



**PROMOTION OF ACCESS TO INFORMATION MANUAL OF STEGMANNS INCORPORATED
(A PRIVATE BODY)**

**COMPILED IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION
ACT 2 OF 2000**

DATE OF REVISION: FEBRUARY 2025

TABLE OF CONTENTS

1. INTRODUCTION
2. INTERPRETATION AND DEFINITIONS
3. DETAILS OF THE COMPANY
4. HOW TO USE THE ACT TO ACCESS INFORMATION
5. VOLUNTARY DISCLOSURE AND AUTOMATIC AVAILABILITY OF CERTAIN RECORDS
6. RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION
7. SCHEDULE OF RECORDS / INFORMATION HELD BY THE COMPANY
8. FORM OF REQUEST / PRESCRIBED FEES IN RESPECT OF PRIVATE BODIES
9. RECORDS OF INFORMATION NOT FOUND
10. OTHER INFORMATION HELD BY THE COMPANY
11. AVAILABILITY OF MANUAL

FORM C – REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY

1. INTRODUCTION

- 1.1 Stegmanns Incorporated is a firm of Attorneys, Notaries and Conveyancers that offers appropriate legal solutions and superior levels of client service to meet the dynamic legal requirements and challenges of South African corporates, financial institutions, SMEs (small, medium enterprises) and individuals.
- 1.2 The Promotion of Access to Information Act No 2 of 2000 (hereinafter referred to as the “Act”) was enacted to give effect to the constitutional right of access to information and / or records held by public or private bodies and that is required for the exercise or protection of any rights as well as to provide for matters connected therewith.
- 1.3 The Act sets out the requisite procedural issues attached to a request for information and / or records, as well as the requirements which such a request must comply with.
- 1.4 This Manual has been prepared in accordance with section 51 of the Act. The aim of this Manual is to assist potential Requesters of information in requesting access to information and / or records from Stegmanns Incorporated as contemplated in the Act.
- 1.5 The Manual informs requesters of the procedural and other requirements with which a request by a requester must comply with in terms of the Act. Furthermore, this manual aims to facilitate the requests for access to records of the Company as provided for in the Act.
- 1.6 The Act recognizes that the right to access of information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to; limitations aimed at reasonable protection of privacy; commercial confidentiality; as well as effective, efficient governance. The right to access of information must also be balanced against any other rights contained in the Constitution of the Republic of South Africa.
- 1.7 The Manual may be amended from time to time and as soon as any amendments have been effected, the latest version of the Manual will be published and distributed in accordance with the Act.
- 1.8 A Requester is invited to contact the Information Officer should he or she require any assistance in respect of the use or content of this Manual.

2. INTERPRETATION AND DEFINITIONS

- 2.1 In this manual unless the context indicates otherwise the following shall be applicable:

- 2.1.1 Insofar as there is a conflict in the interpretation of or application of this manual and the Act, the Act shall prevail.
- 2.1.2 This manual does not purport to be exhaustive of or comprehensively deal with every procedure provided for in the Act. A requester is advised to familiarize his/her/itself with the provisions of the Act before lodging any request with the Company.
- 2.2 The definitions provided in this Manual are solely for the purpose of this Manual and are not to be taken as applicable to the Act.
- 2.3 Unless inconsistent with the context, the expressions set forth below shall bear the following meanings:
 - 2.3.1 “**Act**” means the Promotion of Access to Information Act 2 of 2000, together with any regulations published thereunder;
 - 2.3.2 “**Company**” means Stegmanns Incorporated, a firm of Attorneys, Notaries and Conveyancers conducting legal practice in terms of section 34 of the Legal Practice Act 28 of 2014 (as amended) and duly registered in terms of the Company Laws of the Republic of South Africa;
 - 2.3.3 “**Information Officer**” means a person duly authorised and appointed by the Company to facilitate or assist the head of the Company with any request by a Requester in terms of this manual or the Act;
 - 2.3.4 “**Manual**” means this document compiled in terms of section 51 of the Promotion of Access to Information Act 2 of 2000, together with any annexures thereto and as amended from time to time and made available at the registered address of the Company;
 - 2.3.5 “**Requester**” means any person making a request to the Company for access to information and / or a record that is under the control of the Company;
 - 2.3.6 “**SAHRC**” means the South African Human Rights Commission.

