

**MULTOTEC (PTY) LTD and its subsidiaries**  
(Registration number: 1973/008175/07)

**MANUAL IN ACCORDANCE WITH SECTION 51**  
**OF**  
**THE PROMOTION OF ACCESS TO INFORMATION ACT, NO. 2 OF**  
**2000**

Created on 14 December 2011  
Updated on .....

Revision no. 0

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**MANUAL IN ACCORDANCE WITH SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT, NO. 2 OF 2000 (the act)**

**1 INTRODUCTION**

- 1.1 The core business:** The supply of products and services to the mining, mineral beneficiation and power generation industries.

**2. CONTACT DETAILS [Section 51(1)(a)]**

NAME OF THE BODY: Multotec (Pty) Ltd and its subsidiaries  
(Registration No.1973/008175/07)  
(herein later referred to as "the private body")

PHYSICAL ADDRESS: 28 Forge Road, Spartan, South Africa  
POSTAL ADDRESS P O Box 224, Kempton Park, 1620  
HEAD OF THE BODY: Thomas Holtz  
INFORMATION OFFICER: Thomas Holtz  
TELEPHONE NUMBER: (011) 923 6000  
FAX NUMBER: (011) 394 8701  
E-MAIL: marketing@multotec.co.za  
WEBSITE: www.multotec.com

**3. 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 1 January 2012. Please direct any queries to:

**The South African Human Rights Commission:**

**PAIA Unit**

**The Research and Documentation Department**

<b>Postal address:</b>	Private Bag 2700 Houghton 2041	<b>Telephone:</b>	+27 11 484-8300
		<b>Fax:</b>	+27 11 484-0582
		<b>Website:</b>	<a href="http://www.sahrc.org.za">www.sahrc.org.za</a>
		<b>E-mail:</b>	<a href="mailto:PAIA@sahrc.org.za">PAIA@sahrc.org.za</a>

**4. RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION [Section 51(1)(d)]**

The requestor may request information on records kept by this private body in terms of the following of legislation, where applicable.

1. Basic Conditions of Employment No. 75 of 1997
2. Companies Act No. 71 of 2008
3. Employment Equity Act No. 55 of 1998
4. Income Tax Act No. 58 of 1962
5. Occupational Health & Safety Act No. 85 of 1993
6. Promotion of Access to Information Act, Act 2 of 2000
7. Skills Development Act No. 97 of 1998
8. Unemployment Insurance Act No. 63 of 2001
9. Value Added Tax Act No. 89 of 1991.

**5. ACCESS TO THE RECORDS HELD BY THIS PRIVATE BODY**

[Sections 51(1)(c), 51(1)(e) and 51(1)(f)]

**5.1 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)]**

5.1.1 Currently not applicable, although the following documents are freely available:  
Marketing and promotional material

**5.2 Records that may be requested. A description of the subjects of the records held by the body and the categories in which these subjects are classed [Section 51(1)(e)]**

**STATUTORY INFORMATION**

Certificate of Incorporation  
Certificate to Commence Business  
CM Forms submitted

**ADMINISTRATION AND GENERAL**

ISO 9001 registration

**PERSONNEL/HUMAN RESOURCES**

Employment equity plan  
Health and safety records

**LEGAL**

Statutory records

**FINANCE**

Tax clearance certificates

**MARKETING**

Brochures  
Marketing literature

**5.3 OTHER INFORMATION AS MAY BE PRESCRIBED [Section 51(1)(f)]**

The Minister of Justice and Constitutional Development has to date not published any regulations in terms of this section.

**6. AVAILABILITY OF THE MANUAL [Section 51(3)]**

6.1 The manual is available for inspection to the general public during office hours at office of this private body in 2 above and on this private body's website at [www.Multotec.co.za](http://www.Multotec.co.za) and at the SAHRC, details of which are listed in 3 above.

**7. THE REQUEST PROCEDURES**

**7.1 Form of request:**

7.1.1 The requester must use the prescribed form, attached in Annexure B, to make the request for access to a record. This form, together with the prescribed fee, if applicable, is to be submitted to the Information Officer at the address, fax number or electronic mail address of this private body as listed in Part 1 [s53(1)].

7.1.2 The requester must provide sufficient detail on the request form to enable the Information Officer to identify the record and the requester. The requester should also indicate which form of access is required. If, in addition to a written reply, the requester wishes to be informed of the decision on the request in any other manner, state the manner to be so informed [s 53(2)(a) and (b) and (c)].

7.1.3 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)].

7.1.4 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)].

## **7.2 Fees:**

7.2.1 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:

7.2.2 The Information Officer 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 [s 54(1)].

7.2.3 The fee that the requester must pay is listed in Annexure A. The requester may lodge an application to the court against the tender or payment of the request fee [s 54(3)(b)].

7.2.4 After the Information Officer has made a decision on the request, the requester must be notified in the required form.

7.2.5 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)].

## **8 DECISIONS ON THE REQUEST**

8.1.1 The Information officer will within 30 days after receipt of the request decide whether to grant or refuse the request, and give notice to that effect.

8.1.2 The period in 8.1.1 may be extended for a further period of 30 days, if the request applies to a large number of documents, the records have to be searched on other locations, consultations with other private bodies is necessary and the requestor agrees to such extension in writing.

