



# Cerimele Construction Company Pty (Ltd)

**Registration Number: 1979/003844/07**


## Section 51 Manual

Prepared in accordance with Section 51 of the Promotion of  
Access to Information Act, No. 2 of 2000

**Compilation Date:** 17<sup>th</sup> May 2021

**Date of Last Revision:** 17<sup>th</sup> May 2021

This document serves as the information manual as required by Section 51 (1) of the Promotion of Access to Information Act, No.2 of 2000 for private bodies. This manual provides information on the records held and the process that is to be followed to request access to such records.

<b>Cerimele Construction Company Pty (Ltd)</b>	<b>Information Management System Promotion of Access to Information Act, No.2 of 2000</b>	
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### Company Introduction

Cerimele Construction Company (Pty) Ltd is a privately owned company that specialises in the construction of large diameter pipelines. We have the ability to undertake large complex construction activities. These activities require rational employment of human, material and financial resources which when combined, provide successful projects completed on time, of high-quality standards and within budget.


We have highly skilled staff as well as an 8-hectare workshop located at Vlakplaats, Boksburg. Our company is a grade 9CE company, as registered with the Construction Industry Development Board (CIDB).

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### Contact Details of Information and Deputy Information Officer *Information required by Section 51(1)(a) of the Act*

Information Officer: Mr. Wandre Venter  
Postal Address: No. 1, 15<sup>th</sup> Avenue, Houghton, Johannesburg 2198  
Physical Address: No. 1, 15<sup>th</sup> Avenue, Houghton, Johannesburg 2198  
Telephone Number: +27 11 483 0234  
Cellular Phone Number: +27 71 492 0133  
Email Address: [wandre@cerimele.co.za](mailto:wandre@cerimele.co.za)

Deputy Information Officer: Mrs. Melinda Sebastian  
Postal Address: No. 1, 15<sup>th</sup> Avenue, Houghton, Johannesburg 2198  
Physical Address: No. 1, 15<sup>th</sup> Avenue, Houghton, Johannesburg 2198  
Telephone Number: +27 11 483 0234  
Celluar Phone Number: +27 83 441 0266  
Email Address: [melinda@cerimele.co.za](mailto:melinda@cerimele.co.za)

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**Section 10 Guide to the Act**  
*Information required by Section 51(1)(b) of the Act*

A guide has been compiled, in terms of Section 10 of the Promotion of Access to Information Act, No.2 of 2000 by the South African Human Rights Commission. This guide contains information to assist a person wishing to exercise a right in terms of the Act. This guide is available for inspection, inter alia as follows:

Contact Body:	The South African Human Rights Commission
Postal Address:	Private Bag 2700, Houghton 2041
Physical Address:	National Head Office 33 Hoofd Street Braampark Forum III Braamfontein Johannesburg, Gauteng 2001
Telephone Number:	+27 11 877 3600
Facsimile Number:	+27 403 0668
Email Address:	<a href="mailto:info@sahrc.org.za">info@sahrc.org.za</a>

The regulations regarding the Act published under Government Notice No. R187 of 15<sup>th</sup> February 2002 set forth how the South African Human Rights Commission should make the guide available.

**Records Automatically Available**  
*Information required by Section 51(1)(c) of the Act*

A Section 52(2) notice regarding the categories of records which are available without a person having to request access in terms of the Act has to date not been published.

<b>Purpose of processing of personal information</b>
------------------------------------------------------

Provide our goods or supply our services

Keep our records up to date





Manage employees in general  
Manage supplier contracts in general  
Manage customers in general  
Market to customers in various countries  
Market goods and services to prospects  
Process customer requests or complaints  
Process personal information of employees

#### **Data subjects categories and their personal information**


We process many different categories of personal information, including:

- Contact details, such as phone numbers, physical and postal addresses, and email addresses
- Personal details, such as names and ages
- Demographic details, such as races and age groups
- Health information
- Biometric information
- Account numbers
- Background information

