

**PROMOTION OF ACCESS TO INFORMATION ACT,
ACT 2 OF 2000 (“The Act”)**

**MANUAL IN TERMS OF SECTION 51 OF THE ACT FOR
BOMBERS EQUESTRIAN EQUIPMENT CC**

Close Corporation Registration no. 1989/036107/23

INTRODUCTION

BOMBERS EQUESTRIAN EQUIPMENT CC was incorporated on 1989/11/06.

Its current members are:

P.W.A. NEL

P.M. NEL

PARTICULARS IN TERMS OF SECTION 51 OF THE ACT

The reference, in this Manual, to any information in addition to that specifically required in terms of Section 51 of the Act does not create any right or entitlement (contractual or otherwise) to receive such information, other than in terms of the Act.

1. Contact Details [Section 51(1)(a)]

Name of Private Body:	BOMBERS EQUESTRIAN EQUIPMENT CC
Designated Information Officer:	Patricia Nel
Email address of Information Officer:	info@bombers.co.za
Postal address:	PO Box 11781, Dorpspruit, 3206
Physical address:	Unit 12, 340 Victoria Road, Pietermaritzburg, KZN
Phone number:	033 345 4669
Fax number:	033 342 5860
Accounting officers:	Aitken Lambert Elsworth Inc.
	P O Box 50309, Musgrave, 4062
	(031) 202 7601
	(031) 202 7663
	info@aitkenlambert.co.za
Close corporation bankers :	FNB
Bank branch :	Boom Street

2. **The guide as described in section 10 of the Act [Section 51(1)(b)]**

This guide on how to exercise your rights in terms of the Act is available from the South African Human Rights Commission. *Please direct any queries to:*

The South African Human Rights Commission:
PAIA Unit: Research and Documentation Department
Postal address: Private Bag 2700
Houghton
2041
Telephone: +27 11 484-8300
Fax: +27 11 484-0582
Website: www.sahrc.org.za
E-mail: paia@sahrc.org.za

3. **Categories of records of BOMBERS EQUESTRIAN EQUIPMENT CC which are available without a person having to request access in terms of the Act, ie voluntary disclosure.**

[Section 51(1)(c)]

BOMBERS EQUESTRIAN EQUIPMENT CC is not obliged to publish a notice in terms of Section 52(2) of the Act and to date has not elected to do so. *Nevertheless BOMBERS EQUESTRIAN EQUIPMENT CC does make certain information freely available to the public in various brochures, press releases and publications. Certain information is also made available to employees of BOMBERS EQUESTRIAN EQUIPMENT CC., which is not generally made available to the public. To avoid confusion, these items are not listed here but may be obtained by BOMBERS EQUESTRIAN EQUIPMENT CC's employees from the Information Officer.*

4. **Records available in terms of other legislation [Section 51(1)(d)]**

Information is available in terms of the following legislation to the persons or entities specified in such legislation:

Basic Conditions of Employment Act 75 of 1997
 Close Corporations Act 69 of 1984
 Companies Act 71 of 2008
 Compensation for Occupational Injuries and Health Diseases Act 130 of 1993
 Employment Equity Act 55 of 1998
 Exchange Control Amnesty and Amendment of Taxation Laws Bill, 2003
 Financial Intelligence Centre Act 38 of 2001
 Financial Services Board Act 97 of 1990
 Income Tax Act 58 of 1962
 Labour Relations Act 66 of 1995
 Occupational Health and Safety Act 85 of 1993
 Prevention of Organised Crime Act 121 of 1998
 Regional Services Councils Act 109 of 1985
 Securities Transfer Tax Act of 2007
 Skills Development Act 97 of 1998
 Skills Development Levies Act 9 of 1999
 Unemployment Contributions Act 4 of 2002
 Unemployment Insurance Act 63 of 2001
 Value Added Tax Act 89 of 1991

5. **How to request a record, a description of the subjects on which we hold records, and the categories of records held on each subject [Section 51(1)(e)]**

5.1 **How to request a record**

Requests for access to records held by **BOMBERS EQUESTRIAN EQUIPMENT CC** must be made on the request forms that are available from the SAHRC website (www.sahrc.org.za) or the Department of Justice and Constitutional Development website (www.doj.gov.za) (under “regulations”). For the convenience of requestors, copies of these forms are included in the version of this Manual available at our offices and on our website (Annexure 1).

Requests for access to records must be made to our Information Officer at the address, fax number or electronic mail address provided.

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 and indicate if he or she wishes to be informed in any other manner and state the necessary particulars to be so informed.

It is vital that the requester identifies **the right that he or she is seeking to exercise or protect and provides an explanation of why the requested record is required for the exercise or protection of that right.**

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 our Information Officer.

If a requestor does not use the standard form (Annexure 1), the request may be rejected for lack of procedural compliance, refused (if sufficient information is not provided, or otherwise) or delayed.

Please note that requestors are also required to pay the prescribed fees. **The prescribed fee for requests to private bodies is available on the website of the SAHRC under the link “access to information/PAIA”.**

The head of the private body must notify the requester (other than a personal requester) of the prescribed fee (if any) before further processing the request. The requester may lodge an internal appeal or an application to Court against the tender or payment of the request fee.

The head of the private body will then make a decision on the request and notify the requester in the required form.

