



AUTOMOBILE ASSOCIATION OF SOUTH AFRICA

NON-PROFIT COMPANY

REGISTRATION NUMBER 1932/004001/08

("The AA")

MANUAL

In terms of

Section 51 of the Promotion of Access to Information Act 2 of 2000

("The Act")

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PREAMBLE

The AA has compiled this manual in compliance with Section 51 of the Act and with the aim of fostering a culture of transparency and accountability in our environment and to ensure that members of the public have effective access to information in our possession which will assist them in the exercise and protection of their rights.

This manual provides the categories of information which we possess and the correct procedure that one may follow should one require access to any such information.

1. INTRODUCTION TO THE AA

The AA of South Africa is a non-profit company that was established with the primary aim of dealing with motoring issues of national and macro-economic importance. Our core business is the provision of emergency roadside assistance to our personal and corporate members and customers. However, our range of services have over the years extended, and now includes travel services, mapping, technical advice and services, motor legal advice, retail outlets, consulting with government on transport related matters affecting the motoring public, insurance services and vehicle transaction services.

2. COMPANY INFORMATION & CONTACT DETAILS **[Section 51 (1)(a)]**

Registered name	:	The Automobile Association of South Africa
Type of Company	:	Non-profit company
Registration number	:	1932/004001/08
Postal address	:	P.O Box 596, Johannesburg, 2000
Street address	:	Denis Paxton House, 4 Hyperion road, Barbeque Downs
Designated representatives	:	Director : Nico Crous (011) 799 1000
Tel no.	:	0865 242 251
Fax no.	:	aasa@aasa.co.za
Email	:	www.aasa.co.za
Website	:	

3. THE SECTION 10 GUIDE ON PAIA [Section 51 (1)(b)]

3.1 DESCRIPTION OF THE GUIDE

In terms of Section 10 of the Act a guide has been compiled by the South African Human Rights Commission (SAHRC) containing such information as may reasonably be required by a person who wishes to exercise any right contemplated in the Act. The guide contains a description of:-

- a. The objects of the Act
- b. Particulars of the information officer of every public body
- c. Particulars of every private body as are practicable
- d. The manner and form of a request for access to information held by a public or private body
- e. Assistance available from the information officer and the SAHRC in terms of the Act
- f. All remedies in law regarding acts, omissions, rights and duties conferred by the Act, including how to lodge an internal appeal against the decision of an information officer
- g. The provisions of the Act requiring a public or private body to compile a manual on accessing information held by it
- h. The provisions of the Act relating to the voluntary disclosure of categories of records by public or private bodies
- i. The schedule of fees to be paid in relation to requests for access to information
- j. The regulations made in terms of the Act

3.2 HOW TO OBTAIN ACCESS TO THE GUIDE

This guide is available in each official language free of charge for public inspection during office hours at the list of places mentioned below. Copies of the guide are available to the public at the cost of R0.60c per A4 page or part thereof.

Copies of the guide are available at the following places:

- At the office of the head of the national department responsible for government communication: Government Communications and Information Services (GCIS);
- At the following places of legal deposit as defined in Section 6 of the Legal Deposit Act of 1997 (Act No. 54 of 1997):
 - Library of Parliament, Cape Town
 - The South African Library, Cape Town
 - National Society Library, Pietermaritzburg
 - The State Library in Pretoria
 - City Library Services, Bloemfontein
 - The National Film, Video and Sound Archives, Pretoria
 - Any other library or institution prescribed by the Minister of Justice and Constitutional Development for the purposes of certain prescribed categories of documents
 - Every tertiary education institution established by or under any law
- Office of information officers of public bodies
- All offices of public bodies

- All Magistrates Offices
- All offices of the Department of Justice and Constitutional Development
- All post offices
- In the Government gazette
- All offices of the SAHRC
- On the SAHRC website www.sahrc.org.za

4. NOTICE IN TERMS OF SECTION 52 (2) [Section 51 (1)(c)]

The Minister has at this stage not published any notices on the description of the categories of records that are automatically available without a person having to request access in terms of the Act.

5. RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION [Section 51(1)(d)]

The AA holds information in accordance with the following legislation (please note that the information held is not limited to the list below):-

- Companies Amendment Act 3 of 2011
- Income Tax Act 95 of 1967
- Value Added Tax Act 89 of 1991
- Unemployment Insurance Act 30 of 1966
- Basic Conditions of Employment Act 75 of 1997
- Employment Equity Act 55 of 1998
- Compensation for Occupational Injuries and Diseases Act 130 of 1993
- Occupational Health and Safety Act 85 of 1993
- Skills Development Act 97 of 1998
- Skills Development Levies Act 9 of 1999
- Medical Schemes Act 131 of 1998
- Labour Relations Act 66 of 1995
- Regional Services Council Act 109 1985
- Stamp Duties Act 77 of 1968
- Unemployment Insurance Act 63 of 2001
- Unemployment Contributions Act 4 of 2002
- Consumer Protection Act 68 of 2008
- Copyright Act 75 of 1980
- Currency and Exchanges Act 9 of 1993
- Insurance Act 27 of 1943
- Intellectual Property Laws Amendments Act 38 of 1997
- Long Terms Insurance Act 52 of 1998
- Pension Funds Act 24 of 1956
- Short Term Insurance Act 53 of 1998

- Trade Marks Act 194 of 1993

6.1 CATEGORIES OF AND DESCRIPTION OF RECORDS HELD BY THE AA [Section 51(1)(e)]

A. STATUTORY AND ACCOUNTING INFORMATION

- Certificate of Incorporation
- Memorandum of Incorporation
- Certificate to Commence Business
- Minute books and resolutions passed at general meetings
- Register of members
- Register of fixed assets
- Register of directors and certain officers
- Director's attendance register
- Annual financial statements including:
 - Annual accounts
 - Director's reports
 - Auditor's reports
- Books of accounts regarding information required by the Act, 1973

B. STATUTORY EMPLOYEE RECORDS

- Employee's personal details and occupations
- Remuneration paid to each employee
- Employment equity plan
- Staff records (after date of employment ceases)
- Expense accounts

C. OTHER EMPLOYEE RECORDS

- Employee contracts
- Maternity leave policy
- Disability scheme
- Funeral insurance scheme
- Group personal accident insurances
- Group life cover
- Codes of conduct

D. PENSION AND RETIREMENT FUND RECORDS

- Provident fund rules
- Provident fund account records
- Minutes of meetings of trustees and members
- Actuarial valuation reports
- Contribution reports
- Annual accounts

E. ENVIRONMENTAL HEALTH AND SAFETY

- Safety management systems, data and audits
- Emergency response plans

F. FIXED PROPERTY

- Title deeds
- Lease agreements
- Building plans

G. MOVABLE PROPERTY

- Asset register
- Finance and lease agreements

H. INTELLECTUAL PROPERTY

- Trademarks, trade names and protected names
- Copyrights
- Agreements relating to intellectual property such as licence agreements, secrecy agreements, research and development agreements, consulting agreements, use agreements, joint venture agreements, joint development agreements

I. AGREEMENTS AND CONTRACTS

- Material agreements concerning provision of services of materials
- joint venture agreements, partnership agreements, participation, franchise, co-marketing, co-promotion or other alliance agreements
- Agreements with contractors and suppliers
- Warranty agreements
- Distributor, dealer or agency agreements
- Agreements with governmental agencies

J. TAXATION

- Copies of all income tax returns and other tax returns and documents

K. LEGAL

- Complaints, pleadings, briefs and other documents pertaining to any actual, pending or threatened litigation, arbitration or investigation

L. INSURANCE

- Insurance policies
- Claim records
- Details of insurance covers, limits and insurers

M. INFORMATION TECHNOLOGY

- Hardware
- Operating systems

- Telephone exchange equipment
- Telephone lines, leased lines and data lines
- LAN installations
- Software packages
- Disaster recovery
- Internal systems support and programming / development
- Development or investment plans
- Agreements
- Licences
- Audits

N. SALES AND MARKETING

- Products
- Markets
- Customers
- Brochures, newsletters and advertising materials
- Sales records
- Public relations policies and procedures

6.2 DETAILS ON HOW TO REQUEST ACCESS TO A RECORD

6.2.1 FORM OF REQUEST

- The requester must use the prescribed form (Annexure A) to make the request for access to a record. This must be made to the head of the private body. The request must be made to the address, fax number or electronic mail address of the body concerned [Sec 53 (1)].
- The requestor 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 requested. 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 [Sec 53(2)(a), (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 [Sec 53(2)(d)].
- If a request is made on behalf of another person, the requester must submit proof of the capacity in which the requester is making the request to the satisfaction of the head of the private body [Sec 53(2)(f)].

6.2.2 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 (Annexure B).

- 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 [Sec 54(1)]
- The fee that a requester must pay to a private body is R50.00. The requester may lodge an application to the court against the tender or payment of the request fee [Sec 54 (3)(b)].
- After the head of a 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]Sec 54(6)].

7. OTHER PRESCRIBED RECORDS [Section 51(1)(f)]

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

8. AVAILABILITY OF THE MANUAL [Section 51(3)]

The manual is also available for inspection:-

- at the offices of the AA free of charge
- on the AA website: www.aasa.co.za
- with the SAHRC, and
- in the government gazette