GREEN's SAND CC

PAIA MANUAL

In terms of Section 51 of the Promotion of Access to Information Act 2 of 2000

1. THE PURPOSE

The purpose of this document is to serve as the Manual of Green's Sand CC (the Company), as required in terms of the Act, and to provide a reference of the records held and the procedures which need to be followed to request access to such records.

2. INTRODUCTION

The Company is a distributor of specialised silica sand to the Industrial as well as Leisure market for over 30 years, distributing nationally and across borders.

3. COMPANY CONTACT DETAILS [Section 51 (1) (a)]

Persons designated / duly authorised persons:
Office Manager: Lizette Delport
Postal Address: P.O. Box 7406, Centurion, 0046
Physical address: Portion 17 of the farm Kameelzynkraal
Street address: C/O R25 & M6 Pretoria
Telephone number: 012 941 1643
Fax number: 086 686 4849
Email: sales@greensand.co.za

4. THE ACT [Section 51 (1) (b)]

4.1 The Act grants a requester access to the records of a private body, if the record is acquired for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.

4.2 Requests in terms of the Act shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariffs are dealt with in paragraphs 6 and 7 of the Act.

4.3 Requesters are referred to the Guide in terms of Section 10, which has been compiled by the South Africa Human Rights Commission, which will contain information for the purposes of exercising Constitutional Rights. The Guide is available from the SAHRC.

4.4 The contact details of the Commission are:

Postal address:	Private Bag 2700, Houghton, 2041
Telephone number:	+27-11-877-3600
Fax number:	+27-11-403-0625
Website:	www.sahrc.org.za

5. APPLICABLE LEGISLATION [Section 51 (1) (c)]

No.	Ref	Act
1	61 of 1973	Companies Act
2	98 of 1978	Copyright Act
3	55 of 1998	Employment Equity Act
4	95 of 1967	Income Tax Act
5	66 of 1995	Labour Relations Act
6	89 of 1991	Value Added Tax Act
7	37 of 2002	Financial Advisory and Intermediary Services Act
8	75 of 1997	Basic Conditions of Employment Act
9	69 of 1984	Close Corporations Act
10	25 of 2002	Electronic Communications and Transactions Act
11	2 of 2000	Promotion of Access to Information Act
12	30 of 1996	Unemployment Insurance Act

6. SCHEDULE OF RECORDS [Section 51 (1) (d)]

RECORDS	SUBJECT	AVAILABILITY
Public Affairs	• Public Product Information • Public Corporate records • Media releases	Freely available on company website at www.greensand.co.za
Financial	• Financial statements • Financial and tax Records (Company and employees) • Asset register • Management Accounts	Request in terms of PAIA.
Marketing	• Market information • Public Customer Information: o Product Brochures o Owner Manuals	Limited information available on website. (see above)
	• Field Records	Request in terms of PAIA.
	• Performance records	In our annual report freely available.
	• Product sales records	Request in terms of PAIA

	• Marketing strategies	Request in terms of PAIA
	• Customer database	Request in terms of PAIA

7. PROCEDURE FOR REQUEST FOR ACCESS (SECTIONS 53)

7.1 The requester must comply in full with all the procedural requirements as set out in the Act and this Manual, relating to the request for access to a record. Failure to do so will result in the request being refused.

7.2 The requester must complete the prescribed form enclosed herewith as **Appendix 1,** and submit same together with payment of the request fee (if applicable) and a deposit (if applicable) to the Authorised Person at the postal or physical address, facsimile number or electronic mail address under **SECTION I** above.

7.3 The prescribed form must be completed with enough particulars to at least enable the Authorised Person to identify:

- The records requested;
- The identity of the requester;
- Which form of access to the records is required, should the request be granted; and
- The postal address or facsimile number of the requester.

7.4 The requester must identify the nature of the right for which purpose access to the records is required. If the right is not clearly defined, the Authorised Person may refuse access to the record requested.

