

**Manual prepared in accordance with Section 51 of the Promotion of Access to
Information Act No 2 of 2000
("The Act")
for
THE BILLSON BUSINESS TRUST
IT 0971/2001**

1. Introduction

1.1 The Provision of the Act

The Act was enacted on 3 February 2000 and was put into effect in part on 9 March 2001, with section 51 and other sections pertaining to the manuals to be prepared by public and private bodies coming into effect on 15 February 2002.

The object of the act is to give effect to the constitutional right of access to information held by another and required for the exercise or protection of any right, but importantly, to give effect to such right subject to justifiable limitations such as privacy, commercial confidentiality, and professional privilege. When a request is made by a requester in accordance with the procedure provided for the Act, for access to information held by a body (being either a public body or a private body), that body is obliged to deal with such a request in the manner prescribed in the Act. More specifically, that body is obliged to release the information except in those cases where the act expressly provides that the information may not or must not be released.

The Human Rights Commission is responsible for compiling a guide that provides details on how to use the Act. Please direct any further queries in respect of this guide to:

The South African Human Rights Commission:
PAIA Unit
The Research and Documentation Department
Postal Address: Private Bag 2700
Houghton
2041
Phone: (011) 484 8300
Fax: (011) 484 0582
e-mail: PAIA@zahrc.org.za
Website: www.sahrc.org.za

In terms of Section 51(1) of the Promotion of Access to Information Act, all heads of private bodies are required to compile a manual that provides information regarding the subjects and categories of records held by such private bodies. This manual is intended to fulfil this requirement.

Accordingly, this manual provides a reference to the records we hold and the process that needs to be adopted to access such records. All requests for access to information should be addressed to the contact person as identified in section 3 of this manual, as the entities designated Information Officer.

A copy of the manual will be available for inspection at:

- The registered address of the entity (refer address below); and
- The South African Human Rights Commission.

2. Entity overview, structure and scope of this manual

The Billson Business Trust is an importer of various commodities for distribution in South Africa. This manual is limited to the records held by The Billson Family Trust.

3. Administration of the Act

T.H. Billson, trustee of The Billson Business Trust is responsible for ensuring that the requirements of the Promotion of Access to Information Act are administered in a fair, objective and unbiased manner for the entity. Accordingly, all requests for access to records relating to the entity should be addressed to:

Company Name: The Billson Business Trust
Contact person: T.H. Billson
Postal address: P O Box 5871, Walmer, Port Elizabeth, 6065
Physical address: 18 Tucker Street, Parsons Hill, Port Elizabeth, 6001
Phone number: (041) 374 9111
Fax Number: -
e-mail: terry@genenergy.co.za

4. Records held by the entity in terms of the Act (Section 52 (1)(e))

Our records are in paper and electronic form. In terms of the Promotion of Access to Information Act, access must be granted irrespective of form or medium.

The Billson Business Trust holds records with information falling into the following categories:

- Financial Statements and accounting records
- Tax Records
- General Correspondence and miscellaneous agreements
- Information relating to transactions of a financial nature (e.g. invoices and payments)
- Banking Records
- Marketing Information
- Customer Information
- Employee Records
- Personnel guidelines, policies and procedures
- Employment Equity Records
- Labour Relations Records
- Statutory HR Records
- Insurance
- Immovable and movable property

5. Records available in terms of other legislation (Section 51(1)(d))

In terms of the following Acts, if and where applicable, which includes but is not limited to, we are required to ensure that certain categories of records are available for access as prescribed by each Act:

Administration of Estates Act No. 66 of 1965
Agricultural Produce Agents Act No. 12 of 1992
Armaments Development and Production Act No. 57 of 1968
Atmospheric Pollution Prevention Act No. 45 of 1965
Banks Act No. 94 of 1990
Basic Conditions of Employment Act No. 75 of 1997
Broad Based Black Economic Empowerment Act 53 of 2003
Close Corporations Act 69 of 1984
Collective Investment Schemes Control Act 45 of 2002
Companies Act No 71 of 2008
Compensation for Occupational Injuries and Diseases Act No. 130 of 1993
Competition Act No. 89 of 1998
Constitution of South Africa Act 108 of 1996
Consumer Protection Act No 68 of 2008
Co-operatives Act No. 91 of 1981
Copyright Act 98 of 1987
Correctional Services Act No. 111 of 1998

