INFOLOGY HOLDINGS (PTY) LTD

Registration No: 2007/030686/07

PROMOTION OF ACCESS TO INFORMATION ACT SECTION 51 MANUAL

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2 Introduction : About Infology Holdings (Pty) Ltd

Infology Holdings is an intellectual property development company and asset holding company.

3 PARTICULARS IN TERMS OF THE SECTION 51 MANUAL

3.1 Contact details [Section 51(1)(a)]

3.1.1 Street Address

5th Floor
Buitengracht Centre
125 Buitengracht Street
Cape Town

3.1.2 Postal Address

As above.

3.1.3 Telephone number

+27 21 409 7065

3.1.4 Fax number

+27 21 409 7050

3.1.5 Contact person

Nelia Fernandes, Administrator (info@infology.net).

3.2 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 31 August 2005. 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
E-mail:	PAIA@sahrc.org.za

3.3 Records available in terms of any other legislation [Section 51(1)(d)]

Information is available in terms of the following legislation, if and where applicable:

a. Basic Conditions of Employment Act No. 75 of 1997

b. Closed Corporation Act No. 69 of 1984

c. Companies Act No. 61 of 1973

d. Companies Act No. 71 of 2008

e. Compensation of Occupational Injuries and Diseases Act No. 130 of 193

f. Consumer Protection Act No. 68 of 2008

g. Copyright Act No. 98 of 1978

h. Customs and Excise Act No. 91 of 1964

i. Electronic Communications and Transactions Act No. 25 of 2002

j. Employment Equity Act No. 55 of 1998

k. Financial Intelligence Centre Act 38 of 2001

l. Income Tax Act No. 58 of 1962

m. Insolvency Act No. 24 of 1936

n. Labour Relations Act No. 66 of 1995

o. Occupational Health and Safety Act No. 85 of 1993

p. Patents Act No. 57 of 1978

q. Promotion of Access to Information Act No. 2 of 2000

r. Skills Development Levies Act No. 9 of 1999

s. Trademarks Act No. 194.of 1993

t. Unemployment Insurance Act No. 30 of 1966

u. Value – Added Tax Act No. 89 of 1991

v. And another legislation that may directly or indirectly be relevant

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

3.4.1 Categories of records

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)]*

- Website Information: Freely available at http://www.bandwidthbarn.org

3.4.2 Records that may be requested

A description of the subjects of the records held by the body and the categories in which these subjects are classed [Section 51(1)(e)]

- Employment Contracts: Availability to be determined upon receipt of request
- Trade Secrets: Availability to be determined upon receipt of request
- Domain Name Registrations: Available
- Trade name Registrations: Availability to be determined upon receipt of request
- Trademark Registrations: Availability to be determined upon receipt of request

- Company Documentation: Availability to be determined upon receipt of request
- Project Documentation: Availability to be determined upon receipt of request
- Agreements With Suppliers: Availability to be determined upon receipt of request
- Corporate Sales Agreements: Availability to be determined upon receipt of request
- Customer Agreements: Availability to be determined upon receipt of request
- Database Of Customers: Availability to be determined upon receipt of request

3.4.3 Form of request

The requester must use the prescribed form (see section 4) 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)*].

- 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. 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 [*s 53(2)(a) and (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 [*s 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 [*s 53(2)(f)*].

3.4.4 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 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)].
- 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)].
- After the head of the private body 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 [s 54(6)].

Fees levied will be in accordance with the prescribed fees as detailed by the South Africa Human Rights Commission at 'Prescribed fees and forms for private bodies' available from http://www.sahrc.org.za.

3.4.5 Availability of the manual [Section 51(3)]

This manual is available for inspection free of charge at the offices of Infology Holdings or can be downloaded from the Infology.net website. Copies are also available from the SAHRC and as published in the Government Gazette.

4 Request information – prescribed form

Requests for information must be made using the prescribed Form C as annexed.