#### **Planned recipients of personal information**

We give the following people personal information that we process in the ordinary course of business:

- Statutory authorities
- Law enforcement
- Tax authorities
- Financial institutions
- Medical schemes

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Employee pension and provident funds

Industry bodies

*Records Available in Accordance with other Legislation  
Information required by Section 51(1)(d) of the Act*

Records are held in accordance with the following legislation but not limited to:

<b>Business Operations</b>
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Consumer Protection Act 68 of 2008

National Credit Act No 34 of 2005

<b>Finance</b>
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Income Tax Act No 58 of 1962

Value Added Tax Act No 89 of 1991

<b>General</b>
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Companies Act No 71 of 2008 and Applicable Regulations

Competition Act No 89 of 1998

Promotion of Access to Information Act 2 of 2000

<b>Governance</b>
-------------------

King Report on Corporate Governance in South Africa (King III)

<b>Human Resources</b>
------------------------

Basic Conditions of Employment Act No 57 of 1997

Broad Based Black Economic Empowerment Act No 53 of 2003

Compensation for Occupational injuries and Diseases Act No 130 of 1993

Employment Equity Act No 55 of 1998

Labour Relations Act No 66 of 1995

Occupational Health and Safety Act No 85 of 1993

Skills Development Levies Act No 9 of 1999

*Handwritten signature*



Unemployment Insurance Act No 30 of 1966

**IT and Communication**

Electronic Communications and Transactions Act No 25 of 2002

Subjects and Categories of Records  
*Information required by Section 51(1)(e) of the Act*

The information in this section provides a reference to the records that the Company holds, which will facilitate a request in terms of the Act. These records referred to below include but are not limited to records which pertain to the Company's own affairs. These records are not automatically available and can only be made available by facilitating a request in terms of the Act. Please note that the records listed below are not exhaustive.

**Corporate Governance**

Executive Committee minutes and records

Codes of Conduct

Corporate Social Investment records

Director's minutes and records

Legal compliance records

Policies and procedures

Risk Management reports

Shareholder agreements

**Financial**

Accounting records

Annual Financial Statements

Banking records

Business contracts





Credit Bureau records  
General correspondence  
Internal Control reports  
Invoices, Credit Notes, Statements, etc.  
Management accounts  
Proposal and Tender documents  
Statutory records  
Tax Returns and SARS correspondence

#### **Human Resources**

Bargaining Council records and correspondence  
BEE Statistics and Audit reports  
Employment Equity reports  
Leave records  
Letters of Employment  
Medical Aid records  
PAYE records and returns  
Payroll records  
Personnel files and records  
Policies and Procedures  
Retirement Benefit records  
SDL records and returns  
SETA records and correspondence  
Trainee and Apprenticeship contracts and correspondence  
Training Material and records  
Training statistics





UIF records and returns

Union records and correspondence

Workman's Compensation records

#### **Information Technology**

Contracts and Agreements

Policies and Procedures

Register of Hardware and Software

Warranties

#### **Marketing and Business Growth**

Contracts and Agreements

Marketing Brochures and Advertising records

Marketing strategies

New Business Development

#### **Operations**

Asset Registration and records

Compliance records

Contracts and agreements

General correspondence


Health and Safety records

Import and Export records

Insurance records and correspondence

Quality Control records

Telephone and Communication records

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### Availability of the Manual

The public can obtain a copy of this manual on request from the Information or Deputy Information Officer.

A copy is available to be viewed at the company's Head Office during the working hours of 08:00 to 17:00 from Monday to Friday.

A copy is available to be viewed on the company's website at [www.cerimeleconstruction.com](http://www.cerimeleconstruction.com)

### Request for Access to Records

#### Access to records held by Company

Records held by the company may be accessed by requests only once the prerequisite requirements for access have been met. A requestor must use the prescribed form to make a request for access to a record. A "requestor" in relation to a private body means:

- Any person, including, but not limited to, a public body or an official thereof, making a request for access
- to a record of that private body; or
- a person acting on behalf of the person contemplated above. There are two types of requesters:
  - **Personal Requester:** A personal requester is a requester who seeks access to a record containing personal information about the requester. The Company will voluntarily provide the requested information or give access to any record with regard to the requester's personal information. The prescribed fee for reproduction of the information requested will be charged.
  - **Other Requester:** This requester (other than a personal requester) is entitled to request access to information on third parties.



