

SECTION 51 MANUAL
PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000
FOR



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PROMOTION OF ACCESS TO INFORMATION ACT SECTION 51 MANUAL

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

1 INTRODUCTION

Hawkins Manufacturing (Pty) Ltd manufacture Battery Chargers for the Automotive Trade both locally and internationally.

Hawkins Manufacturing (Pty) Ltd hereby acknowledges the South African Human Rights Commission's (SAHRC) blueprint.

SECTION 51(1)a)

2 CONTACT DETAILS

NAME OF BUSINESS: HAWKINS MANUFACTURING (PTY) LTD

CONTACT PERSON: JOHANN EDER

PHYSICAL ADDRESS: 10 BEECHFIELD CRESCENT, SPRINGFIELD PARK, DURBAN, 4091

POSTAL ADDRESS: P O BOX 74077, ROCHDALE PARK, 4034

TELEPHONE NO: 031 579 281

FAX NO: 031 579 4642

E-MAIL ADDRESS: j.eder@hawkins.co.za

WEBSITE: www.hawkins.co.za

SECTION 51(1)b)

3 THE SECTION 10 GUIDE ON HOW TO USE THE ACT

A Guide has been compiled in terms of Section 10 of PAIA by the Human Rights Commission. It contains information required by a person wishing to exercise any right, contemplated by PAIA. It is available in all of the official languages.

The Guide is available for inspection, inter alia, at the offices of the Human Rights Commission at:

29 Princess of Wales Terrace,
Cnr York and St. Andrews Street,
Parktown

Direct any queries regarding the Guide 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)(c)

4 ACCESS TO THE RECORDS HELD

- The notice regarding the categories of records of the body, publicly available (Section 51(1) ©): Nil.
- In the absence of the Section 52(2) notice, the following records are available without having to request access in terms of this Act:
 - Statutory Records
 - Employment Equity returns to the Dept of Labour.

Section 51(1)(d)

5 RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION

Records in accordance with the following legislation, if and where applicable:

- Basic Conditions of Employment Act 75 of 1997: Sections 29(4), 30 and 31;
- Companies Act of 1973.
- Compensation for Occupational Injuries and Disease Act 130 of 1993: Sections 80-82;
- Customs and Excise Act No.91 of 1964;
- Electronic Communications and Transactions Act No.25 of 2002;
- Employment Equity Act 55 of 1998: Section 26;
- Income Tax Act 58 of 1962: Section 75;
- Labour Relations Act 66 of 1995: Section 89;
- Occupational Health and Safety Act 85 of 1993 and Occupational Health and Safety Regulations;
- Promotion of Access of Information Act No.2 of 2000;
- Skills Development Levies Act 9 of 1999: Section 13;
- Trademarks Act No.194 of 1993.
- Unemployment Insurance Act 63 of 2001: Sections 42 and 56;
- Value Added Tax 89 of 1991: Section 55;

The subjects on which Hawkins Manufacturing (Pty) Ltd holds records and the categories on each subject in terms of **Section 51(1)(e)** are as listed below:

6 HUMAN RESOURCES

- Administration policies and procedures
- Registrations with Department of Labour: UIF and Skills Development Levies Act
- Address lists and internal telephone lists
- Personnel files, Letters of Appointment
- Allowances, leave forms
- Employee contracts of employment
- List of employees
- Payroll records
- Recruitment records
- Training records, manuals, materials and reports
- UIF returns
- Disciplinary hearings
- Salary packages
- Employment equity records and reports

7 SECRETARIAL AND LEGAL

- Company statutory records
- Minute books, share certificates, board resolutions
- Powers of Attorney/Proxies
- Insurance policies
- Title Deeds, mortgage bonds
- Trade mark certificates and registrations

8 FINANCIAL

- Asset register
- Audited financial statements
- Banking information and mandates
- Debtors and Creditors records
- General administration records
- Import/Export records
- Income tax records
- Management Reports
- PAYE Records
- Risk management records
- VAT certificate & records

9 MARKETING AND SALES DEPARTMENTS

- Advertising and promotional material
- Customer details
- Credit application information

10 IT DEPARTMENT

- Information technology systems
- User manuals
- Licensed software

11 PRODUCTION DEPARTMENT

- Production records
- Manufacturing material requirement records
- Bills of Material records
- Internal reports and Transfers

12 REPAIR DEPARTMENT

- Product Repair records
- Customer records

13 REQUEST PROCEDURES

How to request a record from the private body:

- Use the prescribed form, address it to the head
- identify the record, what form of record is required
- identify the right sought to be exercised or protected etc.

