

Information Manual  
for  
Kembul CC  
Reg.No. 2004/009702/23  
("CC")

In terms of section 51 of the Promotion of Access to Information Act, Act 2 of 2000 ("Act")

1. Contact details [Section 51(1)(a)]

Postal address: P.O. Box 1138, Somerset West 7129  
Street address: 1 Oak Court, Caledon Street, Somerset West 7130  
Phone number: +27 21 851-1859  
Fax number: +27 21 852-8005  
Electronic mail address of head: info@accountkeeper.co.za

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

The Guide is available from the South African Human Rights Commission. Please direct any queries to:

The South African Human Rights Commission:  
PAIA Unit  
The Research and Documentation Department  
Private Bag 2700  
Houghton  
2041

Telephone: +27 11 484-8300  
Fax: +27 11 484-7146  
Website: www.sahrc.org.za  
E-mail: PAIA@sahrc.org.za

3. Records available in terms of other legislation [Section 51(1)(d)]

Close Corporations Act No. 69 of 1984  
Companies Act No. 61 of 1973  
Electronic Communications and Transactions Act No. 25 of 2002  
Income Tax Act No. 95 of 1967  
Promotion of Access to Information Act No. 2 of 2002  
Trade Marks Act No. 194 of 1993

4. Access to the records held by the CC [Sections 51(1)(c) and 51(1)(e)]

4.1 The categories of records of the CC, which are available without a person having to request access in terms of section 52(2) of the Act [Section 51(1)(c)]:

4.1.1 Website: www.accountkeeper.co.za

4.1.2 This manual on the website

4.1.3 Common service letters and order forms

## 4.2 Records that may be requested [Section 51(1)(e)]

### 4.2.1 Personnel records

4.2.1.1 Information provided to the CC by its personnel

4.2.1.2 Information provided by a third party to the CC about any of its personnel

4.2.1.3 Personnel-related contractual and other records

### 4.2.2 Customer-related records

4.2.2.1 Information provided to the CC by its customers

4.2.2.2 Records generated by the CC pertaining to customers

### 4.2.3 CC records

4.2.3.1 Financial records

4.2.3.2 Operational records

4.2.3.3 Marketing records

4.2.3.4 Statutory records

### 4.2.4 Records of other parties

4.2.4.1 Contractors

4.2.4.2 Suppliers

4.2.4.3 Service providers

## 4.3 Refusal of a record request

A requester is not automatically allowed access to the records in sub-section 4.2 above, and a request for access to any of said records may be refused in accordance with sections 62 to 69 of the Act.

The grounds for such refusal include:

4.3.1 Protection of the privacy of a third party who is a natural person

4.3.2 Protection of the commercial information of a third party

4.3.3 Protection of certain confidential information of a third party

4.3.4 Protection of the safety of individuals and the protection of property

4.3.5 Protection of records privileged from production in legal proceedings

4.3.6 Commercial information of the CC, including:

4.3.6.1 Trade secrets of the CC

4.3.6.2 Financial, commercial, scientific or technical information, other than trade secrets of the CC, the disclosure of which would likely cause harm to the commercial or financial interests of the CC

4.3.6.3 Information, the disclosure of which could reasonably be expected to put the CC at a disadvantage in contractual or other negotiations or prejudice the CC in commercial competition

4.3.6.4 Information about research being carried out or about to be carried out, by or on behalf of the CC, and if this were to be disclosed, it would likely expose the CC or the person carrying out the research or will be carrying out the research on behalf of the CC or the subject matter of the research to a serious disadvantage

4.3.6.5 A computer programme as defined in the Copyright Act, No. 98 of 1978, which is owned by the CC, unless it is required to give access to a record in terms of the Act

4.3.7 Protection of research information of a third party, and protection of research information of a private body, including the CC

#### 4.4 Request procedures:

##### 4.4.1 Form of request:

- 4.4.1.1 The requester must use the prescribed form to make the request for access to a record (see below). This must be made to the head of the CC. This request must be made to the address, fax number or electronic mail address of the CC [s 53(1)].
- 4.4.1.2 The requester must provide sufficient detail on the request form to enable the head of the CC 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)].
- 4.4.1.3 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)].
- 4.4.1.4 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 CC [s 53(2)(f)].

##### 4.4.2 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:

- 4.4.2.1 The head of the CC must notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed fee (if any) before further processing of the request [s 54(1)].
- 4.4.2.2 The fee that the requester must pay to the CC is R50. The requester may lodge an application to the court against the tender or payment of the request fee [s 54(3)(b)].
- 4.4.2.3 After the head of the CC has made a decision on the request, the requester must be notified in the required form.
- 4.4.2.4 If the request is granted, then a further *access fee* (refer below) 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)].

#### 5. Other information as may be prescribed [Section 51(1)(f)]

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

#### 6. Availability of this manual [Section 51(3)]

This manual is available for inspection free of charge at the offices of the CC by appointment during office hours. It is also available at the SAHRC and on the CC's website.

Prescribed fees and forms for the CC: [www.sahrc.org.za/fees\\_forms\\_priv\\_bodies.PDF](http://www.sahrc.org.za/fees_forms_priv_bodies.PDF)  
or see below:

### **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.	

**Prescribed forms**

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

**[Regulation 10]**

**A. Particulars of private body**

The Head:

**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:
<p><i>Mark the appropriate box with an <b>X</b>.</i></p> <p><i>NOTES:</i></p> <p><i>a) Compliance with your request in the specified form may depend on the form in which the record is available.</i></p> <p><i>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.</i></p> <p><i>c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.</i></p>	

<b>1. If the record is in written or printed form:</b>			
	copy of record*		inspection of record
<b>2. If record consists of visual images</b> (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):			
	view the images		copy of the images* transcription of the images*
<b>3. If record consists of recorded words or information which can be reproduced in sound:</b>			
	listen to the soundtrack (audio cassette)		transcription of soundtrack* (written or printed document)
<b>4. If record is held on computer or in an electronic or machine-readable form:</b>			
	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
<b>Postage is payable.</b>			NO

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

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

1. Indicate which right is to be exercised or protected:
2. Explain why the record requested is required for the exercise or protection of the aforementioned right:

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

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

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

Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20

SIGNATURE OF REQUESTER / PERSON  
ON WHOSE BEHALF REQUEST IS MADE