

PROSOL GROUP (PTY) LIMITED
SECTION 51 MANUAL
(Section 51 of the Promotion of Access to Information Act No. 2 of 2000)

1 INTRODUCTION

The Company

PROSOL GROUP (PTY) LTD is a Business Systems Development and Support Group, specialising in employee management solutions, systems integration and related value-add services

Overview

The Promotion of Access to Information Act, 2000, (“the Act”) reinforces the confidentiality of this information by providing that it must not be disclosed in terms of the Act, except to the person to whom it relates or that person’s authorized representative. The sections that follow describe PROSOL GROUP (PTY) LTD, the procedures for making a request for any of PROSOL GROUP (PTY) LTD records of information and, if necessary, the procedures for lodging an internal appeal in terms of the Act.

Definitions

“the Act”	shall mean the Promotion of Access to Information Act No 2 of 2000 together with all relevant regulations published;
“the/ this manual”	shall mean this manual together with all annexures thereto as available at the offices of PROSOL GROUP (PTY) LTD from time to time;
“PROSOL”	shall mean PROSOL GROUP (PTY) LTD
“SAHRC”	shall mean the South African Human Rights Commission;
“Information Officer”	the managing director of PROSOL has been appointed as the Information Officer of PROSOL, to which requests for information in terms of the Act, should be addressed.

2 AIM

The aim of this manual is to facilitate the request for access to records of PROSOL as provided for in the Promotion of Access to Information Act No.2 of 2000 (“the Act”), as amended from time to time, and including the regulations promulgated in terms of the Act.

3 INFORMATION OFFICER

The appointed Information Officer is Mr Alan Williams

3.1 Physical Address : ACS House, 1st Floor
370 Rivonia Boulevard
RIVONIA
2128

3.2 Postal Address : PO Box 2719
RIVONIA
2128

3.3 Telephone : +27 (011) 234 5600

3.4 Fax : +27 (011) 234 5610

3.5 E-mail : support@prosol.co.za

3.6 Website : www.prosol.co.za

4 SECTION 10 GUIDE

4.1 The Human Rights Commission will complete a guide, as contemplated in section 10 of the Act, containing information to assist any person who wishes to exercise any right as contemplated in the Act.

4.2 Please direct any queries to:
The South African Human Rights Commission
Promotion of Access to Information Act Unit
The Research and Documentation Department

Postal address : Private Bag 2700
Houghton
2041

Telephone : +27 (0)11 484-8300
Fax : +27 (0)11 484-0582

Website : www.sahrc.org.za
E-mail : PAIA@sahrc.org.za

4.3. Useful References

The Act <http://www.gov.za/gazette/acts/2000/a2-00.pdf>
The Act's Regulations <http://www.doj.gov.za/reg/reg187.pdf>

5 RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION

Information is available in terms of the following legislation, if and where applicable:

- 5.1 Basic Conditions of Employment Act No. 75 of 1997
- 5.2 Companies Act No. 61 of 1973
- 5.3 Compensation of Occupational Injuries and Diseases Act No. 130 of 1993
- 5.4 Employment Equity Act No. 55 of 1998
- 5.5 Income Tax Act No. 58 of 1962
- 5.6 Labour Relations Act No. 66 of 1995
- 5.7 Occupational Health and Safety Act No. 85 of 1993
- 5.8 Promotion of Access to Information Act No. 2 of 2000
- 5.9 Skills development Levies Act No. 9 of 1999
- 5.10 Insolvency Act No 24 of 1936
- 5.11 Unemployment Insurance Act No. 30 of 1966
- 5.12 Value – Added Tax Act No. 89 of 1991
- 5.13 Copyright Act No 98 of 1978
- 5.14 Regional Service Councils Act No 109 of 1985
- 5.15 Skills Development Act No 97 of 1998
- 5.16 Medical Schemes Act No 131 of 1998

6 LATEST NOTICE IN TERMS OF SECTION 52(2) OF THE ACT REGARDING THE CATEGORIES OF RECORD OF THE COMPANY WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS IN TERMS OF THE ACT

At this stage no Notice(s) has/have been published as contemplated by the Act.

7 ACCESS TO THE RECORDS HELD BY THE COMPANY

This section of the manual sets out the subject and categories of records held by the company. The inclusion of any subject or category should not be construed as an indication that the company holds any records falling within any subject or category or that such records will automatically be available under the Act. A request in terms of this section is subject to section 63(1) of the Act which provides that the head of a private body must refuse a request to a record of the company if the disclosure of the record would involve the unreasonable disclosure of personal information about a third party including a deceased individual.