### **8.2 Refusal of a request**

8.2.1 The requestor will be notified where the request is refused, stating the reasons for the refusal and the provisions in terms of which the decision is based.

8.2.2 The head of this private body must refuse a request for the protection of the privacy and safety of an individual, the protection of commercial information and confidential information of third parties, the protection of property.

8.2.3 The head of this private body must refuse a request for access if the information is privileged from production in legal proceedings, contains commercial or research information of this body or of third parties [s 63-69]

## **9 LEGAL REMEDIES**

9.1 You have a right to take further legal steps if you have been refused access to a record you have requested, and if you had complied with all the requirements of the Act in making the request.

9.2 Where a requester or a third party is aggrieved by a decision of the head of a private body to refuse a request for access, or by a decision taken in terms of section 54

relating to fees payable for and in connection with access to records of a private body, section 57(1) relating to the extension to deal with the request, or section 60 relating to the form of access, the requester may within 30 days, and by way of an application, apply to court, for appropriate relief. The court will then review the request and decide whether in fact the head of the private body should give you the information you requested or not.

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**ANNEXURE A**

**Fees in respect of private bodies**

1. The fee for a copy of the manual as contemplated in regulation 9(2)(c) is R1,10 for every photocopy of an A4-size page or part thereof.
2. The fees for reproduction referred to in regulation 11(1) are as follows:

	R
(a) For every photocopy of an A4-size page or part thereof	1,10
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,75
(c) For a copy in a computer-readable form on -	
(i) stiffer disc	7,50
(ii) compact disc	70,00
(d) (i) For a transcription of visual images, for an A4-size page or part thereof	40,00
(ii) For a copy of visual images	60,00
(e) (i) For a transcription of an audio record, for an A4-size page or part thereof	20,00
(ii) For a copy of an audio record	30,00
3. The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2) is R50,00, payable up-front before the private body will process the request received.
4. The access fees payable by a requester referred to in regulation 11(3) are as follows:

	R
(1)(a) For every photocopy of an A4-size page or part thereof	1,10
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,75

## ANNEXURE A(continued)

### Fees in respect of private bodies

	R
(c) For a copy in a computer-readable form on -	
(i) stiffy disc	7,50
(ii) compact disc	70,00
(d) (i) For a transcription of visual images, for an A4-size page or part thereof	40,00
(ii) For a copy of visual images	60,00
(e) (i) For a transcription of an audio record, for an A4-size page or part thereof	20,00
(ii) For a copy of an audio record	30,00
(f) To search for and prepare the record for disclosure, R30,00 for each hour or part of an hour reasonably required for such search and preparation.	
(2) For purposes of section 54(2) of the Act, the following applies:	
(a) Six hours as the hours to be exceeded before a deposit is payable; and	
(b) one third of the access fee is payable as a deposit by the requester.	
(3) The actual postage is payable when a copy of a record must be posted to a requester.	

**ANNEXURE B**

**REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY**  
(Section 53(1) of the Promotion of Access to Information Act, 2000  
(Act No. 2 of 2000))

**[Regulation 10]**

**A. Particulars of private body**

NAME OF THE BODY: Multotec (Pty) Ltd and its subsidiaries  
POSTAL ADDRESS P O Box 224, Kempton Park, 1620  
TELEPHONE NUMBER: (011) 923 6000  
FAX NUMBER: (011) 394 8701  
E-MAIL: marketing@multotec.co.za  
HEAD OF THE BODY: Thomas Holtz

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**B. Particulars of person requesting access to the record**

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

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:  
\_\_\_\_\_

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**C. Particulars of person on whose behalf request is made**

<i>This section must be completed ONLY if a request for information is made on behalf of another person.</i>
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Full names and surname: \_\_\_\_\_

Identity number: \_\_\_\_\_

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**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:**

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**2. Reference number, if available:** \_\_\_\_\_

**3. Any further particulars of record** \_\_\_\_\_

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**E. Fees**

- (a) A request for access to a record, other than 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: \_\_\_\_\_

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**F. Form of access to record**

*If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.*

Disability:	Form in which record is required:
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**NOTES:**

- (a) Compliance with your request in the specified form may depend on the form in which the record is available.
- (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.
- (c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

Mark the appropriate box with an X.

<b>1. If the record is in written or printed form:</b>			
<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record
<b>2. If record consists of visual images</b> (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):			
<input type="checkbox"/>	View the images	<input type="checkbox"/>	copy of the images*
<input type="checkbox"/>		<input type="checkbox"/>	transcription of the images*
<b>3. If record consists of recorded words or information which can be reproduced in sound:</b>			
<input type="checkbox"/>	listen to the soundtrack (audio cassette)	<input type="checkbox"/>	transcription of soundtrack* (written or printed document)
<b>4. If record is held on computer or in an electronic or machine-readable form:</b>			
<input type="checkbox"/>	printed copy of record*	<input type="checkbox"/>	printed copy of information derived from the record*
<input type="checkbox"/>		<input type="checkbox"/>	Copy in computer readable form* (stiffy or compact disc)
*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? <b>Postage is payable.</b>			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