

SECTION 51 MANUAL
FOR SUGAREQUIP (PTY) LIMITED

1. **CONTENTS**

	<u>Page</u>
1. Contents.....	1
2. Particulars in terms of Section 51.....	2
A The Corporate Profile and Structure of Sugarequip (Pty) Ltd [Section 51 (1)(a)]...	2
i Corporate Profile of Sugarequip (Pty) Ltd.....	2
ii A schematic diagram of the structure of Sugarequip (Pty) Ltd.....	2
B Contact details [Section 51 (1)(a)].....	2
Information Officer / Deputy Information Officer and contact details	
C The Section 10 Guide on how to use the Act [Section 51(1)(b)].....	3
D Records available in terms of any other Legislation.....	3
E Access to the records held by Sugarequip (Pty) Ltd [Section 51(1)(c) and 51(1)(e)].....	3
i Automatic Disclosures in terms of Section 52 (2) [Section 51(1)(c)].....	3
ii Records that may be requested [Section 51(1)(e)].....	4
iii The request procedures.....	4
F Other information as prescribed in terms of the Act [Section 51(1)(f)].....	5
G Updating of the Manual [Section 51(2)].....	5
H Availability of the Manual [Section 51(3)].....	5

C. **THE SECTION 10 GUIDE ON HOW TO USE THE ACT** [Section 51(1)(b)]

The guide will be available from the South African Human Rights Commission by not later than August 2003. Please direct any queries to:

The South African Human Rights Commission
PAIA Unit
The Research and Documentary Department

Postal Address : Private Bag X2700
Houghton
2041

Telephone : +27 11 484 8300

Fax : +27 11 484 0582

Website : www.sahrc.org.za

E-mail : PAIA@sahrc.org.za

D. **RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION**

- Basic Conditions of Employment Act No. 75 of 1997
- Companies Act No. 61 of 1973
- Compensation for Occupational Injuries and Health Act No. 130 of 1993
- Copyright Act No. 98 of 1978
- Employment Equity Act No. 55 of 1998
- Finance Act No. 35 of 2000
- Financial Services Board Act No. 97 of 1990
- Income Tax Act No. 95 of 1967
- Intellectual Property Laws Amendments Act No. 38 of 1997
- Labour Relations Act No. 66 of 1995
- Medical Schemes Act No. 131 of 1998
- Occupational Health and Safety Act No. 85 of 1993
- Pension Funds Act No. 24 of 1956
- Regional Services Councils Act No. 109 of 1985
- Skills Development Levies Act No. 9 of 1999
- Skills Development Act No. 97 of 1998
- Stamp Duties Act No. 77 of 1968
- Tax on Retirement Funds Act No. 38 of 1996
- Trade Marks Act No. 194 of 1993
- Unemployment Contributions Act No. 4 of 2002
- Unemployment Insurance Act No. 63 of 2001
- Usury Act No. 73 of 1968
- Value Added Tax Act No. 1989 of 1991

E. **ACCESS TO THE RECORDS HELD BY SUGAREQUIP (PTY) LTD [Section 51(1)(c) and 51(1)(e)]**

i **Automatic Disclosures in terms of Section 52(2) [Section 51(i)(c)]**

A notice in terms of Section 51(2) describes the categories of records of the bodies that are available without a person having to request access in terms of the Act.

Voluntary Disclosures

Sugarequip Publications

- Reports
- Pamphlets
- Posters
- Advertising Material

ii **Records that may be requested [Section 51(1)(e)]**

Administration

- Licences
- Minutes of management meetings
- Minutes of staff meetings
- Correspondence
- Company policies

Human Resources

- Staff Recruitment Policies
- Employment Contracts
- Remuneration Records and Policies
- Skills Development Reports
- General Policy and Procedures

Operations

- Sales Records
- Service Records
- Management Agreements
- Service Provider Contracts
- Management Reports

Finance

- Shareholders Agreement
- Articles of Association
- Memorandum of Association
- Management Accounts
- Statutory Records
- Vouchers
- Stocks Records
- Assets Inventory

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 [Section 53(1)].
- 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 [Section 53(2)(a) and (b) and (c)]
- 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 [Section 53(2)(d)].
- 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 [Section 53(2)(f)].

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 [Section 54(1)].

- 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 [Section 54(3)(b)]
- 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 [Section 54(6)].

F. **OTHER INFORMATION AS PRESCRIBED IN TERMS OF THE ACT** [Section 51(1)(f)]

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

G. **UPDATING OF THE MANUAL** [Section 51(2)]

A body must, if necessary, update and publish its manual referred to in sub section (1) of Section 51(2), at regular intervals and at least once a year.

H. **AVAILABILITY OF THE MANUAL** [Section 51(3)]

The Manual is available for inspection at 2 Enfield Road, Durban.

The Manual is available free of charge.

The Manual is to be published in English in the gazette.

The Manual is to be handed to the South African Human Rights Commission (SAHRC).

The Manual is to be made available on the website of Sugarequip (Pty) Ltd (www.sugarequip.co.za).