

**SECTION 51 MANUAL PREPARED IN ACCORDANCE
WITH SECTION 51 OF THE PROMOTION OF ACCESS TO
INFORMATION ACT NO. 2 OF 2000 FOR:**

CONSOLOGY (PROPRIETARY) LIMITED

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B.

1 **Contact details –**

CONSOLOGY (PROPRIETARY) LIMITED ("the Company")
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Registration number:	2000/012894/07
Postal address:	PO Box 413860, Craighall, 2024
Business address:	The Campus, 57 Sloane Street, Bryanston, 2021
Telephone number:	011-575-0580
Fax number:	011-576-0580
Electronic mail address:	Kevin@consology.com
Contact person:	Kevin Meltzer

Main Object

Consology builds better business and better customer relationships by enabling Customer Self-Service (CSS) and e-billing solutions that connect business to returns and customers to service. Consology has pioneered the CSS market locally, implementing the largest scale local CSS solutions that benchmark new standards for online self-service in South Africa

1.1 **List of wholly owned trading subsidiaries (if applicable)**

N/A

2 **The 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 by not later than August 2003. 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 11 484-0582
Website: www.sahrc.org.za
e-mail: paia@sahrc.org.za*

3 **Records available in terms of any other legislation [Section 51(1)(b)]**

Records are kept in accordance with such other legislation as is applicable to the Company and its wholly owned subsidiaries which includes but is not limited to the following legislation:

- Income Tax Act 58 of 1962
- Unemployed Insurance Act 30 of 1966
- Value-added Tax Act 89 of 1991
- Compensation for Occupational Injuries and Diseases Act 130 of 1993
- Labour Relations Act 66 of 1995
- Basic Conditions of Employment Act 75 of 1997
- Employment Equity Act 55 of 1998
- Skills Development Levies Act 9 of 1999
- Occupational Health and Safety Act 85 of 1993
- Companies Act 61 of 1973
- Regional Service Council Act 109 of 1985
- Trade Marks Act 194 of 1993

4 **Access to the records held by the private body in question [Sections 51(1)(c) and 51(1)(e)]**

4.1 **The following records are available without a person having to request access in terms of the Act:**

www.consology.com

4.2 **Records that may be requested. However, please note that recording a category or subject matter in this Manual does not imply that a request for access to such records would be honoured. All requests will be evaluated in accordance with the provisions of the Act.**

Grounds for refusal of access to records:

It should be noted that in terms of the Promotion of Access to Information Act, there are certain grounds upon which a private body may refuse to grant a requester access to its records as certain categories of information may be subject to protection in the interests of privacy. Such records which may be protected, would include but would not be limited to:

- Records which contain private information of a third party who is a natural person;
- Records which contain commercial information of a third party;
- Records which contain confidential information of a third party, the disclosure of which could reasonably be expected to put that third party at a disadvantage in contractual or other negotiations or to prejudice that third party in commercial competition;
- Records which contain information that if disclosed could endanger the safety of an individual or if such information could impair a party's protection of their property;
- Records which contain commercial information relating to the private body in question which would include information regarding trade secrets, financial, commercial or technical information, the disclosure of which would cause harm to the commercial or financial interests of the body;
- Records which contain information relating to the research information of a third party or of the private body in question.

4.2.1 Records regarding the following subjects are held:

- Company Secretarial -
 - Memorandum and Articles of Association of the company or close corporation

and its wholly owned subsidiary companies

- General Statutory Documentation
- Records in respect of Trade Marks
- Share Registers
- Minutes and Resolutions

- Occupational Health and Safety -
 - A copy of the Act
 - Certificate of Compliance
 - First Aid Certificate

- Customer related records

- Personnel/Human Resources
 - Staff records
 - Employment Contracts
 - Internal Policies and Procedures
 - Health & Safety Records
 - Payroll
 - Employment Equity Policy

- Legal
 - Various Contracts & Agreements

- Financial records
 - Financial Statements
 - Financial and Tax Records
 - Asset Register
 - Management Accounts
 - VAT records
 - RSC records
 - SDL records

- Public relations Division

- Media releases

4.3 **The request procedures**

4.3.1 **Form of request:**

4.3.1.1 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 Company. This request must be made to the address, fax number or electronic mail address of the Company.

4.3.1.2 The requester must provide sufficient detail on the request form to enable the head of the Company to identify the record and the requester. The requester should also indicate which form of access is required. The requester should also indicate if, in addition to a written reply, any other manner is to be used to inform the requester and state the necessary particulars to be so informed.

4.3.1.3 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.

4.3.1.4 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 Company.

4.3.2 **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:

4.3.2.1 the head of the private body must by notice require the requester

(other than a personal requester) to pay the prescribed fees (if any) before further processing the request (section 54(1));

4.3.2.2 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 (section 54(3)(b));

4.3.2.3 after the head of the private body has made a decision on the request, the requester must be notified in the required form;

4.3.2.4 if the request is granted then a further access fee must be paid for reproduction and for search and preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure (section 54(6)).

5 **Other information as may be prescribed /Section 51(1)(f)/**

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

6 **Availability of the manual /Section 51(3)/**

This manual is available for inspection by the general public upon request, during office hours and free of charge, at the offices of the Company. Copies may also be requested from the South African Human Rights Commission and the Government Gazette.

7 **Prescribed forms and fee structure in respect of private bodies**

The forms and fee structure prescribed under the Act are available at the website of the Department of Justice and Constitutional Development (www.doj.gov.za) under the “regulations” section.

7.1 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.

7.2 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

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

7.4 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.

8 **Prescribed forms**

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

The Head:

B. Particulars of person requesting access to the record

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

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

<p><i>This section must be completed ONLY if a request for information is made on behalf of another person.</i></p>

Full names and surname:
Identity number:

D. Particulars of record

- | |
|---|
| <p>(a) <i>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.</i></p> <p>(b) <i>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.</i></p> |
|---|

- 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:
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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:			
	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?			YES
*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you?			NO
Postage is payable.			

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 _____