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MANUAL

IN ACCORDANCE WITH

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



AIDS HELPLINE: 0800-0123-22 Prevention is the cure

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VIKING COMMERCIAL (PTY) LTD

Registration Number 1998/025767/07

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

Viking Commercial (Pty) Ltd is a distributor of agrochemicals and pest control products, situated in Stellenbosch, Western Cape, RSA.

Section 51(1)(a)

Street address: Adam Tas Road, Stellenbosch, 7599
Postal address: PO Box 1137, Stellenbosch, 7599
Telephone: +27 [0]21 887 1120
Facsimile: +27 [0]21 887 1905
Electronic mail: info@viking.co.za

Section 51(1)(b)

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

Section 51(1)(c)

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

Section 51(1)(d)

Basic Conditions of Employment No. 75 of 1997
Companies Act No. 61 of 1973
Compensation for Occupational Injuries and Health Diseases Act No. 130 of 1993
Consumer Affairs (Unfair Business Practices) Act No. 71 of 1988
Copyright Act No. 98 of 1978
Credit Agreements Act No. 75 of 1980
Currency and Exchanges Act No. 9 of 1933
Debtor Collectors Act No. 114 of 1998
Employment Equity Act No. 55 of 1998
Finance Act No. 35 of 2000
Financial Services Board Act No. 97 of 1990
Financial Relations Act No. 65 of 1976
Harmful Business Practices Act No. 23 of 1999
Hazardous Substances Act No. 15 of 1973
Income Tax Act No. 95 of 1967
Insurance Act No. 27 of 1943
Intellectual Property Laws Amendments Act No. 38 of 1997
Labour Relations Act No. 66 of 1995
Long Term Insurance Act No. 52 of 1998
Medical Schemes Act No. 131 of 1998
Occupational Health & Safety Act No. 85 of 1993
Pension Funds Act No. 24 of 1956
Post Office Act No. 44 of 1958
Protection of Businesses Act No. 99 of 1978
Regional Services Councils Act No. 109 of 1985
SA Reserve Bank Act No. 90 of 1989
Short Term Insurance Act No. 53 of 1998
Skills Development Levies Act No. 9 of 1999
Skills Development Act No. 97 of 1998
Stamp Duties Act No. 77 of 1968
Tax on Retirement Funds Act No. 38 of 1996
Trade Marks Act No. 194 of 1993
Unemployment Contributions Act No. 4 of 2002
Unemployment Insurance Act No. 63 of 2001
Usury Act No. 73 of 1968
Value Added Tax Act No. 89 of 1991

Section 51(1)(e)

Classification of records:

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

Form of request:

The requester must use the prescribed form to make the request for access to a record. This must be made to the head of the private body. This request must be made to the address, fax number or electronic mail address of the body, set out above [s 53(1) of the Act].

The requester must provide sufficient detail on the request form to enable the head of the private body to identify the record and the requester. The requester should also indicate which form of access is required. The requester should also indicate if any other manner is to be used to inform the requester and state the necessary particulars to be so informed [s 53(2)(a) and (b) and (c) of the Act].

The requester must identify the right that is sought to be exercised or to be protected and provide an explanation of why the requested record is required for the exercise or protection of that right [s 53(2)(d) of the Act].

If a request is made on behalf of another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the head of the private body [s 53(2)(f) of the Act].

Fees:

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

The head of the private body must notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed fee (if any) before further processing the request [s 54(1) of the Act].

After the head of the private body has made a decision on the request, the requester must be notified in the required form.

If the request is granted then a further access fee must be paid for the search, reproduction, preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure [s 54(6) of the Act].

STELLENBOSCH MUNISIPALITEIT

Voorskrifte soos bepaal deur artikel 14 van die Wet op Bevordering van Toegang tot Inligting, Wet No 2 van 2000.

Inleiding

Stellenbosch Munisipaliteit is die plaaslike owerheid wat jurisdiksie het oor die dorpe Stellenbosch, Pniel en Franschhoek.

