

**PROMOTION OF ACCESS TO INFORMATION ACT**  
**ACT 2 OF 2000 (“The Act”)**

**MANUAL IN TERMS OF SECTION 51 OF THE ACT**

**FOR**

**T·L·O·K**

ADDING VALUE

**TLOK ACCOUNTANTS CC**  
**(Registration Number: 1993/009596/23)**

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## 1. INTRODUCTION

This manual is prepared in accordance with section 51 of the Promotion of Access to Information Act, 2000 (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 any information in addition to that specifically required in terms of Section 51 of the Act does not create any right or entitlement (contractual or otherwise) to receive such information, other than in terms of the Act.

## 2. DEFINITIONS

Unless the context clearly indicates otherwise, the following terms shall have the meanings assigned to them hereunder, namely -

- "**Act**" means the Promotion of Access to Information Act, Act 2 of 2000, as amended from time to time;
- "**Information Officer**" means the person acting on behalf of **TLOK Accountants CC** and discharging the duties and responsibilities assigned to the "head" of **TLOK** by the Act.
- "**Manual**" means this manual published in compliance with Section 51 of the Act;
- "**TLOK**" means **TLOK Accountants CC 1993/009596/23**;
- "**Personnel**" means any person who works for or provides services to or on behalf of **TLOK** and receives or is entitled to receive any remuneration and any other person who assists in carrying out or conducting the business of **TLOK**. This includes without limitation, directors (both executive and non-executive), all permanent, temporary and part-time staff as well as consultants and contract workers;
- "**Record**" means any recorded information, regardless of form of medium, which is in the possession or under the control of **TLOK**, irrespective of whether it was created by **TLOK**;
- "**Request**" means a request for access to a record of **TLOK**;
- "**Requestor**" means any person, including a public body or an official thereof,

making a request for access to a record of **TLOK** and includes any person acting on behalf of that person; and

- "**SAHRC**" means the South African Human Rights Commission.

Unless a contrary intention clearly appears, words signifying:

- the singular includes the plural and vice versa;
- any one gender includes the other genders and vice versa; and
- natural persons include juristic persons.

Unless otherwise stated, terms defined in the Act shall have the same meaning in this Manual.

### 3. OVERVIEW OF TLOK ACCOUNTANTS CC

**TLOK** was established in 1997 to meet the unique business, financial, accounting, taxation and related services needs of our clients. Being a small firm, we are able to offer a personal touch and are committed to delivering results on time, every time, thus adding value to our clients and their businesses.

We offer a full range of expert personalised accounting, taxation, financial, business and related services to our valued clients, including but not limited to accounting reviews, accounting officers duties and compilations, payrolls, taxation and statutory services and deliver monthly reports, annual financial statements and taxation reports.

**TLOK** is supported by a talented, knowledgeable and professional team enabling the firm to provide superior expertise while focusing on providing the services our valued clients deserve.

Our objective is to be the first point-of-contact for all our client's financial, business advisory and compliance needs.

**TLOK 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.

### 4. CONTACT DETAILS

[Section 51(1)(a)]

<b>Name of Private Body</b>	TLOK Accountants CC
<b>Designated Information Officer</b>	Linda Strauss
<b>Email address of Information Officer</b>	lindas@tlok.co.za

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<b>Postal Address</b>	PO Box 142 Sundowner 2161
<b>Street Address</b>	2 Apollo Road Sundowner Ext 4 2161
<b>Phone Number</b>	(011) 794-5582
<b>Website:</b>	www.tlok.co.za

## 5. AVAILABILITY OF THIS MANUAL

[Section 51(1)(b)]

A manual has been compiled in terms of Section 10 of PAIA by the Human Right Commission. It contains information required by a person wishing to exercise any right contemplated by PAIA.

A copy of this Manual is available by sending a request for a copy to the Information Officer by email. The Manual is also available for inspection at the offices of the Human Rights Commission at 29 Princess of Wales Terrace, corner York and St Andrews Street, Parktown and on its website at [www.sahrc.org.za](http://www.sahrc.org.za). This Manual will be updated from time to time, as and when required.

## 6. HOW TO REQUEST ACCESS TO RECORDS HELD BY TLOK

Requests for access to records held by the **TLOK** must be made on the request forms that are available from the SAHRC website ([www.sahrc.org.za](http://www.sahrc.org.za)) or the Department of Justice and Constitutional Development ([www.doj.gov.za](http://www.doj.gov.za)) (under "regulations"). You can submit a request without paying the request fee, but please note that payment of the prescribed fees must be made before the request will be processed.

Requests for access to records must be made to our Information Officer at the address, fax number or electronic mail address provided for above [Section 53(1)]

The requester must provide sufficient detail on the request form to enable the Information Officer to identify the record and the requester. The requester should also indicate which form of access is required and indicate if he or she wishes to be informed in any other manner and state the necessary particulars to be so informed [Section 53(2)(a), (b) and (c)].

The requester must identify the right that he or she is seeking to exercise or protect and provide an explanation of why the requested record is required for the exercise or protection of that right [Section 53(2)(d)].

If a request is made on behalf of a person, the requester must then submit proof of

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the capacity in which the requester is making the request to the satisfaction of the Information Officer of **TLOK** [Section 53(2)(f)].

The list detailing the prescribed fees in respect of requests and the fees in respect of access to records (if the request is granted) is attached as Annexure 1.

The standard form that must be used for the making of requests is attached as Annexure 2. Not using this form could cause your request to be refused (if you do not provide sufficient information or otherwise) or delayed.

Kindly note that all requests to **TLOK** will be evaluated and considered in accordance with the Act. Publication of this manual and describing the categories and subject matter of information held by **TLOK** does not give rise to any rights (in contract or otherwise) to access such information or records except in terms of the Act.

## **7. HOW TO ACCESS THE GUIDE AS DESCRIBED IN SECTION 10 OF THE ACT**

The SAHRC has compiled a guide, as required by Section 10 of the Act, containing such information as may reasonably be required by a person who wishes to exercise any right contemplated in this Act.

The guide is available on the SAHRC website, <https://www.sahrc.org.za/>.

The SAHRC can be contacted directly at: The South African Human Rights Commission:  
PAIA Unit

The SAHRC website at <https://www.sahrc.org.za/> at this link: <http://www.sahrc.org.za/home/21/files/Form%20C.doc>; or

The Department of Justice and Constitutional Development website at [www.justice.gov.za](http://www.justice.gov.za) at this link: [https://www.justice.gov.za/forms/paia/J752\\_paia\\_Form%20C.pdf](https://www.justice.gov.za/forms/paia/J752_paia_Form%20C.pdf)

### **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](http://www.sahrc.org.za)

E-mail: [paia@sahrc.org.za](mailto:paia@sahrc.org.za)

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## **8. AUTOMATIC DISCLOSURE - CATEGORIES OF RECORDS AVAILABLE WITHOUT HAVING TO REQUEST ACCESS [SECTION 51(1)(c)]**

The following Records are automatically available without a person having to request access in terms of the Act:

The web page ([www.tlok.co.za](http://www.tlok.co.za)) is accessible to anyone who has access to the Internet. The Company website hosts the following categories of information:

- Brands
- Company info
- Company Profile
- Service offerings
- News and marketing information
- Other literature intended for public viewing.

## **9. RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION [Section 51(1)(d)]**

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

- Basic Conditions of Employment Act, 75 of 1997;
- Closed Corporation Act, No. 69 of 1984, as amended;
- Companies Act, 71 of 2008;
- Compensation for Occupational Injuries and Health Diseases Act 130 of 1993;
- Consumer Protection Act;
- Customs and Excise Act, 91 of 1964;
- Electronic Communications and Transactions Act, 25 of 2002;
- Employment Equity Act, 55 of 1998;
- Income Tax Act, 58 of 1962;
- Insolvency Act, 24 of 1936;
- Labour Relations Act, 66 of 1995;
- National Credit Act, 2005;
- Occupational Health & Safety Act, 85 of 1993;
- Patents Act, 57 of 1978;
- Promotion of Access to Information Act 2 of 2000;
- Sectional Titles Act 95, of 1986;
- Skills Development Act, 97 of 1998;
- Skills Development Levies Act, 9 of 1999;
- Stamp Duties Act, 77 of 1968;
- Tax on Retirement Funds Act, 38 of 1996;
- Trademarks Act, 194 of 1993;
- Transfer Duty Act, 40 of 1949;
- Unemployment Contributions Act, 4 of 2002
- Unemployment Insurance Act, 63 of 2001
- Value Added Tax Act, 89 of 1991



## 10. RECORDS HELD BY TLOK

[Section 51 (1)(c)(e)]

**TLOK** maintains records on the following categories and subject matters. **However, please note that recording a category or subject matter in this Manual does not imply that a request for access to such records would be honoured.** All requests for access will be evaluated on a case by case basis in accordance with the provisions of the Act.

