

SECTION 51 MANUAL FOR MATHEWSON GESS INCORPORATED ATTORNEYS

BUSINESS INFORMATION

Postal Address of head of Mathewson Gess Incorporated Attorneys:

P. O. Box 2886
CAPE TOWN
8000

Street Address of head of Mathewson Gess Incorporated Attorneys:

No. 85 St. George's Mall
7th floor Nedbank building
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8001

Telephone number of the head of Mathewson Gess Incorporated Attorneys:

27 21 422 5333

Fax number of the head of Mathewson Gess Incorporated Attorneys:

27 21 422 5338

Website address of Mathewson Gess Incorporated Attorneys:

www.mgia.co.za

E-Mail address of head of Mathewson Gess Incorporated Attorneys:

info@mgia.co.za

Information Officers:

B. F. Mathewson
Director
ben@mgia.co.za

C. Mathewson
Administrator
chantelle@mgia.co.za

DESCRIPTION OF GUIDE REFERRED TO IN SECTION 10:SECTION 51(1)(b)

A guide has been compiled in terms of Section 10 of PAIA. It contains information required by a person wishing to exercise any right, contemplated by PAIA. It is available in English being one of the official languages.

The Guide is available for inspection, *inter alia*, at the office of the offices of the Human Rights Commission at 29 Princess of Wales Terrace, cnr York and St. Andrews Street, Parktown and on its website at www.sahrc.org.za.

RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION: SECTION 51(1)(d)

Records available in terms of other legislation are as follows:

- Attorneys Act 53 of 1979
- Basic Conditions of Employment Act 75 of 1997
- Companies Act 61 of 1973
- Close Corporations Act 69 of 1984
- Compensation for Occupational Injuries and Health Diseases Act 130 of 1993
- Credit Agreements Act 75 of 1980
- Criminal Procedure Act 51 of 1977
- Currency and Exchanges Act 9 of 1933
- Custody and Administration of Securities Act 85 of 1992
- Debt Collectors Act 114 of 1998
- Employment Equity Act 55 of 1998
- Financial Intelligence Centre Act 38 of 2001
- Financial Relations Act 65 of 1976
- Financial Services Board Act 97 of 1990
- Income Tax Act 58 of 1962
- Labour Relations Act 66 of 1995
- National Payment System Act 78 of 1998
- Occupational Health and Safety Act 85 of 1993
- Post Office Act 44 of 1958
- Prescription Act 68 of 1969
- Prevention of Organised Crime Act 121 of 1998
- Protection of Businesses Act 99 of 1978

Records available in terms of other legislation are as follows: (continued)

- Public Accountants and Auditors Act 80 of 1991
- South African Reserve Bank Act 90 of 1989
- Short Term Insurance Act 53 of 1998
- Skills Development Levies Act 9 of 1999
- Skills Development Act 97 of 1998
- Stamp Duties Act 77 of 1968
- Transfer Duty Act 40 of 1949
- Trust Property Control Act 57 of 1988
- Unemployment Insurance Act 30 of 1966
- Usury Act 73 of 1968
- Value Added Tax Act 89 of 1991

**SUBJECTS AND CATEGORIES OF RECORDS HELD BY MATHEWSON GESS
INCORPORATED ATTORNEYS: SECTION 51(1)(e)**

1. COMPANIES ACT RECORDS

- Documents of incorporation
- Memorandum and Articles of Association
- Share Register and other statutory registers

2. FINANCIAL RECORDS

- Annual Financial Statements
- Tax Returns
- Accounting Records
- Banking Records
 - Bank Statements
 - Paid Cheques
 - Electronic banking records
- Asset Register
- Rental Agreements
- Receipts
- Invoices

3. INCOME TAX RECORDS

- PAYE Records
- Documents issued to employees for income tax purposes
- Records of payments made to SARS on behalf of employees
- All other statutory compliances:
 - VAT
 - Levies
 - Skills Development Levies
 - UIF

4. PERSONNEL DOCUMENTS AND RECORDS

- Employment contracts
- Disciplinary records
- Salary records
- Disciplinary code
- Leave records
- Training manuals

DETAILS ON HOW TO MAKE A REQUEST FOR ACCESS – SECTION 51(e)

- The requester must complete Form C (available from the Human Rights Commission) and submit this form together with a request fee, to the head of the private body.
- The form must be submitted to the head of the private body at his / her address, fax number, or electronic mail address.
- The form must:
 - (1) Provide sufficient particulars to enable the head of the private body to identify the record/s requested and to identify the requester;
 - (2) Indicate which form of access is required;
 - (3) Specify a postal address or fax number of the requester in the Republic;
 - (4) Identify the right that the requester is seeking to exercise or protect, and provide an explanation of why the requested record is required for the exercise or protection of that right;
 - (5) If in addition to a written reply, the requester wishes to be informed of the decision on the request in any other manner, to state that manner and the necessary particulars to be informed in the other manner;
 - (6) If the request is made on behalf of another person, to submit proof of the capacity in which the requester is making the request, to the reasonable satisfaction of the head of the private body.