

**SECTION 51 MANUAL FOR  
LUND AND KIECK INC  
(REGISTRATION NUMBER: 2003/018397/21)**

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## **PARTICULARS IN TERMS OF THE SECTION 51 MANUAL**

### **1. Contact details [Section 51(1)(a)]**

Details required in terms of section 51(1)(a)

Name of Body	<b>LUND AND KIECK INC (REG NO: 2003/018397/21)</b>
Head of the Body	<b>TONY ALAN LUND</b>
Postal Address	<b>PO BOX 659, RANDPARK RIDGE, 2156</b>
Street address	<b>UNIT 7, GARDENS BUSINESS PARK, ATELJEE STREET, RANDPARK RIDGE, 2169</b>
Phone Number	<b>+27 11 794 - 9407</b>
Facsimile number	<b>+27 11 794 - 9408</b>
Electronic mail address of the head of the body	<b><a href="mailto:tony@lundandkieck.co.za">tony@lundandkieck.co.za</a></b>

### **2. The section 10 Guide on how to use the Act [Section 51(1)(b)]**

The Guide will be available from the South African Human Rights Commission by no later than December 2011. Please direct any queries to:

**The South African Human Rights Commission: PAIA Unit**

**The Research and Documentation Department**

Postal address: Private Bag 2700

Houghton, 2041

Telephone: +27 11 484-8300

Fax: +27 11 484-0582

Website: [www.sahrc.org.za](http://www.sahrc.org.za)

E-mail: [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)

### 3. Records available in terms of any other legislation [Section 51(1)(d)]

Basic Conditions of Employment No. 75 of 1997

Companies Act No. 61 of 1973

Employment Equity Act No. 55 of 1998

Income Tax Act No. 95 of 1967

Labour Relations Act No. 66 of 1995

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

### 4. ACCESS TO THE RECORDS HELD BY THE PRIVATE BODY IN QUESTION [Sections 51(1)(c) and 51(1)(e)]

Kindly note that all requests to **LUND AND KIECK INC** will be evaluated and considered in accordance with the Act. Publication of this Manual and describing categories of information held by **LUND AND KIECK INC** does not give rise to any rights to access of information or records, except in terms of the Act.

#### 4.1 The latest notice regarding the categories of records of the body, which are available without a person having to request access in terms of this Act in terms of Section 52(2) [Section 51 (1)(c)]

4.1.1 **LUND AND KIECK INC** is not obliged to publish a notice in terms of Section 52(2) of the Act and to date has elected not to do so.

#### 4.2. Records that may be requested. A description of the subjects of the records held by the body and the categories in which these subjects are classed [Section 51(1)(e)]

We maintain records of the following categories and subject matters. **However, please note that recording a category in this manual does not imply that a request for access to such records would be honored.** All requests for access will be evaluated on a case by case basis in accordance with the provisions of the Act. In particular, there may be applicable grounds of refusal of such a request, as set out in the Act.

#### **4.2.1 Categories of records held by LUND AND KIECK INC:**

**Personnel related issues:** Employee records, conditions of employment and company policy, address lists, etc.

**Clients:** Contact information, product subscriptions, contractual agreements, usage statistics, account information, and general communication.

**Suppliers:** Contact information, contractual agreements, accounting information and general communication.

The above-mentioned records are of a confidential nature and only accessible to authorised people.

#### **4.3 The request procedures.**

For the sake of convenience and accessibility, the forms and fee structure are available on the SAHRC's website ([www.sahrc.org.za](http://www.sahrc.org.za)) or the Department of Justice and Constitutional Development ([www.doj.gov.za](http://www.doj.gov.za)) (under "regulations").

##### **Form of request:**

- ❑ The requester must use the prescribed form 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 [s 53(1)].
- ❑ 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 [s 53(2)(a) and (b) and (c)].

- ❑ The requester must identify the right that is sought to be exercised or to be protected and provide an explanation of why the requested record is required for the exercise or protection of that right [s 53(2)(d)].
- ❑ 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 [s 53(2)(f)].

#### **Fees:**

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:

- ❑ 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 (if any) before further processing the request [s 54(1)].
- ❑ The fee that the requester must pay to a private body is R50. The requester may lodge an application to the court against the tender or payment of the request fee [s 54(3)(b)].
- ❑ After the head of the private body has made a decision on the request, the requester must be notified in the required form.
- ❑ 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 [s 54(6)].

#### **5. Other information as may be prescribed [Section 51(1)(f)]**

The Minister of Justice and Constitutional Development has not made any regulations in this regard.

## **6. Availability of the manual** *[Section 51(3)]*

The Manual is also available for inspection at the offices of **LUND AND KIECK INC** free of charge and copies are also available for inspection from SAHRC's website ([www.sahrc.org.za](http://www.sahrc.org.za)).