

SA BIAS INDUSTRIES (PTY) LIMITED

("SA Bias")

REGISTRATION NUMBER 1997/020860/07

MANUAL IN TERMS OF THE PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000

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**MANUAL PREPARED IN TERMS OF SECTION 51 OF THE
PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000 ("the Act")**

1. DETAILS OF THE PRIVATE BODY (Section 51(1)(a))

- Name of Business : SA Bias Industries (Pty) Ltd
- Head of Private Body : Mr C Coutts-Trotter
Information Officer : Mr G van Vuuren
- Street Address : 2nd Floor PSG House
Alphen Park
Lower Main Road
Constantia, 7806
- Postal Address : Private Bag X13
CONSTANTIA, 7848
- Telephone : +27 21 7944966
- Fax : +27 21 7940545
- Email : gvanvuuren@sabias.co.za
- Website : www.sabias.co.za
- Wholly owned Subsidiaries : SA Bias Industries (Pty) Limited is the holding company of a number of subsidiaries within the SA Bias Group. This manual deals with information in the possession of the Group as a whole and reference to documentation and schedules "A" and "B" hereto, is to be taken to refer to documentation in the possession of SA Bias Industries (Pty) Limited and the following companies within its Group:
- International Trimmings & Labels SA (Pty) Ltd
Registration number 1966/001480/07
 - Narrowtex (Pty) Ltd
Registration number 1951/004041/07
 - Narrowtex Group (Pty) Ltd
Registration number 1969/017343/07
 - National Braiding Industries (Pty) Ltd
Registration number 1981/007711/07
 - Bitrim Management & Financial Services (Pty) Ltd
Registration number 1984/006940/07
 - Apparel Component Manufacturers
Registration number 2001/013104/07
 - Webbing Products (Pty) Ltd
Registration number 1956/000012/07

2. THE SOUTH AFRICAN HUMAN RIGHTS COMMISSION GUIDE TO THE ACT

- 2.1 The Act requires the South African Human Rights Commission ("SAHRC") to compile a guide to be available in each official language, to assist individuals in understanding how to exercise their rights contained in Act.
- 2.2 The SAHRC published the "Guide on How to Use the Promotion of Access to Information Act 2 of 2000" in 2014, in order to comply with the Act (hereinafter referred to as the "SAHRC Guide")
- 2.3 Copies of the SAHRC Guide are available, in all official languages at:
 - 2.3.1 all the SAHRC's provincial offices;
 - 2.3.2 on the SAHRC's website – www.sahrc.org.za;
 - 2.3.3 on the Open Democracy Advice Centre's website – www.opendemocracy.org.za;
 - 2.3.4 the South African History Archives' website – www.saha.org.za;
 - 2.3.5 the offices of the Information Officers of public bodies;
 - 2.3.6 all offices of the Department of Justice and Constitutional Development;
 - 2.3.7 all post offices; and
 - 2.3.8 it is also made available, free of charge, for public inspection during office hours at the following places –
 - 2.3.8.1 the office of the head of the National Department responsible for government communication: Government Communication and Information Services;
 - 2.3.8.2 the Library of Parliament, Cape Town;
 - 2.3.8.3 the South African Library, Cape Town;
 - 2.3.8.4 National Society Library, Pietermaritzburg;
 - 2.3.8.5 City Library Services, Bloemfontein;
 - 2.3.8.6 the National Film, Video and Sound Archives, Pretoria; and
 - 2.3.8.7 every tertiary education institution established by or under laws.
- 2.4 The SAHRC Guide has furthermore been made available by SA Bias Industries (Pty) Ltd free for inspection at each of its offices, during office hours.

2.5 Any queries regarding this guide can be addressed directly to the SAHRC at:

The South African Human Rights Commission
Private Bag 2700
Houghton
2041

Tel: +27 11 484 8300
Fax: +27 11 484 0582
Website: www.sahrc.org.za
E-mail: PAIA@sahrc.org.za

3. RECORDS HELD IN TERMS OF APPLICABLE LEGISLATION (Section 51(1)(d))

SA Bias is required by law to keep certain records. These records must be kept in terms of different Acts of Parliament. SA Bias holds the following records in terms of these Acts of Parliament:

See Annexure "A" hereto.

