

PKF CONSTANTIA VALLEY CAPE TOWN INC

A Guide to

**ACCESSING OUR
INFORMATION**

**Our Manual in terms of Section 51 of the
Promotion of Access to Information Act No. 2 of 2000**

Prepared by: PKF Constantia Valley Cape Town Incorporated
(021) 713-8400



Table of Contents

1. Preamble.....	3
2. Introduction to this private body.....	3
3. Our details.....	4
4. The official guide.....	4
5. Information available in terms of the Act.....	5
6. Information available in terms of other legislation.....	5
7.1 How to request a record.....	5
7.2 Subjects and categories of records held.....	6
7.2.1 Internal records.....	7
7.2.2 Personnel records.....	7
7.2.3 Client-related records.....	7
7.2.4 Other parties.....	8
7.2.5 Other records.....	8
8. Other information as may be prescribed.....	8
9. Availability of the manual.....	8
Annexure "A" – Request for access to the records of a private body..	9
Annexure "B" – Fees in respect of private bodies.....	12



**PROMOTION OF ACCESS TO INFORMATION ACT,
ACT 2 OF 2000 ("The Act")**

**MANUAL IN TERMS OF SECTION 51 OF THE ACT FOR
PKF CONSTANTIA VALLEY CAPE TOWN INC**

1. PREAMBLE

The Promotion of Access to Information Act No. 2 of 2000, ("the Act") came into operation on the 23 November 2001. Section 51 of this Act requires that we as a private body compile a manual giving information to the public regarding the procedure to be followed in requesting information from us for the purpose of exercising or protecting rights.

2. INTRODUCTION

PKF Constantia Valley Cape Town Inc, formed in 2003, is a firm of public accountants and auditors which provide a wide range of accountancy and financial service to its clients. The partners of the firm are all Chartered Accountants (SA) and Registered Accountants and Auditors, and are registered with the Public Accountants' and Auditors' Board.

We, as a private body, have compiled this manual, not only to comply with the provisions of the Act, but also to foster a culture of transparency and accountability in our environment and to ensure that members of the public have effective access to information in our possession which will assist them in the exercise and protection of their rights.

Inside these pages, you will be able to view the categories of information which we possess. You will also be shown the correct procedure to follow should you require access to any of this information.

PARTICULARS IN TERMS OF SECTION 51 OF THE ACT

The reference, in this Manual, to any information in addition to that specifically required in terms of Section 51 of the Act does not create any right or entitlement (contractual or otherwise) to receive such information, other than in terms of the Act.

3. Contact Details [Section 51(1)(a)]

Name of Private Body:	PKF Constantia Valley Inc
Registration number:	2003/003246/21
Registered Address:	75 Main Road Diep River 7800
Postal Address:	PO Box 657 Plumstead 7801
Telephone number:	(021) 713-8400
Fax number:	(021) 713-8499
Head / CEO	Kenneth Andersen
Designated Information Officer:	PKF Constantia Valley Cape Town Inc
Email address of Information Officer:	ken.andersen@pkf.co.za
Postal address:	PO Box 657, Plumstead, 7801
Street address:	75 Main Rd, Diep River, 7800
Phone number:	(021) 713-8400
Fax number:	(021) 713-8499

4. The guide as described in section 10 of the Act [Section 51(1)(b)]

This guide on how to exercise your rights in terms of the Act is in the process of preparation by the SAHRC and is expected to be available in August 2003. *When available, it can be obtained from the SAHRC. Please direct any queries to:*

*The South African Human Rights Commission:
PAIA Unit: Research and Documentation Department
Postal address: Private Bag 2700
Houghton
2041*

*Telephone: +27 11 484-8300
Fax: +27 11 484-0582
Website: www.sahrc.org.za
E-mail: paia@sahrc.org.za*

5. Categories of records of PKF Constantia Valley Cape Town Inc which are available without a person having to request access in terms of the Act, ie voluntary disclosure. [Section 51(1)(c)]

PKF Constantia Valley Cape Town Inc is not obliged to publish a notice in terms of Section 52(2) of the Act and to date has not elected to do so. *Nevertheless PKF Constantia Valley Cape Town Inc does, from time to time, make certain information freely available to the public in various brochures, press releases and on its Internet website at www.pkf.co.za/constantia-valley.co.za Certain information is also made available to employees of PKF Constantia Valley Cape Town Inc which is not generally made available to the public. To avoid confusion, these items are not listed here but may be obtained by PKF Constantia Valley Cape Town Inc's employees from PKF Constantia Valley Cape Town Inc.*

