

# **SHABIR GOGA INCORPORATED**

## **SECTION 51 MANUAL PROMOTION OF ACCESS TO INFORMATION ACT**

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#### **A. INTRODUCTION**

##### **Main Business**

Chartered Accountant

#### **B. PARTICULARS IN TERMS OF THE SECTION 51 MANUAL**

##### **1. Contact details**

**Head of the body:** SH Goga

**Postal address:** P.O.Box 176  
Newcastle  
2940

**Street Address:** 81 Scott Street  
Newcastle  
2940

**Telephone number:** (034) 3128678

**Fax number:** (034) 3154888

**Email address:** info@sgi.za.com

## **2. The section 10 Guide on how to use the Act**

The Guide will, according to the South African Human Rights Commission (SAHRC), be available for inspection at the offices of the SAHRC. 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](http://www.sahrc.org.za)

E-mail: [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)

## **3. Records available in terms of any other legislation**

[Acts that are applicable]

### **Information is available in terms of certain provisions of the following Legislation:**

- 3.1 Basic Conditions of Employment Act 75 of 1997
- 3.2 Companies Act 61 of 1973
- 3.3 Compensation for Occupational Injuries and Health Diseases Act 130 of 1993
- 3.4 Consumer Affairs (Unfair Business Practices) Act 71 of 1988
- 3.5 Credit Agreements Act 75 of 1980
- 3.6 Financial Intelligence Centre Act 38 of 2001
- 3.7 Financial Relations Act 65 of 1976
- 3.8 Income Tax Act 58 of 1962
- 3.9 Insider Trading Act 135 of 1998
- 3.10 Insolvency Act 24 of 1936
- 3.11 Intellectual Property laws Amendments Act 38 of 1997
- 3.12 Labour Relations Act 66 of 1995
- 3.13 Regional Services Councils Act 109 of 1985
- 3.14 Value Added Tax Act 89 of 1991

## **4. Access to the records held by Shabir Goga Incorporated**

### **1. Information readily available**

**The following categories of records are automatically available for inspection, purchase or photocopying:**

- 4.1.1 Pamphlets / Brochures
- 4.1.2 Posters
- 4.1.3 Pricelists
- 4.1.4 Marketing and Promotional Material

### **2. Records that may be requested:**

#### **Information available in terms of The Act**

The subjects on which the business holds the records and the categories on each subject are as listed below.

Please note that a requestor is not automatically allowed access to these records and that access to them may or must be refused in accordance with section 62 to 69 of The Act.

## **4.2 Accounting Records**

- 4.2.1 Annual financial statements and working papers
- 4.2.2 General ledger
- 4.2.3 Subsidiary ledgers (receivables, payables, etc.)
- 4.2.4 Bank Statements, cheque books, cheques
- 4.2.5 Customer and supplier statements and invoices
- 4.2.6 Deposit slips
- 4.2.7 Cash books and petty cash books
- 4.2.8 Fixed asset register
- 4.2.9 Tax returns and assessments
- 4.2.10 VAT returns
- 4.2.11 Lease or instalment sale agreements
- 4.2.12 Auditor's reports

### **4.3 Information Technology**

- 4.3.1 Hardware
- 4.3.2 Internet
- 4.3.3 Operating Systems
- 4.3.4 Software Packages
- 4.3.5 Telephone exchange equipment
- 4.3.6 Telephone lines, leased lines and data lines

### **4.4 Legal Agreements and Contracts**

- 4.4.1 Agreements with contractors, suppliers and clients
- 4.4.2 Agreements with shareholders, officers or directors
- 4.4.3 Distributor, dealer or agency agreements
- 4.4.4 Sale agreements
- 4.4.5 Warranty agreements

### **4.5 Personnel Records**

- 4.5.1 Employee information records
- 4.5.2 Employment applications
- 4.5.3 Employment Contracts
- 4.5.4 IRP 5 and IT 3 certificates
- 4.5.5 Leave applications
- 4.5.6 Payroll
- 4.5.7 Personnel file
- 4.5.8 Salary and wage registers
- 4.5.9 Salary slips and wage records
- 4.5.10 UIF, PAYE, and SDL returns
- 4.5.11 Workmen's Compensation documents

### **4.6 Sales and Marketing**

- 4.6.1 Brochures, newsletters and marketing material
- 4.6.2 Products
- 4.6.3 Public Relations policies and procedures
- 4.6.4 Sales
- 4.6.5 Service and product

## **4.7 Statutory Company Records**

- 4.7.1 Certificate of Change of Name
- 4.7.2 Certificate of Incorporation
- 4.7.3 Certificate of Commence Business
- 4.7.4 Directors' attendance register
- 4.7.5 Memorandum Articles of Association
- 4.7.6 Minutes of Shareholders' meetings
- 4.7.7 Minutes of directors' meetings
- 4.7.8 Register of director's shareholding
- 4.7.9 Resolution
- 4.7.10 Shareholder's agreements

## **3. The request procedures:**

### **Form of request:**

- The requester must use the prescribed form 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.
- 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.
- 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.
- 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.

### **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.
- 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.
- 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.

## **5. Other information as may be prescribed**

The Minister of Justice and Constitutional Development has not made any regulations in this regard.

## **6. Availability of the manual**

The manual is also available for inspection during office hours at the offices of Shabir Goga Incorporated free of charge. Copies are available from the SAHRC.