

Afripower (Proprietary) Limited

Section 51 Manual – Promotion of Access to Information Act

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Introduction to Afripower (Proprietary) Limited

Main business:

The company is primarily engaged in the hydraulic and related markets.

Particulars in Terms of the Section 51 Manual

1. Contact details

The Managing Director has duly authorised the Company Secretary to deal with all matters in connection with requests for information in terms of the Promotion of Access to Information Act, 2 of 2000.

Postal address: PO Box 831
Kempton Park
1620

Street address: 11 Pomona Road
Kempton Park
1621

Telephone: 011 979 4620

Fax: 011 979 4625

E-mail: je@tesuco.co.za

2. The section 10 Guide on how to use the Act

The Guide will be available from the South African Human Rights Commission. Please direct any queries to:

The South African Human Rights Commission:

Postal address: Private Bag 2700
Houghton
2041

Telephone: +27 11 484-8300

Fax: +27 11 484-7146

Website: www.sahrc.org.za

3. The Latest Notice in Terms of Section 52(2)

No Notice has been published on the categories of records that are automatically available without a person having to request access in terms of PAIA.

4. Records available in terms of any other legislation

1. Basic Conditions of Employment No 75 of 1997
2. Companies Act
3. Compensation for Occupational Injuries and Health Diseases Act No 130 of 1993

4. Employment Equity Act No 55 of 1998
5. Income Tax Act No 95 of 1967
6. Labour Relations Act No 66 of 1995
7. Occupational Health & Safety Act No 85 of 1993
8. Skills Development Act No 9 of 1999
9. Unemployment Insurance Act No 63 of 2001
10. Value added Tax Act No 89 of 1991

5. Access to the records held by Afripower (Pty) Ltd

i. Information readily available

Brochures

ii. Records that may be requested.

Incorporation and Constitution:

- Memorandum and Articles of Association
- Documents of Incorporation
- List of directors
- Minute books and resolutions
- Share register
- Statutory registers

Finances:

- Annual financial statements
- Asset register
- Banking details
- Accounting records
- Invoices

Tax Records:

- Tax returns
- PAYE records
- SARS payments
- All other statutory compliances – VAT, SDL, UIF and workmen's compensation

Human Resources:

- Employee code of conduct
- Employment contracts
- Disciplinary records
- Employment equity plan
- Remuneration records
- Training records
- Medical aid records
- Pension Fund records

iii. The request procedures

Form of request:

- The requester must use the prescribed form C to make the request for access to a record. This must be made to the head of the private body. This

request must be made to the address, fax number or electronic mail address of the body concerned.

- The requester must provide sufficient detail on the request form to enable the head of the private body to identify the record requested and the requester. The requester should also indicate which form of access is required. The requester should also indicate if any other manner is to be used to inform the requester and state the necessary particulars to be so informed.
- The requester must identify the right that is sought to be exercised or to be protected and provide an explanation of why the requested record is required for the exercise or protection of that right.
- If a request is made on behalf of another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the head of the private body.

Fees:

A requester who seeks access to a record containing personal information about that requester is not required to pay the request fee. Every other requester, who is not a personal requester, must pay the required request 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.
- The fee that the requester must pay to a private body is R50. The requester may lodge an application to the court against the tender or payment of the request fee.
- 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 to search and prepare the record for disclosure.

6. Other information as may be prescribed

The Minister of Justice and Constitutional Development has not made any regulations in this regard.

7. Availability of the manual

The manual is available at the offices of Hytec Holdings (Pty) Ltd, the SAHRC and on www.hytec.co.za.