



**PROMOTION OF ACCESS TO INFORMATION
MANUAL**

**IN TERMS OF SECTION 51 OF
THE ACT 2 OF 2000**

FOR BASTION GRAPHICS (PTY) LTD

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1. INTRODUCTION

1.1 Definitions

In this Manual, unless the context clearly indicates a contrary intention, the words herein below defined shall bear the meanings assigned to them, and cognate expressions shall bear corresponding meanings:

- i. **“Act”** means the Promotion of Access to Information Act, No 2 of 2000;
- ii. **“Guide”** means the guide published by the SAHRC in terms of section 10 of the Act;
- iii. **“Manual”** means this manual published in terms of section 51 of the Act;
- iv. **“Minister”** means the Cabinet member responsible for the administration of justice, presently the Department of Justice and Constitutional Development;
- v. **“Bastion”** means Bastion Graphics (Proprietary) Limited, a private company registered in accordance with the laws of the Republic of South Africa, with registration number 1971/007122/07;
- vi. **“the Head of Bastion”** means the Chief Executive Officer of Bastion;
- vii. **“Personal requester”** means a Requester seeking access to a record containing personal information about the Requester;
- viii. **“Private Body”**, in terms of the Act, means a natural person who carries or has carried on any trade, business or profession, but only in such capacity; a partnership which provides or has carried on any trade, business or profession; or any former or existing juristic person, but excludes a public body;
- ix. **“Requester”**, in terms of the Act, means any person, including but not limited to a public body or an official thereof, who make a request for access to a record of that Private Body or a person acting on behalf of that person;
- x. **“Request for access”** means a request for access to a record of a private body;
- xi. **“Access fee”** means the fee paid by the requester to the public or private body from which information is being requested, to cover the costs of finding and if necessary, copying, the records you require;
- xii. **“Request fee”** means the cost to be paid for making a request for access to information
- xiii. **“SAHRC”** means the South African Human Rights Commission.

1.2 Company Profile

Bastion is an end-to-end service provider for corporate communications, offering expert advise on corporate communications, corporate reporting and online communications.

2. CONTACT DETAILS

The Head of Bastion has authorised the Financial Manager and HR Officer to act as the Heads of Bastion for the purpose of the compilation of this manual and to address all requests for access to information from Bastion in terms of the Act.

The Financial Manager is Mr Hartmann Beukes.

The HR Officer is Ms Samantha Brown.

Their contact details are as follows:

Physical address: Bastion Graphics (Pty) Ltd
164 Katherine Street
Pinmill Farm
Block E
Ground Floor
Barlow Park
Sandton
2148

Postal address: P O Box 52048
Saxonwold
2193

Telephone number: +27 11 778 5800

Email: Accounts@bastiongroup.co.za

Website: www.bastiongroup.co.za

3. GUIDE ON HOW TO USE THIS ACT

3.1 In terms of section 10 of the Act, the SAHRC has published a guide containing information relating to:

- 3.1.1 obtaining access to a record of a Private Body and the assistance that is available from the SAHRC in this regard;
- 3.1.2 lodging a court application against a decision by the head of a private body;
- 3.1.3 the forms required and the fees that are payable for accessing a record; and
- 3.1.4 the voluntary disclosure of information by private bodies.

3.2 Requesters are referred to the Guide in terms of Section 10 which has been compiled by the South African Human Rights Commission, which will contain information for the purposes of exercising Constitutional Rights. The Guide is available from the SAHRC.

3.3 The contact details of the Commission are:

Postal Address: Private Bag 2700, Houghton, 2041
Telephone number: +27 11 877 3600
Fax number: +27 11 403 0625
Website: www.sahrc.org.za

4. NOTICES IN TERMS OF SECTION 52(2) OF THE ACT

According to section 52(2) of the Act, the Minister must publish a description of the categories of records of the Private Body that are automatically available without a person having to request access in terms of the Act.

To date, no notice has yet been published by the Minister.

5. APPLICABLE LEGISLATION

Certain of Bastion's records are available in terms of legislation other than the Act and are listed in such legislation. In certain instances the information referred to therein may only be accessed by the persons specified in the relevant legislation. The legislation, as amended from time to time, is as follows:

No.	Reference	Act
1	No 61 of 1973	Companies Act
2	No 55 of 1998	Employment Equity Act
3	No 130 of 1993	Compensation for Occupational Injuries and Disease Act
4	No 58 of 1962	Income Tax Act
5	No 66 of 1995	Labour Relations Act
6	No 89 of 1991	Value Added Tax Act
8	No 75 of 1997	Basic Conditions of Employment Act
9	No 9 of 1999	Skills Development Act
10	No 9 of 1999	Skills Development Levy
11	No 25 of 2002	Electronic Communications and Transactions Act
12	No 2 of 2000	Promotion of Access of Information Act
13	No 30 of 1996	Unemployment Insurance Act
14	No 131 of 1998	Medical Schemes Act

