

**THE DATA FACTORY (PTY) LTD**

**(2000/013055/07)**

**SECTION 51 MANUAL**

(In accordance with the Promotion  
of Access to Information Act, Act 2 of 2000)

## **SECTION 51 MANUAL FOR THE DATA FACTORY (PTY) LTD**

### **Introduction:**

Outsourced service provider providing solutions to the retirement fund industry with a focus on early withdrawal administration.

### **Particulars in terms of section 51 manual**

#### **1. Contact Details** *[Section 51(1)(a)]*

Contact Person: Sean Bryan Rossouw

Business Address: Ground floor  
Slade House  
Boundary Terraces  
1 Mariendahl Lane  
Newlands  
7700

Postal Address: PO Box 44672  
Claremont  
7700

Telephone: +27 21 681 5700

Fax: +27 86 678 9234

E-mail: [info@datafactory.co.za](mailto:info@datafactory.co.za)

Website: [www.datafactory.co.za](http://www.datafactory.co.za)

#### **2. The section 10 Guide on how to use the Act:** *[Section 51(1)(b)]*

A Guide has been compiled in terms of Section 10 of PAIA by the Human Rights Commission. It contains information required by a person wishing to exercise any right, contemplated by PAIA. It is available in all the official languages. 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

Physical address: 29 Princess of Wales Terrace  
Cnr of York & St Andrew Street  
Parktown

Telephone: +27 11 484- 8300

Fax: +27 11 484-0582

Website: [www.sahrc.org.za](http://www.sahrc.org.za)

E-mail: [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)

**3. Records available in terms of any other legislation** [Section 51(1)(d)]

1. Basic Conditions of Employment No. 75 of 1997
2. Income Tax Act No. 95 of 1967
3. Employment Equity Act No.55 of 1998
4. Labour Relations Act No. 66 of 1995
5. Broadbased Black Economic Empowerment Act No. 53 of 2003
6. Usury Act No. 73 of 1968
7. Companies Act No. 71 of 2008
8. Short Term Insurance Act No. 53 of 1998
9. Occupational Health & Safety Act No. 85 of 1993
10. Unemployment Contributions Act No. 4 of 2002
11. Unemployment Insurance Act No.63 of 2001
12. Value Added Tax Act No. 89 of 1991
13. Compensation for Occupational Injuries and Disease Act 130 of 1993

**4. Access to the records held by the private body in question** [Section 51(1)(c) and 51(1)(e)]

*i.* **Available information** [Section 51(1)(c)]

Pamphlets  
Brochures  
Price Lists  
Business cards

*ii.* **Records that may be Requested** [Section 51(1)(e)]

**Administration:**

Correspondence  
Licenses  
Insurance Policies  
Minutes of Management Meetings  
Minutes of Staff Meetings

**Constitution:**

List of Directors  
Minute Books and Resolutions  
Power of Attorney Agreements  
Share Register  
Shareholders' Agreement  
Statutory Registers

**Human Resources:**

Employee Code of Conduct  
Staff recruitment policies  
Employment contracts

PAYE Records and other documents relating thereto  
Personnel Files  
All Other Statutory Compliances

- SDL
- WCA
- VAT

**Finances:**

Financial Statements  
Annual Financial Statements  
Asset Register  
Banking Details  
Banking Records

- Bank Statements
- Paid Cheques
- Electronic Banking Records

**Incorporation Documents:**

Incorporation Forms  
Memorandum and Articles of Association

**Information Technology:**

Computer Software and Support Maintenance Agreements  
Software License Agreements  
Agreements i.r.o Computer Hardware  
Agreements with Internet Service Providers

**Operations:**

Travel Documentation  
Sales Records  
Register of Clients

***iii. The Request Procedures  
Form of Request:***

- The requestor 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. The request must be made to the address, fax number or electronic mail address of the body concerned [s 53(1)].
- The requester must provide sufficient detail on the request 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 [s 53(2)(a, b, 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 [s 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 [s 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 the personal requester) by notice requiring the requester to pay the prescribed fee (if any) before further processing the request [s54(1)].
- The fee that 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 [s54 (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 [s 54(6)].

**5. Other Information as may be prescribed** [Section 51(1)(f)]

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

**6. Availability of manual** [Section 51(3)]

This manual is available for inspection at the offices of the private body, free of charge; and copies are available with South African Human Resources Commission, in the Gazette and on the private body's website (if any).