3. DETAILS OF THE COMPANY (section 51(1)(a) of the Act)

All requests for information in terms of the Act must be in writing and addressed to the Request Liaison Officer of the Company as set out below:

PROMOTION OF ACCESS TO INFORMATION MANUAL (PAIA MANUAL)

Company Name: **Stegmanns Incorporated**

Registration Number: 2005/005073/21

Registered Address: 379 Lynnwood Road
Menlo Park, Pretoria
0001

Postal Address: P.O Box 344, Pretoria, 0001

Telephone Number: 086 133 3402 | 012 460 1555

Facsimile Number: 086 532 2898

Email: info@stegmanns.co.za

Website: www.stegmanns.co.za

Branch (Nelspruit); 6 Streek Street
Office 2, Block C
Nelspruit, 12000

Head of Company: **Tracy-Errin Duggan (Managing Director)**

Email: tracy@stegmanns.co.za

Information Officer: **Mosa MMankwana Florah Modiba (duly authorised and designated)**

Email: flora@stegmanns.co.za

4. HOW TO USE THE ACT TO ACCESS INFORMATION (section 51(1)(b) of the Act)

4.1. The Act grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.

4.2. Requests in terms of the Act shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in sections 6 and 7 of the Act.

4.3. Requesters are referred to the Guide in terms of Section 10 which has been compiled by the South African Human Rights Commission, which will contain information for the purposes of exercising Constitutional Rights. The Guide is available from the SAHRC.

4.4. The contact details of the Commission are:

4.4.1. Postal Address: Private Bag 2700, Houghton, 2041

- | | | |
|--------|-------------------|--|
| 4.4.2. | Telephone Number: | +27-11-877 3600 |
| 4.4.3. | Fax Number: | +27-11-403 0625 |
| 4.4.4. | Website: | www.sahrc.org.za |
| 4.4.5. | Email: | PAIA@sahrc.co.za |

5. VOLUNTARY DISCLOSURE AND AUTOMATIC AVAILABILITY OF CERTAIN RECORDS

(section 52 of the Act)

- 5.1 No notice has been published by the Company in terms of section 52 of the Act.
- 5.2 However certain information is freely available at the Company's offices such as; recent newsletters, price lists and fee structures, posters, special publications and brochures as well as promotional material. Furthermore, all information and / or documentation as contained on the Company's website and social media platforms is freely available.
- 5.3 Requests for any other information and or documentation not mentioned herein should be made in accordance with the procedure set out this Manual. The Company expressly brings to a potential Requestor's notice that all records held by the Firm are deemed to be confidential and any request for access to information will be balanced against, *inter alia*, the principles of legal professional privilege, attorney-client confidentiality, and the limitations to the right of access of information set out in section 36 of the Constitution and sections 5 and 62 of the Act.

6. RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION

(Information required under section 51(1)(c) of the Act)

To the extent applicable the Company maintains such information and records as may be required in accordance with, *inter alia*, the following legislation:

- Administration of Estates Act 66 of 1965
- Basic Conditions of Employment Act 75 of 1997
- Broad-Based Black Economic Empowerment Act 53 of 2003
- Companies Act 71 of 2008
- Compensation for Occupational Injuries and Diseases Act 130 of 1993
- Consumer Protection Act 68 of 2008
- Copyright Act 98 of 1978
- Counterfeit Goods Act 37 of 1997
- Currency and Exchanges Act 9 of 1933

PROMOTION OF ACCESS TO INFORMATION MANUAL (PAIA MANUAL)

- Designs Act 195 of 1993
- Employment Equity Act 55 of 1998
- Electronic Communications and Transactions Act 25 of 2002
- Financial Intelligence Centre Act 38 of 2001
- Income Tax Act 58 of 1962
- Information Act 70 of 2002
- Intellectual Property Amendment Act 28 of 2013
- Insolvency Act 24 of 1936
- Labour Relations Act 66 of 1995
- Legal Practice Act 28 of 2014
- Medical Schemes Act 131 of 1998
- Merchandise Marks Act 17 of 1941
- National Credit Act 34 of 2005
- Occupational Health and Safety Act 85 of 1993
- Patents Act 57 of 1978
- Pension Funds Act 24 of 1956
- Plant Breeders' Rights Act 15 of 1976
- Promotion of Access of Information Act 2 of 2000
- Registration of Copyright in Cinematograph Films Act 62 of 1977
- Skills Development Act 97 of 1998
- Skills Development Levies Act 9 of 1999
- Stamp Duties Act 77 of 1968
- Tax on Retirement Funds Act 38 of 1996
- Trade Marks Act 194 of 1993
- Trust Property Control Act 57 of 1988
- Unemployment Insurance Act 63 of 2001
- Unemployment Insurance Contributions Act 4 of 2002
- Value Added Tax Act 89 of 1991

Records kept in terms of the above legislation may, in certain instances (and insofar as the information contained therein is of a public nature) be available for inspection without a person having to request access thereto in terms of the Act.

