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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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# ***P.A. Cartwright***

## ***Attorneys - at - Law***

### **A Guide to**

## **ACCESSING OUR INFORMATION**

### **Our Manual in terms of Section 51 of the Promotion of Access to Information Act**

#### **Preamble**

The Promotion of Access to Information Act No. 2 of 2000, ("the Act") came into operation on 23 November 2001. Section 51 of this Act requires that we as a private body compile a manual giving information to the public regarding the procedure to be followed in requesting information from us for the purpose of exercising or protecting rights.

#### **Introduction to this private body**

*We are a firm of attorneys based in the country village of Underberg.*

*Our firm offers a relaxed, more contemporary style of legal practice, and offers a wide range of services within our profession. With the assistance of two associate firms, we are also able to offer specialised services in Underberg, by way of visiting specialists from Pietermaritzburg and Margate.*

We have compiled this manual, not only to comply with the provisions of the Act, but also to foster a culture of transparency and accountability in our environment and to ensure that members of the public have effective access to information in our possession which will assist them in the exercise and protection of their rights.

Inside these pages you will be able to view the categories of information which we possess. You will also be shown the correct procedure to follow should you require access to any of this information.

**Section A – Our details**

Full Name	:	P.A. CARTWRIGHT ATTORNEYS – AT - LAW
Registered Address	:	14 Old Main Road UNDERBERG 3257
Postal Address	:	P O Box 541 UNDERBERG 3257
Telephone Number	:	033 – 701 1593
Fax Number	:	033 – 701 1587
Principal Attorney	:	Paul Anthony Cartwright [B.A. L.L.B. (Natal)]
In association with	:	Steenkamp Weakley Inc (Pietermaritzburg) Robin Petterson & Pandaram Attorneys (Margate)
Designated Information Officer	:	Paul Anthony Cartwright
Email Address of Information Officer	:	pacattorney@futurenet.co.za

**Section B – The official guide**

Section 10 of the Act requires the South African Human Rights Commission (SAHRC) to publish a Guide containing information reasonably required by a person wishing to exercise or protect any right in terms of this Act.

The Guide will contain the following information:

1. The objects of the Act;
2. Particulars of the information officer of every public body;
3. Particulars of every private body as are practicable;
4. The manner and form of a request for access to information held by a body;
5. Assistance available from both the information officers and the Human Rights Commission in terms of this Act;
6. All remedies in law regarding acts, omissions, rights and duties, including how to lodge an internal appeal and a court application;
7. Schedules of fees to be paid in relation to requests for access to information;
8. Regulations made in terms of the Act.

Copies of this Guide will be available as soon as it is published by the SAHRC. Enquiries regarding the Guide can be addressed to the SAHRC, the contact details of which are as follows:

**Telephone:** (011) 484-8300

**Fax:** (011) 484-0582

**Website:** [www.sahrc.org.za](http://www.sahrc.org.za)

**E-mail:** [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)

**Post:** South African Human Rights Commission  
Promotion of Access to Information Act Unit  
Research and Documentation Department  
Private Bag 2700  
Houghton  
2041

## **Section C – Information available in terms of the Act**

### **1. Categories of information**

We hold the following categories of information:

#### **(a) STATUTORY EMPLOYEE RECORDS**

- (i) Employees' names and occupations;
- (ii) Time worked by each employee;
- (iii) Date of birth of each employee;
- (iv) Staff records (after date of employment ceases);

#### **(b) OTHER EMPLOYEE RECORDS**

- (i) Employee contracts;
- (ii) Incentive schemes;
- (iii) Maternity leave policy;

#### **(c) MOVABLE PROPERTY**

- (i) Asset register;
- (ii) Finance and Lease Agreements;

#### **(d) AGREEMENTS AND CONTRACTS**

- (i) Material agreements concerning provision of services or materials;

#### **(e) INFORMATION TECHNOLOGY**

- (i) Hardware;
- (ii) Operating Systems;
- (iii) Telephone Lines
- (iv) LAN Installations;
- (v) Software Packages;

#### **(f) SALES AND MARKETING**

- (i) Products / Services;

## **2. Procedure for requesting access to the above information**

If you wish to request access to any of the above categories of information, you are required to complete a request form as set out in annexure "A" hereto. These forms are available from:

- our information officer (whose contact details are in section A of this manual);
- the SAHRC website ([www.sahrc.org.za](http://www.sahrc.org.za))
- the Department of Justice and Constitutional Development website ([www.doj.gov.za](http://www.doj.gov.za)).