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

Information is available in terms of the following legislation to the persons or entities specified in such legislation:

Administration of Estates Act 66,1965
Arbitration Act No.42 of 1965
Basic Conditions of Employment Act 75 of 1997
Close Corporations Act 69 of 1984
Companies Act 61 of 1973
Compensation for Occupational Injuries and Health Diseases Act 130 of 1993
Consumer Affairs (Unfair Business Practices) Act No. 71 of 1988
Copyright Act No. 98 of 1978
Credit Agreements Act No. 75 of 1980
Currency and Exchanges Act No. 9 of 1933
Debtor Collectors Act No. 114 of 1998
Employment Equity Act 55 of 1998
Finance Act No. 35 of 2000
Financial Services Board Act No. 97 of 1990
Financial Relations Act No. 65 of 1976
Harmful Business Practices Act No. 23 of 1999
Income Tax Act 58 of 1962
Insolvency Act No. 24 of 1936
Insurance Act No. 27 of 1943
Intellectual Property Laws Amendments Act No. 38 of 1997
Labour Relations Act 66 of 1995
Long Term Insurance Act No. 52 of 1998
Medical Schemes Act No. 131 of 1998
Occupational Health & Safety Act 85 of 1993
Pension Funds Act, 1956
Post Office Act No. 44 of 1958
Protection of Businesses Act No. 99 of 1978
Regional Services Councils Act No. 109 of 1985
SA Reserve Bank Act No. 90 of 1989
Short Term Insurance Act No. 53 of 1998
Skills Development Act 97 of 1998

Skills Development Levies Act 9 of 1999
Stamp Duties Act. 77 of 1968
Stock Exchanges Control Act 1 of 1985 and the rules and listings requirements of
the JSE Securities Exchange authorised in terms thereof
Tax on Retirement Funds Act No. 38 of 1996
Trade Marks Act No. 194 of 1993
Unemployment Contributions Act 4 of 2002
Unemployment Insurance Act 30 of 1966
Usury Act No. 73 of 1968
Value Added Tax Act 89 of 1991

7. How to request a record, a description of the subjects on which we hold records, and the categories of records held on each subject [Section 51(1)(e)]

7.1 How to request a record

Requests for access to records held by PKF Constantia Valley Cape Town Inc must be made on the request forms that are available from the SAHRC website (www.sahrc.org.za) or the Department of Justice and Constitutional Development website (www.doj.gov.za) (under "regulations"). For the convenience of requestors, copies of these forms are included in the version of this Manual available at our offices and on our website (Annexure 1).

Requests for access to records must be made to our Information Officer at the address, fax number or electronic mail address provided.

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 and indicate if he or she wishes to be informed in any other manner and state the necessary particulars to be so informed.

It is vital that the requester identifies **the right that he or she is seeking to exercise or protect** and **provides an explanation of why the requested record is required for the exercise or protection of that right.**

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 our Information Officer.

If a requester does not use the standard form (Annexure 1), the request may be rejected for lack of procedural compliance, refused (if sufficient information is not provided, or otherwise) or delayed.

Please note that requesters are also required to pay the prescribed fees. **The list of prescribed fees in respect of requests, and in respect of access to records (if the request is granted) is attached as Annexure 2.**

The head of the private body must notify the requester (other than a personal requester) of the prescribed fee (if any) before further processing the request.

The requester may lodge an internal appeal or an application to Court against the tender or payment of the request fee.

The head of the private body will then make a decision on the request and notify the requester in the required form.

If the request is granted then a further access fee must be paid for the reproduction and the search and preparation, and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

Kindly note that all requests to PKF Constantia Valley Cape Town Inc will be evaluated and considered in accordance with the Act. Publication of this Manual and describing the categories and subject matter of information held by PKF Constantia Valley Cape Town Inc does not give rise to any rights to access such information or records, except in terms of the Act.

