

JACKPERSAD AND PARTNERS INC.

Section 51 manual

Prepared in accordance with Section 51 of the
Promotion of Access to Information Act,
No. 2 of 2000

This document serves as the information manual as required by Section 51(1) of the Promotion of Access to Information Act, No.2 of 2000 (the "Act") for a private body. It provides information on the records held and the process that is to be followed to request access to such records.

Scope

The scope of this information manual only relates to Jackpersad and Partners Inc

Availability of the manual

The public are able to obtain a copy of this manual on request from the designated contact person.

It is also available at www.jackpersad.co.za.

Designated contact person

Information required by section 51(1)(a) of the Act

Contact person	Dr Megantheran Pillay
Postal address	P.O. Box 48900, Qualbert, 4078
Physical address	2 nd Floor Medicentre, 78 Ismail C Street, Durban, 4001
Telephone number	+27 (31) 365 2100
Facsimile number	+27 (31) 365 2199
Email address	governance@jrp.co.za

Section 10 guide to the Act

Information required by section 51(1)(b) of the Act

A guide has been compiled, in terms of section 10 of the Act, by the South African Human Rights Commission. It contains information to assist a person wishing to exercise a right, in terms of the Promotion of Access to Information Act, No. 2 of 2002. This guide is available for inspection, *inter alia* as follows –

Contact body	The South African Human Rights Commission
Postal address	Private Bag 2700, Houghton 2041
Physical address	PAIA Unit 29 Princess of Wales Terrace Cnr York and Andrew Streets Parktown
Telephone number	+27(11) 484 8300
Facsimile number	+27(11) 484 0582
Email address	PAIA@sahrc.org.za

The regulations regarding the Act published under Government Notice No. R187 of 15 February 2002 set forth how the South African Human Rights Commission should make the guide available.

Records automatically available

Information required by section 51(1)(c) of the Act

A section 52(2) notice regarding categories of records, which are available without a person having to request access in terms of the Act, has to date not been published.

Records available in accordance with other legislation

Information required by section 51(1)(d) of the Act

Records are held in accordance with the following legislation –

- Electronics Communications Act, 2005
- Electronic Communications Act, 1998
- Debt Collectors Act, 1998
- Exchange Control Amnesty and Amendment of Taxation Laws Act, 2003
- Financial Intelligence Centre Act, 2011
- Income Tax Act, 1962
- Long Term Insurance Act, 1998
- National Credit Act, 2005
- Pension Funds Act, 1956
- Tax on Retirement Funds Act, 1996
- Value-Added Tax Act, 1991
- Council for Medical Schemes Levies Act, 2000
- Hazardous Substances Act, 1973
- Health Professions Act, 1974
- International Health Regulations Act, 1974
- Medical Schemes Act, 2003
- Medicines and Related Substances Control Act, 1965
- National Health Act, 2003
- Nursing Act, 2005
- Pharmacy Act, 1974
- Sterilisation Act, 1998
- Basic Conditions of Employment Act, 1997
- Compensation for Occupational Injuries and Diseases Act
- Employment Equity Act, 1998
- Labour Relations Act, 1995
- Occupational Health and Safety Act, 1993
- Skills Development Act, 1998
- Skills Development Levies Act, 1999
- Unemployment Insurance Act, 2001
- Unemployment Insurance Contributions Act, 2002

- Gas Regulator Levies Act, 2002
- Companies Act, 1973
- Companies Act, 2008

Subjects and categories of records

Information required by section 51(1)(e) of the Act

The following subjects and categories of records are held –

Corporate governance

- Directors' minutes and records
- Shareholder agreements

Finance

- Accounting records
- Annual financial statements
- Banking records
- Business contracts
- Credit bureau records
- General correspondence
- Internal control reports
- Invoices, credit notes, statements etc
- Management accounts
- Property leases
- Proposal and tender documents
- SA Reserve Bank returns and correspondence
- Statistics SA returns and correspondence
- Statutory records
- Tax returns and SARS correspondence

Human resources

- BEE statistics, certificates and audit reports
- Employment Equity reports
- Leave records
- Letters of employment
- Medical aid records
- PAYE records and returns
- Payroll records
- Personnel files and records
- Policies and procedures
- Retirement benefit records
- SDL records and returns
- SETA records and correspondence
- Staff attendance records
- Traineeship contracts
- Training material
- Training statistics
- UIF records and returns
- Union records and correspondence
- Workman's Compensation records

Information technology

- Contracts and agreements
- Policies and procedures
- Register of software and hardware
- Warranties

Marketing and business growth

- Marketing brochures and advertising records

Operations

- Access control records
- Asset registration records
- Contracts and agreements
- General correspondence
- Health and safety records
- Insurance records and correspondence
- Order books
- Quality control records
- Service level agreements
- Telephone and communication records
- Transport records

Request for access to records

Information required by section 51(1)(e) of the Act

It is important to note that the successful completion and submission of an access request form does not automatically allow the requester access to the requested record. An application for access to a record is subject to certain limitations if the requested record falls within a certain category as specified within Part 3 Chapter 4 of the Act.

If it is reasonably suspected that the requester has obtained access to records through the submission of materially false or misleading information, legal proceedings may be instituted against such requester.

Completion of Access Request form

In order to facilitate a timely response to requests for access to records, all requesters should take note of the following when completing the Access Request Form –

- The Access Request Form must be completed;
- Proof of identity is required to authenticate the identity of the requester. Therefore in addition to the access form, requesters will be required to supply a copy of their identification document;
- Type or print in BLOCK LETTERS an answer to every question;
- If a question does not apply, state "N/A" in response to that question;
- If there is nothing to disclose in reply to a particular question state "nil" in response to that question;
- If there is insufficient space on a printed form, additional information may be provided on an additional attached folio; and

- When the use of an additional folio is required, precede each answer with the applicable title.

