

TIMBERSTONE CONSTRUCTION



PROMOTION OF ACCESS TO INFORMATION ACT SECTION 51 MANUAL

Introduction

This Manual is published in terms of Section 51 of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) (“the Act”). The Act gives effect to the provisions of Section 32 of the Constitution, which provides for the right of access to information held by the State and to information held by another person that is required for the exercise and / or protection of any right.

The reference to any information in addition to that specifically required in terms of Section 51 of the Act does not create any right or entitlement (contractual or otherwise) to receive such information, other than in terms of the Act.

1 **TIMBERSTONE OVERVIEW**

TIMBERSTONE Construction Projects, specializes in a variety of timber structures, wood and composite decks, engineered and solid flooring, post and rail fencing, as well as other specific and client customized building projects.

Timberstone offers a comprehensive range of services, from solid and engineered flooring (such as bamboo, natural wood veneer) or Travilloc Allure, timber and plastic decking, handrails and balustrades, post and rail fencing, as well as some specific custom arranged building projects.

TIMBERSTONE supports the constitutional right of access to information and we are committed to provide you access to our records in accordance with the provisions of the Act, the confidentiality we owe third parties and the principles of South African law.

2 **AVAILABILITY OF THIS MANUAL**

A copy of this Manual is available on our website (www.timberstone.co.za) or by sending a request for a copy to the Information Officer by email. The Manual may also be obtained from our head office, the South African Human Rights Commission (“SAHRC”) at the addresses set out below or from the Government Printers. This Manual will be updated from time to time, as and when required.

3 **HOW TO REQUEST ACCESS TO RECORDS HELD BY TIMBERSTONE**

Requests for access to records held by TIMBERSTONE must be made on the request forms that are available from our website and office, from the SAHRC website (www.sahrc.org.za) or the Department of Justice and Constitutional Development (www.doj.gov.za) (under “regulations”). You can submit a request without paying the request fee but please note that payment of the prescribed fees must be made before the request will be processed.

Requests for access to records must be made to our Information Officer at the address, fax number or electronic mail address provided for below.

The requester must provide sufficient detail on the request form to enable the Information Officer to identify the record and the requester. The requester should also indicate which form of access is required and indicate if he or she wishes to be informed in any other manner and state the necessary particulars to be so informed.

The requester must identify the right that he or she 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 a request is made on behalf of a person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the Information Officer of TIMBERSTONE.

The standard form that must be used for the making of requests is attached as annexure 1. Not using this form could cause your request to be refused (if you do not provide sufficient information or otherwise) or delayed.

Kindly note that all requests to TIMBERSTONE will be evaluated and considered in accordance with the Act. Publication of this manual and describing the categories and subject matter of information held by TIMBERSTONE does not give rise to any rights (in contract or otherwise) to access such information or records except in terms of the Act.

4 CONTACT DETAILS

Name of Private Body	TIMBERSTONE Construction
Registration Number	2009 174373 23
Designated Information Officer	Lucia Villar
Email address of Information Officer	info@timberstone.co.za
Web page	www.timberstone.co.za
Postal address	P.O. Box 1003 Belfast, 1100, South Africa
Street address	Bhekumuzi Masango Drive 22, Belfast, Mpumalanga, South Africa
Phone number	+27 72 2540374
Fax number	+27 86 6759253

5 HOW TO ACCESS THE GUIDE AS DESCRIBED IN SECTION 10 OF THE ACT

The Guide will be available from the Human Rights Commission as from 15 August 2003, unless otherwise specified. Please direct your enquiries to:

The South African Human Rights Commission
Postal address: Private Bag 2700, Houghton, 2041
Telephone: +27 11 4848300
Fax: +27 11 4840582
Website: WWW.SAHRC.ORG.ZA

6 VOLUNTARY DISCLOSURE

TIMBERSTONE has not published a notice in terms of Section 52(2) of the Act, however, it should be noted that the information relating to TIMBERSTONE and its services is freely available on TIMBERSTONE's website. Certain other information relating to TIMBERSTONE is also made available on such website from time to time.

Further information in the form of marketing brochures, advertising material and other public communication is made available from time to time.

