

Esterhuysen, Dawson & Associates CC



PROMOTION OF ACCESS TO INFORMATION ACT SECTION 51 MANUAL

Introduction

This Manual is published in terms of Section 51 of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) ("the Act"). The Act gives effect to the provisions of Section 32 of the Constitution, which provides for the right of access to information held by the State and to information held by another person that is required for the exercise and / or protection of any right.

The reference to any information in addition to that specifically required in terms of Section 51 of the Act does not create any right or entitlement (contractual or otherwise) to receive such information, other than in terms of the Act.

The Information Officer named below is appointed in respect of Esterhuysen, Dawson & Associates cc and its associates.

1 ESTERHUYSE, DAWSON & ASSOCIATES CC OVERVIEW

Esterhuysen, Dawson & Associates cc provides accounting and tax services to its customers.

Esterhuysen, Dawson & Associates cc supports the constitutional right of access to information and we are committed to provide you access to our records in accordance with the provisions of the Act, the confidentiality we owe third parties and the principles of South African law.

2 AVAILABILITY OF THIS MANUAL

A copy of this Manual is available on our website (www.esterhuysedawson.co.za) or by sending a request for a copy to the Information Officer by email. The Manual may also be obtained from our head office, the South African Human Rights Commission ("SAHRC") at the addresses set out below or from the Government Printers. This Manual will be updated from time to time, as and when required.

3 HOW TO REQUEST ACCESS TO RECORDS HELD BY ESTERHUYSE, DAWSON & ASSOCIATES CC

Requests for access to records held by Esterhuysen, Dawson & Associates cc must be made on the request forms that are available from our website and office, from the SAHRC website (www.sahrc.org.za) or the Department of Justice and Constitutional Development (www.doj.gov.za) (under "regulations").

A request fee may be payable (the schedule of fees can be accessed Annexure D, Schedule of Fees) . You can submit a request without paying the request fee but please note that payment of the prescribed fees must be made before the request will be processed.

Requests for access to records must be made to our Information Officer at the address, fax number or electronic mail address provided for below.

The requester must provide sufficient detail on the request form to enable the Information Officer to identify the record and the requester. The requester should also indicate which form of access is required and indicate if he or she wishes to be informed in any other manner and state the necessary particulars to be so informed.

The requester must identify the right that he or she is seeking to exercise or protect 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 a person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the Information Officer of Esterhuysen, Dawson & Associates cc.

The standard form that must be used for the making of requests can be accessed Annexure C, Request Form. Not using this form could cause your request to be refused (if you do not provide sufficient information or otherwise) or delayed.

Kindly note that all requests to Esterhuysen, Dawson & Associates cc will be evaluated and considered in accordance with the Act. Publication of this manual and describing the categories and subject matter of information held by Esterhuysen, Dawson & Associates cc does not give rise to any rights (in contract or otherwise) to access such information or records except in terms of the Act.

4 CONTACT DETAILS

Name of Private Body	Esterhuysen, Dawson & Associates cc
Designated Information Officer	<i>Mrs Lisa Dawson</i>
Email address of Information Officer	<i>info@esterhuysedawson.co.za</i>
Postal address	Suite 37, Private Bag X19, Durbanville. 7551
Street address	35 John X Merriman Street, Oakdale, Bellville, 7530
Phone number	021 – 9494515
Fax number	021 – 9462166

5 HOW TO ACCESS THE GUIDE AS DESCRIBED IN SECTION 10 OF THE ACT

The Guide described in Section 10 of the Act is due in August 2003. From that date it will be available from the South African Human Rights Commission. 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 11 484-0582

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

6 VOLUNTARY DISCLOSURE

Esterhuysen, Dawson & Associates cc has not published a notice in terms of Section 52(2) of the Act, however, it should be noted that the information relating to Esterhuysen, Dawson & Associates cc and its services is freely available on Esterhuysen, Dawson & Associates cc's website. Certain other information relating to Esterhuysen, Dawson & Associates cc is also made available on such website from time to time.

Further information in the form of marketing brochures, advertising material and other public communication is made available from time to time.

7 RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION

Information is available in terms of the following legislation to the persons or entities specified in such legislation:

Companies Act 61 of 1973
Close Corporations Act 69 of 1984
Consumer Protection Act 68 of 2008
Income Tax Act 58 of 1962
Labour Relations Act 66 of 1995
Basic Conditions of Employment Act 75 of 1997
Employment Equity Act 55 of 1998
Unemployment Insurance Act 30 of 1966
Electronic Communications and Transactions Act 25 of 2002.

8 RECORDS HELD BY ESTERHUYSE, DAWSON & ASSOCIATES CC

Esterhuysen, Dawson & Associates cc maintains records on the following categories and subject matters. **However, please note that recording a category or subject matter in this Manual does not imply that a request for access to such records would be honoured.** All requests for access will be evaluated on a case by case basis in accordance with the provisions of the Act.

8.1 Internal records

8.2 The following are records pertaining to Esterhuysen, Dawson & Associates cc's own affairs and associated companies:

- Founding Documents – CK7, CK1 and CK2
 - Financial records
 - Financial Reporting
 - Cash Management
 - Accounts Payable
 - Management Accounting
 - Taxation.
 - General Ledger Reporting
 - Cost Accounting
- Statutory Reporting
- Intellectual property
- Marketing records;
- Internal correspondence;

- Product records;
- Statutory records;
- Internal policies and procedures;
- Records held by officials of Esterhuysen, Dawson & Associates cc.

