



# Government Gazette

**REPUBLIC OF SOUTH AFRICA**

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## **M A N U A L S**

*IN ACCORDANCE WITH*

**THE PROMOTION OF ACCESS TO**

**INFORMATION ACT (NO. 2 OF 2000)**



**AIDS HELPLINE: 0800-0123-22 Prevention is the cure**

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**INTEGRATED LABOUR SOLUTIONS (PTY) LTD****Manual****In terms of****PROMOTION OF ACCESS TO INFORMATION ACT NO  
2 OF 2000****1. INTRODUCTION**

The Promotion of Access to Information Act ("the Act") seeks to promote a culture of transparency, accountability and good governance, by giving effect to a person's constitutional right of access to information.

In furtherance of this objective, Section 51 of the Act requires private bodies to compile a manual which will assist either private or juristic persons in obtaining information from such private body.

Integrated Labour Solutions (ILS) is a private body carrying on business as a management consultancy. As such, the details required in order for a requester of information to obtain or apply for information which ILS holds, is contained hereunder:

**2. ADDRESSES****CAPE TOWN:**

Postal: PO Box 12299  
Mill Street  
8010

Physical: 105 Dunkley House  
32 Barnet Street  
Gardens  
8010

Website: [www.ils-sa.com](http://www.ils-sa.com)

**GAUTENG:**

PO Box 2544  
Randburg  
2125

6<sup>th</sup> Floor Surrey Place  
291 Surrey Avenue  
Ferndale  
Randburg  
2194

**3. CONTACT PERSONS:****Head of Body:****Ian Paterson**

Telephone Number:

(021) 462 3933

Fax Number:

(021) 462 3932

Email:

[ianp@ils-sa.com](mailto:ianp@ils-sa.com)**Deputy Head:  
(Executive Director)****Anton Bruwer**

Telephone:

(021) 462 3933

Fax Number:

(021) 462 3932

Email:

[antonb@ils-sa.com](mailto:antonb@ils-sa.com)**4. SECTION 10 GUIDE**

In terms of Section 10 of the Act, the South African Human Rights Commission (SAHRC) must compile a guide containing information that may be required by a person who wishes to exercise a right in terms of the Act. At the date of drafting this manual, such guide had not yet been made available by the SAHRC. The contact details for the SAHRC are as follows:

PAIA Unit  
The Research and Documentation Department  
Private Bag 2700  
HOUGHTON  
2041

Telephone: (011) 484 8300

Fax: (011) 484 0582

Website: [www.sahrc.org.za](http://www.sahrc.org.za)Email: [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)

## 5. **SECTION 52 (2) NOTICE**

In terms of Section 52 of the Act, a private body may submit to the Minister responsible for the administration of justice, a description of records which it holds that are automatically available from the private body. The Minister may then publish such information by way of a notice in the Government Gazette. At the time of drafting this manual, no such information has been given by ILS to the Minister and no such notice has therefore been published.

## 6. **RECORDS HELD BY ILS IN ACCORDANCE WITH LEGISLATION**

ILS keeps information in accordance with the following legislation:

- Companies Act, Act No. 61 of 1973
- Income Tax Act, Act No. 58 of 1962
- Unemployment Insurance Act, Act No. 4 of 2002
- Basic Conditions of Employment Act, Act No. 75 of 1997
- Employment Equity Act, Act No 55 of 1998
- Skills Development Act, Act No. 9 of 1999
- Occupational Health and Safety Act, Act No. 85 of 1993

Please note that the above may not be an exhaustive list.

## 7. **SUBJECTS AND CATEGORIES OF INFORMATION HELD BY ILS**

**Please note that the records listed below are not automatically available, and the process outlined in 8 below must be followed.**

	<b>SUBJECT</b>	<b>CATEGORIES</b>
1.	Human Resources	Includes: Employment Contracts, Disciplinary / Performance records, Employee Personal Details (curriculum vitae) Employment Equity Plan and Report (available from 30 June 2003), Application forms (loans, leave etc.)
2.	Operational Information	Includes: Internal phone lists, Client Information, Company Policies, Minutes of Board Meetings, Resolutions, Marketing Material, Contracts with Clients and Suppliers, Training Material Information
3.	Communications	Internal and external correspondence

**8. ACCESSING A RECORD HELD BY ILS****8.1 A person requesting information from ILS must:**

- a) Use the prescribed form (Form B of the Regulations as contained in Government Gazette 223 of 9 March 2001) to make such request. The form can be obtained from ILS or can be accessed on the SAHRC website, being [www.sahrc.org.za](http://www.sahrc.org.za).
- b) Make the request to the Deputy Head or the Head of ILS.
- c) Provide sufficient detail on the request to enable identification of the record and the requester.
- d) Indicate the form of access required (i.e. written, electronic, tape recording etc.).
- e) Indicate the right that he/she/it is seeking to exercise and provide an explanation as to why the requested record is necessary for the protection of such right.
- f) If a request is made on behalf of another person, indicate and submit proof of the capacity in which the request is being made.
- g) Pay the prescribed request fee, as contained in Item 5 of the Regulations as contained in Government Gazette 223 of 9 March 2001. The form can be obtained from ILS or can be accessed on the SAHRC website, being [www.sahrc.org.za](http://www.sahrc.org.za).
- h) Await the decision from the Deputy Head or Head of ILS as to whether or not access will be granted. Such decision will be made in accordance with the provisions of the Act.
- i) Should access be granted, pay the prescribed access and reproduction fees, as contained in Item 5 of the Regulations as contained in Government Gazette 223 of 9 March 2001. The fee schedule can be obtained from ILS or can be accessed on the SAHRC website, being [www.sahrc.org.za](http://www.sahrc.org.za).

**8.2 Should access be denied, the requester may:**

- a) Lodge an application to court in terms of section 82 of the Act, read with the definition of "court" as contained in section 1 of the Act.

**8.3 Before following the procedures outlined above, a person requiring information is encouraged to first visit ILS' website which may contain the information being sought.**

**9. AVAILABILITY OF THE MANUAL**

This manual is available at the offices of ILS, free of charge.

**AFRICAN REALTY TRUST PROVIDENT FUND**  
**("the Fund")**

**MANUAL IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS  
TO INFORMATION ACT 20/2000 ("the Act")**

The African Realty Trust Provident Fund is a pension fund as defined in the Pension Funds Act 24 of 1956. It is a private body as defined by the Act.

**A. CONTACT DETAILS**

1. Head of the Fund: Ms Carlyn Joy Nixon
2. The Financial Services Board PF Number of the Fund is: 12/8/26279/2
3. The registered address of the Fund is: c/o Alexander Forbes Financial Services  
Alexander Forbes Place  
61 Katherine Street  
Sandown  
2196
4. The postal address of the Fund is: PO Box 787240  
Sandown  
2146
5. The contact telephone number for the Fund is: (011) 442 9404
6. The contact facsimile number for the Fund is: (011) 442 7610
7. The e-mail address of the Head of the Fund is: [carlynjn@mweb.co.za](mailto:carlynjn@mweb.co.za)

**B. SOUTH AFRICAN HUMAN RIGHTS COMMISSION GUIDE**

In terms of section 10 of the Act, the Human Rights Commission is required to compile, in each official language, a guide to the act to assist people to exercise their rights under the act. This guide will probably become available in August 2003. The Human Rights Commission may be contacted at:

Address: Private Bag 2700 Houghton 2041,  
Telephone: (011) 484 8300  
Facsimile: (011) 484 0582  
Website: <http://www.sahrc.org.za>.

**C: FUND RECORDS AVAILABLE IN TERMS OF THE PENSION FUNDS  
ACT 24 of 1956**

- (a) The following records of the Fund are available on demand by a member of the Fund:
  - (i) the registered rules of the Fund (including amendments);



- (ii) the last revenue account and the last balance sheet prepared in terms of section 15(1) of the Pension Funds Act, 1956.

The fee for such access, as set out in the rules of the Fund, will be determined by the trustees from time to time.

- (b) The following records are available for inspection at the registered address of the Fund (see A3 above) at no charge:

- (i) the documents referred to in C(a) above;
- (ii) the last report (if any) by a valuator prepared in terms of section 16 of the Pension Funds Act, 1956;
- (iii) the last statement (if any) and report thereon prepared in terms of section 17 of the Pension Funds Act, 1956;
- (iv) any scheme which is being carried out by the Fund in accordance with the provisions of section 18 of the Pension Funds Act, 1956.

- (c) Note – in terms of section 22 of the Pension Funds Act, any person (upon payment of prescribed fees) may inspect at the office of the Registrar of Pension Funds any record referred to in (a) and (b) above and make a copy thereof or take extracts therefrom, or obtain from the Registrar of Pension Funds a copy thereof or extract therefrom. The Registrar of Pension Funds may be contacted at:

Address: 446 Rigel Avenue Pretoria  
Telephone: (012) 428 8000  
Facsimile: (012) 347 0221  
Website: <http://www.fsb.co.za>.

<b>D. INFORMATION TO FACILITATE A REQUEST FOR ACCESS TO FUND RECORDS</b>
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- The request must be made to the person specified in A1 above and at the contact details specified in A above.
- Any request for access to records in terms of the Act must be completed on the prescribed form in terms of the Act and the Regulations thereto.
- Please note that the Fund is a separate legal entity from the employer(s) that participate in the Fund as well as from the Fund's administrators, auditors, consultants, actuaries and other advisors/service providers.
- The requester must provide sufficient detail on the request form to enable the head of the private body to identify the record and the requester. The requester should also indicate what form of access is required.
- 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.
- If a request is made on behalf of a person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the head of the Fund.

- The head of the Fund 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.
- The head of the Fund will then make a decision whether to grant the request or not and notify the requestor in the required form.
- If the request is granted, then a further access fee must be paid for the search, reproduction and preparation, and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

#### **E. AVAILABILITY OF THE MANUAL**

The Fund's manual is available for inspection free of charge at the registered address of the Fund (see A3 above). Furthermore, a copy is available from the Human Rights Commission (see contact details in B above).

#### **F. DESCRIPTION OF RECORDS HELD BY THE FUND**

##### **Claims (Withdrawals, Retirements, Deaths & Disabilities)**

- Claim Notification Forms
- Calculations (where available), or computerised statement of claim value
- Tax Application (where applicable)
- Tax Directive (where applicable)
- IT 88 notifications
- Tax Certificate (Duplicate - where applicable)
- Client / broker payment instruction (where applicable)
- Section 37D deduction instruction (where applicable)
- Copy of any other court order against benefits
- Payment letter
- Copy of cheque (or cheque/EFT payment reference)
- Trustees' Resolution - Disposal of benefit (**deaths only**)
- Insurance received - statement by insurer (**deaths only**)
- Copy of death certificate
- Statement by Employer (**disability only**)
- Statement by Employee (**disability only**)
- Acceptance / Declination Letter (**disability only**)

##### **Member Data**

- New entrant data
- Contribution records
- Member Investment Choice investment option forms (where applicable)
- Installation & Acquisition data
- Statement of member fund value
- Additional benefit / surplus / demutualisation calculations
- Member Investment Choice investment switch forms (where applicable)
- Flexible benefit member option forms (where applicable)

**Section 14 Transfers / Liquidations**

- Calculations
- Option forms (where applicable)
- Tax application forms (where applicable)
- Tax directives (where applicable)
- Tax certificates (duplicate - where applicable)
- Payment letter (**liquidations only**)
- Copy of S14 application lodged (transferor fund)
- Copy of S14 (1) (e) certificate (transferee and transferor funds)

**Housing Loans: Direct (i.e. this does not apply to situations where the fund has merely stood guarantee for the loan)**

- Application form
- Contribution records
- Finalised / settled claims record / calculation
- Partial settlement as a result of default - claim forms and approval for this payment.

**Accounting records**

- Cashbooks and reconciliations to bank
- General Ledgers
- Trial Balances
- Annual financial statements
- Audit files with working papers
- Bank statements of fund bank accounts
- EFT files (ACB whilst still applied)
- Deposit slips (where applicable)

**Miscellaneous**

- Copies of signed rules and amendments
- Minute books
- Trustees registers
- Original or copies of all policy documents relating to GLA, PHI, dread disease, stated benefits, travel, funeral, fidelity, etc (obviously where the fund has such a benefit)
- Documentation relating to the review of insurances on an annual basis as well as the quotations obtained from insurers to a rebroke exercise
- Agendas for all meetings to be held (if applicable secretarial services are performed)
- Investment manager mandates or policies of insurance depending on the nature of the investment
- Copies of statements detailing the asset values for a fund

- Copies of communication sent to members of the funds in respect of specific events e.g. Trustees' reports, Member level Investment Choice, changes to death benefit structure, changes to fund structure etc
- Copy of service agreement between fund and Administrator
- Correspondence to the trustees in respect of fund matters
- Correspondence to members/pensioners, where applicable
- Fund statutory valuation reports
- Confirmation as to appointment of Principal Officer and Actuary of Fund
- Copies of Pension Fund Adjudicator complaints lodged
- Certain communication with SARS and FSB

**AFRICAN REALTY TRUST PENSION FUND**  
**("the Fund")**

**MANUAL IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS  
TO INFORMATION ACT 20/2000 ("the Act")**

The African Realty Trust Pension Fund is a pension fund as defined in the Pension Funds Act 24 of 1956. It is a private body as defined by the Act.

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ACT 24 of 1956**

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  - (i) the registered rules of the Fund (including amendments);

- (ii) the last revenue account and the last balance sheet prepared in terms of section 15(1) of the Pension Funds Act, 1956.

The fee for such access, as set out in the rules of the Fund, will be determined by the trustees from time to time.

- (b) The following records are available for inspection at the registered address of the Fund (see A3 above) at no charge:

- (i) the documents referred to in C(a) above;
- (ii) the last report (if any) by a valuator prepared in terms of section 16 of the Pension Funds Act, 1956;
- (iii) the last statement (if any) and report thereon prepared in terms of section 17 of the Pension Funds Act, 1956;
- (iv) any scheme which is being carried out by the Fund in accordance with the provisions of section 18 of the Pension Funds Act, 1956.

- (c) Note – in terms of section 22 of the Pension Funds Act, any person (upon payment of prescribed fees) may inspect at the office of the Registrar of Pension Funds any record referred to in (a) and (b) above and make a copy thereof or take extracts therefrom, or obtain from the Registrar of Pension Funds a copy thereof or extract therefrom. The Registrar of Pension Funds may be contacted at:

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<b>D. INFORMATION TO FACILITATE A REQUEST FOR ACCESS TO FUND RECORDS</b>
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- The request must be made to the person specified in A1 above and at the contact details specified in A above.
- Any request for access to records in terms of the Act must be completed on the prescribed form in terms of the Act and the Regulations thereto.
- Please note that the Fund is a separate legal entity from the employer(s) that participate in the Fund as well as from the Fund's administrators, auditors, consultants, actuaries and other advisors/service providers.
- The requester must provide sufficient detail on the request form to enable the head of the private body to identify the record and the requester. The requester should also indicate what form of access is required.
- 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.
- If a request is made on behalf of a person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the head of the Fund.

- The head of the Fund 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.
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#### F. DESCRIPTION OF RECORDS HELD BY THE FUND

##### Claims (Withdrawals, Retirements, Deaths & Disabilities)

- Claim Notification Forms
- Calculations (where available), or computerised statement of claim value
- Tax Application (where applicable)
- Tax Directive (where applicable)
- IT 88 notifications
- Tax Certificate (Duplicate - where applicable)
- Client / broker payment instruction (where applicable)
- Section 37D deduction instruction (where applicable)
- Copy of any other court order against benefits
- Payment letter
- Copy of cheque (or cheque/EFT payment reference)
- Trustees' Resolution - Disposal of benefit (**deaths only**)
- Insurance received - statement by insurer (**deaths only**)
- Copy of death certificate
- Statement by Employer (**disability only**)
- Statement by Employee (**disability only**)
- Acceptance / Declination Letter (**disability only**)

##### Member Data

- New entrant data
- Contribution records
- Member Investment Choice investment option forms (where applicable)
- Installation & Acquisition data
- Statement of member fund value
- Additional benefit / surplus / demutualisation calculations
- Member Investment Choice investment switch forms (where applicable)
- Flexible benefit member option forms (where applicable)

**Section 14 Transfers / Liquidations**

- Calculations
- Option forms (where applicable)
- Tax application forms (where applicable)
- Tax directives (where applicable)
- Tax certificates (duplicate - where applicable)
- Payment letter (**liquidations only**)
- Copy of S14 application lodged (transferor fund)
- Copy of S14 (1) (e) certificate (transferee and transferor funds)

**Housing Loans: Direct (i.e. this does not apply to situations where the fund has merely stood guarantee for the loan)**

- Application form
- Contribution records
- Finalised / settled claims record / calculation
- Partial settlement as a result of default - claim forms and approval for this payment.

**Accounting records**

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- Copies of signed rules and amendments
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- Trustees registers
- Original or copies of all policy documents relating to GLA, PHI, dread disease, stated benefits, travel, funeral, fidelity, etc (obviously where the fund has such a benefit)
- Documentation relating to the review of insurances on an annual basis as well as the quotations obtained from insurers to a rebroke exercise
- Agendas for all meetings to be held (if applicable secretarial services are performed)
- Investment manager mandates or policies of insurance depending on the nature of the investment
- Copies of statements detailing the asset values for a fund



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- Copies of communication sent to members of the funds in respect of specific events  
e.g. Trustees' reports, Member level Investment Choice, changes to death benefit  
structure, changes to fund structure etc
  - Copy of service agreement between fund and Administrator
  - Correspondence to the trustees in respect of fund matters
  - Correspondence to members/pensioners, where applicable
  - Fund statutory valuation reports
  - Confirmation as to appointment of Principal Officer and Actuary of Fund
  - Copies of Pension Fund Adjudicator complaints lodged
  - Certain communication with SARS and FSB

**MURRAY AND ROBERTS MATERIALS RETIREMENT FUND("the Fund")**  
**MANUAL IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS**  
**TO INFORMATION ACT 20/2000 ("the Act")**

The Murray and Roberts Materials Retirement Fund is a pension fund as defined in the Pension Funds Act 24 of 1956. It is a private body as defined by the Act.

