

MOBIUS SERVICES (PTY) LTD
REG. NO. 2011/105366/07

ACCESS TO INFORMATION MANUAL
(PRIVATE BODY)
PREPARED IN TERMS OF SECTION 51 OF THE PROMOTION OF
ACCESS TO INFORMATION ACT 2 OF 2000

1. Purpose of the Manual in terms of PAIA

The purpose of this Manual is to assist people wishing to access information in terms of the PAIA from **Mobius Services (Pty) Ltd.**

2. Request for access to information

In the event that a person or entity requires access to information as contemplated in the Act, the requester must contact **Patrick Ryan**. In terms of section 25(2) states that:

- (2) If the request for access is granted, the notice in terms of subsection (1) (b) must state—
- (a) **the access** fee (if any) to be paid upon access;
 - (b) the form in which access will be given; and
 - (c) that the requester may lodge an internal appeal or an application with a court, as the case may be, against the access fee to be paid or the form of access granted, and the procedure (including the period) for lodging the internal appeal or application, as the case may be.
- (3) If the request for access is refused, the notice in terms of subsection (1) (b) must—
- (a) state adequate reasons for the refusal, including the provisions of this Act relied upon;
 - (b) exclude, from such reasons, any reference to the content of the record; and
 - (c) state that the requester may lodge an internal appeal or an application with a court, as the case may be, against the refusal of the request, and the procedure (including the period) for lodging the internal appeal or application, as the case may be.

3. Terms used in this document

- Terms defined in the act shall have the meaning set out therein;
- Reference to sections shall be a reference to sections in the Act

4. Background of Mobius Services (Pty) Ltd

Management Consultancy

5. Organisation Details

- a. Name: **Mobius Services (Pty) Ltd**
- b. Physical address: **Concertino House, 106 Kloof Street, Cape Town, 8001**
- c. Postal address: **P O Box 12091, Mill Street, 8010**
- d. Contact details: **021 4246461**
- e. Website address of your organisation

6. Details of the information officer: Patrick Ryan

7. Section 51(1) (c)

In terms of Section 52, a private body may, on a voluntary and periodic basis, submit to the Minister a description of categories of records which are automatically available without a person having to request access in terms of this Act. This includes records which are available:

- for inspection
- for purchase or copying from the private body; and
- from the private body free of charge)

8. Section 51(1) (d)

The manual must describe those records which a private body must make available in terms of any other legislation. It is recommended that on completing this portion of the manual, information officers should consult with their Secretarial and Legal Services for input and guidance. In the process, it is recommended that the following legislation be considered. This list is by no means exhaustive, and is intended to serve as a guide only.

- Basic Conditions of Employment Act 75 of 1997
- Compensation for Occupational Injuries and Diseases Act 130 of 1993
- Companies Act No. 71 of 2008
- Income Tax Act 58 of 1962
- Labour Relations Act 66 of 1995
- Skills Development Levies Act 9 of 1999
- Unemployment Insurance Act 63 of 2001
- Value Added Tax Act 89 of 1991
- Employment Equity Act 55 of 1998
- Consumer Protection Act, 2008

9. Section 51(1) (e)

This section of the manual must set out a description of the subjects on which your organisation holds record, and categories of records held on each subject. These include operational records of your organisation utilised in the day to day running and administration of its administration, such as:

9.1 Companies Act Records

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

9.2 Financial Records

- Annual Financial Statements
- Tax Returns
- Accounting records
- Banking Records
 - Bank Statements
 - Paid Cheques
 - Electronic banking records
- Asset Register
- Rental Agreements
- Invoices

9.3 Income Tax Records

- PAYE Records
- Documents issued to employees for income tax purposes
- Records of payments made to SARS on behalf of employees
- All other statutory compliances:
 - VAT
 - Regional Services Levies
 - Skills Development Levies
 - UIF
 - Workmen's Compensation

9.4 Personnel Documents and Records

- Employment contracts
- Employment Equity Plan (if applicable)
- Medical Aid records
- Pension Fund records
- Disciplinary records
- Salary records
- SETA records
- Disciplinary code
- Leave records
- Training records
- Training Manuals

10. Requesting Procedure

A person who wants access to the records must complete the necessary request form, as set out in Annexure 1, and the completed form must be sent to the postal address, **P O Box 12091, Mill Street, 8010** provided in this manual, and marked for the attention of the information officer. The requester must indicate which form of access is required, and identify the right that is sought to be exercised or protected, and provide an explanation of which the requested record is required for the exercise or protection of that right. Proof of the capacity in which the requester is requesting the information

10.2 Availability of the Manual

10.2.1 This manual is available for inspection by the general public upon request during office hours and there is no charge for viewing the manual at our offices at **Concertino House, 106 Kloof Street, Cape Town, 8001** copies of the manual may be made available subject to the prescribed fees.

10.2.2 Copies may also be requested from the South African Human Rights Commission at the address indicated below.

10.3 Fees

A requester who seeks access to a record containing personal information about that requester is not required to pay the request fees. Any other requester who is not a personal requester must pay the required fee:

10.3.1 A fee will be required by the head, **Patrick Ryan**, before further processing of the request in terms of S54 of the Act

10.3.2 A requester fee of R50 should be paid; this amount will be refunded should the request for access be refused

10.3.3 A portion of the access fee (not more than one third) may be required before the request is considered

10.3.4 The requester may lodge an application with a court against the payment of the request fee in terms of S54 (3) (b) of the Act

10.3.5 The head may withhold a record until the requester has paid the applicable fees

10.4 Details of the South African Human Rights Commission

Any queries with regard to this manual should be directed to:

**The South African Human Rights Commission; PAIA Unit
Research and Documentation Department
Private Bag 2700
Houghton
2041
Phone: 011 484 8300
Fax: 011 484 0582
Email: PAIA@sahrc.org.za
Website: www.sahrc.org.za**