

RACEC GROUP LIMITED

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EPPING 1, 7460
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Registration No. 1998/006153/06

**Manual in terms of Section 51 of the
Promotion of Access to Information Act No. 2 of 2000**

The RACEC Group of Companies comprises the following subsidiaries:

<u>Full Name of Company</u>	<u>Registration Number</u>
RACEC (Pty) Ltd	1964/009444/07
RACEC Rail (Pty) Ltd	1964/001845/07
RACEC Electrification (Pty) Ltd	1979/060034/07
RACEC Plant Hire (Pty) Ltd	1990/000190/07
RACEC Power (Pty) Ltd	2001/025298/07
RACEC Africa Limitada	100127652
RACEC Africa (Pty) Ltd	2008/025062/07
RACEC Rail Sierra Leone Limited	2001/020453/07
Northern Electric (Cape) (Pty) Ltd	2004/033654/07
GREENBRO (PTY) LTD	1996/005025/07
GREENGLO GEYSERS (PTY) LTD	2010/011066/07

Introduction

The Promotion of Access to Information Act No. 2 of 2000, (“the Act”) came into operation on 23 November 2001. Section 51 of this Act requires private bodies to compile a manual giving information to the public regarding the procedure to be followed in requesting information from the private body for the purpose of exercising or protecting rights.

We as a private body have compiled this manual to ensure that members of the public have effective access to information in our possession, which will assist them in the exercise and protection of their rights.

This manual sets out the categories of information that we possess and the procedure to follow should you require access to any of this information.

Our details

[Information required under section 51 (1) (a) of the Act]

Full Name	:	RACEC GROUP LIMITED
Registration Number	:	1998/006153/06
Registered Address	:	8 Hawkins Avenue EPPING 1 7460
Postal Address	:	P O Box 61 EPPINDUST 7475
Telephone Number	:	(021) 531 7540
Fax Number	:	(021) 531 8488
Head	:	Gary Harrod
Designated Information Officer	:	Douglas Morris
Email Address of Information Officer	:	douglas.morris@racec.co.za
Website	:	www.racecgroup.com

The official guide

[Information required under section 51(1)(b) of the Act]

To gain access to the Human Rights Commission's guide to the Act, browse using an Internet web browser to: www.sahrc.org.za

The Guide will be made available by the SAHRC by no later than August 2003 and will contain the following information:

1. The objects of the Act;
2. Particulars of the information officer of every public body;
3. Particulars of every private body as are practicable;
4. The manner and form of a request for access to information held by a body;
5. Assistance available from both the information officers and the Human Rights Commission in terms of this Act;
6. All remedies in law regarding acts, omissions, rights and duties, including how to lodge an internal appeal and a court application;
7. Schedules of fees to be paid in relation to requests for access to information;
8. Regulations made in terms of the Act.

Copies of this Guide will be available as soon as it is published by the SAHRC. Enquiries regarding the Guide can be addressed to the SAHRC, the contact details of which are as follows:

Post: South African Human Rights Commission
Promotion of Access to Information Act Unit
Research and Documentation Department
Private Bag 2700
Houghton
2041

Telephone: (011) 484-8300

Fax: (011) 484-0582

Website: www.sahrc.org.za

E-mail: PAIA@sahrc.org.za

Notice
[Information required under section 51(1)(c) of the Act]

At this stage no Notice/s has/have been published.

Information available in terms of other legislation
[Information required under section 51(1)(d) of the Act]

Where applicable to our operations, information/records and documents are available in terms of certain provisions of the following legislation (this is not an exhaustive list):

- Basic Conditions of Employment Act No. 75 of 1997
- Compensation for Occupational Injuries and Diseases Act No. 130 of 1993
- Customs and Excise Act No 91 of 1964
- Income Tax Act No. 58 of 1962
- Labour Relations Act No. 66 of 1995
- Occupational Health and Safety Act No. 85 of 1993
- Unemployment Insurance Act No. 63 of 2001
- Unemployment Contributions Act No. 4 of 2002
- Insolvency Act No. 24 of 1936
- Value-added Tax Act No. 89 of 1991
- Close Corporations Act No. 69 of 1984
- Companies Act No. 61 of 1973
- Employment Equity Act No. 55 of 1998
- Skills Development Act No. 97 of 1998
- Skills Development Levies Act No. 9 of 1999

Information available in terms of the Act
[Information required under section 51(1)(e) of the Act]

1 Subjects and Categories of information

We hold the following categories of information under the relevant subject (A requestor is not automatically allowed access to these records and access to them may be refused in terms of Section 62 to 69 of the Act):

a ACCOUNTING RECORDS

Books of account, delivery notes, orders, invoices, statements, receipts, vouchers and bills of exchange.

b HUMAN RESOURCES

Employee records, conditions of employment, policies, payrolls, dealings with Unions, labour related matters and benefit funds.

- c **IMMOVABLE AND MOVABLE PROPERTY**
Title deeds, lease agreements, mortgage bonds or other encumbrances to fixed property, asset register, finance agreements and security interests on property.
- d **INTELLECTUAL PROPERTY**
Records relating to patents, trademarks, trade names, copyrights, and licence agreements.
- e **AGREEMENTS AND CONTRACT**
Material agreements concerning provision of services or materials, partnership agreements, agreements with contractors and suppliers, agreements with customers, sale agreements, distributor, dealer or agency agreements.
- f **TAXATION**
Records pertaining to VAT and PAYE.
- g **INSURANCE**
Records relating to insurance agreements, policies and claims.
- h **INFORMATION TECHNOLOGY**
Computer software, support and maintenance agreements.

2 Procedure for requesting access to the above information

When requesting access to any of the above categories of information, you are required to complete a request form as set out in annexure "A" hereto. These forms are available from:

- Our information officer;
- 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 fees 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 that you have requested, including copying charges.

If a request is made on behalf of a person, the requestor must submit proof of the capacity in which the requester is making the request.

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.

Information automatically available

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.

1. Newsletters.
2. Booklets.
3. Pamphlets / Brochures.
4. Website - www.racecgroup.com

Grounds for the refusal of a request [Chapter 4 of the Act]

It is important to note that access is not automatic. There is provision for mandatory protection of the following information:

- Privacy of third party
- Commercial information of third party
- Confidential information
- Protection of safety of individuals and protection of property
- Information privileged from production in legal proceedings
- Commercial information (trade secrets)
- Research information

Availability of the manual [Section 51(3) of the Act]

The manual is also available for inspection at the offices of RACEC Group (Pty) Ltd, free of charge; and copies are available with the SAHRC and in the Gazette.

NOTE: THE ANNEXURES ARE NOT INCLUDED WITH THE MANUAL PRINTED IN THE GOVERNMENT GAZETTE BUT ARE AVAILABLE ON REQUEST FROM THE OFFICES OF RACEC GROUP AND THE SAHRC.

ANNEXURE "A"

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) | <i>The particulars of the person who requests access to the record must be given below.</i> |
| (b) | <i>The address and/or fax number in the Republic to which the information is to be sent must be given.</i> |
| (c) | <i>Proof of the capacity in which the request is made, if applicable, must be attached.</i> |

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

<i>This section must be completed ONLY if a request for information is made on behalf of another person.</i>
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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

(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.

Reason 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 hereunder, state your disability and indicate in which form the record is required.

Disability:

Form in which record is required:

Mark the appropriate box with an X.

NOTES:

(a) Compliance with your request 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:

<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record
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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"/>	transcription of the images*
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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)
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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"/>	copy in computer readable form* (stiffy or compact disc)
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*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
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Postage is payable.

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**

ANNEXURE "B"

AN EXPLANATORY NOTE ON FEES TO BE CHARGED BY A PRIVATE BODY WHEN GRANTING A REQUEST FOR ACCESS TO INFORMATION IN TERMS OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000.

The fees chargeable by private bodies are contained in Part III of Annexure "A" of the Regulations. A copy of Part III is attached for your convenience. The present charges are as follows:

1. Copies of a manual

Should an individual require a copy of the private body's manual, a fee of R1.10 is chargeable for every photocopy of an A4 page or part thereof.

2. Reproduction fees

Reproduction fees apply to obtaining copies or transcriptions of information that is automatically available from the private body. The fees are listed in paragraph 2 of Part III of Annexure "A" to the Regulations.

3. Access fees

Access fees are chargeable for copies or transcriptions of information requested under this Act. The fees are listed in paragraph 4 of Part III of Annexure "A" to the Regulations.

4. Other fees

- 4.1 A request fee of R50.00 is payable by a requester who is seeking access to a record containing information which is not personal to the requester. See paragraph 6 of Part 1 of this Work.
- 4.2 A search fee may be charged at a rate of R30.00 per hour or part thereof for searching and preparing the record for disclosure provided such time was reasonably required for that purpose.
- 4.3 If the request is not limited to records containing information which is personal to the requester and if the head of the private body is of the opinion that the time taken to give effect to the request will exceed six hours the requester can be called upon to pay a deposit of not more than one third of an estimate of the access fee which will become payable.
- 4.4 If a copy of a record is posted to a requester, the requester is obliged to pay the actual postage payable.

PART III
FEES IN RESPECT OF PRIVATE BODIES

1. The fee for a copy of the manual as contemplated in regulation 9 (2) (c) is R1,10 for every photocopy of an A4-size page or part thereof.

2. The fees for reproduction referred to in regulation 11 (1) are as follows:

	R
(a) For every photocopy of an A4-size page or part thereof	1,10
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,75
(c) For a copy in a computer-readable form on—	
(i) stiffy disc	7,50
(ii) compact disc	70,00
(d) (i) For a transcription of visual images, for an A4-size page or part thereof	40,00
(ii) For a copy of visual images	60,00
(e) (i) For a transcription of an audio record, for an A4-size page or part thereof	20,00
(ii) For a copy of an audio record	30,00

3. The request fee payable by a requester, other than a personal requester, referred to in regulation 11 (2) is R50,00.

4. The access fees payable by a requester referred to in regulation 11 (3) are as follows:

	R
(1) (a) For every photocopy of an A4-size page or part thereof	1,10
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,75
(c) For a copy in a computer-readable form on—	
(i) stiffy disc	7,50
(ii) compact disc	70,00
(d) (i) For a transcription of visual images, for an A4-size page or part thereof	40,00
(ii) For a copy of visual images	60,00
(e) (i) For a transcription of an audio record, for an A4-size page or part thereof	20,00
(ii) For a copy of an audio record	30,00
(f) To search for and prepare the record for disclosure, R30,00 for each hour or part of an hour reasonably required for such search and preparation.	

(2) For purposes of section 54 (2) of the Act, the following applies:

- (a) Six hours as the hours to be exceeded before a deposit is payable; and
- (b) one third of the access fee is payable as a deposit by the requester.

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