4. RECORDS HELD AS A MATTER OF STANDARD PRACTISE (Section 51(1)(e))

SA Bias keeps certain records in the conduct of its day to day business and as a matter of standard practice and the advice of its legal representatives. SA Bias holds the following the subjects and categories of the records:

See Annexure "B" hereto.

5. RECORDS WHICH ARE AUTOMATICALLY AVAILABLE WITHOUT HAVING TO MAKE A REQUEST IN THE PRESCRIBED FORM (Section 52(1)(a))

All information on SA Bias Industries (Pty) Limited website.

6. MAKING A REQUEST IN TERMS OF THE ACT

- 6.1 The first step in the process is to obtain "Request Form-C".
- 6.2 You will be able to get the form together with a list of applicable fees from the head office of SA Bias, indicated in the street address. These fees must be paid before access to a record will be allowed. You will be informed of the amount of your fees once you have submitted your request. The Minister may exempt certain persons from having to pay the fees referred to in the Act. To date, no such exemptions have been published.
- 6.3 Once you have filled in the form, you need to submit it to the Information Officer at the postal address, fax number or electronic mail address listed above.
- 6.4 If the record you have requested exists and allowing access to it does not affect a third party, your request will be processed within 30 days.

- 6.5 This period may be extended ONCE for a further 30 days if:
- 6.5.1 the request is for a large number of records or requires a search through a large number of records, and compliance with the original period would unreasonably interfere with the activities of SA Bias;
 - 6.5.2 the request requires a search for records in, or collection thereof, from an office of SA Bias not situated in the same town or city as the office of the Information Officer and this search cannot reasonably be completed within the original 30 days;
 - 6.5.3 consultation among divisions of SA Bias or with another private body is necessary or desirable to decide upon the request and this consultation cannot reasonably be completed within the original period;
 - 6.5.4 more than one of the circumstances contemplated in paragraphs 6.5.1, 6.5.2 and 6.5.3 exist in respect of the request making compliance with the original period not reasonably possible; or
 - 6.5.5 you, as the requester, consent in writing to such extension.

7. GROUNDS FOR REFUSAL

- 7.1 There are various grounds upon which your request for access to a record may be refused. They are:
- 7.1.1 the protecting of personal information of a third person (who is a natural person) from unreasonable disclosure;
 - 7.1.2 the protecting of commercial information of a third party. (For example trade secrets; financial, commercial, scientific or technical information that may harm the commercial or financial interests of a third party).
 - 7.1.3 Refusing access to a record if disclosure would result in the breach of a duty of confidence owed to a third party.
 - 7.1.4 Refusing access to a record if it would jeopardise the safety of an individual or prejudice or impair certain property rights of a third person.
 - 7.1.5 Refusing access to a record that was produced during legal proceedings, unless that legal privilege has been waived.
 - 7.1.6 Refusing access to a record containing trade secrets, financial or sensitive information or any information that would put SA Bias at a disadvantage in negotiations or prejudice it in commercial competition.
 - 7.1.7 Refusing access to a record containing information about research being carried out or about to be carried out on behalf of a third party or by SA Bias.
- 7.2 Section 70 of the Act contains an overriding provision. Disclosure is compulsory if it would reveal a substantial contravention of, or failure to comply with the law, or imminent and serious public safety or environmental risk AND the public interest in

the disclosure of the record clearly outweighs the harm contemplated by its disclosure.

- 7.3 If your request does affect a third party then we will first need to inform the third party within 21 days of us receiving your request. By this we mean that if the record you request affects any third party in any way, that third party will have to be informed that you are requesting access to the above record.
- 7.4 The third party then has 21 days to make representations and/or submissions regarding the granting of access to the record.

8. THE INFORMATION OFFICER'S DECISION AND REQUESTER'S RECOURSE

- 8.1 Once the Information Officer of SA Bias has heard all the submissions, he or she will make a decision as to whether or not access to the record will be granted. You must then be granted access to the record within 30 days of being informed of the decision.
- 8.2 If the Information Officer does not grant you access to the record you are entitled to appeal the decision. You must receive proper reasons as to why the request was refused. You need to lodge your appeal in the High Court.
- 8.3 If the Information Officer does decide to grant you access to the record, the third party that has been affected has 180 days in which to appeal the decision – also in the High Court. If no appeal is lodged within 180 days, you must be granted access to the record.