END OF MANUAL

5 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]

5.1 A. Particulars of private body

The Head:

5.2

5.3 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:

5.4 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:

5.5 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:

5.6 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 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		
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

5.7 GParticulars 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:

5.8 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

INFOLOGY (PTY) LTD

Registration No: 2006/009517/07

PRMOTION OF ACCESS TO INFORMATION ACT SECTION 51 MANUAL

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3.1.5 Contact person....2
3.2 The section 10 Guide on how to use the Act [Section 51(1)(b)]....2
3.3 Records available in terms of any other legislation [Section 51(1)(d)]....2
3.4 Access to the records held by the private body in question [Sections 51(1)(c) and 51(1)(e)]....3
3.4.1 Categories of records....3
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7 Introduction : About Infology (Pty) Ltd

Infology is a legal risk information management software and services provider in South Africa.

8 PARTICULARS IN TERMS OF THE SECTION 51 MANUAL

8.1 Contact details [Section 51(1)(a)]

8.1.1 Street Address

5th Floor
Buitengracht Centre
125 Buitengracht Street
Cape Town

8.1.2 Postal Address

As above.

8.1.3 Telephone number

+27 21 409 7065

8.1.4 Fax number

+27 21 409 7050

8.1.5 Contact person

Nelia Fernandes, Administrator (info@infology.net).

8.2 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 31 August 2005. Please direct any queries to:

The South African Human Rights Commission:

PAIA Unit
The Research and Documentation Department
Postal address:
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Houghton
2041

Telephone:	+27 11 484-8300
Fax:	+27 11 484-7146
Website:	www.sahrc.org.za
E-mail:	PAIA@sahrc.org.za

8.3 Records available in terms of any other legislation [Section 51(1)(d)]

Information is available in terms of the following legislation, if and where applicable:

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x. Closed Corporation Act No. 69 of 1984

y. Companies Act No. 61 of 1973

z. Companies Act No. 71 of 2008

aa. Compensation of Occupational Injuries and Diseases Act No. 130 of 193

bb. Consumer Protection Act No. 68 of 2008

cc. Copyright Act No. 98 of 1978

dd. Customs and Excise Act No. 91 of 1964

ee. Electronic Communications and Transactions Act No. 25 of 2002

ff. Employment Equity Act No. 55 of 1998

gg. Financial Intelligence Centre Act 38 of 2001

hh. Income Tax Act No. 58 of 1962

ii. Insolvency Act No. 24 of 1936

jj. Labour Relations Act No. 66 of 1995

kk. Occupational Health and Safety Act No. 85 of 1993

ll. Patents Act No. 57 of 1978

mm. Promotion of Access to Information Act No. 2 of 2000

nn. Skills Development Levies Act No. 9 of 1999

oo. Trademarks Act No. 194.of 1993

pp. Unemployment Insurance Act No. 30 of 1966

qq. Value – Added Tax Act No. 89 of 1991

rr. And another legislation that may directly or indirectly be relevant

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

8.4.1 Categories of records

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)]*

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8.4.2 Records that may be requested

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- Customer Agreements: Availability to be determined upon receipt of request
- Database Of Customers: Availability to be determined upon receipt of request

8.4.3 Form of request

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- 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. 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 [*s 53(2)(a) and (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 [*s 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 [*s 53(2)(f)*].

8.4.4 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 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)].
- 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)].
- After the head of the private body 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 [s 54(6)].

Fees levied will be in accordance with the prescribed fees as detailed by the South Africa Human Rights Commission at 'Prescribed fees and forms for private bodies' available from http://www.sahrc.org.za.

8.4.5 Availability of the manual [Section 51(3)]

This manual is available for inspection free of charge at the offices of Infology Holdings or can be downloaded from the Infology.net website. Copies are also available from the SAHRC and as published in the Government Gazette.

9 Request information – prescribed form

Requests for information must be made using the prescribed Form C as annexed.

END OF MANUAL

10 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]

10.1 A. Particulars of private body

The Head:

10.2

10.3 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.
(d)	The address and/or fax number in the Republic to which the information is to be sent must be given.
(e)	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:

10.4 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:

E. Particulars of record

(c) 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. (d) 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:

10.5 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:

10.6 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 with an X.

NOTES:
(c) Compliance with your request in the specified form may depend on the form in which the record is available.
(d) 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		
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

10.7 GParticulars 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:

10.8 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