

**PROMOTION OF ACCESS TO INFORMATION ACT**

**(ACT 2 OF 2000)**

**SECTION 51 MANUAL FOR EXPERTRON GROUP (PTY) LTD  
REGISTRATION NUMBER: 2000/000790/07**

**PART 1**

**INFORMATION REQUIRED UNDER SECTION 51(1)(a) OF THE ACT**

**Name of head of EXPERTRON GROUP (PTY) LTD:**

Dr Walter Smuts

**Postal address of head of EXPERTRON GROUP (PTY) LTD:**

P O Box 11947, Hatfield, 0028

**Street address of head of EXPERTRON GROUP (PTY) LTD:**

Suite L16, Enterprise Building, The Innovation Hub, Hotel Street, Persequor, Pretoria, 0087

**Telephone number of head of EXPERTRON GROUP (PTY) LTD:**

+27 12 844 0330

**Fax number of head of EXPERTRON GROUP (PTY) LTD:**

+27 12 844 0331

**E-mail address of head of EXPERTRON GROUP (PTY) LTD:**

walter@expertron.co.za

**PART 2**

**DESCRIPTION OF THE GUIDE REQUIRED UNDER SECTION 51(1)(b) OF THE ACT**

A guide has been compiled on how to exercise rights in terms of section 10 of the PAIA Act by the Human Rights Commission. It contains information on how to exercise any right, contemplated by PAIA. It is available in all the official languages.

The guide may be requested from the Human Rights Commission. The Commissioner may be contacted at the following address or telephone number:

The Human Rights Commission (PAIA Unit)  
The Research and Documentation Department  
Private Bag 2700  
Houghton  
2041

Telephone: +27 11 484 8300

Fax: +27 11 484 7146

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

The guide is available on the website of the SAHRC at [www.sahrc.org.za](http://www.sahrc.org.za).

**PART 3**

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

No notices have been published at this stage.

**PART 4**

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

Records are generated and maintained in terms of various Acts that applies to the private body, which includes but is not limited to, the legislation as listed hereunder. Requesters are advised that although the body keeps such records of transactions, correspondence and returns where required in terms of these laws, access may be refused on the grounds recognised in terms of Section 68 of the Promotion of Access

to Information Act. Some of these Acts, although applicable to the body, does in any event not generally generate forms applicable to it or require the keeping of records.

- Constitution of South Africa (108 of 1996)
- Companies Act (71 of 2008)
- Financial Intelligence Centre Act (38 of 2001)
- Prevention of Organised Crime Act (121 of 1998)
- Protection of the Constitutional Democracy against Terrorism Act (33 of 2004)
- Labour Relations Act (66 of 1995)
- Basic Conditions of Employment Act (75 of 1997)
- Protected Disclosures Act (26 of 2000)
- Prevention and Combating of Corrupt Activities Act (12 of 2004)
- Electronic Communications and Transactions Act (48 of 2008)
- Regulation of Interception of Communications Act (70 of 2002)
- Unemployment Insurance Fund Act (63 of 2001)
- Unemployment Contributions Act (4 of 2002)
- Income Tax Act (95 of 1967)
- Value Added Tax Act (89 of 1991)
- Occupational Health and Safety Act (85 of 1993)
- Skills Development Act (85 of 1996)
- Skills Development Levies Act (9 of 1999)
- Competition Act (89 of 1998)
- National Credit Act (34 of 2005)
- Consumer Protection Act (68 of 2008)
- Compensation for Occupational Injuries and Health Diseases Act (130 of 1993)
- Employment Equity Act (55 of 1998)

## **PART 5**

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

The following subjects and categories of records listed hereunder may be held by the private body. Not all information so retained will be made available to the public as it may contain proprietary or third party confidential information and that may in any event be subject to a legal prohibition to disclosure.

