



**MANUAL IN TERMS OF SECTION 51 OF
THE PROMOTION
OF
ACCESS TO INFORMATION ACT, 2000**

1. DEFINITIONS AND INTERPRETATION

1.1. In this Manual clause headings are for convenience and reference only and shall not be used in the interpretation of or modify or amplify the terms of the Manual, nor any clause thereof. Unless a contrary intention clearly appears:

1.1.1. words importing:

1.1.1.1. any gender includes the other gender;

1.1.1.2. the singular includes the plural and vice versa; and

1.1.1.3. natural persons include created entities (corporate or unincorporated) and the state and vice versa.

1.1.2. the following terms shall have the meanings assigned to them hereunder and cognate expressions shall have corresponding meanings, namely:

1.1.2.1. **“Act”** means the Promotion of Access of Information Act, Act 2 of 2000;

1.1.2.2. **“Company”** means jointly:-

1.1.2.2.1. Renico Construction Proprietary Limited, registration number: 2002/032108/07;

1.1.2.2.2. Renico Plant Hire Proprietary Limited registration number: 2002/029528/07;

1.1.2.2.3. Renico Earthworks and Civils registration number: 2005/012852/07;

1.1.2.2.4. Renico Housing Proprietary Limited registration number: 2017/051165/07;

1.1.2.2.5. Renico Real Estate Proprietary Limited registration number: 2015/132302/07;

1.1.2.2.6. Renico Kagisano Civils & Earthworks Proprietary Limited registration number :2005/012852/07;

- 1.1.2.2.7. Renico Kagisano Construction Proprietary Limited registration number 2015/098367/07; and
- 1.1.2.2.8. MRD SA Proprietary Limited registration number 2015/019063/07
- 1.1.2.3. **“Contact Person”** means the person duly authorised by the Information Officer and appointed by the Company to facilitate or assist the Information Officer with any request in terms of the Act; and
- 1.1.2.4. **“Manual”** means this Manual together with all annexures thereto, as may be amended, modified or amplified, from time to time.
- 1.1.3. words and expressions defined in any clause shall, unless the application of any such word or expression is specifically limited to that clause, bear the meaning assigned to such word or expression throughout this Manual;
- 1.1.4. a reference to any statutory enactment shall be construed as a reference to that enactment as at the date hereof and as amended or substituted from time to time;
- 1.1.5. reference to **“day”** or **“days”** shall be construed as calendar days unless qualified by the word **“Business”**, in which instance a **“Business Day”** will be any day other than a Saturday, Sunday or public holiday as gazetted by the government of the Republic of South Africa from time to time;
- 1.1.6. unless specifically otherwise provided, any number of days prescribed shall be determined by excluding the first and including the last day or, where the last day falls on a day that is not a Business Day, then the next succeeding Business day;
- 1.1.7. where figures are referred to in numerals and in words, and there is any conflict between the two, the words shall prevail, unless the context indicates a contrary intention;
- 1.1.8. the words **“include”** and **“including”** mean **“include without limitation”** and **“including without limitation”**. The use of the words **“include”**, **“including”** and **“such as”** followed by a specific example or examples shall not be construed as limiting the meaning of the general wording preceding it;

2. PURPOSE OF THE MANUAL

- 2.1. The purpose of this Manual is to comply with the provisions of section 51 of the Act, in order to protect the rights granted in terms of section 50 of the Act.

3. DETAILS OF COMPANY

- 3.1. Name and registration number: the names and registration numbers reflected in paragraph 1.1.2.2 above;
- 3.2. Postal address: P.O. Box 6211, Weltevredenpark, 1715
- 3.3. Physical address: 384 Johan Street, Corner Taylor, Honeydew, Johannesburg
- 3.4. Telephone number: (011) 794-1177
- 3.5. Facsimile number: (011) 794-1159
- 3.6. Website: www.renicoconstruction.co.za
- 3.7. E-mail: info@renico.co.za

4. CONTACT OF INFORMATION OFFICER AND CONTACT PERSON

- 4.1. The Information Officer is Mr N S Louw, with contact details:
- 4.1.1. Telephone number: (011) 794-1177
- 4.1.2. Facsimile number: (011) 794-1159
- 4.1.3. E-mail address: nico@renico.co.za
- 4.2. The Contact Person is Mr J du Toit, with contact details:
- 4.2.1. Telephone number: (011) 794-1177
- 4.2.2. Facsimile number: (011) 794-1159

4.2.3. E-mail address: juandt@renico.co.za

5. HUMAN RIGHTS COMMISSION GUIDE

5.1. The Human Rights Commission has compelled a guide, as contemplated in section 10 of the Act, containing information to assist any person wanting to execute its rights as contemplated in section 50 of the Act.

