

# **PINETOWN ACCOUNTANTS CC**

## **ACCESS TO INFORMATION MANUAL** **(PRIVATE BODY)**

**PREPARED IN TERMS OF SECTION 51 OF THE PROMITION OF ACCESS  
TO INFORMATION ACT 2 OF 2000**

**Issued date: 18 November 2011**

**PINETOWN ACCOUNTANTS**

(Members of the South African Institute of Professional Accountants)





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## **1. PREAMBLE**

The Promotion of Access to Information Act was promulgated in March 2001. The Act was put in place in order to actively protect a society in which the people of South Africa have effective access to information, which enable them to more fully exercise and protect their rights. The promulgation of the Act was also designed to foster a culture of transparency and accountability in Public and Private Bodies, as defined. This Manual has been prepared in accordance with Section 51 of The Promotion of Access to Information Act No. 2 of 2000.

Inside these pages you will be able to view the categories of information which we possess. You will also be shown the correct procedure to follow should you require access to any of this information.

The Section 10 Guide on how to use the Act is available from the South African Human Rights Commission [Sec 51(1)(b)]

## **2. INTRODUCTION TO PINETOWN ACCOUNTANTS CC**

Business Registration No:           **2008 / 257051 / 23**

Business Description:               **Accounting, Tax & Bookkeeping Services and Other related services**

**3. DETAILS OF ORGANISATION [SECTION 51(1)(a)]**

Postal Address: P. O. Box 1594  
Pinetown  
3600

Physical Address: 139 Old Main Road  
Glen Mason Corner  
2nd Floor  
3610

Telephone Number: (031) 702 8112  
Fax Number: (031) 701 5502  
E-Mail Address: [gavin@patc.co.za](mailto:gavin@patc.co.za)  
Website: [www.patc.co.za](http://www.patc.co.za)

**4. DETAILS OF INFORMATION OFFICER [SECTION 51(1)(a)]**

Information Officer: Gavin Bacon

Postal Address: P. O. Box 1594  
Pinetown  
3600

Physical Address: 139 Old Main Road  
Glen Mason Corner  
2nd Floor  
3610

Telephone Number: (031) 702 8112  
Fax Number: (031) 701 5502  
E-Mail Address: [gavin@patc.co.za](mailto:gavin@patc.co.za)

**5. ACCESS TO THE RECORDS HELD BY THE PRIVATE BODY IN QUESTION****[SECTION 51(1)(c)]**

In terms of Section 52, a private body may, on a voluntary and periodic basis, submit to the Minister, a description of records which are automatically available without a person having to request access in terms of this Act. This includes records which are available:

- for inspection
- for purchase or copying from the private body; and
- from the private body free of charge.

The list of records that are freely available and which need not be requested in terms of this Act are:

- Booklets
- Vision & Mission Statement
- Pamphlets / Brouchers

**6. RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION****[SECTION 51(1)(d)]**

- Basic Conditions of Employment Act 75 of 1997
- Close Corporation Act 69 of 1984
- Close Corporation amendment Act 25 of 2005
- Companies Act 71 of 2008
- Compensation for Occupational Injuries and Diseases Act 130 of 1993
- Consumer Protection Act 68 of 2008
- Electronic Communications and Transactions Act 25 of 2002
- Employment Equity Act 55 of 1998
- Income Tax Act 58 of 1962
- Occupational Health and Safety Act 85 of 1993
- Protection of Businesses Act 99 of 1978
- Skills Development Act 97 of 1998
- Skills Development Levies Act 9 of 1999
- Unemployment Insurance Act 63 of 2001
- Unemployment Insurance Contributions Act 4 of 2002
- Value Added Tax Act 89 of 1991

**7. RECORDS THAT MAY BE REQUESTED [Section 51(1)(e)]**

A description of the subjects of the records held by the body and the categories in which these subjects are classed:

- **Accounting Records**
  - Books of account including journals and ledgers
  - Delivery notes, orders, invoices, statements, receipts, vouchers and bills of exchange.
- **Agreement and Contracts**
  - Agreements with shareholders, officers or directors
  - Distributor, dealer or agency agreements
  - Purchase or lease agreements
- **Environmental Health & Safety**
  - Permits, licenses, approvals and registrations for operations of sites and business
  - Safety management systems, data and audits
  - Leases
- **Information Technology**
  - Agreements
  - Hardware
  - Licenses
  - Software Packages
  - Telephone exchange equipment
  - Telephone lines, leased lines and data lines
- **Movable property**
  - Asset register
- **Other employee records**
  - Code of conduct
  - Employee contracts
  - Maternity leave policy
  - Staff loan schemes
  - Study assistance schemes
- **Sales & Marketing**
  - Broachers, newsletters and advertising materials
  - Customers
  - Markets
  - Services
  - Sales
- **Statutory Close Corporation Information**
  - Accounting records, including supporting schedules to accounting records and ancillary accounting records
  - Annual financial statements and report of the accounting officer

Proof of registration

- **Statutory Employee Records**
  - Attendance register
  - Date of birth of each employee
  - Employees' names and occupations
  - IRP5/IT3 certificates for employees
  - Remuneration paid to each employee.
  - Salary and wages register
  - Staff record (after date of employment ceases)
  - Time worked by each employee
- **Taxation**
  - Copies of all income tax returns
  - Other tax returns and Documents
    - Vat 201s
    - EMP 201s
    - Provisional tax returns

## 8. REQUESTING PROCEDURE

A person who wants access to the records must complete the necessary request form, as set out in Annexure 1, and the completed form must be sent to the address/fax number provided in the manual, and marked for the attention of the Information Officer.

The requester must indicate which form of access is required, and identify the right that is sought to be exercised or protected, and provide an explanation of which the requested record is required for the exercise or protection of that right. Proof of the capacity in which the requester is requesting the information is required.

### 8.1 AVAILABILITY OF THE MANUAL [SECTION 51 (3)]

- This manual has been made available to the Human Rights Commission, in accordance with paragraph 9(1) of the Regulations promulgated in terms of the Act and is published *is on our website: [www.patc.co.za](http://www.patc.co.za)*
- The manual is available for inspection by the general public upon request during office hours and there is no charge for viewing the manual at our offices. Copies of the manual may be made available subject to the prescribed fees.

## 8.2 FEES

A requester who seeks access to a record containing personal information about that requester is not required to pay the request fees. Every other requester, who is not a personal requester, must pay the required 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 [Sec 54(1)]
- The fee that the requester must pay to a private body is R50 .00, this amount will be refunded should the request for access be refused.
- The requester may lodge an application with a court against the tender or the payment of the request fee [Sec 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 and prepare the record for disclosure [Sec 54(6)].
- The head of the private body may withhold a record until the requester has paid the applicable fees.

## 8.3 THE DETAILS OF THE SOUTH AFRICAN HUMAN RIGHTS COMMISSION

Any queries with regard to this manual should be directed to:

**The South African Human Rights Commission:                      PAIA Unit**  
**Research and Documentation Department**

<b>Postal Address:</b>	Private Bag 2700 Houghton 2041
<b>Telephone Address:</b>	+27 11 484-8300
<b>Fax:</b>	+27 11 484-7146
<b>Website:</b>	<a href="http://www.sahrc.org.za">www.sahrc.org.za</a>
<b>E-Mail:</b>	<a href="mailto:PAIA@sahrc.org.za">PAIA@sahrc.org.za</a>