

D'Arcy-Herrman & Co Inc



D'Arcy-Herrman & Co / Kie
Chartered Accountants /
Geoktrooieerde Rekenmeesters

SECTION 51 MANUAL PROMOTION OF ACCESS TO INFORMATION ACT

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A. INTRODUCTION

Main Business

Chartered Accountants
Registered Auditors
Tax Practitioners

B. PARTICULARS IN TERMS OF THE SECTION 51 MANUAL

1. Contact details

Head of the body: Rodney Moore & Louisa Ungerer

Postal address:
P O Box 397
Tzaneen
0850

Street Address:
48 Boundary Street, Tzaneen
12 Eland Street, Hoedspruit

Telephone number: 015 307-1161
Fax number: 086 624-7002
Email address: admin@dah.co.za

2. The section 10 Guide on how to use the Act

The Guide will, according to the South African Human Rights Commission (SAHRC) be available for inspection at the offices of the SAHRC. 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

1. Administration of Estates Act, No. 66 of 1965
2. Basic Conditions of Employment No. 75 of 1997
3. Close Corporations Act No. 69 of 1984
4. Companies Act No. 61 of 1973
5. Compensation for Occupational Injuries and Health Diseases Act No.130 of 1993
6. Credit Agreements Act No. 75 of 1980
7. Financial Services Board Act No. 97 of 1990
8. Income Tax Act No. 95 of 1967
9. Occupational Health & Safety Act No. 85 of 1993
10. Public Accountants ' and Auditors' Act
11. Skills Development Levies Act No. 9 of 1999
12. Skills Development Act No. 97 of 1998
13. Stamp Duties Act No. 77 of 1968
14. Unemployment Contributions Act No. 4 of 2002
15. Unemployment Insurance Act No. 63 of 2001
16. Usury Act No 73 of 1968
17. Value Added Tax Act No. 89 of 1991
18. National Credit Act

4. Access to the records held by D'Arcy-Herrman & Co Inc

i. Information readily available

Not Applicable

ii. Records that may be requested:

Administration

- Correspondence
- Licences

Constitution

- List of directors
- Minute books and resolutions
- Share Register
- Shareholders' Agreements
- Statutory registers

Documents relating to legal proceedings

Finances

- Annual financial statements
- Assets Register
- Banking details
- Bank statements

Human Resources

- Employee code of conduct
- Employment contracts
- Personnel Files
- Remuneration records and policies

Incorporation Documents

- Incorporation forms
- Memorandum and articles of association

Information Technology

- Computer software support and maintenance agreements
- Software licence agreements
- Agreements in respect of computer hardware
- Agreements with Internet Service Providers

Miscellaneous agreements

Policy documents

Specific agreements and documents relating to the private body's business activities

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.
- 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.
- 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.
- 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.

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.
- 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.
- 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.

5. Other information as may be prescribed

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

6. Availability of the manual

The manual is also available for inspection during office hours at the offices of D'Arcy-Herrman & Co Inc free of charge. Copies are available from the SAHRC and on our website www.dah.co.za.

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

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 ONLY if a request for information is made on behalf of another 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:	
<p>Mark the appropriate box with an X.</p> <p>NOTES:</p> <p>(a) Compliance with your request in the specified form may depend on the form in which the record is available.</p> <p>(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.</p> <p>(c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.</p>			
1. If the record is in written or printed form:			
<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record
2. If record consists of visual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):			
<input type="checkbox"/>	view the images	<input type="checkbox"/>	copy of the images*
<input type="checkbox"/>		<input type="checkbox"/>	transcription of the images*
3. If record consists of recorded words or information which can be reproduced in sound:			
<input type="checkbox"/>	listen to the soundtrack (audio cassette)	<input type="checkbox"/>	transcription of soundtrack* (written or printed document)
4. If record is held on computer or in an electronic or machine-readable form:			
<input type="checkbox"/>	printed copy of record*	<input type="checkbox"/>	printed copy of information derived from the record*
<input type="checkbox"/>		<input type="checkbox"/>	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?			<input type="checkbox"/> YES
*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you?			<input type="checkbox"/> NO
Postage is payable.			

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 of _____ 20

SIGNATURE OF REQUESTER / PERSON
ON WHOSE BEHALF REQUEST IS MADE