



**SECTION 51 MANUAL**  
**KELLER SOUTH AFRICA (PTY) LTD**

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## PROMOTION OF ACCESS TO INFORMATION ACT

### SECTION 51 MANUAL FOR KELLER SOUTH AFRICA (PTY) LTD

#### ***COMPANY OVERVIEW***

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The company carries on its principal activity in: Offering design and build services to the mining, civil engineering and construction industries.

#### ***AVAILABILITY OF MANUAL***

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##### [Section 51 \(3\)](#)

A copy of the manual and the relevant forms is available to the public for inspection at:

1. The Human Rights Commission ("HRC")
2. The offices of Keller South Africa (Pty) Ltd.
3. The offices of Glenn Tyers and Associates

#### ***CONTACT PERSON***

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##### [Section 51 \(1\) \(a\)](#)

The delegated responsibility for administration of, and compliance with the Act within Keller South Africa (Pty) Ltd has been delegated to the following contact person:

Mr. Brian McDonald  
POSTAL ADDRESS  
PHYSICAL ADDRESS  
TELEPHONE:  
CELLPHONE:  
E-mail:

PO Box 39075 Bramley 2018  
16 Industry Road, Clayville Industrial, Olifantsfontein  
27 11 062 7600

[brian.mcdonald@keller.com](mailto:brian.mcdonald@keller.com)



## ***HUMAN RIGHTS COMMISSION (HRC) GUIDE***

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### **Section 51 (1) (b)**

The South African Human Rights Commission is responsible for the compilation of a guide that will facilitate ease of use of the Act for requesters. This guide will be available from the South African Human Rights Commission, by no later than 31 December 2015.

PAIA Unit  
The Research and Documentation Department  
Private Bag 2700, Houghton, 2041  
Contact: Lindiwe Dlamini  
Telephone: +27 11 877 3803  
E-mail: [lidlamini@sahrc.org.za](mailto:lidlamini@sahrc.org.za)  
Web site: <http://www.sahrc.org.za>

## ***AUTOMATICALLY AVAILABLE RECORDS***

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### **Section 51 (1) (c)**

Records available without a person having to request access:

None

Manner of access to the above and other mentioned records:

Records may be obtained from the delegated contact person mentioned above

## ***RECORDS HELD IN ACCORDANCE WITH LEGISLATION***

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### **Section 51 (1) (d)**

Please note that while Keller South Africa (Pty) Ltd has made every effort to identify all pertinent legislation, we cannot guarantee that all legislation has been included. Records are held in accordance with the following legislation:

Basic Conditions of Employment Act No. 75 of 1997  
Broad Based Black Economic Empowerment Act No.53 of 2003  
Companies Act No. 61 of 1973  
Consumer Affairs (Unfair Business Practices Act), 71 of 1988  
Customs and Excise Amendment Act, 45 of 1995  
Employment Equity Act No. 55 of 1998  
Financial Intelligence Centre Act No.38 of 2001  
Income Tax Act No. 58 of 1962  
Labour Relations Act No. 66 of 1995  
Skills Development Act No.97 of 1998



South African Revenue Services Act, 34 of 1997  
The Compensation for Occupational Injuries and Diseases Act No. 130 of 1993  
The Constitution of the Republic of South Africa No.3 of 1994  
The Machinery and Occupational Safety Act 6 of 1983  
The Medical Schemes Act No. 131 of 1998  
The Occupational Health and Safety Act No. 85 of 1993  
The Value Added Tax Act No.89 of 1991  
Unemployment Insurance Act no.63 of 2001

### **COMPANY RECORD SUBJECTS AND CATEGORIES**

#### **Section 51 (1) (e)**

#### **ADMINISTRATION (Subject)**

The administration division is responsible for the company's total administration function.

1. Minutes of Meetings
2. Correspondence
3. Statutory records
4. Property records
5. Intellectual property records
6. Information Technology records

#### **HUMAN RESOURCES**

The Human Resource (HR) division is responsible for the management, recruitment, selection, development, retention and deployment of employees. This division also administers salary and wages, medical and pension funds.

1. Employment Contracts
2. Employee Records
3. Leave Records
4. Payroll Records
5. HR Policies and Procedures

#### **FINANCES**

The Finance division is responsible for complete finance functions, including budgets and cost control.