The Access Request Form is included in this manual as an appendix starting on page 10.

Submission of Access Request form and request fee payable

The completed Access Request form together with a copy of the requester's identity document must be submitted either via conventional mail, e-mail or fax and must be addressed to the designated contact person as indicated above.

An initial, request fee of R57.00 (incl. VAT) is payable on submission.

This fee is not applicable to Personal Requesters referred to in section 54(1) of the Act being any person seeking access to records that contain their personal information.

Notification

Jackpersad and Partners Inc. will within 30 days of receipt of the request to access records decide whether to grant or decline the request and give notice with reasons (if required) to that effect

The 30 day period within which Jackpersad and Partners Inc. has to decide whether to grant or refuse the request, may be extended for a further period of not more than thirty days, if the request is for a large volume of information, or the request requires a search for information held at premises other than those of Jackpersad and Partners Inc. and the information cannot reasonably be obtained within the original 30 day period. Jackpersad and Partners Inc. will notify the requester in writing should an extension be sought.

Grounds for refusal of access to records

Chapter 4 of the Act

The main grounds for refusal of a request for access to records are –

- Mandatory protection of the privacy of a third party who is a natural person if its disclosure would involve the unreasonable disclosure of personal information;
- Mandatory protection of the commercial information of a third party if its disclosure contains trade secrets, financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party or information disclosed in confidence by a third party if the disclosure thereof could reasonably put that third party at a disadvantage in contractual negotiations or in commercial competition;
- Mandatory protection of confidential information of third parties if it is protected in terms of any agreement;

- Mandatory protection of the safety of individuals and the protection of property;
- Mandatory protection of records which could be regarded as privileged in legal proceedings;
- The commercial information of Jackpersad and Partners Inc. which may include trade secrets, financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of Jackpersad and Partners Inc., or information, the disclosure thereof could reasonably put Jackpersad and Partners Inc. at a disadvantage in contractual negotiations or in commercial competition; and
- Mandatory protection of research information of a third party or Jackpersad and Partners Inc.

Approval of information manual

This information manual has been prepared in accordance with Section 51(1) of the Promotion of Access to Information Act, No.2 of 2000 and is hereby approved:

Signed at Durban this 22 day of December 2011

Aminia Amod (Financial Manager)

Name and designation



Signature

APPENDIX – ACCESS REQUEST FORM
PRESCRIBED FORM TO BE COMPLETED BY A REQUESTER
FORM B
REQUEST FOR ACCESS TO RECORDS OF PRIVATE BODY

Section 53(1) of the Promotion of Access to Information Act, No 2 of 2000
Regulation 10

A. Particulars of private body

Private body name: Jackpersad and Partners Inc.

Contact person: Dr Megantheran Pillay

Postal address: PO Box 48900, Qualbert, 4078

Physical address: 2nd Floor Medicentre, 78 Ismail C Meer Street, Durban, 4001

Phone number: +27 (31) 365 2100

Fax number: +27 (31) 365 2199

E-Mail address: governance@jrp.co.za

B. Particulars of Person requesting access to the record

- (a) *The particulars of the person who requests access to the records must be recorded below.*
(b) *Furnish an address and/or fax number in the Republic to which information must be sent.*
(c) *Proof of the capacity in which the request is made, if applicable, must be attached.*

Full name and surname:

Identity number:

Postal address:

Telephone number:

Fax 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 only if a request for information is made on behalf of another person

Full name 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*

Description of the Record or relevant part of the record:

Reference number, if available:

Any further particulars of the record:

E. Fees:

- (a) *A request for access to a record, other than any 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 of the request fee.*
- (c) *The fee payable for access to a record depends on the form in which the 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 therefore.*

Reason for exemption of payment of the fee:

F. Form of Access to the 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:

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Mark the appropriate box with an "X"

NOTES:

- (a) *Your indication as to the required form of access depends 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.*
- (d) *Prices below are stated inclusive of VAT*

1. If the record is in written or printed form:			
	Photocopy of record of an A4 size – R1,25 per page or part thereof		Inspection of record – Not available
2. If the record consists of visual images: (This includes photographs, slides, video recordings, computer-generated images, sketches, etc.)			
	View the images Not available	Copy of the images of an A4 size – R68,40 per image	Transcription of the images* of an A4 size – R45,60 per record transcription
3. If the record consists of recorded words or information which can be reproduced in sound:			
	Listen to the soundtrack (audio cassette) Not available		Transcription of soundtrack * (written or printed document) –Not available
4. If the record is held on computer or in an electronic or machine-readable form:			
	Printed copy of record of an A4 size or part thereof – R0,85 per page	Printed copy of information derived from the record – R0,97 per A4 size print plus a cost of R34,20 per hour or part thereof where the documentation is required for such search and preparation*	Copy in computer readable form on a compact disc* –R90,97
If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? A postal fee is payable.			YES NO

* Deposit may be requested in terms of Section 54(2) of the Promotion of Access to Information Act, in which instance the following will apply:

- A deposit will need to be paid within 8 business hours of the notification thereof; and
- the deposit will be equal to 50% of the projected fee.

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

Indicate which right is to be exercised or protected:

Explain why the requested record is required for the exercising 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 thereof 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 of _____ 20__

Signature of requester or person on whose
behalf request is made