Artikel 14(1)(a)

Die magte en funksies van die openbare liggaam word daaraan toegewys ingevolge artikels 156 en 229 van die Grondwet en word verder bepaal deur die Wet op Plaaslike Regering: Municipale Strukture, No. 117 van 1998. Die struktuur spruit voort uit artikels 79 en/of 80 van genoemde Wet.

Besluitneming deur die openbare liggaam word deur die Raad en die Uitvoerende Komitee beheer, met die municipale bestuurder en 8 departementeel bestuurders wat ingevolge wetgewing gedelegeerde en oorspronklike magte het.

Die magte en funksies van munisipaliteit is soos volg:

- (1) 'n Munisipaliteit het uitvoerende gesag ten opsigte van en die reg tot administrasie van –
 - (a) die plaaslike regeringsaangeleenthede soos gelys in Deel B van Bylae 4 en Deel B van Bylae 5 van die Grondwet, en
 - (b) enige ander aangeleentheid wat deur nasionale of provinsiale wetgewing daaraan toegewys is.
- (2) 'n Munisipaliteit kan verordeninge maak en toepas vir die doeltreffende administrasie van die aangeleenthede wat dit die reg het om te administreer.
- (3) Onderhewig aan artikel 151(4) van die Grondwet, is 'n verordening ongeldig indien dit strydig is met nasionale of provinsiale wetgewing. Indien daar 'n teenstrydigheid is tussen 'n verordening en nasionale of provinsiale wetgewing wat nie in werking is nie as gevolg van 'n teenstrydigheid waarna in artikel 149 van die Grondwet verwys word, moet die verordening as geldig geag word vir so lank as wat daardie wetgewing buite werking is.
- (4) Die nasionale regering en provinsiale regerings moet volgens ooreenkoms en onderworpe aan enige voorwaardes, die administrasie van 'n aangeleentheid wat in Deel A van Bylae 4 of Deel A van Bylae 5 van die Grondwet gelys is en wat noodwendig met plaaslike regering verband hou, aan 'n munisipaliteit toewys, indien –
 - (a) daardie aangeleentheid plaaslik die doeltreffendste geadministreer sal word, en
 - (b) die munisipaliteit die vermoë het om dit te administreer.
- (5) 'n Munisipaliteit het die reg om enige mag aangaande 'n aangeleentheid uit te oefen wat redelikerwys nodig is of bykomend is vir die doeltreffende uitvoering van sy funksies.

Artikel 14(1)(b)

Straatadres:	Pleinstraat, Stellenbosch, 7600
Posadres:	Posbus 17, Stellenbosch, 7599
Telefoon:	+27 [0]21 808 8111
Faks:	+27 [0]21 808 8200
Elektroniese pos:	municipality@stellenbosch.org
Vir aandag:	Hoof: Regsdienste

Artikel 14(1)(c)

Die voorgenome voorskrifte kragtens artikel 10 van die Wet op Bevordering van Toegang tot Inligting ("die Wet") is nie gepubliseer nie.

Artikel 14(1)(d)**Klassifikasie van rekords:**

Bedryf	Menslike hulpbronne	Finansies
<ul style="list-style-type: none"> • Agendas + notules van vergaderings • Kontrakte met eksterne partye • Eiendomsbeskrywings en besonderhede wat daarmee verband hou • Besonderhede oor aangeleenthede • Registrasiedienste met al die administratiewe lêers • GOP-verwant 	<ul style="list-style-type: none"> • Dienskontrakte • Personeellêers • Beleidsdokumente 	<ul style="list-style-type: none"> • Finansiële state • Bate-inventaris • Rekords van dienste gelewer aan erwe • Begrotings • Inkomste- en uitgawe-transaksies

Meer volledige inligting kan bekom word by www.stellenbosch.org.