7.1 Administration/Operations -

- 7.1.1 Secretarial records
- 7.1.2 Client data base
- 7.1.3 Resolutions
- 7.1.4 Insurance contracts and policies inc. fidelity fund insurance, property insurance and office content insurance

7.2 Accounting/Financial –

- 7.2.1 Accounting records, books and documents
- 7.2.2 Financial records and statements
- 7.2.3 Audit reports
- 7.2.4 Lists of creditors and debtors
- 7.2.5 Bank facilities and bank account information
- 7.2.6 Bank statements and other banking records
- 7.2.7 Liabilities, overdrafts and other borrowing and commitments
- 7.2.8 Stock records
- 7.2.9 Asset registers and inventories
- 7.2.10 Sales and fee/billing records
- 7.2.11 Invoices in respect of both creditors and debtors
- 7.2.12 Tax returns and other documents and/or agreements relating to taxation

7.3 Human Resources –

- 7.3.1 Employment and other contracts with employees
- 7.3.2 Personnel files incl. personal information, employment history and health records that the company may hold from time to time
- 7.3.3 Disciplinary records and other documentation pertaining to disciplinary procedures and proceedings of the company
- 7.3.4 Compensation and redundancy payments
- 7.3.5 General files containing information on employee remuneration and benefits, and employee recruitment and selection information

7.4 Information Technology -

- 7.4.1 Register of Hardware and Software
- 7.4.2 Licence, maintenance, support and other agreements relating to the use by the company of any software and/or hardware
- 7.4.3 Copyright Information

7.5 Immovable and Movable Property –

- 7.5.1 Agreement(s) of Sale and Lease of Immovable Property
- 7.5.2 Credit Agreements(s) in respect of office equipment
- 7.5.3 Other agreements for the acquisition and sale of movable property

7.6 Other

- 7.6.1 Correspondence and memoranda to, from and within the company
- 7.6.2 Agreements to which the company is a party inc. (where applicable) loan agreements, suretyships, security agreements, agreements with suppliers, confidentiality agreements
- 7.6.3 Documents concerning compliance by the company, insofar as may be necessary, with legal obligations in terms of the Occupational Health and Safety Act No. 85 of 1993 and any other applicable environmental legislation.

8 REQUEST PROCEDURES

8.1 Form of request

- 8.1.1 The requester must use the prescribed form to make the request for access to a record. This request must be made to –
 - 8.1.1.1 the Information Officer;
 - 8.1.1.2 the address, fax number or electronic mail address of the company.
- 8.1.2 The requester must provide sufficient detail on the request form to enable the Information Officer 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. (See Form A)
- 8.1.3 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.
- 8.1.4 If a request is made on behalf of another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the Information Officer.

8.2 Fees

- 8.2.1 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:
- 8.2.2 The Information Officer must notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed fee (if any) before further processing the request.
- 8.2.3 The fee that the requester must pay to a private body is up to the discretion of the information officer. The requester may lodge an application to the court against the tender or payment of the request fee.
- 8.2.4 After the Information Officer has made a decision on the request, the requester must be notified in the required form.
- 8.2.5 If the request is granted then a further access fee 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.

9 OTHER INFORMATION AS MAY BE PRESCRIBED

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

10 AVAILABILITY OF THE MANUAL

The manual is also available for inspection at the company's offices (free of charge) at the physical address of the company as stated above, and copies are available with the South African Human Rights Commission.

11 PRESCRIBED FEES AND FORMS

The prescribed fees and forms for requests to private bodies are available on the website of the Department of Justice and Constitutional Development, www.doj.gov.za. As well as on the SAHRC website, www.sahrc.org.za.

12 UPDATING OF THIS MANUAL

The Information Officer will update this manual on a regular basis as required by section 51(2) of the Act.

FORM A**Request for Access to Records**

(Section 18(1) of the Promotion of Access to Information Act, 2000 (Act No.2 of 2000))

A. Particulars of Prosol Group (Proprietary) Limited

Attention (Information Officer): _____

Contact details: _____

B. Particulars of person requesting access to the record

Full names and surname: _____

Postal address: _____

Telephone Number: _____ Fax Number: _____

Email address: _____

C. Particulars of records

Total description of record/s or relevant part of the record/s:

Required form in which records should be delivered: _____

D. Notice of decision regarding request for access

You will be notified in writing whether your request has been approved or denied. If you also 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?

Signed at _____ this _____ day of _____ 20 _____

Signature of Requester

· Note: fees payable in respect of requests for documents are at the discretion of the Information Officer's.