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Access to Information Manual

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Applicable to the following division of the Tsebo Solutions Group



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Document Approvers

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Access to Information Manual

As required by Section 51 of the Promotion to Access of Information Act No 2 of 2000 ("PROATIA")

Tsebo Facilities Solutions, a division of Tsebo Solutions Group (Pty) Ltd. ("TseboFS")

1. Introduction

The object of PROATIA is to give you access to the records of TseboFS under certain circumstances. PROATIA seeks to promote a society in which you have access to information to enable you to exercise and protect your rights, and to promote a culture of transparency and accountability.

Section 51 of PROATIA requires all private bodies to compile a manual containing various information including TseboFS's details, a description of the records of TseboFS, as well as the means by which a record may be accessed.

TseboFS is a private body and therefore this manual has been compiled in terms of and in order to comply with Section 51 of PROATIA.

2. Company Details

TseboFS's details are as follows:

Registration Number	1996/008862/07
Postal Address	P O Box 3486, Randburg, 2132
Physical Address	85 Protea Road Kingsley Office Park Block C Chislehurst Sandton 2196
Telephone Number	(011) 577-8600
Facsimile Number	(011) 789-2229
General contact e-mail address for TseboFS	marketing@tsebo.com
E-mail address for the head of TseboFS	amcelnea@tsebo.com
Website	www.tsebofs.com

3. Human Rights Commission's PROATIA Guide

In Terms of Section 10 of PROATIA, the South African Human Rights Commission ("SAHRC") is required to compile a guide, in each official language, containing information for any person who wishes to exercise any right contemplated in PROATIA.

Should you wish to obtain access to the abovementioned guide, the SAHRC can be contacted on either 011 484 8300 or via their website, www.sahrc.org.za.

4. Records of TseboFS

A description of the records held by TseboFS, as required by section 51(1)(e) of PROATIA, is set out in the Description of Records Table which is attached to this manual as Annexure A.

5. Request for Access to a Record

In order to comply with our obligations in terms of PROATIA TseboFS has authorised and designated the Personal Assistant to the **Finance and Commercial Director** to deal with all matters relating to PROATIA.

In order to request access to a record please complete the **Request for Access Form** which is attached to this manual as Annexure B and submit it to TseboFS at its physical address, its fax number or general contact e-mail address provided above.

6. Information available in terms of other legislation

TseboFS holds information in accordance with the following legislation:

- Basic Conditions of Employment No. 75 of 1997
- Companies Act No. 61 of 1973
- Compensation for Occupational Injuries and Health Diseases Act No. 130 of 1993
- Competition Act No. 89 of 1998
- Credit Agreements Act No. 75 of 1980
- Debtor Collectors Act No. 114 of 1998
- Employment Equity Act No. 55 of 1998
- Income Tax Act No. 95 of 1967
- Labour Relations Act No. 66 of 1995
- Occupational Health & Safety Act No. 85 of 1993
- Skills Development Levies Act No. 9 of 1999
- Skills Development Act No. 97 of 1998
- Unemployment Insurance Act No. 63 of 2001
- Value Added Tax Act No. 89 of 1991

7. Other Information as may be Prescribed

The Minister of Justice and Constitutional Development has not made any regulations in terms of section 51(f) of the Act.

8. Decision Regarding Request

PROATIA provides for numerous grounds upon which TseboFS may refuse to grant you access to a record of TseboFS. These grounds for refusal are to protect:

- The privacy of another person
- Commercial information of another company
- Confidential information of another person
- The safety of individuals and property
- Records privileged from operations in legal proceedings

You will be notified in writing whether your request has been approved or denied within 30 calendar days after receipt by TseboFS of the completed **Request for Access Form**. Should any record of TseboFS requested by you not be found or not exist, TseboFS will, by way of affidavit, notify you that it is not possible to give access to that particular record.

9. Access to Records

If your request for access to records of TseboFS is approved, access will be provided in the form as TseboFS reasonably determines, unless you have requested access in a specific form.

10. Fees

Section 52(3) states that fees payable for access to records are to be prescribed. The prescribed fees are as set out in the **Fee Schedule** which is attached to this manual as Annexure C. TseboFS may withhold a record until the requester has paid the applicable fee.

11. Frequently Asked Questions

Who may request access to a record?

Any person including a department of state and a person acting on behalf of another person.

How soon will TseboFS respond to a request?

TseboFS will respond within 30 days of the receipt of all the necessary information. TseboFS may extend the period of 30 days once for 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 of TseboFS;
- The request requires a search for records in, or collection thereof from, an office of TseboFS not situated in the same town or city as the office of the head that cannot reasonably be completed within the original period;
- Consultation among divisions of TseboFS or with another private body is necessary or desirable to decide upon the request that cannot reasonably be completed within the original period;
- More than one of the circumstances contemplated in paragraphs (a) and (b) exist in respect of the request making compliance with the original period not reasonably possible; or
- The requester consents in writing to such extension.

If a period is extended, TseboFS must, as soon as reasonably possible, but in any event within 30 days, after the request is received, notify the requester of that extension, the period of the extension and the reasons for the extension.

