

LEWIS GROUP LTD

Promotion of Access to Information Manual

*In terms of Section 51, Promotion of Access to Information Act
Act 2 of 2000*

LAST UPDATED: JUNE 2009

LEWIS GROUP LTD
Registration Number: 2004/009817/06

This manual is prepared in terms of section 51 of the Promotion of Access to Information Act No.2 of 2000 ("the Act").

1. INFORMATION REQUIRED IN TERMS OF SECTION 51(1)(a) OF THE ACT

Contact Details

<i>Organisation</i>	Lewis Group Ltd
<i>Status</i>	Private Body
<i>The Head</i>	Alan Smart (Chief Executive Officer)
<i>Postal address</i>	POBox 43 Woodstock 7915
<i>Physical address</i>	Universal House 53A Victoria Road Woodstock 7925
<i>Information Officer</i>	Marlene McConnell (Company Secretary)
<i>Telephone number</i>	(021) 460 4469
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<i>E-mail address</i>	marlene.mcconnell@lewisgroup.co.za
<i>Web page</i>	www.lewisgroup.co.za

2. INFORMATION REQUIRED IN TERMS OF SECTION 51(1)(b) OF THE ACT

Guide of The South African Human Rights Commission

The Human Rights Commission has compiled a guide in terms of section 10 of the Act. The guide contains information in an easily comprehensible form and nature as may be reasonably required by a person who wishes to exercise any right contemplated in the Act. The regulations were published in the Government Gazette on 15 February 2002 (Notice No. R187).

The guide is available from the South African Human Rights Commission. Please direct any queries to:

PAIA Unit, The Research and Documentation Department

Private Bag 2700
Houghton
2041

Telephone: +27 11 484-8300
 Fax: +27 11 484-0582
 Website: www.sahrc.org.za
 E-mail: PAIA@sahrc.org.za

3. INFORMATION REQUIRED IN TERMS OF SECTION 51(1)(c) OF THE ACT

Not applicable.

4. INFORMATION REQUIRED IN TERMS OF SECTION 51(1)(d) OF THE ACT

Records are kept in accordance with; *inter alia*, the following legislation:

- Administration of Estates Act, No. 66 of 1965
- Arbitration Act No. 42 of 1965
- Companies Act No. 61 of 1973
- Copyright Act No. 98 of 1978
- Credit Agreements Act No. 75 of 1980
- Currency and Exchanges Act No.9 of 1933
- Debtor Collectors Act No. 114 of 1998
- Finance Act No. 35 of 2000
- Financial Services Board Act No. 97 of 1990
- Financial Relations Act No. 65 of 1976
- Harmful Business Practices Act No. 23 of 1999
- Income Tax Act No. 95 of 1967
- Insolvency Act No. 24 of 1936
- Insurance Act No. 27 of 1943
- Intellectual Property Laws Amendments Act No.38 of 1997
- Long Term Insurance Act No. 52 of 1998
- Pension Funds Act No. 24 of 1956
- Post Office Act No. 44 of 1958
- Protection of Businesses Act No. 99 of 1978
- SA Reserve Bank Act No. 90 of 1989
- Short Term Insurance Act No. 53 of 1998
- Stamp Duties Act No. 77 of 1968
- Stock Exchange Control Act No.1 of 1985
- Trade Marks Act No. 194 of 1993
- Usury Act No. 73 of 1968
- Value Added Tax Act No. 89 of 1991

5. INFORMATION REQUIRED IN TERMS OF SECTION 51(1)(e) OF THE ACT

Classification of Records

Category	Records
Incorporation Documents and Records .	<ul style="list-style-type: none"> • Copies of documents of incorporation • Copies of the Memorandum and Articles of Association • Copies of Shareholder's agreements • Minutes of Board of Directors Meetings • Minutes of Shareholder's Meetings • Minutes of Management meetings • Minutes of staff meetings
Financial Documents and Records	<ul style="list-style-type: none"> • Vat records • Tax records • Asset inventory • Asset register • Financial Statements • Credit notes • Cheque Account • Current Account • Cash records • Financial reports relating to management accounts • Financial documents
Operational Documents and Records	<ul style="list-style-type: none"> • Written policies regarding business plan/ activities • Licences • Business Plan • Strategy • Vision • Action plan
Personnel Documents and Records .	<ul style="list-style-type: none"> • Salary records
Safety Records	<ul style="list-style-type: none"> • Not applicable.
Information Technology Records	<ul style="list-style-type: none"> • Licences • Software programs • Computer generated databases • Inter-company emails • Internet connectivity reports

Procedure to access records

- The requester must comply with all the procedural requirements contained in the Act relating to the request for access to a record.
- The requester must complete the prescribed form enclosed herewith in Appendix A, and submit same as well as payment of a request fee and a deposit, if applicable to the information Officer at the postal or physical address, fax number or electronic mail address as stated in point 1 above.
- The prescribed form must be filled in with enough particularity to at least enable the Information Officer to identify -

a) The record or records requested;

b) The identity of the requester;

c) Which form of access is required, if the request is granted;

d) The postal address or fax number of the requester

- The requester must state that he/she requires the information in order to exercise or protect a right, and clearly state what the nature of the right is to be exercised or protected. In addition, the requester must clearly specify why the record is necessary to exercise or protect such right.
- The institution will process the request within 30 days, unless the requestor has stated special reasons, which would satisfy the Information officer, that circumstances dictate that the above time periods not be complied with,
- The requester shall be informed whether access is granted or denied. If, in addition, the requester requires the reasons for the decision in any other manner, he/she must state the manner and the particulars so required.
- If a request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of the information officer.
- If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally.
- The requester must pay the prescribed fee, before any further processing can take place.