7.5 The requester must indicate if the requester, in addition to being informed in writing whether access to the record has been granted, wishes to be informed of the decision of the request in any other manner. If so, he/she/it must state the manner with full particulars.

7.6 If the request is made on behalf of another person, then in such event, the requester must submit proof of the capacity in terms of which the requester is making the request to the reasonable satisfaction of the Authorised Person.

7.7 Should an individual be unable to complete the prescribed form because of illiteracy, disability or any other reason, such individual may submit the request orally to the Authorised Person.

7.8 The requester must pay the prescribed fee (if applicable) before any further processing can take place.

7.9 The requester will be informed within 30 days after receipt of the request of the decision whether or not to grant the request.

7.10 The 30 day period may be extended with a further period of not more than 30 days if the request is for a large number of records or requires a search through a large number of records and compliance with the original period would unreasonably interfere with the activities, or the records are not located at the building, or consultations amongst divisions or another private body or third party are required.

7.11 Should the request be granted, the written notice must state the access fee (if any) to be paid upon access, the form in which access will be given and that the requester may lodge an application with a Court against the access fee to be paid or the form of access granted, and the procedure for lodging such application.

7.12 Should the request be refused, the notice must state adequate reasons for the refusal, including the provisions of the Act relied upon, and state that the requester may lodge an application with a Court against the refusal of the request, and the procedure (including the period) for lodging the application.

8. PRESCRIBED FEES [Section 54]

The following applies to requests (other than personal requests):

8.1 A requestor is required to pay the prescribed fees (R50.00) before a request will be processed;

8.2 If the preparation of the record requested requires more that the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted);

8.3 A requestor may lodge an application with a court against the tender / payment of the request fee and/or deposit.

8.4 Records may be withheld until the fees have been paid.

8.5 The fee structure is attached to this document and marked Appendix 2.

9. GROUNDS FOR REFUSAL OF ACCESS TO RECORDS (CHAPTER 4 OF THE ACT)

Apart from Section 7 of the Act, and subject to Section 70 of the Act, the main grounds to refuse a request for information as contemplated by the Act relates to:

9.1 Protection of the privacy of a third party, if that third party is a natural person, which would involve the unreasonable disclosure of personal information of that natural person;

9.2 Protection of commercial information of a third party as defined by the Act, if the record contains:

- trade secrets of that third party;
- financial, commercial, scientific or technical information other than trade secrets of a third party, the disclosure of which would be likely to cause harm to the commercial or financial interests of that third party;
- information disclosed in confidence to The Company by a third party, the disclosure of which could put that third party at a disadvantage in a contractual or other negotiations or would prejudice that third party in commercial competition.

9.3 Protection of confidential information if the disclosure would constitute a breach of a duty or confidence to a third party in terms of an agreement;

9.4 Protection of safety of individuals and protection of property;

9.5 Protection of records which would be regarded as privileged in any legal proceedings, unless the person so entitled to privilege waives the privilege (Section 67);

9.6 Protection of commercial activities of The Company, which may include:

- trade secrets;
- financial, commercial, scientific or technical information, disclosure of which could cause harm to the financial or commercial interests;
- information which, if disclosed, could put The Company at a disadvantage in negotiations or commercial competition;
- a computer programme owned, and which is protected by copyright; and
- the research information or a third party on behalf of The Company if the disclosure would expose the third party, the Company, the researcher or the subject matter of the research and would place the research at a serious disadvantage.

10. RECORDS THAT CANNOT BE FOUND OR DO NOT EXIST

If the Company has searched for a record and it is believed that the record either does not exist or cannot be found, the requester will be notified by way of an affidavit or affirmation. This will include the steps that were taken to try to locate the record.

11. Third Party Information

11.1 If access is requested to a record that contains information about a third party, the Company is obliged to attempt to contact this third party to inform them of the request. This enables the third party the opportunity of responding by either consenting to the access or by providing reasons why the access should be denied.

