

# SECTION 51 MANUAL

FOR

## TIGGER TWO CHARTERS CC

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**A. INTRODUCTION:**

Tigger 2 Charters CC operates a boat charter business from the V&A Waterfront. We offer private and non-private charters which lasts for 1.5 hours to a maximum of 8 hours. We offer team building activities onboard as well as a variety of catering options.

**B. INFORMATION REQUIRED UNDER SECTION 51(1) (a) OF THE ACT**

**The Head** : Philippe Parmentier  
**Postal Address** : P O Box 51852, V & A Waterfront, Cape Town, 8002  
**Street Address** : 102 Highlevel Terrace, Highlevel Road, Sea Point  
**Tel. No.** : +27 21 418 0241  
**Fax No.** : +27 21 418 0324  
**E- Mail** : [tigger@netactive.co.za](mailto:tigger@netactive.co.za)  
**Website** : [www.tigger2.co.za](http://www.tigger2.co.za)

**C. DESCRIPTION OF GUIDE REFERRED TO IN SECTION 10: SECTION 51(1)(b)**

The Promotion of Access to Information Act grants a requester access to records of a company, if a 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. Requests in terms of the Act are required to be made in accordance with the prescribed procedures, at the rates provided.

A guide on how to use the Act has been compiled by the South African Human Rights Commission. Please direct any queries to:

**The South African Human Rights Commission: PAIA Unit  
The Research and Documentation Department**

Postal Address: Private Bag 2700, Houghton 2401  
Tel.: +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)

**D. RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION: SECTION 51(1)(d)**

Records available in terms of other legislation are as follows:

- Labour Relations Act 66 of 1995
- Basic Conditions of Employment Act 75 of 1997
- Compensation for Occupational Injuries and Disease Act 130 of 1993
- Companies Act 61 of 1973
- Unemployment Insurance Act 63 of 2001
- Value Added Tax Act 89 of 1991
- Income Tax Act 58 of 1962
- Skills Development Act 9 of 1999

**E. ACCESS TO THE RECORDS HELD BY THE PRIVATE BODY IN QUESTION: SECTIONS 51(1)(c) AND 51(1)(e)**

- i. 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)], free of charge:**

Brochures in various locations and at our offices  
Maps on our website  
Rate sheets can be requested telephonically or by email request  
Special offers to newsletter subscribers  
SAMSA safety certificate  
Public Liability documents  
Bee certificate  
Craft license  
Crew qualification certificates

Cancelled cheques  
Tax clearance certificate  
SARS' certificate of good standing  
Insurance endorsement

## ii. Records that may be requested

### 1. Companies Act records

- Documents of incorporation
- Memorandum and Articles of Association
- Records relating to the appointment of Members and Accounting Officer

### 2. Financial records

- Annual Financial Statements
- Tax Returns
- Accounting Records
- Banking Records
- Bank Statements
- Paid Cheques
- Asset Register
- Invoices

### 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
  - Skills Development Levies
  - UIF
  - Workmen's Compensation

### 4. Personnel documents and records

- Employment contracts
- Disciplinary records
- Staff policies
- Salary records
- Disciplinary code
- Leave records
- Training records (if applicable)
- Training Manuals

## iii. Detail on how to make a request for access in terms of section 51(e)

### **The request procedure:**

**To facilitate the processing of your request, kindly use the prescribed form.**

**Address your request to:** Wanco Bruere  
[tiggerw@netactive.co.za](mailto:tiggerw@netactive.co.za)

### **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)].

**F. 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.

**G. AVAILABILITY OF THE MANUAL: [SECTION 51(3)]**

The manual is available for inspection at the offices of the relevant private body free of charge, and copies are available with the SAHRC, in the Gazette and on the private body's website [www.tigger2.co.za](http://www.tigger2.co.za).