Prescribed Form

See Annexure A

Prescribed Fee

See Annexure B

Note that the requester who seeks access to a record containing personal information about the requester is not required to pay the request fee but is required to pay all other fees.

Decision

- The institution will, within 30 days of receipt of the request, decide whether to grant or decline the request and give notice with reasons (if required) to that effect.
- The 30 day period with which the institution has to decide whether to grant or refuse the request, may be extended for a further period of not more than thirty days if the request is for a large number of information, or the request requires a search for information held at another office of the institution and the information cannot reasonably be obtained within the original 30 day period. The institution will notify the requester in writing should an extension be sought.

Grounds for Refusal

The main grounds for the institution to refuse a request for information relates to the:

- Mandatory protection of the privacy of a third party who is a natural person, which would involve the unreasonable disclosure of personal information of that natural person;
- Mandatory protection of the commercial information of a third party, if the record contains-
 - Trade secrets of that third party;
 - Financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party;
 - Information disclosed in confidence by a third party to the institution, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition;
- Mandatory protection of confidential information of third parties if it is protected in terms of any agreement;
- Mandatory protection of the safety of individuals and the protection of property;
- Mandatory protection of records which would be regarded as privileged in legal proceedings;

- The commercial activities of the institution, which may include-
 - Trade secrets of the institution;
 - Financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of the institution;
 - Information which, if disclosed, could put the institution at a disadvantage in negotiations or commercial competition;
 - A computer program which is owned by the institution, and which is protected by copyright.
- The research information of the institution or a third party, if its disclosure would disclose the identity of the institution, the researcher or the subject matter of the research and would place the research at a serious disadvantage;

Requests for information that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources shall be refused.

Remedies Available when Lewis Group Ltd Refuses a Request for Information

1. **Internal Remedies**

Lewis Group Ltd does not have an internal appeal procedure. Any decision made by the Information Officer is final. Should the requestor not be satisfied with the answer supplied by the Information Officer, he/she should exercise the external remedies at their disposal.

2. **External Remedies**

A requestor that is dissatisfied with an 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 an 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.

6. **INFORMATION REQUIRED OF SECTION 51(3) OF THE ACT**

Availability of this Manual

This manual will be:

- Published in the Government Gazette;
- Made available to head office

Annexure A: 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, 2000
 (Act No.2 of 2000))
[Regulation 10]

A. Particulars of a private body

The Information Officer, Lewis Group Ltd

B. Particulars of person requesting access to the record

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

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

<i>This section must be completed ONLY if a request for information is made on behalf of another Person.</i>
--

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. <i>The requester must sign all the additional folios.</i> |

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
<p>Mark the appropriate box with an X</p> <p>NOTES:</p> <ul style="list-style-type: none"> 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 record consists of visual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc):			
	view of the images		transcription of the images
		copy of the images*	
3. If record consists of recorded words or information which can be reproduced in sound:			
	Listen to the soundtrack (audio cassette).		Transcription of soundtrack* (written or printed document)
4. If record is held on computer or in an electronic or machine-readable form:			
	printed copy of record*		copy in computer readable form* (stiffy or compact disc)
		printed copy of information derived from the record*	
*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you?		YES	NO
Postage is payable.			

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 abovementioned 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 of _____ 20

.....
**SIGNATURE OF REQUESTER/PERSON
ON WHOSE BEHALF THE REQUEST IS MADE**

Annexure B: FEE SCHEDULE

1. **The fee for a copy of the manual as contemplated in regulation 9(2)(c) is R1,10 for every photocopy of an A4-Size page or part thereof.**

2. **The fees for reproduction referred to in regulation 11(1) are as follows:** **R**
 - (a) For every photocopy of an A4-size page or part thereof 1.10
 - (b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form. 0.75
 - (c) For a copy in a computer-readable form on
 - (i) stiffy disc 7.50
 - (ii) compact disc 70.00
 - (d)
 - (i) For a transcription of visual images, for an A4-size page or part thereof 40.00
 - (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 20.00
 - (ii) For a copy of an audio record 30.00

3. **The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2) is R50,00.**

4. **The access fees payable by a requester referred to in regulation 11(3) are as follows:** **R**
 1.
 - (a) For every photocopy of an A4-size page or part thereof 1.10
 - (b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form. 0.75
 - (c) For a copy in a computer-readable form on
 - (i) stiffy disc 7.50
 - (ii) compact disc 70.00
 - (d)
 - (i) For a transcription of visual images, for an A4-size page or part thereof . 40.00
 - (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 20.00
 - (ii) For a copy of an audio record. 30.00

- (f) To search for and prepare the record for disclosure, R30,00 for each hour or part of an hour reasonably required for such search and preparation.
2. For purposes of section 54(2) of the Act, the following applies:
 - (a) Six hours as the hours to 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.