
- Copy of Section 14 application lodged (transferor fund)
- Copy of Section 14 (1) (e) certificate (transferee and transferor funds)

**Pensioners (where applicable):**

- Special tax directives or court orders
- Commutation of pensions –calculations
- Annuity option forms
- Trustee instruction regarding payments
- Certificate of existence

**Disability (if applicable):**

- Medical Reviews -correspondence (where applicable)
- Certificate of continued disability
- Payment/Benefit confirmation
- EFT payment reference
- Recovery Documentation
- Letter of Suspension/Reinstatement from underwriter

**Accounting records****If audit exempt:**

- Abbreviated financial returns prescribed by Pension Funds Act

**If subject to audit:**

- Cashbooks and reconciliations to bank
- General Ledgers.
- Trial Balances
- Annual financial statements
- Audit files with working papers
- Bank statements of fund bank accounts
- EFT files (ACB whilst still applied)
- Deposit slips (where applicable)
- Trustees' annual reports

**Miscellaneous**

- Copies of signed rules and amendments
- Confirmation of registration and tax approval
- Minute books
- Trustees registers
- Original or copies of any insurance policy documents relating to risk benefits and investments
- Documentation relating to the review of insurances on an annual basis
- Agendas for all meetings to be held (if applicable secretarial services are performed)
- Investment manager mandates or policies of insurance depending on the nature of the investment
- Copies of statements detailing the asset values for a fund
- Copies of communication sent to members of the fund
- Copy of service agreement between fund and Administrator and any other service provider
- Correspondence to the trustees in respect of fund matters
- Correspondence to members/beneficiaries/pensioners, where applicable
- Fund statutory valuation reports, where applicable
- Copies of Pension Funds Adjudicator complaints lodged
- Certain communication with the Adjudicator, SARS and FSB
- Copy of investment strategy
- Original or copy of fidelity and professional indemnity policy (where applicable)
- Housing loan documents (where applicable) including any suretyship granted to a bank

**Pryde Trussus and Roofing Supplies cc.  
(Registration Number CK97/28504/23)**

**Manual prepared in accordance with Section 51 of the Promotion of  
Access to Information Act, No 2 of 2000 ("The Act")**

1. Name of body (business) : Pryde Trussus and Roofing  
Supplies cc.

Registration Number : CK97/28504/23

Chief executive officer : Stephen Ronald Mostert

The appointed information officer : M.A. Baird

Address : 20 Kariga Street, Stikland, 7530

Postal Address : P.O. Box 6154, Welgemoed, 7538

Telephone : 021 949 8344

Fax Number : 021 949 0099

E-Mail :

**2. INFORMATION / DOCUMENTS AVAILABLE IN ACCORDANCE WITH OTHER LEGISLATION**  
(Section 51(1)(d) of the Act)

The business keeps information / documents in accordance with the following legislation (please note that this is not an exhaustive list) :-

- Companies Act, Act No. 61 of 1973
- Income Tax Act, Act No. 58 of 1962 (Section 75)
- Value-Added Tax Act, Act No. 89 of 1991 (Section 65)
- Unemployment Insurance Act, Act No. 30 of 1966 (Section 32)
- Basic Conditions of Employment Act, Act No. 75 of 1997 (Section 31)
- Employment Equity Act, Act no. 55 of 1998 (Section 26)
- Compensation for Occupational Injuries and Diseases Act, Act No. 130 of 1993 (Section 97)
- Occupational Health and Safety Act, Act No. 85 of 1993
- Skills Development Act

It is recorded that any and all documents / information requested pertaining to the aforesaid shall always only be made available to a requestor subject to the provisions of the Act.

**3. DOCUMENTS / INFORMATION HELD BY THE BUSINESS IN TERMS OF THE ACT**  
(Section 51(1)(e) of the Act)

**Operational Information**

The business keeps information on

- Personnel related issues: Employees records, conditions of employment and company policy, address lists, etc.
- Clients: contact information, product subscriptions, contractual agreements, accounting information and general communication.
- Suppliers: contact information, contractual agreements, accounting information and general communication.
- Technical product information.

- Financial statements

The above-mentioned records are of a confidential nature and only accessible to authorised people.

#### **4. GUIDE IN TERMS OF SECTION 10 OF THE ACT** (Section 51(1)(b) of the Act)

In terms of section 10 of the Act a guide will be compiled by the SAHRC containing such information as may be required by a person who wishes to exercise any right contemplated in the Act. The guide will be made available by the SAHRC by not later than August 2003.

#### **Contact details of the South African Human Rights Commission:**

PAIA Unit  
The Research and Documentation Department  
Private Bag 2700  
2041 Houghton

Telephone : +27 11 484 8300

Fax : +27 11 484 0582

Website : [www.sahrc.org.za](http://www.sahrc.org.za)

E-Mail : [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)

#### **5. NOTICE(S) IN TERMS OF SECTION 52(2) OF THE ACT** (Section 51(1)(c) of the Act)

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

#### **6. FEES**

The fees applicable to any application for information, is displayed on the South African Human Rights Commission's website at [www.sahrc.org.za](http://www.sahrc.org.za)



**Gromek Investments cc t/a Cupboards & Kitchens**  
**(Registration Number CK1995/47840/23)**  
**Softform Components**  
**(Registration Number CK1997/05882/23)**

**Manual prepared in accordance with Section 51 of the Promotion of  
Access to Information Act, No 2 of 2000 ("The Act")**

1. Name of body (business) : Gromek Investments cc t/a  
Cupboards & Kitchens  
Registration Number : CK1995/47840/23

Name of Body (business) : Softform Components  
Registration Number : CK1997/05882/23

Chief executive officer : A.H Grobbelaar & E.M. Mekel

The appointed information officer : A. Vorster

Address : 60 Gemini Street, Brackenfell 7560

Postal Address : P.O. Box 1472, Durbanville, 7551

Telephone : 021 981 4924

Fax Number : 021 981 4997

E-Mail : [cupkit@mweb.co.za](mailto:cupkit@mweb.co.za)

## **2. INFORMATION / DOCUMENTS AVAILABLE IN ACCORDANCE WITH OTHER LEGISLATION** (Section 51(1)(d) of the Act)

The business keeps information / documents in accordance with the following legislation (please note that this is not an exhaustive list) :-

- Companies Act, Act No. 61 of 1973
- Income Tax Act, Act No. 58 of 1962 (Section 75)
- Value-Added Tax Act, Act No. 89 of 1991 (Section 65)
- Unemployment Insurance Act, Act No.30 of 1966 (Section 32)
- Basic Conditions of Employment Act, Act No. 75 of 1997 (Section 31)
- Employment Equity Act, Act no. 55 of 1998 (Section 26)
- Compensation for Occupational Injuries and Diseases Act, Act No. 130 of 1993 (Section 97)
- Occupational Health and Safety Act, Act No. 85 of 1993
- Skills Development Act

It is recorded that any and all documents / information requested pertaining to the aforesaid shall always only be made available to a requestor subject to the provisions of the Act.

