



# **CONSOLIDATED POWER PROJECTS (PTY) LIMITED**

## **Section 51 manual**

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**Prepared in accordance with Section 51 of the Promotion of Access to  
Information Act, No. 2 of 2000**

This document serves as the information manual as required by Section 51(1) of the Promotion of Access to Information Act, No.2 of 2000 (the "Act") for a private body. It provides information on the records held and the process that is to be followed to request access to such records.

## Scope

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The scope of this information manual relates to Consolidated Power Projects (Pty) Limited.

## Availability of the manual

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The public are able to obtain a copy of this manual on request from the designated contact person.

It is also available at [www.concogrp.com](http://www.concogrp.com)

## Designated contact person

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*Information required by section 51(1)(a) of the Act*

Contact person	Anthony Clacher
Postal address	Private Bag X42, Halfway House, 1685
Physical address	37 Richards Drive, Halfway House, 1685
Telephone number	+27 11 805 4281
Facsimile number	+27 11 805 1132
Email address	concopaia@concogrp.com



## Section 10 guide to the Act

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### *Information required by section 51(1)(b) of the Act*

A guide has been compiled, in terms of section 10 of the Act, by the South African Human Rights Commission. It contains information to assist a person wishing to exercise a right, in terms of the Promotion of Access to Information Act, No. 2 of 2002. This guide is available for inspection, *inter alia* as follows-

Contact body	The South African Human Rights Commission
Postal address	Private Bag 2700, Houghton 2041
Physical address	PAIA Unit 29 Princess of Wales Terrace Cnr York and Andrew Streets Parktown
Telephone number	+27 11 484 8300
Facsimile number	+27 11 484 0582
Email address	<a href="mailto:PAIA@sahrc.org.za">PAIA@sahrc.org.za</a>

The regulations regarding the Act published under Government Notice No. R187 of 15 February 2002 set forth how the South African Human Rights Commission should make the guide available.

## Records automatically available

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### *Information required by section 51(1)(c) of the Act*

A section 52(2) notice regarding categories of records, which are available without a person having to request access in terms of the Act, has to date not been published.



# Records available in accordance with other legislation

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## *Information required by section 51(1)(d) of the Act*

Records are held in accordance with the following legislation-

- Electronic Communications and Transactions Act, 2002
- Environment Conservation Act, 1989
- National Environmental Management Act, 1998
- Customs and Excise Act, 1964
- Financial Intelligence Centre Act, 2011
- Income Tax Act, 1962
- Insider Trading Act, 1998
- Insolvency Act, No.24 of 1936
- National Credit Act, 2005
- Pension Funds Act, 1956
- Preferential Procurement Policy Framework Act, 2000
- Statistics Act, 1999
- Tax on Retirement Funds Act, 1996
- Value-Added Tax Act, 1991
- Hazardous Substances Act, 1973
- Tobacco Products Control Act, 1993
- Constitution of Republic of South Africa, 1996
- Promotion of Access to Information Act, 2000
- Basic Conditions of Employment Act, 1997
- Compensation for Occupational Injuries and Diseases Act
- Employment Equity Act, 1998
- Labour Relations Act, 1995
- Manpower Training Act, 1981 (repealed)
- Occupational Health and Safety Act, 1993
- Skills Development Act, 1998
- Skills Development Levies Act, 1999
- Unemployment Insurance Act, 2001
- Unemployment Insurance Contributions Act, 2002
- Mine Health and Safety Act, 1996
- Disaster Management Act, 2002



- Explosives Act, 2003
- Broad-Based Black Economic Empowerment Act, 2003
- Businesses Act, 1991
- Companies Act, 1973
- Companies Act, 2008
- Competition Act, 1998
- Consumer Affairs (unfair Business Practices) Act, 1988
- Consumer Protection Act, 2008
- Standards Act, 2008
- National Road Traffic Act, 1996
- National Veld and Forest Fire Act, 1998
- National Water Act, 1998

## Subjects and categories of records

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*Information required by section 51(1)(e) of the Act*

The following subjects and categories of records are held –

### **Corporate governance**

- Executive Committee minutes and records
- Codes of conduct
- Corporate Social Investment records
- Directors' minutes and records
- Legal compliance
- Policies and procedures
- Risk management reports
- Shareholder agreements



## **Finance**

- Accounting records
- Annual financial statements
- Banking records
- Business contracts
- Credit bureau records
- General correspondence
- Internal control reports
- Invoices, credit notes, statements etc
- Management accounts
- Property leases
- Proposal and tender documents
- SA Reserve Bank returns and correspondence
- Statistics SA returns and correspondence
- Statutory records
- Tax returns and SARS correspondence