### Form of request

The requester must use the Form as set out in **Annexure A** of this manual, to make a request for access to a record.

The request should be made to the Designated Information or Deputy Information Officer at the address or electronic mail address as stated above.

The prescribed form must be filled in with sufficient detail to enable the Designated Information Officer to identify [Section 53]:

- The record or records requested and the requester of the information.
- The form of access required.
- The postal address; fax number or e-mail address of the requester.
- The right the requester is seeking to exercise or protect and provide an explanation of why the record is required for the exercise or protection of that right.
- If in addition to a written reply, the manner in which the requester wishes to be informed of the decision regarding the request made.
- If the request is made on behalf of a person, the capacity in which the requester is making the request.

*If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally.*

### Fees

The Act provides for two types of fees, namely:

A request fee, which will be a standard fee. The fee that the requester must pay to a private body is R50.

An access fee, which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs. Please refer to **Annexure B** of this manual.

The requester may lodge an application to the court against the tender or payment of the request fee or access fee. [Section 54(3) (b)].

The requester must pay the prescribed request fee, before any further processing can take place. When the Designated Information Officer receives the request, such officer shall by notice require the requester, other than a personal requester, to pay the prescribed request fee (if any), before further processing of the request. [Section 54(1)].

The notice must also set out the procedure for lodging the application [Section 54(3) (c)].



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 prescribed required request fee.

If the search for and the preparation of the record for disclosure, including arrangements to make it available in the requested form, requires more than the hours prescribed, the Designated Information or Deputy Information Officer shall notify the requester to pay as a deposit the prescribed portion (being no more than one third) of the access fee which would be payable if the request is granted. [(Section 54(2)).

If a deposit has been paid and the request for access refused, the deposit referred to above must be repaid to the requester.

The Designated Information or Deputy Information Officer may withhold a record until the requester has paid the applicable fees as indicated in **Annexure B**.

A requester, whose request for access to a record has been granted, must pay an access fee for reproduction, search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure including making arrangements to make it available in the requested form [Section 54(5)]. In terms of the Act [Section 54(7)], the access fee prescribed for the purposes referred to above must:

- provide for the costs of making the record, or a transcription of a record.
- If applicable a postal fee.
- the time reasonably required to search for the record and prepare the record for disclosure to the requester.

#### The Companies Consideration of Requests for Information

The Company will, within 30 days of receipt of the request, decide whether to grant or decline the request and give notice with reasons to that effect [Section 56].

The 30-day period within which the Company is to decide whether to grant or refuse the request may be extended for a further period of not more than 30 days if [Section 57]:

- the request is for a large number of records or requires a search through a large number of records and compliance with the original period would unreasonably interfere with the activities of the private body concerned.
- the request requires a search for records in, or collection thereof from, an office of the private body not situated in the same town or city as the office of the head that cannot reasonably be completed within the original period.



- consultation among divisions of the Company or with another private body is necessary or desirable to decide upon the request that cannot reasonably be completed within the original period.
- more than one of the circumstances contemplated in the paragraphs above exist in respect of the request making compliance with the original period not reasonably possible.
- The requester consent in writing to such extension.
- If the period is extended, the Designated Information or Deputy Information Officer will within 30 days after the request is received notify the requester of
- The period of the extension.
- The reasons for the extension, including the provisions of this Act relied upon.
- That the requester may lodge an application with a court against the extension, and the procedure (including the period) for lodging the application.