## **3. DOCUMENTS / INFORMATION HELD BY THE BUSINESS IN TERMS OF THE ACT** (Section 51(1)(e) of the Act)

### **Operational Information**

The business keeps information on

- Personnel related issues: Employees records, conditions of employment and company policy, address lists, etc.
- Clients: contact information, product subscriptions, contractual agreements, accounting information and general communication.
- Suppliers: contact information, contractual agreements, accounting information and general communication.
- Sub-Contractors records

- Financial statements

The above-mentioned records are of a confidential nature and only accessible to authorised people.

#### **4. GUIDE IN TERMS OF SECTION 10 OF THE ACT** (Section 51(1)(b) of the Act)

In terms of section 10 of the Act a guide will be compiled by the SAHRC containing such information as may be required by a person who wishes to exercise any right contemplated in the Act. The guide will be made available by the SAHRC by not later than August 2003.

#### **Contact details of the South African Human Rights Commission:**

PAIA Unit  
The Research and Documentation Department  
Private Bag 2700  
2041 Houghton

Telephone : +27 11 484 8300

Fax : +27 11 484 0582

Website : [www.sahrc.org.za](http://www.sahrc.org.za)

E-Mail : [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)

#### **5. NOTICE(S) IN TERMS OF SECTION 52(2) OF THE ACT** (Section 51(1)(c) of the Act)

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

#### **6. FEES**

The fees applicable to any application for information, is displayed on the South African Human Rights Commission's website at [www.sahrc.org.za](http://www.sahrc.org.za)

**Sale's Hire**  
**(Registration Number CK95/52972/23)**

**Manual prepared in accordance with Section 51 of the Promotion of  
Access to Information Act, No 2 of 2000 ("The Act")**

1. Name of body (business) : Sale's Hire

Registration Number : CK95/52972/23

Chief executive officer : Shaun Sale

The appointed information officer : Hermann Voigt

Address : 140 Joubert Street, Parow Valley, 7500

Postal Address : 140 Joubert Street, Parow Valley 7500

Telephone : 021 936 8606

Fax Number : 021 931 4163

E-Mail :

## **2. INFORMATION / DOCUMENTS AVAILABLE IN ACCORDANCE WITH OTHER LEGISLATION** (Section 51(1)(d) of the Act)

The business keeps information / documents in accordance with the following legislation (please note that this is not an exhaustive list) :-

- Companies Act, Act No. 61 of 1973
- Income Tax Act, Act No. 58 of 1962 (Section 75)
- Value-Added Tax Act, Act No. 89 of 1991 (Section 65)
- Unemployment Insurance Act, Act No. 30 of 1966 (Section 32)
- Basic Conditions of Employment Act, Act No. 75 of 1997 (Section 31)
- Employment Equity Act, Act no. 55 of 1998 (Section 26)
- Compensation for Occupational Injuries and Diseases Act, Act No. 130 of 1993 (Section 97)
- Occupational Health and Safety Act, Act No. 85 of 1993
- Skills Development Act

It is recorded that any and all documents / information requested pertaining to the aforesaid shall always only be made available to a requestor subject to the provisions of the Act.

## **3. DOCUMENTS / INFORMATION HELD BY THE BUSINESS IN TERMS OF THE ACT** (Section 51(1)(e) of the Act)

### **Operational Information**

The business keeps information on

- Personnel related issues: Employees records, conditions of employment and company policy, address lists, etc.
- Clients: contact information, product subscriptions, contractual agreements, accounting information and general communication.
- Suppliers: contact information, contractual agreements, accounting information and general communication.
- Technical product information.

- Financial statements

The above-mentioned records are of a confidential nature and only accessible to authorised people.

#### **4. GUIDE IN TERMS OF SECTION 10 OF THE ACT** (Section 51(1)(b) of the Act)

In terms of section 10 of the Act a guide will be compiled by the SAHRC containing such information as may be required by a person who wishes to exercise any right contemplated in the Act. The guide will be made available by the SAHRC by not later than August 2003.

#### **Contact details of the South African Human Rights Commission:**

PAIA Unit  
The Research and Documentation Department  
Private Bag 2700  
2041 Houghton

Telephone : +27 11 484 8300

Fax : +27 11 484 0582

Website : [www.sahrc.org.za](http://www.sahrc.org.za)

E-Mail : [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)

#### **5. NOTICE(S) IN TERMS OF SECTION 52(2) OF THE ACT** (Section 51(1)(c) of the Act)

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

#### **6. FEES**

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**3. INFORMATION / DOCUMENTS AVAILABLE IN ACCORDANCE WITH OTHER LEGISLATION**  
(Section 51(1)(d) of the Act)

The business keeps information / documents in accordance with the following legislation (please note that this is not an exhaustive list) :-

- Companies Act, Act No. 61 of 1973
- Income Tax Act, Act No. 58 of 1962 (Section 75)
- Value-Added Tax Act, Act No. 89 of 1991 (Section 65)
- Unemployment Insurance Act, Act No. 30 of 1966 (Section 32)
- Basic Conditions of Employment Act, Act No. 75 of 1997 (Section 31)
- Employment Equity Act, Act no. 55 of 1998 (Section 26)
- Compensation for Occupational Injuries and Diseases Act, Act No. 130 of 1993 (Section 97)
- Occupational Health and Safety Act, Act No. 85 of 1993
- Skills Development Act

It is recorded that any and all documents / information requested pertaining to the aforesaid shall always only be made available to a requestor subject to the provisions of the Act.

**3. DOCUMENTS / INFORMATION HELD BY THE BUSINESS IN TERMS OF THE ACT**  
(Section 51(1)(e) of the Act)

**Operational Information**

The business keeps information on

- Personnel related issues: Employees records, conditions of employment and company policy, address lists, etc.
- Clients: contact information, product subscriptions, contractual agreements, accounting information and general communication.
- Suppliers: contact information, contractual agreements, accounting information and general communication.
- Technical product information.
- Import documentation

- Financial statements

The above-mentioned records are of a confidential nature and only accessible to authorised people.