9. OTHER INFORMATION

The schedule below outlines the time-periods which are applicable to this Act. This will enable you to understand the process whereby requests for access to records are considered and the time periods involved.

Item	Relevant Section of the Act	Description of activity	Time period
1.	56	Information officer to decide whether to grant request for access to record that does not relate to a third party and notify requestor	Within 30 days after the request has been received
2.	57	Information officer to notify third party of an extension of the 30 day time period with reasons for the extension	Within 30 days of receiving the request (this may only be done once and only for the reasons in this section)
3.	71	Information officer to notify third party of request for access to information that relates to him/her	Within 21 days of request for access to record affecting the third party has been received
4.	71	Third party to give written consent or written/oral submissions to information officer	Within 21 days of being informed by the information officer of the request for access to the

			record
5.	73	Information officer to make a decision about the granting of access to a record which relates to a third party and notify third party and requestor	30 days after every third party has been informed of the request
6.	73	Information officer to give requestor access to the record if a decision has been made to grant access	Within 30 days of notifying requestor of the decision to allow access
7.	74	If access to a record is denied, the requestor has 30 days in which to lodge an application at court to appeal against the refusal	30 days from date of notification by information officer of decision
8.	74 read with case law.	If access to a record which affects a third party is granted, third party may lodge an application to court to appeal decision of information officer within 180 days	Within 180 days of notification by the information officer of the decision
9.	71	If no appeals lodged by third party, information officer must give access to the record	Within 30 days of notification by information officer of third party

This company strives to be a leader in its industry in all fields, including its practical subscription to the guiding principles in our Constitution such as transparency and the free flow of information. Should you have any queries regarding the use of this manual, please do not hesitate to contact the information officer or myself.

**C COUTTS-TROTTER
CHIEF EXECUTIVE OFFICER
SA BIAS INDUSTRIES (PTY) LTD**

RECORDS KEPT BY SA BIAS INDUSTRIES (PTY) LIMITED

**in terms of applicable legislation
Section 51(1)(d)**

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1. THE COMPANIES ACT 71 of 2008

- 1.1. Memorandum of Incorporation.
- 1.2. Certificate of Change of Name (if any).
- 1.3. Certificate to Commence Business (if any).
- 1.4. Company Secretarial records, including Share Register, Minute Books, and all resolutions passed at general meetings.
- 1.5. Register of Director's shareholdings.
- 1.6. Register of Directors and certain officers.
- 1.7. Director's attendances register.
- 1.8. Annual Financial Statements including:
 - 1.8.1. Annual accounts
 - 1.8.2. Directors' reports; and
 - 1.8.3. Auditor's reports.
- 1.9. Accounting records as defined in the Companies Act 71 of 2008, which includes but is not limited to purchase and sales records, general and subsidiary ledgers, and other documents and books used in preparation of the financial statements, and the notes to the financial statements.
- 1.10. Records showing assets and liabilities and revaluations.
- 1.11. Dividend and interest payment list.
- 1.12. A register of fixed assets showing in respect thereof, the respective dates of any acquisition and the costs thereof, depreciation (if any) and where any assets have been re-valued, the date of the revaluation and the re-valued amount thereof, the respective dates of any disposals and the consideration received in respect thereof.
- 1.13. Records containing entries from day to day of all cash received and paid out, in sufficient detail to enable the nature of the transactions and, except in the case of cash sales, the names of the parties to the transactions to be identified.
- 1.14. Records of all goods purchased and sold on credit, and services received and rendered on credit, in sufficient detail to enable the nature of those goods or services and the parties to the transactions to be identified.
- 1.15. Statements of the annual stocktaking, and records to enable the value of stock at the end of the financial year to be determined.

- 1.16. Vouchers supporting entries in the accounting records.
- 1.17. Any other accounting records as are necessary to fairly present the state of affairs and business of the corporation, and to explain the transactions and financial position of the business of the corporation.
- 1.18. Register of fixed assets, which include mortgages and debentures.
- 1.19. All other records as required by the Act.

2. THE EMPLOYMENT EQUITY ACT 55 OF 1998

- 2.1. Employment Equity Plan.
- 2.2. The profile of the workforce within each occupational category and level.
- 2.3. All other records as required by the Act.

