

PAIA MANUAL

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*This manual has been prepared in terms of section 51 of
The Promotion of Access to Information Act no 2 of 2000*

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Issue date: 30 October 2015
Revision number: 2.0
Document number: PAIA-001

DOCUMENT INFORMATION

Document Title	Information Manual
Document Number	PAIA-001
Version Number	2.0
Issue Date	October 2015
Author	Director: Operations
Approval	Director: Managing

REVISION CONTROL

Version Number	Date	Description of Change
1.0	31 August 2015	Creation of document.
2.0	30 October 2015	Complete revision and submission.

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1. INTRODUCTION

Incus Data (Pty) Ltd ("Incus Data") is a company registered in accordance with South African legislation. Incus Data is a training provider and has been training software developers and engineers since 1988. We offer a wide range of courses in the following areas: Java and Java-related technologies, Object orientation, C and C++, .NET development, web development.

Incus Data is a level 4 BEE service provider and has MICT accreditation status.

2. PARTICULARS OF THE PRIVATE BODY: SECTION 51(1)(A)

This information is provided in accordance with Section 51(1)(a) of the Promotion of Access to Information Act.

Name of Body	Incus Data (Pty) Ltd
Directors / Duly Authorised Persons	Mr B. R. van Wyk (Director: Managing) Ms J. J. Coosner (Director: Operations) Mr L. S. Coosner (Director: Training)
Information Officer	Ms Jacqueline Coosner (Director: Operations)
Post Address	P O Box 94 Raslouw Agricultural Holdings 0109
Physical Address	217 Lochner Avenue Raslouw Agricultural Holdings Centurion
Telephone	(27) 12 666 2020
Facsimile	(27) 12 666 2021
Website	www.incusdata.com
Email	info@incusdata.com

Incus Data (Pty) Ltd will protect the confidentiality of information provided to it by third parties, subject to its obligations to disclose information in terms of any applicable law or a court order requiring disclosure of the information.

3. PROVISIONS OF THE ACT – SECTION 51(1)(B)

This information is provided in accordance with Section 51(1)(b) of the Promotion of Access to Information Act ("The Act").

The Act grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.

Requests in terms of the ACT shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in paragraphs 6 and 7 of the Act.

Requesters are referred to the Guide in terms of Section 10 which has been compiled by the South African Human Rights Commission, which will contain information for the purposes of exercising Constitutional Rights. The Guide is available from the SAHRC.

The contact details of the Commission are:

Postal Address: Private Bag 2700, Houghton, 2041

Telephone Number: +27-11-877 3600

Fax Number: +27-11-403 0625

Website: www.sahrc.org.za

4. APPLICABLE LEGISLATION – SECTION 51(1)(C)

This section is compiled in terms of Section 51(1)(c) of the Act.

Various laws allow certain persons access to specified records of private bodies. Legislation that may be consulted to establish whether the requester has a right of access to a record other than in terms of the procedure set out in the Act are:

- ❑ Basic Conditions of Employment Act No. 75 of 1997
- ❑ Companies Act No. 61 of 1973
- ❑ Copyright Act No 98 of 1978
- ❑ Compensation of Occupational Injuries and Diseases Act No. 130 of 193
- ❑ Consumer Affairs Act 23 of 1999
- ❑ Electronic Communications and Transactions Act No. 25 of 2002
- ❑ Employment Equity Act No. 55 of 1998
- ❑ Income Tax Act No. 58 of 1962
- ❑ Insolvency Act No. 24 of 1936
- ❑ Labour Relations Act No. 66 of 1995
- ❑ Occupational Health and Safety Act No. 85 of 1993
- ❑ Promotion of Access to Information Act No. 2 of 2000
- ❑ Protection of Personal Information Act, No 4 of 2013
- ❑ Skills Development Act No. 97 of 1998
- ❑ Unemployment Insurance Act No. 30 of 1966
- ❑ Value-Added Tax Act No. 89 of 1991

Although we have endeavoured to supply a list of applicable legislation, it is possible that the above list may be incomplete.

If a requester believes that a right to access to a record exists in terms of the legislation listed above, or any other legislation, the requester is required to indicate the legislative right on which the request is based, so as to allow the Information Officer to consider the request accordingly.

5. SCHEDULE OF RECORDS – SECTION 51(1)(D)

This section is compiled in terms of Section 51(1)(d) of the Act. It identifies the main categories of records held by Incus Data (Pty) Ltd, which are either freely available or may be requested in accordance with the Act.

5.1 Commercial and Legal Information

The following information is available from the Companies and Intellectual Property Commission, and may be requested from Incus Data (Pty) Ltd in terms of PAIA.

- Documents of incorporation
- Memorandum and Articles of Association
- Minutes of Board of Directors meetings
- Records relating to the appointment of directors/ auditor/ secretary/
- Public officer and other officers
- Share Register and other statutory registers
- BEE certificate

5.2 Marketing Information

The following information is available from the Incus Data website at www.incusdata.com, and is also freely available by calling or emailing the company on the contact information already provided

- Course catalogue
- Course outlines
- Course schedule
- Company profile
- Privacy statement
- MICT SETA accreditation certificate

5.3 Financial Information

The following information is available on request to all customers:

- Tax clearance certificate
- BEE certificate

The following information may be requested from Incus Data (Pty) Ltd in terms of PAIA.

- Audited financial statements
- Income tax, VAT, UIF, SDL, PAYE and Compensation Commissioner records
- Documents issued to employees for income tax purposes
- Invoices

6. Other Information

The following information may be requested from Incus Data (Pty) Ltd in terms of PAIA.

- Company policies

7. FORM OF REQUEST – SECTION 51(1)(E)

This section is compiled in terms of Section 51(1)(e) of the Act.

To facilitate the processing of your request, kindly:

1. Use the prescribed form, available on the website of the South African Human Rights Commission at www.sahrc.org.za.
2. Address your request to the Director: Operations, Incus Data (Pty) Ltd.
3. Provide sufficient details to enable Incus Data to identify:
 - a) The record(s) requested;
 - b) The requester (and if an agent is lodging the request, proof of capacity);
 - c) The form of access required;
 - d) The postal address or fax number of the requester in the Republic;
 - e) If the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof;
 - f) The right which the requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.

A copy of the prescribed form is attached to this manual for ease of reference.

8. PRESCRIBED FEES – SECTION 51(1)(F)

This section is compiled in terms of Section 51(1)(f) of the Act.

The following applies to requests (other than personal requests):

1. A requestor is required to pay the prescribed fees (R50.00) before a request will be processed;
2. If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted);
3. A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit;
4. Records may be withheld until the fees have been paid.
5. The fee structure is available on the website of the South African Human Rights Commission at www.sahrc.org.za.

A copy of the fee schedule is attached to this manual for ease of reference.