#### **4. GUIDE IN TERMS OF SECTION 10 OF THE ACT** (Section 51(1)(b) of the Act)

In terms of section 10 of the Act a guide will be compiled by the SAHRC containing such information as may be required by a person who wishes to exercise any right contemplated in the Act. The guide will be made available by the SAHRC by not later than August 2003.

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The Research and Documentation Department  
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2041 Houghton

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Website : [www.sahrc.org.za](http://www.sahrc.org.za)

E-Mail : [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)

#### **5. NOTICE(S) IN TERMS OF SECTION 52(2) OF THE ACT** (Section 51(1)(c) of the Act)

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

#### **6. FEES**

The fees applicable to any application for information, is displayed on the South African Human Rights Commission's website at [www.sahrc.org.za](http://www.sahrc.org.za)

**Drs. Schnetler, Corbett & Partners Incorporated  
Radiologists**

**Manual prepared in accordance with Section 51 of the Promotion of  
Access to Information Act, No 2 of 2000 ("The Act")**

1. Name of body (business) and all subsidiary companies : Registration Number :

Drs. Schnetler, Corbett & Partners Inc.	
Practice Number: 3903279	1994/007331/21
Northern Radiology Trust	IT3294/97
26 Dorp Street (Pty) Ltd.	1996/016359/07
28 Dorp Street (Pty) Ltd.	1993/003065/07
30 Dorp Street (Pty) Ltd.	1993/003066/07
42 Oxford Street (Pty) Ltd.	1992/002571/07
SCP Trust	IT4662/96
Paarl Radiology Trust	IT5053/97
Diagnostic Management Services (Pty) Ltd.	1994/000632/07
Roentgen Equipment (Pty) Ltd.	1997/003033/07
Durbanville Doctors Properties (Pty) Ltd.	1996/005609/07
Delta Trust (Travel Trust)	IT5038/97
Dr. Melonas & Partners	
Dr. Truter & Partners	
Durbanville Orthopedic Centre – Body Corporate	

Chief executive officer : J.S. Kruger  
Body Corporate : Dr. Rocco de Villiers

The appointed information officer : J.J.B. Louw

Address : 30 Dorp Street, Panorama, 7500

Postal Address : P.O. Box 15094, Panorama 7506

Telephone : 021 930 5564

Fax Number : 021 930 4464

E-Mail : [bennie@xray.co.za](mailto:bennie@xray.co.za)

## **2. INFORMATION / DOCUMENTS AVAILABLE IN ACCORDANCE WITH OTHER LEGISLATION** (Section 51(1)(d) of the Act)

The business keeps information / documents in accordance with the following legislation (please note that this is not an exhaustive list) :-

- Companies Act, Act No. 61 of 1973
- Income Tax Act, Act No. 58 of 1962 (Section 75)
- Value-Added Tax Act, Act No. 89 of 1991 (Section 65)
- Unemployment Insurance Act, Act No. 30 of 1966 (Section 32)
- Basic Conditions of Employment Act, Act No. 75 of 1997 (Section 31)
- Employment Equity Act, Act no. 55 of 1998 (Section 26)
- Compensation for Occupational Injuries and Diseases Act, Act No. 130 of 1993 (Section 97)
- Occupational Health and Safety Act, Act No. 85 of 1993
- Skills Development Act

It is recorded that any and all documents / information requested pertaining to the aforesaid shall always only be made available to a requestor subject to the provisions of the Act.

## **3. DOCUMENTS / INFORMATION HELD BY THE BUSINESS IN TERMS OF THE ACT** (Section 51(1)(e) of the Act)

### **Operational Information**

The business keeps information on

- Personnel related issues: Employees records, conditions of employment and company policy, address lists, etc.
- Patients: contact information, product subscriptions, contractual agreements, accounting information and general communication.
- Suppliers: contact information, contractual agreements, accounting information and general communication.
- Technical product information.

- Financial statements

The above-mentioned records are of a confidential nature and only accessible to authorised people.

#### **4. GUIDE IN TERMS OF SECTION 10 OF THE ACT** (Section 51(1)(b) of the Act)

In terms of section 10 of the Act a guide will be compiled by the SAHRC containing such information as may be required by a person who wishes to exercise any right contemplated in the Act. The guide will be made available by the SAHRC by not later than August 2003.

#### **Contact details of the South African Human Rights Commission:**

PAIA Unit  
The Research and Documentation Department  
Private Bag 2700  
2041 Houghton

Telephone : +27 11 484 8300

Fax : +27 11 484 0582

Website : [www.sahrc.org.za](http://www.sahrc.org.za)

E-Mail : [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)

#### **5. NOTICE(S) IN TERMS OF SECTION 52(2) OF THE ACT** (Section 51(1)(c) of the Act)

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

#### **6. FEES**

The fees applicable to any application for information, is displayed on the South African Human Rights Commission's website at [www.sahrc.org.za](http://www.sahrc.org.za)

**Weskem Apteek**  
**(Registration Number BK92/15484/23)**

**Manual prepared in accordance with Section 51 of the Promotion of  
Access to Information Act, No 2 of 2000 ("The Act")**

1. Name of body (business) : Engelbrecht & van Heerden BK t/a  
Weskem Apteek

Registration Number : BK92/15484/23

Chief executive officer : Mnr. Ben van Heerden

The appointed information officer : Mnr. Ben van Heerden

Address : Pick 'n Pay Centre, Hoofstraat,  
Vredenburg, 7380

Postal Address : Pick 'n Pay Centre, Hoofstraat,  
Vredenburg, 7380

Telephone : 022 713 1184

Fax Number : 022 713 1851

E-Mail : [Weskem@Webmail.co.za](mailto:Weskem@Webmail.co.za)

## **2. INFORMATION / DOCUMENTS AVAILABLE IN ACCORDANCE WITH OTHER LEGISLATION** (Section 51(1)(d) of the Act)

The business keeps information / documents in accordance with the following legislation (please note that this is not an exhaustive list) :-

- Companies Act, Act No. 61 of 1973
- Income Tax Act, Act No. 58 of 1962 (Section 75)
- Value-Added Tax Act, Act No. 89 of 1991 (Section 65)
- Unemployment Insurance Act, Act No. 30 of 1966 (Section 32)
- Basic Conditions of Employment Act, Act No. 75 of 1997 (Section 31)
- Employment Equity Act, Act no. 55 of 1998 (Section 26)
- Compensation for Occupational Injuries and Diseases Act, Act No. 130 of 1993 (Section 97)
- Occupational Health and Safety Act, Act No. 85 of 1993
- Skills Development Act

It is recorded that any and all documents / information requested pertaining to the aforesaid shall always only be made available to a requestor subject to the provisions of the Act.