There is a prescribed fee (payable in advance) for requesting and accessing information in terms of the Act. Details of these fees are contained in the request form.

You may also be called upon to pay the additional fees prescribed by regulation for searching for and compiling the information which you have requested, including copying charges.

It is important to note that access is not automatic – you must identify the right you are seeking to exercise or protect and explain why the record you request is required for the exercise or protection of that right. You will be notified in the manner indicated by you on the request form whether your request has been approved.

## **Section D – Information available in terms of other legislation**

Where applicable to our operations, information is also available in terms of certain provisions of the following statutes:

- Administration of Estates Act No. 66 of 1965
- Attorneys Act No. 53 of 1979
- Basic Conditions of Employment Act No. 75 of 1997
- Close Corporations Act No. 69 of 1984
- Companies Act No. 61 of 1973
- Compensation for Occupational Injuries and Diseases Act No. 130 of 1993
- Employment Equity Act No. 55 of 1998
- Income Tax Act No. 58 of 1962
- Insolvency Act No. 24 of 1936
- Labour Relations Act No. 66 of 1995
- Sectional Titles Act No. 95 of 1986
- Transfer Duty Act No. 40 of 1949

## **Section E – Information automatically available**

The following categories of records are automatically available for inspection, purchase or photocopying. In other words you do not need to request this information in terms of the Promotion of Access to Information Act.

Request forms for these categories of information are also available from our information officer, whose contact details appear in section A of this manual.

1. Newsletters.
2. List of services



**ANNEXURE "A"****FORM C****REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY**

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

[Regulation 10]

**A. Particulars of private body**

The Head:

.....  
.....  
.....

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

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

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

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

Full names and surname: .....

Identity number: .....

Postal address: .....

.....

.....Fax number: .....

Telephone number: .....E-mail address: .....

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

.....

**C. Particulars of person on whose behalf request is made**

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

Full names and surname: .....

.....

Identity number: .....

**D. Particulars of record**

- (a) *Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.*
- (b) *If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.*

1. Description of record or relevant part of the record: .....
- .....
- .....
- .....
- .....
2. Reference number, if available: .....
3. Any further particulars of record: .....
- .....
- .....
- .....

**E. Fees**

- (a) *A request for access to a record, other than a record containing personal information about yourself, will be processed only after a request fee has been paid.*
- (b) *You will be notified of the amount required to be paid as the request fee.*
- (c) *The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.*
- (d) *If you qualify for exemption of the payment of any fee, please state the reason for exemption.*

Reason for exemption from payment of fees: .....

.....

.....

**F. Form of access to record**

*If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.*

Disability: .....

.....

.....

Form in which record is required: .....

.....

.....



Mark the appropriate box with an X.

**NOTES:**

- (a) Compliance with your request in the specified form may depend on the form in which the record is available.
- (b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.
- (c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

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

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

Postage is payable.

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

*If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.*

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

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

**H. Notice of decision regarding request for access**

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

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

.....

.....

Signed at ..... this ..... day of ..... 20 .....

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

## **ANNEXURE "B"**

AN EXPLANATORY NOTE ON FEES TO BE CHARGED BY A PRIVATE BODY WHEN GRANTING A REQUEST FOR ACCESS TO INFORMATION IN TERMS OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000.

The fees chargeable by private bodies are contained in Part III of Annexure "A" of the Regulations. A copy of Part III is attached for your convenience. The present charges are as follows:

### **1. Copies of a manual**

Should an individual require a copy of the private body's manual, a fee of R1,10 is chargeable for every photocopy of an A4 page or part thereof.

### **2. Reproduction fees<sup>1</sup>**

Reproduction fees apply to obtaining copies or transcriptions of information which is automatically available from the private body. The fees are listed in paragraph 2 of Part III of Annexure "A" to the Regulations.

### **3. Access fees<sup>2</sup>**

Access fees are chargeable for copies or transcriptions of information requested under this Act. The fees are listed in paragraph 4 of Part III of Annexure "A" to the Regulations.

### **4. Other fees**

- 4.1 A request fee<sup>3</sup> of R50,00 is payable by a requester who is seeking access to a record containing information which is not personal to the requester. See paragraph 6 of Part 1 of this Work.
- 4.2 A search fee<sup>4</sup> may be charged at a rate of R30,00 per hour or part thereof for searching and preparing the record for disclosure provided such time was reasonably required for that purpose.
- 4.3 If the request is not limited to records containing information which is personal to the requester and if the head of the private body is of the opinion that the time taken to give effect to the request will exceed six hours the requester can be called upon to pay a deposit of not more than one third of an estimate of the access fee which will become payable.<sup>5</sup>
- 4.4 If a copy of a record is posted to a requester, the requester is obliged to pay the actual postage payable.

