

SECTION 51 MANUAL FOR
Fourth Element Consulting(Pty)Ltd

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Introduction to Fourth Element Consulting (Pty)Ltd

Introduction

Fourth Element Consulting (Pty) Ltd (Reg. No. 1997 15300/07 is ~~an~~
~~environmental and a civil~~ engineering consultancy ~~which specializes~~specialising
in ~~environmental management~~, surface water management, river engineering,
drainage design, catchment planning, flood and hazard assessment, fresh water
ecology, environmental planning and EIA for linear infrastructure project.

The information listed in this manual is available from Fourth Element Consulting (Pty)Ltd by means of a request in the form as prescribed in section 53 of the Act. Requests can be made addressed to the Company Secretary at the address and/or contact details as indicated in paragraph 1 hereunder. All fees (if any), as prescribed in section 54 of the Act, must be paid to Fourth Element Consulting (Pty) Ltd before any request is processed.

While every effort is made to publish reliable and correct information and to update this register regularly, Fourth Element Consulting (Pty)Ltd cannot guarantee that this information is both complete and accurate and makes no representation regarding the fitness of this information for any purpose.

PARTICULARS IN TERMS OF THE SECTION 51 MANUAL

1. **Contact details** [Section 51(1)(a)]

The Managing Director

Telephone:

In South Africa: ~~(011) 726 3130/1/2~~ 726-1504656 3130/1/2

International: +27 ~~11 87 726 3130/1/15046562~~ 11-87-726-3130/1/15046562

Fax:

~~In South Africa: (011) 726 3134~~

~~International: +27 11 726 3134~~

Physical Address:

Fourth Element Consulting (Pty)Ltd

~~18 Clarmart~~40 Congo Road

~~Richmond~~Emmarentia, Johannesburg, South Africa, 20922195

Postal Address:

P.O.Box 3300
Houghton
2041

Email:

info@fourthelement.co.za

Website:

www.fourthelement.co.za

2. **The section 10 guide on how to use the Act [Section 51 (1)(b)]**

The guide will be available from the South African Human Rights Commission. Please direct any queries to:

The South African Human Rights Commission:

PAIA Unit

The research and Documentation Department

Postal address: Private Bag 2700
Houghton
2041

Telephone: +27 11 484 8300

Fax: +27 11 484 0582

Website: www.sahrc.org.za

Email: PAIA@sahrc.org.za

3. **Records available in terms of any other legislation [Section51(1)(d)]**

- 1) Basic Conditions of Employment No 75 of 1997
- 2) Companies Act No. 61 of 1973
- 3) Compensation for Occupational Injuries and Health Diseases Act No. 130 of 1993
- 4) Employment Equity Act No. 55 of 1998
- 5) Labour relations Act No. 66 of 1995
- 6) Occupational Health & Safety Act No. 85 of 1993
- 7) Regional services Councils Act No. 109 of 1985

- 8) Skills Development Levies Act No.9 of 1999
- 9) Unemployment Contributions Act No. 4 of 2002
- 10) Unemployment Insurance Act No. 63 of 2001
- 11) Value Added Tax Act No.89 of 1991
- 12) The Constitution of the Republic of SA no 108 of 1996
- 13) South African Revenue Services Act 34 of 1997
- 14) Income Tax Act No.58 of 1962 (as amended)

4. **Access to the records held by Fourth Element Consulting (Pty)Ltd/[Section 51 (1)(e)]**

- i. The latest notice regarding the categories of records of the body, which are available without a person having to request access in terms of this Act in terms of section 52(2) [*Section 51 (1) (c)*]

Public information on website: www.fourthelement.co.za

- ii. Records that may be requested. A description of the subjects of the records held by the body and the categories in which these subjects are classed [*Section 51 (1)(e)*]

General Classification

A requester is not automatically allowed access to these records and a request for access to any of these records listed in 4.11 may be refused in accordance with sections 62 to 69 of the Act.

Corporate records

- Management records
- Administration records
- Human resources records
- Legal and contractual records
- Financial records

Technical records

Records held by Fourth Element Consulting (Pty) Ltd are categorized as follows:

- Bids

- Details of clients
- Requests for proposals
- Contracts
- Tenders
- Designs
- Drawings
- Minutes
- Reports
- General correspondence
- Details of business associates / partners
- Project plans

iii. The request procedures:

Form of request:

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

Fees:

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

The fees for reproduction are as follows:

- For every photocopy of an A4-size page or part thereof R2.50
- For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine form R1.50
- For a copy of digital content in a computer format
On compact disk R25.00
- For a transcription of visual images, for an A4-size page
Or part thereof R100.00
- To search for and prepare the record for disclosure, R300.00 for each hour or part of an hour reasonably required for such search and preparation.
- For purposes of section 54(2) of the Act, the following applies

- Six hours as the hours to be exceeded before a deposit is payable
- One third of the access fee is payable as a deposit by the requester.
- The actual postage is payable when a copy of a record must be provided to a requester.

5. **Other information as may be prescribed [Section 51 (1) (f)]**

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

6. **Availability of the manual [Section 51 (3)]**

The manual is available for inspection free of charge at the premises of Fourth Element Consulting (Pty)Ltd. Copies are also available with the SAHRC on www.fourthelement.co.za