## **3. DOCUMENTS / INFORMATION HELD BY THE BUSINESS IN TERMS OF THE ACT** (Section 51(1)(e) of the Act)

### **Operational Information**

The business keeps information on

- Personnel related issues: Employees records, conditions of employment and company policy, address lists, etc.
- Clients: contact information, product subscriptions, contractual agreements, accounting information and general communication.
- Suppliers: contact information, contractual agreements, accounting information and general communication.
- Technical product information.



- Financial statements

The above-mentioned records are of a confidential nature and only accessible to authorised people.

#### **4. GUIDE IN TERMS OF SECTION 10 OF THE ACT (Section 51(1)(b) of the Act)**

In terms of section 10 of the Act a guide will be compiled by the SAHRC containing such information as may be required by a person who wishes to exercise any right contemplated in the Act. The guide will be made available by the SAHRC by not later than August 2003.

#### **Contact details of the South African Human Rights Commission:**

PAIA Unit  
The Research and Documentation Department  
Private Bag 2700  
2041 Houghton

Telephone : +27 11 484 8300

Fax : +27 11 484 0582

Website : [www.sahrc.org.za](http://www.sahrc.org.za)

E-Mail : [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)

#### **5. NOTICE(S) IN TERMS OF SECTION 52(2) OF THE ACT (Section 51(1)(c) of the Act)**

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

#### **6. FEES**

The fees applicable to any application for information, is displayed on the South African Human Rights Commission's website at [www.sahrc.org.za](http://www.sahrc.org.za)

**Hannasbaai Fishing Company (Pty) Ltd.**  
**(Registration Number 92/002567/07)**

**Manual prepared in accordance with Section 51 of the Promotion of  
Access to Information Act, No 2 of 2000 ("The Act")**

1. Name of body (business) : Hannasbaai Fishing Company  
(Pty) Ltd.

Registration Number : 92/002567/07

Name of body (business) : Jaloersbaai (Pty) Ltd.

Registration Number : 92/021359/07

Chief executive officer : (MD) Sarel Meiring

The appointed information officer : Bernie Pols

Address : Main Road, St. Helena Bay, 7390

Postal Address : P.O. Box 78, St. Helena Bay 7390

Telephone : 022 736 1028

Fax Number : 022 7361308

E-Mail : [bernie@vdg.co.za](mailto:bernie@vdg.co.za)

**2. INFORMATION / DOCUMENTS AVAILABLE IN ACCORDANCE WITH OTHER LEGISLATION**  
(Section 51(1)(d) of the Act)

The business keeps information / documents in accordance with the following legislation (please note that this is not an exhaustive list) :-

- Companies Act, Act No. 61 of 1973
- Income Tax Act, Act No. 58 of 1962 (Section 75)
- Value-Added Tax Act, Act No. 89 of 1991 (Section 65)
- Unemployment Insurance Act, Act No.30 of 1966 (Section 32)
- Basic Conditions of Employment Act, Act No. 75 of 1997 (Section 31)
- Employment Equity Act, Act no. 55 of 1998 (Section 26)
- Compensation for Occupational Injuries and Diseases Act, Act No. 130 of 1993 (Section 97)
- Occupational Health and Safety Act, Act No. 85 of 1993
- Skills Development Act. 1998
- Marine Living Resources Act. 1998

It is recorded that any and all documents / information requested pertaining to the aforesaid shall always only be made available to a requestor subject to the provisions of the Act.

**3. DOCUMENTS / INFORMATION HELD BY THE BUSINESS IN TERMS OF THE ACT**  
(Section 51(1)(e) of the Act)

**Operational Information**

The business keeps information on

- Personnel related issues: Employees records, conditions of employment and company policy, address lists, etc.
- Clients: contact information, product subscriptions, contractual agreements, accounting information and general communication.
- Suppliers: contact information, contractual agreements, accounting information and general communication.
- Technical product information.

- Export documentation.
- HACCP Documentation
- Financial statements

The above-mentioned records are of a confidential nature and only accessible to authorised people.

#### **4. GUIDE IN TERMS OF SECTION 10 OF THE ACT** (Section 51(1)(b) of the Act)

In terms of section 10 of the Act a guide will be compiled by the SAHRC containing such information as may be required by a person who wishes to exercise any right contemplated in the Act. The guide will be made available by the SAHRC by not later than August 2003.

#### **Contact details of the South African Human Rights Commission:**

PAIA Unit  
The Research and Documentation Department  
Private Bag 2700  
2041 Houghton

Telephone : +27 11 484 8300

Fax : +27 11 484 0582

Website : [www.sahrc.org.za](http://www.sahrc.org.za)

E-Mail : [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)

#### **5. NOTICE(S) IN TERMS OF SECTION 52(2) OF THE ACT** (Section 51(1)(c) of the Act)

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

#### **6. FEES**

The fees applicable to any application for information, is displayed on the South African Human Rights Commission's website at [www.sahrc.org.za](http://www.sahrc.org.za)

**Bongolethu Fishing Enterprises (Pty) Ltd.  
(Registration Number 1998/016997/07)**

**Manual prepared in accordance with Section 51 of the Promotion of  
Access to Information Act, No 2 of 2000 ("The Act")**

1. Name of body (business) : Bongolethu Fishing Enterprises  
(Pty) Ltd.

Registration Number : 1998/016997/07

Chief executive officer : Mr. Abe Esau

The appointed information officer : Mrs. A. Barnard

Address : Kreef Avenue, Pepper Bay, Saldanha,  
7395

Postal Address : P.O. Box 1044, Saldanha, 7395

Telephone : 022 714 4510/1

Fax Number : 022 714 4493

E-Mail : [bong@imaginet.co.za](mailto:bong@imaginet.co.za)

**2. INFORMATION / DOCUMENTS AVAILABLE IN ACCORDANCE WITH OTHER LEGISLATION**  
(Section 51(1)(d) of the Act)

The business keeps information / documents in accordance with the following legislation (please note that this is not an exhaustive list) :-

- Companies Act, Act No. 61 of 1973
- Income Tax Act, Act No. 58 of 1962 (Section 75)
- Value-Added Tax Act, Act No. 89 of 1991 (Section 65)
- Unemployment Insurance Act, Act No.30 of 1966 (Section 32)
- Basic Conditions of Employment Act, Act No. 75 of 1997 (Section 31)
- Employment Equity Act, Act no. 55 of 1998 (Section 26)
- Compensation for Occupational Injuries and Diseases Act, Act No. 130 of 1993 (Section 97)
- Occupational Health and Safety Act, Act No. 85 Of 1993
- Skills Development Act. 1998
- Marine Living Resources Act. 1998

It is recorded that any and all documents / information requested pertaining to the aforesaid shall always only be made available to a requestor subject to the provisions of the Act.