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1 Section 52(3) and Regulation 1(1).

2 Section 54(7) and Regulation 11(3).

3 Section 54(1) and Regulation 11(2).

4 Annexure "A", Part III, Item 4(1)(f).

5 Section 54(2).

**PART III  
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.

**NANDOS FRANCHISE PROVIDENT**

("Fund")

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

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

**A. CONTACT DETAILS**

1. Head of the Fund:

**Mrs. Julie Heydra**

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

The registered address of the Fund:

**553 LOUIS BOTHA AVENUE SAVOY 2090**

3. The postal address of the Fund:

**P O BOX 46368 ORANGE GROVE 2119**

4. The contact telephone number for the Fund:

**(011) 879 7200**

5. The contact facsimile number for the Fund:

**(011) 454 3552**

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

**Julie.heydra@liblink.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

## 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

**ARGENT INDUSTRIAL PROVIDENT**

("Fund")

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

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

**A. CONTACT DETAILS**

1. Head of the Fund:

**MISS SUSAN JOAN COX**

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

**12/8/34152/349**

The registered address of the Fund:

**13 JACK PIENAAR ROAD GERMISTON SOUTH X7**

3. The postal address of the Fund:

**P O Box 14461 WADEVILLE 1422**

4. The contact telephone number for the Fund:

**(011) 873 1149**

5. The contact facsimile number for the Fund:

**(011) 873 7239**

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

**Argent4@argent.co.za****B. SOUTH AFRICAN HUMAN RIGHTS COMMISSION GUIDE**

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

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

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

- The request must be made to the person specified in A1 above and at the contact details specified in A above.
- Any request for access to records in terms of the Act must be completed on the prescribed form in terms of the Act and the Regulations thereto.
- Please note that the Fund is a separate legal entity from the employer(s) that participate in the Fund as well as from the Fund's administrators and other advisors/service providers.
- The requester must provide sufficient detail on the request form to enable the head of the private body to identify the record and the requester. The requester should also indicate what form of access is required.
- The requester must identify the right that he or she is seeking to exercise or protect and provide an explanation of why the requested record is required for the exercise or protection of that right.
- If a request is made on behalf of a person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the head of the Fund.
- The head of the Fund must notify the requester by notice, requiring the requester to pay the prescribed fee (if any) before further processing the request.
- The head of the Fund will then make a decision whether to grant the request or not and notify the requestor in the required form.
- If the request is granted, then a further access fee must be paid for the search, reproduction and preparation, and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

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

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

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

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

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

### **Member Data**

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

### **Section 14 Transfers / Liquidations**

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

**Pensioners (where applicable):**

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

**Disability (if applicable):**

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

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

- Abbreviated financial returns prescribed by Pension Funds Act

**If subject to audit:**

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

**Miscellaneous**

- Copies of signed rules and amendments
- Confirmation of registration and tax approval
- Minute books
- Trustees registers
- Original or copies of any insurance policy documents relating to risk benefits and investments
- Documentation relating to the review of insurances on an annual basis
- Agendas for all meetings to be held (if applicable secretarial services are performed)
- Investment manager mandates or policies of insurance depending on the nature of the investment
- Copies of statements detailing the asset values for a fund
- Copies of communication sent to members of the fund
- Copy of service agreement between fund and Administrator and any other service provider
- Correspondence to the trustees in respect of fund matters
- Correspondence to members/beneficiaries/pensioners, where applicable
- Fund statutory valuation reports, where applicable
- Copies of Pension Funds Adjudicator complaints lodged
- Certain communication with the Adjudicator, SARS and FSB
- Copy of investment strategy
- Original or copy of fidelity and professional indemnity policy (where applicable)
- Housing loan documents (where applicable) including any suretyship granted to a bank



**SECTION 51 MANUAL FOR****African Elephant Tours (PTY) Ltd.****A. CONTENTS****A. CONTENTS****B. PARTICULARS IN TERMS OF THE SECTION 51 MANUAL**

1. Contact details
2. The section 10 Guide on how to use the Act
3. Records available in terms of any other legislation
4. Access to the records held by African Elephant Tours (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
5. Other information as may be prescribed
6. Availability of the manual

**Introduction to African Elephant Tours (PTY)Ltd.**

African Elephant Tours is an incoming coach-tour operator and tour wholesaler specializing in customer designed guided group tours for overseas visitors to South Africa and the neighbouring countries.