1. Annual Financial Statements
2. Contracts and Agreements
3. Debtors and Creditors Records
4. Operational Information
6. VAT records
7. Stock Records
8. Asset Register



#### SALES DIVISION

The Sales Division is responsible for the marketing and sales of Keller South Africa (Pty) Ltd. products.

1. Sales Statistics
2. Market Representation
3. Product and Service Price Lists
4. Sales and Marketing Plans

#### PRODUCT AND SERVICE PROMOTION DIVISION

The Product and Service Promotion Division is responsible for the promotion and advertising of our company, products and services.

1. Advertising Records
2. General Correspondence
3. General Product and Services Information
4. Product and Services Strategies

#### ***ADDITIONAL PRESCRIBED INFORMATION***

[Section 51 \(1\) \(f\)](#)

#### **Prescribed Information**

The Minister of Justice has prescribed no additional information.



## **ACCESS REQUEST PROCEDURE**

### **Section 51 (1) (e)**

It is important to note that the successful completion and submission of an access request form does not automatically allow the requester access to the requested record. An application for access to a record is subject to certain limitations if the requested record falls within a certain category as specified within Part 3 Chapter 4 of the Act.

If it is reasonably suspected that the requester has obtained access to records through the submission of materially false or misleading information, legal proceedings may be instituted against such requester.

## **COMPLETION OF ACCESS REQUEST FORM**

In order to facilitate a timely response to access requests, all requesters should take note of the following when completing the Access Request Form:

1. The Access Request Form must be completed English.
2. Type or print in BLOCK LETTERS an answer to every question.
3. If a question does not apply, state "N/A" in response to that question.
4. If there is nothing to disclose in reply to a particular question state "nil" in response to that question.
5. If there is insufficient space on a printed form in which to answer a question, additional information may be provided on an additional folio.
6. When the use of an additional folio is required, precede each answer thereon with the title applicable to that question.

## **SUBMISSION OF ACCESS REQUEST FORM**

The completed Access Request Form must be submitted either via conventional mail, e-mail or fax and must be addressed to the contact person as indicated above.

An initial, non-refundable **R57-00** request fee is payable on submission.

This fee is not applicable to Personal Requesters, referring to any person seeking access to records that contain their personal information.

## **PAYMENT OF FEES**

Payment details can be obtained from the above mentioned entities contact person and can be made either via a direct deposit, by bank guaranteed cheque or by postal order (no credit card payments are accepted).

Proof of payment must be supplied.

If the request for access is successful an access fee may be required for the search, reproduction and/or preparation of the record(s) and will be calculated based on the Prescribed Fees. The access fee must be paid prior to access being given to the requested record.



**NOTIFICATION**

Requests will be evaluated and the requester notified within 30 (Thirty) days of receipt of the completed Access Request Form.

**ACCESS REQUEST FORM**

[Section 51 \(1\) \(e\)](#)

(Section 53 (1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))  
[Regulation10]

**1. PARTICULARS OF BODY**

Requests can be submitted either via conventional mail or e-mail and should be address to the relevant contact person as indicated below:

**FRANKI GEOTECHNICAL (PTY) LTD**

Contact Person: Mr. Brian McDonald  
Postal address: PO Box 39075 Bramley 2018  
Physical address: 16 Industry Road, Clayville Industrial, Olifantsfontein 1666  
Phone number: +27 11 062 7600  
Cellphone number:  
E-mail: [brian.mcdonald@keller.com](mailto:brian.mcdonald@keller.com)

**2a. PARTICULARS OF REQUESTER (If Natural Person)**

- (a) Particulars of the person who requests access to the record must be recorded below.
- (b) Furnish and address and/or fax number in the Republic to which information must be sent.
- (c) Proof of the capacity in which the request is made, if applicable, must be attached.

Full Names and Surname: \_\_\_\_\_  
Identity Number: \_\_\_\_\_  
Postal address: \_\_\_\_\_  
Postal code: \_\_\_\_\_  
Phone number: \_\_\_\_\_  
Fax Number: \_\_\_\_\_  
E-mail address: \_\_\_\_\_  
Capacity in which request is made, when made on behalf of another person:

**2b. PARTICULARS OF REQUESTER (if a Legal Entity)**

- (a) Particulars of the entity that requests access to the record must be recorded below.
- (b) Furnish and address and/of fax number in the Republic to which information must be sent.
- (c) Proof of the capacity in which the request is made, if applicable, must be attached.