**3. DOCUMENTS / INFORMATION HELD BY THE BUSINESS IN TERMS OF THE ACT**  
(Section 51(1)(e) of the Act)

**Operational Information**

The business keeps information on

- Personnel related issues: Employees records, conditions of employment and company policy, address lists, etc.
- Clients: contact information, product subscriptions, contractual agreements, accounting information and general communication.
- Suppliers: contact information, contractual agreements, accounting information and general communication.
- Technical product information.

- Export documentation.
- HACCP Documentation
- Financial statements

The above-mentioned records are of a confidential nature and only accessible to authorised people.

**4. GUIDE IN TERMS OF SECTION 10 OF THE ACT**  
(Section 51(1)(b) of the Act)

In terms of section 10 of the Act a guide will be compiled by the SAHRC containing such information as may be required by a person who wishes to exercise any right contemplated in the Act. The guide will be made available by the SAHRC by not later than August 2003.

**Contact details of the South African Human Rights Commission:**

PAIA Unit  
The Research and Documentation Department  
Private Bag 2700  
2041 Houghton

Telephone : +27 11 484 8300

Fax : +27 11 484 0582

Website : [www.sahrc.org.za](http://www.sahrc.org.za)

E-Mail : [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)

**5. NOTICE(S) IN TERMS OF SECTION 52(2) OF THE ACT**  
(Section 51(1)(c) of the Act)

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

**6. FEES**

The fees applicable to any application for information, is displayed on the South African Human Rights Commission's website at [www.sahrc.org.za](http://www.sahrc.org.za)



**A.J.F. Eigelaar & Seuns (Edms) Bpk.**  
**(Registration Number 58/00821/07)**

**Manual prepared in accordance with Section 51 of the Promotion of Access to Information Act, No 2 of 2000 ("The Act")**

1. Name of body (business) and all subsidiary companies : Registration Number :

A.J.F. Eigelaar & Seuns (Edms) Bpk 58/00821/07

Hoedjiesbaai Eiendomme (Edms) Bpk 70/02669/07

Vredenburg Kelders (Edms) Bpk. 56/01753/07

**Laaiplek Handelshuis (Edms) Bpk.** 63/02888/07

King's Cellars Hotel (Pty) Ltd. 60/02543/07

Diazvill Liquor Sales (Pty) Ltd. 94/01706/07

Chief executive officer : A.J.F. Eigelaar

The appointed information officer : A.J. Gresse

Address : de Villiersstraat, Laaiplek

**Postal Address :** P.O. Box 242, Velddrif, 7365

**Telephone :** 022 783 1125

**Fax Number :** 022 783 0618

E-Mail :

**2. INFORMATION / DOCUMENTS AVAILABLE IN  
ACCORDANCE WITH OTHER LEGISLATION**  
(Section 51(1)(d) of the Act)

The business keeps information / documents in accordance with the following legislation (please note that this is not an exhaustive list) :-

- Companies Act, Act No. 61 of 1973
- Income Tax Act, Act No. 58 of 1962 (Section 75)
- Value-Added Tax Act, Act No. 89 of 1991 (Section 65)
- Unemployment Insurance Act, Act No. 30 of 1966 (Section 32)
- Basic Conditions of Employment Act, Act No. 75 of 1997 (Section 31)
- Employment Equity Act, Act no. 55 of 1998 (Section 26)
- Compensation for Occupational Injuries and Diseases Act, Act No. 130 of 1993 (Section 97)
- Occupational Health and Safety Act, Act No. 85 of 1993
- Skills Development Act. 1998
- Marine Living Resources Act. 1998

It is recorded that any and all documents / information requested pertaining to the aforesaid shall always only be made available to a requestor subject to the provisions of the Act.

**3. DOCUMENTS / INFORMATION HELD BY THE BUSINESS  
IN TERMS OF THE ACT**  
(Section 51(1)(e) of the Act)

**Operational Information**

The business keeps information on

- Personnel related issues: Employees records, conditions of employment and company policy, address lists, etc.
- Clients: contact information, product subscriptions, contractual agreements, accounting information and general communication.
- Suppliers: contact information, contractual agreements, accounting information and general communication.
- Technical product information.

- Export documentation.
- HACCP Documentation
- Financial statements

The above-mentioned records are of a confidential nature and only accessible to authorised people.

**4. GUIDE IN TERMS OF SECTION 10 OF THE ACT**  
(Section 51(1)(b) of the Act)

In terms of section 10 of the Act a guide will be compiled by the SAHRC containing such information as may be required by a person who wishes to exercise any right contemplated in the Act. The guide will be made available by the SAHRC by not later than August 2003.

**Contact details of the South African Human Rights Commission:**

PAIA Unit  
The Research and Documentation Department  
Private Bag 2700  
2041 Houghton

Telephone : +27 11 484 8300

Fax : +27 11 484 0582

Website : [www.sahrc.org.za](http://www.sahrc.org.za)

E-Mail : [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)

**5. NOTICE(S) IN TERMS OF SECTION 52(2) OF THE ACT**  
(Section 51(1)(c) of the Act)

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

**6. FEES**

The fees applicable to any application for information, is displayed on the South African Human Rights Commission's website at [www.sahrc.org.za](http://www.sahrc.org.za)

**Komicx Products (Pty) Ltd.  
(Registration Number 1995/012949/07)**

**Manual prepared in accordance with Section 51 of the Promotion of  
Access to Information Act, No 2 of 2000 ("The Act")**

1. Name of body (business) : Komicx Products (Pty) Ltd.

Registration Number : 1995/012949/07

Name of body (business) : Biz Afrika 131 (Pty) Ltd.