## **Human resources**

- Bargaining Council records and correspondence
- BEE statistics, certificates and audit reports
- Employment Equity reports
- Leave records
- Letters of employment
- Medical aid records
- PAVE records and returns
- Payroll records
- Personnel files and records
- Policies and procedures
- Retirement benefit records
- SDL records and returns
- SETA records and correspondence
- Staff attendance records
- Traineeship contracts
- Training material
- Training statistics
- UIF records and returns
- Union records and correspondence
- Workman's Compensation records



## **Information technology**

- Contracts and agreements
- Policies and procedures
- Register of software and hardware
- Warranties

## **Company information and resources**

- Industry journals
- Internal published books and material

## **Marketing and business growth**

- Contracts and agreements
- Marketing brochures and advertising records
- Marketing strategies
- New business development

## **Operations**

- Asset registration records
- Compliance records
- Contracts and agreements
- General correspondence
- Health and safety records
- Import and export records
- Insurance records and correspondence
- Quality control records
- Service level agreements
- Telephone and communication records



# Request for access to records

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## *Information required by section 51(1)(e) of the Act*

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 requests for access to records, all requesters should take note of the following when completing the Access Request Form-

- The Access Request Form must be completed;
- Proof of identity is required to authenticate the identity of the requester. Therefore in addition to the access form, requesters will be required to supply a copy of their identification document;
- Type or print in BLOCK LETTERS an answer to every question;
- If a question does not apply, state "N/A" in response to that question;
- If there is nothing to disclose in reply to a particular question state "nil" in response to that question;
- If there is insufficient space on a printed form, additional information may be provided on an additional attached folio; and
- When the use of an additional folio is required, precede each answer with the applicable title.

The Access Request Form is included in this manual as an appendix starting on page 11.





## **Submission of Access Request form and request fee payable**

The completed Access Request form together with a copy of the requester's identity document must be submitted either via conventional mail, e-mail or fax and must be addressed to the designated contact person as indicated above.

An initial, request fee of R57.00 (incl. VAT) is payable on submission.

This fee is not applicable to Personal Requesters referred to in section 54(1) of the Act being any person seeking access to records that contain their personal information.

## **Notification**

Consolidated Power Projects (Pty) Limited will within 30 days of receipt of the request to access records decide whether to grant or decline the request and give notice with reasons (if required) to that effect

The 30 day period within which Consolidated Power Projects (Pty) Limited has to decide whether to grant or refuse the request, may be extended for a further period of not more than thirty days, if the request is for a large volume of information, or the request requires a search for information held at premises other than those of Consolidated Power Projects (Pty) Limited and the information cannot reasonably be obtained within the original 30 day period. Consolidated Power Projects (Pty) Limited will notify the requester in writing should an extension be sought.

# **Grounds for refusal of access to records**

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## *Chapter 4 of the Act*

The main grounds for refusal of a request for access to records are-

- Mandatory protection of the privacy of a third party who is a natural person if its disclosure would involve the unreasonable disclosure of personal information;
- Mandatory protection of the commercial information of a third party if its disclosure contains trade secrets, financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party or information disclosed in confidence by a third party if the disclosure thereof could reasonably put that third party at a disadvantage in contractual negotiations or in commercial competition;
- Mandatory protection of confidential information of third parties if it is protected in terms of any agreement;
- Mandatory protection of the safety of individuals and the protection of property;
- Mandatory protection of records which could be regarded as privileged in legal proceedings;
- The commercial information of Consolidated Power Projects (Pty) Limited which may include trade secrets, financial, commercial, scientific or technical information which disclosure could



likely cause harm to the financial or commercial interests of Consolidated Power Projects (Pty) Limited, or information, the disclosure thereof could reasonably put Consolidated Power Projects (Pty) Limited at a disadvantage in contractual negotiations or in commercial competition; and

- Mandatory protection of research information of a third party or Consolidated Power Projects (Pty) Limited.

## Approval of information manual

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This information manual has been prepared in accordance with Section 51(1) of the Promotion of Access to Information Act, No.2 of 2000 and is hereby approved:

Signed at Midrand this 22 day of June 2012 \_\_\_\_\_

Anthony Clacher  
Chief Financial Officer

Name and designation

Signature

A handwritten signature in black ink, appearing to read 'Anthony Clacher', is written over a horizontal line. The signature is stylized and cursive.