

Company name: VDT Incorporated

Registration Number: 2000 / 031065 /21

Access to Information Manual (a Private Body), prepared in terms of Section 51 of the Promotion of Access to Information Act, 2 of 2000.

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With acknowledgements to:

The South African Human Rights Commission

The Department of Justice and Constitutional Development

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Section 51 Manual of VDT Incorporated

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1) Contact particulars

Chief Executive Officer: Mr Johan Liebenberg
Email: Johanl@vdt.co.za
Information officer: Mr R Botha (person designated / duly authorised)
Email: ruan@vdt.co.za
Postal address: P.O. Box 499, Pretoria, 0001
Physical address: 266 Bronkhorst Street, Nieuw Muckleneuk, Pretoria
Telephone number: +27 (12) 452 1300
Facsimile number: +27 (12) 452 13002
VAT Reg. No: 4450191228
Website / url: www.vdt.co.za

2) Introduction

Attorneys, Notaries and Conveyancers.

Services offered: Administration of estates, Collections, Commercial litigation, Conveyancing services, Family law, Labour law, General litigation.

3) Guide in terms of Section 10 of the Act

3.1) The Act grants a Requester access to records of a private body, if the record is required for the exercise or protection of any rights. If a Public Body lodges a request, the Public Body must be acting in the public interest.

- 3.2) Requests in terms of the Act shall be made in accordance with the prescribed procedures, at the rates provided.
- 3.3) Requesters are referred to the Guide in terms of Section 10, which has been compiled by the South African Human Rights Commission, which will contain information for the purpose of exercising Constitutional Rights. The Guide is available from the SAHRC. The contact details of the Commission are:

Postal address: Private Bag 2700, Houghton, 2041

Physical address: 33 Hoofd Street, Forum III – Braampark, Braamfontein, Johannesburg, Gauteng, 2041

Telephone number: (+27) 11 877 3600

Facsimile number: (+27) 11 403 0625

Website: www.sahrc.org.za

4) Facilitation of a request for access to information

Information which is not readily available as indicated in this manual may be requested in accordance with the procedure prescribed in terms of the Act. Copies of the prescribed forms to be completed for request submissions are available from the offices of **VDT Incorporated** via the organisational website at <http://www.vdt.co.za> and from the South African Human Rights Commission.

5) Records held by the Company in terms of other legislation

Section 51(1)(D)

(as applicable and amended, not limited to)

- Attorneys Act 53 of 1979
- Basic Conditions of Employment Act 75 of 1997
- BBBEE Act 53 of 2003
- Companies Act 61 of 1973
- Companies Act 71 of 2008
- Copyright Act 98 of 1978
- Customs and Excise Act 91 of 1964

- Compensation for Occupational Injuries and Diseases Act 130 of 1993
- Employment Equity Act 55 of 1998
- Electronic Communications and Transactions Act 25 of 2002
- Income Tax Act 58 of 1962
- Insolvency Act 24 of 1936
- Labour Relations Act 66 of 1995
- Medical Schemes Act 131 of 1998
- Occupational Health and Safety Act 85 of 1993
- Pensions Funds Act of 1956
- Prescription Act 68 of 1969
- Protection of Information Act 84 of 1982
- Promotion of Access to Information Act 2 of 2000
- Skills Development Levies Act 9 of 1999
- Skills Development Act 97 of 1998
- Unemployment Contributions Act 4 of 2002
- Unemployment Insurance Act 63 of 2001
- Value Added Tax Act 89 of 1991

6) Records which are automatically available to the general public

- Price Lists and/or Fees Structures
- Marketing and promotional material
- Pamphlets, brochures
- Newsletters

7) Other types of records / information held by the Company

Section 51 (1)(C)

The subjects on which the business holds records and the categories on each subject are listed below. Access to the documents listed below may be subject to the grounds of refusal in accordance with Section 62 to 69 of the Act.

- **Customer Records**

Product / Fee sales records

Marketing strategies

Client database

- **Accounting records**

Annual financial statements and working papers

General ledger

Subsidiary ledgers (receivables, payables, etc.)

Bank statements, cheque books, cheques

Customer and supplier statements and invoices

Deposit slips

Cash books and petty cash books

Fixed asset register

Tax returns and assessments

VAT returns

Lease or instalment sale agreements

Budgets and business plans

Insurance records

Investment records

Auditor's reports

Internal auditors' reports

Compiler's reports

Reviewer's reports

Inventory records (including stock take)

Systems documentation

Management reviews

Capital expenditure

Credit agreements

Record of assets

Record of liabilities

Record of loans to related parties

Record of liabilities and obligations

Record of property held

Record of revenue

Record of expenses

- **Auditors**

Working papers

Correspondence

- **Information Technology**

Hardware

Licenses

Software packages

Telephone lines, leased lines and data lines

- **Personnel Records**

Arbitration awards

Attendance register

Disciplinary records

Employee evaluation and performance records

Employee information records

Employee loans

Employee remuneration

Employment applications

Employee date of birth

Employment contracts

Employment equity plan

Expense accounts

Health and safety records

Incentive schemes

IRP 5 and IT 3 certificates

Letters of appointment

Leave applications

Maternity leave policy

Medical aid records

Name and occupation of each employee

Organisational design
Payroll
Particulars of each employee
Pension / provident fund information
Personnel file
Policies and procedures
Recruitment and appointments
Salary and wage registers
Salary slips and wage records
Time records
UIF, PAYE and SDL returns
Workmen's Compensation documents

