

PROMOTION OF ACCESS TO INFORMATION ACT, 2000

SECTION 51(1) MANUAL

OF

ENTELECT SOFTWARE (PTY) LTD

Registration No. 2007/001837/07

1. Introduction:

This manual is published in terms of Section 51(1) of the Promotion of Access to Information Act, Act No.2 of 2000. ("The Act"). The Act gives effect to the provisions of Section 32 of the Constitution, which provides for the right of access to information held by the State and to information held by another person that is required for the exercise and or protection of any right.

The reference to information in addition to that specifically required in terms of Section 51 of the Act does not create a right or entitlement (contractual or otherwise) to receive such information, other than in terms of the Act.

2. Overview of Entelect Software (Pty) Ltd:

Entelect Software (Pty) Ltd is a private company conducting business under Enterprise web management and e-commerce applications, Broad based online solutions across all industry verticals and online retail, web, event and recruitment management products.

It further supports the constitutional right of access to information and we are committed to provide you access to our records in accordance with the provisions of the Act, the confidentiality we owe third parties and the principles of South African law.

3. Availability of this manual:

A copy of this Manual is available by sending a request for a copy to the Information Officer by e-mail. This manual can also be obtained from our head office, the South African Human Rights Commission ("SAHRC") at the addresses set out below, or from the Government Printers. This manual will be updated as and when required.

4. Process of requesting access to records held by Entelect Software (Pty) Ltd:

Requests for access to records held by **Entelect Software (Pty) Ltd** must be made on the request forms that are available for download in the SAHRC website or the Department of Justice and Constitutional Development, to be found under "*regulations*".

A request for information will only be processed once the prescribed fee as contained in the schedule of fees to be found on www.sahrc.co.za has been paid.

Requests for access to records must be directed at our Information Officer at the address, fax number or electronic mail address as contained below.

The requestor will be required to provide sufficient detail on the request form to enable the Information Officer to identify the requestor and the record requested. The requestor will be required to indicate which form of access is required and how he or she wishes to be contacted and or provided with the requested access, stating the necessary particulars to be so contacted.

The requestor will be required to identify the right that he or she is seeking to exercise or protect, together with an explanation as to why the requested record is required to exercise or protect the stated right.

In the event of the a request being made on behalf of another person, the requestor will be required to submit proof of the capacity in which the request is being made, to the satisfaction of the Information Officer.

Requests for information is made through the use of Annexure C. Failing to utilise this form could cause the request for information to be refused or delayed.

All requests directed at the Information Officer will be evaluated and considered in accordance with the Act. The Publication of this manual and the contents thereof does not give rise to any rights to access the information or records as described herein, except as provided for in the Act.

5. Contact details:

Name of Private Body	Entelect Software (Pty) Ltd
Information Officer	Charles Pritchard
E-mail address of Information Officer	Charles@entelect.co.za
Postal Address	P O Box 239 Melrose Arch, 2076
Street Address	Unit 11, 2 nd Floor 3 Melrose Boulevard Melrose Arch
Phone Number	011 994 3300
Fax Number	011 994 3301

6. How to access the Guide – Section 10 of the Act:

The Guide to the Act described in Section 10 of the Act is available from the South African Human Rights Commission. Enquiries are to be directed to:

The South African Human Rights Commissioner
PAIA Unit
The Research and Documentation Department
Private Bag 2700
Houghton
2041
Tel: (011) 484 8300
Fax: (011) 484 0582
Web: www.sahrc.org.za
E-mail: paia@sahrc.org.za

7. Voluntary disclosure:

Entelect Software (Pty) Ltd has not published a voluntary notice in terms of Section 52(2) of the Act. It should be noted that certain information in the form of marketing brochures, advertising material and other public communication could be made available from time to time.

8. Records available in terms of any other legislation:

Information is available in terms of the following legislation, to the persons and or entities specified in such legislation:

- Companies Act 71 of 2008.
- Compensation for Occupational Injuries and Diseases Act 130 of 1993.
- Income Tax Act 58 of 1962.
- Value Added Tax Act 89 of 1991.
- Labour Relations Act 66 of 1995.
- Basic Conditions of Employment Act 75 of 1997.
- Employment Equity Act 55 of 1998.
- Skills Development Levy Act 9 of 1999.
- Unemployment Insurance Act 63 of 2001.

In addition, information will be made available to government regulators as and when required by legislation specific to **Entelect Software (Pty) Ltd**.

9. Records held by Entelect Software (Pty) Ltd:

Entelect Software (Pty) Ltd maintains records on the following categories and subject matters. However, such category or subject matter being recorded in this Manual does not imply that a request for access to such records will be granted. Any request for access to records will be evaluated in accordance with the provisions of the Act.

9.1. Internal Records:

These records refer to **Entelect Software (Pty) Ltd** own affairs and that of its divisions, subsidiary and associated companies, if such exists:

- Constitutional Documents.
- Financial records.
- Annual financial statements.
- Accounting records.
- Asset registers.
- Banking records.
- Invoices.
- Rental agreements.
- Tax returns.
- Operational records.
- Licences.
- Intellectual property.
- Marketing records.
- Statutory records.
- Internal policies and procedures.

9.2 Personnel records:

Personnel refer to any person who works for or provides services to or on behalf of **Entelect Software (Pty) Ltd** and receives or is entitled to receive any remuneration or assist in carrying out or conducting the business of **Entelect Software (Pty) Ltd**.

This includes without limitation the directors, executive directors, non-executive directors, permanent, temporary or part-time staff, to include contract workers. The records include the following:

- Any personal records provided by personnel.
- Any record in relation to personnel provided by a third party.
- Conditions of employment and contractual related records.
- Internal evaluation records.
- Disciplinary codes.
- Disciplinary records.
- Employment contracts.
- Employment equity plans.
- Medical Aid records.
- Salary records.
- Training manuals.
- Training records.

9.3 Customer records:

We are dedicated to protect the confidential information of our customers. Should any of these records be requested you will be required to carefully motivate such request, having regard to Sections 63 and 67 of the Act, which deals with the protection of third party information.

These records include the following:

- Any records historically provided by a customer or a third party acting for or on behalf of such customer.
- Contractual information.
- Customer needs assessments.
- Personal records of customers.
- Credit information and other research relating to a customer.
- Customer evaluation records.
- Customer profiling.
- Performance research conducted on behalf of customers or about customers.
- Records generated by us, pertaining to customers, to include transactional records.

9.4. Other Parties:

Records are kept in respect of other parties, to include, without limitation contractors, suppliers, service providers and general market conditions. Such records which belong to **Entelect Software (Pty) Ltd** may be in the possession of other parties.

These records include the following:

- Personnel or customer records which are held by another party.
- Records held, pertaining to other parties, including financial records, correspondence, contractual records, electronic mail, logs, records provided by such other party and records about contractors, suppliers or customers, provided by third parties.

9.5. Other Records:

These records include the following:

- Information relating to **Entelect Software (Pty) Ltd** own commercial activities.
- Research carried out on behalf of a client or commissioned by a customer.

9.6. Records in terms of the Companies Act 71 of 2008:

- Documents of incorporation.
- Minutes of meeting from the Board of Directors.
- Records reflecting the appointment of directors, auditor, company secretary, prescribed officer, or any other officer in as far as such records are applicable.
- Register of shareholders and other statutory registers.

10. How to submit a request for access to information:

The Requesting Party must submit Form C, a copy of which is depicted at the end of this Manual, together with the prescribed fee, to the Information Officer at the details as contained in 5 above.

The Requesting Party must provide adequate and precise particulars to enable to Information Officer to identify the Requesting Party and to identify and locate the requested record.

The Requesting Party is required to provide full particulars of what access is required.

The Requesting Party is required to identify and specify the right that the Requesting Party wishes to exercise and or protect, motivating such right with sufficient and precise detail as to why such exercise and or protection is required. The Requesting Party will receive a written reply to its chosen address of communication as depicted on Form C. If the Requesting Party is submitting the request for information on behalf of another person, documentary proof of capacity to act on behalf of such other person needs to be provided, containing sufficient detail for the Information Officer to consider such request.

11. Outcome of decision and reason for decision:

The Information Officer will inform the Requesting Party within 30 (thirty) calendar days from date of receiving the request, together with the prescribed payment, of a decision as to whether the requested information will be provided to the Requesting Party, or refusal to do so. Reasons for such refusals will be provided by the Information Officer to the Requesting Party.

Information Officer

FORM C

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY
(Section 53(1) of the Promotion of Access to Information Act, 2000
(Act No. 2 of 2000)

[Regulation 10]

A. Particulars of private body

The Head:

B. Particulars of person requesting access to the record

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

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 request is made

This section must be completed <i>ONLY</i> if a request <i>for information</i> is made on behalf of <i>another</i> person.
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Full names and surname:

Initial___

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 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 for 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
2. If record consists of visual images			
this includes photographs, slides, video recordings, computer-generated images, sketches, etc)			
	view the images		transcription of the images*
3. If 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
4. If record is held on computer or in an electronic or machine-readable form:			
	printed copy of record*		copy in computer readable form* (stiffy or compact disc)
'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 of20

SIGNATURE OF REQUESTER / PERSON ON
WHOSE BEHALF REQUEST IS MADE

Initial__

