



**SECTION 51 MANUAL
FRANKI GEOTECHNICAL
(PROPRIETARY) LIMITED**

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PROMOTION OF ACCESS TO INFORMATION ACT

SECTION 51 MANUAL FOR FRANKI GEOTECHNICAL (PTY) LTD

COMPANY OVERVIEW

The company carries on its principal activity in: Offering design and build services to the mining, civil engineering and construction industries.

AVAILABILITY OF MANUAL

[Section 51 \(3\)](#)

A copy of the manual and the relevant forms is available to the public for inspection at:

1. The Human Rights Commission ("HRC")
2. The offices of Franki Geotechnical (PTY) LTD
3. The offices of Glenn Tyers and Associates

CONTACT PERSON

[Section 51 \(1\) \(a\)](#)

The delegated responsibility for administration of, and compliance with the Act within Franki Geotechnical (PTY) LTD has been delegated to the following contact person:

Mr. Errol Braithwaite	
POSTAL ADDRESS	PO Box 39075 Bramley 2018
PHYSICAL ADDRESS	674 Pretoria Main Road Wynberg Sandton 2090
TELEPHONE:	011-531-2700
CELLPHONE:	
FAX:	011-887-0475
E-mail:	errol.braithwaite@franki.com

HUMAN RIGHTS COMMISSION (HRC) GUIDE

Section 51 (1) (b)

The South African Human Rights Commission is responsible for the compilation of a guide that will facilitate ease of use of the Act for requesters. This guide will be available from the South African Human Rights Commission, by no later than 31 December 2015.

PAIA Unit
The Research and Documentation Department
Private Bag 2700, Houghton, 2041
Contact: Lindiwe Dlamini
Telephone: +27 11 877 3803
E-mail: lidlamini@sahrc.org.za
Web site: <http://www.sahrc.org.za>

AUTOMATICALLY AVAILABLE RECORDS

Section 51 (1) (c)

Records available without a person having to request access:

None

Manner of access to the above and other mentioned records:

Records may be obtained from the delegated contact person mentioned above

RECORDS HELD IN ACCORDANCE WITH LEGISLATION

Section 51 (1) (d)

Please note that while Franki Geotechnical (PTY) LTD has made every effort to identify all pertinent legislation, we cannot guarantee that all legislation has been included.

Records are held in accordance with the following legislation:

Basic Conditions of Employment Act No. 75 of 1997
Broad Based Black Economic Empowerment Act No.53 of 2003
Companies Act No. 61 of 1973
Consumer Affairs (Unfair Business Practices Act), 71 of 1988
Customs and Excise Amendment Act, 45 of 1995
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
Skills Development Act No.97 of 1998
South African Revenue Services Act, 34 of 1997

The Compensation for Occupational Injuries and Diseases Act No. 130 of 1993
The Constitution of the Republic of South Africa No.3 of 1994
The Machinery and Occupational Safety Act 6 of 1983
The Medical Schemes Act No. 131 of 1998
The Occupational Health and Safety Act No. 85 of 1993
The Value Added Tax Act No.89 of 1991
Unemployment Insurance Act no.63 of 2001

COMPANY RECORD SUBJECTS AND CATEGORIES

Section 51 (1) (e)

ADMINISTRATION (Subject)

The administration division is responsible for the company's total administration function.

1. Minutes of Meetings
2. Correspondence
3. Statutory records
4. Property records
5. Intellectual property records
6. Information Technology records

HUMAN RESOURCES

The Human Resource (HR) division is responsible for the management, recruitment, selection, development, retention and deployment of employees. This division also administers salary and wages, medical and pension funds.

1. Employment Contracts
2. Employee Records
3. Leave Records
4. Payroll Records
5. HR Policies and Procedures

FINANCES

The Finance division is responsible for complete finance functions, including budgets and cost control.

1. Annual Financial Statements
2. Contracts and Agreements
3. Debtors and Creditors Records
4. Operational Information
6. VAT records
7. Stock Records
8. Asset Register

SALES DIVISION

The Sales Division is responsible for the marketing and sales of Franki Geotechnical (PTY) LTD products.

1. Sales Statistics
2. Market Representation
3. Product and Service Price Lists
4. Sales and Marketing Plans

PRODUCT AND SERVICE PROMOTION DIVISION

The Product and Service Promotion Division is responsible for the promotion and advertising of our company, products and services.

1. Advertising Records
2. General Correspondence
3. General Product and Services Information
4. Product and Services Strategies

ADDITIONAL PRESCRIBED INFORMATION

[Section 51 \(1\) \(f\)](#)

Prescribed Information

The Minister of Justice has prescribed no additional information.

ACCESS REQUEST PROCEDURE

Section 51 (1) (e)

It is important to note that the successful completion and submission of an access request form does not automatically allow the requester access to the requested record. An application for access to a record is subject to certain limitations if the requested record falls within a certain category as specified within Part 3 Chapter 4 of the Act.

If it is reasonably suspected that the requester has obtained access to records through the submission of materially false or misleading information, legal proceedings may be instituted against such requester.

COMPLETION OF ACCESS REQUEST FORM

In order to facilitate a timely response to access requests, all requesters should take note of the following when completing the Access Request Form:

1. The Access Request Form must be completed English.
2. Type or print in BLOCK LETTERS an answer to every question.
3. If a question does not apply, state "N/A" in response to that question.
4. If there is nothing to disclose in reply to a particular question state "nil" in response to that question.
5. If there is insufficient space on a printed form in which to answer a question, additional information may be provided on an additional folio.
6. When the use of an additional folio is required, precede each answer thereon with the title applicable to that question.