#### Grounds of Refusal of Access to Records

The main grounds for the Company to refuse a request for information relates to the:

**Mandatory protection of the privacy of a third party who is a natural person, which would involve the unreasonable disclosure of personal information about that natural person [Section 63]. A record will not be refused in so far as it consists of information:**

- about an individual who has consented to the disclosure of the record.
- already publicly available.
- that was given the private body by the individual to whom it relates, and the individual was informed by or on behalf of the private body, before it is given, that the information belongs to a class of information that would or might be made available to the public.
- about an individual's physical or mental health, or well-being, who is under the care of the requester and who is –
- under the age of 18 years.
- incapable of understanding the nature of the request, and if giving access would be in the individual's best interests.
- about an individual who is deceased, and the requester is the individual's next of kin; or
- making the request with the written consent of the individual's next of kin; or
- about an individual who is or was an official of a private body and which relates to the position or functions of the individual, including, but not limited to –
- the fact that the individual is or was an official of that private body.
- the title, work address, work phone number and other similar particulars of the individual.



- the classification, salary scale or remuneration and responsibilities of the position held, or services performed by the individual.
- the name of the individual on a record prepared by the individual in the course of employment.

**Mandatory protection of the commercial information of a third party, if the record contains:**

- Trade secrets of that third party.
- Financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party.
- Information disclosed in confidence by a third party to the Company, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition [Section 64]. 10.3 Mandatory protection of confidential information of third parties if it is protected in terms of any agreement [Section 65]

**Mandatory protection of the safety of individuals and the protection of property [Section 66]. The head of a private body must refuse a request for access to a record of the body if its disclosure could reasonably be expected to endanger the life or physical safety of an individual. The head of a private body may refuse a request for access to a record of the body if its disclosure would be likely to prejudice or impair the security of:**

- a building, structure, or system, including, but not limited to, a computer or communication system.
- a means of transport; or any other property.
- methods, systems, plans or procedures for the protection of -
- an individual in accordance with a witness protection scheme.
- the safety of the public, or any part of the public; or
- the security of property contemplated above.

**Mandatory protection of records which would be regarded as privileged in legal proceedings [Section 67]**

**The commercial activities of the Company, which may include [Section 68]:**

- Trade secrets of the Company.
- Financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of the Company.
- Information which, if it is disclosed could put the Company at a disadvantage in negotiations or
- commercial competition.





The research information of the Company or a third party, if its disclosure would disclose the identity of the Company, the researcher or the subject matter of the research and would place the research at a serious disadvantage [Section 69]

Requests for information that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources shall be refused.

#### Remedies available when the company refuses a request for information

##### *Internal Remedies*


The Company does not have an internal appeals procedure. As such, the decision made by the Designated Information or Deputy Information Officer is final. The requesters will have to exercise such external remedies at their disposal, if the request for information is refused and the requester is not satisfied with the answer supplied by the Designated Information or Deputy Information Officer.

##### *External Remedies [Section 78]*

A requester that is dissatisfied with the Designated Information or Deputy Information Officer's refusal to disclose information may, within 30 days of notification of the decision, apply to a Court for relief. Likewise, a third party dissatisfied with the Designated Information officer's decision to grant a request for information may, within 30 days of notification of the decision, apply to a Court for relief. For the purposes of the Act, the Courts that have jurisdiction over these applications are the:

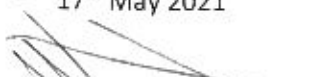
- Constitutional Court.
- The High Court or another Court of similar status.



