

SECTION 51 PAIA MANUAL

XTRASPACE PROPERTIES (PROPRIETARY) LIMITED

REGISTRATION NUMBER: 2007/017411 /07

("the Company")

**MANUAL PREPARED BY QUANTUM STATUTORY SERVICES CC IN ACCORDANCE WITH
SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT, ACT NO. 2 OF 2000
("THE ACT") ON BEHALF OF "THE COMPANY"**

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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 “the Company” 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 **Dirk van der Walt** should he / she require any assistance in respect of the utilization of this manual and / or the requesting of documents / information from “the Company”.

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 is available at the offices of “the Company” from time to time;
“the Company”	shall mean Xtraspace Properties (Pty) Ltd
“SAHRC”	shall mean the South African Human Rights Commission.

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

Name of Body: Xtraspace Properties (Pty) Ltd
Managing Director: Abraham Marthinus Schneider (Mr.)
The Appointed information
Officer: Dirk van der Walt (Mr.)
Street Address: 1 Chadwick Avenue
Wynberg
JHB, 2146
Postal Address: P O Box 74
Randpark Ridge
2156
Telephone: +27 11 052 7603
Fax: +27 86 743 0542
Email address: dirk@xtraspace.co.za
Web address: www.xtraspace.co.za

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 December 2005.

Contact details of the "SAHRC"

PAIA Unit
The Research and Documentation Department
Private Bag X2700
Houghton
2041

Telephone: +27 11 877 3600
Fax: +27 11 484 7146
Website: www.sahrc.org.za
Email: PAIA@sahrc.org.za

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

At this stage no notice(s) has/have been published on the categories of records that are automatically available without a person having to request access in terms of PAIA.

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

“The Company” 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 1996 (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

The above records, insofar as it being public nature are available automatically without a person having to request access thereto in terms of the Act, as envisaged in Section 52.

**6. DOCUMENTS / INFORMATION HELD BY “THE COMPANY” 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 “The Company”: -

- Statutory Information
- Standard Employment Contracts
- Medical aid records
- Personnel reports, salary and leave records
- Human Resources Policies and Procedures
- Disciplinary code
- Training manuals and training records
- Financial statements
- Tax returns
- Accounting records
- Banking records
- Asset Register
- Rental agreements
- Invoices
- PAYE, UIF, SDL and workmen’s compensation records
- VAT records

It is recorded that any and all documents / information requested pertaining to the aforesaid shall 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 and regulations in terms of this section.

8. AVAILABILITY OF THE MANUAL (Section 51(3)(f) of the Act)

- This manual is available for inspection at the offices of “the Company” free of charge – Monday to Friday, 8am to 5pm.
- Copies of the Manual may be obtained, subject to the prescribed fees, at the offices of “the Company”.
- The Manual may 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. MANNER IN WHICH REQUEST FOR ACCESS IS TO BE MADE (SECTION 51 (e))

- The requester must complete Form C (a copy of which is attached hereto) and submit this form together with a request fee to the head of the private body;
- The form must be submitted to the head of the private body at his/her address, fax number or electronic email address.
- The form must:
 - Provide sufficient particulars to enable the head of the private body to identify the record/s requested and to identify the request;
 - Indicate which form of access is required;
 - Specify a postal address or fax number of the requestor in the Republic;
 - Identify the right that the requestor is seeking to exercise or protect;
 - And provide an explanation of why the requested record is required for the exercise or protection of that right;
 - If in addition to a written reply, the requester wishes to be informed of the decision on the request in any other manner, to state that manner and the necessary particulars

to be informed in the other manner, if the request is made on behalf of another person, to submit proof of the capacity in which the requestor is making the request, to the reasonable satisfaction of the head of the private body.

10. PRESCRIBED FEES (Section 54)

- A requester is required to pay the prescribed fees (R50.00) before a request will be processed.
- If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not one third more than the access fee which would be payable if the request were granted)
- A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit;
- Records may be withheld until the fees have been paid
- The fee structure is available on the website of the SAHRC at www.sahrc.org.za of the website of the Department of Justice and Constitutional Development (under regulations) at <http://www.doj.gov.za/>