

ACCESS TO INFORMATION MANUAL

**MANUAL PREPARED IN ACCORDANCE WITH SECTION 51 OF THE PROMOTION OF
ACCESS TO INFORMATION ACT, No. 2 of 2000 (“the Act”)**

INTRODUCTION

Kempston Group is an umbrella with a group of diverse companies with core interests in the truck hire, motor vehicle industry, logistics, permanent and flexible staffing sectors, training, property, financial services and other. For further information see our website www.kempston.co.za

PART 1 – Contact details [Section 51 (1) (a)]

Company Name:

Kempston Group

Information Officer:

Bonnie Currin – National Recruitment and Compliance Manager

Bonnie.currin@kempston.co.za

Street Address: 69 Old Transkei Road
Nahoon
East London
5241

Postal Address: PO Box 1968
East London
5200

Telephone Number: +27 (0) 43 707 1700

Fax Number: +27 (0) 86 687 8016

Website: www.kempston.co.za

Deputy Information Officer:

Melanie Nel – Internal investigations and Compliance

melanie.nel@kempston.co.za

Street Address: 69 Old Transkei Road
Nahoon
East London
5241

Postal Address: PO Box 1968
East London
5200

Telephone Number: +27 (0) 43 707 1700

Fax Number: +27 (0) 86 685 1354

Website: www.kempston.co.za

PART 2 – The official guide – Section 10 Guide on how to use the act (Section 51 (1) (b))

The guide is 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 Number: +27 11 484 8300

Fax Number: +27 11 484 1360

Website: www.sahrc.org.za

E-Mail: paia@sahrc.org.za

PART 3 – Information available in terms of other legislation (Section 51 (1) (d))

Where applicable to our operations, information is also available in terms of the following statutes and their provisions:

- Basic Conditions of Employment Act No. 75 of 1997
- Companies Act No. 61 of 1973
- Employment Equity Act No. 55 of 1998
- Income Tax Act No. 58 of 1962 / 95 of 1967
- Labour Relations Act No. 66 of 1995
- Skills Development Levies Act No. 9 of 1999
- Skills Development Act No. 97 of 1998
- Transfer Duty Act No. 40 of 1949
- Unemployment Insurance Act no. 63 of 2001
- Value-added Tax Act No. 89 of 1991

PART 4 – Access to records held by Kempston Group (Pty) Ltd (Section 51 (1) (c) & (e))

- i. Automatic disclosure (Section 51 (1) (c))

Information that is freely available

Website Information – www.kempston.co.za

ii. Records that may be requested (Section 51 (1) (e))

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 for access will be evaluated on a case by case basis in accordance with the provisions of the Act.

❖ **Human Resources**

- Policies and Procedures
- Employee Information
- Personal Files
- Contracts
- Skills Development Programme
- Health and Safety Records

❖ **Sales Division**

❖ **Logistics Division**

❖ **Immovable and Moveable Property**

- Title deeds of land owned by the Companies
- Agreements for the lease or sale of property/buildings by the Companies
- Leases in respect of vehicles
- Office equipment leases
- Property Records and Leases

❖ **Insurance**

- Insurance Policies
- Property Records and Leases

The request procedures

A requester must use the prescribed to make the request for access to information. The request must be made to the information Officer. This request must be made to the address, fax number or electronic mail address as per Section 53 (1) (a).

The requester must provide sufficient detail on the request form to enable the Information Officer to identify the record and the requester. The requester should also indicate which form of access is required. The requester should also indicate if any other manner is to be used to inform the requester and state the necessary particulars to be so informed (Section 53 (2) (a), (b) and (c)).

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 (Section 53 (2) (d)).

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 (Section 53 (2) (f)).

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:

The information Officer 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 (Section 54 (1)).

The fee that the requester must pay to a private body is R50.00. The requester may lodge an application to the court against the tender or payment of the request fee (Section 54 (3) (b)).

After the Information Officer has made a decision on the request, the requester must be notified in the required form.

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 (Section 54 (6)).

PART 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.

PART 6 – Availability of the manual (Section 51 (3))

This manual is available for inspection at Kempston Group offices and copies are available on our website (www.kempston.co.za) or alternative copies are available at the SAHRC. In respect of hard copies, any transmission costs/postage will be for the account of the requester.

PART 7 – Fees in respect of private bodies

- 7.1 The fee for a copy of the manual in terms of regulation 9 (2) (c) is R1.10 for every photocopy of an A4 page or part thereof.
- 7.2 The fees for reproduction referred to in regulation 11 (1) are as follows:
 - 7.2.1 For every photocopy of an A4 page or part thereof R1.10
 - 7.2.2 For every printed copy of an A4 page or part thereof held on a computer or in electronic or machine readable form R0.75
 - 7.2.3 For a copy in a computer readable form on –
 - 7.2.3.1 Stiffy disc R7.50
 - 7.2.3.2 Compact disc R70.00
 - 7.2.4.1 For transcription of visual images, for an A4 page or part thereof R40.00
 - 7.2.4.2 For a copy of visual images R60.00
 - 7.2.5.1 For a transcription of an audio record, for an A4 page or part thereof R20.00

- 7.2.5.2 For a copy of an audio record R30.00
- 7.3 The request fee payable by a requester, other than a personal requester, is R50.00
- 7.4 The access fees payable by a requester referred to in regulation 11 (3) are as follows:
 - 7.4.1 For every photocopy of an A4 page or part thereof R1.10
 - 7.4.2 For every printed copy of an A4 page or part thereof held on a computer or in electronic or machine readable form R0.75
 - 7.4.3 For a copy in a computer readable form on –
 - 7.4.3.1 Stiffy disc R7.50
 - 7.4.3.2 Compact disc R70.00
 - 7.4.4.1 For transcription of visual images, for an A4 page or part thereof R40.00
 - 7.4.4.2 For a copy of visual images R60.00
 - 7.4.5.1 For a transcription of an audio record, for an A4 page or part thereof R20.00
 - 7.4.5.2 For a copy of an audio record R30.00
 - 7.4.6 To search for and prepare a record for disclosure, for each hour or part thereof reasonably required for such search and preparation R30.00
- 7.5 Actual postage is payable when a record must be posted to a requester.

PART 8 – Deposit

For purposes of section 54 (2) of the Act, the following applies:

- 8.1 Six hours as the hours to be exceeded before a deposit is payable; and
- 8.2 One third of the access fee is payable as a deposit by the requester
- 8.3 The actual postage is payable when a copy of a record must be posted to a requester.

Annexure 1: Request form

[Section 53(1) of the Promotion of Access to information Act, 2 of 2000]

[Regulation 10]

A Particulars of private body

The Head: Personal 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:

Email address:

The capacity in which a 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 of 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.

Description of disability	
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 fees 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
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2. If record consists of visual images (this includes photographs, slides, video recordings, computer generated images, sketches, etc.):

	View of images		Copy of images*		Transcription of the images*
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3. If record consists of recorded words or information that can be reproduced in sound:

	Listen to the soundtrack (audio cassette)		Transcription of the 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		Printed copy		Copy of computer-readable form* (stiffy or
--	-----------------	--	--------------	--	--

	record*		of information derived from the record*		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 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:

.....

H Notice of decision regarding request for access

You will be notified in writing whether your request has been approved or 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 decisions regarding your request to access to the record?

.....

Signed aton

SIGNATURE OF REQUESTOR/PERSON ON WHOSE BEHALF
 REQUEST IS MADE