14 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.

15 AVAILABILITY OF THE MANUAL

This manual is available:

- for inspection at Hawkins Manufacturing (Pty) Ltd office, free of charge;
- from the SAHRC;
- on our Website

16 FEES IN RESPECT OF PRIVATE BODIES

- The fee structure is a regulated amount for the reproduction of a record (Regulation 9(2))
e.g. R1.10 for every copy of an A4 size page of part thereof.

17 AMENDED BY THE REGULATIONS

- No longer published in the Government Gazette
- therefore no costs of publication

18 SUBMISSION OF THE MANUAL

The manual must be submitted to:

- SA Human Rights Commission at either:
- PAIA Unit, Private Bag 2700, Houghton, 2041, or
- Fax to 011 484 8300 and
- email to paia@sahrc.org.za

19 HOW TO REQUEST A RECORD FROM A PRIVATE BODY

THE FORM TO BE USED IS FORM C

Request for Access to record of Private Body

Section 53(1) Regulation 10

Particulars of the Person requesting the Info:

- Full names and surname
- Identity number
- Postal address
- Fax number
- Telephone number
- E-mail address
- Capacity in which request is made, if on behalf of another

IF A REQUEST IS MADE ON BEHALF OF ANOTHER PERSON:

- Full names and surname
- Identity number

PARTICULARS OF THE RECORD:

- Description of record or relevant part of the record;
- Reference number, if available;
- Any further particulars of record.

FEES

IF RECORD CONTAINS PERSONAL INFORMATION ABOUT YOU = NO FEE.

Fee includes:

- Requester fee =R50.00
- Deposit, if applicable = 1/3 of the fee of
- Search costs of R30.00 per hour for more than 8 hours work
- Fee for reproduction of the record
- Cost of postal fee and VAT

Private body must notify you of the requester fee first:

- If you qualify for exemption of the payment of any fee, state reason for exemption.

FORM OF ACCESS TO RECORD

- If you can't read, view or listen to the record , state:
 - Disability;
 - form in which record is required.
- If in written or printed form, request:
 - copy of the record; or
 - inspection of the record.
- Visual images, request:
 - View the images; or
 - copy of the images; or
 - transcription of the images.
- Recorded words, request:
 - listen to the soundtrack; or
 - transcription of soundtrack;
- On Computer or in an Electronic or Machine - readable Form, request:
 - printed copy or record; or
 - printed copy of information derived from the record; or
 - copy in computer readable form (stiffy or compact disc).
- Postage required?

PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED

- Indicate which right is to be exercised or protected
- Explain why the record requested is required for the exercise or protection of that right.

NOTICE OF DECISION REGARDING REQUEST FOR ACCESS

- You will be notified in writing whether your request has been approved/denied.
- You must state how you would prefer to be informed of the decision regarding your request for access to the record.
- Sign and date the request.

HOW TO REQUEST A RECORD

- Use the prescribed form,
- Address it to the designated head at the address, fax number or electronic mail address of the body.
- The designated head must notify the requester requiring the requester to pay the prescribed fee (if any) before further processing the request.
- The requester may appeal in court against the tender or payment of the request fee.
- The designated head has 30 days to decide whether to grant or deny a request.
- After the designated head has made a decision on the request, the designated head must notify the requester.

THANK YOU

FORM C

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

The Head:

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 <i>ONLY</i> if a request for information is made on behalf of <i>another</i> 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

- | |
|--|
| <p>(a) A request for access to a record, other <i>than</i> a record containing personal information about yourself, will be processed only after a request fee has been paid.</p> <p>(b) You will be <i>notified of</i> the amount required to be paid as the request fee.</p> <p>(c) The fee payable for access to a record depends <i>on</i> the form <i>in which</i> access is required and the reasonable time <i>required</i> to search for and prepare a record.</p> <p>(d) If you qualify for exemption <i>of</i> the payment <i>of</i> any fee, please state the reason for exemption.</p> |
|--|

Reason for exemption from payment of fees:

F. Form of access to record

<p>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.</p>
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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 for 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)
<p>'If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.</p>			<p>YES NO</p>

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 of20

SIGNATURE OF REQUESTER / PERSON ON
WHOSE BEHALF REQUEST IS MADE