Vorm van versoek

Die aansoeker moet die voorgeskrewe vorm gebruik vir die versoek om toegang tot 'n rekord te verkry. Die versoek moet aan die hoof van die openbare liggaam gerig word. Die versoek moet gedoen word by die adres, faksnommer of elektroniese adres van die liggaam soos hierbo aangedui.

Die aansoeker moet voldoende inligting op die aansoekvorm versaf ten einde die hoof van die openbare liggaam in staat te stel om die rekord en die aansoeker te identifiseer. Die aansoeker moet ook aandui watter vorm van toegang verlang word en of enige ander wyse gebruik moet word om die aansoeker in te lig en die nodige besonderhede verstrek om só ingelig te word.

Die aansoeker moet die reg wat verlang of beskerm moet word, identifiseer en 'n verduideliking bied waarom die rekord soos versoek benodig word vir die beoefening of beskerming van daardie reg.

Indien 'n versoek namens iemand anders gedoen word, moet die aansoeker tot bevrediging van die hoof van die openbare liggaam bewys lewer van die hoedanigheid waarin die aansoeker die versoek doen.

Fooi

Daar word nie van 'n aansoeker wat toegang verlang tot 'n rekord wat persoonlike inligting omtrent daardie aansoeker bevat, verwag om aansoekgeld te betaal nie. Elke ander aansoeker, wat nie 'n persoonlike aansoeker is nie, moet die vereiste aansoekgeld betaal.

Die hoof van die openbare liggaam moet die aansoeker (in ander gevalle as 'n persoonlike aansoeker) per kennisgewing in kennis stel en die aansoeker versoek om die voorgeskrewe fooi te betaal (indien enige) voordat die versoek verder geprosesseer word.

Nadat die hoof van die openbare liggaam 'n besluit oor die versoek geneem het, moet die aansoeker met die nodige vorm in kennis gestel word.

Indien die versoek toegestaan word, moet verdere toegangsgeld betaal word vir die soektog, reproduksie, voorbereiding en enige tyd wat die voorgeskrewe aantal uur vir die soektog na en voorbereiding van die rekord vir bekendmaking oorskry het.

Artikel 14(1)(e)

Geen kennisgewing is kragtens artikel 15(2) van die Wet gepubliseer nie.

Artikel 14(1)(f)

Die onderstaande dienste word deur die openbare liggaam verskaf:

- Finansiële dienste
- Openbare veiligheid

- Beplanning en ekonomiese ontwikkeling
- Gemeenskapsdienste
- Korporatiewe dienste
- Elektrotegniese ingenieursdienste
- Ingenieurs- en tegniese dienste
- Strategiese bestuursdienste
- Algemene inligting

Persone wat toegang tot enige van hierdie dienste wil verkry, kan navrae rig aan die Hoof Regsdienste, wat telefonies bereik kan word by (021) 808 8106, per faks by (021) 808 8200 of per e-pos by municipality@stellenbosch.org. Inligting kan daarbenewens ook verkry word van die openbare liggaam se webtuiste by www.stellenbosch.org.

Artikel 14(1)(g)

Vergaderings van die raad is oop vir bywoning deur die publiek.
Openbare verteenwoordiging in 'n aantal aangeleenthede word aangemoedig.

Artikel 14(1)(h)

Administratiewe optrede deur die openbare liggaam kan oor die geheel hersien word.

STELLENBOSCH MUNICIPALITY**Manual in terms of section 14 of the Promotion of Access to Information Act, 2 of 2000****Introduction**

Stellenbosch Municipality is the local authority having jurisdiction over the towns Stellenbosch, Pniel and Franschhoek.

Section 14(1)(a)

The powers and functions of the public body are assigned to it in terms of sections 156 and 229 of the Constitution and further governed by the Local Government: Municipal Structures Act, No. 117 of 1998. The structures are derived from sections 79 and/or 80 of the said Act.

Decision-making of the public body is conducted through the Council and the Executive Committee, with the Municipal Manager and 8 Departmental Managers who have delegated and original powers in terms of legislation.

