

RIOSCAPE (PTY) LTD

MANUAL IN TERMS OF SECTION 51 OF
THE PROMOTION OF
ACCESS TO INFORMATION ACT

RIOSCAPE (PTY) LTD

MANUAL IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT

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1. **CONTACT DETAILS**

RIOSCAPE (PTY) LTD main business is an SMS provider which sells SMSes online and operates its business in Port Elizabeth, South Africa.

The contact details of **RIOSCAPE (PTY) LTD** are as follows:-

Registration Number:	2011/002897/07
Post Address:	15 Owen Street Mount Croix Port Elizabeth 6001
Physical Address:	15 Owen Street Mount Croix Port Elizabeth 6001
Phone No:	082 431 7656
Fax No:	086 664 7609
e-mail address:	info@smsdepot.co.za
Main representative name:	Greg Louw

2. **SECTION 10 GUIDE ON HOW TO USE THE ACT**

The guide will be available from the South African Human Rights Commission by no later than December 2011. Please direct any queries to:-

The South African Human Rights Commission
PAIA Unit
The Research and Documentation Department
Private Bag X2700
HOUGHTON, 2041

Tel: +27-11-4848300
Fax: +27-11-4840582

Website: www.sahrc.org.za

E-mail: PAIA@sahrc.org.za

3. **RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION**

The acts listed below could be applicable to the operations of the company.

- (1) Arbitration Act No. 42 of 1965.
- (2) Attorneys Act No. 53 of 1979.
- (3) Administration of Estates Act No. 66 of 1965.
- (4) Close Corporation Act No. 69 of 1984.
- (5) Close Corporation Amendment Act No. 25 of 2005.
- (6) Companies Act No. 71 of 2008.

- (7) Companies Amendment Act 3 of 2011.
- (8) Competition Act No. 89 of 1998.
- (9) Consumer Protection Act No. 68 of 2008.
- (10) Copyright Act No. 98 of 1978.
- (11) Credit Agreements Act No. 75 of 1980.
- (12) Currency and Exchanges Act No. 9 of 1933.
- (13) Debt Collectors Act No. 114 of 1998.
- (14) Electronic Communications and Transactions Act No. 25 of 2002.
- (15) Finance Act No. 35 of 2000.
- (16) Financial Advisory and Intermediary Services Act No. 37 of 2002.
- (17) Financial Intelligence Centre Act No. 38 of 2001
- (18) Financial Services Board Act No. 97 of 1990.
- (19) Financial Relations act No. 65 of 1976.
- (20) Harmful Business Practices Act No. 23 of 1999.
- (21) Intellectual Property Laws Amendment Act No. 38 of 1997.
- (22) Interception and Monitoring Prohibition Act No. 127 of 1992.
- (23) Medical Schemes Act No. 131 of 1998.
- (24) Non-Profit Organizations Act No. 71 of 1997.
- (25) Occupational Health and Safety Act No. 85 of 1993.
- (26) Pension Funds Act No. 24 of 1956.
- (27) Post Office Act No. 44 of 1958.
- (28) Prevention of Organised Crime Act No. 121 of 1998.
- (29) Protection of Businesses Act No. 99 of 1978.
- (30) Regional Services Councils Act No. 109 of 1985.
- (31) SA Reserve Bank Act No. 90 of 1989.
- (32) SA Schools Act No. 84 of 1996.
- (33) Sectional Titles Act No. 95 of 1986.
- (34) Stock Exchange Control Act No. 1 of 1985.
- (35) Short Term Insurance Act No. 53 of 1998.
- (36) Skills Development Levies Act No. 9 of 1999.
- (37) Skills Development Act No. 97 of 1998.
- (38) Stamp Duties Act No. 77 of 1968.
- (39) Tax on Retirement Funds Act No. 38 of 1996.
- (40) The Co-operatives Act No. 14 of 2005.
- (41) The Fund-Raising Act No. 107 of 1978.
- (42) The National Credit Act No. 34 of 2005.
- (43) Trade Marks Act No. 194 of 1993.
- (44) Trust Property Control Act No. 57 of 1988.
- (45) Unemployment Contributions act No. 4 of 2002.
- (46) Unemployment Insurance Act No. 63 of 2001.
- (47) Usury Act No. 73 of 1968.
- (48) Value Added Tax Act No. 89 of 1991.

4. **ACCESS TO THE RECORDS HELD BY RIOSCAPE (PTY) LTD IN QUESTION**

4.1 Not applicable.

4.2 Classification of records.

4.2.1 Administration

- * Licences
- * Minutes of Management Meetings
- * Minutes of Staff Meetings
- * Correspondence

Human Resources

- * Employment Contracts
- * Remuneration records and policies
- * Human resource policies and procedures

Operations

- * Sales Records
- * Production Records
- * Client Listing

Finances

- * Financial Statements
- * Annual Financial Statements
- * Stock Records
- * Asset Inventory

4.3 **THE REQUEST PROCEDURES ARE AS FOLLOWS :-**

Form of Request

- * The requester must use the prescribed form (Form C attached) to make the request for access to a record. This must be made to the head of the private body. This request must be made to the address, fax number or electronic mail address of the body concerned
- * The requester must provide sufficient detail on the request form to enable the head of the private body to identify the record and the requester. The requester should also indicate which form of access is required. The requester should also indicate if any other manner is to be used to inform the requester and state the necessary particulars to be so informed.
- * The requester must identify the right that is sought to be exercised or to be protected 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 another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the head of the private body.

Fees

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

- * The head of the private body must notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed if (if any) before further processing the request.
- * The fee that the requester must pay to a private body is R50. The requester may lodge an application to the court against the tender or payment of the request fee.
- * After the head of the private body has made a decision on the request, the requester must be notified in the required form.
- * If the request is granted then a further access fee must be paid for the search, reproduction, preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

5. **OTHER INFORMATION AS MAY BE PRESCRIBED**

The Minister of Justice and Constitutional Development has not made any regulations in this regard.

6. **AVAILABILITY OF MANUAL**

This manual is available for inspection at the physical address as listed on page 1 free of charge. Copies have been made available to the SAHRC (complete attached Forms C in order to obtain) and on our website.

Signed at on this day of 20...

SIGNATURE OF MAIN REPRESENTATIVE

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 *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 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 for 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:					
<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)					
<input type="checkbox"/>	view the images	<input type="checkbox"/>	copy of the images"		
<input type="checkbox"/>		<input type="checkbox"/>	transcription of the images*		
3. If record consists of recorded words or information which can be reproduced in sound:					
<input type="checkbox"/>	listen to the soundtrack audio cassette	<input type="checkbox"/>	transcription of soundtrack* written or printed document		
4. If record is held on computer or in an electronic or machine-readable form:					
<input type="checkbox"/>	printed copy of record*	<input type="checkbox"/>	printed copy of information derived from the record"		
<input type="checkbox"/>		<input type="checkbox"/>	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.			<table border="1"> <tr> <td>YES</td> <td>NO</td> </tr> </table>	YES	NO
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..... on this.....day of
.....20.....

SIGNATURE OF REQUESTER / PERSON ON
WHOSE BEHALF REQUEST IS MADE