

# Section 51 Manual

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

*Effective date: 31 August 2005*

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## **1. Particulars of the Private Body: Section 51(1)(a)**

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### **Name of Body**

Incus Data (Pty) Ltd

### **Information Officer**

Jacqueline Coosner

### **Postal 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](http://www.incusdata.com)

### **Contact Details of Information Officer:**

E-mail: [info@incusdata.com](mailto:info@incusdata.com)

Telephone: +27 12 666 2020

Facsimile: +27 12 666 2020

### **Policy on Confidentiality and Access to Information**

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.

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## **2. Description and Access to the Guide: Section 51(1)(b)**

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The South African Human Rights Commission (“SAHRC”) is required by law to compile a guide that will include the following:

- A description of the objects of the Act;
- The relevant information of every private body as applicable;
- The manner and form in which requests shall be lodged;
- The remedies available to requesters should a body not comply with the Act;
- The manner in which an appeal can be lodged;
- The fees payable in relation to requests for access;
- A reference to any regulations passed.

This guide is available from the SAHRC. You may request the guide and/or additional information from the SAHRC at:

The South African Human Rights Commission: PAIA Unit

The Research and Documentation Department

Postal Address: Private Bag 2700

Houghton

2041

Telephone: +27 11 484 8300

Facsimile: +27 11 484 0582

Website: [www.sahrc.org.za](http://www.sahrc.org.za)

E-mail: [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)

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### **3. Records available in accordance with any other legislation: Section 51(1)(d)**

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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
- Compensation of Occupational Injuries and Diseases Act No. 130 of 1993
- Consumer Affairs Act 23 of 1999
- Criminal Procedure Act, Act 51 of 1977;
- Customs and Excise Act No. 91 of 1964
- 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
- Regional Services Councils Act No. 109 of 1985
- Skills Development Act No. 97 of 1998
- Stamp Duties Act No. 77 of 1968
- 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.

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## **4. Procedure for Access to Information: Sections 51(1)(e)**

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### ***Availability of Information Manual***

This manual can be obtained from the following sources:

1. South African Human Rights Commission, to whom a copy has been provided.
2. Incus Data (Pty) Ltd offices: The manual is available at our office free of charges.
3. Incus Data (Pty) Ltd website at <http://www.incusdata.com/>.  
This site is accessible to anyone who has access to the Internet, and includes both a copy of this manual and other information about services, pricing, history and directors.

### ***Method of Access***

The Promotion of Access to Information Act establishes the statutory rights of requesters to any record of a private body if:

- That record is required for the exercise or protection of any of his or her legal rights.
- That requester complies with all the procedural requirements.
- Access is not refused in terms of any ground referred to in the Act.

The process, forms and fee structure prescribed under the Act for this purpose are available at the website of the Department of Justice and Constitutional Development ([www.doj.gov.za](http://www.doj.gov.za)) .

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## **5. Other Information and Records**

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This section identifies the main categories of records held by Incus Data (Pty) Ltd. These records can be defined as the operational information needed in the day-to-day running of the company:

### ***Commercial and Legal***

1. General contract information
2. Statutory records
3. Property leases
4. Insurance
5. Correspondence

### ***Financial***

1. Audited financial statements
2. Asset register
3. Financial, tax and levy records

### ***Human Resources***

1. Employee records
2. Employee contracts
3. Company policies and procedures
4. Salaries and wages

### ***Marketing***

1. Advertising and brochures
2. Catalogues and pricing

### ***Health & Safety***

1. Policies
2. Accident reports