The powers and functions of municipalities are as follows:

- (1) A municipality has executive authority in respect of, and has the right to administer-
 - (a) the local government matters listed in Part B of Schedule 4 and Part B of Schedule 5 of the Constitution; and
 - (b) any other matter assigned to it by national or provincial legislation.
- (2) A municipality may make and administer by-laws for the effective administration of the matters which it has the right to administer.
- (3) Subject to section 151(4) of the Constitution, a by-law that conflicts with national or provincial legislation is invalid. If there is a conflict between a by-law and national or provincial legislation that is inoperative because of a conflict referred to in section 149 of the Constitution, the by-law must be regarded as valid for as long as that legislation is inoperative.
- (4) The national government and provincial governments must assign to a municipality, by agreement and subject to any conditions, the administration of a matter listed in Part A of Schedule 4 or Part A of Schedule 5 of the Constitution which necessarily relates to local government, if-
 - (a) that matter would most effectively be administered locally; and
 - (b) the municipality has the capacity to administer it.
- (5) A municipality has the right to exercise any power concerning a matter reasonably necessary for, or incidental to, the effective performance of its functions.

Section 14(1)(b)

Street address: Plein Street, Stellenbosch, 7600
Postal address: P.O. Box 17, Stellenbosch, 7599
Telephone: +27 [0]21 808 8111
Facsimile: +27 [0]21 808-8200
Electronic mail: municipality@stellenbosch.org
For attention: Chief: Legal Services

Section 14(1)(c)

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

Section 14(1)(d)**Classification of records:**

Operations	Human Resources	Finances
<ul style="list-style-type: none"> ▪ Agendas + Minutes of meetings ▪ Contracts with external parties ▪ Property descriptions and details pertaining thereto ▪ Matter details ▪ Registration services with all administrative files ▪ IDP related 	<ul style="list-style-type: none"> ▪ Employment contracts ▪ Personnel files ▪ Policy documents 	<ul style="list-style-type: none"> ▪ Financial statements ▪ Assets inventory ▪ Records of services rendered to erven ▪ Budgets ▪ Revenue and expenditure transactions

More detailed information may be obtained from www.stellenbosch.org.

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 public body. This request must be made to the address, fax number or electronic mail address of the body, set out above.

The requester must provide sufficient detail on the request form to enable the head of the public body to identify the record and the requester. The requester should also indicate which form of access is required and if any other manner is to be used to inform the requester and state the necessary particulars to be so informed.

The requester must identify the right that is sought to be exercised or to be protected and provide an explanation of why the requested record is required for the exercise or protection of that right.

If a request is made on behalf of another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the head of the public 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 public body must notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed fee (if any) before further processing the request.

After the head of the public 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.

Section 14(1)(e)

No notice has been published in terms of section 15(2) of the Act.

Section 14(1)(f)

The following services are provided by the public body:

- Financial Services
- Public Safety
- Planning and Economic Development
- Community Services
- Corporate Services
- Electrical Engineering Services
- Engineering and Technical Services
- Strategic Management Services
- General Information

Persons wishing to obtain access to these services may direct enquiries to the Chief: Legal Services, who may be reached telephonically on (021) 808 8106, facsimile on (021) 808-8200, or by e-mail on municipality@stelenbosch.org. Information may in addition be obtained from the public body's web site, located at www.stellenbosch.org.

Section 14(1)(g)

Meetings of the council are open for attendance to the public.
Public representations are invited in a number of matters.

Section 14(1)(h)

Administrative action taken by the public body may generally be taken on review.

UMASIPALA WASE-STELLENBOSCH

Isikhokelo ngokwecandelo le-14 loMthetho we-2 wama-2000 wokuKhuthaza ukuFikeleleka kweNgcaciso

Intshayelelo

UMasipala waseStellenbosch ngugunyaziwe onegunya lokulawula iidolophu iStellenbosch, iPniel neFranschhoek.

