

EVN AFRICA CONSULTING SERVICES (PTY) LTD

(Registration number: 2002/029286/07)

*Manual in terms of section 51 of the
Promotion of Access to Information Act, 2 of 2000*



**EVN AFRICA
Consulting Services (Pty) Ltd**

PROMOTION OF ACCESS TO INFORMATION ACT, 2 OF 2000 (THE ACT)..... 3

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PROMOTION OF ACCESS TO INFORMATION ACT, 2 OF 2000

(THE ACT)

SECTION 51 MANUAL OF EVN AFRICA CONSULTING SERVICES (PTY) LTD (REGISTRATION NUMBER: 2002/029286/07)

1. CONTACT PARTICULARS

Head of business:	S.G. Pienaar	Information officer:	M. Naumann
Postal address:	P.O. Box 236 Polokwane 0700	Physical address:	30 Schoeman Street Polokwane 0700
Telephone number:	(015) 291 2020	Fax number:	(015) 295 8599
E-mail address:	pbg@evn.co.za / mn@evn.co.za		
Website:	www.evn.co.za		

2. INTRODUCTION

EVN Africa Consulting Services (Pty) Ltd provides consulting engineering services in the civil, structural and agricultural fields throughout Southern Africa.

3. GUIDE IN TERMS OF SECTION 10 OF THE ACT

Any person who wishes to exercise any right contemplated in The Act may obtain a copy of the information guide issued by the Human Rights Commission in all official languages, from the Human Rights Commission, contact number (011) 887-3600 or www.sahrc.co.za.

4. FACILITATION OF A REQUEST FOR ACCESS TO INFORMATION

Information which is not readily available as indicated in this manual, may be requested in accordance with the procedure prescribed in terms of The Act. Copies of the prescribed forms to be completed for submitting a request, are available from **EVN Africa Consulting Services (Pty) Ltd**.

5. INFORMATION AVAILABLE IN TERMS OF OTHER LEGISLATION

Information is available in terms of certain provisions of the following legislation:

- 5.1 BASIC CONDITIONS OF EMPLOYMENT ACT 75 OF 1997
- 5.2 BBBEE ACT 53 OF 2003
- 5.3 COMPANIES ACT 61 OF 1973
- 5.4 COMPANIES ACT 71 OF 2008
- 5.5 COMPENSATION FOR OCCUPATIONAL INJURIES AND HEALTH DISEASES ACT 130 OF 1993
- 5.6 CONSUMER PROTECTION ACT 68 OF 2008
- 5.7 EMPLOYMENT EQUITY ACT 55 OF 1998
- 5.8 INCOME TAX ACT 58 OF 1962
- 5.9 LABOUR RELATIONS ACT 66 OF 1995
- 5.10 OCCUPATIONAL HEALTH AND SAFETY ACT 85 OF 1993
- 5.11 PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000
- 5.12 SECURITIES TRANSFER TAX ACT 25 OF 2007
- 5.13 SKILLS DEVELOPMENT LEVIES ACT 9 OF 1999
- 5.14 UNEMPLOYMENT CONTRIBUTIONS ACT 4 OF 2002
- 5.15 UNEMPLOYMENT INSURANCE ACT 63 OF 2001
- 5.16 VALUE ADDED TAX ACT 89 OF 1991
- 5.17 ENGINEERING PROFESSION ACT No 46 OF 2000

6. INFORMATION AUTOMATICALLY AVAILABLE

The following categories of records are automatically available for inspection, purchase or photocopying:

- 6.1 MARKETING AND PROMOTIONAL MATERIAL
- 6.2 BBBEE CERTIFICATE

7. INFORMATION AVAILABLE IN TERMS OF THE ACT

The subjects on which the business holds records and the categories on each subject are as listed below. Please note that a requestor is not automatically allowed access to these records and that access to them may or must be refused in accordance with section 62 to 69 of The Act.

7.1 ACCOUNTING RECORDS

- Annual financial statements
- Accounting records including ledgers and journals
- Bank statements, cheque books, cheques, EFT's etc.
- Customer and supplier statements and invoices
- Cash books and petty cash books
- Fixed asset register
- VAT returns
- Lease or instalment sale agreements
- Budgets
- Insurance record
- Record of property held

7.2 FIXED PROPERTY

- Leases
- Mortgage bonds or other encumbrances
- Title deeds

7.3 INFORMATION TECHNOLOGY

- Client database
- Hardware
- Internet
- Software Licenses & agreements
- Systems support, programming and development
- Software packages
- Telephone lines, leased lines and data lines

7.4 INSURANCE

- Claim records
- Details of coverage, limits and insurers
- Insurance policies

7.5 INTELLECTUAL PROPERTY

- Agreements relating to intellectual property, e.g. license agreements, secrecy agreements, research and development agreements, use agreements, joint venture agreements and joint development agreements.
- Copyrights
- Litigation and other disputes involving intellectual property
- Patents, patent applications and inventions
- Designs, trademarks, trade names and protected names
- Insert other intellectual property records here.

