

## Section 51 Manual

### Prepared in accordance with Section 51 of the Promotion of Access to Information ACT 2 of 2000

#### 1. Introduction

The Promotion of Access to Information Act, 2 of 2000 (“*the Act*”) was enacted on 3 February 2000, to give effect to the provisions of section 32 of the Constitution, which provides that any person has a right to gain access to information held by a public or private body, when that information is required for the exercise or protection of any rights.

#### 2. Fides Financial Advisory: Contact details of the proprietor and information officer

Fides Financial Advisory is a sole proprietorship operated by Danielle Ladopoulos.

<b>Name of practice:</b>	Danielle Ladopoulos trading as Fides Financial Advisory
<b>ID Number:</b>	721108 0056 084
<b>Postal Address:</b>	P.O. Box 50674 VA Waterfront Cape Town 8002
<b>Telephone Number:</b>	+27 (0)21 433-0103
<b>Fax Number:</b>	+27 (0)86 606-0859
<b>Sole proprietor:</b>	Danielle Ladopoulos
<b>Email address:</b>	<a href="mailto:danielle@fidesfa.com">danielle@fidesfa.com</a>
<b>Chief Information Officer:</b>	Danielle Ladopoulos
<b>Email address:</b>	<a href="mailto:danielle@fidesfa.com">danielle@fidesfa.com</a>

#### 3. Section 10 Guide

A guide on how to use the Act is available from:

The South African Human Rights Commission (Head Office)  
PAIA Unit  
The Research and Documentation Department  
Private bag 2700  
Houghton  
2041  
South Africa

Telephone:	+27 (0)11 484 8300
Fax:	+27 (0)11 484 0582
Email:	<a href="mailto:paia@sahrc.org.za">paia@sahrc.org.za</a>
Website:	<a href="http://www.sahrc.org.za">www.sahrc.org.za</a>

#### 4. Records available in terms of any other legislation

Any records that are required to be made available in terms of other legislation, as is applicable to Fides Financial Advisory which includes, but is not limited to, the legislation listed below, shall be made available for inspection by interest parties:

- Companies Act 61 of 1973
- Income Tax Act 58 of 1962
- Unemployment Insurance Act 63 of 2001
- Value Added Tax Act 89 of 1991
- Insolvency Act 24 of 1936
- Compensation For Occupational Injuries And Health Diseases Act 130 of 1993
- Occupational Health And Safety Act 85 of 1993
- Labour Relations Act 66 of 1995
- Basic Conditions Of Employment Act 75 of 1997
- Employment Equity Act 55 of 1998
- Skills Development Act 97 of 1998
- Skill Development Levies Act 9 of 1999
- Regional services Councils Act 109 of 1985

## 5. Access to the records held by Fides Financial Advisory

Upon written notice or use of the prescribed forms, an appointment within reasonable company hours can be made by interested parties to view the records. Interested parties are requested to contact the Information Officer in order to make such an appointment.

## 6. Records available only on request to access in terms of the Act

Such information as is required for the day to day running of Fides Financial Advisory:

- Address lists
- Financial information
- Legal records
- Practice policies and directives
- Employee records
- Licenses
- Remuneration records and policies
- Insurance records
- Documentation on taxation
- Subcontractor agreements
- Client engagement agreements

Records deemed confidential on the part of a third party, will necessitate permission from the third party concerned, before Fides Financial Advisory will permit access.

## 7. Records available without a request to access in terms of the Act

- Marketing brochures
- Fides Financial Advisory's website address is [www.fidesfa.com](http://www.fidesfa.com) and is accessible to anyone who has access to the Internet. The website contains various categories of information relating to the Practice.

Please note that an appointment to view these records will still have to be made with the Information Officer although a formal application need not be submitted.

## 8. The request procedures

### Form of request

- To request a document that does not fall within the ambit of the Act, the requester must direct the request to the Information Officer in writing, and request an appointment to view the documentation.
- To request a document that does fall within the ambit of the Act, the requester must make use of the prescribed form. This must be directed to the Sole Proprietor or the Information Officer of Fides Financial Advisory at the address, fax number or email address of the party concerned.
- The requester must provide sufficient detail on the request form to facilitate identifying the record requested. The requestor should also indicate which form of access is required, and indicate if any other method is to be used to respond to the requester.
- The requester must identify the right being exercised or protected, and provide an explanation of why the requested record is necessary to exercise or protect that right.
- If a request is made on behalf of another person, a consent form/letter of authority must accompany the request.

### 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 party concerned must notify the requester (if not seeking access to personal information) of the prescribed fee to be paid (if any) before processing the request.
- The fee that the requester must pay to Fides Financial Advisory is R50 (fifty Rand). The requester may lodge an application to the court against the tender or payment of the requested fee.
- After the party concerned has made a decision regarding the request, the requester must be notified in the required format.
- If the request is granted, a further access fee must be paid for the search, reproduction, preparation and time in excess of the prescribed hours to search and prepare the record of disclosure.

## **9. Internal remedies available to the requester upon refusal of a request**

Fides Financial Advisory does not have internal appeal procedures. As such, the decision made by the Information Officer is final, and 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 Information Officer.

## **10. External remedies available to the requester upon refusal of a request**

A requester that is dissatisfied with an Information Officer's refusal to disclose information may apply to a Court for relief within 30 days of notification of the decision.

Likewise, a third party dissatisfied with an 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 purposes of the Act, the Courts that have jurisdiction over these applications are the Constitutional Court, the High Court or any other court of similar status.

## **11. Prescribed fees and forms**

The forms and fee structure prescribed by the Act are available at the website of the Department of Justice and Constitutional Development ([www.doj.gov.za](http://www.doj.gov.za)), under the "*regulations*" section.