**A. CONTACT DETAILS**

1. Head of the Fund: Trevor Porter
2. The Financial Services Board PF Number of the Fund is:  
12/8/2483/1
3. The registered address of the Fund is: 6<sup>th</sup> Floor, President Place, Hood Avenue, Rosebank, Johannesburg
4. The postal address of the Fund is: P O Box 1320, Parklands, 2121
5. The contact telephone number for the Fund is: 788 2160
6. The contact facsimile number for the Fund is: 880 3267
7. The e-mail address of the Head of the Fund is: trevor@mrrmat.co.za

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The fee for such access, as set out in the rules of the Fund, is as determined by the Trustees.

- (b) The following records are available for inspection at the registered address of the Fund (see A3 above) at no charge:
- (i) the documents referred to in C(a) above;
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**Section 14 Transfers / Liquidations**

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- Application form
- Contribution records
- Finalised / settled claims record / calculation
- Partial settlement as a result of default - claim forms and approval for this payment.

**Funeral Benefit Claims (if applicable)**

- Claim form
- Copy of death certificate
- Payment letter

**Pensioners: (if applicable)**

**Annuity/Traditional Funds**

- Special tax directives, including IT 88's, garnishees, etc.
- Commutation of pensions - calculations
- Pensioner increase notification
- Certificates of existence
- Study certificates
- Death certificates
- Annuity option forms
- Trustee instruction regarding payments

**Disability**

- Medical Reviews - correspondence (where applicable)
- COCD ( certificate of continued disability )
- Escalator notification
- Payment/Benefit confirmation letter
- EFT payment reference
- Recovery Documentation
- Letter of Suspension/Reinstatement from underwriter

**Accounting records**

- Cashbooks and reconciliations to bank
- General Ledgers
- Trial Balances
- Annual financial statements

- Audit files with working papers
- Bank statements of fund bank accounts
- EFT files (ACB whilst still applied)
- Deposit slips (where applicable)

#### Miscellaneous

- Copies of signed rules and amendments
- Minute books
- Trustees registers
- Original or copies of all policy documents relating to GLA, PHI, dread disease, stated benefits, travel, funeral, fidelity, etc (obviously where the fund has such a benefit)
- Documentation relating to the review of insurances on an annual basis as well as the quotations obtained from insurers to a rebroke exercise
- Agendas for all meetings to be held (if applicable secretarial services are performed)
- Investment manager mandates or policies of insurance depending on the nature of the investment
- Copies of statements detailing the asset values for a fund
- Copies of communication sent to members of the funds in respect of specific events e.g. Trustees' reports, Member level Investment Choice, changes to death benefit structure, changes to fund structure etc
- Copy of service agreement between fund and Administrator
- Correspondence to the trustees in respect of fund matters
- Correspondence to members/pensioners, where applicable
- Fund statutory valuation reports
- Confirmation as to appointment of Principal Officer and Actuary of Fund
- Copies of Pension Fund Adjudicator complaints lodged
- Certain communication with SARS and FSB

**FRESH PRODUCE RETIREMENT FUND ("the Fund")****MANUAL IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS  
TO INFORMATION ACT 20/2000 ("the Act")**

The FRESH PRODUCE RETIREMENT FUND is a pension fund as defined in the Pension Funds Act 24 of 1956. It is a private body as defined by the Act.

**A. CONTACT DETAILS**

1. Head of the Fund: Ms Helen Watkinson
2. The Financial Services Board PF Number of the Fund is: 12/8/24362/2
3. The registered address of the Fund is: c/o Kruisfontein and Old Paarl Road,  
Brackenfell, 7560
4. The postal address of the Fund is: P O Box 1456, Brackenfell, 7561
5. The contact telephone number for the Fund is: 021-980-7000
6. The contact facsimile number for the Fund is: 021-980-7019
7. The e-mail address of the Head of the Fund is:  
hwatkinson.freshmark@shoprite.co.za

**B. SOUTH AFRICAN HUMAN RIGHTS COMMISSION GUIDE**

In terms of section 10 of the Act, the Human Rights Commission is required to compile, in each official language, a guide to the act to assist people to exercise their rights under the act. This guide will probably become available in August 2003. The Human Rights Commission may be contacted at:

Address: Private Bag 2700 Houghton 2041,  
Telephone: (011) 484 8300  
Facsimile: (011) 484 0582  
Website: <http://www.sahrc.org.za>.

**C: FUND RECORDS AVAILABLE IN TERMS OF THE PENSION FUNDS  
ACT 24 of 1956**

- (a) The following records of the Fund are available on demand by a member of the Fund:
  - (i) the registered rules of the Fund (including amendments);
  - (ii) the last revenue account and the last balance sheet prepared in terms of section 15(1) of the Pension Funds Act, 1956.

A fee may be charged to provide a member with copies of the above.

- (b) The following records are available for inspection at the registered address of the Fund (see A3 above) at no charge:
- (i) the documents referred to in C(a) above;
  - (ii) the last report (if any) by a valuator prepared in terms of section 16 of the Pension Funds Act, 1956;
  - (iii) the last statement (if any) and report thereon prepared in terms of section 17 of the Pension Funds Act, 1956;
  - (iv) any scheme which is being carried out by the Fund in accordance with the provisions of section 18 of the Pension Funds Act, 1956.
- (c) Note – in terms of section 22 of the Pension Funds Act, any person (upon payment of prescribed fees) may inspect at the office of the Registrar of Pension Funds any record referred to in (a) and (b) above and make a copy thereof or take extracts therefrom, or obtain from the Registrar of Pension Funds a copy thereof or extract therefrom. The Registrar of Pension Funds may be contacted at:

Address: 446 Rigel Avenue Pretoria  
Telephone: (012) 428 8000  
Facsimile: (012) 347 0221  
Website: <http://www.fsb.co.za>.

