

PROMOTION OF ACCESS TO INFORMATION ACT

Section 51 Manual

For: **Ezee-Dex Industrial Procurement Services (Pty) Ltd**
(hereafter referred to as “Ezee-Dex”)

INTRODUCTION

This Manual is published in terms of 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.

1. OVERVIEW OF EZEE-DEX INDUSTRIAL PROCUREMENT SERVICES

Ezee-Dex has been in business for over 60 years and provides supplier and procurement information to many of the mines, major industrial companies, municipalities, and trade organisations in South Africa.

The information is classified into two main categories:

- a. Advertising – clients pay Ezee-Dex an annual fee to publish their contact, product, service and brand information in the annual Ezee-Dex Book, on the Ezee-Dex web site (www.edx.co.za) and on the “Ezee-Dex DISC” (Ezee-Dex Supplier Database and Procurement System).
- b. Access by subscription – clients pay Ezee-Dex to access researched supplier and procurement information on the “Ezee-Dex DISC” (Ezee-Dex Supplier Database and Procurement System). Clients also pay a fee for their vendor/supplier lists to be maintained within the database.

Ezee-Dex 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.

2. AVAILABILITY OF THIS MANUAL

A copy of this Manual is available on our website www.edx.co.za or by sending a request for a copy to the Information Officer by email. The Manual may also be obtained from our head office, the South African Human Rights Commission (“SAHRC”) at the addresses set out below.

This Manual will be updated from time to time, as and when required.

3. HOW TO REQUEST ACCESS TO RECORDS HELD BY EZEE-DEX

Requests for access to records held by the Ezee-Dex must be made on the request form that is available on our website, from the SAHRC website (www.sahrc.org.za) or the Department of Justice and Constitutional Development (www.doj.gov.za) (under “regulations”).

Note that requests need not be accompanied by payment BUT will only be processed upon payment of the prescribed fees.

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

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.

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 Information Officer of **Ezee-Dex**.

The standard form that must be used for the making of requests is attached as annexure 1. 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 **Ezee-Dex** 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 **Ezee-Dex** does not give rise to any rights (in contract or otherwise) to access such information or records except in terms of the Act.

4. CONTACT DETAILS

Name of private body: Ezee-Dex Industrial Procurement Services (Pty) Ltd

Designated Information Officer: Brett Step

Postal address: PO Box 3661, Randburg, 2125

Street address: 33 Thora Crescent, Wynberg, Johannesburg

Telephone number: +27 (0)11 446-3600

Facsimile number: +27 (0)11 446-3700

Email address: brett@edx.co.za

5. HOW TO ACCESS THE GUIDE AS DESCRIBED IN SECTION 10 OF THE ACT

The Guide described in Section 10 of the Act is due in August 2003. From that date it will be available from the South African Human Rights Commission. Please direct any queries to:

The South African Human Rights Commission:

PAIA Unit

The Research and Documentation Department

Postal address: Private Bag 2700

Houghton

2041

Telephone: +27 (0)11 484-8300

Fax: +27 (0)11 484-0582

Website: www.sahrc.org.za

Email: paia@sahrc.org.za

6. VOLUNTARY DISCLOSURE

Ezee-Dex has not published a notice in terms of Section 52(2) of the Act, however, it should be noted that the information relating to **Ezee-Dex** and its services is freely available on **Ezee-Dex's** website. Certain other information relating to **Ezee-Dex** is also made available on such website from time to time.

Further information in the form of marketing brochures, advertising material and other public communication is made available from time to time.

7. RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION Section 51 (1) (d)

Information is available in terms of the following legislation, if and where applicable, which includes but is not limited to:

- Basic Conditions of Employment No. 75 of 1997
- Companies Act 61 of 1973
- Compensation for Occupational injuries and Disease Act 130 of 1993
- Electronic Communications and Transactions Act 25 of 2002.
- Employment equity Act 55 of 1998
- Financial Intelligence Centre Act – Act 38 of 2001
- Income Tax Act 58 of 1962
- Labour Relations Act 66 of 1995
- Promotion of Access to Information Act No. 2 of 2000
- Skills Development Levies Act No. 9 of 1999
- Skills Development Act No. 97 of 1998
- Unemployment Contributions Act No. 4 of 2002
- Unemployment Insurance Act No. 63 of 2001
- Value Added Tax Act No. 89 of 1991

Access to the records held by the private body in question

The latest notice regarding the categories of records of the body, 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)

Not applicable

8. RECORDS HELD BY EZEE-DEX

Ezee-Dex 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.

8.1 Internal Records

- Memorandum and Articles of Association
- Financial records
- Operational records
- Intellectual property
- Marketing records
- Internal correspondence
- Product records
- Statutory records
- Internal policies and procedures

8.2 Personnel records

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

- Any personal records provided to Ezee-Dex by their personnel;
- Any records a third party has provided to Ezee-Dex about any of their personnel;
- Conditions of employment and other personnel-related contractual and quasi-legal records;
- Employment policies and procedures
- Internal evaluation records; and
- Other internal records and correspondence.

8.3 Customer records

Please be aware that Ezee-Dex is very concerned about protecting the confidential information of its 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 Ezee-Dex or a third party acting for or on behalf of Ezee-Dex (including product and brand information and graphics; and permission to publish their information in the stipulated format and media);
- Contractual information;
- Customer needs assessments;
- Personal records of customers;
- Credit information and other research conducted in respect of customers;
- Any records a third party has provided to Ezee-Dex about customers;
- Confidential, privileged, contractual and quasi-legal records of customers;
- Customer evaluation records;
- Customer profiling;
- Performance research conducted on behalf of customers or about customers;
- Any records a third party has provided to Ezee-Dex either directly or indirectly; and
- Records generated by or within Ezee-Dex pertaining to customers, including transactional records.

8.4 Technical records

Technical records generated by, or within Ezee-Dex pertaining to customers.

8.5 Other Parties

Records are kept in respect of other parties, including without limitation contractors, suppliers, joint ventures, service providers and general market conditions. In addition, such other parties may possess records, which can be said to belong to Ezee-Dex.

The following records fall under this category:

- Personnel, customer or Ezee-Dex records which are held by another party as opposed to being held by Ezee-Dex; and
- Records held by Ezee-Dex pertaining to other parties, including financial records, correspondence, contractual records, electronic mail, logs, cached information, records provided by the other party, and records third parties have provided about the contractors/suppliers or customer.

8.6 Other Records

Further records are held including:-

- Information relating to Ezee-Dex own commercial activities; and
- Research carried out on behalf of a client by Ezee-Dex or commissioned from a third party for a customer;
- Research information belonging to Ezee-Dex, whether carried out itself or commissioned from a third party.

ANNEXURE 1

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 for information is made on behalf of <i>another</i> 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 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
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*	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? 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