

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

(“PAIA Manual”)

Name of Company:

PNA STATIONERS (PTY) LTD

Registration Number of Company:

1999/23259/07

(“PNA”)

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1. INTRODUCTION

BACKGROUND TO PROMOTION OF ACCESS TO INFORMATION ACT

1.1. WHY THE PROMOTION OF ACCESS TO INFORMATION ACT?

Section 32 of the Bill of Rights contained in the Constitution of the Republic of South Africa, No.108 of 1996 (*“the Constitution”*) provides that everyone has the right of access to any information:

- (a) held by the State; and
- (b) held by another person, and that is required for the exercise or protection of any right.

The ACT grants a requestor access to records of a private body, if the record is required for the exercise or protection of any rights. If public body lodges a request, the public body must be acting in the public interest.

Requests in terms of the ACT shall be made in accordance with the prescribed procedures, at rates provided. The forms and tariff are dealt with in paragraphs 6 and 7 of the Act.

Requestors are referred to the Guide in terms of section 10 which has been compiled by the South African Human Rights Commission, which will contain information for the purposes of exercising Constitutional Rights. The Guide is available from the SAHRC.

1.2. WHAT IS THE PURPOSE OF THE ACT

The Promotion of Access to Information Act, No 2 of 2000 (*“the Act”*) was enacted on 3 February 2000:

- (a) to give effect to the constitutional right of access to *any information held by the State, and any information held by another person that is required for the exercise or protection of any right; and*
- (b) to set out the specific procedural issues which are required and must be followed by anyone who intends to request access to information in terms of the Act.

The Act aims to foster a culture of transparency and accountability both in public and private bodies and to promote a society in which the people of South Africa have effective access to information to enable them to more fully exercise and protect all their rights.

When a person request information in terms of the Act to a public or private body, the information so requested must be disclosed in the event that the requester is able to show that the information is required for the exercise or protection of any right.

However the request may be refused in the event that specific grounds of refusal contained in the Act are applicable. Section 9 of the Act, recognizes that justifiable limitations of the right to access may be permitted. Such justifiable limitations include but are not limited to:
reasonable protection of privacy, commercial confidentiality, effective, efficient and good governance;

2. GENERAL INFORMATION AND COMPANY CONTACT DETAILS

2.1. This manual is prepared in accordance with **Section 51** of the **Promotion of Access to Information Act, No 2 of 2000** and provides a generic format, which will enable requesters to obtain the information or records, which they are entitled to under the act in a quick and accessible manner.

Please contact the Information Officer should you have any queries regarding the information which may be requested from PNA and the process to be followed in order to obtain a copy of this guide.

2.2. PNA STATIONERS (PTY) LTD

Founded in 1992, the PNA Group is one of the leading retailing franchisors in South Africa, the scope of its business mainly being the establishing of individual retail franchised outlets conducting the business of a news agency, bookseller, stationer, seller of greeting cards, toys, related activities under the style of PNA and PNA Stationers (Pty) Ltd throughout South Africa. PNA, also boasts a number of owner-managed franchises located throughout the country.

Having received numerous esteemed industry awards throughout the last two decades. PNA strives to foster a distinctive brand, focused on delivering a comprehensive range of quality products and exceptional customer service. This makes PNA, South Africa's preferred retailer of stationery, art & craft materials, books, educational books and related products.

2.3. **Information Officer:** Jessika van der Westhuizen

2.4. **Telephone:** (011) 672 4391

2.5. **Facsimile:** 086 617 2189

2.6. **Website:** www.pna.co.za

2.7. **Postal Address:** P O Box 122, Florida Hills, 1716

2.8. **Street Address:** 526 Ontdekkers Road, Florida Hills, Roodepoort

2.9. **Group General Manager:** Herman Botha

2.10. **Company Directors:** Available on request

2.11. Registered Auditors:

Nic Zaayman (Uys & Zaayman Auditors – Chartered Accountant)

PO Box 3918, Cape Town, 8000

Practice No.: 123456

Telephone Number: 27(11) 849 7447
Facsimile: 27 (86) 604 3788(Attention: Mr. N. Zaayman)
Email: nic@zaayman.co.za

2.12. Legal Representative:

Pieter Swanepoel
Physical Address: Suite 7, 1st Floor, South Lobby, Cramerview Village Centre, 277 Main Road,
Bryanston, Johannesburg, South Africa
Telephone Number: 072 749 1621
Facsimile: +27(0)86 552 4205 (Attention: Mr. P. Swanepoel)
E-mail: pieter@pasattorneys.co.za

3. GUIDE ON THE PROMOTION OF ACCESS TO INFORMATION ACT (SECTION 10 GUIDE)

A guide document in terms of section 10 of the Act has been compiled by the South African Human Rights Commission. It contains information to assist a person who wants to access records/ information in the exercising of their right to information.