SUBMISSION OF ACCESS REQUEST FORM

The completed Access Request Form must be submitted either via conventional mail, e-mail or fax and must be addressed to the contact person as indicated above.

An initial, non-refundable **R57-00** request fee is payable on submission.

This fee is not applicable to Personal Requesters, referring to any person seeking access to records that contain their personal information.

PAYMENT OF FEES

Payment details can be obtained from the above mentioned entities contact person and can be made either via a direct deposit, by bank guaranteed cheque or by postal order (no credit card payments are accepted).

Proof of payment must be supplied.

If the request for access is successful an access fee may be required for the search, reproduction and/or preparation of the record(s) and will be calculated based on the Prescribed Fees. The access fee must be paid prior to access being given to the requested record.

NOTIFICATION

Requests will be evaluated and the requester notified within 30 (Thirty) days of receipt of the completed Access Request Form.

ACCESS REQUEST FORM

Section 51 (1) (e)

(Section 53 (1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))
[Regulation10]

1. PARTICULARS OF BODY

Requests can be submitted either via conventional mail, e-mail or fax and should be address to the relevant contact person as indicated below:

FRANKI GEOTECHNICAL (PTY) LTD

Contact Person: Mr. Errol Braithwaite
 Postal address: PO Box 39075 Bramley 2018
 Physical address: 674 Pretoria Main Road Wynberg Sandton 2090
 Phone number: 011-531-2700
 Cellphone number:
 Fax number: 011-887-0475
 E-mail: errol.braithwaite@franki.com

2a. PARTICULARS OF REQUESTER (If Natural Person)

- (a) Particulars of the person who requests access to the record must be recorded below.
- (b) Furnish and 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: _____

 Postal code: _____
 Phone number: _____
 Fax Number: _____
 E-mail address: _____
 Capacity in which request is made, when made on behalf of another person: _____

2b. PARTICULARS OF REQUESTER (if a Legal Entity)

- (a) Particulars of the entity that requests access to the record must be recorded below.
- (b) Furnish and address and/of 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.

Name of entity: _____
 Registration Number: _____
 Postal address: _____

 Postal Code: _____
 Phone Number: _____
 Fax Number: _____

3. PARTICULARS OF PERSON ON WHOSE BEHALF REQUEST IS MADE

This section must ONLY be completed if a request for information is made on behalf of another person.

Full Names and Surname: _____
 Identity Number: _____

4. PARTICULARS OF RECORD

- (a) Provide full particulars of the record to which access is requested, including the reference number if it 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.

Description of record or relevant part of the record: _____

Reference Number, if available: _____

Any further particulars of record: _____

5. FEES

- (a) A request for access to a record, other than a record containing personal information about yourself. Will be processed only after a **non-refundable request fee of R57.00** has been paid.
- (b) 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 the record.
- (c) You will be notified of the required amount to be paid as the access fee.
- (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: _____

6a. FORM OF ACCESS TO RECORD

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 under certain circumstances. In such a case you will be informed whether 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 for:

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 the record consists of recorded information that can be reproduced in sound:

Listen to the soundtrack (audio cassette) Transcription of soundtrack* (written or printed document)

4. If the record is held on computer or in an electronic or machine-readable form:

(this includes photographs, slides, video recordings, computer-generated images, sketches, etc.)

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 to you?

Postage is payable Yes No

Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available.

In which language would you prefer the record? _____

6b. IN THE EVENT OF DISABILITY

If you are prevented by a disability from reading, viewing or listening to the record in the form of access provided for in 1 to 4 above, state your disability and indicate in the form in which the record is required.

Disability:

Form in which record is required:

7. PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED

If the space provided is inadequate, please continue on a separate folio and attach it to this form.
The requester must sign all additional folios.

1. Indicate the right to be exercised or protected:

2. Explain why the record requested is required for the exercise or protection of the aforementioned right:

8. 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 of _____ 20____.

 Signature of requester/person on whose behalf request is made

YOU MUST:	SEND WITH THIS APPLICATION:
1. Complete all necessary spaces. 2. Sign the access request form. 3. Sign additional folios completed.	1. R57.00 request fee (if not a personal requester). 2. Any additional folios completed.

PRESCRIBED FEES

Section 51 (1) (e)

(Section 54 (7) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))
[Regulation 11 (3)]

1. Please note that all prices listed below are inclusive of value-added tax (VAT)

(a) For every photocopy of an A4-size page or part thereof	R1.10
(b) For every printed copy of an A4-size page or part thereof held on a computer or in a electronic or machine-readable form	R0.75
(c) For a copy in a computer-readable form on:	
* stiffer disc	R7.50
* compact disc	R70.00
(d) * For a transcription of visual images, for an A4-size page or part thereof	R40.00
* For a copy of visual images	R60.00
(e) * For a transcription of an audio record, for an A4-size page or part thereof	R20.00
* For a copy of an audio record	R30.00
(f) To search for and prepare the record for disclosure - R30.00 for each hour of part thereof reasonably required for such search and preparation	

(Section 54 (2) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))
[Regulation 11 (3)]

2. Please note that all prices listed below are inclusive of value-added tax (VAT)

- (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.

(Section 54 (7) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))
[Regulation 11 (3)]

3. Please note that all prices listed below are inclusive of value-added tax (VAT)

The actual postage fee is payable when a copy of a record must be posted to a requester.