MANUAL

OF

4 SURE TECHNOLOGY SOLUTIONS (PTY)LTD

2016/290310/07

PREPARED IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT, NO. 2 OF 2000

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1. Introduction

1.1. In terms of Section 32 of the Bill of Rights in the Constitution of the Republic of South Africa, Act No.108 of 1996 every person has a right to access information. In order to fulfill this constitutional obligation, the Promotion of Access to Information Act No. 2 of 2000 ("the Act") was assented to by Parliament.

1.2. The motivation for giving effect to the right of access to information is to:

1.2.1. Foster a culture of transparency and accountability in both public and private bodies.
1.2.2. Promote a society in which the people of the Republic of South Africa have effective access to information to enable them to more fully exercise and protect all their rights.

1.3. Section 9 of the Act recognises that such right to access to information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to:

1.3.1. Limitation aimed at the reasonable protection of privacy;
1.3.2. Commercial confidentiality; and
1.3.3. Effective, efficient and good governance.

1.4. The right must balance with any other rights, including such rights contained in the Bill of Rights in the Constitution.

2. Overview

2.1. The purpose of this manual is to facilitate requests for access to information of 4 SURE TECHNOLOGY SOLUTIONS (PTY)LTD .
Requesters are advised to familiarize themselves with the provisions of the Act before making any requests. This manual is not exhaustive, nor does it comprehensively deal with every procedure provided for in the Act.

3. Company Overview

3.1. INSURANCE BROKERS

4. Contact Details – Section 51(1)(A)

4.1. Contact Information:

The Owner	4 SURE TECHNOLOGY SOLUTIONS (PTY)LTD
Legal Status	Legal Person
Registration Number	2016/290310/07
Physical Address	1709 CONSTANTIA KLOOF 50 CONSTANTIA BOULEVARD QUADRUM OFFICE PARK SECOND FLOOR TO CONFIRM
Postal Address	QUADRUM OFFICE PARK SECOND FLOOR 50 CONSTANTIA BOULEVARD 1709 CONSTANTIA KLOOF
Head of Business	Mr SHALEN MOODLEY
Information Officer	Mr ZACH BYRON TORIEN
Telephone Number	0861047873
Fax Number	
Vat Registration Number	
Website Adress/ess	WWW.4-SURE.NET
Official E-mail Address	INFO@4-SURE.NET

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5. The Section 10 Guide On How To Use The Act – Section 51(1)(B)

5.1. Section 10 of the Act requires the South African Human Rights Commission (SAHRC) to compile a guide containing information reasonably required by a person wishing to exercise or protect any right in terms of the Act. The Guide will be available from the South African Human Rights Commission by not later than August 2003.

Please direct any queries to:

Organisation	The South African Human Rights Commission: PAIA Unit
Department	The Research and Documentation Department
Postal Address	Private Bag 2700 Houghton 2041
Telephone	+27 11 877-3600
Fax	+27 11 403-0625
URL	www.sahrc.org.za
Email	inforeg@justice.gov.za

6. Automatic Disclosures: Categories Of Records Of The Body Which Are Available Without A Person Having To Request Access In Terms Of The Act – Section 51(1)(C)

6.1. A notice in terms of sections 52(1) and (2) of the Act describes the categories of records of the body that are available without a person having to request access in terms of the Act. Information for this notice was not available at the time of publication of the manual. However, the following information and records are freely available:
6.1.1. Newsletters
6.1.2. Booklets
6.1.3. Pamphlets/Brochures
6.1.4. Reports
6.1.5. Posters
6.1.6. Other literature intended for public viewing