11.2 In the event of the third-party furnishing reasons for the support or denial of access, our designated contact person will consider these reasons in determining whether access should be granted, or not.

12. REMEDIES AVAILABLE IN REFUSAL OF A REQUEST FOR INFORMATION (PART 4 OF THE ACT)

12.1 The Company does not have internal appeal procedures and as such, the decision made by the Authorised Person is therefore final.

12.2 Therefore, should the requester be dissatisfied with the Authorised Person's decision to refuse access, that person may within 30 days after notification of the refusal apply to a Court for the appropriate relief.

12.3 Should a third party be dissatisfied with the Authorised Person's decision to grant a request for information relating to that third party, it (the third party) may within 180 days of notification of such decision, apply to a Court for the appropriate relief.

13. OTHER INFORMATION AS MAY BE PRESCRIBED UNDER SECTION 51(1)(f) OF THE ACT (SECTION V)

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

14. AVAILABILITY OF THE MANUAL UNDER SECTION 51(3) OF THE ACT (SECTION VI)

The Manual is also available for inspection at the offices of the Company free of charge, and copies are available with the SAHRC.

Appendix 1

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: _____

_____

_____

Telephone number: _____ Fax number: _____

Email 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 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 requestor must sign all 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 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:

	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 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? **Postage is payable.**	YES	NO

G. 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 requestor 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 in 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

APPENDIX 2

SOUTH AFRICAN HUMAN RIGHTS COMMISSION

Physical Address
33 Hoofd Street
Braampark Forum 3
Braamfontein
2198

Postal Address
Private Bag X 2700
Houghton
2041

Tel: (011) 877 3600
Fax: 011 403 0625

NOTICE IN TERMS OF THE PROMOTION OF ACCESS TO INFORMATION 2 OF 2000
RE: FEES ASSOCIATED WITH PAIA REQUESTS ARE DETERMINED BY THE REGULATIONS ONLY AND NOT THROUGH OTHER APPLICABLE LAWS OR POLICIES

This Notice serves to state that the South African Human Rights Commission (the Commission) hereby confirms that the costs associated with all requests made under the Promotion of Access to Information Act 2 of 2000 (PAIA) are determined by the Regulations relating to PAIA only, and not by any other laws or regulations. Therefore, any demands made by a public or private body for the payment of additional fees with respect to PAIA requests are invalid.

The Commission is an independent public body currently mandated under PAIA to monitor the implementation of the Act. In accordance with its responsibilities to ensure compliance with PAIA, the Commission issues this notice to bring clarity to all interested parties that it is *only* the Minister of Justice and Constitutional Development who has the power to make decisions regarding fees associated with PAIA requests. The Commission further confirms that Value-Added Tax (VAT) is only payable by institutions who have registered as VAT vendors.

1. The Promotion of Access to Information Act

PAIA gives effect to the constitutional right to access of information, as provided for under section 32 of the Constitution. Although responding to requests and reproducing records in an accurate and orderly manner takes time and resources, section 9 of the Act specifically calls for the establishment of mandatory mechanisms and procedures to ensure that access to records of both public and private bodies is "as swiftly, *inexpensively* and effortlessly as reasonably possible." [emphasis added].
Furthermore, section 92 of the Act grants the Minister of Justice and Constitutional Development the power to make regulations pertaining to fees associated with requests made to both public and private bodies.

2. Regulations to PAIA

In February 2002, the Minister of Justice and Constitutional Development published a schedule of fees for PAIA requests in the Gazette, which provided for the following:

Fees for Requesting Records
Requesters are required to pay a fee for requesting access to records from both public and private bodies. The fee for requesting records from a public body is R35, while the fee for requesting records from a private body is R50. It is important to note that people who are requesting access to their personal information are exempt from paying a fee. Furthermore, people who earn less than R14,712 per annum (if single) and R27,192 per annum (if married or have a life partner), are also exempt from paying the request fees.

