
COMPANY NAME: ERNIE ELS WINES (PTY) LTD
(COMPANY REGISTRATION NO: 2004/008991/07)

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

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

1. Introduction

GENERAL INFORMATION OF THE COMPANY:

Ernie Els Wines (Pty) Ltd, Registration number: 2004/008991/07, is a small to medium firm in the agricultural sector and in the business of producing and selling of Wine. In addition to the above the winery has a tasting room where wine tastings and cellar tours are presented, lunch is served and wine and merchandise sales promoted.

2. Contact Details

- 2.1 Head of Private Body: Mr L Strydom (Managing Director)
- 2.2 Information Office: Ernie Els Wines (Pty) Ltd
- 2.3 Physical Address of the Company: Annandale Road, Stellenbosch, 7600
- 2.4 Postal Address of Company: PO Box 7595, Stellenbosch, 7599
- 2.5 Telephone Number of Company: 021 -881 3588
- 2.6 Fax No of Company: 021 -881 3688
- 2.7 E-mail address of Company: info@ernieelswines.com

3. The South African Human Rights Commission Guide to the Act (Section 51(1)(b))

- 3.1 The ACT grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.
- 3.2 Requests in terms of the ACT shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in paragraphs 6 and 7 of the Act.
- 3.3 Requesters are referred to the Guide in terms of Section 10 which has been compiled by the South African Human Rights Commission, which will contain information for the purposes of exercising Constitutional Rights. The Guide is available from the SAHRC.
The contact details of the Commission are:

Postal Address: Private Bag 2700, Houghton, 2041

Telephone Number: +27-11-877 3600

Fax Number: +27-11-403 0625

Website: www.sahrc.org.za

THE LATEST NOTICE IN TERMS OF SECTION 52(2):

At this stage no notice(s) has/have been published on the categories of records that are automatically available without a person having to request access in terms of PAIA.

4. Records held in terms of applicable legislation (Section 51(1)(d))

4.1 Records available in terms of other legislation are as follows:

- 4.1.1 Labour Relations Act 66 of 1995
- 4.1.2 Employment Equity Act 55 of 1998
- 4.1.3 Basic Conditions of Employment Act 75 of 1997
- 4.1.4 Compensation for Occupational Injuries and Disease Act 130 of 1993
- 4.1.5 Companies Act 61 of 1973
- 4.1.6 Unemployment Insurance Act 63 of 2001
- 4.1.7 Value Added Tax Act 89 of 1991
- 4.1.8 Income Tax Act 58 of 1962
- 4.1.9 Skills Development Act 9 of 1999
- 4.1.10 Electronic Communication and Transaction Act, no 25 of 2002

5. Standard Categories of Records (Section 51(1)(e))

5.1 Company Documentation [Request in terms of PAIA]

- 5.1.1 Documents of incorporation
- 5.1.2 Memorandum and Articles of Association
- 5.1.3 Minutes of Board of Directors meetings
- 5.1.4 Records relating to the appointment of directors/ auditor/ secretary/ public officer and other officers
- 5.1.5 Share Register and other statutory registers



5.2 Financial Records [Request in terms of PAIA]

5.2.1 Annual Financial Statements

5.2.2 Tax Returns

5.2.3 Accounting Records

5.2.4 Banking Records

5.2.5 Bank Statements

5.2.6 Electronic Banking Records

5.2.7 Asset Register

5.2.8 Rental Agreements

5.2.9 Invoices

5.3 Income Tax Records [Request in terms of PAIA]

5.3.1 PAYE Records

5.3.2 Documents issued to employees for income tax purposes

5.3.3 Records of payments made to SARS on behalf of employees

5.3.4 All other statutory compliances

5.3.5 VAT

5.3.6 Skill Development Levies

5.3.7 UIF

5.3.8 Workmen's Compensation

5.4 Personnel Records and Documentation [Request in terms of PAIA]

5.4.1 Employment contracts

5.4.2 Employment Equity Plan

5.4.3 Medical Aid Records

5.4.4 Disciplinary records

5.4.5 Salary records

5.4.6 SETA records

5.4.7 Disciplinary code

5.4.8 Leave records

5.4.9 Training records



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6. Form of Request (Section 51(e))

- 6.1 The requester must complete **Form C** and submit this form together with a request fee (as legislated by the Act), to the head of the private body.
- 6.2 The form must be submitted to the head of the private body at his/her address, fax number, or electronic mail address.
- 6.3 The form must:
- 6.3.1 Provide sufficient particulars to enable the head of the private body to identify the record/s requested and to identify the requester,
 - 6.3.2 Indicate which form of access is required,
 - 6.3.3 Specify a postal address or fax number of the requester in the Republic,
 - 6.3.4 Identify the right that the requester is seeking to exercise or protect, and provide an explanation of why the requested record is required for the exercise of protection of that right,
- 6.4 If in addition to a written reply, the requester wishes to be informed of the decision on the request in any other manner, to state that manner and the necessary particulars to be informed in the other manner,
- 6.5 If the request is made on behalf of another person, to submit proof of the capacity in which the requester is making the request, to the reasonable satisfaction of RJ Gibson.

7. Requesters Recourse (if Request has been Refused)

- 7.1.1 Should the information officer refuses the request for information, you may refer the matter to the hereinafter party for further investigation:
- Contact person: Stuart Makin (Financial Director)
 - Tel nr: 021 881 3588
 - Fax nr: 021 881 3688
 - Email address: info@ernieelswines.com

Signed on this 15 day of DECEMBER 2015

Version: Version 1 (DEC 2015)


Name and Surname: L Strydom

Section 51(1)(f)

FEEES IN RESPECT OF REQUESTS FOR INFORMATION 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:

(a)	For every photocopy of an A4-size page or part thereof	R 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	R 0,75
(c)	For a copy in a computer-readable form on -	
	(i) stiffy disc	R 7,50
	(ii) compact disc	R 70,00
(d)	(i) For a transcription of visual images, for an A4-size page or part thereof	R 40,00
	(ii) For a copy of visual images	R 60,00
(e)	(i) For a transcription of an audio record, for an A4-size page or part thereof	R 20,00
	(ii) For a copy of an audio record	R 30,00
3. The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2) is R50,00.
4. The access fees payable by a requester referred to in regulation 11(3) are as follows:

(1)(a)	For every photocopy of an A4-size page or part thereof	R 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	R 0,75
(c)	For a copy in a computer-readable form on -	
	(i) stiffy disc	R 7,50
	(ii) compact disc	R 70,00
(d)	(i) For a transcription of visual images, for an A4-size page or part thereof	R 40,00
	(ii) For a copy of visual images	R 60,00
(e)	(i) For a transcription of an audio record, for an A4-size page or part thereof	R 20,00
	(ii) For a copy of an audio record	R 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.	