#### **D. INFORMATION TO FACILITATE A REQUEST FOR ACCESS TO FUND RECORDS**

- The request must be made to the person specified in A1 above and at the contact details specified in A above.
- Any request for access to records in terms of the Act must be completed on the prescribed form in terms of the Act and the Regulations thereto.
- Please note that the Fund is a separate legal entity from the employer that participate in the Fund as well as from the Fund's administrators, auditors, consultants, actuaries and other advisors/service providers.
- The requester must provide sufficient detail on the request form to enable the head of the private body to identify the record and the requester. The requester should also indicate what form of access is required.
- 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.
- If a request is made on behalf of a person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the head of the Fund.
- The head of the Fund 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.
- The head of the Fund will then make a decision whether to grant the request or not and notify the requestor in the required form.
- If the request is granted, then a further access fee must be paid for the search, reproduction and preparation, and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.



### E. AVAILABILITY OF THE MANUAL

The Fund's manual is available for inspection free of charge at the registered address of the Fund (see A3 above). Furthermore, a copy is available from the Human Rights Commission (see contact details in B above).

### F. DESCRIPTION OF RECORDS HELD BY THE FUND

#### Claims (Withdrawals, Retirements, Deaths & Disabilities)

- Claim Notification Forms
- Calculations (where available), or computerised statement of claim value
- Tax Application (where applicable)
- Tax Directive (where applicable)
- IT 88 notifications
- Tax Certificate (Duplicate - where applicable)
- Client / broker payment instruction (where applicable)
- Section 37D deduction instruction (where applicable)
- Copy of any other court order against benefits
- Payment letter
- Copy of cheque (or cheque/EFT payment reference)
- Trustees' Resolution - Disposal of benefit (**deaths only**)
- Insurance received - statement by insurer (**deaths only**)
- Copy of death certificate
- Statement by Employer (**disability only**)
- Statement by Employee (**disability only**)
- Acceptance / Declination Letter (**disability only**)

#### Member Data

- New entrant data
- Contribution records
- Capital Protection Option form (where applicable)
- Installation & Acquisition data
- Statement of member fund value
- Additional benefit / surplus / demutualisation calculations

#### Section 14 Transfers / Liquidations

- Calculations
- Option forms (where applicable)
- Tax application forms (where applicable)
- Tax directives (where applicable)
- Tax certificates (duplicate - where applicable)
- Payment letter (**liquidations only**)
- Copy of S14 application lodged (transferor fund)

- Copy of S14 (1) (e) certificate (transferee and transferor funds)

#### **Housing Loans: Direct**

- Application form
- Contribution records
- Finalised / settled claims record / calculation
- Partial settlement as a result of default - claim forms and approval for this payment.

#### **Pensioners:**

##### **Annuity/Traditional Funds**

- Special tax directives, including IT 88's, garnishees, etc.
- Commutation of pensions - calculations
- Pensioner increase notification
- Certificates of existence
- Study certificates
- Death certificates
- Annuity option forms
- Trustee instruction regarding payments

#### **Disability**

- Medical Reviews - correspondence (where applicable)
- COCD ( certificate of continued disability )
- Escalator notification
- Payment/Benefit confirmation letter
- EFT payment reference
- Recovery Documentation
- Letter of Suspension/Reinstatement from underwriter

#### **Accounting records**

- Cashbooks and reconciliation to bank
- General Ledgers
- Trial Balances
- Annual financial statements
- Audit files with working papers
- Bank statements of fund bank accounts
- EFT files (ACB whilst still applied)
- Deposit slips (where applicable)

**Miscellaneous**

- Copies of signed rules and amendments
- Minute books
- Trustees registers
- Original or copies of all policy documents relating to GLA, fidelity, etc
- Documentation relating to the review of insurances on an annual basis as well as the quotations obtained from insurers to a rebroke exercise
- Agendas for all meetings to be held
- Investment manager mandates or policies of insurance depending on the nature of the investment
- Copies of statements detailing the asset values for a fund
- Copies of communication sent to members of the funds in respect of specific events e.g. Trustees' reports, changes to fund structure etc
- Copy of service agreement between fund and Administrator
- Correspondence to the trustees in respect of fund matters
- Correspondence to members/pensioners, where applicable
- Fund statutory valuation reports
- Confirmation as to appointment of Principal Officer and Actuary of Fund
- Copies of Pension Fund Adjudicator complaints lodged
- Certain communication with SARS and FSB

# **AIRPORTS COMPANY SOUTH AFRICA LIMITED**

## **MANUAL**

**IN TERMS OF SECTION 14 OF THE PROMOTION OF ACCESS TO  
INFORMATION ACT,  
No. 2 OF 2000**

**Dated : 20 NOVEMBER 2002**

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## CHAPTER 1

### 1. INTRODUCTION

- 1.1 The Promotion of Access to Information Act, No 2 of 2000 (*"the Act"*) was enacted on 3 February 2000, giving effect to the constitutional right of access to any information held by the State and any information that is held by another person that is required for the exercise or protection of any rights. Where a request is made in terms of the Act, the body to whom the request is made is obliged to release the information, except where the Act expressly provides that the information may or must not be released. The Act sets out the requisite procedural issues attached to such request.

### 1.2 PURPOSE OF THE MANUAL

This manual is intended to foster a culture of transparency and accountability by giving effect to the right to information that is required for the exercise or protection of any right and to actively promote a society in which the people of South Africa have effective access to information to enable them to more fully exercise and protect their rights.

In order to promote effective governance of public bodies, it is necessary to ensure that everyone is empowered and educated to understand their rights in terms of the Act in order for them to exercise their rights in relation to public and private bodies.

Section 9 of the Act however recognises that such right to access to information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to:

- Limitations aimed at the reasonable protection of privacy;
- Commercial confidentiality; and
- Effective, efficient and good governance;

and in a manner which balances that right with any other rights, including such rights contained in the Bill of Rights in the Constitution.

This manual sets out to provide a broad guide which will enable the requestors to obtain the records which they are entitled to in a quick, easy and accessible manner.

## CHAPTER 2

### 2 FUNCTIONS AND STRUCTURE OF AIRPORTS COMPANY SOUTH AFRICA LIMITED

#### 2.1 FUNCTIONS

##### 2.1.1 The functions of Airports Company South Africa (ACSA) are prescribed by the Airports Company Act No. 44 of 1993 of the Company :

"the main object of the Company is the acquisition, establishment, development, provision, maintenance, management, control or operation of any airport of facility or service and any other lawful activity.

Before its vesting as a Company, the nine major airports within South Africa were owned and operated by the State. These airports were transferred with all assets and liabilities to Airports Company South Africa through the Airports Company Act 1993. During April 1998, Aeroporti di Roma an Italian Airport Management firm won a competitive bid to become ACSA's strategic equity partner and has acquired a 20% shareholding in the Company.

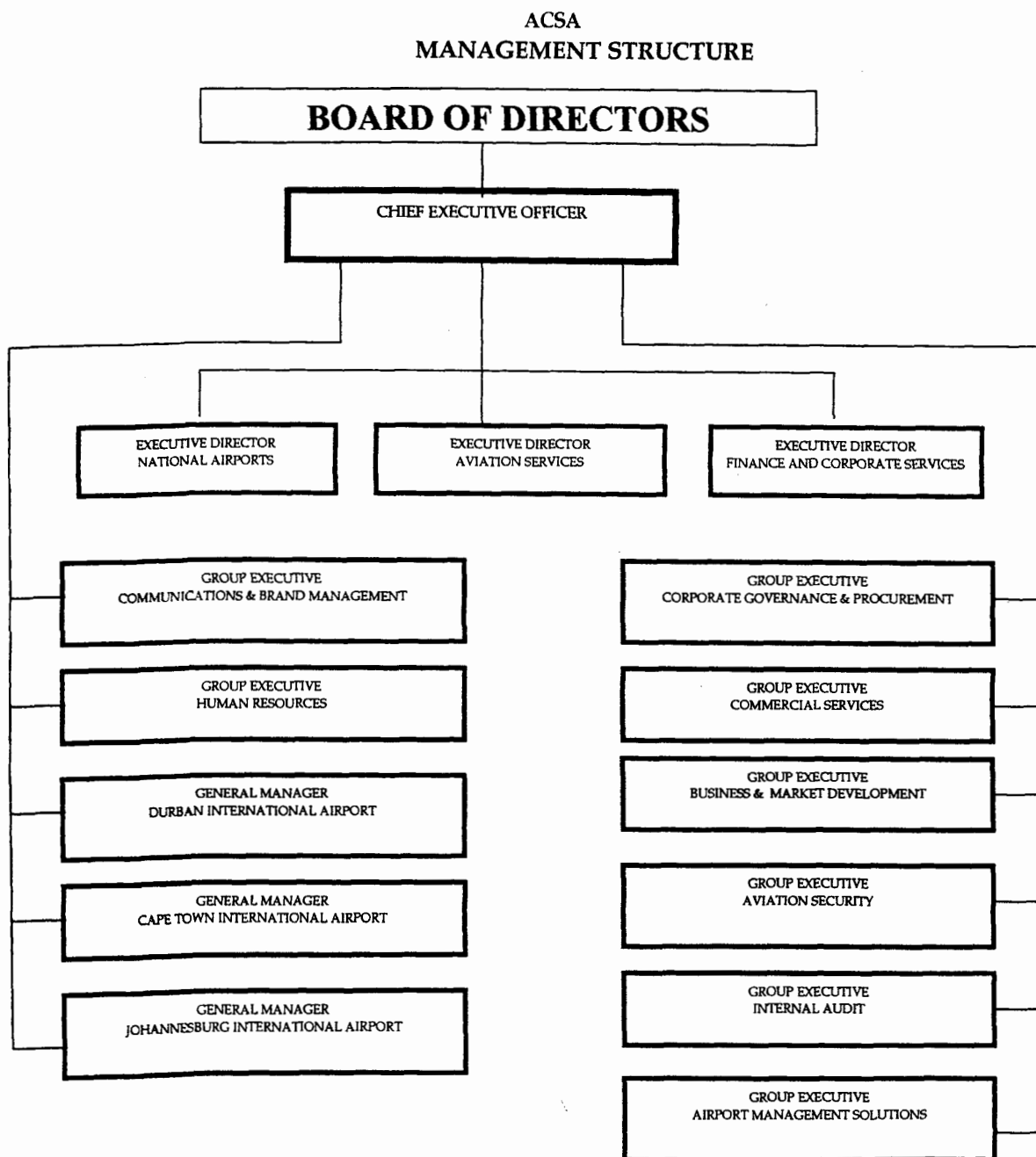
The bidding process for the strategic equity stake in the Company revealed a high regard for ACSA's professionalism and inherent value amongst top International Companies, and indicated how well it measures up to international best practices. Other shareholders include five empowerment Company's which own 4.22% of its shares.

ACSA owns and manages South Africa's nine principal airports comprising of three international gateways at Johannesburg, Durban and Cape Town as well as seven airports domestically at Bloemfontein, Port Elizabeth, East London, George, Kimberley and Upington. All the nine airports combined, handle more than 196 000 aircraft landings and 10 million departing passengers on average annually. Also, the Company holds a 35 year lease and concession to operate Pilanesberg International Airport near Sun City.

#### 2.2 STRUCTURE

Senior managers of Airports Company South Africa is accountable to a Board of Directors and a Chief Executive Officer. The executive management team comprises of fifteen executive managers and the general managers of the three international airports which makes up its executive committee. Airports Company employs approximately 890 employees (eight hundred and ninety) employees at all its nine airports.

## 2.3 SCHEMATIC DIAGRAM OF MANAGEMENT STRUCTURE





## CHAPTER 3

### CONTACT DETAILS OF INFORMATION OFFICERS

#### 3.1 CONTACT DETAILS

##### 3.1.1 Information Officer

Mr Rishi Thakurdin  
[rishi@airports.co.za](mailto:rishi@airports.co.za)

##### 3.1.2 Deputy Information Officers

Mr Anton Rautenbach  
[anton@airports.co.za](mailto:anton@airports.co.za)

3.1.3 Physical Address  
The Mapels, Riverwoods  
24 Johnson Road  
Bedfordview  
2008

3.1.4 Postal Address  
P O Box 75480  
Gardenvue  
2047

3.1.4 Tel No: +27 11 724 1469

3.1.5 Fax No: +27 11 454 3810

## CHAPTER 4

### GUIDE ON HOW TO USE THE ACT

This Guide will be available from the South African Human Rights Commission not later than August 2003.