Fees for Accessing Records
Requesters are also required to pay fees for accessing the records of public and private bodies, which include fees associated with the search for, preparation of, and reproduction of documents. The breakdown of fees for requests to both public and private bodies are as follows:

Public Bodies:
- Copy per A4 page – 60 cents
- Printing per A4 page – 40 cents
- Copy on a CD – R40
- Transcription of visual images per A4 page – R22
- Copy of a visual image – R60
- Transcription of an audio recording per A4 page – R12
- Copy of an audio recording – R17
- Search and preparation of the record for disclosure – R15 per hour or part thereof, excluding the first hour, reasonably required for the search and preparation
- Actual postage fee

Private Bodies:
- Copy per A4 page – R1.10
- Printing per A4 page – 75 cents
- Copy on a CD – R70
- Transcription of visual images per A4 page – R40
- Copy of a visual image – R60
- Transcription of an audio recording per A4 page – R20
- Copy of an audio recording – R30
- Search and preparation of the record for disclosure – R30 per hour or part thereof, excluding the first hour, reasonably required for the search and preparation
- Actual postage fee

3. Registered VAT Vendors

The Commission further confirms that Value-Added Tax (VAT) is only payable by institutions who have registered as VAT vendors, as required under section 23 of the Value-Added Tax Act of 1991.

Sincerely,

Advocate L M Mushwana
Chair of the South African Human Rights Commission

Transforming society. Securing rights. Restoring dignity

Chairperson: ML Mushwana; **Deputy Chairperson:** P Govender; **Commissioners:** L Mokate, B Malatji, J Love, D Titus
Chief Executive Officer: K Ahmed

SCHEDULE 1

RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION

1. Administration of Estates Act, No. 66 of 1965
2. Arbitration Act No. 42 of 1965
3. Basic Conditions of Employment No. 75 of 1997
4. Companies Act No. 71 of 2008
5. Compensation for Occupational Injuries and Health Diseases Act No.130 of 1993
6. Consumer Affairs (Unfair Business Practices) Act No. 71 of 1988
7. Copyright Act No. 98 of 1978
8. Credit Agreements Act No. 75 of 1980
9. Currency and Exchanges Act No. 9 of 1933
10. Debtor Collectors Act No. 114 of 1998
11. Employment Equity Act No. 55 of 1998
12. Finance Act No. 35 of 2000
13. Financial Services Board Act No. 97 of 1990
14. Financial Relations Act No. 65 of 1976
15. Harmful Business Practices Act No. 23 of 1999
16. Income Tax Act No. 95 of 1967
17. Insolvency Act No. 24 of 1936
18. Insurance Act No 27 of 1943
19. Intellectual Property Laws Amendments Act No. 38 of 1997
20. Labour Relations Act No. 66 of 1995
21. Long Term Insurance Act No. 52 of 1998
22. Medical Schemes Act No. 131 of 1998
23. Occupational Health & Safety Act No. 85 of 1993
24. Pension Funds Act No. 24 of 1956
25. Post Office Act No. 44 of 1958
26. Protection of Businesses Act No. 99 of 1978
27. Regional Services Councils Act No. 109 of 1985
28. SA Reserve Bank Act No. 90 of 1989
29. Short Term Insurance Act No. 53 of 1998
30. Skills Development Levies Act No. 9 of 1999
31. Skills Development Act No. 97 of 1998
32. Stamp Duties Act No. 77 of 1968
33. Stock Exchange Control Act No. 1 of 1985
34. Tax on Retirement Funds Act No. 38 of 1996
35. Trade Marks Act No. 194 of 1993

