

**ACCESS TO INFORMATION MANUAL**

**OF**

**CENTAUR ASSET MANAGEMENT (PTY) LTD**

**2000/000061/07**

**MANUAL PREPARED IN ACCORDANCE WITH SECTION 51  
OF THE  
PROMOTION OF ACCESS TO INFORMATION ACT NO.2 OF 2000**

<b>INDEX</b>	<b>PAGE</b>
1. Introduction	3
2. Contact details	4
3. Details of subsidiaries and divisions	5
4. Contact details of subsidiaries and divisions	5
5. Guide in terms of section 10 of the Act	5
6. Notice(s) in terms of section 52(2) of the Act	6
7. Information available in accordance with other legislation	6
8. Information held by Centaur Asset Management (Pty) Ltd in terms of the Act	7
9. Criteria for granting access to information	8
10. Request procedure	10
11. Request fees	11
12. Other information	11
13. Availability of the manual	11
14. Appendix 1	12
15. Appendix 2	16

## **1. INTRODUCTION**

### **1.1. The provision of the Act**

The Promotion of Access to Information Act no 2. of 2000 (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, privacy, commercial confidentiality, and professional privilege. When a request is made by a requester in accordance with the procedure provided for in 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.

### **1.2. Company Centaur Asset Management (Pty) Ltd**

Centaur Asset Management (Pty) Ltd is a private company operating as asset managers and trade in the stock market.

In the case of private companies, the provision dealing with the form of the request, the fees payable, and the procedure to be followed in regard to a request, is contained in sections 53-60 of the Act. The grounds on which access to information may or must be refused are set out in sections 62-70 of the Act.

### **1.3. The purpose of the manual**

The purpose of the manual is to make available to potential requesters information regarding the records held, to define the manner and form in which a request for information must be submitted and to set out the criteria and grounds, derived from the Act, to be applied with in granting or refusing a request.

The objective of the manual is therefore to inform and assist potential requesters in regard to the procedure to be followed and the criteria to be applied when a request is

made for access to information held by Centaur Asset Management (Pty) Ltd in terms of the Act.

The manual may be amended from time to time as and when necessary. As and when amendments are effected, the latest version of the manual will be made public.

A requester who requires further information with regards to the use of this manual and/or the procedure to be followed may direct enquiries to:

Name	Roger Williams
Telephone	011 784 1026
Fax	011 784 1035
E-mail	roger@centaur.co.za

#### **1.4. Definitions**

The following words or expressions will bear the following meanings in this manual:

“the Act”	Shall mean the Promotion of Access to Information Act, no.2 of 2000, together with all relevant regulations published there under
“the / this manual”	Shall mean this manual together with all annexures thereto as available at the offices of Centaur Asset Management (Pty) Ltd
“SAHRC”	Shall mean the South African Human Rights Commission
“Information Officer”	Shall mean the director of Centaur Asset Management (Pty) Ltd, who has been appointed as the Information Officer of Centaur Asset Management (Pty) Ltd and to whom requests for information in terms of the Act shall be addressed

## **2. CONTACT DETAILS (SECTION 51(1)(A) OF THE ACT)**

Name of company	Centaur Asset Management (Pty) Ltd
Registration number	2000/000061/07
Appointed Information Officer	R.C. Williams

Physical address	Building A Kingsley Park 85 Protea Road Chislehurston 2196
Postal address	P.O. Box 885 Northlands 2116
Registered Office	21 Scott Street Waverley Johannesburg 2090
Company Secretary	Octagon
Auditors	Octagon Chartered Accountants
Telephone	011 784 1026
Fax	011 784 1035
E-mail	diane@centaur.co.za
Website	www.centaur.co.za

### **3. DETAILS OF SUBSIDIARIES AND DIVISIONS**

None

### **4. CONTACT DETAILS OF SUBSIDIARIES AND DIVISIONS**

None

### **5. GUIDE IN TERMS OF SECTION 10 OF THE ACT (SECTION 51(1)(B) OF THE ACT)**

In terms of Section 10 of the Act, a guide has to be compiled by the South African Human Rights Commission (SAHRC) containing such information as may be required by a person who wishes to exercise any right contemplated in the Act. The guide will be made available in all official languages by the SAHRC and will be obtainable from the SAHRC.

Contact details of the SAHRC are as follows:

Postal address	PAIA Unit
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	The Research and Documentation Department
	Private Bag 2700
	Houghton
	2041
Physical address	Offices of SAHRC
	Forum 3
	Braampark Office Park
	Braamfontein
Telephone	011 877 3600
E-mail	PAIA @sahrc.org.za
Website	www.sahrc.org.za

#### **6. NOTICE(S) IN TERMS OF SECTION 52(2) OF THE ACT (Section 51(1)(c))**

In terms of section 52(1) of the Act, a private body may, on a voluntary basis, provide the Minister (of Justice) with information regarding categories of records that are automatically available without a person having to request access in terms of the Act. In terms of section 52(2), the Minister must, by notice in the Gazette, publish such information.

To date, no such notice has been published.

#### **7. INFORMATION AVAILABLE IN TERMS OF OTHER LEGISLATION (Section 51(1)(d) of the Act)**

Centaur Asset Management (Pty) Ltd keeps information in accordance with the following legislation:

- Basic Conditions of Employment Act no. 75 of 1997
- Broad-based Black Economic Empowerment Act no. 53 of 2003
- Companies Act no. 71 of 2008
- Compensation for Occupational Injuries and Diseases Amendment Act no. 61 of 1997
- Copyright Amendment Act no. 9 of 2002
- Credit Agreements Act no. 75 of 1980
- Currency and Exchanges Act no. 9 of 1933
- Electronic Communications Amendment Act no. 37 of 2007

- Employment Equity Act no. 55 of 1998
- Finance Act, no. 42 of 2008
- Financial Services Board Amendment Act no. 12 of 2000
- Financial Relations Act no. 65 of 1976
- Income Tax Act no. 28 of 1997
- Insolvency Second Amendment Act no. 69 of 2002
- Intellectual Property Laws Amendment Act no. 38 of 1997
- Labour Relations Amendment Act no. 12 of 2002
- Occupational Health and Safety Act no. 85 of 1993
- Promotion of Access to Information Amendment Act no. 54 of 2002
- Promotion of Equality and Prevention of Unfair Discrimination Act no. 4 of 2000
- Protected Disclosures Act no. 26 of 2000
- Short Term Insurance Act no. 53 of 1998
- Skills Development Amendment Act no. 37 of 2008
- Stamp Duties Act no. 77 of 1968
- Stock Exchanges Control Amendment Act no. 40 of 2001
- Trade Marks Act no. 194 of 1993
- Unemployment Insurance Contributions Act no. 4 of 2002
- Usury Act no. 73 of 1968
- Value-Added Tax Act no. 89 of 1991

## **8. INFORMATION FORMING PART OF RECORDS IN TERMS OF THE ACT (Section 52(1)(e))**

Centaur Asset Management (Pty) Ltd holds the following records:

### **8.1. Administration and management**

- Administration and operational records
- Commercial contracts
- Correspondence
- Minutes of meetings
- Risk, security and insurance records
- Statutory records

## **8.2. Finance**

- Accounting records
- Creditors and debtors records
- Financial statements
- Operational expenditure records
- Salaries and wages records
- Taxes and levies records

## **8.3. Human resources**

- Employment contracts
- Membership records
- Personnel records
- Staff policies and procedures
- Training and development records

## **8.4. Clients and correspondents**

- Client and correspondents' database
- Client and correspondent professional services records
- Client and correspondent accounts
- Client files

## **8.5. Information technology**

- Business intelligence
- Infrastructure and systems
- Service delivery systems

## **9. CRITERIA FOR GRANTING ACCESS TO INFORMATION**

9.1. Any information, records, copies, documents or other data forming part of or pertaining to the records referred to in paragraphs 7 and 8 above will only be made available to a requester in response to a request prepared and lodged in the prescribed format and in accordance with the prescribed procedure (see paragraph 10 below).

9.2. Information, records, copies, documents or other data forming part of or pertaining to the aforesaid records will be made available to a requester in accordance with the

provisions of the Act, and subject to the rules and principles entrenched in the Act in regard to the protection of the commercial and confidential information of Centaur Asset Management (Pty) Ltd and third parties, and taking into account the other grounds for refusal of access as set out in the Act.

