

MANUAL
IN TERMS OF
THE PROMOTION OF ACCESS TO INFORMATION ACT
SECTION 51
RIGHTON EMPLOYEE BENEFIT CONSULTANTS CC

CK 1987/12930/23

Description of core business :

Richton Employee Benefit Consultants is a private body as defined by the act, and is an employee benefit consultancy including insurance broking of long and short term assurance/insurance.

1. Contact details :

- a. Designated person : Mr Richard Tonkin (Member)
- b. Postal address : PO Box 130589, Bryanston, 2074
- c. Street address : 395 Main Avenue, Ferndale, Randburg, 2124
- d. Tel no : 011 886-7171
- e. Fax no : 011 886-7212
- f. Email : rtonkin@richton-ebc.com

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 2005.

Please direct any queries to :

*The South African Human Rights Commission
PAIA Unit
The Research and Documentation Department
Private Bag 2700
Houghton
2041
Tel +27 11 484 8300
Tel +27 11 484 0582
Web : www.sahrc.org.za
Email : PAIA@sahrc.org.za*

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

Richton Employee Benefit Consultants CC keeps certain information and records as a matter of standard practice, and in accordance with a number of acts relevant to the industry in which it operates. Including inter alia :

- a. Basic Conditions of Employment No. 75 of 1997
- b. Close Corporations Act No.69 of 1984
- c. Compensation for Occupational Injuries and Health Diseases Act No.130 of 1993
- d. Employment Equity Act No. 55 of 1998
- e. Financial Services Board Act No. 97 of 1990
- f. The Income Tax Act No. 95 of 1967
- g. Labour Relations Act No. 66 of 1995
- h. Long Term Insurance Act No. 52 of 1998
- i. Medical Schemes Act No. 131 of 1998
- j. Occupational Health and Safety Act No. 85 of 1993]

- k. Pension Funds Act No. 44 of 1958
- l. Regional Services Councils Act No. 109 of 1985
- m. Short Term Insurance Act No. 53 of 1998
- n. Skills Development Levies Act No. 9 of 1999
- o. Skills Development Act No. 97 of 1998
- p. Tax on Retirement Funds Act No. 38 of 1996
- q. Unemployment Contributions Act No. 4 of 2002
- r. Unemployment Insurance Act No. 63 of 2001
- s. Value Added Tax Act No. 89 of 1991
- t. The Labour Relations Act. 66 of 1995
- u. Financial Advisory and Intermediary Services Act No. 37 of 2002
- v. Financial Intelligence Centre Act No.38 of 2001

Access to the records held by this private body. Section 51(1)(c) and (e)

- a. Records that are available without formal request : Records that can be formally requested :

- 1. Records in accordance with the Close Corporations Act

- Certificate of incorporation

- Certificate to commence business

- Register of members

- Minutes in respect of member meetings

- 2. Records in accordance with other legislation :

- Employee contributions to UIF

- Records of monthly returns to council

- List of employee names and occupations

- Disciplinary code

- Tax returns of employees

- Attendance records / clock cards

- Other :

- Tax and Vat records

The request procedure :

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 designated person, at the contact address given above.

- The requester must provide sufficient detail on the request form to enable the designated person to identify the record, and the requester. The requester should also indicate which form of access is required. The requester should also if any other manner is to be used to inform the requester and state the necessary particulars to be so informed. [s.52(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 designated person of this private body.

The prescribed forms are available at www.sahrc.org.za

Fees :

A requester who seeks access to a record containing personal information about that requester (ie : himself / herself) is not required to pay the request fee.

Every other requester who is not a personal requester must pay the required fee.

The fees payable are as prescribed in the Act.

- The designated person of this body will advise the requester by notice requiring the requester to pay the prescribed fee before processing the request. [s54(1)]
- After the designated person has made a decision on the request, the requester will be notified in the prescribed 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. [s54(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, and is therefore not applicable to this private body.

Availability of this manual.

This manual is available for inspection at our premises stated above :

- Or from the SAHRC