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IN ACCORDANCE WITH

**THE PROMOTION OF ACCESS TO
INFORMATION ACT (NO. 2 OF 2000)**

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ISO 9001
Preferred – World Class

SECTION 51 MANUAL FOR ADVANCED TELECOMS (PTY) LTD

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INTRODUCTION

The Promotion of Access to Information Act gives effect to the constitutional right of access to any information held by the state and any information that is held by another person and that is required for the exercise or protection of any rights.

The Act sets out the requisite procedures associated with any such requests for information.

In terms of the Act, where a request for information is made to a body, there is an obligation to provide the information, except where the Act, expressly provides that the information may not be released. In that context, the Act recognises that access to information can be limited. The limitation relates to circumstances where its release would pose a threat to the protection of privacy, commercial confidentiality, and the exercising of efficient governance.

PARTICULARS IN TERMS OF THE SECTION 51

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

Name of Body: Advanced Telecoms (Pty) Ltd.
Head: Mr. FE Watkins(Managing Director)
(fred.watkins@advtel.co.za)
Contact person: Mr. DS Fourie (Compliance Officer)
(dawie.fourie@advtel.co.za)
Physical address: Kudu House
240 Marija Street
Sinoville
PRETORIA
0182
Postal address: PO Box
Montana Park
PRETORIA
0159
Telephone: +27-12-543-3177
Fax: +27-12-543-3176
E-mail: info@advtel.co.za
Web site: www.advtel.co.za

Note: Public information on the company is available on the company's web site www.advtel.co.za and information on the company and its services is also available in brochure form at the head office.

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 2005. 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: +27 11 484-7146

Website: www.sahrc.org.za

E-mail: PAIA@sahrc.org.za

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

- 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
- Employment Equity Act No. 55 of 1998
- Income Tax Act No. 95 of 1967
- Occupational Health & Safety Act No. 85 of 1993
- Skills Development Levies Act No. 9 of 1999

4. **Access to the records held by Advanced Telecoms (Pty) Ltd.**

[Sections 51(1)(c) and 51(1)(e)]

- i. **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)]

None published to date.

- ii. **Records that may be requested.** [Section 51(1)(e)]

- **Corporate Governance**
 - a) Company reports
 - b) Company statutory legal requirements
 - c) Contracts
 - d) Economic Empowerment
 - e) Minutes of Meetings
 - f) Trade agreements & Alliances
 - g) Quality management
- **Administration & Human Resources**
 - a) Infrastructure
 - b) Logistics
 - c) Stores
 - d) Travel

- e) Vehicles
- f) Personnel files
- g) Recruitment & Training
- h) Remuneration & Benefits
- **Financial Management**
 - a) Banking matters
 - b) Exports
 - c) Financial policies
 - d) Insurance
 - e) Orders & sales agreements
 - f) Tax matters
- **Operations & Contractor Management**
 - a) Approved Contractors
 - b) Approved Suppliers
 - c) Design & development
 - d) Product technical information
 - e) Project management
- **Engineering design & development**
- **Quality management**
 - a) Audits
 - b) Correspondence
 - c) ISO Information
 - d) Site Audits

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 Advanced Telecoms (Pty) Ltd. This request must be made to the address, fax number or electronic mail address of Advanced Telecoms (Pty) Ltd. [s 53(1)].
- The requester must provide sufficient detail on the request form to enable the head of Advanced Telecoms (Pty) Ltd. 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 [s 53(2)(d)].
- 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 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 Advanced Telecoms (Pty) Ltd. will notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed fee before further processing the request [s 54(1)].
- The fee that the requester must pay to Advanced Telecoms (Pty) Ltd. 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 Advanced Telecoms (Pty) Ltd. has made a decision on the request, the requester will be notified in the required form.
- If the request is granted then a further access fee must be paid for the search, reproduction, and preparation of the requested information and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure [s 54(6)].
- The following Reproduction Fees are payable to copy the required records:
 - R1,10 for each A4 photocopy;
 - R0,75 for each A4 printed page;
 - R7,50 for each floppy disk drive ("stiffy") on which information is provided and R70,00 for each CD;
 - R40,00 per page for transcriptions of images;
 - R60,00 per copy of visual images;
 - R20,00 per page for transcriptions of audio records, and;
 - R30,00 per for each copy of an audio record.
- Access Fees as contemplated in section 54(7) of the Act are charged at similar rates as the Reproduction Fees;
- A Search Fee of R30,00 per hour where Advanced Telecoms (Pty) Ltd. need to search for the record, and;
- The actual Postage Fee if we must post the record to the requester.

5. Refusal of Access

Please note that Advanced Telecoms (Pty) Ltd. may in certain circumstances refuse to grant access to a record. The grounds for refusal are regulated by sections 62 to 70 of the Act and include, but is not limited to the protection of:

- An individual's privacy;
- Someone else's commercial information;
- Confidential information of third parties;
- Safety of individuals or protection of property;
- Privileged information, or;
- Commercially sensitive information

6. Remedies

If your request for access to a record held by Advanced Telecoms (Pty) Ltd. is refused, the requester has the right to approach the court within 30 (thirty) days for an order to set the Information Officer's decision aside or other appropriate relief.

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

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

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