

# Promotion of access to information act

## SECTION 51 MANUAL FOR INCE (PTY) LTD

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### Introduction to Ince (Pty) Ltd

The company carries on business in the field of media communications.

### B. PARTICULARS IN TERMS OF THE SECTION 51 MANUAL

1. **Contact details** *[Section 51(1)(a)]*

<b>Name of Business:</b>	INCE (Pty) Ltd (Reg. No. 1939/012146/07)
<b>Head of Business:</b>	DH Atkinson (Chief Executive Officer) AG Atkinson (Managing Director)
<b>Postal Address:</b>	PO Box 38200 Booyens 2016
<b>Physical Address:</b>	22 Impala Road Chislehurst Sandton 2196
<b>Telephone number:</b>	(011) 305 7300
<b>Fax Number:</b>	–
<b>E-mail Address:</b>	ince@ince.co.za
<b>Website:</b>	www.ince.co.za

2. **The section 10 Guide on how to use the Act** *[Section 51(1)(b)]*

The Guide will be available from the South African Human Rights Commission by not later than August 2003. Please direct any queries to:

**The South African Human Rights Commission:**

**PAIA Unit**

**The Research and Documentation Department**

**Postal Address:** Private Bag 2700  
Houghton  
2041

**Telephone:** +27 11 484-8300

**Fax Number:** +27 11 484-0582

**Website:** [www.sahrc.org.za](http://www.sahrc.org.za)

**E-mail Address:** [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)

3. **Records available in terms of any other legislation** *[Section 51(1)(d)]*

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. 61 of 1973
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. Intellectual Property Laws Amendments Act No. 38 of 1997
19. Labour Relations Act No. 66 of 1995
20. Occupational Health & Safety Act No. 85 of 1993
21. Protection of Businesses Act No. 99 of 1978
22. Regional Services Councils Act No. 109 of 1985
23. SA Reserve Bank Act No. 90 of 1989
24. Skills Development Levies Act No. 9 of 1999
25. Skills Development Act No. 97 of 1998
26. Stamp Duties Act No. 77 of 1968
27. Stock Exchange Control Act No. 1 of 1985
28. Trade Marks Act No. 194 of 1993
29. Unemployment Contributions Act No. 4 of 2002
30. Unemployment Insurance Act No. 63 of 2001
31. Usury Act No 73 of 1968
32. Value Added Tax Act No. 89 of 1991

4. **Access to the records held by the private body in question** [*Sections 51(1)(c) and 51(1)(e)*]

- i. **The latest notice regarding the categories of records of the body, which are available without a person having to request access in terms of this Act in terms of section 52(2)** [*Section 51(1)(c)*]

General information brochure

- ii. **Records that may be requested. A description of the subjects of the records held by the body and the categories in which these subjects are classed** [*Section 51(1)(e)*]

**Finance & Administration**

- Policies and procedures
- Financial statements
- Asset registers
- Financial transaction records
- Invoices and statements

### **Human Resources**

- Policies and procedures
- Employment contracts
- Remuneration records

### **Operations**

- Production records
- Policies and procedures

### iii. **The request procedures**

#### **Form of request:**

- The requester must use the prescribed form to make the request for access to a record. This must be made to the head of the private body. This request must be made to the address, fax number or electronic mail address of the body concerned [s 53(1)].
- The requester must provide sufficient detail on the request form to enable the head of the private body 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 [s 53(2)(a) and (b) and (c)].
- 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 [s53(2)(d)].
- If a request is made on behalf of a another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the head of the private body [s 53(2)(f)].

#### **Fees:**

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:

- The head of the private body 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 [s 54(1)].
- The fee that the requester must pay to a private body is R50. The requester may lodge an application to the court against the tender or payment of the request fee [s 54(3)(b)].
- After the head of the private body has made a decision on the request, the requester must be notified in the required form.
- 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 [s54(6)].

5. **Other information as may be prescribed** *[Section 51(1)(f)]*

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

6. **Availability of the manual** *[Section 51(3)]*

The manual is also available for inspection free of charge at the offices of Ince (Pty) Ltd; and copies are available with the SAHRC, in the Gazette.