36. Unemployment Contributions Act No. 4 of 2002
37. Unemployment Insurance Act No. 63 of 2001
38. Usury Act No 73 of 1968
39. Value Added Tax Act No. 89 of 1991
Animal Health Act, 2002
Genetically Modified Organisms Act, 1997
Marketing of Agricultural Products Act, 1996
Meat Safety Act, 2000
Plant Breeders' Rights Act, 1976
National Heritage Resources Act, 1999
Broadcasting Act, 1999 (Act No. 4 of 1999)
Electronic Communications Act, 2005
Electronic Communications and Transactions Act, 2002
Independent Communications Authority of South Africa Act, 2000 (Act No. 13 of 2000)
Postal Services Act, 1998
South African Postbank Limited Act, 2010
Adult Basic Education and Training Act, 2000
Employment of Educators Act, 1998 (Act No. 76 of 1998)
Further Education and Training Colleges Act, 2006
General and Further Education and Training Quality Assurance Act, 2001
Higher Education Act, 1997
National Education Policy Act, 1996
National Qualifications Framework Act, 2008
South African Council for Educators Act, 2000 (Act No. 31 of 2000)
South African Schools Act, 1996
Environment Conservation Act, 1989
National Environmental Management Act, 1998
South African Weather Service Act, 2001
Tourism Act, 1993
Appropriation Act, 2011 (Act No. 11 of 2011)
Auditing Profession Act, No. 26 of 2005
Banks Act, 1990
Collective Investment Schemes Control Act, 2002
Conversion of SASRIA Act, 1998
Co-operative Banks Act, 2007 (Act No. 40 of 2007)
Customs and Excise Act, 1964 (Act No. 91 of 1964)
Debt Collectors Act, 1998
Division of Revenue Act, 2010

Division of Revenue Act, 2011

Exchange Control Amnesty and Amendment of Taxation Laws Act, 2003

Finance Act, 2007

Financial Advisory and Intermediary Services Act, 2002

Financial Intelligence Centre Act, 2001

Financial Institutions (Protection of Funds) Act, 2001 (Act No. 28 of 2001)

Financial Services Board Act, 1990 (Act No. 97 of 1990)

Income Tax Act, 1962

Insider Trading Act, 1998

Insolvency Act, No. 24 of 1936

Inspection of Financial Institutions Act, 1998

Long-term Insurance Act, 1998

Mutual Banks Act, 1993

National Credit Act, 2005

National Payment Systems Act, 1998 (Act No. 78 of 1998)

National Student Financial Aid Scheme Act, 1999

Non-Profit Organisations Act, 1997

Pension Funds Act, 1956 (Act No. 24 of 1956)

Preferential Procurement Policy Framework Act, 2000

Public Finance Management Act, 1999

Securities Services Act, 2004

Securities Transfer Tax Act, 2007

Securities Transfer Tax Administration Act, 2007

Share Blocks Control Act, 1980

Short-term Insurance Act, 1998

South African Revenue Service Act, 1997

Statistics Act, 1999

Tax on Retirement Funds Act, 1996

Uncertificated Securities Tax Act, 1998

Value-Added Tax Act, 1991

Allied Health Professions Act, 1982

Choice on Termination of Pregnancy Act, 1996

Council for Medical Schemes Levies Act, 2000

Dental Technicians Act, 1979 (Act No. 19 of 1979)

Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972)

Hazardous Substances Act, 1973

Health Professions Act, 1974 (Act No. 56 of 1974)

International Health Regulations Act, 1974 (Act No. 28 of 1974)