If the request is granted then a further access fee must be paid for the reproduction and the search and preparation, and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

*Kindly note that all requests to **BOMBERS EQUESTRIAN EQUIPMENT CC** will be evaluated and considered in accordance with the Act. Publication of this Manual and describing the categories and subject matter of information held by **BOMBERS EQUESTRIAN EQUIPMENT CC** does not give rise to any rights to access such information or records, except in terms of the Act.*

5.2 Subjects and categories of records held by **BOMBERS EQUESTRIAN EQUIPMENT CC**

We maintain records on the following categories and subject matters. However, 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. In particular, there may be applicable grounds of refusal of such a request, as set out in the Act.**

*Please note further that many of the records held by us are those of third parties, such as clients and employees, and we take the protection of third party confidential information very seriously. Requests for access to these records will be considered very carefully. **Please ensure that requests for such records are carefully motivated.***

5.2.1 Internal records

The following are records pertaining to **BOMBERS EQUESTRIAN EQUIPMENT CC's** own affairs:

- Financial records
- Operational records
- Intellectual property
- Marketing records;
- Internal correspondence;
- Service records;
- Statutory records;
- Internal policies and procedures;
- Minutes of meetings;
- Charters, codes of conduct and policies (both internal and external) to which **BOMBERS EQUESTRIAN EQUIPMENT CC** and its personnel subscribe; and
- Records held by officials of **BOMBERS EQUESTRIAN EQUIPMENT CC**

5.2.2 Personnel records:

For the purposes of this section, “personnel” means any person who works for or provides services to or on behalf of **BOMBERS EQUESTRIAN EQUIPMENT CC** and receives or is entitled to receive any remuneration and any other person who assists in carrying out or conducting the business of **BOMBERS EQUESTRIAN EQUIPMENT CC**. This includes, without limitation, partners, directors, all permanent, temporary and part-time staff as well as consultants and contract workers.

Personnel records include the following:

- Any personal records provided to us by our personnel;
- Any records a third party has provided to us about any of their personnel;
- Conditions of employment and other personnel-related contractual and quasi-legal records;
- Employment policies and procedures;
- Internal evaluation and disciplinary records; and
- Other internal records and correspondence.

5.2.3 Customer-related records:

Customer-related information includes the following:

- Contracts with the customer and between the customer and other persons;
- Any records a customer has provided to **BOMBERS EQUESTRIAN EQUIPMENT CC** or a third party acting for or on behalf of **BOMBERS EQUESTRIAN EQUIPMENT CC**;
- Any research conducted by **BOMBERS EQUESTRIAN EQUIPMENT CC** in respect of its customers or research derived by **BOMBERS EQUESTRIAN EQUIPMENT CC** from its customers and their activities;
- Records, reports, designs and the like generated by **BOMBERS EQUESTRIAN EQUIPMENT CC** for its customers;
- Any records a third party has provided to **BOMBERS EQUESTRIAN EQUIPMENT CC**, which concerns a customer; and
- Records generated by or within **BOMBERS EQUESTRIAN EQUIPMENT CC** pertaining to the customer, including transactional records.

5.2.4 Other Parties:

Records are kept in respect of other parties, including without limitation *joint ventures and consortia to which BOMBERS EQUESTRIAN EQUIPMENT CC is a party*, contractors and sub-contractors, suppliers, service providers, and providers of information regarding general market conditions. In addition, such other parties may possess records which can be said to belong to **BOMBERS EQUESTRIAN EQUIPMENT CC**. The following records fall into this category:

- Personnel, customer, or **BOMBERS EQUESTRIAN EQUIPMENT CC** records which are held by another party as opposed to being held by **BOMBERS EQUESTRIAN EQUIPMENT CC**; and
- Records held by **BOMBERS EQUESTRIAN EQUIPMENT CC** pertaining to other parties, including financial records, correspondence, contractual records, records provided by the other party, and records third parties have provided about the contractors or suppliers.

The information referred to in Clause 5.2 is only available in the circumstances prescribed by the Act.

5.2.5 Other Records:

We hold further records, including:-

- Information relating to **BOMBERS EQUESTRIAN EQUIPMENT CC**'s own commercial activities;
- Procurement and administration for **BOMBERS EQUESTRIAN EQUIPMENT CC**; and
- Research information belonging to **BOMBERS EQUESTRIAN EQUIPMENT CC** or carried out on behalf of a third party.

6. Other information as may be prescribed [Section 51(1)(f)]

No such information has been prescribed.

7. Availability of the manual. [Section 51(3)]

This manual is available from the South African Human Rights Commission (see details above) and from **BOMBERS EQUESTRIAN EQUIPMENT CC**.

ANNEXURE 1**FORM C (of Regulation 10)****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**

The Managing Director: "Name of firm"

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 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) | <i>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.</i> |
| (b) | <i>You will be notified of the amount required to be paid as the request fee.</i> |
| (c) | <i>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.</i> |
| (d) | <i>If you qualify for exemption of the payment of any fee, please state the reason for exemption.</i> |

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:	
<p>Mark the appropriate box with an X.</p> <p>NOTES:</p> <p>(a) <i>Compliance with your request in the specified form may depend on the form in which the record is available.</i></p> <p>(b) <i>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.</i></p> <p>(c) <i>The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.</i></p>			
1. If the record is in written or printed form:			
<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record
2. If record consists of visual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):			
<input type="checkbox"/>	view the images	<input type="checkbox"/>	copy of the images*
<input type="checkbox"/>		<input type="checkbox"/>	transcription of the images*
3. If record consists of recorded words or information which can be reproduced in sound:			
<input type="checkbox"/>	listen to the soundtrack (audio cassette)	<input type="checkbox"/>	transcription of soundtrack* (written or printed document)
4. If record is held on computer or in an electronic or machine-readable form:			
<input type="checkbox"/>	printed copy of record*	<input type="checkbox"/>	printed copy of information derived from the record*
<input type="checkbox"/>		<input type="checkbox"/>	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 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

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 / PERSON ON WHOSE BEHALF REQUEST IS MADE