



SECTION 51 MANUAL

(PROMOTION OF ACCESS TO INFORMATION, Act 2/2000)
SPAZIO Lighting (Pty) Ltd Registration No: 2001/019077/07



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1 COMPANY DETAILS

1.1 Name

Spazio Lighting (Pty) Ltd

1.2 Registration Number

Registration Number 2001/019077/07

1.3 Domicilium citandi et executandi

Spazio's address as registered at the registrar of companies at any point in time.

1.4 Postal Address

PO Box 652324
Benmore 2010

1.5 Street Address

52 Andries Street
Wynberg, Sandton
GAUTENG

1.6 Tel, Fax, e-mail and Web

+27 (11) 555-5555 Telephone

+27 (11) 555-5544 Fax, Sales

+27 (11) 555-5545 Administration

Francesco@spazio.co.za (Head of Spazio: Francesco M Abbate)

<http://www.spazio.co.za>

2 SECTION 10 GUIDE ON HOW TO USE THE ACT [Section 51(1)(b)]

The Guide will be available from the South African Human Rights Commission on completion, expected to be August 2004.

The Human Rights Commission:

PAIA Unit

The Research and documentation Department

Postal Address: Private bag 2700

Houghton

2041

Telephone: +27 (11) 484-8300

Fax: +27 (11) 484-7146

Website: www.sahrc.org.za

e-mail: PAIA@sahrc.org.za

3 RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION [Section 51(1)(d)]

1. N/A*

2. Arbitration Act No. 42 of 1965

3. Basic Conditions of Employment No. 75 of 1997

4. N/A*

5. Companies Act No. 61 of 1973

6. Compensation for Occupational Injuries and Health Diseases Act No.130 of 1993

7. Consumer Affairs (Unfair Business Practices) Act No. 71 of 1988

8. Copyright Act No. 98 of 1978

9. Credit Agreements Act No. 75 of 1980

10. Currency and Exchanges Act No. 9 of 1933

11. Debtor Collectors Act No. 114 of 1998

12. Employment Equity Act No. 55 of 1998

13. Finance Act No. 35 of 2000

14. N/A*

15. N/A*

16. Harmful Business Practices Act No. 23 of 1999

17. Income Tax Act No. 95 of 1967

18. N/A*
19. Insurance Act No 27 of 1943
20. Intellectual Property Laws Amendments Act No. 38 of 1997
21. Labour Relations Act No. 66 of 1995
22. N/A*
23. Medical Schemes Act No. 131 of 1998
24. Occupational Health & Safety Act No. 85 of 1993
25. N/A*
26. Post Office Act No. 44 of 1958
28. Regional Services Councils Act No. 109 of 1985
29. SA Reserve Bank Act No. 90 of 1989
30. Short Term Insurance Act No. 53 of 1998
31. Skills Development Levies Act No. 9 of 1999
32. Skills Development Act No. 97 of 1998
33. Stamp Duties Act No. 77 of 1968
34. N/A*
35. N/A*
36. Trade Marks Act No. 194 of 1993
37. Unemployment Contributions Act No. 4 of 2002
38. Unemployment Insurance Act No. 63 of 2001
39. Usury Act No 73 of 1968
40. Value Added Tax Act No. 89 of 1991

NOTE: N/A* = Not Applicable to our knowledge, as selected from SAHRC list.

4 ACCESS to RECORDS held by Spazio

4.1 Records available on request, without requesting in terms of the Act

4.1.1 Marketing and product Material

Some marketing and/or product material are available free of charge to SPAZIO registered Distributors only, and to others at a cost. Availability of material to SPAZIO Registered Distributors and cost information in this category will be given free of charge, at the costs ruling at time of request. Examples are the different types of product catalogues, product specifications and SABS certification.

4.2 Records available on request in terms of the Act

4.2.1 Administration: (Administration Office and/or office of Executive Administrator)

- Licenses (categories)
- Minutes of management meetings
- Minutes of staff meetings
- Correspondence

4.2.2 Human Resources:

- Staff recruitment policies (Office of Executive Administrator)
- Employment contracts (Office of Executive Administrator)
- Remuneration records (Financial Department)
- Remuneration policies (Office of Executive Administrator)
- Salaries, wages, Medical Aid and related records: (Financial Department)

4.2.3 Operations:

- Operations records (Operations Department)
- Manufacturing (Operations Department)
- SABS Documentation (Operations Department)
- Goods received and delivered (Operations Department)
- Goods Repaired (Operations Department)

4.2.4 Sales

- Sales records (confirmation orders) - Sales Department)
- Invoices and credit notes (Financial Department)
- Distributor List (Sales Department)
- Catalogues and Price lists (Sales Department)

4.2.5 Finances:

- Financial System Records (Central File Server. The electronic format of most documents is kept on the Financial File Server under supervision of Executive Administrator).
- Annual Financial Statements (Financial Department)
- Statutory Records (VAT, UIF, PAYE, etc. – Financial Department)
- Vouchers, Invoices (Creditors and Debtors) – Financial Department
- Stock records – Financial Department
- Assets inventory – Financial Department

4.2.6 NOTE on FILING (Paper and Electronic)

SPAZIO has a central filing room and documents not used regularly from different departments are transferred to the filing room, and kept for the statutory periods. SPAZIO also uses a Central Server to store electronic copies of office documents. However, some documents are stored on individual PC's.

4.3 Fees for requests

SPAZIO shall charge the fees as stipulated in terms of the act from time to time. The fees on 1-09-2004 in respect of private bodies are:

- The fee for a copy of the manual as contemplated in regulation 9(2)(c) is: R1, 10 for every photocopy of an A4-size page or part thereof.
- The fees for reproduction referred to in regulation 11(1) are as follows:
 - (a) For every photocopy of an A4-size page or part thereof: R1,10
 - (b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form: R0,75
 - (c) For a copy in a computer-readable form on -
 - (i) stifty disc: R7,50
 - (ii) compact disc: R70,00
 - (d) (i) For a transcription of visual images, for an A4-size page or part thereof R40,00
 - (ii) For a copy of visual images R60,00
 - (e) For:
 - (i) a transcription of an audio record, for an A4-size page or part thereof: R20,00
 - (ii) a copy of an audio record: R30,00
- The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2) is: R50,00.
- The access fees payable by a requester referred to in regulation 11(3) are as follows:
 - (1)
 - (a) For every photocopy of an A4-size page or part thereof: R1,10
 - (b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form: R0,75
 - (c) For a copy in a computer-readable form on -
 - (i) stifty disc: R7,50
 - (ii) compact disc: R70,00
 - (d) (i) For a transcription of visual images, for an A4-size page or part thereof: R40,00
 - (ii) For a copy of visual images: R60,00
 - (e)
 - (i) For a transcription of an audio record, for an A4-size page or part thereof: R20,00
 - (ii) For a copy of an audio record: R30,00

(f) To search for and prepare the record for disclosure, R30,00 for each hour or part of an hour reasonably required for such search and preparation.

(2) For purposes of section 54(2) of the Act, the following applies:

- (a) Six hours as the hours to be exceeded before a deposit is payable; and
- (b) one third of the access fee is payable as a deposit by the requester.

(3) The actual postage is payable when a copy of a record must be posted to a requester.

4.3.1 **Form of Request (Request procedures)**

- The requester must use the prescribed form to make the request for access to a record. This must be made to the head of SPAZIO. This request must be made to the address, fax number or electronic mail address of the body concerned [s 53(1)].
- The requester must provide sufficient detail on the request form to enable the head of SPAZIO to identify the record 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 [s 53(2)(a) and (b) and (c)].
- 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 [s 53(2)(d)].
- 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 SPAZIO [s 53(2)(f)].

NOTES:

- 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 SPAZIO will 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 [s 54(1)].
- The fee that the requester must pay to SPAZIO is R50. The requester may lodge an application to the court against the tender or payment of the request fee [s 54(3)(b)].
- After the head of SPAZIO 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 [s 54(6)].

4.3.2 **Form for Request - Refer to Annexure A**

5 OTHER INFORMATION AS MAY BE PRESCRIBED

Currently none is prescribed. Spazio shall list within a reasonable time as and when the Minister makes regulations.

6 AVAILABILITY of the MATERIAL

The manual is available from:

6.1 **SPAZIO office at no cost**

6.2 **The SAHRC**

6.3 www.spazio.co.za

6.4 **The Government Gazette**

(ANNEXURE A)

REQUEST FOR ACCESS TO RECORD OF SPAZIO Lighting (Pty) Ltd
(Section 53(1) of the Promotion of Access to Information Act, 2000
(Act No. 2 of 2000))
[Regulation 10]

PARTICULARS of SPAZIO:

The Head: Mr FM Abbate

Postal Address

Street Address

PO Box 652324
Benmore 2010
GAUTENG

52 Andries Street
Wynberg, Sandton
GAUTENG

Tel, Fax, e-mail and Web

+27 (11) 555-5555 Telephone

+27 (11) 555-5544 Fax, Sales

+27 (11) 555-5545 Administration

Francesco@spazio.co.za (Head of Spazio: Francesco M Abbate)

B. Particulars of person requesting access to the record

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

Full names and surname: _____

Identity number: _____

Postal address: _____

Fax number: _____

Telephone 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 names 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.***

1. Description of record or relevant part of the record:

2. Reference number, if available:

3. Any further particulars of record

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: _____

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 hereunder, 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 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:

<input type="checkbox"/> copy of record*	<input type="checkbox"/> inspection of record
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2. If record consists of visual images

(this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):

<input type="checkbox"/> view the images	<input type="checkbox"/> copy of the images*	<input type="checkbox"/> transcription of the images*
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3. If record consists of recorded words or information which can be reproduced in sound:

<input type="checkbox"/> listen to the soundtrack (audio cassette)	<input type="checkbox"/> transcription of soundtrack* (written or printed document)
--	---

4. If record is held on computer or in an electronic or machine-readable form:

<input type="checkbox"/> printed copy of record*	<input type="checkbox"/> printed copy of information derived from the record*	<input type="checkbox"/> 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:
2. Explain why the record requested is required for the exercise 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 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 / PERSON
ON WHO'S BEHALF REQUEST IS MADE