Registration Number : 1999/04544/07

Chief executive officer : Keith Anthony Anderson

The appointed information officer : Michelle Shortt

Address : 25 Fish Eagle Place, Fish Eagle Park,  
Kommetjie, 7975

Postal Address : P.O. Box 48145, Kommetjie, 7976

Telephone : 021 783 5016

Fax Number : 021 783 5020

E-Mail : [komicx@gem.co.za](mailto:komicx@gem.co.za)

## **2. INFORMATION / DOCUMENTS AVAILABLE IN ACCORDANCE WITH OTHER LEGISLATION** (Section 51(1)(d) of the Act)

The business keeps information / documents in accordance with the following legislation (please note that this is not an exhaustive list) :-

- Companies Act, Act No. 61 of 1973
- Income Tax Act, Act No. 58 of 1962 (Section 75)
- Value-Added Tax Act, Act No. 89 of 1991 (Section 65)
- Unemployment Insurance Act, Act No.30 of 1966 (Section 32)
- Basic Conditions of Employment Act, Act No. 75 of 1997 (Section 31)
- Employment Equity Act, Act no. 55 of 1998 (Section 26)
- Compensation for Occupational Injuries and Diseases Act, Act No. 130 of 1993 (Section 97)
- Occupational Health and Safety Act, Act No. 85 of 1993
- Skills Development Act. 1998
- Marine Living Resources Act. 1998

It is recorded that any and all documents / information requested pertaining to the aforesaid shall always only be made available to a requestor subject to the provisions of the Act.

## **3. DOCUMENTS / INFORMATION HELD BY THE BUSINESS IN TERMS OF THE ACT** (Section 51(1)(e) of the Act)

### **Operational Information**

The business keeps information on

- Personnel related issues: Employees records, conditions of employment and company policy, address lists, etc.
- Clients: contact information, product subscriptions, contractual agreements, accounting information and general communication.
- Suppliers: contact information, contractual agreements, accounting information and general communication.
- Technical product information.

- Export documentation.
- HACCP Documentation
- Financial statements

The above-mentioned records are of a confidential nature and only accessible to authorised people.

**4. GUIDE IN TERMS OF SECTION 10 OF THE ACT**  
(Section 51(1)(b) of the Act)

In terms of section 10 of the Act a guide will be compiled by the SAHRC containing such information as may be required by a person who wishes to exercise any right contemplated in the Act. The guide will be made available by the SAHRC by not later than August 2003.

**Contact details of the South African Human Rights Commission:**

PAIA Unit  
The Research and Documentation Department  
Private Bag 2700  
2041 Houghton

Telephone : +27 11 484 8300

Fax : +27 11 484 0582

Website : [www.sahrc.org.za](http://www.sahrc.org.za)

E-Mail : [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)

**5. NOTICE(S) IN TERMS OF SECTION 52(2) OF THE ACT**  
(Section 51(1)(c) of the Act)

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

**6. FEES**

The fees applicable to any application for information, is displayed on the South African Human Rights Commission's website at [www.sahrc.org.za](http://www.sahrc.org.za)



DE JAGER ♦ KRUGER ♦ VAN BLERK

Attorneys

**MANUAL PREPARED IN ACCORDANCE WITH SECTION 51 OF  
THE PROMOTION OF ACCESS TO INFORMATION ACT, ACT NO.  
2 OF 2000 ("THE ACT")**

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PAGE 1

1. INTRODUCTION

The manual is to assist potential requestors as to the procedure to be followed when requesting access to information / documents from De Jager, Kruger, Van Blerk as contemplated in terms of the Act.

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

Any requestor is advised to contact Philip De Jager should he / she require any assistance in respect of the utilisation of this manual and / or the requesting of documents / information from De Jager, Kruger, Van Blerk.

The following words will bear the following meaning in this manual:-

"the Act"	shall mean the Promotion of Access to Information Act, No. 2 of 2000, together with all relevant regulations published in terms thereof;
"the/this manual"	shall mean this manual together with all annexures thereto as available at the offices of De Jager, Kruger, Van Blerk from time to time;
"De Jager, Kruger, Van Blerk"	shall mean De Jager, Kruger, Van Blerk Attorneys;
"SAHRC"	shall mean the South African Human Rights Commission.

**PAGE 2****2. CONTACT DETAILS (Section 51(1)(a) of the Act)**

<b>Name of body:</b>	De Jager, Kruger, Van Blerk Attorneys
<b>Partner and appointed information Officer:</b>	Philip De Jager
<b>Address:</b>	Lexforum Corner 5 <sup>th</sup> Street and 7 <sup>th</sup> Avenue Springs, 1560
<b>Postal Address:</b>	P.O. Box 835 Springs 1560
<b>Telephone:</b>	(011) 812-1455
<b>Fax:</b>	(011) 362-4493
<b>E-mail:</b>	PdeJager@webmail.co.za

**PAGE 3****3. GUIDE IN TERMS OF SECTION 10 OF THE ACT**  
(Section 51(1)(b) of the Act)

In terms of section 10 of the Act a guide will be compiled by the SAHRC containing such information as may be required by a person who wishes to exercise any right contemplated in the Act. The guide will be made available by the SAHRC by no later than August 2003.

**Contact details of the South African Human Rights Commission:**

PAIA Unit  
The Research and Documentation Department  
Private Bag 2700  
HOUGHTON  
2041

Telephone: +27 11 484 8300

Fax: +27 11 484 0582

Website: [www.sahrc.org.za](http://www.sahrc.org.za)

E-mail: [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)

**PAGE 4****4. NOTICE(S) IN TERMS OF SECTION 52(2) OF THE ACT**  
(Section 51(1)(c) of the Act)

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

**PAGE 5****5. INFORMATION / DOCUMENTS AVAILABLE IN ACCORDANCE WITH OTHER LEGISLATION (Section 51(1)(d) of the Act)**

De Jager, Kruger, Van Blerk keeps information / documents in accordance with the following legislation (please note that this is not an exhaustive list) :-

