## Promotion of Access to Information manual -for-

### Falcon Agricultural Equipment (Pty) Ltd

# prepared in accordance with the terms of Section 51 of the Promotion of Access to Information Act 2 of 2000

### Section 51 (1)(a) - Contact Information

Name of Business Falcon Agricultural Equipment (Pty) Ltd

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Website www.falconequipment.co.za

### Section 51 (1)(b) - Section 10 Guide on how to use the Act

The Guide will be available from the South African Human Rights Commission by no later than December 2015. Please direct enquiries to:

# The South African Human Rights Commission PAIA Unit

**Research and Documentation Department** 

Postal Address Private Bag X2700

Houghton 2041

**Telephone** +27 11 484 8300

**Fax** +27 11 484 7146

Email PAIA@sahrc.org.za

**Website** http://www.sahrc.org.za/

### Section 51 (1)(d) - Records available in terms of other legislation

- 1. Basic Conditions of Employment No. 75 of1997
- 2. Compensation for Occupational Injuries and Health Diseases Act No.130 of 1993
- 3. Employment Equity Act No. 55 of 1998
- 4. Income Tax Act No. 95 of 1967
- 5. Labour Relations Act No. 66 of 1995
- 6. Occupational Health & Safety Act No. 85 of 1993
- 7. Skills Development Act No. 97 of 1998
- 8. Unemployment Insurance Act No. 63 of 2001
- 9. Value Added Tax Act No. 89 of 1991
- 10. Companies Act No. 71 of 2008
- 11. Electronic Communications and transactions Act No. 25 of 2002
- 12. Promotion of Access to Information Act No. 4 of 2013

# Section 51 (1)(c) and (1)(e) - Access to records held by Falcon Agricultural Equipment (Pty) Ltd

- (i) Records which are available without a person having to request access
- in terms of the Act Section 52 (2)
  - 1. Price lists for services
  - 2. Company Profile
  - 3. Vision, Values, Mission
  - 4. BBBEE Certificate

### (ii) Records which are available to a person who requests access

- 1. Administration: Lease agreements; maintenance contracts; software licenses; insurance policies
- 2. Human Resources: employment contracts and records; remuneration records; Employment Equity plan; Medical Aid records; Pension Fund records; Disciplinary records, MERSETA records,; Disciplinary code; Leave records; Training records
- 3. Financial: Annual Financial Statements; Tax Returns; Accounting Records; Banking Records; Bank Statements; Asset register; Invoices
- 4. Operations: Minutes of meetings; Policies; Rules and procedures
- 5. Companies Act records: Memorandum of Incorporation, Minutes of board of directors meetings, Share register and other statutory registers, Records relating to the appointment of directors/auditor/secretary/public officer and other officers

6. Income Tax Records: PAYE records; Documents issued to employees for income tax purposes; Records of payments made to SARS on behalf of employees, All other statutory compliances (VAT, SDL, UIF, Workmans compensation)

### (iii) Procedure for requesting records

- 1. The requester must use the prescribed form to make the request (Form C)
- 2. The request must be addressed to the head of Falcon Agricultural Equipment (Pty) Ltd
- 3. The request must be made using the postal address or electronic mail address of Falcon Agricultural Equipment (Pty) Ltd
- 4. The requester must properly detail their request on the form so that the head of Falcon Agricultural Equipment (Pty) Ltd can properly identify the record and the requester
- 5. The requester must indicate the form of access that is required
- 6. The requester must also indicate if any other manner is to be used to inform the requester stating the particulars of such manner
- 7. The requester must identify the right that is to be exercised or protected and provide an explanation of why the requested record is required for the exercise or protection of that right
- 8. Where a request is made on behalf of a third party, the requester must submit proof of the capacity in which the requester is making the request to the satisfaction of the head of Falcon Agricultural Equipment (Pty) Ltd

#### Fees

A requester who seeks access to records containing personal information on that requester is not required to pay a fee. All other requests must pay the require request fees.

- 1. The head of Falcon Agricultural Equipment (Pty) Ltd will notify the requester of the requirement to pay the prescribed fee (if any) before further processing the request
- 2. The fee that must be paid to Falcon Agricultural Equipment (Pty) Ltd is ZAR50. The requester may lodge an application to the court against the payment of the required fee
- 3. After the head of Falcon Agricultural Equipment (Pty) Ltd has made a decision on the request, the requester must be notified in the required form
- 4. If the request is granted then a further access fee may be payable for the search, retrieval, reproduction and preparation of the record that has been requested as well as any time in excess of the prescribed hours to do so

### Photocopies, printed pages

The fee for a copy of the manual is ZAR1.10 for every A4-size page or part thereof.

The fee for every photocopy of an A4-size page or part thereof is ZAR1.10.

The fee for every printed copy of an A4-size page or part thereof for any record held on computer, electronically or in machinereadable format is R0.75

# Electronically stored and machine readable formats

The fee for a copy of any electronic record shall be ZAR70 per compact disc required to provide that data.

Visual images and records The fee for the transcription of visual images is ZAR40 per A4-

size page or part thereof.

The fee for the reproduction of any visual images is ZAR60.

**Audio records** The fee for the transcription of audio records is ZAR60 per A4-size

page or part thereof.

The fee for the reproduction of any audio record is ZAR30.

**Retrieval of record**The rate per hour or part thereof to search for and prepare the

record which is request for disclosure is ZAR30.

**Postage** Postage costs for the distribution of the requested record will only

be payable when said record must be posted to the requester.

### Section 51 (3) - Availability of the manual

This manual is available for inspection at Falcon Agricultural Equipment (Pty) Ltd free of charge. Copies are made available with the South African Human Rights Commission, in the Gazette and for download from Falcon Agricultural Equipment (Pty) Ltd website.

Signed this 16 day of November 2015 at Howick

Stephen Thurtell

Information Officer