- **Statutory Company Records**

Annual Statutory Returns
Certificate of Change of Name
Certificate of Incorporation
Certificate to Commence Business
Dividend register
Directors' attendance register
Memorandum and Articles of Association
Memorandum of Incorporation and alterations / amendments
Notice and minutes of shareholders' meetings
Minutes of directors' meetings
Register of company secretary and auditors
Register of debenture holders and mortgages
Register of directors and officers
Register of directors' shareholding
Register of past directors
Registration Certificate

Register of beneficial interest holders

Special resolutions

Resolutions

Shareholders' register

- **Tax**

Income tax returns

Provisional tax returns

Tax assessments

Documents relating to where the objection and appeal is lodged

Records relating to taxable gain or assessed capital loss

VAT documents

Records of importation of goods and documents

Vendor's information

Documentary proof substantiating the zero rating of supplies

8) Request procedure

8.1) A Requester requiring access to information held by **VDT Incorporated** must make the request in the prescribed manner and/or form (Form C), available at the offices of **VDT Incorporated**, via the organisational website at <http://www.vdt.co.za> and from the South African Human Rights Commission (www.sahrc.org.za), and submit the request, together with the prescribed fee and deposit, if applicable, to the head of the Company and / or person designated and/or duly authorised, at the postal, physical or facsimile number provided in this manual.

8.2) The prescribed form must provide sufficient particulars to enable the head of the company and / or person designated and/or duly authorised to ascertain that:

- the record (s) requested;
- the identity of the Requester;
- the form of access required, if the request is granted;
- the postal address or facsimile number of the Requester

- 8.3) The Requester must:
- state that the records are required in order to exercise or protect a right;
 - provide details of the nature of the right to be exercised or protected.
- 8.4) If a request is made on behalf of another person, the Requester must submit proof of the capacity in which the Requester is making the request.
- 8.5) If an individual is unable to submit the request in the prescribed form due to illiteracy or a disability, such a person may make the request orally.
- 8.6) The head of company and or person designated and/or duly authorised, as soon as reasonably possible and within 30 days after the request has been received, shall decide whether or not to grant the request.
- 8.7) The Requester will be notified of the decision in the manner indicated by the Requester.
- 8.8) If the request for access is refused, the head of the company and/or person designated and/or duly authorised, shall advise the Requester in writing of the refusal, the aforementioned notice shall state adequate reason for the refusal and that the Requester may lodge an application with a Court against the refusal of the application, as well as the procedure (including the period) for lodging such an application.
- 8.9) If the head of the company and/or person designated and/or duly authorised fails to respond within the prescribed period after a request has been received, it is deemed, in terms of Section 58 read together with section 56 (1) of the Act, that the head of the company or the information officer has refused the request.

Fees payable

- 8.10) Please note that if the Requester earns below R14, 712 a year (if single) or has a combined income of less than R27, 192 per year (if married or in a life partnership), the Requester will not have to pay a request fee upon application.
- 8.11) If the request concerns a request for personal information, the Requester will also be exempted from the payment of a request fee.
- 8.12) In all other instances a fee of R50.00 needs to accompany the request.

If a request is granted, then a further access or search fee is required. This fee is calculated in terms of the fees prescribed under the Act. Fees are charged for time spent searching for the record and preparing and / or reproducing the record/s.

- 8.13) If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid equal to one-third of an amount of R30.00 for each hour or part thereof, exceeding the six hours.
- 8.14) A Requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit;
- 8.15) The breakdown of fees for accessing records of a private body are:

<u>Activity</u>	<u>Fee</u>
Copy per A4 Page	R1.10
Printing per A4 page	75 cents
Copy on a CD	R70
Transcription of visual images per A4 page	R40
Copy of a visual image	R60
Transcription of an audio recording per A4 page	R20
Copy of an audio recording	R30
Search and preparation of the record for disclosure	R30 per hour or part thereof, excluding the first hour, reasonably required for the search and preparation

9) Information or records not found

If the Company has searched for a record and it is believed that the record either does not exist or cannot be found, the Requester will be notified by way of an affidavit or affirmation. This will include the steps that were taken to find the record or to determine the existence thereof.

10) Information requested about a third party

Section 71 of the Act makes provision for a request for information or records about a third party. In considering such a request, the company will adhere to provisions 71 to 74 of the Act. The attention of the Requester is drawn to the relevant provisions of the Act, in terms of which the Company, is obliged, in certain circumstances, to advise the third party of the request, furthermore it is

to be noted the entitlement of the third party to dispute the decision of the Company by referring the matter to the High Court.

11) Availability of the manual

Copies of this manual are available for inspection, free of charge, at the offices of **VDT Incorporated**, via the organisational website at <http://www.vdt.co.za> and from the South African Human Rights Commission.

12) Updating of the manual

The Company may update this manual every six months or at such intervals as may be necessary.

Signature: Chief Executive Officer

Date

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:

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.....
.....

2. Reference number, if available:

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3. Any further particulars of record:

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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:

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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.

Disability:	Form in which 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 record 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*		copy in computer readable form* (stiffy or compact disc)

*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.	YES	NO
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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:

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.....

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2. Explain why the record requested is required for the exercise or protection of the aforementioned right:

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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..... ofyear

.....
SIGNATURE OF REQUESTER /
PERSON ON WHOSE BEHALF REQUEST IS MADE