Name of entity: \_\_\_\_\_  
Registration Number: \_\_\_\_\_  
Postal address: \_\_\_\_\_  
Postal Code: \_\_\_\_\_  
Phone Number: \_\_\_\_\_  
Fax Number: \_\_\_\_\_

### 3. PARTICULARS OF PERSON ON WHOSE BEHALF REQUEST IS MADE

This section must ONLY be completed if a request for information is made on behalf of another person.

Full Names and Surname: \_\_\_\_\_  
Identity Number: \_\_\_\_\_

### 4. PARTICULARS OF RECORD

- (a) Provide full particulars of the record to which access is requested, including the reference number if it 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.**

Description of record or relevant part of the record: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Reference Number, if available: \_\_\_\_\_

Any further particulars of record: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### 5. FEES

- (a) A request for access to a record, other than a record containing personal information about yourself. Will be processed only after a **non-refundable request fee of R57.00** has been paid.
- (b) 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 the record.
- (c) You will be notified of the required amount to be paid as the access fee.
- (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: \_\_\_\_\_



**6a. FORM OF ACCESS TO RECORD**

**Form in which record is required**

Mark the appropriate box with an X.

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 under certain circumstances. In such a case you will be informed whether 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.

**1. If the record is in written or printed form:**

Copy of record\*       Inspection of record

**2. If record consists of visual images:**

(this includes photographs, slides, video recordings, computer-generated images, sketches, etc.)

View the images       Copy of the images\*

Transcription of the images\*

**3. If the record consists of recorded information that can be reproduced in sound:**

Listen to the soundtrack       Transcription of soundtrack\*  
(audio cassette)                              (written or printed document)

**4. If the record is held on computer or in an electronic or machine-readable form:**

(this includes photographs, slides, video recordings, computer-generated images, sketches, etc.)

Printed copy of record\*       Printed copy of information  
derived from the record\*

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?

Postage is payable  Yes  No

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.

**In which language would you prefer the record?**



**6b. IN THE EVENT OF DISABILITY**

If you are prevented by a disability from reading, viewing or listening to the record in the form of access provided for in 1 to 4 above, state your disability and indicate in the form in which the record is required.

**Disability:**

**Form in which record is required:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**7. PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED**

If the space provided is inadequate, please continue on a separate folio and attach it to this form. **The requester must sign all additional folios.**

1. Indicate the right to be exercised or protected:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**8. 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 whose behalf request is made

**YOU MUST:**

**SEND WITH THIS APPLICATION:**

- 1. Complete all necessary spaces.
- 2. Sign the access request form.
- 3. Sign additional folios completed.

- 1. R57.00 request fee (if not a personal requester).
- 2. Any additional folios completed.

*PRESCRIBED FEES*

Section 51 (1) (e)

(Section 54 (7) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))  
[Regulation 11 (3)]

**1. Please note that all prices listed below are inclusive of value-added tax (VAT)**

(a) For every photocopy of an A4-size page or part thereof	R1.10
(b) For every printed copy of an A4-size page or part thereof held on a computer or in a electronic or machine-readable form	R0.75
(c) For a copy in a computer-readable form on:	
* stiffy disc	R7.50
* compact disc	R70.00
(d) * For a transcription of visual images, for an A4-size page or part thereof	R40.00
* For a copy of visual images	R60.00
(e) * For a transcription of an audio record, for an A4-size page or part thereof	R20.00
* For a copy of an audio record	R30.00
(f) To search for and prepare the record for disclosure - R30.00 for each hour of part thereof reasonably required for such search and preparation	

(Section 54 (2) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))  
[Regulation 11 (3)]

**2. Please note that all prices listed below are inclusive of value-added tax (VAT)**

- (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.

(Section 54 (7) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))  
[Regulation 11 (3)]

**3. Please note that all prices listed below are inclusive of value-added tax (VAT)**

The actual postage fee is payable when a copy of a record must be posted to a requester.