

Kagga Kamma Ontwikkeling (Pty) Ltd

(Registration number: 1989/006512/07)

*Manual in terms of section 51 of the
Promotion of Access to Information Act, 2 of 2000*



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PROMOTION OF ACCESS TO INFORMATION ACT, 2 OF 2000

(THE ACT)

SECTION 51 MANUAL OF KAGGA KAMMA ONTWIKKELING (PTY) LTD (REGISTRATION NUMBER: 1989/006512/07)

1. CONTACT PARTICULARS

Head of business:	Head of business	Information officer:	Mr Hein de Waal
Postal address:	Suite 128 Private Bag X3041 Paarl 7620	Physical address:	Clos St Martin Windmeul Paarl 7646
Telephone number:	021 872 4343	Fax number:	086 5000 800
E-mail address:	info@kaggakamma.co.za		
Website:	www.kaggakamma.co.za		

2. INTRODUCTION

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.

The objective of the company is to develop and maintain a hospitable business/lodge and related development projects.

3. GUIDE IN TERMS OF SECTION 10 OF THE ACT

Any person who wishes to exercise any right contemplated in The Act may obtain a copy of the information guide issued by the Human Rights Commission in all official languages, from the Human Rights Commission, contact number (011) 887-3600 or www.sahrc.co.za.

4. FACILITATION OF A REQUEST FOR ACCESS TO INFORMATION

Information which is not readily available as indicated in this manual, may be requested in accordance with the procedure prescribed in terms of The Act. Copies of the prescribed forms to be completed for submitting a request, are available from Kagga Kamma Ontwikkeling (Pty) Ltd.

5. INFORMATION AVAILABLE IN TERMS OF OTHER LEGISLATION

Information is available in terms of certain provisions of the following legislation:

- 5.1 ADMINISTRATION OF ESTATES ACT 66 OF 1965
- 5.2 ARBITRATION ACT 42 OF 1965
- 5.3 BASIC CONDITIONS OF EMPLOYMENT ACT 75 OF 1997
- 5.4 BBBEE ACT 53 OF 2003
- 5.5 COMPANIES ACT 71 OF 2008
- 5.6 COMPENSATION FOR OCCUPATIONAL INJURIES AND HEALTH DISEASES ACT 130 OF 1993
- 5.7 CONSUMER PROTECTION ACT 68 OF 2008
- 5.8 COPYRIGHT ACT 98 OF 1978
- 5.9 CRIMINAL PROCEDURES ACT 51 OF 1977
- 5.10 CURRENCY AND EXCHANGES ACT 9 OF 1933
- 5.11 DEBT COLLECTORS ACT 114 OF 1998
- 5.12 DEEDS REGISTRIES ACT 47 OF 1937
- 5.13 ELECTRONIC COMMUNICATIONS AND TRANSACTIONS ACT 25 OF 2002
- 5.14 EMPLOYMENT EQUITY ACT 55 OF 1998
- 5.15 ESTATE AGENTS AFFAIRS ACT 112 OF 1976
- 5.16 INCOME TAX ACT 58 OF 1962
- 5.17 INSOLVENCY ACT 24 OF 1936
- 5.18 LABOUR RELATIONS ACT 66 OF 1995
- 5.19 LONG TERM INSURANCE ACT 52 OF 1998
- 5.20 MEDICAL SCHEMES ACT 131 OF 1998
- 5.21 NATIONAL CREDIT ACT 34 OF 2005
- 5.22 NATIONAL ENVIRONMENTAL MANAGEMENT ACT 107 OF 1998
- 5.23 OCCUPATIONAL HEALTH AND SAFETY ACT 85 OF 1993

- 5.24 PENSION FUNDS ACT 24 OF 1956
- 5.25 PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 5 OF 2000
- 5.26 PREVENTION OF COMBATING OF CORRUPT ACTIVITIES ACT 12 OF 2004
- 5.27 PREVENTION OF ORGANISED CRIME ACT 121 OF 1998
- 5.28 PROTECTED DISCLOSURES ACT 26 OF 2000
- 5.29 PROTECTION OF INFORMATION ACT 84 OF 1982
- 5.30 PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000
- 5.31 PROMOTION OF ADMINISTRATIVE JUSTICE ACT 3 OF 2000
- 5.32 PROMOTION OF EQUALITY AND PREVENTION OF UNFAIR DISCRIMINATION ACT 4 OF 2000
- 5.33 PROTECTION OF BUSINESSES ACT 99 OF 1978
- 5.34 REGULATION OF INTERCEPTION OF COMMUNICATIONS AND PROVISION OF COMMUNICATION RELATED INFORMATION ACT 70 OF 2002
- 5.35 SHORT TERM INSURANCE ACT 53 OF 1998
- 5.36 SKILLS DEVELOPMENT LEVIES ACT 9 OF 1999
- 5.37 SKILLS DEVELOPMENT ACT 97 OF 1998
- 5.38 TRANSFER DUTY ACT 40 OF 1949
- 5.39 TRUST PROPERTY CONTROL ACT 57 OF 1988
- 5.40 UNEMPLOYMENT CONTRIBUTIONS ACT 4 OF 2002
- 5.41 UNEMPLOYMENT INSURANCE ACT 63 OF 2001
- 5.42 VALUE ADDED TAX ACT 89 OF 1991

6 INFORMATION AUTOMATICALLY AVAILABLE

The following categories of records are automatically available for inspection, purchase or photocopying:

- 6.1 PAMPHLETS / BROCHURES
- 6.2 PRICELISTS
- 6.3 REPORTS

6.4 MARKETING AND PROMOTIONAL MATERIAL

6.5 WWW.KAGGAKAMMA.CO.ZA

7. INFORMATION AVAILABLE IN TERMS OF THE ACT

The subjects on which the business holds records and the categories on each subject are as listed below. Please note that a requestor is not automatically allowed access to these records and that access to them may or must be refused in accordance with section 62 to 69 of The Act.