#### **COMPANY STATUTORY RECORDS**

- Company registration documents / Memorandum and Articles of Association / MOI / Company Register / Minute Books / Share Certificates / Shareholders and other agreements / Resolutions / Power of Attorney / CIPC Annual Returns

#### **FINANCIAL RECORDS**

- Financial Statements / Fixed Asset and other registers / Inventories / Banking Details / Bank Account Records / Books of Accounts / Financial and other reports and returns

#### **TAX RECORDS**

- Income Tax records / VAT returns / PAYE records / Capital Gains Tax returns

#### **HUMAN RESOURCES RECORDS**

- Company Policies and Procedures / Training Manuals / Employee Records / Payrolls / Employment and other agreements / Standard Application forms / Standard Letters and Notices

#### **OPERATIONAL AND OTHER RECORDS**

- Contracts and transaction record relating to suppliers and vendors / Contracts and transactions relating to customers / Internal policies and procedures relating to requisitions, authorizations, applications, approvals and consents / Compliance Reports and Records / Licenses and Permits / Insurance documents / General correspondence / Safety, Health and Environment documents

## **PART 6**

### **AVAILABILITY OF MANUAL UNDER SECTION 51(3) OF THE ACT**

This manual is available for inspection by the general public upon request, during office hours and free of charge at the offices of the private body. Copies may also be requested from the South African Human Rights Commission.

## **PART 7**

### **PRESCRIBED FORMS AND FEE STRUCTURE IN RESPECT OF PRIVATE BODIES**

The forms and fee structure prescribed under the Act are available at the website of the South African Human Rights Commission ([www.sahrc.org.za](http://www.sahrc.org.za)) or the website of the Department of Justice & Constitutional Development ([www.doj.gov.za](http://www.doj.gov.za)) under the Regulations Section.

#### **FORM OF REQUEST (ANNEXURE A) - PROCEDURE TO BE FOLLOWED IN MAKING A REQUEST**

- The requester must use the prescribed form to make the request for access to a record.
- The request must be submitted to the head of the private body at the address, fax number or electronic mail address of the body concerned.
- The request must:
  - Contain sufficient detail to enable the head of the private body to identify the requester and record;
  - Indicate which form of access is requested;
  - The requester should also indicate, in addition to a written reply, if any other manner is to be used to inform the requester and state the necessary particulars to be so informed;
  - Specify a postal address, fax number or e-mail address of the requester in the RSA;
  - Identify the right the requester is seeking to exercise or protect, and provide an explanation of why the requested record is required for the exercise or protection of that right;
  - If the request is made on behalf of another person, to submit proof of the capacity in which the requester is making the request, to the reasonable satisfaction of the head of the private body.

#### **FEES (ANNEXURE B)**

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.

**ANNEXURE A  
FORM OF REQUEST**

**FORM C  
REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY**  
Section 53(1) of the Promotion of Access to Information Act No. 2 of 2000  
(Regulation 10)

**A. Particulars of private body**

The Head

Postal address:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Postal code: \_\_\_\_\_

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

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

Full names and surname:

Identity number: \_\_\_\_\_

Postal address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Postal code: \_\_\_\_\_

Fax number: (\_\_\_\_\_) \_\_\_\_\_

Telephone number: (\_\_\_\_\_) \_\_\_\_\_ Cell 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**

- |  |
|--|
| <p><i>This section must be completed <b>ONLY</b> if a request for information is made on behalf of another person.</i></p> |
|--|

Full names and surname:

Identity number: \_\_\_\_\_

Postal address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Postal code: \_\_\_\_\_

Fax number: ( ) \_\_\_\_\_  
Telephone number: ( ) \_\_\_\_\_ Cell number: \_\_\_\_\_  
E-mail address: \_\_\_\_\_

**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 below, 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 for access 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.*

Indicate which right is to be exercised or protected:

---

---

Explain why the record requested is required for the exercise 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 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 \_\_\_\_\_ 20\_\_

\_\_\_\_\_  
Signature of requester / person on  
whose behalf request is made

**ANNEXURE B  
FEES**

**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 -<br>(i) stiffy disc<br>(ii) compact disc                                    | 7,50<br>70,00  |
| (d) | (i) For a transcription of visual images, for an A4-size page or part thereof<br>(ii) For a copy of visual images      | 40,00<br>60,00 |
| (e) | (i) For a transcription of an audio record, for an A4-size page or part thereof<br>(ii) For a copy of an audio record  | 20,00<br>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:

4.1

|     |  | 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 -<br>(i) stiffy disc<br>(ii) compact disc                                    | 7,50<br>70,00  |
| (d) | (i) For a transcription of visual images, for an A4-size page or part thereof<br>(ii) For a copy of visual images      | 40,00<br>60,00 |



|     |   |                |
|-----|---|----------------|
| (e) | (i) For a transcription of an audio record, for an A4-size page or part thereof<br>(ii) For a copy of an audio record                             | 20,00<br>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. |                |

4.2 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.  |

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