

PAIA Manual for OPTI-NUM SOLUTIONS (Pty) Ltd

prepared in terms of the
PROMOTION OF ACCESS TO INFORMATION ACT No 2 of 2000

15 December 2011

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1 Introduction

This Manual is published in terms of Section 51 of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) (“the Act”). The Act gives effect to the provisions of Section 32 of the Constitution, which provides for the right of access to information held by the State and to information held by another person that is required for the exercise and / or protection of any right.

The reference 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. In terms of the Act, where a request for information is made to a body, there is an obligation to provide the information, except where the Act, expressly provides that the information may not be released. In that context, Section 9 of the Act recognises that access to information can be limited. The limitation relates to circumstances where its release would pose a threat to the protection of privacy, commercial confidentiality, and the exercising of efficient governance.

1.1 OPTI-NUM solutions overview

OPTI-NUM solutions provides sales and related services of technical computing and Model-Based Design software in Southern Africa, to a wide range of industries including but not limited to Defence, Financial Services, Mining and Mineral Processing, Education, Communications and Automotive.

OPTI-NUM solutions supports the constitutional right of access to information and we are committed to provide you access to our records in accordance with the provisions of the Act, the confidentiality we owe third parties and the principles of South African law.

1.2 Availability of this Manual

A copy of this Manual is available on our website (www.optinum.co.za) or by sending a request for a copy to the Information Officer by email. The Manual may also be obtained from our head office, the South African Human Rights Commission (“SAHRC”) at the addresses set out below or from the Government Printers. This Manual will be updated from time to time, as and when required.

1.3 How to request access to records held by OPTI-NUM solutions

Requests for access to records held by OPTI-NUM solutions must be made on the prescribed request forms that are available as [Annexure A](#), or from the SAHRC website (www.sahrc.org.za) or the Department of Justice and Constitutional Development (www.doj.gov.za) (under “regulations”).

A request fee may be payable (the schedule of fees can be accessed from the SAHRC website [here](#)). You can submit a request without paying the request fee but please note that payment of the prescribed fees must be made before the request will be processed.

Requests for access to records must be made to our Information Officer at the address, fax number or electronic mail address provided for below. 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. The requester must identify the right that he or she 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 a request is made on behalf of a person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the Information Officer of ISP X.

The standard form that must be used for the making of requests can be accessed [here](#). Not using this form could cause your request to be refused (if you do not provide sufficient information or otherwise) or delayed.

Kindly note that all requests to 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 OPTI-NUM solutions does not give rise to any rights (in contract or otherwise) to access such information or records except in terms of the Act.

2 Contact Details

Name of Private Body	Opti-Num Solutions (Pty) Ltd
Registration Number	1999/23613/07
Designated Information Officer	<i>Dean Redelinghuys</i>
Email address of Information Officer	paia@optinum.co.za
Postal address	PO Box 412175 Craighall, 2024 South Africa
Street address	5 th Floor North, Hyde Park Corner Sixth Road, Hyde Park Johannesburg 2196 South Africa
Phone number	+27 11 325 6238
Fax number	+27 11 325 6239

3 How to access the Guide as described in section 10 of the Act

A Guide has been compiled in terms of Section 10 of PAIA by the Human Rights Commission. It contains information required by a person wishing to exercise any right, contemplated by PAIA. It is available in all of the official languages.

The Guide is available for inspection, *inter alia*, at the Human Rights Commission at 29 Princess of Wales Terrace, cnr York and St. Andrews Street, Parktown 2193 and on its website at www.sahrc.org.za.

4 Voluntary disclosure

OPTI-NUM solutions has not published a notice in terms of Section 52(2) of the Act, however, it should be noted that the information relating to OPTI-NUM solutions and its services is freely available on our [website](#). Certain other information relating to OPTI-NUM solutions is also made available on such website from time to time.

Further information in the form of marketing brochures, advertising material and other public communication is made available from time to time.

5 Subjects and categories of records held by OPTI-NUM solutions

The following sections list the records and information held by OPTI-NUM solutions. Please note that the nature of our business interactions with our customers and other stakeholders means that access to this information is generally restricted, owing to shareholder and customer confidentiality, and proprietary considerations. Consequently, should you request any information outlined below, please ensure that you clearly motivate the need for public disclosure of such information.

5.1 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

5.2 Financial records

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

5.3 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

5.4 Personnel documents and records

- Employment contracts
- Employment Equity Plan
- Disciplinary records
- Salary records
- SETA records
- Disciplinary code
- Leave records
- Training records
- Training Manuals

5.5 Trade and operations records

- Reseller and distributor agreements
- Sub-contractor agreements
- Consulting engagement agreements
- Sales records

5.6 Records available in terms of any other legislation

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

- Basic Conditions of Employment No. 75 of 1997
- Business Names Act 27 of 1960
- Companies Act No. 61 of 1973
- Compensation for Occupational Injuries and Health Diseases Act No.130 of 1993

- Copyright Act No. 98 of 1978
- Customs and Excise Act No 91 of 1964
- Electronic Communications Act 36 of 2005
- Employment Equity Act No. 55 of 1998
- Harmful Business Practices Act No. 23 of 1999
- Income Tax Act No. 95 of 1967
- Intellectual Property Laws Amendments Act No. 38 of 1997
- Labour Relations Act No. 66 of 1995
- Occupational Health & Safety Act No. 85 of 1993
- Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000
- Regional Services Councils Act No. 109 of 1985
- Skills Development Levies Act No. 9 of 1999
- Skills Development Act No. 97 of 1998
- Unemployment Contributions Act No. 4 of 2002
- Unemployment Insurance Act No. 63 of 2001
- Value Added Tax Act No. 89 of 1991

6 ANNEXURE A: 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 Head:

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 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 <i>than</i> a record containing personal information about yourself, will be processed only after a request fee has been paid. |
| (b) | You will be <i>notified of</i> the amount required to be paid as the request fee. |
| (c) | The fee payable for access to a record depends <i>on</i> the form <i>in which</i> access is required and the reasonable time <i>required</i> to search for and prepare a record. |
| (d) | If you qualify for exemption <i>of</i> the payment <i>of</i> 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 in 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 for 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:					
<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record		
2. If record consists of visual images this includes photographs, slides, video recordings, computer-generated images, sketches, etc)					
<input type="checkbox"/>	view the images	<input type="checkbox"/>	copy of the images"		
<input type="checkbox"/>		<input type="checkbox"/>	transcription of the images*		
3. If record consists of recorded words or information which can be reproduced in sound:					
<input type="checkbox"/>	listen to the soundtrack audio cassette	<input type="checkbox"/>	transcription of soundtrack* written or printed document		
4. If record is held on computer or in an electronic or machine-readable form:					
<input type="checkbox"/>	printed copy of record*	<input type="checkbox"/>	printed copy of information derived from the record"		
<input type="checkbox"/>		<input type="checkbox"/>	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.			<table border="1"> <tr> <td>YES</td> <td>NO</td> </tr> </table>	YES	NO
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 _____ on this _____ day of _____ 20__

SIGNATURE OF REQUESTER / PERSON ON
WHOSE BEHALF REQUEST IS MADE