7.2 Subjects and categories of records held by PKF Constantia Valley Cape Town Inc

We maintain records on the following categories and subject matters. **However, please note that recording a category or subject matter in this Manual does not imply that a request for access to such records would be honoured.** All requests for access will be evaluated on a case by case basis in accordance with the provisions of the Act. In particular, there may be applicable grounds of refusal of such a request, as set out in the Act.

*Please note further that many of the records held by us are those of third parties, such as clients and employees, and we take the protection of third party confidential information very seriously. In particular, where we act as professional advisors to clients, many of the records held are confidential and others are the property of the client and not of PKF Constantia Valley Cape Town Inc. Requests for access to these records will be considered very carefully. **Please ensure that requests for such records are carefully motivated.***

7.2.1: Internal records

The following are records pertaining to PKF Constantia Valley Cape Town Inc's own affairs:

- Memorandum of Incorporation
- Financial records
- Operational records
- Intellectual property
- Marketing records;
- Internal correspondence;
- Service records;
- Statutory records;
- Internal policies and procedures;
- Minutes of meetings;
- Charters, codes of conduct and policies (both internal and external) to which PKF Constantia Valley Cape Town Inc and its personnel subscribe; and
- Records held by officials of PKF Constantia Valley Cape Town Inc.



7.2.2: Personnel records:

For the purposes of this section, "personnel" means any person who works for or provides services to or on behalf of PKF Constantia Valley Cape Town Inc and receives or is entitled to receive any remuneration and any other person who assists in carrying out or conducting the business of PKF Constantia Valley Cape Town Inc. This includes, without limitation, partners, directors, all permanent, temporary and part-time staff as well as consultants and contract workers.

Personnel records include the following:

- Any personal records provided to us by our personnel;
- Any records a third party has provided to us about any of their personnel;
- Conditions of employment and other personnel-related contractual and quasi-legal records;
- Employment policies and procedures;
- Internal evaluation and disciplinary records; and
- Other internal records and correspondence.

7.2.3: Client-related records:

Client-related information includes the following:

- Contracts with the client and between the client and other persons;
- Any records a client has provided to PKF Constantia Valley Cape Town Inc or a third party acting for or on behalf of PKF Constantia Valley Cape Town Inc (including financial, legal, tax, operational, employee and similar records);
- Any research conducted by PKF Constantia Valley Cape Town Inc in respect of its clients or research derived by PKF Constantia Valley Cape Town Inc from its clients and their activities;
- Records, reports, designs and the like generated by PKF Constantia Valley Cape Town Inc for its clients;
- Any records a third party has provided to PKF Constantia Valley Cape Town Inc, which concerns a client; and
- Records generated by or within PKF Constantia Valley Cape Town Inc pertaining to the client, including transactional records.

7.2.4: Other Parties:

Records are kept in respect of other parties, including without limitation, joint ventures and consortia to which PKF Constantia Valley Cape Town Inc is a party, contractors and sub-contractors, suppliers, service providers, and providers of information regarding general market conditions. In addition, such other parties may possess records which can be said to belong to PKF Constantia Valley Cape Town Inc. The following records fall into this category:

- Personnel, client, or PKF Constantia Valley Cape Town Inc records which are held by another party as opposed to being held by PKF Constantia Valley Cape Town Inc; and
- Records held by PKF Constantia Valley Cape Town Inc pertaining to other parties, including financial records, correspondence, contractual records, records provided by the other party, and records third parties have provided about the contractors or suppliers.

7.2.5: Other Records:

We hold further records, including:-

- Information relating to PKF Constantia Valley Cape Town Inc's own commercial activities;
- Procurement and administration for PKF Constantia Valley Cape Town Inc; and
- Research information belonging to PKF Constantia Valley Cape Town Inc or carried out on behalf of a third party.

8. Other information as may be prescribed [Section 51(1)(f)]

No such information has been prescribed.

9. Availability of the manual. [Section 51(3)]

This manual is available from the South African Human Rights Commission (see details above), and from PKF Constantia Valley Cape Town Inc (see details above).

Signed on 20 OCTOBER 2023

Signature: Director

KENNETH ANDERSEN

Name in print

FORM 3
OUTCOME OF REQUEST AND OF FEES PAYABLE
 [Regulation 8]

Note:

1. If your request is granted the—
 - (a) amount of the deposit, (if any), is payable before your request is processed; and
 - (b) requested record/portion of the record will only be released once proof of full payment is received.
2. Please use the reference number hereunder in all future correspondence.

