

Section 51 Manual for AJ Broom Road Products CC  
In terms of the  
**PROMOTIONS OF ACCESS TO INFORMATION ACT**  
NO 2 of 2000  
(Hereinafter referred to as “the Act”)

1. Introduction

The Promotion to Access to Information Act No 2 of 2000 (published in terms of section 51 of the Act) give effect to the provisions of Section 32 of the Constitution which provides for the right of access to any information that is held by another person and that is required for the exercise or protection of any rights. Where the request is made in terms of the Act, the private body to which the request is made is obliged to release the information, except where the Act, expressly provides that the information may not be released. The Act sets out the requisite procedures associated with any such request.

Section 9 of the Act recognises that the exercise of such access to information rights can be limited, and should be subject to limitations where it poses a threat to the protection of privacy, commercial confidentiality, and the exercising of efficient governance.

2. AJ Broom Road Products CC

AJ Broom Road Products CC is a registered Close Corporation. AJ Broom Road Products CC supports the Constitutional Right of Access to Information and we are committed to provide you access to our records in accordance with the provisions of the abovementioned Act.

3. Availability and Access to this manual

A copy of this information manual is available for inspection at the South African Human Rights Commission Offices.

The Human Rights Commission will produce a guide containing information required by a person who wishes to exercise any right as contemplated in the Promotions to Access to Information Act, 2000. This guide can be obtained from:

Human Rights Commission  
33 Hoofd Street  
Forum 3  
Braampark Office Park  
Braamfontein

On the website of the Human Rights Commission, which is [www.sahrc.org.za](http://www.sahrc.org.za)

Telephone: (011) 877-3600 (Head Office)

The information manual can also be obtained from the Information Officer at the physical business premises as mentioned in point 5 below.

In respect of hard copies postage will be for the account of the requester, as legislated by the Act.

4. Detail on how to make a request for access to records held by AJ Broom Road Products CC Section 51(e)

The requester must complete Form C (as attached) and submit this form together with a request fee, to the head of the private body.

The form must be submitted to the head of the private body at his/ her address, fax number, or electronic mail address.

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.

Records which could be deemed confidential on part of a third party will need the permission of the third party concerned before AJ Broom Road Products CC will permit access to view.

## 5. Company and Contact Details

The contact details of AJ Broom Road Products CC are:

Name of Company: AJ Broom Road Products CC

Company Registration Number: 2009/032242/23

Business Physical Address: 230 Albert Amon Road  
Millennium Business Park  
Meadowdale  
Germiston

Postal Address: P O Box 16421  
Dowerglen  
1612

Telephone Number: (+2711) 454-3102

Telefax Number: (+2711) 454-2290

Email address: [ajbroom@icon.co.za](mailto:ajbroom@icon.co.za)

Information Officer: Stephen Broom

Postal Address of Information Officer: As above

Telephone Number of Information Officer: As above

Telefax number of Information Officer: As above

6. Records available in terms of other Legislation: Section 51(1)(d)

- Basic Conditions of Employment Act no.75 of 1977
- Compensation of Occupational Injuries and Disease Act no. 130 of 1993
- Employment Equity Act no.55 of 1998
- Intellectual Property Laws Amendment Act no.38 of 1997
- Income tax Act no.58 of 1962
- Labour Relations Act no.66 of 1995 as amended
- Promotion of Access to Information Act no.2 of 2000
- Skills Development Act no.97 of 1998
- Skills Development Levies Act no.9 of 1999
- Unemployment Insurance Act no. 36 of 2001
- Value added Tax Act no.89 of 1991

7. Subjects and Categories of Records held by AJ Broom Road Products  
CC Section 51(1)(e)

The private body maintains records on the following categories and subject matters. However, please note that recording a category or subject matter of this information manual does not imply that a request for access to such records would be honoured. All requests for access will be evaluated on a case-by-case basis in accordance with the provisions of the Act.

7.1 Company Act Records

- Documents of Incorporation
- Memorandum and Articles of Association
- Minutes of Board of Directors meetings (if applicable)
- Records relating to the appointments of directors / members / auditors / public officer and other officers
- Share register and other statutory registers

7.2 Financial Records

- Annual Financial Statement Records
- Tax returns
- Accounting records
- Banking records
- Banks statements
- Paid cheques
- Electronic banking records
- Asset Register
- Rental agreements
- Invoices

7.3 Income Tax records

- PAYE records
- Documents issued to employees for income tax purposes
- Records of payments made to SARS on behalf of employees
- All other statutory compliances:
- VAT
- Skills Development Levies
- UIF
- Workmens's Compensation

7.4 Personnel Documents and Records

Personnel refers to any person who works for or provides services to or on behalf of AJ Broom Road Products CC and receives or is entitled to receive remuneration and any other person who assist in carrying out or conducting the business of AJ Broom Road Products CC. This includes, without limitation, members, directors, all permanent, temporary and part-time staff as well as contract workers. Personnel records include the following:

- Employment contracts
- Employment Equity Plan
- Medical Aid records
- Pension Fund records
- Disciplinary records
- Salary records
- SETA records
- Disciplinary code
- Leave records
- Training records
- Training manuals

8. Following information that will not be available other than the special circumstances provided for in the Act:

8.1 Personal information which means:

- 8.1.1 Information relating to race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the individual;
- 8.1.2 Information relating to the education or the medical, criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved;
- 8.1.3 Any identifying number, symbol or other particular assigned to the individual;
- 8.1.4 The address, fingerprints or blood type of the individual;
- 8.1.5 The personal opinions, views or preferences of the individual, except where they are about another individual or about a proposal for a grant, an award or a prize to be made to another individual;
- 8.1.6 Correspondence sent by the individual that is implicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
- 8.1.7 The views or opinions of another individual about the individual;

- 8.1.8 The views or opinions of another individual about a proposal for a grant, an award or a prize to be made to the individual, but excluding the name of the other individual where it appears with the views or opinions of the other individual; and
- 8.1.9 The name of the individual where it appears with other personal information relating to the individual or where the disclosure of the name itself would reveal information about the individual.
- 8.2 Trade secrets of a third party.
- 8.3 Financial, commercial, scientific or technical information, other than trade secrets of a third party, the disclosure of which would be likely to cause harm to the commercial or financial interests of the third party.
- 8.4 Information supplied in confidence by a third party, the disclosure of which could reasonably be expected:
  - 8.4.1 to put that third party at a disadvantage in contractual or other negotiations;
  - 8.4.2 to prejudice the third party in commercial competition.
- 8.5 Information the disclosure of which would constitute an action for breach of a duty of confidence owed to a third party in terms of an agreement.
- 8.6 Information if its disclosure could reasonably be expected to endanger the life or physical safety of an individual.
- 8.7 Information the disclosure of which would be likely to prejudice or impair:

- 8.7.1 the security of a building, structure or system, including but not limited to, a computer or communication system; a means of transport; or any other property;
- 8.7.2 methods, systems, plans or procedures for the protection of an individual in accordance with a witness protection scheme; the safety of the public or part of the public; or the security of the property contemplated in 7.7.1 above.
- 8.8 The record of a private body if the record is privileged from production in legal proceedings unless the person entitled to the privilege has waived the privilege.
- 8.9 A record which:
  - 8.9.1 contains trade secrets of the private body;
  - 8.9.2 contains financial, commercial, scientific or technical information of the private body the disclosure of which would be likely to cause harm to the commercial or financial interest of the private body;
  - 8.9.3 contains information the disclosure of which could reasonably be expected to put the private body at a disadvantage in contractual or other negotiations, or to prejudice the private body in commercial competition;
  - 8.9.4 is a computer programme defined in the Copyright Act 1978 owned by the private body except in so far as it is required to give access to the record to which access is granted in terms of this Act.
  - 8.9.5 information the disclosure of which is likely to expose a third party for whom research is being or is to be carried out or the

private body itself or the person carrying out the research or the subject of the search, to serious disadvantage.

1 DECEMBER 2011

Signed on behalf of AJ Broom Road Products CC by the Information Officer:

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## 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 <i>ONLY</i> 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**

- |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>(a) A request for access to a record, other <i>than</i> a record containing personal information about yourself, will be processed only after a request fee has been paid.</p> <p>(b) You will be <i>notified</i> of the amount required to be paid as the request fee.</p> <p>(c) The fee payable for access to a record depends <i>on</i> the form <i>in which</i> access is required and the reasonable time <i>required</i> to search for and prepare a record.</p> <p>(d) If you qualify for exemption <i>of</i> the payment of any fee, please state the reason for exemption.</p> |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Reason for exemption from payment of fees:

**F. Form of access to record**

<p>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.</p>
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Disability:	Form in which record is required
<p>Mark the appropriate box with an X.</p> <p>NOTES:</p> <p>(a) Compliance with your request in the specified form may depend on the form in which the record is available.</p> <p>(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.</p> <p>(c) The fee payable for access for the record, if any, will be determined partly by the form in which access is requested.</p>	

<b>1. If the record is in written or printed form:</b>			
<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record
<b>2. If record consists of visual images</b> 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*
<b>3. If record consists of recorded words or information which can be reproduced in sound:</b>			
<input type="checkbox"/>	listen to the soundtrack audio cassette	<input type="checkbox"/>	transcription of soundtrack* written or printed document
<b>4. If record is held on computer or in an electronic or machine-readable form:</b>			
<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)
<p>'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.</p>			<p>YES      NO</p>

**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..... This..... day of .....20

SIGNATURE OF REQUESTER / PERSON ON  
WHOSE BEHALF REQUEST IS MADE