The guide is available in all South African official Languages free of charge, and any person may request a copy of the guide. A copy of the guide may be obtained by contacting the South African Human Rights Commission at:

The South African Human Rights Commission
PAIA Unit
The research and Documentation Department
Private Bag 2700
Houghton
2041

Telephone: 011 – 877 3600
E-mail: paia@sahrc.org.za
Web: www.sahrc.org.za

4. PROCEDURE FOR OBTAINING ACCESS TO RECORDS / INFORMATION HELD BY PNA

4.1. Any person who wishes to request any information held by PNA in order to protect or exercise a right may contact the PNA Franchisor on:

Tel: 011 672 4391 /
Physical address: PNA Head Office situate at 526 Ontdekkers Road, Florida Hills, Roodepoort

- 4.2. A request for access to information must be made in the prescribed form and submitted to information officer indicated above at her physical, postal or e-mail address and/ or fax number (See **Annexure C** for the prescribed form.)
- 4.3. All required fields on the requisition form (**Annexure C**) must be completed in full and in a legible form. The form (as well as any additional pages attached thereto) must be signed by the person submitting the request for records/ information form.
- 4.4. Once the requisition form has been submitted, the information offices will notify the person who submitted the request of the prescribed fee (if any) payable before further processing the request.
- 4.5. **PRESCRIBED FEES**
The following applies to requests (other than personal requests):
- 4.6. A requestor is required to pay the prescribed fees (R50.00) BEFORE A REQUEST WILL BE PROCESSED
- 4.7. If the request is granted, the person who submitted the request will be accordingly notified and a further fee will be payable. The additional fee would be for the reproduction, preparation and time reasonably required to search for and prepare the disclosure.
- 4.8. 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 fees which would be payable if the request were granted);
- 4.9. The person who submitted the request may lodge an application to court against the tender or payment of the fee.
- 4.10. Records may be withheld until the fees have been paid;
- 4.11. The fee structure is available on the website of the South African Human Rights Commissions at www.sahrc.org.za
- 4.12. An individual seeking access to a record containing their own personal; information will not be charged a request fee.
- 4.13. A person submitting a requisition must:
- 4.13.1. Indicate the identity of the person seeking access to information;
 - 4.13.2. Provide sufficient particulars to enable the information officer to identify the information requested;
 - 4.13.3. Specify the format in which the information was required indicate the contact details of the person requiring the information;
 - 4.13.4. Indicate the right to be exercised and/or to be protected, and specify the reasons why the information required will enable the person to protect and Exercise the right;
 - 4.13.5. Where the person requesting the information wishes to be informed of the decision of the request in a particular manner, state the manner and particulars to be so informed; and
 - 4.13.6. If the request for information is made on behalf of another person, submit proof that the person submitting the request, has obtained the necessary authorisation to do so.

5. NATURE OR TYPE OF RECORDS / INFORMATION HELD BY PNA

- 5.1. Request for access to documents held by PNA will be in accordance with the Act. The nature/ type of records or information available to the person requesting the information are listed in **Annexure A**;
- 5.2. A description of records / information which are freely available without having to apply and submit a formal request in terms of the Act are listed in **Annexure B**

6. RECORDS/ INFORMATION AVAILABLE IN TERMS OF OTHER LEGISLATION

The person requiring the information

may also request information which is available in terms of the following legislation:

No	Reference	Act
1	No 61 of 1973	Companies Act
2	No 98 of 1978	Copyright Act
3	No 55 of 1998	Employment Equity Act
4	No 95 of 1967	Income Tax Act
5	No 66 of 1995	Labour Relations Act
6	No 75 of 1997	Basic Conditions of Employment Act
7	No 02 of 2000	Promotion of Access to Information Act
8	No 30 of 1996	Unemployment Insurance Act
9	No 68 of 2008	The Consumer Protection Act

7. GROUNDS FOR REFUSAL OF ACCESS TO RECORDS

The Act provides a number of grounds on which a request for access to information must be refused. These grounds mainly concern instances where the privacy and interests of other individuals are protected, where such records / information are already otherwise publicly available, instances where public interest are not served, the mandatory protection of commercial information of a third party, as well as the mandatory protection of certain confidential information of a third party.

A complete list of grounds for the refusal are indicated within chapter 4 of the Act.

8. MANUAL AVAILABILITY

The manual is available for inspection at PNA's head office free of charge. Copies of this manual are also available at the South African Human Rights Commission.

