

Section 51 Manual for Private Bodies

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

Section 51(1)(a)

Name of Business

**RINGMASTER TRADE & INVEST 34 (PTY) LTD TRADING AS CHESTERTON
WATERFRONT**

Contact Person
LYNDA VAN NIEKERK

The Compliance Officer
LYNDA VAN NIEKERK

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Section 51(1)(b)

2) The section 10 Guide on how to use the 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

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

RECORDS HELD BY Home from Home Hospitality Services (Pty) Ltd

1. Companies Act Records
 - a. Documents of Incorporation
 - b. Memorandum and Articles of Association
 - c. Minutes of Board of Directors Meetings
 - d. Records relating to the appointment of Directors/ auditor/ secretary/ public officer and other officers
 - e. Share register and other statutory registers
2. Financial Records
 - a. Annual Financial Statements
 - b. Tax Returns
 - c. Accounting records
 - d. Banking Records:
 - i. Statements
 - ii. Paid cheques
 - iii. Electronic banking records
 - e. Asset Register
 - f. Rental Agreements
 - g. Invoices
3. Income Tax Records
 - a. PAYE records
 - b. Documents issued to employees for income tax purposes
 - c. Records of payments made to SARS on behalf of employees
 - d. All statutory compliances:
 - i. VAT
 - ii. Regional Services Levy
 - iii. Skills Development Levies
 - iv. UIF
 - v. Workmen's Compensation
4. Personnel Documents & Records
 - a. Employment contracts
 - b. Medical Aid records

- c. Pension Fund records
 - d. Disciplinary records
 - e. Salary records
 - f. SETA records
 - g. Disciplinary code
 - h. Leave records
 - i. Training records
5. Training manuals

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

Access to the records held [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)]

This information can be defined as operational information needed in the day to day running of the company and is generally of little to no use to persons outside the company.

(Examples of such information are: Requisitions, internal phone lists, company policies, contracts, employee records and general accounting records).

The Request Procedures

The requester must complete form C and submit this form together with a request fee to the head of the private body at the email or fax provided.

- The form must provide sufficient particulars to enable the head of the private body to identify the records/s requested and to identify the requester.
- Indicate which form of access is required
- Specify a postal address or fax number of the requester in the Republic.
- Indicate the right that the requester is seeking to exercise or protect and provide an explanation as to why the requested record is required for the protection or exercise of that right.
- If in addition to a written reply the requester wishes to be informed of the decision on the request in any other manner, to state that manner and the particulars to be informed in that manner.
- If the request is made on behalf of another person, to submit proof of the capacity in which the requester is making the request, to the reasonable satisfaction of the head of the private body.

The forms and fee structure prescribed under the Act are available at the website

of the Department of Justice and Constitutional Development (www.doj.gov.za) under the “regulations” section.

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

4) Access to the records held [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)]

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(Examples of such information are: Requisitions, internal phone lists, company policies, contracts, employee records and general accounting records).

The Request Procedures

(Prescribed form and fee structure in respect of private bodies)

The forms and fee structure prescribed under the Act are available at the website of the Department of Justice and Constitutional Development (www.doj.gov.za) under the “regulations” section.

Section 51(1)(f)

5) Other information as may be prescribed

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

Section 51(3)

6) Availability of the material

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