7. SCHEDULE OF RECORDS / INFORMATION HELD BY THE COMPANY (section 51(1)(d) of the Act)

This section of the Manual sets out the categories and descriptions of records held by The Company. The inclusion of any category of records should not be taken to mean that records falling within that category will be made available under the Act. In particular, certain grounds of refusal as set out in the Act may be applicable to a request for such records.

CATEGORY	DESCRIPTION
General	• Price lists and fee structure • Marketing and promotional material • Posters • Pamphlets / brochures • Newsletters
Customer Records	• Product / Fee sales records • Marketing strategies • Client database
Accounting records	• Annual financial statements and working papers • General ledger • Subsidiary ledgers (receivables, payables, etc.) • Bank statements, cheque books, cheques • Customer and supplier statements and invoices • Deposit slips • Cash books and petty cash books • Fixed asset register • Tax returns and assessments • VAT returns • Lease or instalment sale agreements • Budgets and business plans • Insurance records • Investment records • Auditor's reports • Internal auditors' reports • Compiler's reports • Reviewer's reports • Inventory records (including stock take)

	• Systems documentation • Management reviews • Capital expenditure • Credit agreements • Record of assets • Record of liabilities • Record of loans to related parties • Record of liabilities and obligations • Record of property held • Record of revenue • Record of expenses
Auditors	• Working papers • Correspondence
Information Technology	• Hardware • Licenses • Software packages • Telephone lines, leased lines and data lines
Personnel Records	• Arbitration awards • Attendance register • Disciplinary records • Employee evaluation and performance records • Employee information records • Employee loans • Employee remuneration • Employment applications • Employee date of birth • Employment contracts • Employment equity plan • Expense accounts • Health and safety records • Incentive schemes • IRP 5 and IT 3 certificates • Letters of appointment • Leave applications • Maternity leave policy • Medical aid records

	• Name and occupation of each employee • Organisational design • Payroll • Particulars of each employee • Pension / provident fund information • Personnel file • Policies and procedures • Recruitment and appointments • Salary and wage registers • Salary slips and wage records • Time records • UIF, PAYE and SDL returns • Workmen's Compensation documents
Statutory Company Records	• Annual Statutory Returns • Certificate of Change of Name • Certificate of Incorporation • Certificate to Commence Business • Dividend register • Directors' attendance register • Memorandum and Articles of Association • Memorandum of Incorporation and alterations / amendments • Notice and minutes of shareholders' meetings • Minutes of directors' meetings • Register of company secretary and auditors • Register of debenture holders and mortgages • Register of directors and officers • Register of directors' shareholding • Register of past directors • Registration Certificate • Register of beneficial interest holders • Special resolutions • Resolutions • Shareholders' register
Tax Records	• Income tax returns • Provisional tax returns • Tax assessments

	· Documents relating to where the objection and appeal are lodged · Records relating to taxable gain or assessed capital loss
--	--

8. FORM OF REQUEST / PRESCRIBED FEES IN RESPECT OF PRIVATE BODIES (section 51(1)(e) of the Act)

8.1 FORM OF REQUEST:

8.1.1 The requester must use the prescribed form in terms of the Act Section 53(1)(b) Regulation 10 attached as Annexure A (Form C, Request for Access to records) to make the request for access to a record. This must be made to the head of the private body. This request must be made to the address, fax number or electronic mail address of the body concerned.

8.1.2 The requester must provide sufficient detail on the request form to enable the head of the private body to identify the record and the requester. The requester should also indicate which form of access is required. The requester should also indicate if any other manner is to be used to inform the requester and state the necessary particulars to be so informed.

8.1.3 The requester must provide the postal address or fax number of the requester in the Republic.

8.1.4 The requester must identify the right that is sought to be exercised or to be protected and provide a sufficient explanation of why the requested record is required for the exercise or protection of that right.

8.1.5 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 head of the private body.

8.2 PRESCRIBED FEES:

8.2.1 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.

8.2.2 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 before further processing the request.

8.2.3 The requester may lodge an application to the court against the tender or payment of the request fee.

8.2.4 After the head of the private body has made a decision on the request, the requester must be notified in the required form.

8.2.5 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.

