



**MANUAL PREPARED IN  
TERMS OF SECTION 51  
OF THE PROMOTION OF  
ACCESS TO  
INFORMATION ACT 2000  
(ACT 2 OF 2000)**



**MANUAL PREPARED IN TERMS OF SECTION 51 OF THE  
PROMOTION OF ACCESS TO INFORMATION ACT 2000  
(ACT 2 OF 2000)**

**A. CONTENTS**

**INTRODUCTION**

**1. CONTACT DETAILS**

*[Section 51(1)(a)]*

**2. THE SECTION 10 GUIDE ON HOW TO USE THE ACT**

*[Section 51(1)(b)]*

**3. RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION**

*[Section 51(1)(d)]*

**4. ACCESS TO THE RECORDS HELD BY LA CRUSHERS (PTY) LTD**

*[Sections 51(1)(c) and 51(1)(e)]*

- i. THE LATEST NOTICE REGARDING THE CATEGORIES OF RECORDS OF THE BODY, WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS IN TERMS OF THIS ACT IN TERMS OF SECTION 52(2) *[section 51(1)(c)]***
- ii. RECORDS THAT MAY BE REQUESTED *[section 51(1)(e)]***

**5. THE REQUEST PROCEDURES**

**6. OTHER INFORMATION AS MAY BE PRESCRIBED**

*[Section 51(1)(f)]*

**7. AVAILABILITY OF THE MANUAL**

*[Section 51(3)]*

**8. FEES IN RESPECT OF PRIVATE BODIES**

**9. PRESCRIBED FORMS**



## **INTRODUCTION**

This manual is based on the model issued by the South African Human Rights Commission (“SAHRC”).

LA Crushers (Pty) Ltd provides services in the fields of mining load & haul, materials handling, civils and earthworks, rehabilitation, crushing and screening, and supply of ready-mix concrete.

## **PARTICULARS IN TERMS OF THE SECTION 51 MANUAL**

### **1. CONTACT DETAILS**

*[Section 51(1)(a)]*

- |   |  |
|---|--|
| 1.1. Name of private body:                    | LA Crushers (Pty) Ltd  |
| 1.2. Head of private body:                    | Mr N. Mathebula (Board Chairman)                                       |
| 1.3. Postal address of private body:          | P.O. Box 759, Phalaborwa, 1390   |
| 1.4. Street address of private body:          | No. 3 Leyd Street (corner of Leyd and Nyala Streets), Phalaborwa, 1389 |
| 1.5. Telephone number of private body:        | (015) 781 6000 / 0879  |
| 1.6. Fax number of private body:              | (015) 781 6032 / 086 587 4656  |
| 1.7. Person designated to deal with requests: | Public Relations Officer   |
| 1.8. E-mail of designated person:             | info@lacrushers.co.za  |

### **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. 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](http://www.sahrc.org.za)  
E-mail: [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)



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

The following records are available in accordance with the following legislation:

- i. Basic Conditions of Employment No. 75 of 1997
- ii. Compensation for Occupational Injuries and Health Diseases Act No.130 of 1993
- iii. Employment Equity Act No. 55 of 1998
- iv. Environment Conservation Act No.73 of 1989
- v. Income Tax Act No. 95 of 1967
- vi. Labour Relations Act No. 66 of 1995
- vii. National Environmental Management Act No.107 of 1998
- viii. National Water Act No.36 of 1998
- ix. Occupational Health & Safety Act No. 85 of 1993
- x. Pension Funds Act No. 24 of 1956
- xi. Preferential Procurement Policy Framework No.5 of 2000
- xii. Promotion of Access to Information Act No.2 of 2000
- xiii. Promotion of Equity and Prevention of Unfair Discrimination Act No.4 of 2000
- xiv. Protected Disclosures Act No.26 of 2000
- xv. Skills Development Levies Act No. 9 of 1999
- xvi. Skills Development Act No. 97 of 1998
- xvii. Tobacco Products Control Act No.83 of 1993
- xviii. Unemployment Contributions Act No. 4 of 2002
- xix. Unemployment Insurance Act No. 63 of 2001
- xx. Value Added Tax Act No. 89 of 1991.

### **4. ACCESS TO THE RECORDS HELD BY LA CRUSHERS (PTY) LTD** *[Sections 51(1)(c) and 51(1)(e)]*

4.1 The latest notice regarding the categories of records of the body, which are available without a person having to request access in terms of this Act in terms of section 52(2) [Section 51(1)(c)]: None

4.2 The subjects on which LA Crushers (Pty) Ltd holds records and the categories in terms of Section 51(1)(e) are as listed below. Please note that a requestor is not automatically allowed access to these records and that access to them may be refused in accordance with Sections 62 to 69 of the Act:

#### **4.2.1 Administration Information:**

4.2.1.1 Administration policies and procedures

4.2.1.2 Minute books



- 4.2.1.3 Information technology systems and user manuals
- 4.2.1.4 Asset register
- 4.2.1.5 Provident fund information
- 4.2.1.6 Address lists and internal telephone lists
- 4.2.2 Property Records, Certificates and Licences:
  - 4.2.2.1 Title deeds
  - 4.2.2.2 Software licences
  - 4.2.2.3 Permits
  - 4.2.2.4 Lease agreements
- 4.2.3 Human Resources:
  - 4.2.3.1 Employee records and information
  - 4.2.3.2 Recruitment records
  - 4.2.3.3 Training records and materials
  - 4.2.3.4 Employment equity records and reports
  - 4.2.3.5 Disciplinary records
  - 4.2.3.6 Payroll records
  - 4.2.3.7 UIF returns
  - 4.2.3.8 Leave, sick leave, maternity and special leave records
  - 4.2.3.9 Medical aid records
  - 4.2.3.10 CCMA records
- 4.2.4 Financial Records:
  - 4.2.4.1 VAT returns
  - 4.2.4.2 PAYE returns
  - 4.2.4.3 Income tax returns
  - 4.2.4.4 Annual Reports
  - 4.2.4.5 Annual audited financial statements
  - 4.2.4.6 Share certificates
  - 4.2.4.7 Insurance policies
  - 4.2.4.8 Tax files and related records
  - 4.2.4.9 Accounting records
  - 4.2.4.10 Debtors information
  - 4.2.4.11 Creditors information
- 4.2.5 Marketing Material:
  - 4.2.5.1 Newsletters
  - 4.2.5.2 Internet
- 4.2.6 Contracts
  - 4.2.6.1 Trust Deeds
  - 4.2.6.2 Letters of Authority



- 4.2.6.3 Agency Agreements
- 4.2.6.4 Service Contracts
- 4.2.7 Customer Related Records:
  - 4.2.7.1 Customer Details
  - 4.2.7.2 Credit Application Information
  - 4.2.7.3 Information and records provided by a third party
- 4.2.8 General information about LA Crushers (Pty) Ltd may be accessed via the internet at [www.lacrushers.co.za](http://www.lacrushers.co.za); which is available to all persons who have access to the internet.

## 5. THE REQUEST PROCEDURES

### 5.1 Form of request:

- 5.1.1 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 private body. This request must be made to the address, fax number or electronic mail address of the body concerned [s 53(1)].
  - 5.1.2 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.
  - 5.1.3 The requester should indicate which form of access is required.
  - 5.1.4 The requester should 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)].
  - 5.1.5 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)].
  - 5.1.6 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)].
- 5.2 A requester who seeks access to a record containing personal information about that requester is not required to pay the request fee.
  - 5.3 Every other requester, who is not a personal requester, must pay the required request fee:



- 5.4 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)].
- 5.5 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)].
- 5.6 After the head of the private body has made a decision on the request, the requester must be notified in the required form.
- 5.7 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)].

## **6. OTHER INFORMATION AS MAY BE PRESCRIBED [Section 51(1)(f)]**

As at the date of this manual, the Minister of Justice and Constitutional Development has not made any regulations in this regard.

## **7. AVAILABILITY OF THE MANUAL [Section 51(3)]**

This manual is available:

- From the SAHRC
- On LA Crushers' website – [www.lacrushers.co.za](http://www.lacrushers.co.za)
- For inspection at the offices of LA Crushers (Pty) Ltd, without charge.

## **8. FEES IN RESPECT OF PRIVATE BODIES**

8.1 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.

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

	<b>R</b>
(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) stiffer 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



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

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

	<u>R</u>
<b>(1)</b>	
(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, <b>R30,00 for each hour</b> or part of an hour reasonably required for such search and preparation.	
<b>(2)</b> 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.	
<b>(3)</b> The actual postage is payable when a copy of a record must be posted to a requester.	

---

LA SMITH  
MANAGING DIRECTOR

ORIGINAL DOCUMENT: JUNE 2006  
REVISION 1: DECEMBER 2011





**9. 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**

- (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 you, 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 below 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  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