

Promotion of Access to Information Act (2 of 2000)

Section 51 Manual for

Collisheen Estate (Pty) Ltd (“the company”)

1. Preamble **The Reason and Purpose of this Manual**

The Promotion of Access to Information Act, Act 2 of 2000, (“the Act”) came into operation on 23 November 2000. Section 51 of the Act requires that we, as a private body (so defined in the Act) compile this manual giving information to the public regarding the procedure to be followed in requesting information from us for the purposes of exercising or protecting rights.

2. Part I **Introduction to The Company**

The main business of the company is the provision of conferencing facilities where people may host weddings, functions and day conferences. No overnight accommodation is provided but we have a chapel, hall, conference room and are establishing an on site kitchen to cater for the events hosted at our premises.

The company leases 45 hectares of arable land to a third party for the purposes of growing sugar cane. We also lease a workshop for mechanical repairs and a section of land to a Micro Light Club who use it as a landing strip.

3. Part II
Particulars of Private Body - Section 51(1)(a)

Full Name : Collisheen Estates (Pty) Ltd
Registration Number : 1967/009996/07
Registered Address : P.O. Box 114, Umhlali, 4390.
Postal Address : P.O. Box 114, Umhlali, 4390.
Street Address : X1 Esenembi Road, Compensation.
Telephone Number : (032) 947 0198
Fax Number : (032) 947 1100
E-mail Address : info@collisheen.co.za
Contact Person : Wayne Hulett
Details of Contact Person :
 E-mail Address : whulett@collisheen.co.za
 Telephone Number : (032) 947 0198
 Fax Number : (032) 947 1100

4. Part III
Guide to the Act Compiled by the Human Rights Commission

A guide to using the Promotion of Access to Information Act has been compiled by the Human Rights Commission as is required of them by section 10 of the Act. The guide contains information required by a person wishing to exercise any right contemplated by the Act and is available in all 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 as well as:

Post: South African Human Rights Commission
Promotion of Access to Information Act Unit
Research and Document Department
Private Bag 2700
Houghton
2041

Telephone: (011) 484-8300

Fax: (011) 484-0582

Website: www.sahrc.co.za

E-mail: PAIA@sahrc.org.za

5. Part IV
Voluntary Disclosure and Automatic Availability of Certain Record -
Section 51(1)(c)

- 5.1 At this stage, no notices have been published on the categories of records that are automatically available without a person having to request access in terms of PAIA as envisioned by section 52(2).
- 5.2 Advertising and information brochures may be available from time to time at no charge including price lists and packages that we offer.
- 5.3 Documentation is available on our web site

6. Part V
Information and Documentation Available in Accordance with other
Legislation - Section 51(1)(d)

We keep information and documentation in accordance with following legislation, if and where applicable:

Basic Conditions of Employment Act No. 75 of 1997

Companies Act No. 61 of 1973

Compensation for Occupational Injuries and Diseases Act No. 130 of 1993

Employment Equity Act No. 55 of 1998

Income Tax Act No. 58 of 1962

Labour Relations Act No. 66 of 1995

Occupational Health and Safety Act No. 85 of 1993

Unemployment Insurance Act No. 63 of 2001

7. Part VI

Information Available in terms of this Act

We hold the following categories of information:

(a) **STATUTORY COMPANY INFORMATION**

Certificate of Incorporation;
Memorandum and Articles of Association;
Certificate to Commence Business;
Minute Book, CM25 and CM26, as well as Resolutions passed at general/class meetings;
Proxy Forms;
A Register of Allotments – after a person ceased to be a member;
Register of Members;
Index of Members;
Register of Mortgages and Debentures and Fixed Assets;
Register of Directors' shareholdings;
A Branch Register;
Annual Financial Statements including:
Annual accounts;
Directors' reports;
Auditor's report.
Books of Account regarding information required by the Companies Act, 1973;
Supporting schedules to books of account and ancillary books of account;

(b) **ACCOUNTING RECORDS**

Books of Account including journals and ledgers;
Delivery notes, orders, invoices, statements, receipts, vouchers and bills of exchange.

(c) **STATUTORY EMPLOYEE RECORDS**

Employees' names and occupations;
Time worked by each employee;
Remuneration paid to each employee.
Date of birth of each employee;
Wages register;
Attendance register;
Employment equity plan;
Salary and wages register;
Records of foreign employees;
Collective agreements;
Arbitration awards;
Records of strikes, lockouts or protest action.
Industrial training records;

Staff records (after date of employment ceases);
Expense accounts;
Tax returns of employees;

(d) OTHER EMPLOYEE RECORDS

Employee contracts;
Incentive schemes;
Staff loan schemes;
Funeral insurance scheme;

(e) FIXED PROPERTY

Title Deeds;
Leases;
Building plans;
Mortgage Bonds or other encumbrances to fixed property.

(f) MOVABLE PROPERTY

Asset register;
Finance and Lease Agreements;
Notarial Bonds;

(g) AGREEMENTS AND CONTRACTS

Material agreements concerning provision of services or materials;
Agreements with shareholders, officers or directors;
Agreements with contractors and suppliers;
Agreements with customers;

(h) LEGAL

Complaints, pleadings, briefs and other documents pertaining to any actual, pending or threatened litigation, arbitration or investigation;
Settlement agreements;
Material licences, permits and authorisations;

(i) INSURANCE

Insurance policies;
Claim records;
Details of insurance coverages, limits and insurers.

8. Part VII

Procedure to be used in Requesting Information

If you wish to request access to any of the above information categories, you are required to complete a request form (Form "C") as set out in the regulations published in terms of the Act (See GN23119 dated 15 February 2002). These forms are available from:

- our offices (see contact information in Part II above);
- the SAHRC website (www.sahrc.org.za)
- the Department of Justice and Constitutional Development website (www.doj.gov.za).

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.

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

You may also be called upon to pay additional fees prescribed by regulation for searching and compiling information which you have requested, including copying charges.

It is important to note that access is NOT automatic - you must identify the right you are seeking to exercise or protect and explain why the record you request is required for the exercise or protection of that right. You will be notified in the matter indicated by you on the request form whether your request has been approved.