Medical Schemes Act, 1998
Medicines and Related Substances Control Act, 1965
Mental Health Care Act, 2002
National Health Act, 2003
Nursing Act, 2005
Pharmacy Act, 1974 (Act No. 53 of 1974)
Sterilisation Act, 1998
Tobacco Products Control Act, 1993
Traditional Health Practitioners Act, 2004
Community Schemes Ombud Service Act, 2011
Estate Agency Affairs Act, 1976
Housing Act, 1997
Housing Consumer Protection Measures Act, 1998
Housing Development Agency Act, 2008
Housing Development Schemes for Retired Persons Act, 1988
National Building Regulations and Building Standards Act, 1977
Rental Housing Act, 1999
Sectional Titles Act, 1986
Sectional Titles Schemes Management Act, 2011
Social Housing Act, 2008
Transfer Duty Act, 1949 (Act No. 40 of 1949)
Administration of Estates Act, 1965
Attorneys Act, 1979 (Act No. 53 of 1979)
Constitution of the Republic of South Africa, 1996
Criminal Procedure Act, 1977
Divorce Act, 1979
Estate Duty Act, 1955
Justices of the Peace and Commissioners of Oaths Act, 1963
Maintenance Act, 1998
Prevention and Combating of Corrupt Activities Act, 2004
Prevention of Organised Crime Act, 1998
Promotion of Access to Information Act, 2000
Promotion of Administrative Justice Act, 2000
Promotion of Equality and Prevention of Unfair Discrimination Act, 2000
Recognition of Customary Marriages Act, 1998
Regulation of Interception of Communications and Provision of Communication-related Information Act, 2002
Right of Appearance in Courts Act, 1995

Special Investigating Units And Special Tribunals Act, 1996

Trust Property Control Act, 1988

Witness Protection Act, 1998

Basic Conditions of Employment Act, 1997

Compensation for Occupational Injuries and Diseases Act, 1993

Employment Equity Act, 1998

Labour Relations Act, 1995

Occupational Health and Safety Act, 1993

Skills Development Act, 1998

Skills Development Levies Act, 1999

Unemployment Insurance Act, 2001

Unemployment Insurance Contributions Act, 2002

Abolition of Certain Title Conditions Act, 1999

Communal Land Rights Act, 2004

Deeds Registries Act, 1937

Expropriation Act, 1975

Gas Regulator Levies Act, 2002 (Act No. 75 of 2002)

Mine Health and Safety Act, 1996

Mineral and Petroleum Resources Development Act, 2002

Mineral and Petroleum Resources Royalty Act, 2008 (Act No. 28 of 2008)

National Energy Act, 2008

National Nuclear Regulator Act, 1999

Nuclear Energy Act, 1999

Petroleum Pipelines Levies Act, 2004

Petroleum Products Act, 1977

Precious Metals Act, 2005

Construction Industry Development Board Act, 2000

Disaster Management Act, 2002

Explosives Act, 2003

Firearms Control Act, 2000

Prohibition or Restriction of Certain Conventional Weapons Act, 2008 (Act No. 18 of 2008)

Human Sciences Research Council Act, 2008

National Research Foundation Act, 1998

Natural Scientific Professions Act, 2003

Child Care Act, 1983

Child Justice Act, 2008

Children's Act, 2005

Domestic Violence Act, 1998

Older Persons Act, 2006

Social Assistance Act, 2004, (Act No. 13 of 2004)

2010 FIFA World Cup South Africa Special Measures Act, 2006 (Act No. 11 of 2006)

National Sport and Recreation Act, 1998

Safety at Sports and Recreational Events Act, 2010

South African Boxing Act, 2001

South African Institute for Drug Free Sport Act, 1997

Broad-Based Black Economic Empowerment Act, 2003

Businesses Act, 1991 (Act No. 71 of 1991)

Close Corporations Act, 1984

Companies Act, 1973

Companies Act, 2008 (Act No. 71 of 2008)

Competition Act, 1998

Consumer Affairs (Unfair Business Practices) Act, 1988

Consumer Protection Act, 2008

Consumer Affairs Reports

Copyright Act, 1978

International Trade Administration Act, 2002

Liquor Act, 2003

Lotteries Act, 1997

National Gambling Act, 2004

National Small Business Act, 1996

Standards Act, 2008 (Act No. 8 of 2008)

Trade Marks Act, 1993

Usury Act, 1968

Administrative Adjudication of Road Traffic Offences Act, 1998

Civil Aviation Act, 2009 (Act No. 13 of 2009)