8.3 Personnel records

Personnel refers to any person who works for or provides services to or on behalf of Esterhuysen, Dawson & Associates cc and receives or is entitled to receive any remuneration and any other person who assists in carrying out or conducting the business of Esterhuysen, Dawson & Associates cc. This includes, without limitation, members, executive members, all permanent, temporary and part-time staff as well as contract workers. Personnel records include the following:

- Any personal records provided to Esterhuysen, Dawson & Associates cc by their personnel;
- Any records a third party has provided to Esterhuysen, Dawson & Associates cc about any of their personnel;
- Conditions of employment and other personnel-related contractual and quasi-legal records;
- Internal evaluation records; and
- Other internal records and correspondence.

8.4 Customer records

Please be aware that Esterhuysen, Dawson & Associates cc is very concerned about protecting the confidential information of its customers. Please motivate any request for customer information very carefully, having regard to Sections 63 to 67 of the Act.

Customer information includes the following:

- Any records a customer has provided to Esterhuysen, Dawson & Associates cc or a third party acting for or on behalf of Esterhuysen, Dawson & Associates cc;
- Contractual information;
- Credit information in respect of customers;
- Any records a third party has provided to Esterhuysen, Dawson & Associates cc about customers;
- Confidential, privileged, contractual and quasi-legal records of customers;
- Customer profiling;
- Any records a third party has provided to Esterhuysen, Dawson & Associates cc either directly or indirectly; and
- Records generated by or within Esterhuysen, Dawson & Associates cc pertaining to customers, including transactional records.

8.5 Other Parties

Records are kept in respect of other parties, including without limitation contractors, suppliers, joint ventures, service providers and general market conditions. In addition, such other parties may possess records, which can be said to belong to Esterhuysen, Dawson & Associates cc. The following records fall under this category:

- Personnel, customer or **Esterhuysen, Dawson & Associates cc** records which are held by another party as opposed to being held by Esterhuysen, Dawson & Associates cc; and
- Records held by Esterhuysen, Dawson & Associates cc pertaining to other parties, including financial records, correspondence, contractual records,

electronic mail, logs, cached information, records provided by the other party, and records third parties have provided about the contractors/suppliers or customer.

8.6 Other Records

Further records are held including:-

Information relating to Esterhuysen, Dawson & Associates cc's own activities;

**SECTION 10
FEES PAYABLE AS PRESCRIBED BY THE ACT**

The fee for a copy of the manual as contemplated in regulation 5 (c) of the Act is R0,60 for every photocopy of an A4 size of page or part thereof.

The request fee payable by every requester, other than a personal requester, referred to in regulation 7(2) of the Act is R35,00

The fees for reproduction referred to in regulation 7(1) of the Act are as follows:

- For every photocopy of an A4-size page or part thereof R0,60
- For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form R0,40
- For a copy in a computer-readable form on –
- Stiffy disc R5,00
 - Compact disc R40,00
- For a transcription of visual images, for an A4-size page or part thereof R22,00
- For a copy of visual images R60,00
- For a transcription of an audio record, for an A4-size page or part thereof R12,00
- For a copy of an audio record R17,00

The access fees payable by a requester referred to in regulation 7(3) of the Act are as follows:

- For every photocopy of an A4-size page or part thereof R0,60
- For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form R0,40
- For a copy in a computer-readable form on
- Stiffy disc R5,00
 - Compact disc R40,00
- For a transcription of visual images, for an A4-size page or part thereof R22,00
- For a copy of visual images R60,00
- For a transcription of an audio record, for an A4-size page or part thereof R12,00
- For a copy of an audio record R17,00

For any request that would require more than six hours to access or to prepare for disclosure one third of the access fee is payable as a deposit by the requester.

The actual postage is payable when a copy of a record must be posted to a requester.

FORM A

REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY

(Section 18 (1) of the Promotion of Access to Information Act, 2000

(Act No. 2 of 2000)

[Regulation 6]

FOR OFFICE USE

Request received by

(state rank, name and surname of information officer/deputy information officer) on(date) at

..... (place)

Request fee (in any): R

Deposit (if any): R

Access fee; R

.....
SIGNATURE OF INFORMATION OFFICER/ DEPUTY INFORMATION OFFICER

A. Particulars of public body

The Information Officer/Deputy Information Officer:

.....
.....
.....

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 surnames:

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.

1. Description of records 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.

Reasons 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 below, state your disability and indicate in which form the record is required.*

Mark the appropriate box with an X

NOTES:

(a) Compliance with your request for access in the specified form may depend on the form in which the record is available.

(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.

(c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

1. If the record is in written or printed form:

Copy of record*

Inspection of record

2. If records consists of visual images –

(this includes photographs, slides, video recordings, computer-generated images, sketches, etc):

View the images

Copy of the images*

Transcription of the images*

3. If record consists of recorded words or information which can be reproduced in sound:

Listen to the soundtrack (audio cassette)

Transcription of soundtrack* (written or printed document)

4. If record is held on computer or in an electronic or machine-readable form::

Printed copy of record*

Printed copy of information derived from the record*

* If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you?

YES

NO

Postage is payable

Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available.

In which language would you prefer the record?

G. Notice of decision regarding request for access *You will be notified in terms of the Act 30 days period 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 you request.*

How would you prefer to be informed on 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