7.1 ACCOUNTING RECORDS

- Annual financial statements and working papers
- General ledger
- Subsidiary ledgers (receivables, payables, etc.)
- Bank statements, cheque books, cheques
- Customer and supplier statements and invoices
- Deposit slips
- Cash books and petty cash books
- Fixed asset register
- Tax returns and assessments
- VAT returns
- Budgets and business plans
- Insurance record
- Investment records
- Auditor's reports
- Accounting officer's report
- Reviewer's reports
- Inventory records (including stock take)
- Systems documentation
- Management review
- Capital expenditure
- Credit agreement
- Record of assets
- Record of liabilities
- Record of loans to related parties
- Record of liabilities and obligation
- Record of property held
- Record of revenue

- Record of expenses

7.2 AUDITORS

- Working papers
- Correspondence

7.3 FIXED PROPERTY

- Building plans
- Title deeds

7.4 HEALTH AND SAFETY

- Register, record of earnings, time worked, payment and particulars of all employees
- Health and safety committee's records of each recommendation affecting the health of employees and reports made to the inspector
- Details of aqueous discharges
- Details of solid waste discharges
- Emergency response plans
- Employee public health emergency action plans
- Environmental impact assessments
- Environmental management programs and systems
- Records of incident reported at work
- Safety management systems, data and audits

7.5 INFORMATION TECHNOLOGY

- Agreements
- Client database
- Disaster recovery processes and procedures
- Hardware
- Internet
- Intranet
- Licenses
- Systems support, programming and development
- LAN Installations
- Operating systems
- Software packages
- Telephone exchange equipment

7.6 INSURANCE

- Claim records

- Details of coverage, limits and insurers
- Insurance policies

7.7 INTELLECTUAL PROPERTY

- Agreements relating to intellectual property, e.g. license agreements, secrecy agreements, research and development agreements, use agreements, joint venture agreements and joint development agreements.

7.8 LEGAL, AGREEMENTS AND CONTRACTS

- Acquisition or disposal documentation
- Agreements with contractors, suppliers and clients
- Agreements with customers
- Agreements with shareholders, officers or directors
- Material licenses, permits and authorisations
- Contracts, including lease agreements and finance agreements
- Settlement agreements
- Electronic communications - Personal information and the purpose for which the data was collected
- Electronic communications - All personal data which has become obsolete
- Consumer Protection Act - disclosure by intermediary: information provided to a consumer
- Consumer Protection Act - disclosure by intermediary: conflict of interest
- Consumer Protection Act - disclosure by intermediary: record of advice and basis on which it was given
- Consumer Protection Act - disclosure by intermediary: written instructions to consumer

7.9 PERSONNEL RECORDS

- Arbitration awards
- Attendance register
- Disability schemes
- Disciplinary records
- Employee evaluation and performance records
- Employee information records
- Employee loans
- Employee remuneration
- Employment applications
- Employee date of birth
- Employment contracts
- Expense accounts

- Funeral insurance scheme
- Health and safety records
- Housing scheme
- Incentive schemes
- Industrial training records
- IRP 5 and IT 3 certificates
- Letters of appointment
- Leave applications
- Maternity leave policy
- Medical aid records
- Name and occupation of each employee
- Organisational design
- Payroll
- Particulars of each employee
- Pension fund information
- Personnel file
- Policies and procedures
- Provident fund information
- Recruitment and appointments
- Salary and wage registers
- Salary slips and wage records
- Staff loan schemes
- Tax returns of employees
- Time records
- Training and development
- UIF, PAYE and SDL returns
- Workmen's Compensation documents

7.10 SALES AND MARKETING

- Brochures, newsletters and marketing material
- Customers
- Media releases
- Products
- Public relations policies and procedures
- Service and product information

7.11 STATUTORY COMPANY RECORDS

- Annual Statutory Returns
- Certificate of Change of Name
- Certificate of Incorporation
- Certificate to Commence Business
- Directors' attendance register
- Index of Members
- Memorandum and Articles of Association
- Notice and minutes of shareholders' meetings
- Minutes of directors' meetings
- Minutes of audit committee meetings
- Minutes of directors' committee meetings
- Proxy documents
- Register of Allotments
- Register of company
- Register of debenture holders and mortgages
- Register of directors and officers
- Register of directors' shareholding
- Registration Certificate
- General resolutions
- Special resolutions
- Resolutions
- Rules
- Shareholders' agreements
- Shareholders' register
- Securities register / uncertificated securities register
- Written communication to holders of securities
- Founding Statement and amendments
- Minute books
- Resolutions passed at meetings

7.12 TAX

- Income tax returns
- Provisional tax returns
- Tax assessments
- Records relating to taxable gain or assessed capital loss
- VAT documents

- Vendors information

8. REQUESTING PROCEDURES

A person who wants access to the records must complete the necessary request form, that is available at the offices of Kagga Kamma Ontwikkeling (Pty) Ltd, or can be accessed on www.sahrc.org.za. The completed request form must be sent to the address or fax number provided in this manual, and marked for the attention of the Information Officer.

9. AVAILABILITY OF THE MANUAL

Copies of this manual are available for inspection, free of charge, at the offices of Kagga Kamma Ontwikkeling (Pty) Ltd, from the South African Human Rights Commission and at www.kaggakamma.co.za.

10. SIGNATORY


According to Section 51 of the Promotion of Access to Information Act, 2 of 2000 – This manual should be duly signed by the Information officer.

Mr Hein de Waal

Information officer

13 December 2011

Date


Signature of Information officer