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### Approval of Information Manual

This information has been prepared in accordance with the Promotion of Access to Information Act, No. 2 of 2000 and is hereby approved:

**Name:** Mr. Wandre Venter  
**Designation:** Chief Operations Officer  
**Place:** Houghton  
**Date:** 17<sup>th</sup> May 2021  
**Signature:** 

# Annexure A

## FORM C

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY  
(Section 53(1) of the Promotion of Access to Information Act, 2000  
(Act No. 2 of 2000)

[Regulation 10]

### A. Particulars of private body

The Head:

### B. Particulars of person requesting access to the record

- |     |                                                                                                     |
|-----|-----------------------------------------------------------------------------------------------------|
| (a) | The particulars of the person who requests access to the record must be given below.                |
| (b) | The address and/or fax number in the Republic to which the information is to be sent must be given. |
| (c) | Proof of the capacity in which the request is made, if applicable, must be attached.                |

Full names and surname:

Identity number:

Postal address:

Fax number:

Telephone number:

E-mail address:

Capacity in which request is made, when made on behalf of another person:

### C. Particulars of person on whose behalf request is made

This section must be completed <i>ONLY</i> if a request for information is made on behalf of <i>another</i> person.
---------------------------------------------------------------------------------------------------------------------

Full names and surname:

Identity number:

### D. Particulars of record

- |     |                                                                                                                                                                  |
|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (a) | Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located. |
| (b) | If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.          |

- 1 Description of record or relevant part of the record:
- 2 Reference number, if available:
- 3 Any further particulars of record:

**E. Fees**

- (a) A request for access to a record, other than a record containing personal information about yourself, will be processed only after a request fee has been paid.
- (b) You will be *notified* of the amount required to be paid as the request fee.
- (c) The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.
- (d) If you qualify for exemption of the payment of any fee, please state the reason for exemption.

Reason for exemption from payment of fees:

**F. Form of access to record**

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.

Disability:	Form in which record is required
Mark the appropriate box with an X.	
<b>NOTES:</b> (a) Compliance with your request in the specified form may depend on the form in which the record is available. (b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form. (c) The fee payable for access for the record, if any, will be determined partly by the form in which access is requested.	

<b>1. If the record is in written or printed form:</b>			
<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record
<b>2. If record consists of visual images</b> this includes photographs, slides, video recordings, computer-generated images, sketches, etc)			
<input type="checkbox"/>	view the images	<input type="checkbox"/>	copy of the images"
<input type="checkbox"/>		<input type="checkbox"/>	transcription of the images*
<b>3. If record consists of recorded words or information which can be reproduced in sound:</b>			
<input type="checkbox"/>	listen to the soundtrack audio cassette	<input type="checkbox"/>	transcription of soundtrack* written or printed document
<b>4. If record is held on computer or in an electronic or machine-readable form:</b>			
<input type="checkbox"/>	printed copy of record*	<input type="checkbox"/>	printed copy of information derived from the record"
<input type="checkbox"/>		<input type="checkbox"/>	copy in computer readable form* (stiffy or compact disc)
*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.			YES      NO

**G Particulars of right to be exercised or protected**

If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

1. Indicate which right is to be exercised or protected:
2. Explain why the record requested is required for the exercise or protection of the aforementioned right:

**H. Notice of decision regarding request for access**

You will be notified in writing whether your request has been approved/denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

Signed at..... This..... day of .....20

SIGNATURE OF REQUESTER / PERSON ON  
WHOSE BEHALF REQUEST IS MADE

**Physical Address**  
33 Hoofd Street  
Braampark Forum 3  
Braamfontein  
2198

**Postal Address**  
Private Bag X 2700  
Houghton  
2041



## Annexure B

### NOTICE IN TERMS OF THE PROMOTION OF ACCESS TO INFORMATION 2 OF 2000 RE: FEES ASSOCIATED WITH PAIA REQUESTS ARE DETERMINED BY THE REGULATIONS ONLY AND NOT THROUGH OTHER APPLICABLE LAWS OR POLICIES

This Notice serves to state that the South African Human Rights Commission (the Commission) hereby confirms that the costs associated with all requests made under the Promotion of Access to Information Act 2 of 2000 (PAIA) are determined by the Regulations relating to PAIA only, and not by any other laws or regulations. Therefore, any demands made by a public or private body for the payment of additional fees with respect to PAIA requests are invalid.