Any queries relating thereto must be directed to:

The Research and Documentation Department  
South African Human Rights Commission  
PAIA Unit  
Private Bag 2700  
HOUGHTON  
2041

Tel No: +27 11 484 8300

Fax : + 27 11 484 1360

Website: [www.sahrc.org.za](http://www.sahrc.org.za)

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

## CHAPTER 5

### ACCESS TO RECORDS

#### 5.1 Voluntary Disclosure

Information on the following subjects is available without formal request as prescribed in the Act. Note however that an appointment to view documentation will still have to be made with the information officer, although the formal application need not be submitted.

5.1.1 Annual and associated reports

5.1.2 General information pertaining to Airports Company South Africa

5.1.3 Flight Information

5.1.4 Services Information and Brochures

5.1.5 Information available on Airports Company South Africa website:

[www.airports.co.za](http://www.airports.co.za)

5.1.6 Black Economic Empowerment Policy

#### 5.2 Information to be formally requested (section 14 (1) (d))

ACSA holds information pertaining to the following subjects which must be formally requested in terms of the Act. Inclusion of any subject or category of records should not be taken as an indication that records falling within those subjects and / or categories will be made available under the Act. In particular, certain grounds of refusal as set out in the Act may be applicable to a request for such records.

##### ● 5.2.2

##### **Finance and Administration**

- Incorporation Documents
- Memorandum and Articles of Association of ACSA
- Incorporation forms of ACSA
- Share Register of ACSA
- Shareholders Agreement between ACSA and Shareholders
- Register of list of Directors

- Minute books of Board Meetings
- Minutes of Executive Meetings
- Minutes of General Meetings

#### **5.2.1 Financial Records of ACSA**

- Accounting Records Books and Documents
- Interim and Annual Financial Reports
- Details of Auditors
- External Auditors Reports
- Tax returns of ACSA
- Other documents relating to Taxation
- Banking details
- Bank statements
- Guarantees and securities
- Financial commitments

#### **5.2.2 Human Resources**

- Organisation structure
- Recruitment and appointment documentation
- Employment equity plan
- Employment policy
- Training and development plan
- Recognition agreements
- Minutes of meeting with unions
- Disciplinary records and documentation pertaining to disciplinary proceedings
- Training manuals
- Documentation relating to employee benefits
- Personnel files
- Policies and Procedure of Human Resources
- List of employees
- Minutes of Committee Meetings

#### **5.2.4 Intellectual property**

- Licenses, material permits, consents, approvals and authorisation certificates
- Insurance records and insurance policies

#### **5.2.5 Moveable and Immoveable Property**

- Title deeds in respect of properties owned by company
- Agreements of Lease with tenants and concessionaires

- Mortgage bonds, liens, notarial bonds and other security interest

#### **5.2.6 Information Technology**

- Agreements relating to computer systems and computer programs
- Shareholders agreements with subsidiary company relating to information technology

#### **5.2.7 Risk Management**

- Occupational health and safety reports
- Insurance reports and policies
- Incident reports relating to security and safety

#### **5.2.8 Services and administration**

- Service contracts with all service providers
- Maintenance contracts
- Concession agreement

#### **5.2.9 Procurement**

- Procurement policy
- Tender Board Minutes
- Tender Submissions

#### **5.2.10 Aviation Services**

- Master planning documents
- Plans, drawings and diagrams

### **5.3 The Request Procedure**

A requester will be given access to a record of ACSA if the requester complies with the following:

- The requester complies with all the procedural requirements in the Act relating to the request for access to that record; and
- Access to that record is not refused on any ground of refusal mentioned in the Act.

#### **Nature of the request:**

- A requester must use the form that has been printed in the Government Gazette [Govt. Notice R187 – 15 February 2002 Form A] – see Schedule 1
- The requester must also indicate if the request is for a copy of the record or if the requester wants to come in and look at the record at the offices of ACSA. Alternatively if the record is not in a printed form then the document can be viewed in the manner prescribed in section 29 (2).

- If a person asks for access in a particular form then the requester should get access in the manner that has been requested, this is unless doing so would interfere unreasonably with the running of ACSA, or damage the record, or infringe a copyright not owned by ACSA. If for practical reasons access cannot be given in the required form but in an alternate manner, then the fee will be calculated according to the manner originally requested. Section 29(3) and (4)].
- If, in addition to a written reply to their request for the record, the requester wants to be told about the decision in any other way, e.g. telephone, this must be indicated [s18(2)(e)].
- If a requester is asking for the information on behalf of somebody else, the capacity in which the request is being made should be indicated [s18(2)(f)].
- If a requester is unable to read or write, or has a disability, they then can make the request for the record orally. The information officer must then fill in the form on behalf of such a requester and give them a copy [s 18(3)].

#### **5.4 Remedies available when ACSA Refuses a Requester for Information**

##### **5.1 Internal Remedies**

ACSA does not have an internal appeal procedure. As such, the decision made by the information officer is final, and requestors will have to exercise such external remedies at their disposal if the request for information is refused, and the requestor is not satisfied with the answer supplied by the information officer.

##### **5.2 External Remedies**

A requestor that is dissatisfied with the information officer's refusal to disclose information, may within 30 days of notification of the decision, apply to a Court for relief.

Likewise, a third party dissatisfied with the information officer's decision to grant a request for information, may within 30 days of notification of the decision, apply to a Court for relief. For purposes of the Act, the Courts that have jurisdiction over these applications are the Constitutional Court, the High Court or another court of similar status.

## **CHAPTER 6**

### **SERVICES AVAILABLE**

#### **6.1 Nature of services**

ACSA has the following services available to the members of the public

6.1.1 Aviation services

6.1.2 Flight information

6.1.3 Retail services

6.1.4 Property services

6.1.5 Parking

6.1.6 General Information relating to Airports Company South Africa

6.1.7 Aerodrome licenses, consents and permits

6.1.8 Schedule of charges and tariffs

#### **6.2 How to Gain Access to These Services**

6.2.1 All airport services and related matters are available through the eleven airports managed by Airports Company South Africa

6.2.2 Access to these services and information related thereto can be obtained via the general managers of the respective airports or through the information officer. Furthermore details are obtained via the website.