6. SCHEDULE OF RECORDS HELD BY BASTION

6.1 Companies Act

Registration certificate
Memorandum of Incorporation and alterations and amendments
Rules
Securities register
Register of company secretary and auditors

6.2 Financial Records

Annual Financial Statements
Tax Returns and Assessments
VAT Records and returns
Accounting Records
Banking Records
Bank Statements
Paid Cheques
Electronic banking records
Fixed assets register

Invoices

6.3 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:

- VAT
- Skills Development Levies
- Unemployment Insurance Fund
- Workmen's Compensation

6.4 Human Resources

Employment contracts

Employment Equity Plan

Medical Aid

Provident and pension fund information

Disciplinary records

Remuneration records

SETA records

Disciplinary records

Leave records

Training records

Policies and procedures

6.5 Immovable and moveable property

Property records and lease agreements

Vehicle lease agreement

Office equipment leases

6.6 Marketing

Market information

Marketing and Product strategies

Customer information and customer database

Price information

Marketing reports

Industry news and information

6.7 Insurance

Insurance policies

Property records and leases

7. SECURITY

We secure our data by maintaining reasonable measures to protect personal information from loss, misuse and unauthorised access, disclosure, alteration and destruction. We also take reasonable steps to keep personal information accurate, current, complete and reliable for its intended use.

8. REQUEST PROCEDURE IN TERMS OF THE ACT

8.1. Forms and fees

A request for information must be made in the prescribed form, a copy of which is annexed hereto as Annexure 1, and must be addressed to the head of the private body, submitted with the prescribed fee.

The prescribed request form and details regarding the prescribed fees are available from the head of the private body and from the South African Human Commission, whose contact details are set out in point 2 and 3 respectively above.

8.2 Form of request

8.2.1 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 using the address, facsimile number or electronic mail address of the body concerned.

8.2.2 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 indicate if it requires notice of the decision of the head of the private body in any manner, other than in writing.

8.2.3 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.

8.2.4 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.

8.3 Prescribed fees

8.3.1 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.

8.3.2 The head of the private body must by notice, require the requester to pay the prescribed fee, if any, before further processing the request.

- 8.3.3 The requester may lodge an application to the high court relating to the payment of the request fee.
- 8.3.4 After the head of the private body has made a decision on the request, the requester must be notified in the required form.
- 8.3.5 If the request is granted then a further access fee must be paid for the search, reproduction, preparation and for any time, in excess of the prescribed hours, required to search and prepare for the record disclosure.

9. ADDITIONAL INFORMATION

9.1 Availability of manual

The manual is available for inspection at the office of Bastion free of charge, and on the Bastion website (refer to Part 2 of the manual). Copies are also available with the SAHRC and in the Government Gazette.

9.2 Annexures

9.2.1 Annexure 1 - Form C

9.2.2 Annexure 2 – Explanatory Note on Fees

9.2.1 ANNEXURE 1

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 10]

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 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:

Telephone number:

Fax 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) 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 for exemption.

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:
Form in which record is required:	
Mark the appropriate box with an X .	
NOTES:	
(a) Compliance with your request in the specified form may depend 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 for the record, if any, will be determined partly by the form in which access is requested.	

1. If the record is in written or printed form:					
	copy of record*		inspection of record		
2. If record consists of visual images: (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.)					
	view the images		copy of the images*	transcription of the images*	
3. If 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		
4. 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 or transcription of a record (above), do you wish the copy or transcription to be posted/couriered to you? Postage/courier 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 of20.....

SIGNATURE OF REQUESTER / PERSON ON
WHOSE BEHALF REQUEST IS MADE

9.2.2 ANNEXURE 2

FEES IN RESPECT OF PRIVATE BODIES

No.	Detail	Fees (Rand)
A. Fees for Requesting Records		
i.	The request fee payable by a requester, other than a personal requester, referred to in section 54(1), unless exempted under section 54(8) of the Act.	50.00
ii.	Those earning less than R14 712 p.a. (if single) and R27 192 p.a. (if married or have a life partner) are exempt from paying the request fees	0.00
B. Fees for Accessing Records		
1.	Copy per A4 page	1.10
2.	Printing per A4 page	0.75
3.	Copy on a CD	70.00
4.	Transcription of visual images per A4 page	40.00
5.	Copy of a visual image	60.00
6.	Transcription of an audio recording per A4 page	20.00
7.	Copy of an audio recording	30.00
8.	Search and preparation of the record for disclosure, per hour or part thereof, excluding the first hour, reasonably required for the search and preparation	30.00
9.	Actual postage or courier fee	TBC*

*To be confirmed