7. Records Available In Terms Of Any Other Legislation – Section 51(1)(D)

- Basic Conditions of Employment Act No. 75 of 1997
- Companies Act No. 71 of 2008
- Compensation for Occupational Injuries and Diseases Act No. 130 of 1993
- Consumer Protection Act No. 68 of 2008
- Employment Equity Act No. 55 of 1998
- Financial Intelligence Centre Act No. 38 of 2001
- Income Tax Act No. 58 of 1962
- Labour Relations Act No. 66 of 1995
- Long-term Insurance Act No. 52 of 1998
- National Credit Act no. 34 of 2005
- Occupational Health and Safety Act No. 85 of 1993
- Short-term Insurance Act No. 53 of 1998
- Skills Development Levies Act No. 9 of 1999
- Unemployment Insurance Act No. 63 of 2001
- Value-Added Tax Act No. 89 of 1991

8. Record Retention Information

- Basic Conditions of Employment Act No. 75 of 1997
- Companies Act No. 71 of 2008
- Compensation for Occupational Injuries and Diseases Act No. 130 of 1993
- Employment Equity Act No. 55 of 1998
- Financial Intelligence Centre Act No. 38 of 2001
- Income Tax Act No. 58 of 1962

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- Labour Relations Act No. 66 of 1995
- Occupational Health and Safety Act No. 85 of 1993
- Skills Development Act No. 97 of 1998
- Value-added Tax Act No. 89 of 1991

9. Access To The Records Held By The Private Body: Subjects And Categories Of Records Held By The Private Body – Section 51(1)(E)

Records are held by the private body on the following subjects, which are classed in the categories set out below:

9.1. Statutory Company Records And Information

- A copy of the Memorandum of Incorporation and any amendments or alterations to it
- A copy or copies of rules made in terms of sections 15(3) to(5) of the Companies Act No. 71 of 2008 (“Companies Act”)
- A record of our directors
- Auditor’s report, if the Annual Financial Statements are audited, and
- Directors’ report
- Copies of accounting records required by the Companies Act
- All resolutions adopted by shareholders / members and any documents made available by us to the holders of securities in relation to their resolutions
- Minutes of all meetings of directors, or directors’ committees, or the audit committee (if any)
- The date of each of their appointments.

9.2. Statutory Closed Corporation Records And Information

- The Founding Statement
- Proof of registration
- Minute Books as well as Resolutions passed at meetings
- Annual Financial Statements, including annual accounts and the report of the accounting officer
- Accounting records, including supporting schedules to accounting records and ancillary accounting records

9.3. Taxation Records And Information

- Copies of all Income Tax Returns and other tax returns and documents

9.4. Employee Records And Information

- Employees' names and occupations
- Time worked by each employee
- Remuneration paid to each employee
- Date of birth of each employee
- Wages register
- Attendance register
- Employment equity plan
- Salary and wages register
- Expense accounts
- Employee contracts
- Code of conduct

9.5. Agreements And Contractual Records And Information

- Agreements with shareholders, officers or directors
- Agreements with contractors and suppliers
- Agreements with customers
- Sale agreements

9.6. Environmental Health And Safety Records And Information

- Safety management systems, data and audits

9.7. Fixed Property Records And Information

- Leases

9.8. Movable Property Records And Information

- Asset register
- Finance and Lease Agreements

9.9. Intellectual Property Records And Information

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• Agreements relating to intellectual property such as licence agreements, secrecy agreements, research and development agreements, consulting agreements, use agreements, joint venture agreements and joint development agreements

9.10. Pension And Retirement Funding Records And Information
• Pension Fund Rules
• Contribution Reports
• Annual accounts

9.11. Financial Accounting And Information
• Books of Account including journals and ledgers
• Delivery notes, orders, invoices, statements, receipts, vouchers and bills of exchange

9.12. Legal Records And Information
• N/A

9.13. Insurance Records And Information
• Insurance policies
• Claim records
• Details of insurance coverages, limits and insurers

9.14. Transportation Records And Information
• N/A

9.15. Information Technology Records And Information
• Telephone Lines, Leased Lines and Data Lines
• Software Packages
• Internal Systems Support and Programming / Development
• Agreements
• Licenses
• Audits

9.16. Marketing Records And Information
• Products
• Customers
• Sales

9.17. Black Economic Empowerment
• B-BBEE status confirmed by a sworn affidavit for the purpose of B-BBEE compliance by South African companies.

