

SECTION 51 MANUAL

I.R.O.

Promotion of Access to Information Act, 2000
(Act no 2 of 2000)
(As amended by Act 41 of 2001)

FOR

PKF (VGA) PARTNERSHIP

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PKF (VGA) PARTNERSHIP

Access to records held, are not available without requesting access in terms of the Promotion of Access to Information Act, 2000 (PAIA).

1. Introduction to the Act

On 09 March 2001, The Promotion of Access to Information Act, No. 2 of 2000 ("the Act") became operative, giving effect to the section 32(2) Constitutional right of access to information.

One of the main requirements specified in the Act, is the compilation of an information manual that provides information on both the types and categories of records held by a private body.

This document serves as the PKF (VGA) PARTNERSHIP information manual and provides reference to the records held and the process to request access to such records.

2. Overview of the Entity

The main object and principal business of the entity is ACCOUNTANTS AND BUSINESS ADVISERS

3. Contact Details (Section 51(1) (a))

Postal address:

P O BOX 2690
ALBERTON
1450

Street address:

PKF BUILDING
89 NELSON MANDELA AVENUE CNR SANGIRO CLOSE,
RANDHART,1449

Phone number:

011-907-7260

Fax number:

011-907-7260

Registration number:

2012/040266/21

Designated Information Officer:

ANISKA COETZEE

4. Availability of the Manual (Sect 51 (1) (b)):

A copy of this manual is available to the public for inspection on request, from the designated information officer referred to in this manual.

A Guide has been compiled in terms of Section 10 of the act by the Human Rights Commission. It contains information to assist a person wishing to exercise a right, in terms of the Act. The Guide is available for inspection, *inter alia*, as follows:

The South African Human Rights Commission:
PAIA Unit
29 Princess of Wales Terrace
CNR. York and St.Andrews Street, Parktown
Website: <http://www.sahrc.org.za>

Kindly direct any queries to:
Private Bag 2700, Houghton, 2041
Tel: (011) 484-8300 Fax: (011) 484-0582
E-mail: PAIA@sahrc.org.za

5. Records available in terms of other legislation (Sect 51 (1) (b)):

- Basic Conditions of Employment No 75 of 1997
- Compensation for Occupational Injuries and Health Diseases Act No 130 of 1993
- Financial Intelligence Centre Act, No. 38 of 2001
- Occupational Health and Safety Act No 85 of 1993
- Unemployment Contributions Act No 4 of 2002
- Value Added Tax Act No 89 of 1991

6. Access to the records held by the entity (Sect 51 (1) (c) and 51 (1) (e))

- I. Categories of records which are available without a person having to request access in terms of the Act in terms of Section 52 (2), i.e. Voluntary disclosure (Section 51 (1) (c))

The entity is not obliged to publish a notice in terms of Section 52 (2) of the Act and to date has not elected to do so.

II. Records that may be requested. A description of the subjects of the records held by the entity and the categories in which these subjects are classed (section 51 (1) (e))

Please note that recording a category or subject matter in this Manual does not imply that a request for access to such records would be honoured. All requests provisions of the Act. In particular, there may be applicable grounds to refusal of such request, as set out in the Act.

Client Records:

- Correspondence
- Client Fee Files
- Client Contracts

Corporate Governance:

- Codes of Conduct
- Board Meeting Minutes
- Policies and Procedures

Finance and Administration

- Accounting records
- Annual Financial Statements
- Agreements
- Correspondence
- Invoices and Statements
- Management Reports
- Tax Records
- Assets Register

Human Resources:

- Accounting & Payroll records
- BEE Statistics
- Personnel Information
- Employment Equity Records
- General terms of employment
- Letters of Employment
- Leave Records
- PAYE Records and Returns
- Performance Management Records
- Policies and Procedures
- Returns to UIF
- Retirement Benefit / Pension / Provident Records
- Medical Aid Records

Learning & Education

- Training Material
- Training Records and Statistics
- Training Agreements

Operations:

- Sales records

Marketing and Communications:

- Proposal Documents
- New business development
- Brand Information Management
- Marketing Strategies
- Communication Strategies
- Agreements
- Client Relationship Programmes
- Marketing Brochures
- Flyers
- Pamphlets

Secretarial:

- Applicable Statutory documents
- Annual reports
- Corporate Structure Diagrams
- Memorandum and Articles of Association
- Share Registers
- Statutory Returns to relevant Authorities
- Share Certificates
- Shareholders Agreements
- Meeting Minutes