3. THE BASIC CONDITIONS OF EMPLOYMENT ACT 75 OF 1997

- 3.1. Every employer must keep a record containing at least the following information:
 - 3.1.1. The employee's name and occupation;
 - 3.1.2. The time worked by each employee;
 - 3.1.3. The remuneration paid to each employee;
 - 3.1.4. The date of birth of any employee under 18 years of age (N/A); and
 - 3.1.5. Any other prescribed information.
- 3.2. All other records as required by the Act.

4. THE BROAD BASED BLACK ECONOMIC EMPOWERMENT ACT 53 OF 2003

- 4.1. All records required by the Act.

5. COMPENSATION FOR OCCUPATIONAL INJURIES AND DISEASES ACT 130 OF 1993

- 5.1. The register or other record of the earnings and other prescribed particulars of all employees, for example: wages paid, time worked and payment made for piece-work and overtime.
- 5.2. All other records as required by the Act.

6. GENERAL NOTICE 2219, 31 OCTOBER 1980 – EXPORT INCENTIVE SCHEME

- 6.1. Documents evidencing claims for products exported on or after 01/09/1980.
- 6.2. All other records as required by the Act.

7. INCOME TAX ACT 58 OF 1962

- 7.1. All ledgers, cash books, journals, cheque books, bank statements, deposit slips, pay cheques, invoices, stock lists and all other books of account.
- 7.2. Signed copy of Annual Financial Statements including annual accounts, directors' reports and auditor's reports.
- 7.3. Accounting records required by the Companies Act 71 of 2008.
- 7.4. Investment Schedules and documents.
- 7.5. Invoices – issued and received.
- 7.6. Periodic accountancy report, e.g. to the board (file copy).
- 7.7. Plant records and capacity charts.
- 7.8. Register of fixed assets.
- 7.9. Stock inventories.
- 7.10. Supporting schedules to books of account.
- 7.11. Taxation returns, schedules and assessments.
- 7.12. All other records as required by the Act.

8. LABOUR RELATIONS ACT 66 of 1995

- 8.1. All disciplinary records;
- 8.2. All records of the prescribed details of any strike, lock-out or protest action involving SA Bias' employees.
- 8.3. All other records required by the Act.

9. OCCUPATIONAL HEALTH AND SAFETY ACT 85 OF 1993

- 9.1. A copy of the Occupational Health and Safety Act 85 of 1993.
- 9.2. An incident register certificate of compliance (in respect of electrical installations).
- 9.3. Forklift operator certificate of training.
- 9.4. Boiler or air compressor vessel record book of inspection and tests.
- 9.5. Certificate of registration of a boiler.
- 9.6. All other records as required by the Act.

10. VALUE ADDED TAX ACT 89 OF 1991

- 10.1. Books of account, documents recording the supply of goods to and or by the vendor, invoices, tax invoices, credit and debit notes, bank statements, deposit slips, stock lists and paid cheques.
- 10.2. All other records as required by the Act.

11. UNEMPLOYMENT INSURANCE ACT 63 OF 2001 AND UNEMPLOYMENT INSURANCE CONTRIBUTIONS ACT 4 OF 2002

- 11.1. Records detailing the contributions by contributors employed by the employer in respect of earnings paid, time worked, payments made for piece work and overtime.
- 11.2. All other records as required by the Act.

12. THE SKILLS DEVELOPMENT ACT 97 OF 1998

- 12.1.1. Annual training report.
- 12.1.2. Annual training plan.
- 12.1.3. All other records as required by the Act.

13. IMPORT AND EXPORT CONTROL ACT 45 OF 1963

- 13.1. All records as required by the Act.

14. CUSTOMS AND EXCISE ACT 91 OF 1964

- 14.1. Bills of entry.
- 14.2. Books of account required by the Act.
- 14.3. Records of the person from whom imported goods were obtained, and if he is the importer or manufacturer or owner, the place where the duty was imposed, paid and date of payment.
- 14.4. All other records as required by the Act.

15. PATENTS ACT 57 OF 1978

- 15.1. All records as required by the Act.

16. COPYRIGHT ACT 98 OF 1978

- 16.1. All records as required by the Act.