8.2.6 The fees for reproduction referred to in section 52(3) are as follows:

		Amount (R)
(a)	For every photocopy of an A4-size page or part thereof	1,10
(b)	For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,75
(c)	For a copy in a computer-readable form on - (i) stiffy disc (ii) compact disc	7,50 70,00
(d)	(i) For a transcription of visual images, for an A4-size page or part thereof (ii) For a copy of visual images	40,00 60,00
(e)	(i) For a transcription of an audio record, for an A4-size page or part thereof (ii) For a copy of an audio record	20,00 30,00

8.2.7 The request fee payable by a requester, other than a personal requester, referred to in section 54(1) is R 50.00

8.2.8 The access fees payable by a requester referred to in Section 54(7) are as follows:

		Amount (R)
(1)(a)	For every photocopy of an A4-size page or part thereof	1,10
(b)	For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,75
(c)	For a copy in a computer-readable form on - (i) flash drive (ii) compact disc	7,50 70,00
(d)	(i) For a transcription of visual images, for an A4-size page or part thereof (ii) For a copy of visual images	40,00 60,00

(e)	(i) For a transcription of an audio record, for an A4-size page or part thereof (ii) For a copy of an audio record	20,00 30,00
(f)	To search for and prepare the record for disclosure, R 30.00 for each hour or part of an hour reasonably required for such search and preparation.	
(2)	The actual postage is payable when a copy of a record must be posted to a requester.	
(3)	For purposes of section 54(2) of the Act, the following applies: (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.	

8.3 DECISION ON REQUEST:

8.3.1 After the Information Officer has made a decision on the request, the Requester will be notified using the required form.

8.3.2 If the request is granted then a further access fee must be paid for reproduction, for search and preparation, and for any time that has exceeded the prescribed hours to search for and prepare the record for disclosure [as indicated in section 54(6) of the Act].

8.4 GROUNDS OF REFUSAL OF ACCESS:

8.4.1 In terms of Part 3, Chapter 4 of the Act the Company may and in certain instances must refuse access to records on the grounds set out in the Act. The grounds include:

8.4.1.1 professional privilege;

8.4.1.2 that the record constitutes privileged information for the purposes of legal proceedings;

8.4.1.3 that it is necessary to protect the commercial information or the confidential information of a third party;

8.4.1.4 that it is necessary to protect the commercial information of the Company;

8.4.1.5 that it is necessary to protect the safety of individuals or property;

8.4.1.6 that it is necessary to protect the research information of a third party or of the Company; and

8.4.1.7 that granting access would result in the unreasonable disclosure of personal information about a third party.

9. RECORDS OR INFORMATION NOT FOUND

- 9.1 If, after all reasonable steps to locate a record have been taken, and no record is found, then the Information Officer will notify the Requester, by way of an affirmation or affidavit that access to the requested and titled document cannot be provided.
- 9.2 The affirmation or affidavit will include a detailed account of the steps taken to try to locate the record. Should a record be found at a later stage, the Information Officer shall provide the Requester access to such record, unless access to the record is refused on the grounds permitted by the Act (Part 3, Chapter 4)

10. OTHER INFORMATION HELD BY THE COMPANY (section 51(1)(f) of the Act)

The Minister of Justice and Constitutional Development has to date not made any regulations regarding disclosure of other information.

11. 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 Company. Copies of the Manual may be made, subject to the prescribed fees. Copies may also be requested from the South African Human Rights Commission. The Manual is also posted on the Company's website referred to in paragraph 3 above.

FORM C

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY

(Section 53(1) of the Promotion of Access to Information Act, 2000

(Act No. 2 of 2000))

[Regulation 10]

A. Particulars of private body

The Managing Director: Ms T Duggan
Stegmanns Incorporated
379 Lynnwood Road
Menlo Park,
Pretoria, 0001

B. Particulars of person requesting access to the record

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

Full names and surname:

Identity number:

Postal address:

Fax number:

Telephone number:

E-mail address:

Capacity in which request is made, when made on behalf of another person:

C. Particulars of person on whose behalf the request is made

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

Full names and surname:

Identity number:

D. Particulars of record

- (a) 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.
- (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.**

1. Description of record or relevant part of the record:

2. Reference number, if available:

3. Any further particulars of record

E. Fees

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

F. Form of access to record

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.

Disability:	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 to the form requested may be refused in certain circumstances. In such a case you will be informed if 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 record consists of recorded words or information which can be reproduced in sound:			
☐	listen to the soundtrack (audio cassette)	☐	transcription of soundtrack* (written or printed document)
4. If record is held on computer or in an electronic or machine-readable format:			
☐	printed copy of record*	☐	printed copy of information derived from the record* ☐ copy in computer readable format* (flash drive 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

G. Particulars of right to be exercised or protected

*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.***

1. Indicate which right is to be exercised or protected:
2. Explain why the record requested is required for the exercise or protection of the aforementioned right:

H. 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