

IMAGIO PRODUCTIONS TRUST

MANUAL ON ACCESS TO INFORMATION

**Issued in terms of Section 51 of the
Promotion of Access to Information Act 2000
June 2005**

IMAGIO PRODUCTIONS TRUST

MANUAL ON ACCESS TO INFORMATION PREPARED INTERMS OF SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000

INFORMATION REQUIRED UNDER SECTION 51(1) (a) OF THE ACT

Name of entity: Imagio Productions Trust

Registration No: IT1022/2001/1

Trading Name: Imagio Productions

Postal address:

PO Box 27427

Greenacres

Port Elizabeth

6057

Street address:

66 2nd Avenue

Newton Park

Port Elizabeth

6045

Contact details

Telephone number: 041 393 4848

Fax number: 041 393 4899

Email address: production@imagio.co.za

Website address: www.imagio.co.za

Main Business of Imagio Productions Trust

Video Productions, Multi Media and Live Filming .

Contact Person

<u>Name</u>	<u>Position</u>
Glen Meyburgh	Managing Trustee

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

A Guide has been compiled in terms of Section 10 of PAIA by the Human Rights Commission. It contains information required by a person wishing to exercise any right contemplated by PAIA. It is available in all the official languages.

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

THE LATEST NOTICE IN TERMS OF SECTION 52(2)

At this stage no notice has been published on the categories of records that are automatically available without a person having to request access in terms of PAIA.

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

Records available in terms of other legislation are as follows:

- Labour Relations Act 66 of 1995
- Employment equity Act 55 of 1998
- Basic Conditions of Employment Act 75 of 1997
- Compensation for Occupational Injuries and Diseases Act 130 of 1993
- Companies Act 61 of 1973
- Unemployment Insurance Act 63 of 2001
- Value Added Tax Act 89 of 1991
- Income Tax Act 58 of 1962
- Skills Development Act 9 of 1999
- Trust Property Control Act 57 of 1988
- Customs and Excise Act No. 91 of 1964
- Electronic Communications and Transactions Act No. 25 of 2002
- Insolvency Act No. 24 of 1936
- Occupational Health and Safety Act No. 85 of 1993
- Promotion of Access to Information Act No. 2 of 2000
- Trademarks Act No. 194 of 1993
- Consumer Protection Act No.68 Of 2008

SUBJECTS AND CATEGORIES OF RECORDS HELD BY MS TRUST T/A MAGNETIC STORM: SECTION 51 (1) (e)

1. STATUTORY RECORDS

- Trust documents
- Minutes of meetings of Trustees
- Trade name registration
- Domain name registration

2. FINANCIAL RECORDS

- Annual Financial Statements
- Tax returns
- Accounting records
- Source documents to accounting records
- Banking records; paid cheques; electronic banking records
- Asset Register
- Rental Agreements
- Invoices
- Agreements with suppliers

- Sales agreements
- Service level agreements
- Loans and financing agreements

3. INCOME TAX RECORDS

- PAYE Records
- Tax certificates issued to employees for income tax purposes
- Records of payments made to SARS on behalf of employees
- VAT records and records of VAT payments to SARS
- UIF
- Skills Development Levies
- Workmen's Compensation

4. PERSONNEL DOCUMENTS AND RECORDS

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

HOW TO OBTAIN ACCESS TO INFORMATION

- If you want to obtain access to any of the records listed in this manual, you should fill in the application form attached to this manual.
- Hand in your completed application form and a non-refundable request fee of R50.00 + VAT at our office. If you are an employee or ex-employee requesting access to your personal records, then you do not have to pay the request fee.

RIGHT OF ACCESS TO INFORMATION

The act entitles you to have access to our records, provided that:

- You need access to protect any of your rights, and
- You apply for access according to the procedure set out in this manual, and
- We do not have grounds for refusing you access.

