
2008/016022/07

ENGELI ENTERPRISE DEVELOPMENT (PTY) LIMITED

MANUAL

in terms of

Section 51 of

The Promotion of Access to Information Act

2/2000

(the "ACT")

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1. INTRODUCTION

Engeli Enterprise Development (Pty) Ltd is an enterprise and supplier development specialist providing BBBEE solutions to Corporate South Africa.

2. COMPANY CONTACT DETAILS (Section 51 (1) (a))

Directors:

- Mr. Wayne Oosthuizen (Managing Director)
- Mr Trevor Hayter (CEO)
- Mr. Ricardo Dames (Chairman of the Board)
- Mr Barry Wiseman
- Mr Alfred Da Costa
- Mr Marvin Draai
- Mrs Deidre Renison
- Ms Ellen Fischat
- Ms Lemogang Gaotshetse
- Mr Wilfred Nyiki

Office Manager/CEO: Mr. Trevor Hayter

Postal Address: P.O. Box 21406, Port Elizabeth, 6000

Street Address: 106 Park Drive, 2nd Floor, Central, Port Elizabeth, 6000

Telephone Number: 0861 364 354

Fax Number: 0861 55 55 33

DATE OF COMPILATION: NOVEMBER 2015



Email: thayter@engeli.co.za

3. THE ACT (Section 51(1) (b))

- 3.1 The ACT grants a requester access to records of a 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.
- 3.2 Requests in terms of the ACT shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in paragraphs 6 and 7 of the Act.
- 3.3 Requesters are referred to the Guide in terms of Section 10 which has been compiled by the South African Human Rights Commission, which will contain information for the purposes of exercising Constitutional Rights. The Guide is available from the SAHRC. 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

4. APPLICABLE LEGISLATION (Section 51 (1) (c)).

<u>No</u>	<u>Ref</u>	<u>Act</u>
1	No 71 of 2008	Companies Act
2	No 55 of 1998	Employment Equity Act
3	No 58 of 1962	Income Tax Act
4	No 66 of 1995	Labour Relations Act
5	No 89 of 1991	Value Added Tax Act
6	No 75 of 1997	Basic Conditions of Employment Act
7	No 25 of 2002	Electronic Communications and Transactions Act
8	No 2 of 2000	Promotion of Access of Information Act
9	No 63 of 2001	Unemployment Insurance Act
10	No.97 of 1997	Skills Development Act
11	No.9 of 1999	Skills Development Levies Act
12	No.85 of 1993	Occupational Health and Safety Act
13	No. 38 of 2001	Financial Intelligence Centre Act
14	No.89 of 1998	Competition Act
15	No.130 of 1993	Compensation for Occupational Injuries and Diseases Act
16	No.53 of 2003	Broad Based Black Economic Empowerment Act

5. SCHEDULE OF RECORDS (Section 51 (1) (d))

<u>Records</u>	<u>Subject</u>	<u>Availability</u>
Public Affairs	<ul style="list-style-type: none">• Public Service Offering• Public Corporate Records• Media Releases	Freely available on web site www.engeli.co.za
Financial	<ul style="list-style-type: none">• Financial Statements• Financial and Tax Records• Asset Register• Management Accounts• Contracts and Agreements	Request in terms of PAIA. Request in terms of PAIA Request in terms of PAIA Request in terms of PAIA Request in terms of PAIA
Marketing	<ul style="list-style-type: none">• Market Information• Presentations & Brochures	Limited Information available on web site. Request in terms of PAIA
Payroll	<ul style="list-style-type: none">• Employee Files• Leave Records• Monthly Payrolls• General Terms of employment• BBBEE information• Company Policies	Not available Request in terms of PAIA Not available Request in terms of PAIA Request in terms of PAIA Request in terms of PAIA
Statutory Records	<ul style="list-style-type: none">• Share register• Minutes of meetings• Resolutions• CIPC correspondence• Memorandum of Incorporation• Agreements	Request in terms of PAIA Request in terms of PAIA Request in terms of PAIA Request in terms of PAIA Request in terms of PAIA Request in terms of PAIA

6. FORM OF REQUEST (Section 51 (1) (e))

To facilitate the processing of your request, kindly:

6.1 Use the prescribed form, available on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at www.sahrc.org.za.

6.2 Address your request to the Head of the Company (CEO).

6.3 Provide sufficient details to enable the COMPANY 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) (i) The postal address or fax number of the requester in the Republic;
(ii) If the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof;
- (e) 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 (Section 51 (1) (f))

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

- 7.1 A requestor is required to pay the prescribed fees (R50.00) 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 requestor may lodge an application with a court against the tender/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.

8. REFUSAL OF ACCESS AND PROTECTION OF INFORMATION

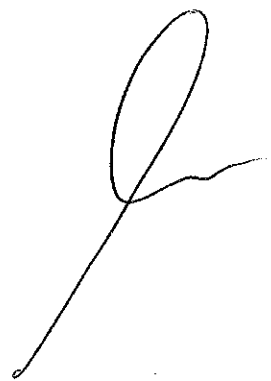
In terms of chapter 4 of the Act, the Company must refuse access to information falling into the following categories, save as in circumstances provided for in the Act:

- 8.1. Information relating to the privacy of natural persons
- 8.2. Information consisting of commercial or confidential information of third parties
- 8.3. Information for the protection of the safety of individuals and the protection of property
- 8.4. Information privileged from production in legal proceedings
- 8.5. Third party research information

9. AVAILABILITY OF THE MANUAL

This manual is available as follows:

- 9.1. In hard copy, to be viewed free of charge by appointment during office hours, at the offices of Engeli Enterprise Development (Pty) Ltd.
- 9.2. At the offices of the South African Human Rights Commission as per the contact details in Section 3.



Annexure A

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:
Engeli Enterprise Development (Pty) Ltd

Postal Address: P O Box 21406, Port Elizabeth, 5001

Physical Address: 106 Park Drive, Central, Port Elizabeth, 6000

Phone: 0861 364 354

Fax :0861 55 55 33

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

- (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 required 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 for 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 this includes photographs, slides, video recordings, computer-generated images, sketches, etc)			
	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 an 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 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



Annexure B

Prescribed Fees

1. Note that all prices listed below are inclusive of Value Added Tax (VAT)
 - (a) For every photocopy on an A4 size page or part thereof R1,25
 - (b) For every printed copy of an A4 page of part thereof held on a Computer or in an electronic machine readable form R0,80
 - (c) For a copy in a computer readable form on
 - i. Stiffy disc R8,55
 - ii. Compact disc R79,80
 - (d) i. For a transcription if visual images, for an A4 size page or part thereof R45,60
 - ii. For a copy of visual images R68,40
 - (e) i. For a transcription of an audio record, for an A4 size page or part thereof R22,80
 - ii. For a copy of an audio record R34,20
 - (f) To search for and prepare the record for disclosure – R34,20 for each hour or part thereof 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 requested.
3. The actual postage is payable when a copy of a record must be posted to a requester.