

STRATEGIC BUSINESS SUPPORT (PTY) LTD

Registration Number: 2013/013861/07

MANUAL

in terms of Section 51 of

The Promotion of Access to Information Act No. 2 of 2000

("the Act")

AMENDMENT RECORD		
REV. NO.	SECTION AFFECTED / REFERENCE	DATE
1.1	Creation of document	30/09/2015
1.2	Inclusion of POPIA requirements	08/04/2016

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1 INTRODUCTION

The purpose of this manual is to assist data subjects and other potential requesters of information with exercising their constitutional rights as contemplated in:

- The Promotion of Access to Information Act No. 2 of 2000 (“the Act”) as amended, 2013; and
- The Protection of Personal Information Act No. 2 of 2013 (“POPIA”)

by making a request to access personal and other business information from Strategic Business Support (Pty) Ltd (“the Company”).

The Company’s Information Officer is available to assist a data subject or requester with making an information request in respect of this manual.

This manual will be amended from time to time and the latest version is published on the Company’s website, available for viewing as a hard copy at the office of the Company, or obtainable from the Information Officer on request.

2 COMPANY OVERVIEW

The Company is a proactive professional services organisation that partners with enterprises in managing their financial affairs and growing their businesses. The Company provides services in the following areas:

- Accounting;
- Financial management;
- Corporate Finance;
- Systems, process and control;
- Taxation;
- Payroll; and
- Company secretarial.

The Company is located in Hillcrest, KwaZulu Natal, and all functions are performed from this location.



3 CONTACT DETAILS

Directors:	Mr Peter James Cottrell (Head of the Company) Mr Clive Peter Stewart
Responsible Party:	Mr Peter James Cottrell peter@bizsupport.co.za
Information Officer:	Mr Clive Peter Stewart clive@bizsupport.co.za
Postal address:	PO Box 188 Gillitts 3603
Physical address:	First floor Cube House 32 Old Main Road Hillcrest 3610
Telephone number:	031 761 3400
Fax number:	031 765 7850
Website address:	www.bizsupport.co.za

4 THE ACT

The Act and POPIA grant 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 must be made in accordance with the prescribed procedures of section 11 for public bodies and section 50 for private bodies, at the rates provided. The forms and tariffs are dealt with in paragraphs 7 and 8.

A Guide has been compiled by the South African Human Rights Commission ("SAHRC") in terms of Section 10 of the Act. It contains information required by a person wishing to exercise any right as contemplated by the Act. It is available from the SAHRC in all of the official languages of South Africa.



The contact details of the SAHRC are:

Postal address: Private Bag 2700
Houghton
2041

Physical address: 29 Princess of Wales Terrace
Corner York and St Andrews Streets
Parktown
2193

Telephone number: 011 877 3600

Fax number: 011 403 0625

Website address: www.sahrc.org.za

5 PROCESSING OF PERSONAL INFORMATION

The Company may process personal information of a Data Subject, subject to the following conditions:

- Information collected will be for a specific, explicitly defined and lawful purpose related to a function or activity of the Company;
- Only information that is relevant to the aforementioned purpose will be processed;
- Information will only be collected if the consent of the Data Subject has been obtained;
- Information will be collected directly from the Data Subject unless it is contained in a public record;
- Information will only be retained for as long as is necessary to achieve the aforementioned purpose, unless required by law or a contract, or the Data Subject has consented to the extended period of retention;
- Further processing of information will only occur if such processing is in accordance, or compatible, with the original purpose for which it was collected;
- The information collected will be complete, accurate, not misleading, and updated where necessary;
- The information collected will be adequately secured to ensure that the integrity and confidentiality thereof remains intact;
- Data Subjects will be entitled to request what personal information the Company holds about that Data Subject and may request any corrections to such information. Requests for access to personal information must be in terms of the requirements of this Manual.

Specific details of the purpose for processing personal information are listed in section 10.

6 LATEST NOTICES

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 the Act.

7 APPLICABLE LEGISLATION

Records available in terms of other legislation are as follows:

- Basic Conditions of Employment Act No. 46 of 2013.
- Broad-Based Black Economic Empowerment Act 53 of 2003.
- Close Corporations Act No. 69 of 1984.
- Close Corporations Amendment Act No. 25 of 2005.
- Commission of Gender based Equality Act.
- Companies Act No. 71 of 2008.
- Consumer Affairs Act 71 of 1988.
- Consumer Protection Act No. 68 of 2008.
- Copyright Act 71 of 1978.
- Electronic Communications and Transactions Act No. 25 of 2002.
- Employment Equity Act No. 55 of 1998.
- Estate Duty Act No. 45 of 1955.
- Financial Markets Act of 2012.
- Income Tax Act No. 58 of 1962.
- Labour Relations Act No. 66 of 1995.
- Manpower Training Act 56 of 1981.
- National Credit Act No. 34 of 2005.
- Non-profit Organisations Act No. 71 of 1997.
- Occupational Health and Safety Act 85 of 1993.
- Pension Fund Act 24 of 1956.
- Preferential Procurement Policy Framework Act 5 of 2000.
- Prevention of Organised Crime Act 121 of 1998.
- Promotion of Access to Information Act No. 2 of 2000.
- Protection of Personal Information Act No. 4 of 2013.
- Regulation of Interception of Communications and Provision of Communication-Related Information Act 2009.
- Skills Development Act No. 97 of 1998.
- Skills Development Levies Act No. 9 of 1999.
- Stamp Duties Act No. 77 of 1968.
- Tax Administration Act No. 28 of 2011.
- Transfer Duty Act No. 40 of 1949.
- Unemployment Insurance Act No. 63 of 2001.
- Unemployment Insurance Contributions Act No. 4 of 2002.
- Value Added Tax Act No. 89 of 1991.

8 SCHEDULE OF RECORDS

Record Category	Subject	Availability
Company Secretarial	<ul style="list-style-type: none"> • Documents of incorporation • Memorandum of Incorporation • Minutes of Board of Directors' meetings • Records relating to the appointment of Directors • Share Register 	<ul style="list-style-type: none"> ◇ Public information ◇ On valid request ◇ On valid request ◇ On valid request ◇ Public information
Financial	<ul style="list-style-type: none"> • Annual Financial Statements • Tax returns • Accounting records • Bank statements • Fixed Asset Register • Contracts • Invoices 	<ul style="list-style-type: none"> ◇ On valid request ◇ On valid request ◇ On valid request ◇ On valid request ◇ On valid request ◇ On valid request ◇ On valid request
Income Tax	<ul style="list-style-type: none"> • PAYE records • Documents issued to employees for income tax purposes • Records of payments made to SARS on behalf of employees • VAT • Skills development levies • UIF 	<ul style="list-style-type: none"> ◇ On valid request ◇ On valid request ◇ On valid request ◇ On valid request ◇ On valid request ◇ On valid request
Personnel	<ul style="list-style-type: none"> • Employment contracts • Employment Equity Plan • Medical aid records • Salary records • Leave records • SETA records 	<ul style="list-style-type: none"> ◇ On valid request ◇ On valid request ◇ On valid request ◇ On valid request ◇ On valid request ◇ On valid request

9 RECORDS AVAILABLE WITHOUT A REQUEST

None.

10 BUSINESS PURPOSE FOR PROCESSING PERSONAL INFORMATION

Function: Human Resources		Process: Human Resources				
Business purpose:		Administration and control of employee information to determine suitability of employment and as inputs for the processing of the Company payroll				
No.	Record	Data Subject category	Information category	Recipients	Trans-border	Security measures
1.	Employee ID, name, address, contact details	Employees	HR	Directors	No	Physical and logical security, management review
2.	Academic qualifications	Employees	HR	Directors	No	Physical and logical security, management review





Function: Human Resources		Process: Staff Payroll					
Business purpose:		Administration, control and payment of employee salaries, entitlements and re-imbursements after deduction of SARS, medical, and other payments and contributions					
No.	Record	Data Subject category	Information category	Recipients	Trans-border	Security measures	
1.	Cost to company, increases, bonuses, other income	Employees	Payroll	Directors, Baker Tilly Morrison Murray	No	Physical and logical security, management review	
2.	Salary deductions	Employees	Payroll	Directors, Baker Tilly Morrison Murray	No	Physical and logical security, management review	
3.	Net pay	Employees	Payroll	Directors, Banks	No	Access control, audit trail	
4.	Travel re-imbursements	Employees	Payroll	Directors, Accounting staff	No	Written procedures, management approval	
5.	Medical aid contributions	Employees	Payroll	Directors, Medical Aid Scheme	No	Access control, resource protection, audit trail	
6.	PAYE deductions	Employees	Payroll	Directors, SARS	No	Access control, audit trail	
7.	IRP5 documentation	Employees	Payroll	Directors, SARS	No	Physical and logical security, management review	



Function: Accounting		Process: Client Staff Payroll					
Business purpose:		Administration, control and payment of client employee salaries, entitlements and re-imbursments after deduction of SARS, medical, and other payments and contributions					
No.	Record	Data Subject category	Information category	Recipients	Trans-border	Security measures	
1.	Client employee ID, name, address, contact details	Client staff	HR	Accounting staff	No	Physical and logical security, management review	
2.	Cost to company, increases, bonuses, other income	Client staff	Payroll	Accounting staff	No	Physical and logical security, management review	
3.	Salary deductions	Client staff	Payroll	Accounting staff	No	Physical and logical security, management review	
4.	Net pay	Client staff	Payroll	Accounting staff, Banks	No	Access control, audit trail	
5.	Travel re-imbursments	Client staff	Payroll	Accounting staff	No	Written procedures, management approval	
6.	Medical aid contributions	Client staff	Payroll	Accounting staff, Medical Aid Scheme	No	Access control, resource protection, audit trail	
7.	PAYE deductions	Client staff	Payroll	Accounting staff, SARS	No	Access control, audit trail	
8.	IRP5 documentation	Employees	Payroll	Accounting staff, SARS	No	Physical and logical security, management review	



Function: Taxation		Process: Client Income Tax Returns					
Business purpose:		Administration, control and submission of client annual income tax returns to SARS					
No.	Record	Data Subject category	Information category	Recipients	Trans-border	Security measures	
1.	Client employee ID, name, address, contact details, income tax number	Clients	HR	Taxation staff	No	Physical and logical security, management review	
2.	Income and expenses	Clients	Financial	Taxation staff	No	Physical and logical security, management review	
3.	Electronic tax returns	Clients	Financial	Taxation staff, SARS	No	Physical and logical security, management review	
4.	Physical tax returns	Clients	Financial	Taxation staff	No	Physical and logical security	
5.	Travel re-imbursments	Clients	Payroll	Accounting staff	No	Written procedures, management approval	
6.	Medical aid contributions	Clients	Payroll	Medical Aid Scheme	No	Access control, resource protection, audit trail	
7.	PAYE deductions	Clients	Payroll	SARS	No	Access control, audit trail	

11 FORM OF REQUEST

To facilitate the processing of a request, the Requester must:

- Use the prescribed form (Form C), available on the website of the SAHRC at www.sahrc.org.za or attached to this Manual.
- Address the request to the Information Officer of the Company.
- Submit the form to the Information Officer at his physical or postal address, fax number, or email address.
- Provide sufficient information to enable the Information Officer of the Company to identify:
 - ◇ The record/s requested.
 - ◇ The Requester or, if an agent is lodging the request, proof of the capacity in which the Requester is making the request, to the satisfaction of the Information Officer of the Company.
 - ◇ The postal address, fax number or email address of the Requester.
 - ◇ The form of access required.
 - ◇ If the Requester wishes to be informed of the decision in any particular manner (in addition to written), the manner and particulars thereof.
 - ◇ The right which the Requester is seeking to exercise or protect, together with an explanation of the reason that the record is required to exercise or protect.

12 PRESCRIBED FEES

The fee structure for the processing of requests is available on the website of the SAHRC at www.sahrc.org.za or attached to this Manual.

