

**MANUAL IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS  
TO INFORMATION ACT 2 OF 2000 (“THE ACT”) FOR BDB DATA  
BUREAU (PTY) LTD**

**1. INTRODUCTION TO BDB DATA BUREAU (PTY) LTD**

1.1 BDB Data Bureau (Pty) Ltd is a juristic person incorporated as a private company in terms of the company laws of the Republic of South Africa. BDB Data Bureau (Pty) Ltd is a private body within the definition contained in Section 1 of the Act, and conducts business as a computer processing bureau which facilitates electronic fund transfer services.

**2. CONTACT DETAILS (Section 51(1)(a))**

- Full name: BDB Data Bureau (Pty) Ltd
- Street Address: 8<sup>th</sup> Floor, Simgos House  
162 Anderson Street  
Johannesburg CBD  
2001
- Postal Address: P O Box 1553  
Glenvista  
2058
- Telephone Number: (011) 223-9300
- Telefax Number: (011) 223-9321
- Head / Chief Executive Officer: Anton van Loggerenberg
- E-mail address of Head / C E O: anton.vanloggerenberg@bdbdata.com
- Website Address: [www.bdbdata.com](http://www.bdbdata.com)

### 3. THE SECTION 10 GUIDE ON HOW TO USE THE ACT (Section 51(1)(b))

3.1 A Guide has been compiled in terms of Section 10 of the Act by the South African Human Rights Commission. It contains information required by a person wishing to exercise any right contemplated by the Act. It is available in all of the official languages.

3.2 The Guide is available for inspection, *inter alia*, at the offices of the South African Human Rights Commission at 29 Princess of Wales Terrace, Corner York and St. Andrews Street, Parktown and on its website at [www.sahrc.org.za](http://www.sahrc.org.za).

### 4. THE MOST RECENT NOTICE IN TERMS OF SECTION 52 (2) (Section 51(1)(c))

4.1 At this stage no notice has been published regarding the categories of records that are automatically available without a person having to request access in terms of the Act.

### 5. RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION (Section 51(1)(d))

5.1 Where applicable to our operations, information is also available in terms of certain provisions of the following statutes:

- Labour relations Act 66 of 1995
- Employment Equity Act 55 of 1998
- Basic Conditions of Employment Act 75 of 1997
- Compensation for Occupational Injuries and Diseases Act 130 of 1993
- Companies Act 61 of 1973
- Unemployment Insurance Act 63 of 2001
- Value Added tax Act 89 of 1991
- Income Tax Act 58 of 1962
- Skills Development Act 9 of 1999
- Banks Act 94 of 1990

## 6. SUBJECT AND CATEGORIES OF RECORDS HELD BY BDB DATA BUREAU (PTY) LTD (Section 51(1)(e))

### 6.1 STATUTORY COMPANY RECORDS

- Documents of Incorporation
- Memorandum and Articles of Association
- Minutes of Board of Director's Meetings
- Records relating to the Appointment of Directors / Auditors / Secretaries / Public Officers and other Officers
- Share Register and other Statutory Registers

### 6.2 FINANCIAL RECORDS

- Annual Financial Statements
- Tax Returns
- Accounting Records
- Banking Records
- Bank Statements
- Paid Cheques
- Electronic Banking Records
- Assets Register
- Invoices

### 6.3 INCOME TAX RECORDS

- PAYE Records
- Documents issued to Employees for Income Tax Purposes
- Records of Payments made to SARS on behalf of Employees
- All other Statutory Compliances in respect of:
  - VAT
  - Regional Services Levies
  - Skills Development Levies
  - UIF
  - Workmen's Compensation

## 6.4 PERSONNEL DOCUMENTS AND RECORDS

- Employment Contracts
- Employment Equity Plan
- Medical Aid Records
- Pension Fund Records
- Disciplinary Records
- Salary Records
- SETA Records
- Disciplinary Code
- Leave Records
- Training Records
- Training Manuals

## 6.5 AGREEMENTS AND CONTRACTS

- Agreements with Shareholders, Officers or Directors
- Agreements with Contractors and Suppliers
- Agreements with Customers
- Purchase or Lease Agreements
- Other Material Agreements

## 7. PROCEDURE FOR REQUESTING ACCESS TO INFORMATION (Section 51(1)(e))

7.1 If you wish to request access to any of the above categories of information, you are required to complete the prescribed request form (being Form C in Government Notice R187). A copy of the prescribed form is annexed to this manual as annexure "A" for your convenience. Further copies of the request forms may be obtained from the Head / Chief Executive Officer of BDB Data Bureau (Pty) Ltd or from the South African Human Rights Commission website ([www.sahrc.org.za](http://www.sahrc.org.za)).

7.2 There is a prescribed fee (payable in advance) for requesting information in terms of the Act. Details of these fees are contained in the request form.

7.3 In addition to the prescribed request fee, you may also be called upon to pay the additional fees prescribed by regulation for searching for and compiling the

information which you have requested, including copying charges. A schedule of the prescribed fees is annexed hereto as annexure "B".

- 7.4 The request form must be submitted to the Head / Chief Executive Officer of BDB Data Bureau (Pty) Ltd at his address, fax number or e-mail address.
- 7.5 The form must:
- 7.5.1 Provide sufficient particulars to enable the head of BDB Data Bureau (Pty) Ltd to identify the record requested and to identify the person making the request;
  - 7.5.2 Indicate which form of access is required;
  - 7.5.3 Specify a postal address or fax number of the requestor in the Republic of South Africa;
  - 7.5.4 Identify the rights 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;
  - 7.5.5 If in addition to a written reply, the requestor 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;
  - 7.5.6 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 BDB Data Bureau (Pty) Ltd.
- 7.6 You will be notified in the manner indicated by you on the request form whether your request has been approved.

## ANNEXURE "A"

### FORM C

#### 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 given below.</i></p> <p>(b) <i>The address and/or fax number in the Republic to which the information is to be sent must be given.</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 on behalf of another person: .....

.....

#### C. Particulars of person on whose behalf request is made

<p><i>This section must be completed ONLY if a request for information is made on behalf of another person.</i></p>
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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 required 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 for exemption.*

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:.....  
.....  
.....

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 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.

<b>1. If the record is in written or printed form:</b>				
	copy of record*		inspection of record	
<b>2. If record consists of visual images</b> (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):				
	view the images		copy of the images*	
			transcription of the images*	
<b>3. If record consists of recorded words or information which can be reproduced in sound:</b>				
	listen to the soundtrack (audio cassette)		transcription of soundtrack* (written or printed document)	
<b>4. If record is held on computer or in an electronic or machine-readable form:</b>				
	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? <b>Postage is payable.</b>				YES
				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 record requested is required for the exercise 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 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 “B”**

**PART III  
FEES IN RESPECT OF PRIVATE BODIES**

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.

2. The fees for reproduction referred to in regulation 11 (1) are 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) 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

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

4. The access fees payable by a requester referred to in regulation 11 (3) are as follows:

	R
(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 and prepare the record for disclosure, R30,00 for each hour or part of an hour reasonably required for such search and preparation.

(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.