

**SWENGIT**

SoftWare Engineering & Information Technology

*SWENGIT (PTY) LTD*

# **ACCESS TO INFORMATION MANUAL**

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Prepared in terms of Section 51 of the Promotion of Access to Information Act 2 of 2000

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## 1. Purpose of the Manual

The purpose of this Manual is to assist people wishing to access information in terms of the PAIA from SWENGIT (Pty) Ltd

## 2. Terms and Definitions

the Act	-	The Promotion of Access to Information Act 2 of 2000
The Organisation	-	SWENGIT (Pty) Ltd
Annexure 1	-	Request for access to information
Annexure 2	-	Acceptance / Refusal Notice to requester
Annexure 3	-	Notice to requester of applicable fees
the Manual	-	This document

Terms defined in the act shall have the meaning set out therein.  
Reference to sections shall be a reference to sections in the Act.

## 3. Request for access to information

In the event that a person or entity requires access to information as contemplated in the Act, the requester must contact Mr JP (Janno) Grobler.

In terms of Section 53 of the Act, a request for access to a record of The Organisation must be made in the prescribed form (as detailed in Section 10 of the Manual) to The Organisation at its address, fax number or electronic mail address.

In terms of section 25, the Act states that the Information Officer, to whom a request for access is made or transferred, must, subject to Section 26 of the Act, as soon as reasonably possible, but in any event within 30 days, after the request is received, notify the requester of the decision to grant or refuse access to the information requested.

If the request for access is granted, the notice (Annexure 2) in terms of Subsection (1)(b) of Section 25, must state:

- the access fee (if any) to be paid upon access;
- the form in which access will be given; and
- that the requester may lodge an internal appeal or an application with a court, as the case may be, against the access fee to be paid or the form of access granted, and the procedure (including the period) for lodging the internal appeal or application, as the case may be.

If the request for access is refused, the notice (Annexure 2) in terms of Subsection (1)(b) of Section 25, must:

- state adequate reasons for the refusal, including the provisions of this Act relied upon;
- exclude, from such reasons, any reference to the content of the record; and
- state that the requester may lodge an internal appeal or an application with a court, as the case may be, against the refusal of the request, and the procedure (including the period) for lodging the internal appeal or application, as the case may be.

#### 4. Background of The Organisation

**SWENGIT** offers Software Engineering and Information Technology services in variety of fields and industries and provides consulting services to cater for your business requirements, whether you need an implementation developed from start to finish, or require maintenance or enhancements on existing products. As consultant, **SWENGIT** can also fit seamlessly into your existing development team.

#### 5. Organisation Details

Name: SWENGIT (Pty) Ltd  
Head of the Organisation: Mr JP (Janno) Grobler  
Physical address: 19 Sabie Street; Wierda Park x2; Centurion; 0157  
Postal address: Postnet Suite 399; Private Bag X4; Wierda Park; 0149  
Contact details: 012 653 5056  
Website: [www.swengit.co.za](http://www.swengit.co.za)

#### 6. Details of the Information Officer

Name: Janno Grobler  
Physical address: 19 Sabie Street; Wierda Park x2; Centurion; 0157  
Postal address: Postnet Suite 399; Private Bag X4; Wierda Park; 0149  
Contact details: 012 653 5056  
Website: [www.swengit.co.za](http://www.swengit.co.za)

#### 7. Section 51(1) (c)

In terms of Section 52, The Organisation may, on a voluntary and periodic basis, submit to the Minister, a description of categories of records which are automatically available without a person having to request access in terms of this Act. This includes records which are available:

- for inspection
- for purchase or copying from the private body; and
- from the private body free of charge

[No such records are available outside of the scope of those which are already available within the public domain or as prescribed by statutory regulation and supplied to the relevant statutory regulation bodies].

#### 8. Section 51(1) (d)

In terms of Section 51(1) (d) of the Act, The Organisation is required to make available, those records which a private body must make available in terms of any other legislation.

- Basic Conditions of Employment Act 75 of 1997
- Closed Corporation Act 69 of 1984
- Close Corporations amendment Act 25 of 2005
- Compensation for Occupational Injuries and Diseases Act 130 of 1993
- Consumer Protection Act 68 of 2008
- Copyright Act 61 of 1978

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- Electronic Communications and Transactions Act 25 of 2002
- Employment Equity Act 55 of 1998
- Financial Intelligence Centre Act 38 of 2001
- Income Tax Act 58 of 1962
- Insolvency Act 24 of 1936
- Intellectual Property Laws Amendments Act 38 of 1997
- Labour Relations Act 66 of 1995
- Occupational Health and Safety Act 85 of 1993
- Prevention of Organised Crime Act 121 of 1998
- Protection of Businesses Act 99 of 1978
- Skills Development Levies Act 9 of 1999
- The National Credit Act 34 of 2005
- Unemployment Insurance Contributions Act 4 of 2002
- Value Added Tax Act 89 of 1991

## **9. Section 51(1) (e)**

In terms of Section 51(1) (e) of the Act, The Organisation is required to set out a description of the subjects on which The Organisation holds record, and categories of records held on each subject.

- Accounting records
- Information Technology
- Intellectual Property
- Personnel Records
- Sales and Marketing
- Statutory Company records
- Client Databases
- Internal Phone lists
- Policies
- Minutes of Meetings
- Administrative information

## **10. Request Procedure**

A person who wants access to The Organisations records, must, complete the necessary Request Form, as set out in Annexure 1, and the completed form must be sent to the address, fax number or electronic mail address as provided in the Manual, and marked for the attention of the Information Officer.

In terms of the Act, the requester must indicate on the Request Form (Annexure 1)

- which form of access is required
- sufficient particulars to enable The Organisation concerned to identify:
  - The record or records requested
  - The requester
- a postal address or fax number of the requester in the Republic
- identify the right the requester is seeking to exercise or protect

- provide an explanation of why the requested record is required for the exercise or protection of that right
- Proof of the capacity in which the requester is requesting the information
- 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 so informed; and
- if the request is made on behalf of a person, to submit proof of the capacity in which the requester is making the request, to the reasonable satisfaction of The Organisation.

## **11. Availability of the Manual**

Individuals can access a copy of this manual at the following locations:

- The Organisation's website, as stated above
- A hard copy can be collected at the physical address of The Organisation, as detailed above. A fee, as detailed in Section 12 of this document, will be levied for such copies.
- The manual is available for inspection, by the general public, upon request, during office hours. No fee will be levied for viewing the manual at The Organisation's offices.
- Copies may also be requested from the South African Human Rights Commission at the address indicated below.

## **12. Fees**

A requester who seeks access to a record containing personal information about that requester is not required to pay the request fees. Any other requester who is not a personal requester may be required to pay the required fee as detailed below.

- In terms of Section 54 of the Act, The Organisation must notify (Annexure 3) the requester regarding any fees as may be required.
  - Should a search for a record of The Organisation, in respect of which a request for access by a requester, other than a personal requester, has been made, a fee of R400.00 / per hour will be levied by The Organisation.
  - In terms of Section 54 of the Act, a deposit, of no more than one third of the prescribed fee, may be levied, if, in the opinion of The Organisation, it may require more than the first hour for this purpose for requesters.
    - This fee will be in the amount of R133.33, and shall be paid, in cash, before further processing of the request.
- The requester may lodge an application with a court against the payment of the request fee in terms of Section 54(3)(b) of the Act
- A fee of R100.00 shall be levied for each requested copy of this manual by a requester, other than a personal requester
- The Organisation may withhold a record until the requester has paid the applicable fees in full.

### **13. Details of the South African Human Rights Commission**

Any queries with regard to this manual should be directed to:

- The South African Human Rights Commission; PAIA Unit
- Research and Documentation Department
- Private Bag 2700
- Houghton
- 2041
- Phone: 011 484 8300
- Fax: 011 484 0582
- Email: [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)
- Website: [www.sahrc.org.za](http://www.sahrc.org.za)