9.3. Centaur Asset Management (Pty) Ltd may, in terms of sections 62-70 of the Act, legitimately refuse to grant access to the aforesaid records in respect of information falling within certain categories as contemplated in the Act, inter alia in the following circumstances:

- To protect personal information that the firm holds about a third person (who is a natural person), including a deceased person, from unreasonable disclosure;
- To protect commercial information that the firm holds about a third party or the firm itself (for example trade secrets: financial, commercial, scientific or technical information that may harm the commercial or financial interests of the organisation or the third party);
- If disclosure of the record would result in a breach of a duty of confidence owed to a third party in terms of an agreement;
- If disclosure of the record would endanger the life or physical safety of an individual;
- If disclosure of the record would prejudice or impair the security of property or means of transport;
- If disclosure of the record would prejudice or impair the protection of a person in accordance with a witness protection scheme;
- If disclosure of the record would prejudice or impair the protection of the safety of the public;
- If the record is privileged from production in legal proceedings, unless the legal privilege has been waived;
- If disclosure of the record (containing trade secrets, financial, commercial, scientific, or technical information) would harm the commercial or financial interests of the firm;
- If disclosure of the record would put the firm at a disadvantage in contractual or other negotiations or prejudice it in commercial competition;
- If the record is a computer program; and
- If the record contains information about research being carried out or about to be carried out on behalf of a third party or the firm.

## **10. REQUEST PROCEDURE**

- 10.1. The requester must comply with all the procedural requirements contained in the Act relating to the request for access to a record.
- 10.2. The requester must complete the prescribed form enclosed here to as Appendix 1, and submit the form as well as payment of the request fee and a deposit, if applicable, to the Information Officer at the postal or physical address, fax number or electronic mail address as stated in paragraph 2 above.
- 10.3. The prescribed form must be filled in with enough particularity to enable the Information Officer to identify-
  - The information and/or record or records requested;
  - The identity of the requester;
  - Which form of access is required, if the request is granted;
  - The postal address or fax number of the requester.
- 10.4. The requester must state that he/she requires the information in order to exercise or protect a right, and clearly state what the nature of the right is so to be exercised or protected. In addition, the requester must clearly specify why the record is necessary to exercise or protect such a right.
- 10.5. The firm will process the request within 30 days, unless the requester has stated special reasons which would satisfy the Information officer that circumstances dictate that the above time periods not be complied with.
- 10.6. The requester will be informed whether access is granted or denied. If, in addition, the requester requires the reasons for the decision he/she must state the particulars so required.
- 10.7. If a request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of the Information Officer.

10.8. In an individual is unable to complete the prescribed form because of illiteracy or disability, such as person may make the request orally.

10.9. The requester must pay the prescribed fee, before any further processing can take place.

## **11. REQUEST FEES**

Section 54 of the Act provides for a private body to require a request fee to be paid by a requester before processing a request. The Minister of Justice has determined, by way of notice in the Gazette in terms of section 54(8) of the Act, the fee that may be charged.

Information in regard to the fees payable is set out in Appendix 2.

## **12. OTHER INFORMATION (Section 51(1)(f) of the Act)**

The Minister of Justice and Constitutional Development has to date not published any regulations in terms of this section.

## **13. AVAILABILITY OF THIS MANUAL (Section 51(3) of the Act)**

13.1. This manual is available for inspection at the offices of Centaur Asset Management (Pty) Ltd, free of charge.

13.2. Copies of the manual may be obtained, subject to the prescribed fees, at the offices of Centaur Asset Management (Pty) Ltd.

13.3. The manual can also be accessed on the website of Centaur Asset Management (Pty) Ltd ([www.centaur.co.za](http://www.centaur.co.za)).

13.4. It should be noted that the manual accessible from the SAHRC may not include the request form (Appendix 1) or fee structure (Appendix 2). The request forms and fee structure can be obtained on the SAHRC website ([www.sahrc.org.za](http://www.sahrc.org.za)) or the website of the Department of Justice and Constitutional Development ([www.doj.gov.za](http://www.doj.gov.za)) (under “regulations”).