

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID-AFRIKA

Vol. 559

Pretoria, 23 January 2012
Januarie

No. 34955

MANUAL

IN ACCORDANCE WITH

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

IMPORTANT NOTICE

The Government Printing Works will not be held responsible for faxed documents not received due to errors on the fax machine or faxes received which are unclear or incomplete. Please be advised that an "OK" slip, received from a fax machine, will not be accepted as proof that documents were received by the GPW for printing. If documents are faxed to the GPW it will be the sender's responsibility to phone and confirm that the documents were received in good order.

Furthermore the Government Printing Works will also not be held responsible for cancellations and amendments which have not been done on original documents received from clients.

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L & J EARTHMOVING & MAINTENANCE SERVICES

SECTION 51 MANUAL FOR L & J EARTH MOVING & MAINTENANCE SERVICES CC

PARTICULARS IN TERMS OF THE SECTION 51 MANUAL**1. Contact details [Section 51(1)(a)]**

Postal Address: PO Box 15083, Jatniel, Benoni, 1509
 Street Address: 96 Boden Street, Benoni Small Farms, Benoni, 1509
 Telephone number: +27 72 569 0530
 Facsimile number: +27 86 603 7694
 Company Registration: 1998/054810/23
 Vat Registration number: 4040176408
 The Head is: Jan De Beer
 Web address: None
 E-mail address: jan.ljearthmoving@absamail.co.za

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

A guide has been compiled in term of section 10 of PAIA by the Human Rights Commission. It contains information required by a person wish to exercise any right, contemplated by PAIA. It is available in all of the official languages. Please direct queries to:

**The South African Human Rights Commission - PAIA Unit
 The Research and Documentation Department**

Postal address: Private Bag 2700, Houghton, 2041
 Street address: 29 Princess of Wales Terrace, cnr York and St. Andrews Street, Parktown
 Telephone number: +27 11 484-8300
 Facsimile number: +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
- Close Corporations Act No. 69 of 1984
- Income Tax Act No. 95 of 1967
- Occupational Health & Safety Act No. 85 of 1993
- Skills Development Levies Act No. 9 of 1999
- Unemployment Contributions Act No. 4 of 2002
- Unemployment Insurance Act No. 63 of 2001
- 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. At this stage no notice(s) has/have been published on the categories of records that are automatically available without a person having to request access in terms of PAIA.
- ii. **Administration:**
 - Certificate of incorporation
 - Correspondence**Human Resources:**
 - Remuneration records
 - Leave Records
 - Employment Contracts

L & J EARTHMOVING & MAINTENANCE SERVICES

- Disciplinary Code
- Disciplinary Records

Operations:

- Client database
- Sales records
- Work in progress records

Finance:

- Annual financial statements
- Asset Register
- Accounting Records
- Bank Records
- Invoices

Taxation and other Statutory Compliance:

- Income Tax Returns & Assessments
- Paye, SDL & UIF Returns
- Vat Returns
- Workmans Compensation Returns
- PAIA Information Manual

iii. The request procedures

Form of request:

- The requester must use "Form C" 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 [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 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 [s 54(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 offices of L & J Earthmoving & Maintenance Services;*
- *The South African Human Rights Commission;*
- *In the Government Gazette*