

Promotion of Access to Information Manual

SECTION 51 MANUAL

FOR

Thane Engineering Support Services

Table of Contents

| | |
|---|----|
| INTRODUCTION TO THANE ENGINEERING SUPPORT SERVICES | 1 |
| PARTICULARS IN TERMS OF THE SECTION 51 MANUAL | 1 |
| 1. Contact details | 1 |
| 2. The Section 10 Guide on how to use the Act | 2 |
| 3. Records available in terms of any other legislation | 3 |
| 4. Access to the records held by the private body in question | 4 |
| 5. Other information as may be prescribed | 7 |
| 6. Availability of the manual | 8 |
| FORM C | 9 |
| A. Particulars of private body | 9 |
| B. Particulars of person requesting access to the record | 9 |
| C. Particulars of person on whose behalf request is made | 9 |
| D. Particulars of record | 9 |
| E. Fees | 10 |
| F. Form of access to record | 10 |
| G. Particulars of right to be exercised or protected | 11 |
| H. Notice of decision regarding request for access..... | 11 |

INTRODUCTION TO THANE ENGINEERING SUPPORT SERVICES

The Promotion of Access to information Act gives effect to the constitutional right of access to any information held by the state and any information that is held by another person and that is required for the exercise or protection of any rights. The Act sets out the requisite procedures with any requests for information.

In terms of the Act, where a request for information is made to a body, there is an obligation to provide the information, except where the Act, expressly provides that the information may not be released. In that context, Section 9 of the Act recognizes that access to information can be limited. The limitation relates to circumstances where its release would pose a threat to the protection of privacy, commercial confidentiality, and the exercising of efficient governance.

Thane Engineering Support Services provides a range of services in support of engineering; further information is available at www.tess.co.za

PARTICULARS IN TERMS OF THE SECTION 51 MANUAL

1. Contact details

| | |
|----------------------|---|
| Information Officer: | K.R.Heptinstall |
| Postal address: | 18 Azalea Road, Durbanville Hills, Durbanville 7550 |
| Telephone Number: | (021) 976 1951 |
| Facsimile Number: | 086 240 5262 |

| | |
|-----------------------|---|
| General Information: | |
| Name of Private Body: | Thane Engineering Support Services |
| Head of Private Body: | K.R.Heptinstall |
| Registration No: | Sole Proprietor |
| VAT Registration No: | 4080217336 |
| Postal Address: | 18 Azalea Road, Durbanville Hills, Durbanville 7550 |
| Telephone Number: | (021) 976 1951 |
| Facsimile Number: | 086 240 5262 |

| | |
|-----------------|--|
| E-mail address: | kim.heptinstall@tess.co.za |
| Website : | http://www.tess.co.za |

2. The Section 10 Guide on how to use the Act

A guide has been compiled in terms of Section 10 of the PAIA Act by the South African Human Rights Commission. It contains information required by a person wishing to exercise any constitutional rights contemplated by PAIA. It is available in all of the official languages.

Thane Engineering Support Services does not currently have a hard copy of this guide, as produced by the South African Human Rights Commission. However an electronic version of the Guide can be accessed at: <http://www.sahrc.org.za>

For a hard copy of the guide and for any further information on how the requester can get access to the Guide other than through the link provided above please contact:

South African Human Rights Commission
PAIA Unit
The Research and Documentation Department
Postal address: Private Bag X2700
Houghton
2041
Telephone: +27 11 877 3600
Website: www.sahrc.org.za
E-mail: info@sahrc.org.za

3. Records available in terms of any other legislation

1. Basic Conditions of Employment No. 75 of 1997
2. Copyright Act No. 98 of 1978
3. Employment Equity Act No. 55 of 1998
4. Income Tax Act No. 95 of 1967
5. Intellectual Property Laws Amendments Act No. 38 of 1997
6. Occupational Health & Safety Act No. 85 of 1993
7. Regional Services Councils Act No. 109 of 1985
8. Skills Development Levies Act No. 9 of 1999
9. Skills Development Act No. 97 of 1998
10. Unemployment Contributions Act No. 4 of 2002
11. Unemployment Insurance Act No. 63 of 2001
12. 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

Administration:

- Correspondence;

Human Resources:

- Staff recruitment policies;
- Employment contracts;
- Remuneration records and policies;

Operations

- Sales records
- Production records
- Clients registry

Finances:

- Financial statements;
- Annual financial statements;
- Vouchers;
- Stock records;
- Assets inventory;

iii) The request procedures

To request a document in terms of the Act, the requester must use the prescribed Form C. This must be submitted to the Managing Director of **Thane Engineering Support Services** or the Information Officer of **Thane Engineering Support Services** together with a request fee at the address provided in this document.