9.18. Industry Specific Information
• INSURANCE BROKERS

9.19. Protection of Personal Information Act
• Race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual rientation, age, physical or mental health, wellbeing, disability, religion, conscience, belief, culture, language and birth of the person
• Information relating to the education or the medical, financial, criminal or Employment history of the person.
• Any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person.
• Correspondence sent by the person that is implicitly or explicitly of a private or confidential nature of further correspondence that would reveal the contents of the original correspondence.

9.20. Community and Stakeholder Engagement
• Social and labour plan

10. Access To The Records Held By The Private Body: The Request Procedures

10.1. Form of request

10.1.1. The requester must be given access to a record of a private body if the requester complies with the following:

10.1.1.1. that record is required for the exercise of protection of any rights

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10.1.1.2. the requester complies with the procedural requirements in the Act relating to a request for access to that record; and

10.1.1.3. access to that record is not refused in terms of any ground for refusal contemplated in the Act [section 51].

10.1.2. The requester must use the prescribed form that has been printed in the Government Gazette [Govt. Notice R187 – 15 February 2002 Form C] to make the request for access to a record. This must be made to the head of the private body or the other person designated for this purpose, details of which are stated in paragraph 2 above. This request must be made to the address, fax number or electronic mail address of the private body [section 53(1)].

10.1.3. The requester must provide sufficient details on the request form to enable the head of the private body to identify the record in respect of which access is requested and the requester.

10.1.4. The requester should also indicate which form of access is required and if any other manner is to be used to inform the requester, in which event the necessary particulars to be so informed, must be provided [section 53(2)(a) and (b) and (c)].

10.1.5. 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 [section 53(2)(d)].

10.1.6. If a request is made on behalf of another person, the requester must submit proof of the capacity in which the requester is making the request to the satisfaction of the head of the private body [section 53(2)(f)].

10.2. Fees

10.2.1. A requester who seeks access to a record containing personal information about the requester is not required to pay the request fee. Every other requester, who is not a personal requester, must pay the required request fee:

10.2.1.1. 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 [section 54(1)].

10.2.1.2. The fee that the requester must pay to a private body is R50,00 plus VAT (if VAT is applicable).

10.2.1.3. The requester may lodge an application to the court against the tender or payment of the request fee [section 54(3)(b)].

10.2.2. After the head of the private body has made a decision on the request, the requester must be notified in the required form.

10.2.3. If the request is granted, an access fee must be paid for the search, reproduction, preparation and for any time that has exceeded 6 (six) hours to search and prepare the record for disclosure [section 54(6)].

10.3. Prescribed forms and prescribed fees

10.3.1. The prescribed forms and fee structure is available on the private body's website [URL].

10.3.2. It is also available on the SAHRC's website **www.sahrc.org.za** or the website of the Department of Justice and Constitutional Development **www.doj.gov.za** (under "regulations").

11. Other Information As May Be Prescribed – Section 51(1)(F)

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

12. Availability Of Manual- Section 51(3)

12.1. The Manual is available for inspection at the offices of the private body free of charge. Copies are available with the SAHRC, in the Government Gazette and on the private body's website [URL].

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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 11]

A. Particulars of private body

The Head:

_____

_____

_____

B. Particulars of person requesting access to the record

a)	The particulars of the person who requests access to the record must be reported below.
b)	*Furnish an address and/or fax number in the Republic to which information must be sent.*
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 other 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 of 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) 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 therefor.

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: _____

Mark the appropriate box with an "X".
NOTES:
a) Your indication as to the required form of access depends 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 to the record, if any, will be determined partly by the form in which access is requested.

If the record is in written or printed form –			
	copy of record*		Inspection of record
If record consists of visual images – (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.)			
	view the images		copy the images*		transcription of the images*
If the 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)
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 of transcription of a record (above), do you wish the copy or transcription to be posted to you? **A postal fee 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 requested record is required for the exercising 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 thereof 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 THE REQUEST IS MADE