

SECTION 51 MANUAL FOR:

Croeser Family Trust

IT 1688/02

**THIS MANUAL HAS BEEN PREPARED IN TERMS OF
SECTION 51 OF THE PROMOTION OF ACCESS TO
INFORMATION ACT 2 / 2000**

December 2011

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

Name of Business : [Croeser Family Trust](#)

Contact Person : [Jan Croeser](#)

Physical Address : [14 Anglers Rod, Meerensee, Richards Bay, 3901](#)

Postal Address : [P.O. Box 102278, Meerensee, Richards Bay, 3901](#)

Telephone : [035-7534580](#)

Fax : [035-7535590](#)

Website : [None](#)

E-mail : jcroeser@bingelela.com

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

Section 10 of the Act requires the South African Human Rights Commission (SAHRC) to publish a Guide containing information reasonably required by a person wishing to exercise or protect any right in terms of this Act.

The Guide is available from the South African Human Rights Commission. Please direct 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 11 484-0582

Website: www.sahrc.org.za
E-mail: PAIA@sahrc.org.za

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

Information is available in terms of the following legislation, if and where applicable:

Basic Conditions of Employment Act No. 75 of 1997

Closed Corporation Act No. 69 of 1984

Companies Act No. 61 of 1973

Compensation of Occupational Injuries and Diseases Act No. 130 of 1993

Customs and Excise Act No. 91 of 1964

Electronic Communications and Transactions Act No. 25 of 2002

Employment Equity Act No. 55 of 1998

Income Tax Act No. 58 of 1962

Insolvency Act No. 24 of 1936

Labour Relations Act No. 66 of 1995

Occupational Health and Safety Act No. 85 of 1993

Patents Act No. 57 of 1978

Promotion of Access to Information Act No. 2 of 2000

Skills development Levies Act No. 9 of 1999

Trademarks Act No. 194 of 1993

Unemployment Insurance Act No. 30 of 1966

Value – Added Tax Act No. 89 of 1991

4. **Access to the records held by us [Sections 51(1)(c) and 51(1)(e)]**

Records 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)]

The following categories of records are automatically available for inspection, purchase or photocopying. In other words you do not need to request this information in terms of the Promotion of Access to Information Act.

Request forms for these categories of information are also available from our information officer, whose contact details appear in section A of this manual.

1. Not applicable

Records that may be requested in terms of Section 51(1)(e)

[Delete the items below that are not applicable to your business]

1. Secretarial Records
Memorandum and Articles of Association; Combined Company Register; Minutes of Shareholders Meetings, Minutes of Staff Meetings, Minutes of Management Meetings, Statutory Returns, Powers of attorneys, Delegation of authority, Share Certificates, Constitution Shareholders agreements, Order forms, Correspondence with Clients, Correspondence with Customers, Correspondence with Suppliers, Correspondence with Agents and or Sub-Contractors, Correspondence with Distributors.
2. Movable and Immovable Property
Title deeds, Lease Agreements, Hire Agreements, Hire-purchase Agreements, Credit Sale Agreements, Ordinary and Conditional Sale Agreements, Stock Records, Assets Registry.
2. Intellectual Property
Source Code, Trade Marks, Patents, Copyright, Designs, Know-how, Licenses.
3. Insurance
Policies, Insurance claim files, Unemployment Fund, Provident Fund.
4. Taxation
Income tax returns, VAT returns, PAYE returns, SDL Levy returns, UIF returns, Payroll reports, Pay slips, IRP5's.
5. Human Resources
Policies and procedures, Employee information, Forms and applications, Standard letters and notices, Employee benefits arrangements rules and records, Labour disputes, Grievance Procedure and Disciplinary Code, Leave records, Educational history, Work place skills plans, Annual training records, Employee

training, Employee Qualifications, Performance records, Service awards, Attendance records, Medical history, Medical aid.

6. Finance
Audited annual financial statements, Management accounts, Banking details and bank accounts, Debtors/Creditors statements and invoices, General ledgers and subsidiary ledgers, General ledger reconciliation, Policies and Procedures, Cash records, Financial instruments, Sales records, Price lists, Employee payment records, Credit and debit notes, Quotations, Contractor payment records, Regional service records, Pension fund.
7. Procurement
Policies and Procedures, Reports and Supporting documentation, Tender documentation, Security documents, Delivery records, Goods received, Goods returned.
8. Operations
Billing, Customers, Telecommunications traffic, Network, Tariffs, Policies and Procedures, Application funds, Customer complaints, Customer assessments.
9. Legal
Contracts, Commercial disputes, Litigation, Any agreements related to the operations of The Company, Inter-operator settlements, Workplace and Union agreements and records, Employment agreements and contracts, Contractors agreements, Standard Terms and Conditions for supply of Services, Products and Software, Software Contractor, client and supplier agreements and information.
10. Regulatory
Permits, Licenses, Consents, Approvals, Authorisations, Applications, Registrations, Exemptions, Disputes.
11. Information technology
System documentation and manuals, Licenses, Software, Project, disaster recovery and implementation plans, Internet policy documentation, Computer policy documentation, Applications, Databases, Inter company e-mail, Contracts.
12. Administration
Intranet, Correspondence with internal and external parties.
13. Risk Management
Safety Manuals, Safety Incidents, Actions and recommendations, Records and safety, Quality control records, Safety, Health and Environmental records, Accident books and records.
14. Products & Services
Products, Product Designs, Product Specifications, Product Manuals, Service specifications, Service manuals, Instruction manual, Product research records, Market research records, Service research records.

The Request Procedures

If you wish to request access to any of the above categories of information, you are required to complete a request form. These forms are available from:

- * Our information officer (whose contact details are in section A of this manual);
- * The SAHRC website (www.sahrc.org.za)
- * The Department of Justice and Constitutional Development website (www.doj.gov.za).

There is a prescribed fee (payable in advance) for requesting and accessing information in terms of the Act. Details of these are contained in the request form.

You may also be called upon to pay the additional fees prescribed by regulation for searching for and compiling the information which you have requested, including copying charges.

It is important to note that access is not automatic – you must identify the right you are seeking to exercise or protect and explain why the record you request is required for the exercise or protection of that right. You will be notified in the manner indicated by you on the request form whether your request has been approved.

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

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

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

The manual is available at our offices free of charge; and copies are available with the SAHRC, and on our website as listed above.

SUBMISSION OF THE MANUAL (DO NOT INCLUDE THIS WITH YOUR MANUAL!)

1. Post by registered post to:
The South African Human Rights Commission:
PAIA Unit
The Research and Documentation Department
Postal Address: Private Bag 2700
Houghton
2041
Or e-mail to hkhumalo@sahrc.org.za
2. E-mail a copy of your manual to the EduTech Centre at ASAQS
edutech@asaqs.co.za
3. Publish a copy of your manual on your website (if you have one)