- Income Tax Act, Act No. 58 of 1962 (Section 75)
- Valued-Added Tax Act, Act No. 89 of 1991 (Section 65)
- Unemployment Insurance Act, Act No. 30 of 1966 (Section 32)
- Basic Conditions of Employment Act, Act No. 75 of 1997 (Section 31)
- Employment Equity Act, Act No. 55 of 1998 (Section 26)
- Compensation for Occupational Injuries and Diseases Act, Act No. 130 of 1993 (Section 97)
- Attorneys Act, Act No. 53 of 1979
- Skills Development Act, Act No. 97 of 1998
- Regional Services Act, Act No. 109 of 1985 as amended
- Promotion of Access to information Act, Act 2 of 2000

**PAGE 6****6. DOCUMENTS / INFORMATION HELD BY DE JAGER, KRUGER, VAN BLERK IN TERMS OF THE ACT (Section 51(1)(e) of the Act)**

The documents / information listed herein below pertain to the day-to-day management of the business of De Jager, Kruger, Van Blerk:-

- Standard Employment Contracts
- Human Resources Manual
- Insurance Policies
- Rules and regulations relating to Pension funds
- Other commercial contracts

It is recorded that any and all documents / information requested pertaining to the aforesaid shall always only be made available to a requestor subject to the provisions of the Act.

**PAGE 7****7. OTHER INFORMATION (Section 51(1)(f) of the Act)**

The Minister of Justice and Constitutional Development has to date not published any regulations in terms of this section.



**PAGE 8**

8. **AVAILABILITY OF THE MANUAL** (Section 51(3) of the Act)
- 1.1 This manual is available for inspection at the offices of De Jager, Kruger, Van Blerk free of charge.
- 1.2 Copies of the manual may be obtained, subject to the prescribed fees, at the offices of De Jager, Kruger, Van Blerk.
- 1.3 The manual can also be accessed on the websites of the SAHRC ([www.sahrc.org.za](http://www.sahrc.org.za)) and will be published in the *Government Gazette*. However, it should be noted that the manual accessible on the website of SAHRC and in the *Government Gazette*, does not include the request forms or fee structure. The request forms and fee structure can be obtained on the SAHRC website ([www.sahrc.org.za](http://www.sahrc.org.za)) or the website of the Department of Justice and Constitutional Development ([www.doj.gov.za](http://www.doj.gov.za)) (under "regulations").

**DE JAGER, KRUGER, VAN BLERK EIENDOMME (PTY) LTD**  
**(95/011667/07)**

**PROPERTY OWNING COMPANY**

**MANUAL PREPARED IN ACCORDANCE WITH SECTION 51 OF  
THE PROMOTION OF ACCESS TO INFORMATION ACT, ACT NO.  
2 OF 2000 ("THE ACT")**

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**PAGE 1**

**1. INTRODUCTION**

The manual is to assist potential requestors as to the procedure to be followed when requesting access to information / documents from De Jager, Kruger, Van Blerk Eiendomme (Pty) Ltd as contemplated in terms of the Act.

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

Any requestor is advised to contact Philip De Jager should he / she require any assistance in respect of the utilisation of this manual and / or the requesting of documents / information from De Jager, Kruger, Van Blerk Eiendomme (Pty) Ltd.

The following words will bear the following meaning in this manual:-

"the Act"	shall mean the Promotion of Access to Information Act, No. 2 of 2000, together with all relevant regulations published in terms thereof;
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"the/this manual"	shall mean this manual together with all annexures thereto as available at the offices of De Jager, Kruger, Van Blerk Eiendomme (Pty) Ltd from time to time;
-------------------	--

"De Jager, Kruger, Van Blerk Eiendomme (Pty) Ltd"	shall mean De Jager, Kruger, Van Blerk Eiendomme (Pty) Ltd
---	--

"SAHRC"	shall mean the South African Human Rights Commission.
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**PAGE 2****2. CONTACT DETAILS (Section 51(1)(a) of the Act)**

<b>Name of body:</b>	De Jager, Kruger, Van Blerk Eiendomme (Pty) Ltd
<b>Director and appointed information Officer:</b>	Philip De Jager
<b>Address:</b>	Lexforum Corner 5 <sup>th</sup> Street and 7 <sup>th</sup> Avenue Springs, 1560
<b>Postal Address:</b>	P.O. Box 835 Springs 1560
<b>Telephone:</b>	(011) 812-1455
<b>Fax:</b>	(011) 362-4493
<b>E-mail:</b>	PdeJager@webmail.co.za

**PAGE 3****3. GUIDE IN TERMS OF SECTION 10 OF THE ACT**  
(Section 51(1)(b) of the Act)

In terms of section 10 of the Act a guide will be compiled by the SAHRC containing such information as may be required by a person who wishes to exercise any right contemplated in the Act. The guide will be made available by the SAHRC by no later than August 2003.

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Private Bag 2700  
HOUGHTON  
2041

Telephone: +27 11 484 8300

Fax: +27 11 484 0582

Website: [www.sahrc.org.za](http://www.sahrc.org.za)

E-mail: [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)

**PAGE 4****4. NOTICE(S) IN TERMS OF SECTION 52(2) OF THE ACT**  
(Section 51(1)(c) of the Act)

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

**PAGE 5****5. INFORMATION / DOCUMENTS AVAILABLE IN ACCORDANCE WITH OTHER LEGISLATION (Section 51(1)(d) of the Act)**

De Jager, Kruger, Van Blerk Eiendomme (Pty) Ltd keeps information / documents in accordance with the following legislation (please note that this is not an exhaustive list) :-

- Income Tax Act, Act No. 58 of 1962 (Section 75)
- Valued-Added Tax Act, Act No. 89 of 1991 (Section 65)
- Unemployment Insurance Act, Act No. 30 of 1966 (Section 32)
- Basic Conditions of Employment Act, Act No. 75 of 1997 (Section 31)
- Employment Equity Act, Act No. 55 of 1998 (Section 26)
- Compensation for Occupational Injuries and Diseases Act, Act No. 130 of 1993 (Section 97)
- Skills Development Act, Act No. 97 of 1998
- Regional Services Act, Act No. 109 of 1985 as amended
- Promotion of Access to information Act, Act 2 of 2000



**PAGE 6**

**6. DOCUMENTS / INFORMATION HELD BY JAVLIN INVESTMENTS CC IN TERMS OF THE ACT (Section 51(1)(e) of the Act)**

The documents / information listed herein below pertain to the day-to-day management of the business of De Jager, Kruger, Van Blerk Eiendomme (Pty) Ltd:-

- Standard Employment Contracts
- Human Resources Manual
- Insurance Policies
- Rules and regulations relating to Pension funds
- Other commercial contracts

It is recorded that any and all documents / information requested pertaining to the aforesaid shall always only be made available to a requestor subject to the provisions of the Act.