17. TRADEMARKS ACT 194 OF 1993

- 17.1. All records as required by the Act.

18. DESIGNS ACT 195 of 1993

18.1. All records as required by the Act.

19. FINANCIAL INTELLIGENCE CENTRE ACT 38 of 2001

19.1. All records as required by the Act.

20. NATIONAL CREDIT ACT 34 OF 2005

20.1. All records as required by the Act.

21. CONSUMER PROTECTION ACT 68 OF 2008

21.1. All records as required by the Act.

22. PENSION FUND ACT 21 OF 1996

22.1. All records as required by the Act.

RECORDS KEPT BY SA BIAS INDUSTRIES (PTY) LIMITED

**in terms of General Practice
Section 51(1)(e)**

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1. COMPANY DOCUMENTS AND LEGAL RECORDS

- 1.1. Company policies and directives.
- 1.2. Names of Directors.
- 1.3. Operational records.
- 1.4. Trademarks and patents.
- 1.5. Registered designs, including all visual presentations and store designs.
- 1.6. Legal records.
- 1.7. Domain name registration.
- 1.8. Insurance policies.

2. SHARE REGISTRATION DOCUMENTS

- 2.1. Share Register.
- 2.2. Share Certificates.
- 2.3. Share/stock transfer forms (cancelled) – originals.
- 2.4. Scrip, certificate, warrant or like instrument representing any share, stock or debenture (cancelled).
- 2.5. Dividend payment list.

3. EMPLOYMENT RECORDS/HUMAN RESOURCES

- 3.1. Recruitment records.
- 3.2. Employment contracts.
- 3.3. Service Agreements.
- 3.4. Employment Conditions and Policies.
- 3.5. Confidentiality Agreements.
- 3.6. Restraints of Trade Agreements.
- 3.7. Commission Agreements.
- 3.8. Casual employee records.
- 3.9. Employee records - employment history, health records, third party records provided to the company on its personnel, internal evaluation records.
- 3.10. Disciplinary records.

- 3.11. CCMA records.
- 3.12. Pension Fund records.
- 3.13. Retirement records.
- 3.14. Remuneration and benefits records.
- 3.15. Medical Aid records.
- 3.16. Agreements with Trade Unions.
- 3.17. Training schedules and material.

4. PROPERTY RECORDS

- 4.1. Title deeds.
- 4.2. Lease agreements.

5. TRADE DOCUMENTS, CUSTOMER RECORDS AND CREDIT SERVICES

- 5.1. Customer records.
- 5.2. Transaction records.
- 5.3. Sales records.
- 5.4. Purchase orders.
- 5.5. Customer orders.
- 5.6. Company invoices / statements.
- 5.7. Proof of delivery.
- 5.8. Suretyship Agreements.
- 5.9. Terms and conditions of purchase / sale.
- 5.10. Debtors' information.
- 5.11. Debtors with Lawyers for collection.
- 5.12. Credit applications.
- 5.13. Trade discount agreements.

6. SUPPLIER RECORDS

- 6.1. Agreements with suppliers where applicable.
- 6.2. Suppliers' invoices / statements / delivery notes.

- 6.3. Purchase order information.
- 6.4. Records provided to third parties acting for and on behalf of the company.
- 6.5. Records a third party has provided to the company.
- 6.6. Records which customers have provided to a third party acting for and on behalf of the company.
- 6.7. Records generated by or within the company pertaining to suppliers including transactional record.

7. PRODUCT RECORDS

- 7.1. General product testing results.

8. COMMUNICATION

- 8.1. Internal correspondence and memos.
- 8.2. Correspondence and circulars to shareholders.
- 8.3. Correspondence to persons outside of the company.

9. FINANCIAL AND ACCOUNTING RECORDS

- 9.1. Financial records and reports.
- 9.2. Accounting records of prime entry - cash books, journals, ledgers.
- 9.3. Management accounts and reports.
- 9.4. Audit records and reports.
- 9.5. Sundry debtors records.
- 9.6. Company risk and controls profile.
- 9.7. Tax records.
- 9.8. Legal records.
- 9.9. Banking details.
- 9.10. Securities and equities.
- 9.11. Treasury related records.
- 9.12. Shipping records.
- 9.13. Fraud information.

10. INFORMATION TECHNOLOGY

- 10.1. Business and data information.
- 10.2. Systems and user manuals.

