

MANUAL

In terms of Section 51 of

THE PROMOTION OF ACCESS TO INFORMATION ACT

(ACT 2 OF 2000)

("hereinafter referred to as "the Act")

of

SMILERS SELECTION CC

REGISTRATION NUMBER: 2006/076290/23

(hereinafter referred to as "the Close Corporation")

DATE OF COMPILATION: 01/11/2011
DATE OF REVISION: 01/11/2015

Contents

INTRODUCTION 3
CONTACT DETAILS..... 3
THE ACT AND SECTION 10 GUIDE..... 4
APPLICABLE LEGISLATION 4
RECORD CLASSIFICATION..... 5
SCHEDULE OF RECORDS 6
FORM OF REQUEST 6
PRESCRIBED FEES 7
ANNEXURE A 8
ANNEXURE B 12

INTRODUCTION

Smilers Selection CC conducts the business of an employment agency and general agents and to deal in all types of business relating thereto.

CONTACT DETAILS

Members: Desiree Erna Attwood
Mary Margaret Myburgh
Roslyn Schmidt
Ethel Lilian Wapnick

Information Officer: Roslyn Schmidt

Postal Address: 17 Dennendal Avenue-East
Tokai
Cape Town
Western Cape
7945

Street Address: 17 Dennendal Avenue-East
Tokai
Cape Town
Western Cape
7945

Telephone number: 021 686 0611

Fax Number: 086 681 8949

Email Address: ros@smilers.co.za

Website Address: www.smilers.co.za

THE ACT AND SECTION 10 GUIDE

The Act grants a requestor access to records of a private body, if the record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.

Requests in terms of The Act shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in paragraphs 6 and 7 of the Act.

Requesters are referred to the Guide in terms of Section 10 which has been compiled by the South African Human Rights Commission, which will contain information for the purposes of exercising Constitutional Rights. The Guide is available from the SAHRC.

The contact details of the Commission are:

Postal Address: Private Bag 2700, Houghton 2041

Telephone Number: +27-11-877 3600

Facsimile Number: +27-11-403 0625

Website: www.sahrc.org.za

APPLICABLE LEGISLATION

<u>Ref</u>	<u>Act</u>
No 55 of 1998	Employment Equity Act
No 130 of 1993	Compensation for Occupational Injuries and Disease Act
No 95 of 1967	Income Tax Act
No 66 of 1995	Labour Relations Act
No 89 of 1991	Value Added Tax Act
No 37 of 2002	Financial Advisory and Intermediary Services Act
No 75 of 1997	Basic Conditions of Employment Act
No 69 of 1984	Close Corporations Act
No 25 of 2002	Electronic Communications and Transactions Act
No 2 of 2000	Promotion of Access of Information Act
No 30 of 1996	Unemployment Insurance Act
No 9 of 1999	Skills Development Act

RECORD CLASSIFICATION

Smilers Selection CC has implemented a system in accordance with which all of the entity's information has been classified into categories and access to such information has been established in respect of the classification of the information:

Classification No.	Classification	Access
1	Public Access Document	May be Disclosed
2	Request after commencement of criminal or civil proceedings [s7]	May not be Disclosed
3	Subject to copyright	May be Disclosed
4	Personal information that belongs to the requestor of that information [s61]	Limited Disclosure
5	Unreasonable disclosure of personal information of natural person [s63(1)]	May not be Disclosed
6	Likely to harm the commercial or financial interests of third party [s64(a)(b)]	May not be Disclosed
7	Likely to harm the Close Corporation or third party in contract or other negotiations [s64(c)]	May not be Disclosed
8	Would breach a duty of confidence owed to a third party in terms of an Agreement [s65]	May not be Disclosed
9	Likely to compromise the safety of individuals or protection of property [s66]	May not be Disclosed
10	Legally privileged document [s67]	May not be Disclosed
11	Environmental testing/investigation which reveals public safety/environmental risks [s64(2); s68(2)]	May not be Refused
12	Commercial information of Private Body [s68]	May not be Disclosed
13	Likely to prejudice research and development information of the Close Corporation or a third party [s69]	May not be Disclosed
14	Disclosure in public interest [s70]	May not be Refused

SCHEDULE OF RECORDS

Smilers Selection CC has the following records which are not automatically available as determined in the previous paragraph:

Employee Records
Employment Contracts
Personnel Guidelines, Policies and Procedures
Financial Information
Public Corporate Records
Client Information
General Contract Documentation
Marketing Material
Close Corporation Guidelines, Policies and Procedures
Trade Marks
Statutory Records
General Operational Information
Internal and external correspondence

FORM OF REQUEST

To facilitate the processing of your request, kindly:

Use the prescribed form, available on the website of the South African Human Rights Commission at www.sahrc.org.za.

Address your request to the Head of the Company (CEO).

Provide sufficient details to enable the COMPANY to identify:

- (a) The record(s) requested;
- (b) The requester (and if an agent is lodging the request, proof of capacity);
- (c) The form of access required;
- (d) (i) The postal address or fax number of the requester in the Republic;
(ii) If the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof;
- (e) The right which the requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.

PRESCRIBED FEES

The following applies to requests (other than personal requests):

- A requestor is required to pay the prescribed fees (R50.00) before a request will be processed.
- If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted);
- A requestor may lodge an application with a court against the tender / payment of the request fee and / or deposit.
- Records may be withheld until the fees have been paid.
- The fee structure is available on the website of the South African Human Rights Commission at www.sahrc.org.za.



Roslyn Schmidt