7.6 LEGAL, AGREEMENTS AND CONTRACTS

- Acquisition or disposal documentation
- Agreements with contractors, suppliers and clients
- Tender documents and agreements with customers
- Contracts, including lease agreements and finance agreements

7.7 PERSONNEL RECORDS

- Any personal records provided to us by our personnel
- Conditions of employment and other personnel related contractual and quasi-legal records
- Employment policies and procedures
- Training policies and procedures
- Internal evaluation and disciplinary records
- Other internal records and correspondence
- Payroll records (Payslips, IRP5 and IT3 certificates etc)
- Employee Code of Conduct

7.8 SALES AND MARKETING

- Brochures and marketing material

7.9 STATUTORY COMPANY RECORDS

- Annual Statutory Returns
- All Statutory Company Documents
- Notice and minutes of Shareholders' and directors' meetings
- Register of company secretary and auditors
- Registration Certificates
- Shareholders' register

7.10 TAX

- Provisional tax returns
- Tax assessments
- Records relating to taxable gain or assessed capital loss
- VAT documents
- Records of importation/exportation of goods and documents
- Documentary proof substantiating the zero rating of supplies
- EMP201 & EMP501 records

8. GENERAL

None.

9. REQUESTING PROCEDURES

A person who wants access to the records must complete the necessary request form, that is available at the offices of **EVN Africa Consulting Services (Pty) Ltd**, or can be accessed on www.sahrc.org.za. The completed request form must be sent to the address or fax number provided in this manual, and marked for the attention of the Information Officer.

10. AVAILABILITY OF THE MANUAL

Copies of this manual are available for inspection, free of charge, at the offices of **EVN Africa Consulting Services (Pty) Ltd**, from the South African Human Rights Commission and at www.evn.co.za.

11. SIGNATORY

According to Section 51 of the Promotion of Access to Information Act, 2 of 2000 – This manual should be duly signed by the Information officer.

Information officer

Signature of Information officer

Date

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY

(Section 53(1) of the Promotion of Access to Information Act, 2000

(Act No. 2 of 2000))

[Regulation 10]

A. Particulars of private body

Name: EVN Africa Consulting Services (Pty) Ltd

The Head: _____

Information Officer: _____

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:
<p><i>Mark the appropriate box with an X.</i></p> <p>NOTES:</p> <p>(a) <i>Compliance with your request in the specified form may depend on the form in which the record is available.</i></p> <p>(b) <i>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.</i></p> <p>(c) <i>The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.</i></p>	

1. If the record is in written or printed form:					
	copy of record*		inspection of record		
2. If record consists of visual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):					
	view the images		copy of the images* transcription of the images*		
3. If record consists of recorded words or information which can be reproduced in sound:					
	listen to the soundtrack (audio cassette)		transcription of soundtrack* (written or printed document)		
4. If record is held on computer or in an electronic or machine-readable form:					
	printed copy of record*		printed copy of information derived from the record* 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.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;">YES</td> <td style="width: 50%; text-align: center;">NO</td> </tr> </table>	YES	NO
YES	NO				

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 WHOSE BEHALF REQUEST IS MADE

FEES IN RESPECT OF PRIVATE BODIES

1. 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.

2. The fees for reproduction referred to in regulation 11(1) are as follows:

	R
(a) For every photocopy of an A4-size page or part thereof	1,10
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,75
(c) For a copy in a computer-readable form on -	
(i) stiffy disc	7,50
(ii) compact disc	70,00
(d) (i) For a transcription of visual images, for an A4-size page or part thereof	40,00
(ii) For a copy of visual images	60,00
(e) (i) For a transcription of an audio record, for an A4-size page or part thereof	20,00
(ii) For a copy of an audio record	30,00

3. The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2) is R50,00.

4. The access fees payable by a requester referred to in regulation 11(3) are as follows:

	R
(1)(a) For every photocopy of an A4-size page or part thereof	1,10
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,75
(c) For a copy in a computer-readable form on -	
(i) stiffy disc	7,50
(ii) compact disc	70,00
(d) (i) For a transcription of visual images, for an A4-size page or part thereof	40,00
(ii) For a copy of visual images	60,00
(e) (i) For a transcription of an audio record for an A4-size page or part thereof	20,00
(ii) For a copy of an audio record	30,00

- (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.