Icandelo 14(1)(a)

Amagunya nemisebenzi yombutho woluntu uwaniwa ngokwecandelo le-156 nelama-229 oMgaqosiseko kwaye elawulwa nguRhulumente wooMasipala: UMthetho wezigqeba zikaMasipala. inombolo 117 wowe-1998. Ezi zigqeba zisuswa kumacandelo 79 nele- / okanye lama-80 alo mthetho ukhankanyiweyo.

Uthatyatho-zigqibo ngumbutho woluntu luqhutywa ngokudlula kwiBhunga neKomiti eLawulayo, noMlawuli kaMasipala naBalawuli bamaSebe aba-8 abanamagunya abawanikiweyo nawesiseko ngokomthetho.

Amagunya nemisebenzi yoomasipala yile ilandelayo:

- 1) Umasipala unegunya lokulawula ngokuphathelele, kwaye ukwanelungelo lokulawula
 - a) imicimbi kamasipala edweliswe kwiCandelo B leXwebhu 4 nakwiCandelo B leXwebhu 5 loMgaqosiseko
 - b) nawuphi na umcimbi awunikwe ngokomthetho welizwe okanye wephondo.
- 2) Umasipala angenza kwaye alawule imithethwana ukwenzela ukuba alawule ngokukuko imicimbi anelungelo lokuyilawula.
- 3) Ngokwecandelo le-151(4) loMgaqosiseko, umthethwana okhabana nomthetho welizwe okanye owe phondo awunantsingiselo. Ukuba kukho ukukhabana phakathi komthethwana nomthetho welizwe okanye owe phondo ongasebenziyo ngenxa yokuba kukho ungquzulwano oluchazwe kwicandelo 149 loMgaqosiseko, umthethwana lowo mawaziwe njengosebenzayo ngalo lonke eli xesha lowo ungasebenzi.
- 4) Urhulumente welizwe norhulumente wephondo makanikezele kumasipala ulawulo lomcimbi odweliswe kwiCandelo A leXwebhu 4 okanye kwiCandelo A leXwebhu 5 loMgaqosiseko oluphathelele kulawulo lukamasipala, ukuba
 - a) loo mcimbi unokulawuleka ngokukuko ngumasipala
 - b) naxa umasipala enawo amandla okuwulawula.
- 5) Umasipala unelungelo lokusebenzisa nawaphi na amagunya apha thelele kumbandela othile ekukho imfuneko yawo okanye ekuchaphazelayo ukusebenza ngokukuko.

Icandelo 14(1)(b)

Idilesi yesitalato: Plein Street, Stellenbosch, 7600

Idilesi yeposi: P.O.Box 17, Stellenbosch, 7599

Ifoni: +27 (0) 21 808 8111

Ifekisi: +27 (0) 21 808 8200

I-imayile: municipality@stellenbosch.org

Iya : Intloko: Iinkonzo zezomthetho

Icandelo 14(1) c

Isikhokelo ebescitywa ngokwecandelo le-10 loMthetho wokuKhuthaza ukuFikeleleka kweNgcaciso ("umthetho") awukapapashwa.

Icandelo 14(1)(d)

Ukuhlelwa kwamaxwebhu:

Ukusebenza	Ezabasebenzi	Ezemali
<ul style="list-style-type: none"> • Ii-ajenda nemizuzu yeentlanganiso • Izivumelwano namaqela angaphandle • Iingcaciso ngee-property neenkukacha eziphathelile kuzo • Iinkukacha zezinto • Iinkonzo zokubhalisa neefayile zonke zolawulo • Eziphathelile kwi-IDP 	<ul style="list-style-type: none"> • Izivumelwano zokuqeshwa • Iifayile zabasebenzi • Amaxwebhu omthetho 	<ul style="list-style-type: none"> • Tingxelo zemali • Uludwe lwezinto anazo • Ingxelo yeenkonzo ezifakiwego kwiziza • Iibhajethi • Iinkukacha zengeniso nenkcitho

Ingcaciso eyenye ingafunyanwa ku- www.stellenbosch.org

Uhlobo lwesicelo:

Umenzi-sicelo makasebenzise ifomu emiselweyo yokwenza isicelo sokufumana irekhodi. Esi sicelo masisiwe kwintloko yombutho woluntu. Esi sicelo masithunyelwe kwidilesi, kwinombolo okanye kwi-imayile yombutho njengoko zinikiwe ngentla apha.

