

**THE PROMOTION OF ACCESS TO INFORMATION**

**SECTION 51 MANUAL FOR:**

**MBB CONSULTING SERVICES (EASTEN CAPE) (PTY) LTD**

# THE PROMOTION OF ACCESS TO INFORMATION ACT 20 OF 2000 (“THE ACT”)

## SECTION 51 MANUAL FOR: MBB CONSULTING SERVICES (EASTEN CAPE) (PTY) LTD

### TRADING AS MBB CONSULTING ENGINEERS (EASTERN CAPE)

#### INTRODUCTION TO MBB CONSULTING SERVICES (EARTERN CAPE) (PTY) LTD

MBB Consulting Services (Eastern Cape) (Pty) Ltd is a well-established multi disciplinary company of Consulting Engineers and related services.

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

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

Name of Company:	MBB Consulting Services (Eastern Cape) (Pty) Ltd
Registration Number:	1996 / 016249 / 07
Date of Incorporation:	19/11/1996
Main Object:	The company is engaged in professional consulting engineering and related services.
Trading activity:	Consulting Engineers
Geographical Area:	Eastern Cape
Postal Address:	PO Box 3011, Matieland, 7602
Physical Address:	51 Hill Street, Grahamstown, 6139
Registered Address:	P.O. Box 920, Stellenbosch, 7599
Telephone Number:	021 – 887 1026
Fax Number:	021 – 887 3047
E-mail address:	drs@mbb.co.za
Web address:	www.mbb.co.za
Head/CEO:	Mr PJ Ellis
Contact details of Head:	046-622 7223
Designated Information Officer:	DR Schnetler – Financial Director

Contact details of Designated Information Officer

Contact person:	DR Schnetler
Contact details of Contact Person:	021 - 8871026
E-mail address of Contact Person:	drs@mbb.co.za

##### 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 not 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
		E-mail:	PAIA@sahrc.org.za

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

Basic Conditions of Employment No. 75 of 1997  
Companies Act No. 61 of 1973  
Compensation for Occupational Injuries and Health Diseases Act No.130 of 1993  
Employment Equity Act No. 55 of 1998  
Engineering Profession Act No.46 of 2000  
Income Tax Act No. 95 of 1967  
Labour Relations Act No. 66 of 1995  
Occupational Health & Safety Act No. 85 of 1993  
Pension Funds Act No. 24 of 1956  
Regional Services Councils Act No. 109 of 1985  
Skills Development Levies Act No. 9 of 1999  
Skills Development Act No. 97 of 1998  
Stamp Duties Act No. 77 of 1968  
Unemployment Contributions Act No. 4 of 2002  
Unemployment Insurance Act No. 63 of 2001  
Value Added Tax Act No. 89 of 1991  
Credit Act, No 43 of 2005  
Harmful Business Practices Act, No 23 of 1999  
Insolvency Act, No 24 of 1936  
Insurance Act No 27 of 1943  
Trade Marks Act, No 194 of 1993

**4. Access to the records held by MBB Consulting Services (Eastern Cape) (Pty) Ltd [Sections 51(1)(c) and 51(1)(e)of the Act]**

**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)of the Act]**

General marketing information regarding the Company in terms of:

Profile of the Firm  
Brochures and information on expertise and services offered  
Location of offices and contact details

Are available from the address as stipulated in section 1.

**Records that may be requested**

We maintain records on the following categories and subjects matters. However, please note that recording a category or subject matter in this Manual does not imply that a request for access to such records would be honoured. All requests for access will be evaluated on a case by case basis in accordance with the provision of the Act. Also note that certain records held by the company are those of third parties and that the company takes the protection of third party confidential information seriously. In this regard please ensure that requests for records are carefully motivated to avoid rejection.

**ADMINISTRATION**

Minutes of management meetings  
Insurance  
Policies and procedures  
Records in terms of the Companies Act

**HUMAN RESOURCES**

Remuneration manual, records and reports  
Employment contracts  
Employment Equity Policy

## MBB Pension Fund Guide

### FINANCES

Annual Financial Statements  
General and subsidiary ledgers  
Banking and Bank Statements  
Purchasing and Asset Register  
Audit Reports  
Taxation

### OPERATIONS

Register of Clients  
Register of Projects  
Client Contracts  
Details of Projects

#### **The request procedures**

Please contact MBB Consulting Services (Eastern Cape) (Pty) Ltd at the above-listed contact address with any request for access to a record of the body. Information to be made available in accordance with Section 10 of the Act (Section B – The Official Guide) and (Section C – Information available in terms of the Act). This equally applies to Section D – information available in terms of other legislation and Section E – Information automatically available.

#### **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) of the Act]*

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

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

This manual is available for inspection free of charge at the contact address in section 1 of this manual. Copies are available through the SAHRC, of which the contact details are as follows:

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:	+27-11-4840582
Email:	fvanrensburg@sahrc.org.za