The requester must provide sufficient detail to enable the company to identify the record and the requester.

The requester must indicate which form of access is required,

The requester must specify a postal address or fax number in the Republic,

The requester must identify the right that he/she is seeking to exercise or protect, and proved an explanation of why the requested record is required for the exercise or protection of that right.

If in addition to a written reply, the requester wishes to be informed of the decision on the request in any other manner, to state that manner and the necessary particulars to be informed in the other manner,

If the request is made on behalf of another person, the requester must submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of the head of the private body.

In terms of section 63 of the Act, the head of **Thane Engineering Support Services** must refuse a request for access to a record if its disclosure would involve the unreasonable disclosure of personal information about a third party, including a deceased individual. Furthermore, the head of **Thane Engineering Support Services** must refuse a request for access to a record if the record contains; trade secrets, financial, commercial scientific and technical information, the disclosure of which could harm the interests of **Thane Engineering Support Services**. Similarly, in terms of section 64 of the Act, the above refusal grounds apply in respect of the commercial information of third parties held by **Thane Engineering Support Services** access to such records will require the written permission of the third party concerned before **Thane Engineering Support Services** will permit access to view.

In accordance with the above mandatory refusal grounds, the Managing Director/Information Officer will make a decision whether to accede to a request for access to information.

Any search, reproduction and document preparation necessitated by requests for information will be undertaken in accordance with the prescribed fees.

Fees:

The following is a breakdown of the fees structure for the purposes of determining the manner in which fees relating to a request for access to a record of a private body are to be calculated.

The Guide on how to use the Promotion of Access to Information Act - Act 2 of 2000 - page 23 Part III of Regulation 187 published in the Government Gazette on the 15 February 2002:

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:
 - (a) For every photocopy of an A4-size page or part thereof R1,10
 - (b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form R0, 75
 - (c) For a copy in a computer-readable form on -
 - (i) stiffy disc R7, 50
 - (ii) compact disc R70,00
 - (d)
 - (i) For a transcription of visual images, for an A4-size page or part thereof R40,00
 - (ii) For a copy of visual images R60,00
 - (e)
 - (i) For a transcription of an audio record, for an A4-size page or part thereof R20,00
 - (ii) For a copy of an audio record R30,00
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:
 - (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 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.

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

In accordance with paragraph 9(1) of the Regulations to the Act, this manual has been made available to the South African Human Rights Commission.

Copies may also be obtained free of charge from the Information Officer of Thane Engineering Support Services and is available on the website at www.tess.co.za .

In respect of hard copies, any transmission costs/postage will be for the account of the requester.

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 <i>ONLY</i> if a request for information is made on behalf of <i>another</i> 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

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

Reason for exemption from payment of fees:

F. Form of access to record

| |
|--|
| <p>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.</p> |
|--|

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

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

| | | | |
|--------------------------|-----------------|--------------------------|----------------------|
| <input type="checkbox"/> | copy of record* | <input type="checkbox"/> | inspection of record |
|--------------------------|-----------------|--------------------------|----------------------|

2. If record consists of visual images

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

| | | | | | |
|--------------------------|-----------------|--------------------------|---------------------|--------------------------|------------------------------|
| <input type="checkbox"/> | view the images | <input type="checkbox"/> | copy of the images" | <input type="checkbox"/> | transcription of the images* |
|--------------------------|-----------------|--------------------------|---------------------|--------------------------|------------------------------|

3. If record consists of recorded words or information which can be reproduced in sound:

| | | | |
|--------------------------|---|--------------------------|--|
| <input type="checkbox"/> | listen to the soundtrack audio cassette | <input type="checkbox"/> | transcription of soundtrack* written or printed document |
|--------------------------|---|--------------------------|--|

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

| | | | | | |
|--------------------------|-------------------------|--------------------------|--|--------------------------|--|
| <input type="checkbox"/> | printed copy of record* | <input type="checkbox"/> | printed copy of information derived from the record" | <input type="checkbox"/> | copy in computer readable form* (stiffy or compact disc) |
|--------------------------|-------------------------|--------------------------|--|--------------------------|--|

| | | |
|--|-----|----|
| <p>'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.</p> | YES | 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 of20

SIGNATURE OF REQUESTER / PERSON ON
WHOSE BEHALF REQUEST IS MADE