5.2. The contact details of the Human Rights Commission are:

5.2.1. Postal address: Private Bag 2700, Houghton, 2041

5.2.2. Telephone number: (011) 484-8300

5.2.3. Facsimile number: (011) 484-0582

5.2.4. Website: www.sahrc.org.za

6. RECORDS THAT ARE AUTOMATICALLY AVAILABLE TO EITHER EMPLOYEES ONLY OR TO THE GENERAL PUBLIC AND EMPLOYEES

6.1. The following records are automatically available to employees and need not be requested in accordance with the procedures outlined in paragraph 8 below, being:-

6.1.1. employee records of the particular employee making the request;

6.1.2. records of disciplinary hearings and related matters of the particular employee making the request;

6.1.3. the Company's policies and procedures; and

6.1.4. this Manual.

6.2. The following records automatically available to the general public and all employees and need not to be requested in accordance with the procedure set forth in paragraph 8 below, being:-

6.2.1. the Company's employment equity plan, if any; and

6.2.2. the Company's skills development plan, if any.

7. RECORDS HELD BY THE COMPANY IN TERMS OF OTHER LEGISLATION AS CONTEMPLATED IN SECTION 51(1)(d) OF THE ACT

The following records are not automatically available without a request in terms of the Act, being:-

7.1 all statutory returns including:-

7.1.1.1. Value Added Tax returns;

7.1.1.2. Workmen Compensation Fund return;

7.1.1.3. Unemployment Insurance Fund returns;

7.1.1.4. Regional Services Levies returns; and

7.1.1.5. Skills Development Levies returns.

7.2. documents concerning compliance by the Company insofar as it may be necessary, with legal obligations in terms of the Occupation and Health and Safety Act, 1993 and the Construction Regulations.

8. OTHER TYPES OF RECORDS HELD BY THE COMPANY AS CONTEMPLATED IN SECTION 51(1)(c)

8.1. The undermentioned records are not automatically available with a request in terms of the Act. A request in terms of this paragraph is subject to the provisions of section 63(1) of the Act, which provides that the Information Officer must refuse a request for access to a record of the Company if the disclosure of the record would involve the unreasonable disclosure of personal information concerning a third party, including a deceased person.

8.2. **Human resource department**

8.2.1. information relating to employees including personal information, employment history and health records that the Company may hold, from time to time;

8.2.2. training and development information; and

8.2.3. general files containing information on employee benefits and employee recruitment, selection information and delight.

8.3. Project management

8.3.1. building plans; and

8.3.2. information relating to projects embarked upon by the Company, from time to time.

8.4. Information technology

8.4.1. usage statistics;

8.4.2. equipment details; and

8.4.3. costing of hardware and software.

8.5. Company's department

8.5.1. Company's secretarial record

8.6. Finance / accounts department

8.6.1. financial records;

8.6.2. a list of the Company's creditors and debtors;

8.6.3. salary information;

8.6.4. banking information; and

8.6.5. fixed asset register.

8.7. Marketing department

- 8.7.1. Company procedures and publications;
- 8.7.2. documents relating to public relation and events; and
- 8.7.3. any media releases of the Company.

8.8. Support services

- 8.8.1. delivery and collection sheets; and
- 8.8.2. list of suppliers.

9. PROCESS OF REQUESTING INFORMATION NOT AUTOMATICALLY AVAILABLE

- 9.1. A request shall be made in the prescribed manner. A copy of the form in which manner the request shall be made is annexed hereto marked annexure “**A**” (*the prescribed form*).
- 9.2. This form also available on the website of the Human Resources Commission and the website of the Department of Justice and Constitutional Development at www.justice.gov.za.
- 9.3. The prescribed form shall be submitted to the Contact Person at his address or e-mail address, who shall hand it to the Information Officer.
- 9.4. The same procedure as set out in paragraphs 9.2 and 9.3 above, applies if the requester is requesting information on behalf of another person or on behalf of a permanent employee of the Company.
- 9.5. The Information Officer shall, as soon as possible and within 30 days after the request has been received, decide whether or not to grant such request.
- 9.6. The requester will be notified of the decision of the Information Officer or the Contact Person in the manner indicated by the requestor.

