

CHURCHILL COMMUNICATIONS (PTY) LTD
(Registration number: 2015/169374/07)

Trading as: **CHURCHILL**
("the Company")

MANUAL

in terms of Section 51 of

The Promotion of Access to Information Act 2 of 2000
(the "Act")

Date of compilation: 12/01/2011

Date of revision: 17/05/2016

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1. INTRODUCTION

The company is a management consulting and advertising agency. This is the Manual required by the Act to assist persons in obtaining information from the Company, as provided for in the Act.

2. COMPANY CONTACT DETAILS (Section 51 (1) (a))

Head of Business: Johan Human

Position: Managing Director

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3. THE ACT (Section 51(1) (b))

The Act grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.

Requests in terms of the Act shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in paragraphs 6 and 7 of the Act.

Section 10 of the Act requires the South African Human Rights Commission (SAHRC) to publish a Guide containing information reasonably required by a person wishing to exercise or protect any right in terms of this Act.

Copies of this Guide will be available as soon as it is published by the SAHRC. Enquiries regarding the Guide can be addressed to the SAHRC, the contact details of which are as follows:

Post: South African Human Rights Commission
Promotion of Access to Information Act Unit
Research and Documentation Department
Private Bag 2700
Houghton
2041

Telephone: +27 11 877 3600

Fax: +27 11 403 0625

Website: www.sahrc.org.za

E-mail: PAIA@sahrc.org.za

4. APPLICABLE LEGISLATION (Section 51 (1) (c))

Records available in terms of other legislation:

No	Ref	Act
1	No 75 of 1997	Basic Conditions of Employment Act
2	No 61 of 1973	Companies Act
3	No 130 of 1993	Compensation for Occupational Injuries and Disease Act
4	No 98 of 1978	Copyright Act
5	No 25 of 2002	Electronic Communications and Transactions Act
6	No 55 of 1998	Employment Equity Act
7	No 95 of 1967	Income Tax Act
8	No 66 of 1995	Labour Relations Act
9	No 2 of 2000	Promotion of Access of Information Act
10	No 9 of 1999	Skills Development Act
11	No 63 of 2001	Unemployment Insurance Act
12	No 89 of 1991	Value Added Tax Act

5. SCHEDULE OF RECORDS (Section 51 (1) (d))

This section of the Manual sets out the subject and categories of records held by the Company. The inclusion of any subject or category of records should not be taken as an indication that records falling within those subjects and/or categories will automatically be made available under the Act. In particular, certain grounds of refusal as set out in the Act may be applicable to a request for such records.

1. COMPANIES ACT RECORDS

- Documents of incorporation
- Memorandum of incorporation
- Shareholders agreements
- Records relating to the appointment of directors/ auditor/ secretary/ public officer and other officers
- Share Register and other statutory registers
- Register or list of Directors
- Minutes of Board or Directors meetings

2. FINANCIAL RECORDS

- Annual and Interim Financial Statements
- Management Accounts
- Accounting Records
- Banking Records
 - Bank Statements
 - Paid Cheques
 - Electronic banking records
- Asset Register
- Rental Agreements
- Invoices
- Loan Agreements

3. INCOME TAX RECORDS

- PAYE Records
- Documents issued to employees for income tax purposes
- Records of payments made to SARS on behalf of employees
- All other statutory compliances:
 - Annual Tax Return
 - VAT
 - Regional Services Levies
 - Skills Development Levies
 - UIF
 - Workmen's Compensation

4. PERSONNEL DOCUMENTS AND RECORDS

- Employment contracts
- Employee Tax records
- Provident/Retirement Fund/ Retirement Annuity Fund records (as applicable)
- Disciplinary records
- Salary records
- SETA records
- Disciplinary code
- Leave records
- Training records
- Training manuals
- Staff HR manuals

6. FORM OF REQUEST (Section 51 (1) (e))

To facilitate the processing of your request, kindly:

- 1) Use the prescribed form [FORM C] [available on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at www.sahrc.org.za] and submit this form together with a request fee;
- 2) Address your request to the Head of the Company;
- 3) Provide sufficient details to enable the Company to identify:
 - (a) The record(s) requested;
 - (b) The requester (and if an agent is lodging the request, proof of capacity);
 - (c) The form of access required;
 - (d)(i) The postal address or fax number of the requester in the Republic;
(ii) If the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof;
 - (e) The right which the requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right; and
 - (f) provide an explanation of why the requested record is required for the exercise or protection of that right;
- 4) if 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 manner and the necessary particulars to be informed in the other manner;
- 5) if the request is made on behalf of another person, to submit proof of the capacity in which the requester is making the request, to the reasonable satisfaction of the head of the private body;
- 6) There is a prescribed fee (payable in advance) for requesting and accessing information in terms of the Act. Details of these fees are contained in the request form;
- 7) You may also be called upon to pay the additional fees prescribed by regulation for searching for and compiling the information which you have requested, including copying charges;

8) It is important to note that access is not automatic – you must identify the right you are seeking to exercise or protect and explain why the record you request is required for the exercise or protection of that right;

9) You will be notified in the manner indicated by you on the request form whether your request has been approved.

7. PRESCRIBED FEES (Section 51 (1) (f))

The following applies to requests (other than personal requests):

7.1 A requestor is required to pay the prescribed fees before a request will be processed;

7.2 If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted);

7.3 A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit;

7.4 Records may be withheld until the fees have been paid.

7.5 The fee structure is available on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at www.sahrc.org.za .

Johan Human

End