

FOOD AND DRUG ASSURANCE LABORATORIES (PTY) LTD
REGISTRATION NUMBER: 2007/010792/07

MANUAL


in terms of

SECTION 51

of

THE PROMOTION OF ACCESS TO INFORMATION ACT
(ACT 2 OF 2000)

Date of Compilation: 08/12/2015


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1. Introduction

Food and Drug Assurance Laboratories (Pty) Ltd is a private company registered with the Companies and Intellectual Property Commission, with registration number: 2007/010792/07 and conducts the business of laboratory services and all related activities.

2. Contact details

Information required under Section 51(1)(a) of the Act

HEAD OF FOOD AND DRUG ASSURANCE LABORATORIES (PTY) LTD:

Name of the Head:

Azel Swemmer

Postal address of Head:

P O Box 2302, Brooklyn Square, 0075

Street address of Head:

473 Alexander Street, Cnr Charles and Alexander Streets, Brooklyn, Pretoria, 0181

Telephone number of Head:

+27 12 346 8569

Fax number of Head:

+27 86 656 7771

E-mail address of Head:

azel@fdalab.co.za

3. Description of the Guide

Required under Section 51(1)(b) of the Act

A guide has been compiled on how to exercise rights in terms of section 10 of the PAIA Act by the Human Rights Commission. It contains information on how to exercise any right, contemplated by PAIA. It is available in all the official languages.

The guide may be requested from the Human Rights Commission. The Commissioner may be contacted at the following address or telephone number:

The Human Rights Commission (PAIA Unit)
The Research and Documentation Department
Private Bag X2700
Houghton
2041


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Telephone: +27 11 877 3803
Fax: +27 11 403 0625
E-Mail: section51.paia@sahrc.org.za

The guide is available on the website of the SAHRC at www.sahrc.org.za.

4. Notices in terms of Section 52(2), if any Required under Section 51(1)(c) of the Act

No notices have been published at this stage.

5. Applicable Legislation Required under Section 51(1)(d) of the Act

Records are generated and maintained in terms of various Acts that applies to the private body, which includes but is not limited to, the legislation as listed hereunder. Requesters are advised that although the body keeps such records of transactions, correspondence and returns where required in terms of these laws, access may be refused on the grounds recognised in terms of Section 68 of the Promotion of Access to Information Act. Some of these Acts, although applicable to the body, does in any event not generally generate forms applicable to it or require the keeping of records.

- Constitution of South Africa (108 of 1996)
- Financial Advisory and Intermediary Services Act (37 of 2002)
- Inspection of Financial Institutions Act (18 of 1998)
- Financial Intelligence Centre Act (38 of 2001)
- Prevention of Organised Crime Act (121 of 1998)
- Protection of the Constitutional Democracy against Terrorism Act (33 of 2004)
- Labour Relations Act (66 of 1995)
- Basic Conditions of Employment Act (75 of 1997)
- Long Term Insurance Act (52 of 1998)
- Medical Schemes Act (131 of 1998)
- Pension Funds Act (24 of 1956)
- Short Term Insurance Act (53 of 1998)
- Protected Disclosures Act (26 of 2000)
- Prevention and Combating of Corrupt Activities Act (12 of 2004)
- Electronic Communications and Transactions Act (25 of 2002)
- Regulation of Interception of Communications Act (70 of 2002)
- Unemployment Insurance Act (63 of 2001)
- Unemployment Contributions Act (4 of 2002)
- Income Tax Act (58 of 1962)
- Value Added Tax Act (89 of 1991)
- Occupational Health and Safety Act (85 of 1993)
- Skills Development Act (85 of 1996)
- Skills Development Levies Act (9 of 1999)
- Competition Act (89 of 1998)
- National Credit Act (34 of 2005)
- Consumer Protection Act (68 of 2008)
- Compensation for Occupational Injuries and Health Diseases Act (130 of 1993)
- Employment Equity Act (55 of 1998)
- Companies Act (71 of 2008)
- Copyright Act (98 of 1978)
- Promotion of Access to Information Act (2 of 2002)



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6. Schedule of Records Required under Section 51(1)(e) of the Act

The following subjects and categories of records listed hereunder may be held by the private body. Not all information so retained will be made available to the public as it may contain proprietary or third party confidential information and that may in any event be subject to a legal prohibition to disclosure.

COMPANY STATUTORY RECORDS

- Company registration documents / Memorandum and Articles of Association / MOI / Company Register / Minute Books / Share Certificates / Shareholders and other agreements / Resolutions / Power of Attorney / CIPC Annual Returns / Records relating to the appointment of Directors, Auditors, Secretaries, Public Officers and other officers

FINANCIAL RECORDS

- Financial Statements / Fixed Asset and other registers / Inventories / Banking Details / Bank Account Records / Books of Accounts / Financial and other reports and returns

TAX RECORDS

- Income Tax records / VAT returns / PAYE records / Capital Gains Tax returns / SDL returns / UIF returns

HUMAN RESOURCES RECORDS

- Company Policies and Procedures / Training Manuals and Records / Employee Records / Payrolls / Employment and other agreements / Standard Application forms / Standard Letters and Notices / Employment Equity Plan (if applicable) / Disciplinary Code / Workmen's Compensation returns

OPERATIONAL AND OTHER RECORDS

- Contracts and transaction record relating to suppliers and vendors / Contracts and transactions relating to customers / Internal policies and procedures relating to requisitions, authorisations, applications, approvals and consents / Compliance Reports and Records / Licenses and Permits / Insurance documents / General correspondence / Safety, Health and Environment documents

7. Availability of Manual Section 51(3) of the Act

This manual is available for inspection by the general public upon request, during office hours and free of charge at the offices of the private body. Copies may also be requested from the South African Human Rights Commission.

8. Prescribed Forms and Fee Structure in respect of private bodies

The forms and fee structure prescribed under the Act are available at the website of the South African Human Rights Commission (www.sahrc.org.za) or the website of the Department of Justice & Constitutional Development (www.doj.gov.za) under the Regulations Section.


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FORM OF REQUEST (ANNEXURE A) - PROCEDURE TO BE FOLLOWED IN MAKING A REQUEST

- The requester must use the prescribed form to make the request for access to a record.
- The request must be submitted to the head of the private body at the address, fax number or electronic mail address of the body concerned.
- The request must:
 - Contain sufficient detail to enable the head of the private body to identify the requester and record;
 - Indicate which form of access is requested;
 - The requester should also indicate, in addition to a written reply, if any other manner is to be used to inform the requester and state the necessary particulars to be so informed;
 - Specify a postal address, fax number or e-mail address of the requester in the RSA;
 - Identify the right the requester is seeking to exercise or protect, and provide an explanation of why the requested record is required for the exercise or protection of that right;
 - 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 the head of the private body.

FEES (ANNEXURE B)

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 a personal requester) by notice, requiring the requester to pay the prescribed fee (if any) before further processing the request.

The fee that the 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.

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.

Signed by the Head of the private body at Brooklyn on 23 December 2015



Azal Swemmer
Head



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