

**SOUTH AFRICAN PETROLEUM INDUSTRY ASSOCIATION
(SAPIA)**

PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000

PRIVATE BODY MANUAL

1. CONTACT DETAILS OF PRIVATE BODY

- 1.1 Name of Body: South African Petroleum Industry Association
("the Private Body")
- 1.2 Physical Address: Hunts End
The Lodge, 1st Floor
38 Wierda Road West
Wierda Valley
Sandton
- 1.3 Postal Address: PO Box 783482
Sandton
2146
- 1.4 Website address: www.sapia.co.za
- 1.5 Head of Body: Avhaphani Tshifularo (Executive Director)
- 1.6 Telephone: +27 11 783 7664
- 1.7 Facsimile: +27 11 783 5400
- 1.8 E-mail: khensi@sapia.co.za
- 1.9 Who we are: SAPIA represents the collective interests of the South African petroleum industry. The Association plays a strategic role in addressing a range of common issues relating to the refining, distribution and marketing of petroleum products, as well as promoting the industry's environmental and socio-economic progress. SAPIA fulfils this role by contributing to the development of regulation in certain areas of South African policy; proactively engaging with key stakeholders; sharing research information; providing expert advice; and communicating the industry's views to government, members of the

public and media.

2. SECTION 10 GUIDE

2.1 In terms of section 10 of the Promotion of Access to Information Act 2 of 2000, the South African Human Rights Commission has published a guide containing information relating to:

2.1.1 obtaining access to a record of a Private Body and the assistance that is available from the South African Human Rights Commission in this regard;

2.1.2 lodging a court application against a decision by the head of a private body;

2.1.3 the fees that are payable for accessing a record; and

2.1.4 the voluntary disclosure of information by private bodies.

2.2 The contact details of the South African Human Rights Commission are as follows:

South African Human Rights Commission: PAIA Unit

Physical Address: Braampark Forum 3
33 Hoofd Street
Braamfontein

Telephone: 011 877 3600

Facsimile: 011 403 0668

Website: www.sahrc.org.za

E-mail: nmolefe@sahrc.org.za

dmalesa@sahrc.org.za

svanrensborg@sahrc.org.za

fmoola@sahrc.org.za

3. SECTION 52(2) NOTICE

No notice has been published.

4. RECORDS THAT ARE AVAILABLE IN TERMS OF OTHER LEGISLATION

4.1 Where applicable and insofar as the requester complies with the requirements set out in the relevant act, the requester may request information which is available in terms of the following legislation, as amended:

4.1.1 Basic Conditions of Employment Act 75 of 1997;

4.1.2 Broad Based Black Economic Empowerment Act 53 of 2003;

4.1.3 Compensation for Occupational Injuries and Diseases Act 130 of 1993;

4.1.4 Competition Act 89 of 1998;

4.1.5 Deeds Registries Act 47 of 1937;

4.1.6 Electronic Communications and Transactions Act 25 of 2002;

- 4.1.7 Employment Equity Act 55 of 1998;
- 4.1.8 Income Tax Act 58 of 1962;
- 4.1.9 Labour Relations Act 66 of 1995;
- 4.1.10 Occupational Health and Safety Act 85 of 1993;
- 4.1.11 Promotion of Administrative Justice Act 3 of 2000;
- 4.1.12 Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000;
- 4.1.13 Unemployment Insurance Act 63 of 2001;
- 4.1.14 Unemployment Insurance Contributions Act 4 of 2002;
- 4.1.15 Value Added Tax Act 89 of 1991;

5. SUBJECTS AND CATEGORIES OF INFORMATION HELD

The subjects and categories of official and/or confidential information on which the Private Body holds records are as follows:

- 5.1 Financial records, including:
 - 5.1.1 statutory books of account;
 - 5.1.2 budget reports;
 - 5.1.3 bank reports;
 - 5.1.4 audited financial statements;
 - 5.1.5 audit reports; and
 - 5.1.6 insurance records.
- 5.2 Income tax records, including:
 - 5.2.1 PAYE records;
 - 5.2.2 documents issued to employees for income tax purposes;
 - 5.2.3 records of payments made to the South African Revenue Service on behalf of employees;
 - 5.2.4 all other statutory compliances, including:
 - 5.2.4.1 VAT;
 - 5.2.4.2 Regional Services Levies;
 - 5.2.4.3 Skills Development Levies;
 - 5.2.4.4 UIF; and
 - 5.2.4.5 Workmen's Compensation.
- 5.3 Operational information, including:
 - 5.3.1 minutes of board meetings; and
 - 5.3.2 minutes of committees and task teams meetings.
- 5.4 Business information, including
 - 5.4.1 monthly financial reports;

- 5.4.2 budget reports; and
- 5.4.3 annual reports.
- 5.5 Assets, including:
 - 5.5.1 asset register;
 - 5.5.2 bank account reconciliations; and
 - 5.5.3 debtors' information.
- 5.6 Liabilities, including:
 - 5.6.1 general ledger; and
 - 5.6.2 loan agreements.
- 5.7 Information Technology, including:
 - 5.7.1 IT usage register;
 - 5.7.2 software licenses;
 - 5.7.3 repair and maintenance records;
 - 5.7.4 software programmes; and
 - 5.7.5 software records.
- 5.8 Human Resources, including:
 - 5.8.1 HR policies and procedures;
 - 5.8.2 employment equity reports;
 - 5.8.3 skills development reports;
 - 5.8.4 contracts of employment;
 - 5.8.5 payroll data;
 - 5.8.6 disciplinary records;
 - 5.8.7 salary records;
 - 5.8.8 disciplinary code;
 - 5.8.9 leave records
 - 5.8.10 training records;
 - 5.8.11 training manuals.
- 5.9 Contractual relationships, including:
 - 5.9.1 contracts with suppliers;
 - 5.9.2 leases; and
 - 5.9.3 HP agreements.
- 6. **THE REQUEST PROCEDURE**
- 6.1 Forms and fees
 - 6.1.1 A request for information must be made in the prescribed form, must be addressed to the head of the Private Body and must be submitted with the prescribed fee.

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- 6.1.2 The prescribed request form and details regarding the prescribed fees are available from the head of the Private Body and from the South African Human Rights Commission, whose contact details are set out above.
- 6.2 Form of request
- 6.2.1 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, facsimile number or electronic mail address of the head of the Body concerned.
- 6.2.2 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 indicate if it requires notice of the decision of the head of the Private Body in any manner, other than in writing.
- 6.2.3 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.
- 6.2.4 If a request is made on behalf of another person, the requester must submit proof of the capacity in which the requester is making the request to the satisfaction of the head of the Private Body.
- 6.3 Fees
- 6.3.1 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.
- 6.3.2 The head of the Private Body must by notice, require the requester to pay the prescribed fee, if any, before further processing the request.
- 6.3.3 The requester may lodge an application with a court against the payment of the request fee.
- 6.3.4 After the head of the Private Body has made a decision on the request, the requester must be notified in the required form.
- 6.3.5 If the request is granted then a further access fee must be paid for the search, reproduction, preparation and for any time, in excess of the prescribed hours, required to search and prepare for the record disclosure.
- 7. OTHER INFORMATION REQUIRED BY LEGISLATION**
- The Minister of Justice and Constitutional Development has not made any regulations in this regard.
- 8. AVAILABILITY OF THE MANUAL**
- 8.1 This manual is available for inspection at the Private Body's physical address, free of charge, as well as on its website, www.sapia.co.za.
- 8.2 A copy of this manual can be obtained from the South African Human Rights Commission.
- 8.3 The request forms and fee structure can be obtained via the South African Human Rights Commission's website, details of which are set out above, or via the website

of the Department of Justice and Constitutional Development, which website can be accessed at www.justice.gov.za.

DATED ON THIS 4TH DAY OF JANUARY 2012



AVHAPFANI TSHIFULARO

Executive Director

Head of Private Body