Umenzi-sicelo makanike ingcaciso eyaneleyo kwifomu yokwenza isicelo ukwenzela ukuba intloko yombutho woluntu ikwazi ukuyifumana i-record efunwayo nomenzi-sicelo imazi. Umenzi-sicelo kufuneka ayibonakalise indlela ayifunayo yokufumana olo xwebhu alufunayo kananjalo ayichaze enye indlela eyenye enokusetyenziswa yokwazisa umenzi-sicelo azichaze kananjalo ukwenzela ukuba aziswe.

Umenzi-sicelo makachaze ilungelo afuna ukulisebenzisa okanye afuna ukulikhusela anike ingcaciso yokuba afune uxwebhu alufunayo ukusebenzisa okanye ukukhusela elo lungelo.

Ukuba isicelo senziwe sisensiwa egameni lomnye umntu, umenzi-sicelo makanike ubungqina bokuba esi sicelo usenza ngabuni na. Obo bungqina mabuyanelise intloko yombutho woluntu.

Intlawulo:

Umenzi-sicelo ofuna ukufumana uxwebhu oluneenkukacha ngaye yena menzi-sicelo akulindekanga ukuba ahlawule. Omnye umenzi-sicelo ongenzi sicelo ngaye makayibhatale imali emiselweyo.

Intloko yombutho woluntu mayimazise umenzi-sicelo (nongengomenzi-sicelo ngesiqu sakhe) ngesaziso, imazisa ukuba umenzi-sicelo umele ukuba ahlawule intlawulo emiselweyo (ukuba ikhona) phambi kokuba kusetyenzwe ngesicelo sakhe.

Isakuba intloko yombutho ithabathe isiqqibo ngesicelo umenzi-sicelo makaziswe ngefomu emiselweyo.

Ukuba isicelo samkelwe makubhatalwe enye imali yokukhangela, eyokufota, eyokulungisa nemali yalo naliphi na ixesha elidlulisileyo kwelo lesiqhelo lokukhangela ulungise uxwebhu olo.

Icandelo 14(1) (e)

Akukho saziso sikhe sapapashwa ngokwecandelo 15(2) loMthetho.

Icandelo 14(1)(f)

Ezi nkondo zilandelayo umbutho woluntu uyazinika:

- Ezezimali
- Ukhuseleko loluntu
- Ucwangciso nophuhliso lwezoqoqosho
- Iinkonzo zoluntu
- Iinkonzo ezibandakanyiweyo (ezi-corporate)
- Ezobunjineli bezombane
- Ezobunjineli nezitekhnikhali
- Ezolawulo lokusebenza kombutho ngokukuko
- Ingcaciso ngokubanzi

Abantu abanqwenela ukufumana ezi nkondo banganxibelelana ngqo neNtloko: ezoMthetho engafumaneka ngefoni ku-(021) 808 8200, okanye nge-imeyile ku municipality@stellenbosch.org Kananjalo ingcaciso ingafumaneka kwisikhundla sombutho woluntu ku www.stellenbosch.org

Icandelo 14(1)(g)

Lintlanganiso zebhunga zivulelekile kuluntu ukuba luze kuzo. Kwimiba emininzi bayamenya abameli boluntu.

Icandelo 14(1)(h)

Inyathelo elithatyathwe ngumbutho woluntu lingaqwalaselwa kwakhona ngokubanzi.

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Cape Town Branch: Tel: (021) 465-7531

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