

CHEATERS INVESTIGATIONS CC

Reg. No. 2003/092772/23

**ACCESS TO INFORMATION MANUAL
(PRIVATE BODY)**

**PREPARED IN TERMS OF SECTION 51 OF THE PROMOTION
OF ACCESS TO INFORMATION ACT 2 OF 2000**

1. Purpose of the Manual in terms of PAIA

The purpose of this Manual is to assist people wishing to access information in terms of the PAIA from Cheaters Investigations CC.

2. Request for access to information

In the event that a person or entity requires access to information as contemplated in the Act, the requester must contact Danie van Heerden.

Section 25(2) states that:

(2) If the request for access is granted, the notice in terms of subsection (1)(b) must state—

(a) the access fee (if any) to be paid upon access;

(b) the form in which access will be given; and

(c) that the requester may lodge an internal appeal or an application with a court, as the case may be, against the access fee to be paid or the form of access granted, and the procedure (including the period) for lodging the internal appeal or application, as the case may be.

(3) If the request for access is refused, the notice in terms of subsection (1)(b) must—

(a) state adequate reasons for the refusal, including the provisions of this Act relied upon;

(b) exclude, from such reasons, any reference to the content of the record; and

(c) state that the requester may lodge an internal appeal or an application with a court, as the case may be, against the refusal of the request, and the procedure (including the period) for lodging the internal appeal or application, as the case may be.

3. Terms used in this document

Terms defined in the act shall have the meaning set out therein and reference to sections shall be a reference to sections in the Act.

4. Background of Cheaters Investigations CC

Full spectrum of private investigations.

5. Organisation Details

- a. Name: Cheaters Investigations CC
- b. Physical address: 234B Blaauwberg Road, Tableview, 7441
- c. Postal address: 234B Blaauwberg Road, Tableview,
- d. Contact details: Tel – 0215570111
Fax - 0215576660
- e. Email address: info@cheaters.co.za
- f. Website: www.cheaters.co.za

6. Details of the information officer

Danie van Heerden – can be contacted at the numbers stated in 5 above.

7. Section 51(1) (c)

In terms of Section 52, a private body may, on a voluntary and periodic basis, submit to the Minister a description of categories of records which are automatically available without a person having to request access in terms of this Act. This includes records which are available:

- for inspection
- for purchase or copying from the private body; and
- from the private body (free of charge)

8. Section 51(1) (d)

Cheaters Investigations CC keeps information / documents in accordance with the following legislation (please note that this is not an exhaustive list):-

- Basic Conditions of Employment Act 75 of 1997
- Closed Corporation Act 69 of 1984
- Close Corporations amendment Act 25 of 2005
- Companies Act 71 of 2008
- Compensation for Occupational Injuries and Diseases Act 130 of 1993
- Competition Act 89 of 1998
- Consumer Protection Act 68 of 2008
- Electronic Communications and Transactions Act 25 of 2002
- Employment Equity Act 55 of 1998

- Financial Intelligence Centre Act 38 of 2001
- Income Tax Act 58 of 1962
- Insolvency Act 24 of 1936
- Labour Relations Act 66 of 1995
- Non-profit Organisations Act 71 of 1997.
- Occupational Health and Safety Act 85 of 1993
- Protection of Businesses Act 99 of 1978
- Skills Development Act 97 of 1998
- Skills Development Levies Act 9 of 1999
- The National Credit Act 34 of 2005
- Unemployment Insurance Act 63 of 2001
- Unemployment Insurance Contributions Act 4 of 2002
- Value Added Tax Act 89 of 1991

9. Section 51(1) (e)

Cheaters Investigations CC holds information / documents listed below in terms of the above section:

- **Human Resources**
Employment records and other related policies. Policies on staff recruitment and other staff related policies.
- **Administration records**
Details relating to the operational, commercial interests of Cheaters Investigations CC. Registers and registration forms in terms of the relevant acts. Minutes of meetings. Registers of directors and company officers.
- **Insurance Policies**
- **Legal**
Commercial and other Contracts/Agreements, documents relating to litigation processes and other legal documents.
- **Accounting records**
Financial statements, clients- and suppliers invoices and statements. Bank statements, journals, ledgers. Clients and suppliers information. Fixed asset registers.
- **Operational records**
- **Client data bases**

10. Requesting Procedure

It is recorded that any and all documents / information requested pertaining to the aforesaid shall only be made available to a requestor subject to the provisions of the Act. None of the information held by Cheaters Investigations CC is automatically available without a person having to request access in terms of and subject to the provisions of the Act.

The requester must use the prescribed form to make the request for access to a record. This request must be made to the Danie van Heerden at the address of Cheaters Investigations CC.

The requester must provide sufficient detail on the request form to enable the Danie van Heerden to identify the record and the requester. The requester should also indicate which form of access is required. The requester should also indicate if any other manner is to be used to inform the requester and state the necessary particulars to be so informed.

the requester must identify the right that is sought to be exercised or to be protected 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 another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the Danie van Heerden of the Cheaters Investigations CC.

11. Fees

A requester who seeks access to a record containing personal information about that requester is not required to pay the request fee. Every other requester, who is not a personal requester, must pay the required request fee.

Danie van Heerden will notify the requester, requiring the requester to pay the prescribed fee (if any) before further processing the request.

The fees that the requester must pay are prescribed in the Act. The requester may lodge an application to the court against the payment of the request fee.

After Danie van Heerden has made a decision on the request, the requester will be notified in the required form.

If the request is granted a further access fee must be paid for the search, reproduction, preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

12. Details of the South African Human Rights Commission

Any queries with regard to this manual should be directed to:

The South African Human Rights Commission; PAIA Unit

Research and Documentation Department

Private Bag 2700

Houghton

2041

Phone: 011 484 8300

Fax: 011 484 0582

Email: PAIA@sahrc.org.za

Website: www.sahrc.org.za

REQUEST FOR ACCESS TO RECORD OF CHEATERS INVESTIGATIONS CC
(Section 53(1) of the Promotion of Access to Information Act, 2000
(Act No. 2 of 2000))

[Regulation 10]

A. Particulars of the [organization name]

[appointed member/director/sole proprietor/partner]: [organization name]

PO Box 669

Pretoria

0001

B. Particulars of person requesting access to the record

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

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 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 for exemption.*

Reason for exemption from payment of fees:

F. Form of access to record

<p><i>If you are prevented by a disability to read, view or listen to the record in the form of access provide for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.</i></p>		
Disability:	Form in which record is required:	
<p>Mark the appropriate box with an X</p> <p>NOTES:</p> <p>(a) Compliance with your request in the specified form may depend 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>		
<p>1. If the record is in written or printed form:</p>		
<input type="checkbox"/> copy of record*	<input type="checkbox"/> inspection of record	
<p>2. If record consists of visual images</p> <p>(This includes photographs, slides, video recordings, computer-generated images, sketches, etc.):</p>		
<input type="checkbox"/> view the images	<input type="checkbox"/> copy of the images*	<input type="checkbox"/> transcription of the images*
<p>3. If record consists of recorded words or information which can be reproduced in sound:</p>		
<input type="checkbox"/> listen to the soundtrack (audio cassette)	<input type="checkbox"/> transcription of soundtrack* (written or printed document)	
<p>4. If record is held on computer or in an electronic or machine-readable form:</p>		
<input type="checkbox"/> printed copy of record*	<input type="checkbox"/> printed copy of information derived from the record*	<input type="checkbox"/> copy in computer readable form* (stiffy or compact disc)
<p>*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you?</p> <p>Postage is payable.</p>	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 of _____ 20

SIGNATURE OF REQUESTER / PERSON ON WHO'S BEHALF REQUEST IS MADE