The notice must state:

- The period of the extension;
- Adequate reasons for the extension, including the provisions of this Act relied upon; and
- That the requester may lodge an application with a court against the extension, and the procedure (including the period) for lodging the application.

Annexure A - Description of Records Table

Categories of Records on Each Subject	Form Held	Availability
1. Company Secretarial Records		
Company Incorporation Documents	Electronic and physical	Automatically available
Names of Directors	Electronic and physical	Automatically available on company website www.tsebofs.com
Salaries of Directors	Electronic and physical	Not automatically available
2. Financial Records of TseboFS		
Financial statements	Electronic and physical	Yes, in accordance with the Companies Act
Documents relating to taxation of TseboFS	Physical	Not automatically available
Financial Agreements	Physical	Not automatically available
Banking Details	Electronic and physical	Automatically available.
3. Insurance of Company		
Insurance Policies held by TseboFS	Physical	Not automatically available
4. Employees		
List of Employees	Electronic and physical	Not automatically available
Personal information of employees	Electronic and physical	Not automatically available
Employee contracts of employment	Electronic and physical	Not automatically available
Pension Funds & Provident Fund	Electronic and physical	Not automatically available
Salaries of Employees	Electronic and physical	Not automatically available
Leave records	Physical	Not automatically available
5. Company Policies and Directives		
Internal relating to employees and TseboFS	Electronic and physical	Not automatically available
External relating to clients and other third parties	Electronic and physical	Automatically available
6. Agreements or Contracts		
Standard Agreements	Physical	Not automatically available
Contracts concluded with customers	Physical	Not automatically available
Third party contracts (such as Agreements etc.)	Physical	Not automatically available
Supplier contracts	Physical	Not automatically available



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Categories of Records on Each Subject	Form Held	Availability
7. Regulatory		
Permits, Licences or Authorities	Physical	Not automatically available
8. Published Information		
External Newsletters and Circulars	Electronic and physical	Automatically available
Internal Newsletters and Circulars	Electronic and physical	Not automatically available
Information on TseboFS published by third parties	Electronic and/or physical	Not automatically available
9. Customer Information		
Customer Details	Electronic and physical	Not automatically available
Contact details of individuals within customers	Electronic and physical	Not automatically available
Communications with customers	Electronic and physical	Not automatically available
10. Reference Materials		
Newsletters and journals articles	Electronic and physical	Not automatically available
Newspaper articles	Physical	Not automatically available
Magazines	Physical	Not automatically available
Newspaper articles	Physical	Not automatically available

Annexure B – Request for Access Form

Request for Access Form (in terms of The Promotion of Access to Information Act)

Name of the Company to Whom the Request is Made			
Name (full name of company):		Tsebo Facilities Solutions, a division of Tsebo Solutions Group (Pty) Ltd.	
Particulars of Person Requesting Access to Information			
Surname		First names	
Identity number		E-mail address	
Telephone no.		Facsimile no.	
Postal address			
If the request is made on behalf a person/ private body, please submit proof of your capacity to make the request.			
Particulars of Person on Whose Behalf Request is Made (if applicable)			
Surname		First names	
Identity number		E-mail address	
Telephone no.		Facsimile no.	
Postal address			
Particulars of Records Requested			
Reference (if applicable):			
Form of Access to Record			
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.			
<i>(Mark the appropriate shaded box with an X.)</i>			
1. If the record is in written or printed form:			
<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record
2. If the 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"/>		<input type="checkbox"/>	transcription of the images*
3. If the record consists of recorded words or information which can be reproduced in sound:			
<input type="checkbox"/>	listen to the soundtrack	<input type="checkbox"/>	transcription of soundtrack*(written or printed)
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"/>		<input type="checkbox"/>	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 transactions to be posted to you?			<input type="checkbox"/> YES <input type="checkbox"/> NO
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 above, state your disability and indicate in which form the record is required.			
Disability			
Form in which record is required:			
Particulars of right to be exercised or protected			
Explanation f why record is required for exercise or protection of abovementioned 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.			
Signature			
Signed at		Date	
Signature of the Requester			

Annexure C – Fee Schedule

Fee Schedule

Fees for Reproduction	
For every photocopy of an A4 page or part thereof	R1.80
For every printed copy of an A4 page or part thereof held on a computer or in electronic or machine-readable form	R0.75
For a copy in a computer readable form on stiffy disc	R7.50
For a copy in a computer-readable form on compact disc	R70.00
For a transcription of visual images per A4 page or part thereof	R40.00
For a copy of visual images	R60.00
For a transcription of an audio record per A4 page or part thereof	R20.00
For a copy of an audio record	R30.00
Request Fee	
For a person requesting access to information other than a personal requester i.e. a requester seeking access to a record containing personal information about the requester.	R50.00
Search Fee	
Per hour or part thereof required searching for and preparing the record for disclosure.	R30.00
Deposit	
A deposit of one third of the access fee is payable as a deposit if the search for a record requires more than six hours.	