---

**PAGE 7****7. OTHER INFORMATION (Section 51(1)(f) of the Act)**

The Minister of Justice and Constitutional Development has to date not published any regulations in terms of this section.

**PAGE 8**

**8. AVAILABILITY OF THE MANUAL** (Section 51(3) of the Act)

- 1.1 This manual is available for inspection at the offices of De Jager, Kruger, Van Blerk Eiendomme (Pty) Ltd free of charge.
- 1.2 Copies of the manual may be obtained, subject to the prescribed fees, at the offices of De Jager, Kruger, Van Blerk Eiendomme (Pty) Ltd.
- 1.3 The manual can also be accessed on the websites of the SAHRC ([www.sahrc.org.za](http://www.sahrc.org.za)) and will be published in the *Government Gazette*. However, it should be noted that the manual accessible on the website of SAHRC and in the *Government Gazette*, does not include the request forms or fee structure. The request forms and fee structure can be obtained on the SAHRC website ([www.sahrc.org.za](http://www.sahrc.org.za)) or the website of the Department of Justice and Constitutional Development ([www.doj.gov.za](http://www.doj.gov.za)) (under "regulations").

**JAVLIN INVESTMENTS CC**  
**(88/015441/23)**

**CESSIONARY OF CIVIL ACTIONS AND EMPLOYEE CONTRACTOR**

**MANUAL PREPARED IN ACCORDANCE WITH SECTION 51 OF  
THE PROMOTION OF ACCESS TO INFORMATION ACT, ACT NO.  
2 OF 2000 ("THE ACT")**

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<b>7. Other information</b>	<b>7</b>
<b>8. Availability of the manual</b>	<b>8</b>

**PAGE 1**

**1. INTRODUCTION**

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

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

Any requestor is advised to contact Philip De Jager should he / she require any assistance in respect of the utilisation of this manual and / or the requesting of documents / information from Javlin Investments CC.

The following words will bear the following meaning in this manual:-

"the Act"	shall mean the Promotion of Access to Information Act, No. 2 of 2000, together with all relevant regulations published in terms thereof;
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"the/this manual"	shall mean this manual together with all annexures thereto as available at the offices of Javlin Investments CC from time to time;
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"Javlin Investments CC"	shall mean Javlin Investments CC
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"SAHRC"	shall mean the South African Human Rights Commission.
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**PAGE 2****2. CONTACT DETAILS (Section 51(1)(a) of the Act)**

<b>Name of body:</b>	Javlin Investments CC
<b>Member and appointed information Officer:</b>	Philip De Jager
<b>Address:</b>	Lexforum Corner 5 <sup>th</sup> Street and 7 <sup>th</sup> Avenue Springs, 1560
<b>Postal Address:</b>	P.O. Box 835 Springs 1560
<b>Telephone:</b>	(011) 812-1455
<b>Fax:</b>	(011) 362-4493
<b>E-mail:</b>	PdeJager@webmail.co.za

**PAGE 3****3. GUIDE IN TERMS OF SECTION 10 OF THE ACT**  
(Section 51(1)(b) of the Act)

In terms of section 10 of the Act a guide will be compiled by the SAHRC containing such information as may be required by a person who wishes to exercise any right contemplated in the Act. The guide will be made available by the SAHRC by no later than August 2003.

**Contact details of the South African Human Rights Commission:**

PAIA Unit  
The Research and Documentation Department  
Private Bag 2700  
HOUGHTON  
2041

Telephone: +27 11 484 8300

Fax: +27 11 484 0582

Website: [www.sahrc.org.za](http://www.sahrc.org.za)

E-mail: [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)



**PAGE 4****4. NOTICE(S) IN TERMS OF SECTION 52(2) OF THE ACT**  
(Section 51(1)(c) of the Act)

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

**PAGE 5****5. INFORMATION / DOCUMENTS AVAILABLE IN ACCORDANCE WITH OTHER LEGISLATION (Section 51(1)(d) of the Act)**

Javlin Investments CC keeps information / documents in accordance with the following legislation (please note that this is not an exhaustive list) :-

- Income Tax Act, Act No. 58 of 1962 (Section 75)
- Valued-Added Tax Act, Act No. 89 of 1991 (Section 65)
- Unemployment Insurance Act, Act No. 30 of 1966 (Section 32)
- Basic Conditions of Employment Act, Act No. 75 of 1997 (Section 31)
- Employment Equity Act, Act No. 55 of 1998 (Section 26)
- Compensation for Occupational Injuries and Diseases Act, Act No. 130 of 1993 (Section 97)
- Skills Development Act, Act No. 97 of 1998
- Regional Services Act, Act No. 109 of 1985 as amended
- Promotion of Access to information Act, Act 2 of 2000

**PAGE 6****6. DOCUMENTS / INFORMATION HELD BY JAVLIN INVESTMENTS CC IN TERMS OF THE ACT (Section 51(1)(e) of the Act)**

The documents / information listed herein below pertain to the day-to-day management of the business of Javlin Investments CC:-

- Standard Employment Contracts
- Human Resources Manual
- Insurance Policies
- Rules and regulations relating to Pension funds
- Other commercial contracts

It is recorded that any and all documents / information requested pertaining to the aforesaid shall always only be made available to a requestor subject to the provisions of the Act.

**PAGE 7****7. OTHER INFORMATION (Section 51(1)(f) of the Act)**

The Minister of Justice and Constitutional Development has to date not published any regulations in terms of this section.

**PAGE 8****8. AVAILABILITY OF THE MANUAL (Section 51(3) of the Act)**

- 1.1 This manual is available for inspection at the offices of Javlin Investments CC free of charge.
- 1.2 Copies of the manual may be obtained, subject to the prescribed fees, at the offices of Javlin Investments CC.
- 1.3 The manual can also be accessed on the websites of the SAHRC ([www.sahrc.org.za](http://www.sahrc.org.za)) and will be published in the *Government Gazette*. However, it should be noted that the manual accessible on the website of SAHRC and in the *Government Gazette*, does not include the request forms or fee structure. The request forms and fee structure can be obtained on the SAHRC website ([www.sahrc.org.za](http://www.sahrc.org.za)) or the website of the Department of Justice and Constitutional Development ([www.doj.gov.za](http://www.doj.gov.za)) (under "regulations").

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