

**PROMOTION OF ACCESS TO INFORMATION ACT  
NEIL HARVEY AND ASSOCIATES (Pty) Ltd SECTION 51  
MANUAL**

NEIL HARVEY AND ASSOCIATES (PROPRIETARY) LIMITED  
Registration Number: 1989/006389/07

Prepared in accordance with section 51 of The Promotion of Access to Information Act, No. 2 of 2000 ("the Act").

**INFORMATION MANUAL**

(Section 51 of the Promotion of Access to Information Act No. 2 of 2000  
("Hereinafter referred to as the Act"))

## INTRODUCTION

The core business of the organisation is in the development and support of software customised for medical aid scheme applications.

## CONTACT DETAILS OF INFORMATION OFFICER

All requests in respect to any of the above organisations pursuant to the Act should be directed to The Company Secretary, Neil Harvey and Associates (Pty) Limited who for the purposes of this Act shall be known as "**The Information Officer**" Att Adv. Dee Cranswick

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Postal address: P O Box 24, Newlands, 7725.

Physical address: 5 Protea Road, Claremont, 7708.

Telephone number:  
(021) 657-2300

Facsimile number:  
(021) 657-2301

e-mail address: [www.nha.co.za](http://www.nha.co.za)

Posted to:

The South African Human Rights Commission  
PAIA Unit The Research and Documentation Department  
Private Bag 2700  
Houghton 2041  
Telephone: (011) 484 8300 Facsimile: (011) 484 0582  
Website: [www.sahrc.org.za](http://www.sahrc.org.za) e-mail: [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)

## RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION

Records are available for inspection, subject to the restrictions in terms of the Act, by the general public in accordance with the following legislation (other than the Act):

#### Companies Act 61 of 1973

- Certificate of Incorporation,
- Notice of Registered Office and Postal Address
- Content of Register of Directors, Auditors and Officers
- Certificate to Commence Business,
- Memorandum of Association,
- Articles of Association,
- Shareholders' Schedule,
- Register of interests in contracts of directors and officers

#### Basic Conditions of Employment No. 75 of 1997

#### Compensation for Occupational Injuries and Health Diseases Act No.130 of 1993

#### Employment Equity Act No. 55 of 1998

#### Income Tax Act No. 95 of 1967

#### Occupational Health & Safety Act No. 85 of 1993

#### Regional Services Councils Act No. 109 of 1985

#### Skills Development Levies Act No. 9 of 1999

#### Unemployment Contributions Act No. 4 of 2002

#### Unemployment Insurance Act No. 63 of 2001

An appointment can be made with the Information Officer to view the records within reasonable company hours.

#### INFORMATION FREELY AVAILABLE

The Company has not submitted any notice in terms of section 52(1) of the Act.

The following information is available without a request in terms of the Act:

- Marketing brochures
- Disciplinary and Grievance Policy
- Health and Safety Policy
- Quality Policy
- Transformation Policy

## RECORDS AVAILABLE ONLY IN TERMS OF THE PROVISIONS OF THE ACT

The Company has the following records, to which the right and manner of access will be provided in accordance with the Act (subject to the restrictions and right of refusal to access provided for in the Act).

Information is presented by subject and categories of each subject held:

### Accounting and Finance

- \* books of account
- \* vouchers
- \* invoices and statements
- \* fixed asset registers
- \* inventories
- \* agreements and correspondence
- \* banking details and bank account records
- \* reports
- \* statutory returns
- \* policies and procedures
- \* legal proceedings for collection of outstanding payments

### Branding

- \* brand and advertising material
- .....\* print and advertisements

### Communications

- \* correspondence
- \* legal proceedings

### Company Secretarial Services and Administration

- \* agreements
- \* annual reports
- \* board agendas
- \* documents relating to share incentive schemes
- \* minutes of meetings
- \* registers required in terms of Companies Act
- \* share certificates
- \* statutory returns
- \* statutory documents such as memoranda, articles of association and certificates of incorporation
- \* legal proceedings

## Corporate Social Responsibility

- \* applications for funding
- \* reports
- \* Corporate social investment and support

## Human Resources

- \* agreements
- \* policies and procedures
- \* employee information: leave, salaries, payroll, bonuses
- \* forms and applications
- \* workplace agreements and records
- \* benefit schemes: rules and records
- \* documents relating to appointments, promotions, dismissals, suspensions, demotions and disciplinary actions
- \* returns in respect of skills development levies, UIF etc.
- \* employment equity reports
- \* training schedules and material

## Information Management and Technology

- \* system documentation and manuals
- \* licences
- \* project, disaster recovery and implementation plans
- \* agreements
- \* policies and procedures

## Insurance

- \* insurance policies
- \* underwriting documentation
- \* claim documentation

## Intellectual Property

- \* applications for trademarks, patents, and designs
- \* assignment, cession and transfer of trademarks, patents, designs and copyright material

## Maintenance

- \* maintenance and inspection schedules
- \* preventative maintenance programmes
- \* operating procedures

## Marketing

- \* promotional material
- \* agreements
- \* print material
- \* brochures and advertising material

## Order Generation and Fulfilment

- \* quotations and orders
- \* delivery documents
- \* agreements

## Property rights

- \* title deeds, licences, permits
- \* agreements in connection with property
- \* lease agreements
- \* instalment sale agreements

## Research and development

- \* product performance test results

## Safety, Health and the Environment

- \* safety and health policy
- \* documents relating to reporting and investigation of safety incidents
- \* applications for permits, authorisations and exemptions

## Taxation

- \* records and returns pertaining to company tax, PAYE, VAT, RSC levies and capital gains

## REQUEST PROCEDURES AND FEES

- The requester must use the prescribed form to make the request for access to a record. This must be made to the Information Officer as set out above. This request must be made to the address, fax number or electronic mail address of the Company [s 53(1)].
- The requester must provide sufficient detail on the request form to enable the Company 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 Company [s 53(2)(f)].
- 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 Information Officer 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)].

Fees payable for the gathering and supply of information were prescribed by the Minister of Justice and Constitutional Development in Government Notice R.187 dated 15 February 2002.

## REFUSAL OF ACCESS AND PROTECTION OF INFORMATION

In terms of Chapter 4 of the Act, the Company must refuse access to information falling into the following categories, save in circumstances provided for in the Act:

- \* information relating to the privacy of natural persons
- \* information consisting of commercial or confidential information of third parties
- \* information for the protection of the safety of individuals and the protection of property
- \* protection of law enforcement and legal proceedings
- \* information privileged from disclosure in legal proceedings
- \* protection of research information
- \* commercial information of Company such as trade secrets
- \* certain records of SARS
- \* manifestly frivolous requests

## AVAILABILITY OF THE MANUAL

This manual is available as follows:

- \* in hard copy, to be viewed free of charge by appointment during office hours, at the offices of
- \* at the offices of the South African Human Rights Commission as per their contact details on page 2

The manual will be published on the Company web site.