## **CHAPTER 7**

### **ARRANGEMENTS ALLOWING FOR PUBLIC PARTICIPATION IN THE FORMULATION OF POLICY AND EXERCISING OF POWERS OF AIRPORTS COMPANY SOUTH AFRICA**

ACSA has implemented various public forums in order to address certain critical issues in its interaction with the users of the airport and in particular with its direct partners involved in providing aviation services to the general members of the public:

#### **7.1 Airports Operators Committee (AOC)**

Direct monthly interface with National and International Airline Representatives to ensure co-ordination and support in the provisions of excellent service to members of the public. This forum ensures that service levels and facilitation of goods and passenger are of a high standard and are continuously improved.

#### **7.2 Airports Cargo's Operators Forum - ACOC**

A regular forum with cargo operators to ensure efficient delivery of and movement of cargo.

#### **7.3 Security Forum**

A regular forum consisting of the South African Police, Border Police, Customs, Immigrations, other Government representatives and other stakeholders within the airport to ensure high security at all our airports.

#### **7.4 Land Use and Co-ordination Committee with Local Authorities**

#### **7.5 Airline Representative Forum**

Association of Airline Representative of Southern Africa (AARSA)

Board of airline representatives (BAARSA)

The above forums interact regularly and on a structured basis with ACSA to ensure safe and efficient Airports Services to all Stakeholders and to monitor service levels of all parties.

#### **7.6 Regulating Committee**

This is prescribed by the Airports Company Act to amongst others regulate the tariffs charged by Airports Company to its users and ensure a high level of service. The regulating committee in addition receives complaints from any person who is aggrieved by the failure of the Airports Company to provide the services contemplated in the Airports Company Act, by lodging a complaint. Complaints to be sent to the Regulating Committee, Private Bag X 193, Pretoria, 0001



## 7.7 **Civil Aviation Consultative Structures**

The Civil Aviation Authority is the overall body responsible for Civil Aviation. ACSA participates in regular and structured forums with the Civil Aviation Authority on the issues of :

Safety;  
Security;  
Environmental Protection;  
Civil Aviation.

## CHAPTER 8

### MISCELLANEOUS

#### 8.1 This Manual will be:

8.1.1 updated annually

8.1.2 available at the following places:

7.1.2.1 Every place of legal deposit as defined in section 6 of the Legal Deposits Act 1997;

7.1.2.2 The South African Human Rights Commission;

7.1.2.3 Airports Company South Africa's offices; **airports & corporate?**

7.1.2.4 Airports Company South Africa's website at [www.airports.co.za](http://www.airports.co.za)

**SCHEDULE 1****Prescribed fees scale****PART II OF NOTICE 187 IN THE GOVERNMENT GAZETTE OF 15 FEBRUARY 2002  
FEES IN RESPECT OF PUBLIC BODIES**

1. The fee for a copy of the manual as contemplated in regulating 5 (c) is R0,60 for every photocopy of an A4-size page or part thereof.

2. The fees for reproduction referred to in regulation 7(1) are as follows:

	R
(a) For every photocopy of an A4-size page or part thereof	0,60
(b) For every printer copy of an A4-size page or part thereof Thereof held on a computer or in electronic or machine readable form	0,40
(c) For a copy in a computer-readable form on –	
(i) stiffy disc	5,00
(ii) compact disc	40,00
(d) (I) For a transcription of visual images, for an A4-size page or part thereof	22,00
(ii) For a copy of visual images	60,00
(e) (I) For a transcription of an audio record, for an A4-size page or part thereof	12,00
(ii) For a copy of an audio record	17,00

3. The request fee payable by every requester, other than a personal requester, referred to in regulation 7(2) is R35,00

4. The access fees payable by a requester referred to in regulation 7(3) are as follows:

	R
(1) (a) For every photocopy of an A4-size page or part thereof	R0,60
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form	0,40

- (c) For a copy in a computer-readable form on –
- |      |              |       |
|------|--------------|-------|
| (i)  | stiffy disc  | 5,00  |
| (ii) | compact disc | 40,00 |
- (d) (i) For a transcription of visual images,  
for an A4-size page or part thereof 22,00
- (ii) For a copy of visual images 60,00
- (e) (i) For a transcription of an audio record,  
for an A4-size page of part thereof 12,00
- (ii) For a copy of an audio record 17,00
- (f) To search for and prepare the record for disclosure, R15,00 for each hour or part  
of an hour, excluding the first hour, reasonable required for such search and  
preparation.
- (2) For purposes of section 22(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.

## **SCHEDULE 2**

### **PRESCRIBED FORMS FOR ACCESS TO RECORDS**

The Prescribed forms for access to record is published in

**ANNEXURE B OF NOTICE 187 IN THE GOVERNMENT GAZETTE ON THE  
15 FEBRUARY 2002.**

**ANNEXURE B OF NOTICE 187 IN THE GOVERNMENT GAZETTE ON THE 15 FEBRUARY  
2002****FORM A****REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY**  
(Section 18(1) of the Promotion of Access to Information Act, 2000 (Act No. 2  
of 2000))**[Regulation 2]****FOR DEPARTMENTAL USE**

Reference number

Request received by (state rank, name and surname of information officer/deputy information officer) on (date) at (place).

Request fee (if any): R .....

Deposit (if any): R .....

Access fee: R .....

SIGNATURE OF INFORMATION OFFICER/DEPUTY INFORMATION OFFICER

**A. Particulars of public body**

The Information Officer/Deputy Information Officer

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

*(a) The particulars of the person who requests access to the record 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 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:

**B. Particulars of person on whose behalf request is made**

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

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 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 therefore.*

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:	
<p>Mark the appropriate box with an "X".</p> <p>NOTES:</p> <p>(a) Your indication as to the required form of access depends on the form in which the record is available.</p> <p>(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.</p> <p>(c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.</p>			
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	copy of 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*		Printed copy of information derived from the 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?  <b>A postal fee is payable.</b>					YES   NO

*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.*

In which language would you prefer the record?

#### **G. 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?

Signed at this day of ..... (day) of ..... (month) ..... (year)

SIGNATURE OF REQUESTER / PERSON ON WHOSE BEHALF REQUEST IS MADE