



## Legal Disclaimer

### Section 51 Promotion of Access to Information Manual

Indawo Cape (Pty) Ltd and Luvthis Trading & Investments (Pty) Ltd trading as Indawo Construction herinafter referred to as INDAWO GROUP (Registration Number: 1967/003120/07 & 2015/229810/07) (hereinafter referred to as "the Responsible Party")

In terms of section 51 of the Promotion of Access to Information Act 2 of 2000 (hereinafter referred to as "the Act"), a private body such as the Responsible Party must compile a manual to give effect to the core purposes of the Act. Such purposes are designed to give effect to the constitutional right of access to any information held by the State and any information that is held by another person (the Responsible Party) and that is required for the exercise or protection of any rights; and to provide for matters connected therewith.

#### 1. Information required in terms of section 51(1)(a) of the Act

- a. Directors: Geoffrey Jäck (Managing) Peter Jäck (Chairman)
- b. Physical Address of the Responsible Party: Unit 2, Transnet Park, Robert Sobukwe Road (Modderdam Road) N/S, Bellville 7530.
- c. Postal Address of the Responsible Party: PO Box 5350, Tygervalley, 7536.
- d. Telephone Number of the Responsible Party: +27 21 941 5000 (South Africa).
- e. Fax Number of the Responsible Party: +27 21 946 3366( South Africa).
- f. Email Address of the Responsible Party: [info@indawo.biz](mailto:info@indawo.biz)

2. Description of the location of the Section 10 Guide, as required by section 51(1) (b). The South African Human Rights Commission, in accordance with section 10 of the Act, has compiled a guide. The purpose of such a guide is to provide information to a person requesting access to information (the Requesting Party), who wishes to exercise a right (that is related to information held by the Responsible Party) in terms of the Act. This guide is available in the 11 (eleven) official South African languages. This guide is available for inspection at the offices of the South African Human Rights Commission, located at, 29 Princess of Wales Terrace, cnr York and St. Andrews Street, Parktown, or alternatively on its website [www.sahrc.org.za](http://www.sahrc.org.za)

3. Latest Notice In Terms of Section 52(2) (if any): No notice(s) has/have been published with respect to the records that are already automatically available.

4. Records Available in terms of Other Legislation a. Basic Conditions of Employment Act 75 of 1997. b. Companies Act 71 of 2008. c. Compensation for Occupational Injuries and Diseases Act 130 of 1993. d. Employment Equity Act 55 of 1998. e. Income Tax Act 58 of 1962. f. Labour Relations Act 66 of 1995. g. Skills Development Act 9 of 1999. h. Unemployment Insurance Act 63 of 2001. i. Value Added Tax Act 89 of 1991.

5. Personnel records and Documentation a. Disciplinary code. b. Disciplinary records. c. Employment contracts. d. Employment equity plans. e. Medical aid records. f. Salary records. g. SETA records. h. Training manuals. i. Training records.

6. Records In terms of The Companies Act 71 of 2008 a. Documents of Incorporation. b. Memorandum of Incorporation (Articles of Association in terms of the 1973 Act). c. Minutes from the board of directors meetings. d. Records pertained to the appointment of directors, auditor, company secretary, prescribed officers, or any other officer. e. The register of shareholders and other statutory registers.

7. Financial Records a. Annual financial statements. b. Accounting records. c. Asset register. d. Banking records: i. Bank statements. ii. Paid cheques. iii. Electronic banking records. e. Invoices. f. Rental agreements. g. Tax returns.

8. Income Tax Records a. Documents that are issued to Employees for income tax purposes. b. PAYE Records. c. VAT.

9. Regional Services Levies

10. Skills Development Levies

11. UIF

12. Workmen's Compensation

13. Details On How To Submit A Request For Access To Information Form C - the Requesting Party must submit the form and the request fee (see 15 below) to the head of the Responsible Party.

Such a form is to be submitted to:

The Chairman Peter Jäck:

Email: [peter@indawo.biz](mailto:peter@indawo.biz)

Telephone: +27 21 941 5000 (South Africa)

Fax: +27 21 946 3366( South Africa).

Postal Address: PO Box 5350, Tygervalley, 7536.

The Requesting Party must provide adequate and precise particulars in Form C to enable the Responsible Party to locate the requested records as well as full details of the Requesting Party. The Requesting Party is further directed to provide what means of access is required and to provide the Responsible Party full particulars of what the Requesting Party requires. The Requesting Party is further required to specify and identify the right that the Requesting Party wishes to exercise and/or protect and/or motivate with sufficient and precise detail as to why such exercise and protection is required. The Requesting Party will receive a written (unless otherwise agreed upon) reply to its chosen address and/or medium of communication as stated in Form C. If the Requesting Party is submitting the request on behalf of another person, then documentary proof as to what capacity they so act, which is with sufficient detail for the Responsible Party to consider such a request.

14. Outcome of decision and reasons The Requesting Party will be notified within 30 (thirty) calendar days of the Responsible Party's decision as to whether such requested information will be provided to the Requesting Party or of its refusal to do so. Reasons for such refusals will be provided to the Requesting Party





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15. Prescribed Fees: If the Requesting Party is requesting his/her own Personal Records then no fees are payable. However all fees are regulated by the Act. A flat rate of R 50.00 (fifty rand) is due and payable should the information requested not be an employee's own Personal Records (if such a request has been accepted by the Responsible Party). You will be notified of any additional costs of the retrieval of such records (this may include access fees or retrieval fees).

FORM C  
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

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 Requesting Party 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:

Form in which record is required

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 for 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)





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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.

**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 Requesting Party 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 REQUESTING PARTY/ PERSON ON  
WHOSE BEHALF REQUEST IS MADE