Reference number: _____

TO: _____

Your request dated _____, refers.

1. You requested:

Personal inspection of information at registered address of public/private body (<i>including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form</i>) is free of charge. You are required to make an appointment for the inspection of the information and to bring this Form with you. If you then require any form of reproduction of the information, you will be liable for the fees prescribed in Annexure B.	
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OR

2. You requested:

Printed copies of the information (<i>including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form</i>)	
Written or printed transcription of virtual images (<i>this includes photographs, slides, video recordings, computer-generated images, sketches, etc</i>)	
Transcription of soundtrack (<i>written or printed document</i>)	
Copy of information on flash drive (<i>including virtual images and soundtracks</i>)	
Copy of information on compact disc drive (<i>including virtual images and soundtracks</i>)	
Copy of record saved on cloud storage server	

3. To be submitted:

Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format (<i>including transcriptions</i>)	
E-mail of information (<i>including soundtracks if possible</i>)	
Cloud share/file transfer	
Preferred language: (<i>Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available</i>)	

Kindly note that your request has been:

Approved

Denied, for the following reasons:

--

4. Fees payable with regards to your request:

Item	Cost per A4-size page or part thereof/item	Number of pages/items	Total
Photocopy			
Printed copy			
For a copy in a computer-readable form on:			
(i) Flash drive	R40.00		
• To be provided by requestor			
(ii) Compact disc	R40.00		
• If provided by requestor			
• If provided to the requestor	R60.00		
For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on the quotation of the service provider		
Copy of visual images			
Transcription of an audio record, per A4-size	R24.00		
Copy of an audio record			
(i) Flash drive	R40.00		
• To be provided by requestor			
(ii) Compact disc	R40.00		
• If provided by requestor			
• If provided to the requestor	R60.00		
Postage, e-mail or any other electronic transfer:	Actual costs		
TOTAL:			

5. Deposit payable (if search exceeds six hours):

Yes

No

Hours of search	Amount of deposit (calculated on one third of total amount per request)

The amount must be paid into the following Bank account:

Name of Bank: _____
 Name of account holder: _____
 Type of account: _____
 Account number: _____
 Branch Code: _____
 Reference Nr: _____
 Submit proof of payment to: _____

Signed at _____ this _____ day of _____ 20 _____

 Information officer

FORM 2

REQUEST FOR ACCESS TO RECORD

[Regulation 7]

NOTE:

1. Proof of identity must be attached by the requester.
2. If requests made on behalf of another person, proof of such authorisation, must be attached to this form.

TO: The Information Officer

(Address)

E-mail address: _____

Fax number: _____

Mark with an "X"

Request is made in my own name

Request is made on behalf of another person.

PERSONAL INFORMATION			
Full Names			
Identity Number			
Capacity in which request is made <i>(when made on behalf of another person)</i>			
Postal Address			
Street Address			
E-mail Address			
Contact Numbers	Tel. (B):		Facsimile:
	Cellular:		
Full names of person on whose behalf request is made <i>(if applicable)</i> :			
Identity Number			
Postal Address			

Street Address			
E-mail Address			
Contact Numbers	Tel. (B)		Facsimile
	Cellular		
PARTICULARS OF RECORD REQUESTED			
<i>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. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)</i>			
Description of record or relevant part of the record:			
Reference number, if available			
Any further particulars of record			
TYPE OF RECORD <i>(Mark the applicable box with an "X")</i>			
Record is in written or printed form			
Record comprises virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>			
Record consists of recorded words or information which can be reproduced in sound			
Record is held on a computer or in an electronic, or machine-readable form			

FORM OF ACCESS
(Mark the applicable box with an "X")

Printed copy of record <i>(including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)</i>	
Written or printed transcription of virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>	
Transcription of soundtrack <i>(written or printed document)</i>	
Copy of record on flash drive <i>(including virtual images and soundtracks)</i>	
Copy of record on compact disc drive <i>(including virtual images and soundtracks)</i>	
Copy of record saved on cloud storage server	

MANNER OF ACCESS
(Mark the applicable box with an "X")

Personal inspection of record at registered address of public/private body <i>(including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)</i>	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format <i>(including transcriptions)</i>	
E-mail of information <i>(including soundtracks if possible)</i>	
Cloud share/file transfer	
Preferred language <i>(Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available)</i>	

PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED

If the provided space is inadequate, please continue on a separate page and attach it to this Form. The requester must sign all the additional pages.

