

THE SOFTWARE SHACK CC
(Registration No . CK2000/046632/23)

ACCESS TO INFORMATION MANUAL

THE SOFTWARE SHACK CC

**A GUIDE TO
ACCESSING OUR INFORMATION**

**Our Manual In Terms Of Section 51 Of The Promotion
Of Access To Information Act**

SECTION 51 MANUAL FOR COMPANY (PTY) LTD

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Preamble

The Promotion of Access to Information Act No. 2 of 2000, ("the Act") came into operation on 23 November 2001 . Section 51 of this Act requires that we as a private body compile a manual giving information to the public regarding the procedure to be followed in requesting information from us for the purpose of exercising or protecting rights .

Introduction To This Private Body

The Software Shack CC was incorporated on 14 August 2000 .

The Software Shack CC conducts a business of Software development and sales , computer related services and sale of computer hardware .

We as a Private Body have compiled this manual, not only to comply with the provisions of the Act, but also to foster a culture of transparency and accountability in our environment and to ensure that members of the public have effective access to information in our possession which will assist them in the exercise and protection of their rights .

Inside these pages you will be able to view the categories of information which we possess . You will also be shown the correct procedure to follow should you require access to any of this information .

A copy of this manual is also available on our website .

PARTICULARS IN TERMS OF SECTION 51

1 . Contact Details (Section 51(1)(a))

Full name of Private Body :	The Software Shack CC
Registration Number :	CK2000/046632/23
Postal Address :	PO Box 395 Alberton 1450
Physical Address :	8 Thirlemere Avenue Lakeside Village Modderfontein 1645
Telephone Number :	(011) 608 - 1165 / 082 - 331 - 5248
Facsimile Number :	(011) 608 - 1165
Email Address of Information Officer :	ashley@softwareshack.co.za
Designated Information Officer :	Ashley Labuschagne
Website :	softwareshack.co.za
Head/Chief Executive Officer :	Ashley Labuschagne

2 . The Section 10 Guide On How To Use The Act (Section 51(1)(b))

The Guide will be available from the South African Human Rights Commission by not later than August 2003 . 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 Number : +27 11 484 8300

Facsimile Number : +27 11 484 0582

Website : www.sahrc.org.za

Email : PAIA@sahrc.org.za

3 . Records Available In Terms Of Any Other Legislation (Section 51(1)(d))

- Basic Conditions of Employment No.75 of 1997
- Close Corporations Act No. 69 of 1984
- Copyright Act No . 98 of 1978
- Income Tax Act No . 95 of 1967
- Intellectual Property Laws Amendments Act No . 38 of 1997
- Labour Relations Act No . 66 of 1995
- Regional Services Councils Act No . 109 of 1985
- Skills Development Levies Act No . 9 of 1999
- Skills Development Act No . 97 of 1998
- Trade Marks Act No . 194 of 1993
- Unemployment Contributions Act No . 4 of 2002
- Unemployment Insurance Act No . 63 of 2001
- Value Added Tax Act No . 89 of 1991

4 . Access to the records held by the Private Body in question (Sections 51(1)(c)) and 51(1)(e))

- (I) 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))
- Close Corporation's profile
 - Detailed information of products and services
 - Price lists of products
- (ii) Records that may be requested (Section 51(1)(e))

Administration

- Licences
- Correspondence

Human Resources

- Remuneration records and policies
- Personal details

Operations

- Sale records
- Time sheet records
- Database of customers
- Contractual agreements with clients
- Registered designs , patents or trademarks
- Marketing call reports
- Software programmes and applications

Finances

- Annual financial statements
- Vouchers
 - Invoices
 - Statements
 - Credit Notes
- Asset register
- Copies of Statutory returns
- Bank statements
- Tax records
- Order forms
- Customer account records

(iii) The Request Procedures

Form of Request :

- The requester must use the prescribed form to make the request for access to a record. This must be made to the head of the Private Body . This request must be made to the address, fax number or electronic mail address of the Body concerned (Section 53(1)).
- 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 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 (Section 53(2)(a) and (b) and c) .
- 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 (Section 53(2)(d)).

- 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 head of the Private Body (Section 53(2)(f)) .

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 :

- The Head of the Private Body 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 (Section 54(1)) .
- The fee that the requester must pay to a Private Body is R50 .The requester may lodge an application to the court against the tender or payment of the request fee (Section 54(3)(b)) .
- After the head of the Private Body has made a decision on the request , the requester must be notified in the required form .
- If the request is granted then 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 (Section 54(6)) .

5 . Other information as may be prescribed (Section 51(1)(f))

The Minister of Justice and Constitutional Development has not made any regulations in this regard .

6 . Availability of the manual (Section 51(3))

This manual is available from the Human Rights Commission (see details above) , The Software Shack CC (see details above) and in electronic format @ www.softwreshack.co.za