7 **RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION**

Records of the Company that may be available in accordance with any other legislation

Section 51(1)(d):

Companies Act 61 of 1973

Income Tax Act 58 of 1962

Value Added Tax Act 89 of 1991

Labour Relations Act 66 of 1995

Basic Conditions of Employment Act 75 of 1997

Employment Equity Act 55 of 1998

Skills Development Levies Act 9 of 1999

Unemployment Insurance Act 30 of 1966

Electronic Communications and Transactions Act 25 of 2002.

8 **RECORDS HELD BY TIMBERSTONE**

Types of Records: Section 51(1)(e)

We set out below a description of the subjects on which TIMBERSTONE holds records and, below the subject headings, the categories of records held on each subject.

Company Records:

- Details relating to the operational, commercial and financial interests of TIMBERSTONE
- Company Secretarial and Administration
- Human Resources - Standard Employment Contracts
- Human Resources (personal information of past, present and prospective employees and directors)
- Insurance policies
- Operational
- Members
- Strategy

Customer related Records:

- Client data base (personal information of clients, commercial and financial information, information on agreements).
- Commercial contracts
- Sales and Marketing

Other Records:

- Consultants
- Contractors
- Directors and Officers

Other information as may be prescribed Section 51(1)(f): N/A

**PRESCRIBED FORM TO BE COMPLETED BY A REQUESTER
FORM B**

REQUEST FOR ACCESS TO RECORDS OF PRIVATE BODY

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

(Regulation 4)

A. Particulars of Private Body

The Information Officer: in respect of _____ (specify company, if applicable)

B. Particulars of Person requesting access to the record

- | |
|---|
| <p>(a) <i>The particulars of the person who requests access to the records 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 Name 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 of 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 the Record or relevant part of the record:

2. Reference number, if available:

3. Any further particulars of the 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 of the request fee.*
- (c) *The **fee payable for access** to a record depends on the form in which the 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 of payment of the fee (if any):

F. Form of Access to the 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 the 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 words or information which 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:			
	Printed copy of record	Printed copy of information derived from the record *	Copy in computer readable form * (3,5" magnetic or optical 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?			YES
A postal fee is payable.			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 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

ANNEXURE 2

REPRODUCTION FEES

THE APPLICABLE FEES FOR REPRODUCTION AS REFERRED TO IN REGULATION 11 (1) ARE AS FOLLOWS.

	R
For every photocopy of an A4-size page or part thereof	1,10
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
For a copy in a computer-readable form on:	
- 3,5" magnetic disc	7,50
- Optical compact disc	70,00
A transcription of visual images, for an A4-size page or part thereof	40,00
For a copy of visual images	60,00
A transcription of an audio record, for an A4-size page or part thereof	20,00
For a copy of an audio record	30,00

Request fees:

Where a requester submits a request for access to information held by an institution on a person other than the requester himself/herself, a request fee in the amount of R50,00 is payable up-front before the institution will further process the request received.

Access fees:

An access fee is payable in all instances where a request for access to information is granted, except in those instances where payment of an access fee is specially excluded in terms of the Act or an exclusion is determined by the Minister in terms of Section 54 (8).

The applicable access fees which will be payable are:

	R
For every photocopy of an A4-size page or part thereof	1,10
For every printed copy of an A4-size page or part thereof held on computer or in electronic or machine readable form	0,75
For a copy in a computer-readable form on:	
- 3,5" magnetic disc	7,50
- Optical compact disc	70,00

A transcription of visual images, for an A4-size page or part thereof	40,00
For a copy of visual images	60,00
A transcription of an audio record, for an A4-size page or part thereof	20,00
For a copy of an audio record	30,00
To search for a record that must be disclosed	30,00

(- per hour or part of an hour reasonably required for such search.)

Where a copy of a record needs to be posted the actual postal fee is payable.

Deposits:

Where the institution receives a request for access to information held on a person other than the requester himself/herself and the Information Officer upon receipt of the request is of the opinion that the preparation of the required record of disclosure will take more than 6 (six) hours, a deposit is payable by the requester.

The amount of the deposit is equal to $\frac{1}{3}$ (one third) of the amount of the applicable access fee.