National Land Transport Act, 2009

National Railway Safety Regulator Act, 2002 (Act No. 16 of 2002)

National Road Traffic Act, 1996

Merchant Shipping (Safe Containers Convention) Act, 2011

Road Traffic Management Corporation Act, 1999

Road Accident Fund Act, 1996 (Act No. 56 of 1996)

National Forests Act, 1998

National Veld and Forest Fire Act, 1998

National Water Act, 1998

Water Services Act, 1997

Arbitration Act No. 42 Of 1965

Credit Agreements Act No. 75 Of 1980

Currency And Exchanges Act No. 9 Of 1933

Harmful Business Practices Act No. 23 Of 1999

Insurance Act No 27 Of 1943

Intellectual Property Laws Amendments Act No. 38 Of 1997

Regional Services Councils Act No. 109 Of 1985

SA Reserve Bank Act No. 90 Of 1989

Stock Exchange Control Act No. 1 Of 1985

SCHEDULE 2

SECTION IV:

ACCESS TO RECORDS HELD

INFORMATION REQUIRED UNDER SECTION 51(1)(c) AND SECTION 51(1)(e) OF THE ACT:

1. RECORDS WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS IN TERMS OF THE ACT IN TERMS OF SECTION 52(2) (SECTION 51(1)(c):

Documents of Incorporation.

2. RECORDS WHICH MAY BE REQUESTED UNDER SECTION 51(1)(e) OF THE ACT:

2.1 Corporate Records

- All trust deeds;
- Minutes of meeting of the Board of Directors;
- Minutes of meetings of Shareholders;
- Proxy forms (in respect of members);
- Register of debenture-holders;
- Register of directors' shareholdings;
- Records relating to the appointment of:
  - Directors;
  - Auditors;
  - Secretary;
  - Public Officer; and
  - Any Prescribed Officer.
- Research and development;
- Share Register and other statutory registers and/or records and/or documents;
- Share certificates; and
- Special resolutions/Resolutions passed at General and Class meetings.

2.2 Financial Records

- Annual Financial Statements
- Tax Returns
- Accounting Records
- Bank Statements
- Paid Cheques
- Asset Register
- Rental Agreements
- Invoices
- Debtors/Creditors statements and invoices

- General reconciliation
- Policies and procedures

2.3 Tax Records

- PAYE Records
- Documents issued to employees for income tax purposes
- Records of payments made to SARS on behalf of employees
- VAT
- Regional Services Levies
- Skills Development Levies
- UIF
- Workmen's Compensation

2.4 Personnel Records

- Employment contracts
- Employment Equity Plan
- Medical Aid records
- Pension Fund records
- Disciplinary records
- Salary records
- SETA records
- Disciplinary code
- Leave records
- Training records
- Training Manuals
- Workplace and Union Agreements and records
- Standard letters and notices
- Accident books and records
- Forms and Applications
- Payroll reports
- Wage register
- Safety, Health and Environmental records.

2.5 Procurement

- Standard Terms and Conditions for supply of services and products;
- Contractor, client and supplier agreements;
- Lists of suppliers, products, services and distribution; and
- Policies and Procedures.

2.6 Legal and Compliance

- Agreements / General Contracts; and
- Litigation claims / Court documents and records.

2.7 Information Security / Information Technology

- Computer / mobile device usage policy documentation;
- Disaster recovery plans;
- Hardware asset registers;
- Information security policies/standards/procedures;
- Information usage policy documentation;
- Project, disaster recovery and implementation plans;
- Software licensing; and
- System documentation and manuals.

2.8 Risk Management and Audit

- Audit reports;
- Risk management frameworks; and
- Risk management plans.

2.9 Occupational Health and Safety

- A comprehensive and updated list of all the contractors on sites accountable to the principal contractor, the agreements between the parties and the type of work being done;
- Personal injury records; and
- Policies and procedures.