ANNEXURE A

RECORD TYPOLOGY

Request for access to documents held by PNA will be in accordance with the act. The type of information / records available to the person requesting the information are listed hereunder:

1. ADMINISTRATIVE RECORDS

These include but are not limited to following:

1.1. Company Act Records: including

- 1.1.1. Documents of incorporation
- 1.1.2. Memorandum of incorporation
- 1.1.3. Minutes of board or directors meetings
- 1.1.4. Records relating to the appointment of directors/ auditor/ secretary/ public officer and other officers;
- 1.1.5. Share register and other statutory registers

1.2. Any personal records provided to PNA by its personnel;

1.3. Any records which a third party has provided to PNA about any of its personnel.

2. HUMAN RESOURCES RECORDS

These include but are not limited to following:

- 2.1. Any personal records provided to PNA by its personnel;
- 2.2. Any records that a third party has provided to PNA about any of its personnel
- 2.3. Conditions of employment and other personnel-related contractual and quasi-legal records
- 2.4. Internal evaluation and training records
- 2.5. Other internal records and correspondence

3. CLIENT-RELATED RECORDS

These include but are not limited to following:

- 3.1. Advice records
- 3.2. Franchise Agreements
- 3.3. Operational records;
- 3.4. Databases;
- 3.5. Information technology;
- 3.6. Marketing records;
- 3.7. Internal correspondence;
- 3.8. Product records;
- 3.9. Statutory records

- 3.10. Internal policies and procedures
- 3.11. Treasury-related records

4. **FINANCIAL RECORDS**

These include but are not limited to following:

- 4.1. Annual Financial Statements
- 4.2. Audit Records
- 4.3. Tax Returns
- 4.4. Accounting Records
- 4.5. Banking Records
- 4.6. Bank Statements
- 4.7. Paid Cheques;
- 4.8. Electronic Banking Records;
- 4.9. Asset Register

5. **INCOME TAX RECORDS**

- 5.1. PAYE records
- 5.2. Documents issued to employees for income tax purposes
- 5.3. Records of payments made to SARS on behalf of employees
- 5.4. All other statutory compliances:
 - 5.4.1. Vat
 - 5.4.2. Regional Services Levies;
 - 5.4.3. Skills Development Levies
 - 5.4.4. UIF
 - 5.4.5. Workmen's Compensation

6. **THIRD PARTIES**

PNA may possess records pertaining to other parties / third parties, including without limitation, contractors, suppliers, subsidiary companies, joint venture companies and other financial services providers. These records include:

- 6.1. Service level agreements
- 6.2. Rental Agreements
- 6.3. Supply agreements
- 6.4. Franchise Agreements
- 6.5. Financial records
- 6.6. Correspondence

Alternatively, such other parties may possess records which can be said to belong to PNA. The following records fall under this category:

- 6.7. Personnel, client or PNA records which are held by another party
- 6.8. Records held by PNA pertaining to other parties, including without limitation:
- financial records
 - correspondence
 - contractual records;
 - records provided by the other party.

ANNEXURE B

AUTOMATICALLY AVAILABLE RECORDS
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AT THIS STAGE NO NOTICE HAS BEEN PUBLISHED ON THE CATEGORIES OF THE RECORDS THAT ARE AUTOMATICALLY AVAILABLE WITHOUT A PERSON HAVING REQUEST ACCESS IN TERMS OF THE ACT.

The following records are automatically and freely available on our website without having to submit a formal request to access the information in terms of the Act:

- 1. Disclosure Document**

Please note that our clients have access to all client related documents via our website

ANNEXURE C

REQUEST FORM FOR INFORMATION

1. PARTICULARS OF PERSON REQUESTING ACCESS TO INFORMATION

Full Name And Surname;

Identity Number:

Telephone Number :

Fax Number :

E-Mail Address:

Physical Address:

Postal Address:

2. PARTICULARS OF PERSON ON WHOSE BEHALF THE REQUEST IS MADE

Only complete this section if a request for information is made on behalf of another person

Full Name And Surname :

Identity / Company Number:

3. PARTICULARS OF REQUESTED INFORMATION

Provide full particulars of the information to which access is requested. If the provided space is inadequate, please continue on a separate page and attach it to this form. (Please initial all additional pages)

4. FORMAT IN WHICH INFORMATION IS REQUIRED

Indicate the format in which the information requested is required. Please note that the request for access in the specified format may depend on the format which the record is available. Access in the requested format may be refused under certain circumstances.

5. RIGHT TO BE EXERCISED OR PROTECTED

Indicate the right that is to be protected /or exercised and why the information is required to protect and/or to exercise this right.

Specify individual rights & reason;

6. NOTIFICATION

You will be notified by e-mail and/or port whether your request has been approved or denied. If you wish to be informed in another manner please specify the manner and provide the necessary particulars.

Alternative method of notification:

SIGNED AT _____ ON THIS THE ____ DAY OF _____ 20

Signature of person submitting the request