

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

OF

**FLUXMANS INCORPORATED
REGISTRATION NUMBER 2000/024775/21**

("Fluxmans")

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1. **INTERPRETATION**

In this Manual, unless the context indicates a contrary intention, the following words and expressions shall bear the meanings assigned to them hereunder and cognate words and expressions shall bear corresponding meanings:

- 1.1 the Act – the Promotion of Access to Information Act No 2 of 2000, as amended;
- 1.2 the Designated Information Officer – the person specified in 3 below or any person as may be appointed by Fluxmans as the designated information officer from time to time;
- 1.3 the Manual – this manual as contained in this document;
- 1.4 SAHRC – the South African Human Rights Commission;
- 1.5 the Website – www.fluxmans.com.

2. **INTRODUCTION**

- 2.1 Fluxmans conducts business as a law firm.
- 2.2 This Manual is published in terms of Section 51 of the Act.
- 2.3 The aim of the Manual is to assist potential requestors as to the procedure to be followed when requesting access to information/documents held by Fluxmans.
- 2.4 Any requestor is advised to contact the Designated Information Officer should he/she require any assistance in respect of the utilisation of this Manual and/or the requesting of information/documents from Fluxmans.
- 2.5 Reference to any information in the Manual in addition to that specifically required in terms of Section 51 of the Act does not create any right or entitlement to receive such information, other than in terms of the Act.

- 2.6 The Manual may be amended from time to time and as soon as any amendments have been finalised, the latest version of the manual will be made public.

3. CONTACT DETAILS OF FLUXMANS

- 3.1 Name of Private Body: Fluxmans Inc
- 3.2 Designated Information Officer: Jack Phalane
- 3.3 Email address of Information Officer: jphalane@fluxmans.com
- 3.4 Postal Address: Private Bag X41
Saxonwold
2132
- 3.5 Physical Address: 12 Biermann Avenue
Rosebank
2196
- 3.6 Phone Number: 011 328 1700
- 3.7 Fax Number: 011 880 2261

4. GUIDE IN TERMS OF SECTION 10 OF THE ACT (SECTION 51(1)(B) OF THE ACT)

- 4.1 In terms of Section 10 of the Act, a guide will be compiled by the SAHRC containing such information as may be required by a person who wishes to exercise any right contemplated in the Act. The guide will be made available in all official languages by the SAHRC and is obtainable from the SAHRC.

- 4.2 Contact details of the SAHRC are as follows –

PAIA Unit
Private Bag 2700, Houghton, 2041
Telephone: 011 877 3627

Fax: 011 403 0684/25
Website: www.sahrc.org.za
Email: paia@sahrc.org.za

5. NOTICE(S) IN TERMS OF SECTION 52(2) OF THE ACT (SECTION 51(1)(C) OF THE ACT) – VOLUNTARY DISCLOSURE

At this stage, Fluxmans has not published a notice in terms of Section 52(2) of the Act detailing the records that are automatically available without a person having to request access in terms of the Act.

6. RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION (SECTION 51(1)(D) OF THE ACT)

To the extent applicable, Fluxmans keeps such information and documents as may be required in accordance with, *inter alia*, the following legislation

- 6.1.1 Basic Conditions of Employment No. 75 of 1997;
- 6.1.2 Companies Act No 71 of 2008;
- 6.1.3 Employment Equity Act No 55 of 1998;
- 6.1.4 Income Tax Act No 58 of 1962;
- 6.1.5 Labour Relations Act No 66 of 1995;
- 6.1.6 Skills Development Levies Act No 9 of 1999;
- 6.1.7 Skills Development Act No 97 of 1998;
- 6.1.8 Unemployment Insurance Contributions Act No 4 of 2002;
- 6.1.9 Unemployment Insurance Act No 63 of 2001;
- 6.1.10 Value Added Tax Act No 89 of 1991.

7. HOW TO REQUEST ACCESS TO RECORDS HELD BY FLUXMANS

- 7.1 Requests for access to records held by Fluxmans must be made on the request form that is available on the SAHRC website or the Department of Justice and Constitutional Development website (www.doj.gov.za) (under “regulations”).
- 7.2 Requests for access to records must be made to the Designated Information Officer at the address, fax number or electronic mail address provided for in 3 above.
- 7.3 The requester must provide sufficient detail on the request form to enable the Designated Information Officer to identify the record and the requester.
- 7.4 The requester should also indicate which form of access is required and indicate if he/she wishes to be informed in any other manner and state the necessary particulars to be so informed.
- 7.5 The requester must identify the right that he/she 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.
- 7.6 If in addition to a written reply, if the requester wishes to be informed of the decision on the request in any other manner, the requester must state that manner and the necessary particulars to be informed of.
- 7.7 If a request is made on behalf of a person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the Designated Information Officer.

8. RECORDS HELD BY FLUXMANS (SECTION 51(1)(E) OF THE ACT)

- 8.1 In order to facilitate a request in terms of the Act, the information/documents listed below are held by Fluxmans.

8.2 It is recorded that any and all information/documents requested pertaining to the information/documents listed below shall only be made available to a requestor subject to the provisions of the Act.

8.3 None of the information/documents listed below are automatically available without a person having to request access in terms of and subject to the provisions of the Act. In particular, some of the information/documents held by Fluxmans are those of third parties, such as customers and employees and cannot be released without the consent of the third party concerned.

8.4 Information/documents held by Fluxmans

8.4.1 Fluxmans Records

8.4.1.1 Information relating to the incorporation of Fluxmans and Fluxmans's statutory records.

8.4.1.2 Details of directors of Fluxmans.

8.4.2 Information Technology

Records relating to computer software used by Fluxmans including software, support and maintenance agreements.

8.4.3 Correspondence

8.4.3.1 General and internal;

8.4.3.2 Between Fluxmans and clients.

8.4.4 Financial Records and Tax Records

8.4.4.1 Tax Returns;

8.4.4.2 VAT documentation;

8.4.4.3 Accounting Records;

- 8.4.4.4 Banking Records;
- 8.4.4.5 Invoices;
- 8.4.4.6 Records of payments made to SARS.
- 8.4.5 Employee Records
 - 8.4.5.1 Personal records provided to Fluxmans by the employees;
 - 8.4.5.2 Contracts of employment;
 - 8.4.5.3 Employment Equity Report;
 - 8.4.5.4 Skills Development Report;
 - 8.4.5.5 Fluxmans Employee reports, records and correspondence.
- 8.4.6 Insurance policies;
- 8.4.7 Rules and regulations relating to Fluxmans pension fund;
- 8.4.8 Commercial Contracts;
- 8.4.9 Client records:
 - 8.4.9.1 Agreements with clients;
 - 8.4.9.2 Correspondence;
 - 8.4.9.3 Documentation and information received from and/or held on behalf of clients;
 - 8.4.9.4 Opinions/Advice to clients.

8.4.10 Fluxmans may possess records pertaining to other parties, including without limitation, contractors, suppliers, joint venture companies, and service providers. Alternatively, such other parties may possess records that can be said to belong to Fluxmans.

9. **OTHER INFORMATION (SECTION 51(1)(F) OF THE ACT)**

The Minister of Justice and Constitutional Development has to date not published in terms of section 51(1)(f) of the Act.

10. **AVAILABILITY OF THIS MANUAL (SECTION 51(3) OF THE ACT)**

10.1 This Manual is available for inspection, on prior arrangement with the Designated Information Officer, at the offices of Fluxmans, free of charge and/or on the Website.

10.2 Copies of the Manual may be obtained, subject to the prescribed fees, at the offices of Fluxmans.

10.3 The Manual can also be accessed on the website of the SAHRC.

THUS DONE AND SIGNED BY THE COMPANY ON THE DATE AND AT THE PLACE SET OUT HEREUNDER:

For: **FLUXMANS INCORPORATED**

Director/Signatory who warrants that he/she is duly authorised
hereto

Date:

Place: