

ACCES TO INFORMATION MANUAL

**PREPARED IN TERMS OF SECTION 51 OF
THE PROMOTION OF ACCESS TO INFORMATION ACT NO
2 OF 2000**

Name of PRIVATE BODY:

CONSTELLATION COMPUTERS CC

Registration no: 1994/008666/23

VAT no: 492 014 4096

1. INTRODUCTION AND PURPOSE OF THE MANUAL IN TERMS OF PAIA

This **Closed Corporation** is a private body and carries on the service of

Repair, buy and sell of computers and components, programming and writing of systems and networks.

The Promotion of Access to Information Act seeks to promote a culture of transparency, accountability and democracy, by giving effect to a person's constitutional right of access to information.

In furtherance of this objective we are required by the Act to compile a manual that will assist either private or juristic persons in obtaining information from this private body. This document is hence a manifestation of this requirement.

2. INFORMATION REQUIRED UNDER SECTION 51(1)(a) OF THE ACT

CONTACT DETAILS of head of private body:

Postal address: PO Box 376, Pumstead, 7801

Physical address: Avenue du Midi #10, Diep River, Cape Town

Telephone number: 021-7122682 / 083-2263646

Fax number: 086-5144841

E-mail address: gerald@constellationcomputers.co.za

Website address: www.constellationcomputers.co.za

Persons designated/duly authorized persons (information officer):

Contact head of private body for details

3. DESCRIPTION OF GUIDE REFERRED TO IN SECTION 10-SECTION 51(1) (b)

A Guide has been compiled in terms of Section 10 of PAIA by the Human Rights Commission. It contains information required by a person wishing to exercise any right, contemplated by PAIA. It is available in all of the official languages. The Guide is available for inspection, inter alia, at the offices of the Human Rights Commission at 29 Princess of Wales Terrace, cnr York and St Andrews Street, Parktown and on its website at www.sahrc.org.za.

4. THE NOTICE IN TERMS OF SECTION 52(2) (IF ANY):

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. RECORDS HELD BY THIS COMPANY IN ACCORDANCE WITH OTHER LEGISLATION: SECTION 51(1)(d)

We keep information in accordance with the following legislation:

- Basic Conditions of Employment Act 75 of 1997
- Compensation for Occupational Injuries and Health Diseases Act 130 of 1993
- Closed Corporations Act 69 of 1984

- Close Corporation amendment Act 25 of 2005
- Companies Act, Act No. 71 of 2008
- Consumer Protection Act 68 of 2008
- Income Tax Act, Act No. 58 of 1962
- Unemployment Insurance Act 63 of 2001
- Unemployment Insurance Contributions Act 4 of 2002
- Labour Relations Act 66 of 1995
- Employment Equity Act, Act No. 55 of 1998
- Occupational Health and Safety Act, Act No. 85 of 1993
- The National Credit Act 37 of 2005
- Value Added Tax Act 89 of 1991

Please note that this is not an exhaustive list

6. SUBJECTS AND CATEGORIES OF RECORDS HELD - SECTION 51(1)(e)

6.1 Private body records

- Registration records
- Statutory returns and records
- Financial records
- Commercial contracts
- Client database
- Operational records
- Marketing records
- Internal correspondence
- Product records
- Internal policies and procedures

6.2 Personnel documents and records

- Employment contracts
- Disciplinary records
- Salary records
- Leave records
- Training records

6.3 Customer-related records

Records generated by or within the private body pertaining to customers, including transactional records, correspondence, contractual records.

6.4 Records pertaining to other parties

Records generated by or within the private body pertaining to suppliers/contractors, including transactional records, correspondence, contractual records.

7. HOW TO MAKE A REQUEST FOR ACCESS -SECTION 51(e)

The requester must complete Form C (see attached) and submit this form together with a request fee to the head of the private body.

The completed form must be sent to the address, fax number or electronic mail address provided in this manual.

The form must:

- Provide sufficient particulars to enable the head of the private body to identify the record/s requested and to identify the requester,
- Indicate which form of access is required,
- Specify a postal address or fax number of the requester in the Republic,
- Identify the right that the requester 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 requester is making the request, to the reasonable satisfaction of the head of the private body.

8. PRESCRIBED FEES –SECTION 54

A requester who seeks access to a record containing personal information about that requester is not required to pay the request fees. Any other requester who is not a personal requester must pay the required fee:

- A fee will be required by the head before further processing of the request in terms of S54 of the Act
- A requester fee of R50 should be paid, this amount will be refunded should the request for access be refused.
- A portion of the access fee (not more than one third) may be required before the request is considered.
- The requester may lodge an application with a court against the payment of the request fee in terms of S54(3)(b) of the Act
- The head may withhold a record until the requester has paid the applicable fee.
- The fee structure is available on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at www.sahrc.org.za, or the website of THE DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT (under regulations) at <http://www.doj.gov.za/>

9. AVAILABILITY OF THE MANUAL

This manual is available for inspection by the general public upon request during office hours and there is no charge for viewing the manual at our offices (see physical address of head of private body). Copies of the manual may be made available subject to the prescribed fees.

Copies may also be requested from the South African Human Rights Commission at the address indicated below.

10. DETAILS OF THE SOUTH AFRICAN HUMAN RIGHTS COMMISSION

Any queries with regard to this manual should be directed to:

The South African Human Rights Commission
PAIA Unit
Research and Documentation Department
Private Bag 2700
Houghton
2041

Tel: 011 484 8300

Fax: 011 484 0582

e-mail: PAIA@sahrc.org.za

Website: www.sahrc.org.za

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

- | | |
|-----|---|
| (a) | The particulars of the person who requests access to the record must be given below. |
| (b) | The address and/or fax number in the Republic to which the information is to be sent must be given. |
| (c) | Proof of the capacity in which the request is made, if applicable, must be attached. |

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

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

Full names and surname:

Identity number:

D. Particulars of record

- | |
|---|
| <p>(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.</p> <p>(b) If the provided space is inadequate, please continue on a separate folio and attach it to this form.</p> <p>The requester must sign all the additional folios.</p> |
|---|

- 1 Description of record or relevant part of the record:
 2 Reference number, if available:
 3 Any further particulars of record:

E. Fees

- | |
|--|
| <p>(a) A request for access to a record, other <i>than</i> a record containing personal information about yourself, will be processed only after a request fee has been paid.</p> <p>(b) You will be <i>notified of</i> the amount required to be paid as the request fee.</p> <p>(c) The fee payable for access to a record depends <i>on</i> the form <i>in which</i> access is required and the reasonable time <i>required</i> to search for and prepare a record.</p> <p>(d) If you qualify for exemption <i>of</i> the payment <i>of</i> any fee, please state the reason for exemption.</p> |
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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.	
<p>NOTES:</p> <p>(a) Compliance with your request in the specified form may depend on the form in which the record is available.</p> <p>(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.</p> <p>(c) The fee payable for access for the record, if any, will be determined partly by the form in which access is requested.</p>	

1. If the record is in written or printed form:	
<input type="checkbox"/>	copy of record*
<input type="checkbox"/>	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 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 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* (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

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 of20.....

.....
SIGNATURE OF REQUESTER / PERSON ON
WHOSE BEHALF REQUEST IS MADE