



DIGISERV TECHNOLOGIES CC

(CK Registration number: 2004/008612/23)

("DIGISERV")

**MANUAL PREPARED IN ACCORDANCE WITH SECTION 51 OF
THE PROMOTION OF ACCESS TO INFORMATION ACT, ACT NO.
2 OF 2000 ("THE ACT")**

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1. INTRODUCTION

The manual is to assist potential requestors as to the procedure to be followed when requesting access to information / documents from DIGISERV as contemplated in terms of the Act.

The manual may be amended from time to time and as soon as any amendments have been finalised the latest version of the manual will be made public.

Any requestor is advised to contact Rudi Burger should he / she require any assistance in respect of the utilisation of this manual and/or the requesting of documents / information from DIGISERV.

The following words will bear the following meaning in this manual :-

"the Act"	shall mean the Promotion of Access to Information Act, No. 2 of 2000, together with all relevant regulations published;
"the/this manual"	shall mean this manual together with all annexures thereto as available at the offices of DIGISERV from time to time;
"DIGISERV"	shall mean DigiServ Technologies cc, and various of its subsidiaries as set out in part 9, page 11 and further of this manual
"SAHRC"	shall mean the South African Human Rights Commission.

2. **CONTACT DETAILS** (Section 51(1)(a) of the Act)

Name of body:	DigiServ Technologies CC
Chief Executive Officer:	Rudi Burger
The appointed information Officer:	Rudi Burger
Address:	18 Middleton Road, Winklespruit Amanzimtoti 4126
Postal address:	P.O. Box 119, Seadoone Amanzimtoti 4141
Telephone:	+27 31 916 5389
Fax:	086 565 0039
E-mail:	rudi@digiserv.biz

3. **GUIDE IN TERMS OF SECTION 10 OF THE ACT** (Section 51(1)(b) of the Act)

In terms of section 10 of the Act a guide will be compiled by the SAHRC containing such information as may be required by a person who wishes to exercise any right contemplated in the Act. The guide will be made available by the SAHRC by no later than August 2004.

Contact details of the South African Human Rights Commission:

PAIA Unit
The Research and Documentation Department
Private Bag 2700
HOUGHTON
2041

Telephone: +27 11 484 8300

Fax: +27 11 484 7146

Website: www.sahrc.org.za

E-mail: PAIA@sahrc.org.za

4. **NOTICE(S) IN TERMS OF SECTION 52(2) OF THE ACT** (Section 51(1)(c) of the Act)

At this stage no notice(s) has / have been published.

5. **INFORMATION / DOCUMENTS AVAILABLE IN ACCORDANCE WITH OTHER LEGISLATION** (Section 51(1)(d) of the Act)

DIGISERV keeps information / documents in accordance with the following legislation (please note that this is not an exhaustive list) :-

- Companies Act, Act No. 61 of 1973
- Income Tax Act, Act No. 58 of 1962 (Section 75)
- Value-Added Tax Act, Act No. 89 of 1991 (Section 65)
- Customs and Excise Act, Act No. 91 of 1964 (Section 101)
- Unemployment Insurance Act, Act No. 30 of 1966 (Section 32)
- Basic Conditions of Employment Act, Act No. 75 of 1997 (Section 31)
- Employment Equity Act, Act No. 55 of 1998 (Section 26)
- Compensation for Occupational Injuries and Diseases Act, Act No. 130 of 1993 (Section 97)
- Guidance and Placement Act, Act No. 61 of 1981 (Section 15(5))
- Insolvency Act, Act No. 24 of 1936 (Sections 134 and 155)
- Occupational Health and Safety Act, Act No. 85 of 1993

6. **DOCUMENTS / INFORMATION HELD BY DIGISERV IN TERMS OF THE ACT** (Section 51(1)(e) of the Act)

The documents / information listed herein below pertain to the day-to-day management of the business of DIGISERV :-

- Standard Employment Contracts
- Employment Equity Plan & Report
- Staff Handbook
- Human Resources Policies and Procedures
- List of trademarks and pending applications
- Statutory information

It is recorded that any and all documents / information requested pertaining to the aforesaid shall always only be made available to a requestor subject to the provisions of the Act.

7. **OTHER INFORMATION** (Section 51(1)(f) of the Act)

The Minister of Justice and Constitutional Development has to date not published any regulations in terms of this section.

8. **AVAILIBILITY OF THE MANUAL** (Section 51(3) of the Act)
- 8.1 This manual is available for inspection at the offices of DIGISERV, free of charge - Monday to Friday, 8am to 5pm.
- 8.2 Copies of the manual may be obtained, subject to the prescribed fees, at the offices of DIGISERV.
- 8.3 The manual can also be accessed on the website of the SAHRC (www.sahrc.org.za). The request forms and fee structure can be obtained on the SAHRC website (www.sahrc.org.za) or the website of the Department of Justice and Constitutional Development (www.doj.gov.za) (under "regulations").

9. **FORM OF REQUEST** (Section 53(1) of the Act)

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

- | |
|---|
| <p>a) <i>The particulars of the person who requests access to the record must be recorded below.</i></p> <p>b) <i>Furnish an address and/or fax number in the Republic to which information must be sent.</i></p> <p>c) <i>Proof of the capacity in which the request is made, if applicable, must be attached.</i></p> |
|---|

Full names and surname : _____

Identity Number : _____

Postal address : _____

Fax number : _____

Telephone number : _____

E-mail address : _____

Capacity in which request is made, when made and 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 requested 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 therefore.*

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 : _____ _____
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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.*

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 works 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)

<p>*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you?</p> <p>A postal fee is payable</p>	<p>Yes</p>	<p>No</p>
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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
REQUEST IS MADE

11. PRESCRIBED FEES

10.1 The fee for a copy of the manual as contemplated in regulation 9(2)(c) is R1,10 for every photocopy of an A4-size page or part thereof.

10.2 The fee for reproduction referred to in regulation 11(1), is as follows :-
R

(a) For every photocopy of an A4-size page or part thereof	1,10
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form	0,75
(c) For a copy in a computer-readable form on :-	
i) stifty disc	7,50
ii) compact disc	70,00
(d) i) For a transcription of visual images, for an A4-size page or part thereof	40,00
ii) For a copy of visual images	60,00
(e) i) For a transcription of an audio record, for an A4-size page or part thereof	20,00
ii) For a copy of an audio record	30,00

10.3 The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2) is R50,00.

10.4 The access fee payable by a requester referred to in regulation 11(3) are as follows :-

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(1)(a) For every photocopy of an A4-size page or part thereof	1,10
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form	0,75
(c) For a copy in a computer-readable form on :-	
i) stiffy disc	7,50
ii) compact disc	70,00
(d) i) For a transcription of visual images, for an A4-size page or part thereof	40,00
ii) For a copy of visual images	60,00
(e) i) For a transcription of an audio record, for an A4-size page or part thereof	20,00
ii) For a copy of an audio record	30,00
(f) To search for the record for disclosure, R30,00 for each hour or part of an hour reasonably required for such search and operation.	
(2) 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.
- (3) The actual postage is payable when a copy of a record must be posted to a requester.