11. AGREEMENTS AND RELATED CORRESPONDENCE

- 11.1. Contracts with customers.
- 11.2. Contracts with suppliers.
- 11.3. Indemnities and guarantees.
- 11.4. Major agreements of historical significance.
- 11.5. Other agreements/contracts.
- 11.6. Credit sales and lease agreements.

12. BANKING

- 12.1. Facility agreements.
- 12.2. Statements, cheques, deposits.
- 12.3. Agreements - electronic banking arrangements.

13. GROUP POLICY DOCUMENTS

- 13.1. Leave.
- 13.2. Travel - local and overseas.
- 13.3. Entertainment.
- 13.4. Remuneration
- 13.5. Staff loans.
- 13.6. Disability benefits.
- 13.7. Medical aid.
- 13.8. Capital expenditure.
- 13.9. Motor Vehicles-company and allowance.
- 13.10. Pension Fund.

14. DONATION AND SUBSCRIPTION RECORDS

14.1. Correspondence.

15. PENSION RECORDS

15.1. Actuarial valuation reports.

15.2. Annual accounts of funds.

15.3. Minutes of Trustee meetings.

16. PATENT AND TRADE MARK RECORDS

16.1. Patent and trademark records.

16.2. Reports and opinions.

17. COMPANY SECRETARIAL

17.1. Memorandum of Incorporation

17.2. Share Certificates; Share Register; Secretarial Minute Books.

PRESCRIBED FORMS

FORM C

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY

PRESCRIBED FEES IN RESPECT OF REQUESTS FOR INFORMATION

(Section 51(1)(f))

Annexure A

General: Value-Added Tax

1. Private bodies registered under the Value-Added Tax Act 89 of 1991, as vendors, may add value-added tax to all fees prescribed in this Annexure.

In terms of Annexure A, Part I, Fees in respect of Guide

1. The fee for a copy of the SAHRC guide as contemplated in regulations 2(3)(b) and 3(4)(c) of the Act is R0.60 for every photocopy of an A4 size page or part thereof.

In terms of Annexure A, Part III, Fees in respect of Private Bodies

1. The fee or a copy of the manual as contemplated in regulation 9(2)(c) of the Act is R1.10 for every photocopy of an A4 size page or part thereof.
2. The fees for reproduction referred to in regulation 11(1) and Section 52(3) of the Act, are as follows:
 - (a) for every photocopy of an A4 size page or part thereof R1.10
 - (b) for every printed copy of an A4 size page or part thereof held on a computer or in electronic or machine-readable form R0.75
 - (c) for a copy in a computer-readable form on -
 - (i) stifty disc R7.50
 - (ii) compact disc R70.00
 - (d) (i) for a transcription of visual images, for an A4 size page or part thereof R40.00
 - (ii) for a copy of visual images R60.00
 - (e) (i) for a transaction of an audio record, for an A4 size page or part thereof R20.00
 - (ii) for a copy of an audio record R30.00

3. The request fee is payable by a requester, other than a personal requester, referred to in regulation 11(2) and Section 54(1) of the Act is R50.00
4. The access fees payable by a requester referred to in regulation 11(3) and Section 54(7) of the Act are as follows:
 - (a) for every photocopy of an A4 size page or part thereof R1.10
 - (b) for every printed copy of an A4 size page or part thereof held on a computer or in electronic or machine-readable form R0.75
 - (c) for a copy in a computer-readable form on -
 - (i) stiffer disc R7.50
 - (ii) compact disc R70.00
 - (d) (i) for a transcription of visual images, for an A4 size page or part thereof R40.00
 - (ii) for a copy of visual images R60.00
 - (e) (i) for a transcription of an audio record, for an A4 size page or part thereof R20.00
 - (ii) for a copy of an audio record R30.00
 - (f) to search for and prepare the record for disclosure for each hour or part of an hour reasonably required for such search and preparation. R30.00
5. For purposes of section 54(2) of the Act, the following applies:
 - (a) Six hours as the hours to be exceeded before a deposit is payable; and
 - (b) One third of the access fee is payable as a deposit by the requester.
6. The actual postage is payable when a copy of a record must be posted to a requester.

PRESCRIBED FORMS

FORM C

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY