

Lightstone

We simplify the complex



SECTION 51 MANUAL

compiled in terms of section 51 of
The Promotion of Access to
Information Act, No. 2 of 2000
(the “Act”)



Table of Contents

1. Introduction	2
2. Contact details	2
3. Information and guidelines in terms of the Act	3
4. Applicable legislation	4
5. Subjects and categories of records	5
6. Form of request for information	6
7. Prescribed fees	7
FORM 2	8
FORM 3	14

1 Introduction

The company engages in the provision of industry related information and services to the property and automotive sector.

2 Contact details

The following contact details can be used to obtain information in terms of the Act and/or this manual:

Office Manager / CEO:

A.G. Atkinson
Postal Address:
P O BOX 71931
Bryanston
Gauteng
2021

Street Address:

SIS House
First Floor, Eton Office Park
Corner Sloane and Harrison Street
Bryanston
Gauteng
2191

Telephone number:

010 822 8687

Email address:

info@lightstone.co.za

3 Information and guidelines in terms of the Act

- 3.1. The Act grants 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.
- 3.2. Requests in terms of the Act shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in paragraphs 6 and 7 of the Act.
- 3.3. Requesters are referred to the Guide in terms of Section 10 of the Act which has been compiled by the South African Human Rights Commission (the “Commission”), which will contain information for the purposes of exercising Constitutional Rights. The Guide is available from the Commission.
- 3.4. The contact details of the Commission are as follows:

Postal Address:	Private Bag 2700, Houghton, 2041
Telephone number:	+27 11 877 3600
Fax Number:	+27 11 403 0625
Website:	www.sahrc.org.za

4 Applicable legislation

The following legislation is applicable to Lightstone (Pty) Ltd and information is accordingly available in accordance with such legislation:

- Basic Conditions of Employment Act No. 75 of 1997
- Broad Based Black Economic Empowerment Act No. 53 of 2003
- Close Corporations Act No. 69 of 1984
- Companies Act No. 71 of 2008
- Compensation for Occupational Injuries and Health Diseases Act No. 130 of 1993
- Consumer Protection Act No. 68 of 2008
- Secondhand goods Act No 6 of 2009
- Copyright Act No. 98 of 1978
- Electronic Communications and Transmissions Act No. 25 of 2002
- Employment Equity Act No. 55 of 1998
- Financial Advisory and Intermediary Services Act No. 37 of 2002
- Financial Intelligence Centre Act No.38 of 2001
- Income Tax Act No. 58 of 1962
- Insolvency Act No. 24 of 1936
- Labour Relations Act No. 66 of 1995
- National Credit Act No. 34 of 2005
- Occupational Health and Safety Act No. 85 of 1993
- Pension Funds Act No. 24 of 1956
- Promotion of Access to Information Act No. 2 of 2000
- Short Term Insurance Act No. 53 of 1998
- Skills Development Levies Act No. 9 of 1999
- Skills Development Act No. 97 of 1998
- Trademarks Act No. 194 of 1993
- Unemployment Insurance Contributions Act No. 4 of 2002
- Unemployment Insurance Act No. 63 of 2001
- Value Added Tax Act no 89 of 1991

5 Subjects and categories of records

In order to facilitate a request for access to Lightstone (Pty) Ltd records, the subjects and categories of records held by Lightstone (Pty) Ltd are listed below:

5.1. Companies Act Records

- Memorandum of incorporation
- Minutes of Board of Directors Meetings
- Records relating to the appointment of directors / auditors/ secretary / public officer and other officers
- Share Register and other statutory registers

5.2. Financial Records

- Annual Financial Statements
- Tax Returns
- Accounting Records
- Bank statements
- Asset Register
- Rental Agreements
- Invoices

5.3. Income Tax and other Tax Records

- PAYE records
- Documents issued to employees for income tax purposes
- Records of payments made to SARS on behalf of employees
- VAT records
- Regional Services Levies records
- Skills Development Levies records
- UIF records

5.4. Information Technology Records

- Hardware and software licenses
- Telephone lines, leased lines, and data lines

5.5. Personnel Records

- Workmen's Compensation records
- Employment contracts
- Employment Equity Plan and reports
- Medical Aid records
- Pension Fund records
- Disciplinary records
- Salary records
- SETA records
- Company policies and procedures
- Leave records
- Training records

5.6. Client related Records

- Records which contain information of Lightstone (Pty) Ltd clients, whether natural or juristic, that receive a service from Lightstone (Pty) Ltd, that have either been provided to Lightstone (Pty) Ltd by the client or generated by Lightstone (Pty) Ltd in respect of the client.

5.7. Legal Records

- Various Legal Agreements including supplier agreements, lease agreements, service level agreements, and brand agreements.

6 Form of request for information

- 6.1. A requester is not automatically entitled to the record in respect of which the request is made. Each request will be evaluated on its own merits.
- 6.2. In order to process a request, a requester should:
 - 6.2.1. Use the prescribed form, which is available on the website of the South African Human Rights Commission at www.sahrc.org.za, entitled Form C (a copy of which is attached to this Manual for reference purposes).
 - 6.2.2. Address the request to the CEO of Lightstone (Pty) Ltd
 - 6.2.3. Provide sufficient details in the request to allow Lightstone to identify:
 - The records requested;
 - The form of access required;
 - The postal address or fax number of the requester (which must be in the Republic of South Africa) and the manner and particulars in which the requester wishes to be informed of the decision, if the requester wishes to be informed in a manner in addition to written; and
 - The right which the requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.

7 Prescribed fees

Where information is requested (other than for personal requests):

- 7.1. A requester is required to pay the prescribed fees (R50,00) before a request will be processed;
- 7.2. If 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);
- 7.3. A requester may lodge an application with a court against the tender/payment of the request fee and/or deposit;
- 7.4. Records may be withheld until the fees have been paid.

The fee structure is available on the website of the South African Human Rights Commission at www.sahrc.org.za. (A copy of the fee structure current at the time of preparation of this Manual is attached to the back of this Manual, but requesters of information are directed to access the latest fee structure on the aforementioned website.)

Request for access to record

[Regulation 7]

Note:

- 1. Proof of identity must be attached by the requester.
- 2. If requests made on behalf of another person, proof of such authorisation, must be attached to this form.

TO: The Information Officer

(Address)

E-mail address

Fax number

Request is made in my own name

Request is made on behalf of another person

> Personal information

Full Names

Identity Number

Capacity in which request is made
(when made on behalf of another person)

Postal Address

Street Address

> **Personal information** *(continued)*

E-mail Address

Contact Numbers: Tel. (B)

Contact Numbers: Facsimile

Contact Numbers: Cellular

Full names of person on whose behalf request is made (if applicable)

Identity Number

Postal Address

Street Address

E-mail Address

Contact Numbers: Tel. (B)

Contact Numbers: Facsimile

Contact Numbers: Cellular

> Particulars of record requested

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. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)

Description of record or relevant part of the record

Reference number, if available

Any further particulars of record

Type of record (Mark the applicable box)

Record is in written or printed form

Record comprises virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)

Record consists of recorded words or information which can be reproduced in sound

Record is held on a computer or in an electronic, or machine-readable form

> Particulars of record requested *(continued)*

Form of access (Mark the applicable box)

Printed copy of record (including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)

Written or printed transcription of virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)

Transcription of soundtrack (written or printed document)

Copy of record on flash drive (including virtual images and soundtracks)

Copy of record on compact disc drive (including virtual images and soundtracks)

Copy of record saved on cloud storage server

Manner of access (Mark the applicable box)

Personal inspection of record at registered address of public/private body (including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)

Postal services to postal address

Postal services to street address

Courier service to street address

Facsimile of information in written or printed format (including transcriptions)

E-mail of information (including soundtracks if possible)

Cloud share/file transfer

Preferred language

(Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available)

> **Particulars of right to be exercised or protected**

If the provided space is inadequate, please continue on a separate page and attach it to this Form. The requester must sign all the additional pages.

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

> **Fees**

- a) A request fee must be paid before the request will be considered.
- b) You will be notified of the amount of the access fee to be paid.
- 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

> **Fees** *(continued)*

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

Postal address

Facsimile

Electronic communication (Please specify)

Signed at this day of 20

Signature of Requester / person on whose behalf request is made

> **For official use**

Reference number

Request received by: (State Rank, Name and Surname of Information Officer)

Date received

Access fees

Deposit (if any)

Signature of Information Officer

Outcome of request and of fees payable

[Regulation 8]

Note:

1. If your request is granted the—
 - (a) amount of the deposit, (if any), is payable before your request is processed; and
 - (b) requested record/portion of the record will only be released once proof of full payment is received.
2. Please use the reference number hereunder in all future correspondence.

TO:

Reference number

Your request dated refers.

1. You requested:

Personal inspection of information at registered address of public/ private body (including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form) is free of charge. You are required to make an appointment for the inspection of the information and to bring this Form with you. If you then require any form of reproduction of the information, you will be liable for the fees prescribed in Annexure B.

OR

2. You requested:

Printed copies of the information (including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)

Written or printed transcription of virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)

Transcription of soundtrack (written or printed document)

Copy of information on flash drive (including virtual images and soundtracks)

Copy of information on compact disc drive(including virtual images and soundtracks)

Copy of record saved on cloud storage server

3. To be submitted

Postal services to postal address	E-mail of information (including soundtracks if possible)
Postal services to street address	Cloud share/file transfer
Courier service to street address	Preferred language
Facsimile of information in written or printed format (including transcriptions)	(Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available)

Kindly note that your request has been

Approved

Denied, for the following reasons:

4. Fees payable with regards to your request:

Item	Cost per A4-size page or part thereof/item	Number of pages/items	Total
Photocopy			
Printed copy			
For a copy in a computer-readable form on:			
(i) Flash drive			
• To be provided by requestor	R40.00		
(ii) Compact disc			
• If provided by requestor	R40.00		
• If provided to the requestor	R60.00		
For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on the quotation of the service provider		
Copy of visual images			
Transcription of an audio record, per A4-size	R24.00		
Copy of an audio record			
(i) Flash drive			
• To be provided by requestor	R40.00		
(ii) Compact disc			
• If provided by requestor	R40.00		
• If provided to the requestor	R60.00		
Postage, e-mail or any other electronic transfer:	Actual costs		
TOTAL			

4. Fees payable with regards to your request:

5. Deposit payable (if search exceeds six hours):

Yes

No

Hours of search

Amount of deposit (calculated on one third of total amount per request)

The amount must be paid into the following Bank account

Name of Bank

Name of account holder

Type of account

Account number

Branch Code

Reference Nr

Submit proof of payment to:

Signed at

this

day of

20

Information officer

Lightstone

We simplify the complex



Lightstone (Pty) Ltd
Registration No. 2010/018608/07

