
Namela Projects (Pty) Ltd

ACCESS OF INFORMATION MANUAL

**In terms of Section 51 of the
Promotion of Access to Information Act**

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PREAMBLE

The Promotion of Access to Information Act was promulgated in March 2001. The Act was put in place in order to actively promote a society in which the people of South Africa have effective access to information, which enables 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.

INTRODUCTION TO NAMELA PROJECTS (PTY) LTD

Business Registration No: 2003/014984/07

Namela Projects is a South African SMME that specialises in passenger and freight transportation planning, policy, operations, economics, marketing and training.

We as a private body have compiled this manual, not only to comply with the provisions of the Act, but also to foster a culture of transparency and accountability in our environment and to ensure that members of the public have effective access to information in our possession which will assist them in the exercise and protection of their rights.

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.

A copy of this manual is also available on our website www.namela.co.za

B. PARTICULARS IN TERMS OF THE SECTION 51 MANUAL

1. CONTACT DETAILS [SECTION 51(1)(A)]

Information Officer:

Pauline Forshaw

Postal Address:

*PO Box 73267
Lynnwood Glen
0040*

Street Address:

*Propark Building 1
29 De Havilland Crescent
Persequor Technopark
0020*

Telephone Number: (012) 3491887

Fax Number: (012) 3491515

E-mail Address: *pauline@namela.co.za*

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

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

*The South African 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)]

Not Applicable

4. ACCESS TO THE RECORDS HELD BY THE PRIVATE BODY IN QUESTION [SECTIONS 51(1)(C) AND 51(1)(E)]

i. Automatic availability of certain records held by Namela Projects (Pty) Ltd *[Section 51(1)(c)]*

The Minister of Justice is entitled to publish a list of records submitted by Namela Projects (Pty) Ltd to which the public may have access without formally applying for access to such records.

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

- *Pamphlets / Brochures*

ii. 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*

AGREEMENTS AND CONTRACTS

- *Agreements with customers*
- *Agreements with shareholders, officers or directors*
- *Joint venture agreements, partnership agreements, participation, franchise, co-marketing, co promotion or other alliance agreements*
- *Purchase or lease agreements*

FIXED PROPERTY

- *Leases*

INFORMATION TECHNOLOGY

- *Hardware*
- *Operating Systems*
- *Software Packages*
- *Telephone Lines, Leased Lines and Data Lines*

INSURANCE

- *Claim records*
- *Details of insurance coverages, limits and insurers*
- *Insurance policies*

INTELLECTUAL PROPERTY

- *Agreements relating to intellectual property such as licence agreements, secrecy agreements, research and development agreements, consulting agreements, use agreements, joint venture agreements and joint development agreements*

MOVABLE PROPERTY

- *Asset register*
- *Finance and Lease Agreements*

SALES AND MARKETING

- *Brochures, Newsletters and Advertising Materials*
- *Customers*
- *Sales*

STATUTORY COMPANY INFORMATION

- *A Branch Register*
- *A Register of Allotments – after a person ceased to be a member*
- *Annual Financial Statements: Annual accounts*
- *Annual Financial Statements: Auditor's report*
- *Annual Financial Statements: Directors' reports*
- *Books of Account regarding information required by the Companies Act, 1973*
- *Certificate of Change of Name (if any)*
- *Certificate of Incorporation*
- *Certificate to Commence Business*
- *Directors' Attendance Register*
- *Index of Members*
- *Memorandum and Articles of Association*
- *Minute Book, CM25 and CM26, as well as Resolutions passed at general/class meetings*
- *Proxy Forms*

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- *Proxy Forms used at Court convened meetings*
 - *Register of Directors and Certain Officers*
 - *Register of Directors' shareholdings*
 - *Register of Members*
 - *Register of Mortgages and Debentures and Fixed Assets*
 - *Supporting schedules to books of account and ancillary books of account*

TAXATION

- *Copies of all Income Tax Returns and other tax returns and documents;*

iii. The Request Procedure

Form of request:

- *The requester must use the prescribed form 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 [s 53(1)].*
- *The requester must provide sufficient detail on the request form to enable the head of the private body 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 the private body [s 53(2)(f)].*

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 [s 54(1)].*
- *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 [s 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 to search and prepare the record for disclosure [s 54(6)].*

5. 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 on the website of Namela Projects (Pty) Ltd (www.namela.co.za)