**B. PARTICULARS IN TERMS OF THE SECTION 51 MANUAL****1. Contact details**

Postal address: P.O.Box 59  
Port Edward  
4295

Street address: Eagles Thatch Farm  
Izingolweni Road  
Port Edward  
4295

Telephone: +27 (0)39 311 3991

Telefax: +27 (0)39 311 2562

E-Mail: [info@african-elephant-tours.co.za](mailto:info@african-elephant-tours.co.za)

**2. The section 10 Guide on how to use the Act**

The Guide will be available from the South African Human Rights Commission by not later than August 2003. Please direct any 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)

**3. Records available in terms of any other legislation**

- Basic Conditions of Employment Act No. 75 of 1997
- Companies Act No. 61 of 1973
- Compensation for Occupational Injuries and Health Diseases Act No. 130 of 1993
- Income Tax Act No. 95 of 1967
- Labour Relations Act No. 66 of 1995
- Regional Services Councils Act No. 109 of 1985
- Skills Development Levies Act No. 9 of 1999
- Skills Development Act No. 97 of 1998
- Unemployment Contributions Act No. 4 of 2002
- Unemployment Insurance Act No. 63 of 2001
- Value Added Tax Act No. 89 of 1991

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

- 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)**

Not applicable

- ii. **Records that may be requested. A description of the subjects of the records held by the body and the categories in which these subjects are classed**

**1. Administration**

Licences

1. business-related licences
2. vehicle-related licences

Correspondence

Insurance Policies

Membership Certificates (associations of which company is a member)

**2. Human Resources**

Employment Contracts

Remuneration Records

Remuneration Policies

Job Descriptions

Disciplinary Records

### **3. Operations**

Tour Vehicles' logbooks  
Tour Vehicle's technical reports  
Passenger Lists if transport is cross-border  
Customer Database  
Records of all tours

### **4. Finances**

Financial statements  
Annual financial statements  
Invoices  
Assets inventory  
Tax-related records

## **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
- 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 (if any) 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.

**The forms and fee structure is available on the following web-sites:**

South African Human Rights Commission (SAHRC) [www.sahrc.org.za](http://www.sahrc.org.za)  
Department of Justice and Constitutional Development [www.doj.gov.za](http://www.doj.gov.za)  
On our own web-site: [www.african-elephant-tours.co.za](http://www.african-elephant-tours.co.za) (from end of August 2003)

**5. Other information as may be prescribed**

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

**6. Availability of the manual**

The manual is available for inspection free of charge at our offices during business hours and upon request.

Copies are available with the South African Human Rights Commission (SAHRC), in the Government Gazette and on our web-site ([www.african-elephant-tours.co.za](http://www.african-elephant-tours.co.za))

**STANDARD ELECTRICAL PROVIDENT**

("Fund")

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

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

**A. CONTACT DETAILS**

1. Head of the Fund:

**Mr. Alan Abrahamson**

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

The registered address of the Fund:

**101 Derby Road Judith's Paarl Johannesburg**

3. The postal address of the Fund:

**P O Box 5624 Johannesburg 2000**

4. The contact telephone number for the Fund:

**( 011) 624 1010**

5. The contact facsimile number for the Fund:

**(011) 614 5641**

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

**alana@stanlec.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.

## **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:**

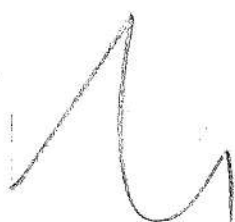
- Abbreviated financial returns prescribed by Pension Funds Act

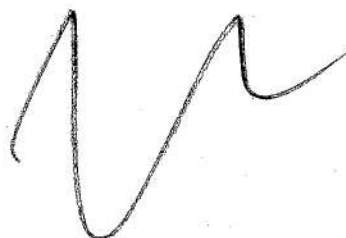
**If subject to audit:**

- Cashbooks and reconciliations to bank
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- Annual financial statements
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- Bank statements of fund bank accounts
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- Copies of signed rules and amendments
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- Trustees registers
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- Agendas for all meetings to be held (if applicable secretarial services are performed)
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- Copies of communication sent to members of the fund
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- 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

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A handwritten signature in black ink, consisting of a series of loops and curves, centered on the page.

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