Please note further that many of the records held by us are those of third parties, such as customers and employees and we take the protection of third party confidential information very seriously. Please **ensure that requests for such records are carefully motivated to avoid rejection.**

### 1. Internal records

Records which are available without a person having to request access in terms of this Act in terms of Section 52(2) [Section 51(1)(c)].

This information is defined as operational information needed in the day to day running of the company and is of little to no use to persons outside the company. (Examples of such information are company policies, contracts, employee records and general accounting records).

### 2. Personnel Records

Personnel refers to any person who works for or provides services to or on behalf of **TLOK** and receives or is entitled to receive any remuneration and any other person who assists in carrying out or conducting the business of **TLOK**. This includes, without limitation, directors, executives, non-executives, all permanent, temporary and part-time staff as well as contract workers. Personnel records include the following:

- Any personal records provided to us by our personnel;
- Any records a third party has provided to us about any of their personnel;
- Conditions of employment and other personnel-related contractual and quasi-legal records;
- Other internal records and correspondence.

### 3. Customer records

Please be aware that **TLOK** is very concerned about protecting the confidential information of our customers. Please motivate any request for customer information very carefully, having regard to Sections 63 to 67 of the Act.

Customer information includes the following:

- Any records a customer has provided to **TLOK** or a third party acting for or on behalf of **TLOK**;
- Contractual Information;
- Personal records of customers;
- Credit and financial information and other research conducted by **TLOK** in respect of its customers;
- Confidential, privileged, contractual and quasi-legal records of customers;
- Records generated by or within **TLOK** pertaining to customers, including transactional records;

#### 4. **Other Parties**

Records are kept in respect of other parties, including without limitation contractors, suppliers, service providers and general market conditions. In addition, such other parties may possess records, which can be said to belong to **TLOK**. The following records fall under this category:

- Personnel, customer, or **TLOK** records which are held by another party as opposed to being held by **TLOK**; and
- Records held by **TLOK** pertaining to other parties, including financial records, correspondence, contractual records, records provided by the other party, and records third parties have provided about the contractors or suppliers.

## 11. **ACCESS PROCEDURE AVAILABLE AND FEES**

### 11.1. **How to request a Record (Section 53)**

- Requests for access to Records must be made to the Information Officer in the prescribed form, Annexure 1 at the address or electronic mail address referred to in 1 above. Failure to make use of the prescribed form could result in your Request being refused or delayed.
- A Request for access to a Record must be accompanied by payment of an initial non-refundable Request fee of R57.00 (inclusive of VAT). This fee is not applicable to personal Requests, i.e. individual seeking access to Records pertaining to him/herself.
- The Requestor must provide sufficient detail on the Request form to enable the Information Officer to clearly identify the Record as well as the Requestor's identity, which is to be accompanied by positive proof of identification.

- The Requestor must indicate which form of access is required and if he/she wishes to be informed on the decision on the Request in any other manner, to state the necessary particulars to be so informed.
- Access is not automatic. The Requestor must therefore identify the right he/she is seeking to exercise or protect and provide an explanation as to why the requested Record is required for the exercise or protection of that right.
- If a Request is made on behalf of a person, the Requestor must then submit proof, to the satisfaction of the Information Officer, of his/her authority to make the Request. Failure to do so will result in the Request being rejected.

### **11.2 Decision on Request (Section 56)**

- The Requestor will be notified, within 30 days, in the manner indicated by him/her of the outcome of his/her Request, alternatively whether an extension not exceeding 30 days is required to deal with the Request.
- If the Request for access is granted a further access fee must be paid for the reproduction as well as the search and preparation of the Records and for any time that has exceeded the prescribed hours to search and prepare the Record for disclosure. Access will be withheld until the Requestor has made payment of the applicable fee(s).
- In the event that the Request for access is refused, reasons for the refusal will be provided and the Requestor will be advised the he/she may lodge an application with a court against the refusal of the Request, as well as the procedure for lodging the application.
- The Requestor may lodge an internal appeal or an application to court against the tender
  - or payment of the Request fee.

### **11.3 Availability**

This Manual is available on the company website, ([www.tlok.co.za](http://www.tlok.co.za)) , alternatively at 2 Apollo Road, Sundowner, Randburg, Gauteng, 2161 during office hours.

### **11.4 Fees**

The fees payable in respect of access to Records are attached as Annexure 2.

**PRESCRIBED FORM TO BE COMPLETED BY A REQUESTER****REQUEST FOR ACCESS TO RECORDS OF PRIVATE BODY**

(Section 53(1) of the Promotion of Access to Information Act, No 2 of 2000 Regulation 4)

**A. Particulars of Private Body**

The Information Officer: in respect of \_\_\_\_\_  
(specify company, if applicable)

If you are aware of the company within the \_\_\_\_\_ (Insert Company group) that holds the Record/s you are Requesting, please indicate this fact clearly. Where you are unsure of the company name, please give as much detail to facilitate our search for the Record/s concerned. Please note that your failure to specify a company name will not invalidate your Request, but it may cause unavoidable delays.

**B. Particulars of Person requesting access to the record**

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

Full Name and Surname: \_\_\_\_\_  
 Identity Number: \_\_\_\_\_  
 Postal Address: \_\_\_\_\_  
 Telephone Number: \_\_\_\_\_  
 Fax Number: \_\_\_\_\_  
 E-mail address: \_\_\_\_\_  
 Capacity in which request is made when made on behalf of another person  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**C. Particulars of person of whose behalf request is made:**

*This section must be completed ONLY if a request for information is made on behalf of another person*

Full Name 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 the Record or relevant part of the Record:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

2. Reference number, if available:

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3. Any further particulars of the record:

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**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 of the request fee.
- (c) The **fee payable for access** to a record depends on the form in which the 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 therefore.

Reason for exemption of payment of the fee (if any):

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**F. Form of Access to the 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:

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

**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\*

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

<input type="checkbox"/> Listen to the soundtrack (audio cassette)	<input type="checkbox"/> Transcription of soundtrack * (written or printed)	
<b>4. If the record is held on computer or in an electronic or machine-readable form:</b>		
<input type="checkbox"/> Printed copy of record	<input type="checkbox"/> Printed copy of information derived from the record *	<input type="checkbox"/> Copy in computer readable form * (3,5" magnetic or optical 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?

**A postal fee is payable**

YES

NO

**G. Particulars of right to be exercised or protected:**

*If the provided space is inadequate, please continue of 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:

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2. Explain why the requested record is required for the exercising or protection of the aforementioned right:

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**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 thereof 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?

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Signed at \_\_\_\_\_ this day of \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
SIGNATURE OF REQUESTER/PERSON ON  
WHOSE BEHALF REQUEST IS MADE

## REPRODUCTION FEES

Where an institution has voluntarily provided the Minister with a list of categories of records that will automatically be made available to any person requesting access thereto, the only charge that may be levied for obtaining such records, will be a fee for reproduction of the record in question.

### THE APPLICABLE FEES FOR REPRODUCTION AS REFERRED TO ABOVE ARE:

For every photocopy of an A4-size page or part thereof	R1.10
For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form	R0.75
For a copy in a computer-readable form on: <ul style="list-style-type: none"> <li>- 3,5" magnetic disc</li> <li>- Optical compact disc</li> </ul>	R7.50 R70.00
A transcription of visual images, for an A4-size page or part thereof	R40.00
For a copy of visual images	R60.00
A transcription of an audio record, for an A4-size page or part thereof	R20.00
For a copy of an audio record	R30.00

#### **Request fees:**

Where a requester submits a request for access to information held by an institution on a person other than the requester himself/herself, a request fee in the amount of R50.00 is payable up-front before the institution will further process the request received.

#### **Access fees:**

An access fee is payable in all instances where a request for access to information is granted, except in those instances where payment of an access fee is specially excluded in terms of the Act or an exclusion is determined by the Minister in terms of Section 54 (8).

The applicable access fees which will be payable are:

For every photocopy of an A4-size page or part thereof	R1.10
For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form	R0.75
For a copy in a computer-readable form on: <ul style="list-style-type: none"> <li>- 3,5" magnetic disc</li> <li>- Optical compact disc</li> </ul>	R7.50 R70.00
A transcription of visual images, for an A4-size page or part thereof	R40.00
For a copy of visual images	R60.00
A transcription of an audio record, for an A4-size page or part thereof	R20.00
For a copy of an audio record	R30.00
To search for a record that must be disclosed (per hour or part of an hour reasonably required for such search)	R30.00
Where a copy of a record needs to be posted, the actual postal fee is payable	

#### **Deposits:**

Where **TOLK** receives a request for access to information held on a person other than the requester himself/herself and the Information Officer upon receipt of the request is of the opinion that the preparation of the required record of disclosure will take more than 6 (six) hours, a deposit is payable by the requester.



The amount of the deposit is equal to  $\frac{1}{3}$  (one third) of the amount of the applicable access fee.

**Note:** In terms of Regulation 8, Value Added Tax (VAT) must be added to all fees prescribed in terms of the Regulations to the Act.