

PROMOTION OF ACCESS TO INFORMATION ACT

SECTION 51 MANUAL FOR TLC Engineering Solutions (Pty) Ltd.

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B. PARTICULARS IN TERMS OF THE SECTION 51 MANUAL

Introduction to TLC Engineering Solutions (Pty) Ltd.

TLC Engineering Solutions (Pty) Ltd ('TLC') is a Level 2 accredited BBBEE company which was founded in 2004. The company was formed from the products and services developed by TLC Software cc, which was founded in 1987 to provide a range of cost effective, standard and custom IT solutions for industry. TLC is based in Sandton, South Africa.

PARTICULARS IN TERMS OF THE SECTION 51 MANUAL

1. Contact details [Section 51(1)(a)]

Director	Terry Cousins
Physical address	G Block, Knightsbridge Manor 33 Sloan Street Bryanston Gauteng 2019
Postal address	P.O. Box 70151 Bryanston Gauteng 2021
Telephone number	011-463-3860
Fax number	011-463-2591
Web site	www.tlc.com
E-mail address of CEO	terry@tlc.co.za

2. The section 10 Guide on how to use the Act [Section 51(1)(b)]

The Guide will be available from the South African Human Rights Commission by not later than August 2005. Please direct any queries to:

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
Fax: +27 11 484-0582
Website: www.sahrc.org.za
E-mail: PAIA@sahrc.org.za

3. Records available in terms of any other legislation [Section 51(1)(d)]

1. Administration of Estates Act No. 66 of 1965
2. Basic Conditions of Employment Act No. 75 of 1997
3. Companies Act No. 61 of 1973
4. Compensation for Occupational Injuries and Health Diseases Act No. 130 of 1993
5. Consumer Affairs (Unfair Business Practices) Act No. 71 of 1988
6. Copyright Act No. 98 of 1978
7. Currency and Exchanges Act No. 9 of 1933
8. Debtor Collectors Act No. 114 of 1998
9. Employment Equity Act No. 55 of 1998
10. Finance Act No. 35 of 2000
11. Harmful Business Practices Act No. 23 of 1999
12. Income Tax Act No. 95 of 1967
13. Insolvency Act No. 24 of 1936
14. Intellectual Property Laws Amendments Act No. 38 of 1997
15. Labour Relations Act No. 66 of 1995
16. Occupational Health & Safety Act No. 85 of 1993
17. Protection of Businesses Act No. 99 of 1978
18. Skills Development Levies Act No. 9 of 1999
19. Skills Development Act No. 97 of 1998
20. Stamp Duties Act No. 77 of 1968
21. Trade Marks Act No. 194 of 1993
22. Unemployment Contributions Act No. 4 of 2002
23. Unemployment Insurance Act No. 63 of 2001
24. Value Added Tax Act No. 89 of 1991

4. Access to the records held by TLC Engineering Solutions (Pty) Ltd.
[Sections 51(1)(c) and 51(1)(e)]

4.1 Automatic and voluntary disclosures

The following information is available at no cost:

- Product information (specifications, physical, applications and benefits)
- White papers
- Product demonstrations available for download
- This manual.

Available from Contact addresses and on Website: www.tlc.co.za

4.2 Records that may be requested

TLC Engineering Solutions (Pty) Ltd keeps the following records and categories of information:

- Company financial and administrative records
 - Financial statements
 - Bank statements
- Human Resources records
 - Salary records
 - Leave records
 - Employment contracts
 - Time sheets
 - Skills Development Levy records
 - Unemployment Insurance Fund records
 - Employees Tax records
- Contractual and transactional records relating to the clients of TLC Engineering Solutions (Pty) Ltd.
 - Project and service agreements
 - License agreements
 - Invoices, statements and payment records
- Contractual and transactional records relating to the suppliers and partners of TLC Engineering Solutions (Pty) Ltd.
 - Distribution agreements
 - Invoices, statements and payment records
- Technical records
 - Information relating to completed and current projects
 - Product technical and marketing literature
- Quality Records
 - Quality Policy
 - ISO9001:2008 Quality Manual

4.3 The request procedures

4.3.1 Form of request

- The requester must use the prescribed form to make the request for access to a record. This must be made to the Director. This request must be made to the address, fax number or electronic mail address as shown above. [*s 53(1)*].
- The requester must provide sufficient detail on the request form to enable the Director to identify the record and the requester. The requester should also indicate which form of access is required. The requester should also indicate if any other manner is to be used to inform the requester and state the necessary particulars to be so informed. [*s 53(2)(a) and (b) and (c)*].
- The requester must identify the right that is sought to be exercised or to be protected and provide an explanation of why the requested record is required for the exercise or protection of that right [*s 53(2)(d)*].
- If a request is made on behalf of another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the Director. [*s 53(2)(f)*].

4.3.2 Fees

A requester who seeks access to a record containing personal information about that requester is not required to pay the request fee. Every other requester, who is not a personal requester, must pay the required request fee:

- The Director must notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed fee (if any) before further processing the request. [*s 54(1)*].
- The fee that the requester must pay to TLC Engineering Solutions (Pty) Ltd is R100. The requester may lodge an application to the court against the tender or payment of the request fee [*s 54(3)(b)*].
- After the Director has made a decision on the request, the requester must be notified in the required form.
- If the request is granted then a further access fee must be paid for the search, reproduction, preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure [*s 54(6)*].

5. Other information as may be prescribed [Section 51(1)(f)]

The Minister of Justice and Constitutional Development has not made any regulations in this regard.

6. Availability of the manual [Section 51(3)]

This manual is also available for inspection at the offices of TLC Engineering Solutions (Pty) Ltd free of charge; and copies are available with the SAHRC, in the Gazette and on the website of TLC Engineering Solutions (Pty) Ltd.

7. Fees in respect of private bodies

1. The fee for a copy of the manual as contemplated in regulation 9(2)(c) is R1,50 for every photocopy of an A4-size page or part thereof.
2. The fees for reproduction referred to in regulation 11(1) are as follows:

	R
(a) For every photocopy of an A4-size page or part thereof	1,50
(a) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	1,20
(b) For a copy in a computer-readable form on –	
(i) stiffy disc	25,00
(ii) compact disc	150,00
(d) (i) For a transcription of visual images, for an A4-size page or part thereof	60,00
(ii) For a copy of visual images	80,00
(e) (i) For a transcription of an audio record, for an A4-size page or part thereof	50,00
(ii) For a copy of an audio record	100,00

3. The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2) is R100,00.

4. The access fees payable by a requester referred to in regulation 11(3) are as follows:

	R
(1)(a) For every photocopy of an A4-size page or part thereof	1,50
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	1,20
(c) For a copy in a computer-readable form on –	
(i) stiffy disc	25,00
(ii) compact disc	150,00
(d) (i) For a transcription of visual images, for an A4-size page or part thereof	60,00
(ii) For a copy of visual images	80,00
(e) (i) For a transcription of an audio record, for an A4-size page or part thereof	50,00
(ii) For a copy of an audio record	100,00
(f) To search for and prepare the record for disclosure, R400,00 for each hour or part of a hour reasonably required for such search and preparation.	
(2) For 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.	
(3) The actual postage is payable when a copy of a record must be posted to a requester.	

8. Prescribed Forms

Request for access to a record of TLC Engineering Solutions (Pty) Ltd.

A. Particulars of TLC Engineering Solutions (Pty) Ltd.

Chief Executive Officer	Terry Cousins
Physical address	G Block, Knightsbridge Manor 33 Sloan Street Bryanston Gauteng 2019
Postal address	P.O. Box 70151 Bryanston Gauteng 2021
Telephone number	011-463-3860
Fax number	011-463-2591

B. Particulars of person requesting access to the record

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

<p><i>This section must be completed ONLY if a request for information is made on behalf of another person.</i></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. 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 the 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:
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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 to the record, if any, will be determined partly by the form in which access is requested.

1. If the record is in written or printed form:

	copy of record*		inspection of record
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2. If the 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*
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3. If the record consists of recorded words or information which can be reproduced in sound:

	listen to the soundtrack (audio cassette)		Transcription of soundtrack* (written or printed document)
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4. If the record is held on a 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* (stiffy or compact disc)
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*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.

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