

## SECTION 51 MANUAL

in terms of

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

incorporating additional requirements of

THE PROTECTION OF PERSONAL INFORMATION ACT, (NO 4 OF 2013)

for

ELNATAN IT SOLUTIONS (PTY) LTD

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## 1. INFORMATION REQUIRED UNDER SECTION 51(1)(a) OF THE ACT

- 1.1 Postal Address of head of Elnatan IT Solutions (Pty) Ltd:  
Postnet Suite # 0009  
Private Bag X025  
Lynnwood Ridge  
0040
- 1.2 Physical Address of head of Elnatan IT Solutions (Pty) Ltd:  
34 Bouvardia ave  
Lynnwood Ridge  
Pretoria  
0040
- 1.3 Tel. No of head of Elnatan IT Solutions (Pty) Ltd:  
0861447777
- 1.4 Fax. No of head of Elnatan IT Solutions (Pty) Ltd:  
0866807777
- 1.5 Email address of head of Elnatan IT Solutions (Pty) Ltd:  
accounts@elnatanit.co.za

## 2. DESCRIPTION OF GUIDE REFERRED TO IN SECTION 10: SECTION 51(1)(b)

A guide has been compiled in terms of Section 10 of PAIA by the South African Human Rights Commission (SAHRC). It contains information required by a person wishing to exercise any right, contemplated by PAIA. It is available in all of the official languages.

This Guide is available for inspection, inter alia, at the office of the offices of the Human Rights Commission at 29 Princess of Wales Terrace, corner York and St. Andrews Street, Parktown, Johannesburg, Gauteng and at [www.sahrc.org.za](http://www.sahrc.org.za)

For further information please contact the SAHRC:

E-mail: [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)

Postal address: Private Bag 2700, Houghton, 2041

Telephone: +27 11 484 8300

Fax: +27 11 484 0582

## 3. ACTS AND OTHER LEGISLATION HELD AT PHYSICAL ADDRESS BY Elnatan IT Solutions (Pty) Ltd

- a) Basic Conditions of Employment 75 of 1997
- b) Income Tax Act 95 of 1967
- c) Labour Relations Act 66 of 1995
- d) Long Term Insurance Act 52 of 1998
- e) Medical Schemes Act 131 of 1998
- f) Short Term Insurance Act 53 of 1998
- g) Skills Development Levies Act 9 of 1999
- h) Value Added Tax Act 89 of 1991

## 4. SUBJECTS AND CATEGORIES OF RECORDS HELD AT PHYSICAL ADDRESS BY Elnatan IT Solutions (Pty) Ltd

General information about Elnatan IT Solutions (pty) Ltd can be accessed via the internet on [www.elnatan.com](http://www.elnatan.com), which is available to all persons who have access to the internet.

The subjects on which the private body holds records and the categories on each subject in terms of Section 51(1)(e) are as listed below. Please note that a requester 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:

### 4.1 COMPANIES ACT RECORDS

- a) Documents of incorporation
- b) Memorandum and Articles of Association
- c) Minutes of Board of Directors meetings
- d) Records relating to the appointment of directors/ auditor/ secretary/ public officer and other officers
- e) Share Register and other statutory registers

### 4.2 FINANCIAL RECORDS

- a) Annual Financial Statements
- b) Tax Returns
- c) Accounting Records
- d) Banking Records
- e) Bank Statements
- f) Paid Cheques
- g) Electronic banking records
- h) Asset Register
- i) Rental Agreements
- j) Invoices

### 4.3 INCOME TAX RECORDS

- a) PAYE Records
- b) Documents issued to employees for income tax purposes
- c) Records of payments made to SARS on behalf of employees
- d) All other statutory compliances:
  - a. VAT
  - b. Regional Services Levies
  - c. Skills Development Levies
  - d. UIF
  - e. Workmen's Compensation

### 4.4 PERSONNEL DOCUMENTS AND RECORDS

- a) Employment contracts
- b) Medical Aid information
- c) Disciplinary records
- d) Salary records
- e) SETA records
- f) Disciplinary code

- g) Leave records
- h) Training records
- i) Training Manuals
- j) Performance appraisals
- k) Personnel Guidelines, Policies and Procedures
- l) Remuneration Records and Policies

#### 4.5 SALES DEPARTMENT

- a) Customer details
- b) Information and records provided by a third party
- c) Contracts
- d) Information relating to Work-In-Progress
- e) Sales Records
- f) Suppliers Registry
- g) Purchase and Order Information
- h) Stock Records

#### 4.6 MARKETING DEPARTMENT

- a) Advertising and promotional material

#### 4.7 SAFETY, HEALTH AND ENVIRONMENT

- a) Complete Safety, Health and Environment Risk Assessment
- b) Environmental Managements Plans
- c) Inquiries, inspections, examinations by environmental authorities

#### 4.8 IT DEPARTMENT

- a) Information technology systems and user manuals

## **5 SUBJECTS AND CATEGORIES OF PERSONAL RECORDS HELD AT PHYSICAL ADDRESS BY Elnatan IT Solutions (Pty) Ltd**

The subjects on which the private body holds records and the categories on each subject in terms of Section 51(1)(e) are as listed below. Please note that a requester 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:

- a) FICA Docs
- b) Identity Numbers
- c) Dates of birth
- d) Telephone numbers
- e) eMails
- f) Addresses
- g) Banking details
- h) Bank account numbers
- i) Registration numbers
- j) BEE Certificates
- k) Contractual agreements
- l) Invoices

## 6 CUSTOMER PERSONEL INFORMATION SHARED BY Elnatan IT Solutions (Pty) Ltd

None

## 7 EMPLOYEE INFORMATION RECEIVED BY Elnatan IT Solutions (Pty) Ltd

The subjects on which the private body holds records and the categories on each subject in terms of Section 51(1)(e) are as listed below. Please note that a requester 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:

- a) Name & Surnames
- b) Dates of Birth
- c) Telephone numbers
- d) Email addresses
- e) Physical addresses
- f) ID numbers
- g) Driver's licenses
- h) Tax numbers
- i) Next of kin details
- j) Banking Details
- k) Background records, including criminal and credit records
- l) Medical aid funds
- m) Emergency contact details

## 8 IT PRACTISES BY Elnatan IT Solutions (Pty) Ltd

- a) Physical security, (PC's locked to fixture/locked computer room)
- b) Network security controls
- c) Password controls
- d) Virus & Malware protection
- e) Software updates
- f) Disaster recovery & back-up policy

## 9 COUNTRIES OF OPERATION

South Africa

## 10 DETAIL ON HOW TO MAKE A REQUEST FOR ACCESS - SECTION 51(e)

The requester must complete Form B and submit this form together with a request fee, to the head of the private body. The form must be submitted to the head of the private body at his/her address, fax number or email address.

The form must:

- a) provide sufficient particulars to enable the head of the private body to identify the record/s requested and to identify the requester
- b) indicate which form of access is required
- c) specify a postal address or fax number of the request in the Republic

- d) identify the right that the requester is seeking to exercise or protect
- e) provide an explanation of why the requested record is required for the exercise or protection of that right
- f) in addition to a written reply, the requester wishes to be informed of the decision on the request in any other manner, to state that the manner and the necessary particulars to be informed in the other manner, if the request is made on behalf of another person, to submit proof of capacity in which the requester is making the request, to the reasonable satisfaction of the head of the private body.

Grounds for refusing a request

Elnatan IT Solutions (PTY) Ltd has the right to reject any request for information submitted in terms of Sections 62 to 70 of Chapter 4 of the PAIA Act.

## 11 AVAILABILITY OF THE MANUAL

This manual is available for inspection at the office of Elnatan Technologies (Pty) Ltd free of charge; from the SAHRC.

## 12 FEES IN RESPECT OF PRIVATE BODIES

The following is a breakdown of the fees structure for the purposes of determining the manner in which fees relating to a request for access to a record of a private body are to be calculated:

Part III of Regulation 187 published in the Government Gazette on the 15 February 2002:

- a) 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.
- b) The fees for reproduction referred to in regulation 11(1) are as follows:
  - a. (a) For every photocopy of an A4-size page or part thereof R1,10
  - b. (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. (c) For a copy in a computer-readable form on - (i) stiffy disc R 7, 50; (ii) compact disc R 70,00
  - d. (d) (i) For a transcription of visual images, for an A4-size page or part thereof R 40,00, (ii) For a copy of visual images R 60,00
  - e. (e) (i) For a transcription of an audio record, for an A4-size page or part thereof R 20,00; (ii) For a copy of an audio record R 30,00
- c) The request fee payable by a requester, other than a personal requester, referred to in Regulation 11(2) is R50,00.
- d) The access fees payable by a requester referred to in Regulation 11(3) are as follows:
  - a. For every photocopy of an A4-size page or part thereof R 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 R 0,75;
  - c. For a copy in a computer-readable form on - (i) stiffy disc R 7,50; (ii) compact disc R 70,00
  - d. For a transcription of visual images, for an A4-size page or part thereof R 40,00; (ii) For a copy of visual images R 60,00
  - e. For a transcription of an audio record, for an A4-size page or part thereof R 20,00; (ii) For a copy of an audio record R 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.
  - g. For purposes of section 54(2) of the Act, the following applies:

- h. Six hours as the hours to be exceeded before a deposit is payable; and
- i. one third of the access fee is payable as a deposit by the requester.
- j. The actual postage is payable when a copy of a record must be posted to a requester.

## 13 FORM C: REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY

In terms of 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 (name of body): \_\_\_\_\_

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### 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: \_\_\_\_\_

\_\_\_\_\_

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### 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: \_\_\_\_\_

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**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: \_\_\_\_\_  
\_\_\_\_\_

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**e) 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: \_\_\_\_\_

**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.*

*Mark the appropriate choice with an X.*

**i. If the record is in written or printed form:**

- copy of record
- inspection of record

ii. 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

iii. If record consists of recorded words or information which can be reproduced in sound:

- listen to the soundtrack (audio file)
- transcription of soundtrack (written or printed document)

iv. 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.

- YES
- NO

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f) 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: \_\_\_\_\_

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g) 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 \_\_\_\_\_

SIGNATURE OF REQUESTER / PERSON ON WHOSE  
BEHALF REQUEST IS MADE