Credit Agreements Act No.75 of 1980
Custody and Administration of Securities Act No. 85 of 1992
Customs and Excise Act No. 91 of 1964
Debt Collectors Act No. 114 of 1998
Deeds Registries Act 47 of 1937
Defence Act No. 44 of 1957
Designs Act No. 195 of 1993
Electronic Communications and Transactions Act 2 of 2000
Employment Equity Act No.55 of 1998
Environment Conservation Act 73 of 1989
Estate Agency Affairs Act No. 112 of 1976
Explosives Act No. 26 of 1956
Financial Advisory and Intermediary Services Act 37 of 2002
Financial Intelligence Centre Act No. 38 of 2001
Financial Markets Control Act No. 55 of 1989

Firearms Control Act 60 of 2000
Formalities in Respect of Leases of Land Act 18 of 1969
Health Professions Act No. 56 of 1974
Housing Act No. 107 of 1997
Immigration Act No. 13 of 2002
Income Tax Act No. 58 of 1962
Insider Trading Act No. 135 of 1998
Insolvency Act No. 24 of 1936
Labour Relations Act No. 66 of 1995
Legal Deposit Act No. 54 of 1997
Liquor Act No. 27 of 1989
Long-term Insurance Act No. 52 of 1998
Machinery and Occupational Safety Act No. 6 of 1983
Mine Health and Safety Act No. 29 of 1996
Mineral and Petroleum Resources Development Act 28 of 2002
Minerals Act No. 50 of 1991
Mutual Banks Act No. 124 of 1993
National Credit Act No 34 of 2005
National Building Regulations and Buildings Standards Act 103 of 1997
National Environmental Management Act No. 107 of 1998
National Key Points Act No. 102 of 1980
National Nuclear Regulator Act No. 47 of 1999
National Payment System Act No. 78 of 1998
National Road Traffic Act No. 93 of 1996
National Water Act No. 36 of 1998
Nuclear Energy Act No. 46 of 1999
Nursing Act No. 50 of 1978
Occupational Health and Safety Act No. 85 of 1993
Patents Act 57 of 1987
Prescription Act No. 68 of 1969

Prevention of Organised Crime Act No. 121 of 1998
Promotion of Access to Information Act 2 of 2000
Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000
Protected Disclosures Act 26 of 2000
Public Finance Management Act No. 1 of 1999
Road Transportation Act No. 74 of 1977
Regulation of Interception of Communications and Provisions of Communication Related Information Act 70 of 2002
Sales and Service Matters Act 25 of 1964
Sectional Titles Act No. 95 of 1986
Security Officers Act No. 92 of 1987
Security Services Act 36 of 2004
Short-term Insurance Act No. 53 of 1998
Skills Development Act 97 of 1997
Skills Development Levy Act 9 of 1999
South African Medicines and Medical Devices Regulatory Authority Act No. 132 of 1998
South African Police Service Act No. 68 of 1995
South African Reserve Bank Act 90 of 1989
Space Affairs Act No. 84 of 1993
Stamp Duties Act No. 77 of 1968
Stock Exchange Control Act No. 1 of 1985
Stock Exchanges Control Act No. 1 of 1985
Tobacco Products Control Act 12 of 1999
Trade Marks Act 194 of 1993
Transfer Duty Act No. 40 of 1949
Unemployment Insurance Act No. 63 of 2001
Unit Trusts Control Act No. 54 of 1981
Value-added Tax Act No. 89 of 1991
Witness Protection Act No. 112 of 1998

Please note that while we have made every effort to identify all pertinent legislation, we cannot guarantee that all legislation has been included. Should you be aware of any specific legislation that should be included and which has been omitted, please contact the Information Officer of the entity as per paragraph 3 above. Your assistance in this regard is appreciated.

6. Procedure to follow when submitting a formal request of access to a record

A request for access to a record that does not fall within the categories identified in Section 5 of this manual must be done formally either via conventional mail, e-mail or fax.

This request should be in the prescribed format as defined in Form C of Annexure B as identified in Government Notice Number 187, Regulation 6. A request form is also available from our offices. The prescribed *request fee* should be attached (refer to Section 7 of this manual for more details on the fees).

Our Information Officer will respond to your request within *30 days* of receiving the request by indicating whether your request for access has been granted.

Please note that an application for access to information can be refused in the event that the application does not comply with the procedural requirements of the Act. In addition, the successful completion and submission of an access request form does not automatically allow the requestor access to the requested record.

The request form must be completed **CLEARLY** and **COMPLETELY** in block letter. If there is insufficient space on the printed request form in which to answer a question, additional information must be provided on a separate page that is clearly marked and referenced.

If access to a record/information is granted, our response will include:

- An indication of the access fee that should be paid upon gaining access (if any);