The Commission is an independent public body currently mandated under PAIA to monitor the implementation of the Act. In accordance with its responsibilities to ensure compliance with PAIA, the Commission issues this notice to bring clarity to all interested parties that it is *only* the Minister of Justice and Constitutional Development who has the power to make decisions regarding fees associated with PAIA requests. The Commission further confirms that Value-Added Tax (VAT) is only payable by institutions who have registered as VAT vendors.

#### 1. The Promotion of Access to Information Act

PAIA gives effect to the constitutional right to access of information, as provided for under section 32 of the Constitution. Although responding to requests and reproducing records in an accurate and orderly manner takes time and resources, section 9 of the Act specifically calls for the establishment of mandatory mechanisms and procedures to ensure that access to records of both public and private bodies is "as swiftly, *inexpensively* and effortlessly as reasonably possible." [emphasis added].

Furthermore, section 92 of the Act grants the Minister of Justice and Constitutional Development the power to make regulations pertaining to fees associated with requests made to both public and private bodies.

#### 2. Regulations to PAIA

In February 2002, the Minister of Justice and Constitutional Development published a schedule of fees for PAIA requests in the Gazette, which provided for the following:

##### Fees for Requesting Records

Requesters are required to pay a fee for requesting access to records from both public and private bodies. The fee for requesting records from a public body is R35, while the fee for requesting records from a private body is R50. It is important to note that people who are requesting access to their personal information are exempt from paying a fee. Furthermore, people who earn less than R14,712 per annum (if single) and R27,192 per annum (if married or have a life partner), are also exempt from paying the request fees.

##### Fees for Accessing Records

Requesters are also required to pay fees for accessing the records of public and private bodies, which include fees associated with the search for, preparation of, and reproduction of documents. The breakdown of fees for requests to both public and private bodies are as follows:

##### **Public Bodies:**

- Copy per A4 page – 60 cents
- Printing per A4 page – 40 cents
- Copy on a CD – R40
- Transcription of visual images per A4 page – R22
- Copy of a visual image – R60
- Transcription of an audio recording per A4 page – R12
- Copy of an audio recording – R17
- Search and preparation of the record for disclosure – R15 per hour or part thereof, excluding the first hour, reasonably required for the search and preparation
- Actual postage fee

##### **Private Bodies:**

- Copy per A4 page – R1.10
- Printing per A4 page – 75 cents
- Copy on a CD – R70
- Transcription of visual images per A4 page – R40
- Copy of a visual image – R60
- Transcription of an audio recording per A4 page – R20
- Copy of an audio recording – R30
- Search and preparation of the record for disclosure – R30 per hour or part thereof, excluding the first hour, reasonably required for the search and preparation
- Actual postage fee

#### 3. Registered VAT Vendors

The Commission further confirms that Value-Added Tax (VAT) is only payable by institutions who have registered as VAT vendors, as required under section 23 of the Value-Added Tax Act of 1991.

Sincerely,

Advocate L M Mushwana

Chair of the South African Human Rights Commission

Transforming society. Securing rights. Restoring dignity

**Chairperson:** ML Mushwana; **Deputy Chairperson:** P Govender; **Commissioners:** L Mokate, B Malatji, J Love, D Titus  
**Chief Executive Officer:** K Ahmed





INFORMATION  
REGULATOR  
(SOUTH AFRICA)

*Ensuring protection of your personal information  
and effective access to information*

## REGISTRATION CERTIFICATE

**Registration Number: 12689/2021-2022/IRRTT**

This is to certify that **Wandre Venter** and **Melinda Sebastian** have been registered with the Information Regulator by **Cerimele Construction Company (Pty) Ltd** as the Information Officer and Deputy Information Officer respectively, in terms of section 55(2) of the Protection of Personal Information Act 4 of 2013 with effect from 27 May 2021.

**Chief Executive Officer  
INFORMATION REGULATOR**

**NB:** Please note that it is your responsibility to ensure that the particulars of an Information Officer and/or Deputy Information Officer(s) are correct and updated on an annual basis or as and when it becomes necessary.