

**HG CHARTERED ACCOUNTANTS**

**PRACTICE NUMBER: 951307**

**MANUAL**

**in terms of**

**The Promotion of Access to Information Act**

**2/2000**

**(the "Act")**

## **INDEX**

- 1 INTRODUCTION**
- 2 CONTACT DETAILS**
- 3 THE ACT**
- 4 APPLICABLE LEGISLATION**
- 5 SCHEDULE OF RECORDS**
- 6 FORM OF REQUEST**
- 7 PRESCRIBED FEES**
- 8 FORM C - REQUEST FOR ACCESS TO RECORDS**

## 1. INTRODUCTION

HG Chartered Accountants (hereinafter referred to as the "Private Body") is a formed partnership, operating from the below stated premises in Durbanville, which conducts business in the fields of auditing, accounting, taxation, business establishment and business consulting.

## 2. CONTACT DETAILS

Persons designated/duly authorised persons:

<b>Partners</b>	:	Lambert Colyn Donaggi Dirk Riacco van AS Francois Adams Melissa Martin
<b>Designated Information Officer</b>	:	Francois Adams
<b>Email address of Designated Information Officer</b>	:	francois@hgca.co.za
<b>Postal Address</b>	:	PO Box 2678, Bellville, Western Cape, 7535
<b>Street Address</b>	:	Level 4 Modena Building, Bella Rosa Village, 21D Durbanville Avenue, Rosendal, Western Cape, 7550
<b>Telephone Number</b>	:	021 948 8013
<b>Fax Number</b>	:	021 948 1602

## 3. THE ACT

The Act grants a requester access to records of the Private Body if the record is required 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.

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 this manual.

Requesters are referred to the Guide prepared by the South African Human Rights Commission which contains information for the purposes of exercising Constitutional Rights. The contact details of the Commission are:

Postal Address	:	Private Bag X2700, HOUGHTON 2041
Telephone Number	:	+27 11 877 3600
Fax Number	:	+27 11 484 0582
Website	:	<a href="http://www.sahrc.org.za">www.sahrc.org.za</a>

#### 4. APPLICABLE LEGISLATION

<u>Ref</u>	<u>Act</u>
No 71 of 2008	Companies Act
No 55 of 1998	Employment Equity Act
No 58 of 1962	Income Tax Act
No 66 of 1995	Labour Relations Act
No 89 of 1991	Value Added Tax Act
No 37 of 2002	Financial Advisory and Intermediary Services Act
No 75 of 1997	Basic Conditions of Employment Act
No 69 of 1984	Close Corporations Act
No 2 of 2000	Promotion of Access of Information Act
No 30 of 1996	Unemployment Insurance Act
No 4 of 2002	Unemployment Contributions Act
No 66 of 1965	Administration of Estates Act
No 130 of 1993	Compensation for Occupational Injuries and Health Diseases Act
No 85 of 1993	Occupational Health and Safety Act
No 24 of 1936	Insolvency Act
No 24 of 1956	Pension Funds Act
No 97 of 1998	Skills Development Act
No 9 of 1999	Skills Development Levies Act
No 3 of 1994	Constitution of the Republic of South Africa
No 131 of 1998	Medical Schemes Act
No 45 of 1965	Atmospheric Pollution Prevention Act
No 63 of 1977	Health Act
No 71 of 1988	Consumer Affairs (Unfair Business Practices Act)
No 45 of 1995	Customs and Excise Amendment Act
No 34 of 1997	South African Revenue Services Act

#### 5. SCHEDULE OF RECORDS

We maintain records on the following categories and subject matters. **However, 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 for access will be evaluated on a case by case basis in accordance with the provisions of the Act. In particular, there may be applicable grounds of refusal of such a request, as set out in the Act.

##### 5.1 Administration records

- *Documents of Incorporation/Registration documents of Entity*
- *Memorandum and Articles of Association*
- *Minutes of meetings*
- *Records relating to the appointment of directors/members/trustees /auditors/accountants/secretary/public officer and other officers*
- *Share Register and other statutory registers*

##### 5.2 Personnel documents and 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

### **5.3 Financial information**

- Financial statements
- Financial Transactions
- Budgets
- Risk Management Records
- Tax records and returns
- Accounting records
- Banking records/Bank statements, paid cheques, electronic banking records, deposit slips
- Asset register
- Management Accounts and Records
- Rental agreements
- Invoices
- Financial Policies and Procedures
- Internal Audit Records
- Contracts and agreements
- General Correspondence

### **5.4 Income tax records**

- PAYE records
- VAT records
- Regional Services Levies records
- Skills Development Levies
- UIF
- Workmen's Compensation

### **5.5 Internal records**

- Operational records
- Intellectual property
- Marketing records
- Internal correspondence
- Internal policies and procedures

## **6. FORM OF REQUEST**

To facilitate the processing of your request, kindly:

- 6.1 Use the prescribed form C (paragraph 8 of this manual).
- 6.2 Address your request to the Designated Information Officer in 2 above.
- 6.3 Provide sufficient details to enable the Private Body to identify:
  - a. The record(s) requested;
  - b. The requester (and if an agent is lodging the request, proof of capacity);
  - c. The form of access required;
  - d. The postal address or fax number of the requester in the Republic;
  - e. If the requester wishes to be informed of the decision in any manner (in addition to written), the manner and particulars thereof;

- f. The right which the requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.

## **7. PRESCRIBED FEES**

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

- 7.1 A requestor is required to pay the prescribed fee before a request will be processed;
- 7.2 If the preparation of the record requested requires more than 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);
- 7.3 A requester may lodge an application with a court against the payment of the request fee and/or deposit;
- 7.4 Records may be withheld until the fees have been paid;
- 7.5 The fee structure is available on the website of the South African Human Rights Commission at [www.sahrc.org.za](http://www.sahrc.org.za).

## 8. FORM C – REQUEST FOR ACCESS TO RECORDS

### 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 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. <b>The requester must sign all the additional folios.</b>   |

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 <b>request fee</b> has been paid. |
| (b) | You will be notified of the amount required to be paid as the request fee.   |
| (c) | The <b>fee payable for access</b> 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 <b>X</b> . 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.			
<b>1. If the record is in written or printed form:</b>			
<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record
<b>2. If record consists of visual images</b> (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*
<b>3. If record consists of recorded words or information which can be reproduced in sound:</b>			
<input type="checkbox"/>	listen to the soundtrack (audio cassette)	<input type="checkbox"/>	transcription of soundtrack* (written or printed document)
<b>4. If record is held on computer or in an electronic or machine-readable form:</b>			
<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 transcription to be posted to you? <b>Postage is payable.</b>			<input type="checkbox"/> YES <input type="checkbox"/> 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 \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_

\_\_\_\_\_  
**SIGNATURE OF REQUESTER /  
PERSON ON WHOSE BEHALF REQUEST IS MADE**