III. Access Request Procedure:

Form of request:

- The Access Request Form that are available from the SAHRC website (www.sahrc.org.za) or the department of Justice and Constitutional Development website (www.doj.gov.za) (under "regulations"), must be completed,
- This must be submitted together with a copy of the requestors' identity document, to the Designated Information Officer of the entity of the enterprise. This request must be made to the address, fax number or electronic mail address of the enterprise concerned.
- The requester must provide sufficient detail on the request form to enable the Head of the entity of the enterprise to identify the record and the requester. The requester should also indicate which form 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 requester is making the request to the satisfaction of the Head of Information of the enterprise.
- If the 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 entity,

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 list of proscribed fees in respect of requests, and in respect of access to records (if the request is granted) is attached as Annexure 1,
- The head of the entity must notify the requester (other than 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 R 50.00 (excl. VAT). The requester may lodge an application to the court against the tender or payment of the request fee,
- After the head of the entity 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,
- If a requester does not use the standard form, the request may be rejected for lack of procedural compliance, refused (if sufficient information is not provided or otherwise) or delayed.

7. Other information as may be prescribed (Sect 51 (1) (f))

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

8. Forms (Section 51(1)(e))

ACCESS REQUEST FORM

(Section 53(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000)) [Regulation 10]

PARTICULARS OF BODY

Requests can be submitted either via conventional mail, e-mail or fax and should be addressed to the relevant contact person as indicated below:

PKF (VGA) PARTNERSHIP
Contact person: ANKISKA COETZEE

Postal address: P O BOX 2690
ALBERTON
1450

Physical address: PKF BUILDING
89 NELSON MANDELA AVE CNR SANGIRO CLOSE,
RANDHART,1449

Phone number: 010-595-9610

Fax number: 011-907-7260

E-mail: Aniska@vg-a.co.za

PARTICULARS OF REQUESTER (If Natural Person)

- (a) Particulars of the person who requests access to the record 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 names and surname: _____

Identity number: _____

Postal address: _____

Postal Code: _____

Phone number: (____) _____

Fax number: (____) _____

E-mail address: _____

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

PARTICULARS OF REQUESTER (if a Legal Entity)

- (a) Particulars of the entity that requests access to the record 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.

Name of entity: _____

Registration number: _____

Postal address: _____

Postal Code: _____

Phone number: (____) _____

Fax number: (____) _____

PARTICULARS OF PERSON ON WHOSE BEHALF REQUEST IS MADE

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

Full names and surname: _____

Identity number: _____

PARTICULARS OF RECORD

- (a) *Provide full particulars of the record to which access is requested, including the reference number if it 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.***

Description of record or relevant part of the record: _____

Reference number, if available: _____

Any further particulars of record: _____

FEES

- (a) *A request for access to a record, other than record containing personal information about yourself, will be processed only after a **non-refundable request fee of R57.00** has been paid.*
- (b) *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 the record.*
- (c) *You will be notified of the required amount to be paid as the **access fee**.*
- (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: _____

FORM OF ACCESS TO RECORD

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 under certain circumstances. In such a case you will be informed whether 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 the 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 the record consists of recorded information that can be reproduced in sound:

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

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

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

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? **(Postage is payable).**

YES	NO
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Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available.

In which language would you prefer the record? _____

In the event of disability

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 above, state your disability and indicate the form in which the record is required.

Disability: _____ **Form in which record is required:** _____

PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED

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

1. Indicate the right to be exercised or protected: _____

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

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

9. Prescribed Fees (Section 51(1)(e))

(Section 54(7) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000)) [Regulation 11 (3)]

PLEASE NOTE THAT ALL PRICES LISTED BELOW ARE EXCLUSIVE OF VALUE-ADDED TAX (VAT)

(Section 54(7) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000)) [Regulation 11 (3)]

(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 ii) Compact disc	R 7.50 R 70.00
(d) i) For a transcription of an audio record, for an A4-size page or part thereof ii) For a copy of visual images	R 40.00 R 60.00
(e) i) For a transcription of an audio record, for an A4-size page or part thereof ii) For a copy of an audio record	R 20.00 R 30.00
(f) To search for and prepare the record for disclosure, R30.00 for each hour of part of an hour, reasonably required for such search and preparation	
(g) Six hours as the hours to be exceeded before a deposit is payable; and	
(h) One third of the access fee is payable as a deposit by the requester.	
(i) The actual postage fee is payable when a copy of a record must be posted to a requester.	