The following applies to requests:

- A Data Subject (the Requester) is not required to pay a fee for requests to confirm the possession of personal information, to verify that the information the Company holds about the Requester is correct, or to request the correction of his, her or its personal information.
- A Requester of information other than personal information may be required to pay a prescribed fee, if any, before a request will be processed.
- The Responsible Party of the Company to whom an access request is made is required by notice to require the Requester to pay the prescribed fee, if any, before further processing the request.
- If, in the opinion of the Responsible Party, 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.
- A Requester may lodge an application with a court against the tender/payment of the request fee and/or deposit.

13 GROUNDS FOR REFUSAL OF ACCESS TO RECORDS

Under certain limited conditions, access to personal information is not permitted. Similarly, certain business-related information is protected and may not be accessible. The Company's Information Officer will assist the Requester in clarifying if and when these restrictions apply.

If a Requester is aggrieved by the refusal of the Information Officer to grant a request for a record, the Requester may, within 30 (thirty) days of notification of the Information Officer's decision (or his or her deemed refusal in terms of Section 58 of the Act), apply to court for appropriate relief.

14 APPROVAL OF MANUAL



Clive Peter Stewart CA(SA)
Information Officer
Strategic Business Support (Pty) Ltd

08 April 2016

Date

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: Strategic Business Support (Pty) Ltd
PO Box 188
Gillitts
3603

B. Particulars of person requesting access to the record

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

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

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

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.
- (c) The Requester must sign all the additional folios.

Description of record or relevant part of the record:

Reference number, if available:

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 record is in written or printed form:			
copy of record*		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		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 (e.g. 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.

Indicate which right is to be exercised or protected:

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 of _____ 20____

SIGNATURE OF REQUESTOR / PERSON ON WHOSE BEHALF REQUEST IS MADE



Fees for records of a private body

1. The fee for reproduction referred to in section 52(3) of the Act, is as follows:

	R
(a) For every photocopy of an A4-size page or part thereof	1.10
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0.75
(c) For a computer-readable form on: <ol style="list-style-type: none">(i) stiffy disk(ii) compact disk	7.50 70.00
(d) For visual images: <ol style="list-style-type: none">(i) a transcription thereof, for an A4-size page or part thereof(ii) a copy thereof	40.00 60.00
(e) For audio records: <ol style="list-style-type: none">(i) a transcription thereof, for an A4-size page or part thereof(ii) a copy thereof	20.00 30.00

2. The request fee payable by a Requester, other than a personal requester, referred to in section 54(1) of the Act is R50.00.

3. The access fees payable by a Requester referred to in section 54(7) of the Act, unless exempted under section 54(8) of the Act, are as follows:

	R
(a) For every photocopy of an A4-size page or part thereof	1.10
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0.75
(c) For a computer-readable form on: <ol style="list-style-type: none">(iii) stiffy disk(iv) compact disk	7.50 70.00
(d) For visual images: <ol style="list-style-type: none">(iii) a transcription thereof, for an A4-size page or part thereof(iv) a copy thereof	40.00 60.00
(e) For audio records: <ol style="list-style-type: none">(iii) a transcription thereof, for an A4-size page or part thereof(iv) a copy thereof	20.00 30.00
(f) To search for the record for disclosure, R30.00 for each hour or part of an hour reasonably required for such search	

4. The actual postal fee is payable when a copy of a record must be posted to a Requester.

5. For the purposes of section 54(2) of the Act, the following applies:
 - (a) Six hours as the hours to be exceeded before a deposit is payable; and
 - (b) One third of the access fee is payable as a deposit by the Requester.

Notice of internal appeal

6. Notice of an internal appeal, as contemplated in section 75(1) of the Act, must be lodged in the form of Form C.

Appeal fees

7. The appeal fee payable in respect of the lodging of an internal appeal by a Requester against the refusal of his/her request for access, as contemplated in section 75(3)(a) of the Act, is R50.00.

Value Added Tax

8. Bodies registered under the Value Added Tax Act No. 89 of 1991 as vendors may add Value Added Tax to all fees prescribed in terms of these regulations.