OUR RIGHT TO REFUSE ACCESS

We have the right to refuse you access to our records if any of the following grounds apply:

- The record would unreasonably disclose personal information about a third party, including a deceased individual (unless that third party or a representative of the deceased gives written permission for access).
- The record contains (a) trade secrets, of (b) financial, commercial, scientific, or technical information, or (c) information about research by a third party which could put that third party at a disadvantage in a negotiation or prejudice him in competition (unless that third party gives written permission for access).

- Access would put us in breach of a duty of confidence which we owe to a third party (unless that third party gives written permission for access).
- Access could reasonably be expected to (a) endanger someone's life or physical safety, or (b) prejudice or impair the security of a building, structure, system, means of transport or other property.
- The record is privileged from being produced as evidence in legal proceedings (unless the person protected by the privilege has waived that protection).

OUR RESPONSE TO A REQUEST FOR INFORMATION

- We will consider your request and advise you of our decision, in writing, not more than 30 days after receipt of your request.
- Our response will be one of the following:
 - Your application does not contain enough information to enable us to search for the record you and you could be requested to provide additional details.
 - It will take more than six hours to search for the record you require and before we do so you must pay a deposit of R60.00 plus VAT.
 - We have found the record you require and you may have access to it on payment of:
 - An access fee of R30.00 (+VAT) per hour for the time that it took to find the record (less any deposit already paid); and
 - A reproduction fee for making photocopies or printouts or copying the record onto a stiffer disk or CD – per the fee structure set out below.

Note: fees will not be charged to an employee or ex employee requesting access to his/her personal record

- You may not have access to the record you require for reasons outlined in our reply. If a deposit has been paid it will be refunded (but not the request fee).
- We have searched for the record but could not find it. We will give you an affidavit explaining what steps were taken to try and find the record. Should the missing record come to light later, we will notify you.

FEES IN RESPECT OF REQUESTS FOR INFORMATION: SECTION 51(1)(f)

1. The fee for a copy of the manual as contemplated in regulation 9(2)(c) is R1.10 for every photocopy of an A4-size page or part thereof.
2. The fees for reproduction referred to in regulation 11(1) are as follows:
 - a. For every photocopy of an A4-size or part thereof : R1.10
 - b. For every printed copy of an A4-size or part thereof held on a computer or in electronic machine readable form: R0.75
 - c. For a copy in computer-readable form on:
 - i. Stiffer disk: R7.50
 - ii. Compact disc: R70.00
 - d. For a transcription of visual images:
 - i. For an A4-size page or part thereof: R40.00
 - ii. For a copy of visual images: R60.00
 - e. For a transcription of an audio record:
 - i. For an A4-size page or part thereof: R20.00

- ii. For a copy of an audio record: R30.00
- 3. The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2) is R50.00
- 4. The access fees payable by a requester referred to in regulation 11(3) are as follows:
 - a. For every:
 - i. Photocopy of an A4-size page or part thereof R1.10
 - ii. Printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form R0.75
 - b. For a copy in a computer readable form on:
 - i. Stiffy disk R7.50
 - ii. Compact disk R70.00
 - c. For a transcription of visual images:
 - i. For an A4-size page or part thereof: R40.00
 - ii. For a copy of visual images: R60.00
 - d. For a transcription of an audio record:
 - i. For an A4-size page or part thereof: R20.00
 - ii. For a copy of an audio record: R30.00
 - e. To search for and prepare the record for disclosure, R30.00 for each hour or part of an hour reasonably required for such search and preparation.
 - f. For the purposes of Section 54(2) of the Act the following applies:
 - i. Six hours as the hours to be exceeded before a deposit is payable; and
 - ii. One third of the access fee is payable as a deposit by the requester.
 - g. The actual postage is payable when a copy of a record must be posted to a requester.

FORM FOR APPLICATION OF INFORMATION REQUEST FOR ACCESS TO RECORD OF PRIVATE OF PRIVATE BODY: SECTION 53(1)

Application form attached

DG Meyburgh
Managing Trustee