Indicate which right is to be exercised or protected	

Explain why the record requested is required for the exercise or protection of the aforementioned right:	

FEEES	
a) <i>A request fee must be paid before the request will be considered.</i> b) <i>You will be notified of the amount of the access fee to be paid.</i> c) <i>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.</i> d) <i>If you qualify for exemption of the payment of any fee, please state the reason for exemption</i>	
Reason	

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

Postal address	Facsimile	Electronic communication <i>(Please specify)</i>

Signed at _____ this _____ day of _____ 20 _____

Signature of Requester / person on whose behalf request is made

FOR OFFICIAL USE

<i>Reference number:</i>	
<i>Request received by: (State Rank, Name And Surname of Information Officer)</i>	
<i>Date received:</i>	
<i>Access fees:</i>	
<i>Deposit (if any):</i>	

Signature of Information Officer

INTERNAL APPEAL FORM

FORM 4

[Regulation 9]

Reference Number:

PARTICULARS OF PUBLIC BODY				
Name of Public Body				
Name and Surname of Information Officer:				
PARTICULARS OF COMPLAINANT WHO LODGES THE INTERNAL APPEAL				
Full Names				
Identity Number				
Postal Address				
Contact Numbers	Tel. (B)		Facsimile	
	Cellular			
E-Mail Address				
Is the internal appeal lodged on behalf of another person?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
If answer is "yes", capacity in which an internal appeal on behalf of another person is lodged: <i>(Proof of the capacity in which appeal is lodged, if applicable, must be attached.)</i>				
PARTICULARS OF PERSON ON WHOSE BEHALF THE INTERNAL APPEAL IS LODGED <i>(If lodged by a third party)</i>				
Full Names				
Identity Number				
Postal Address				
Contact Numbers	Tel. (B)		Facsimile	
	Cellular			
E-Mail Address				

DECISION AGAINST WHICH THE INTERNAL APPEAL IS LODGED <i>(mark the appropriate box with an "X")</i>	
Refusal of request for access	
Decision regarding fees prescribed in terms of section 22 of the Act	
Decision regarding the extension of the period within which the request must be dealt with in terms of section 26(1) of the Act	
Decision in terms of section 29(3) of the Act to refuse access in the form requested by the requester	
Decision to grant request for access	
GROUND FOR APPEAL <i>(If the provided space is inadequate, please continue on a separate page and attach it to this form. all the additional pages must be signed)</i>	
State the grounds on which the internal appeal is based:	
State any other information that may be relevant in considering the appeal:	

You will be notified in writing of the decision on your internal appeal. Please indicate your preferred manner of notification:

Postal address	Facsimile	Electronic communication <i>(Please specify)</i>

Signed at _____ this _____ day of _____ 20 _____

Signature of Appellant/Third party

FOR OFFICIAL USE
OFFICIAL RECORD OF INTERNAL APPEAL

Appeal received by: <i>(state rank, name and surname of Information Officer)</i>				
Date received:				
Appeal accompanied by the reasons for the information officer's decision and, where applicable, the particulars of any third party to whom or which the record relates, submitted by the information officer:				Yes <input type="checkbox"/>
				No <input type="checkbox"/>
OUTCOME OF APPEAL				
Refusal of request for access. Confirmed?	Yes	<input type="checkbox"/>	New decision <i>(if not confirmed)</i>	
	No	<input type="checkbox"/>		
Fees (Sec 22). Confirmed?	Yes	<input type="checkbox"/>	New decision <i>(if not confirmed)</i>	
	No	<input type="checkbox"/>		
Extension (Sec 26(1)). Confirmed?	Yes	<input type="checkbox"/>	New decision <i>(if not confirmed)</i>	
	No	<input type="checkbox"/>		
Access (Sec 29(3)). Confirmed?	Yes	<input type="checkbox"/>	New decision <i>(if not confirmed)</i>	
	No	<input type="checkbox"/>		
Request for access granted. Confirmed?	Yes	<input type="checkbox"/>	New decision <i>(if not confirmed)</i>	
	No	<input type="checkbox"/>		

Signed at _____ this _____ day of _____ 20 _____

Relevant Authority