- 9.7. If the requester is granted, the requester shall be informed by the Contact Person in the manner indicated by the requester in the prescribed form.
- 9.8. Notwithstanding the aforesaid, the Company will advise the requester in the manner stipulated by the requester in the prescribed form of:-
 - 9.8.1. the access fee to be paid for the information, in accordance with the provisions of paragraph 10 below;
 - 9.8.2. the format in which access will be given; and
 - 9.8.3. the fact that the requester may lodge and appeal with the court of competent jurisdiction against the access fee charged or the format in which the access is to be granted.
- 9.9. After access is granted, an actual access to the record requested will be given as soon as reasonably possible.
- 9.10. If the request for access is refused, the Information Officer or Contact Person shall advise the requester in writing of the refusal. The notice of refusal shall state:-
 - 9.10.1. adequate reasons for the refusal; and
 - 9.10.2. that the requester may lodge an appeal with the court of competent jurisdiction against the refusal of the request, including the period, for lodging such appeal.
- 9.11. Upon the refusal by the Information Officer or the Contact Person, the deposit paid by the requester will be refunded.
- 9.12. If the Information Officer or the Contact Person fail to respond within the 30 day period after the request has been received, it is deemed, in terms of section 58, read together with section 56(1) of the Act, that the Information Officer or the Contact Person, has refused the request.
- 9.13. The Information Officer may decide to extend the period of 30 days ("*the initial period*"), for any other period of not more than 30 days if:-

- 9.13.1. a request is received for records that may be prolix in nature;
 - 9.13.2. the records requested are not held at the office of the Company recorded in paragraph 3.3 above;
 - 9.13.3. consultation is required between the various companies within the Renico Group of Companies of which the Company forms part;
 - 9.13.4. the requester consents to an extension in writing; and
 - 9.13.5. the parties agree to an extension in any other manner.
- 9.14. Should the Company require an extension of time, the requester shall be informed in the manner stipulated and in the prescribed form of the reason for the extension.
- 9.15. The requester may lodge an appeal with the court of competent jurisdiction against any extension or the procedure set out in this paragraph 9.

10. FEES PAYABLE

- 10.1. The fees for reproduction of a record as referred to in section 52(3) are as follows:
- 10.1.1. for every photocopy of an A4 size page or part thereof R1,10;
 - 10.1.2. for every printed copy of an A4-size page or part thereof R0,75;
 - 10.1.3. for a copy of a compact disc R70,00;
 - 10.1.4. for a transcript of visual images for an A4 size page or part thereof R40,00;
 - 10.1.5. for a copy of visual images R60,00
 - 10.1.6. for a transcript of an audio record, for an A4-size page or part thereof R20,00;
 - 10.1.7. for a copy of an audio record R30,00
- 10.2. The request fee payable by a requester, other than a personal requester is R50,00.

- 10.3. If the Information Officer or the Contact Person, is of the opinion that 6 hours will be exceeded to search, reproduce and/or prepare the information requested, a deposit is payable equal to one-third of an amount of R30.00 for each hour or part thereof, exceeding the 6 hours.

11. INFORMATION OR RECORDS NOT FOUND

- 11.1. If all reasonable steps have been taken to find a record, and such a record cannot be found or if the records do not exist, then the Information Officer or the Contact Person shall notify the requester, by way of an affidavit or affirmation, that it is not possible to give access to the requested record.
- 11.2. The affidavit or affirmation shall provide a full account of all the steps taken to find the record or to determine the existence thereof, including details of all communications by the Information Officer or the Contact Person with every person who conducted the search.
- 11.3. The notice, as set out in 11.1, shall be regarded as a decision to refuse a request for access to the record concerned for the purposes of the Act.
- 11.4. If the record in question should later be found, the requester shall be given access to the record in the manner stipulated by the requester in the prescribed form unless access is refused by the Information Officer or the Contact Person.
- 11.5. The attention of the requester is drawn to the provisions of Chapter 4 of Part 3 of the Act in terms of which the Company may refuse, on certain specified grounds, to provide information to a requester.

12. INFORMATION REQUESTED ABOUT A THIRD PARTY

- 12.1. Section 71 of the Act makes provision for a request for information or records about a third party.
- 12.2. In considering such a request, the Company will adhere to the provisions of sections 71 to 74 of the Act.

- 12.3. The attention of the requester is drawn to the provisions of Chapter 5 of Part 3 of the Act in terms of which the Company is obliged, in certain circumstances, to advise third parties of requests lodged in respect of information applicable to or concerning such third parties. In addition, the provisions of Chapter 2 of Part 4 of the Act entitle third parties to dispute the decisions of the Information Officer of the Contact Person by referring the matter to the High Court of South Africa.

13. UPDATING OF MANUAL

- 13.1. The Company may update this Manual every six months or at such intervals as may be necessary.