

# **BGR Association (Pty) Ltd**

---

**(Registration Number: 2014/031610/07)**

Manual in terms of section 51 of the Promotion of  
Access to Information Act, 2 of 2000

---

**Date of Compilation:** 6/22/2021

**Date of Revision:** 11/22/2021

# Contents Page

---

## PROMOTION OF ACCESS TO INFORMATION ACT, 2 OF 2000 (THE ACT)

Section 51 Manual of BGR Association (Pty) Ltd  
(Registration number: 2014/031610/07)

1. Contact particulars
2. Introduction
3. Guide in terms of section 10 of The Act
4. Facilitation of a request for access to information
5. Information available in terms of other applicable legislation
6. Information automatically available
7. Information available in terms of the act - On Request
8. General
9. Requesting Procedures
10. Prescribed Fees
11. Protection of Personal Information Processed
12. Availability of the manual

# PROMOTION OF ACCESS TO INFORMATION ACT, 2 OF 2000 (THE ACT)

## SECTION 51 MANUAL OF BGR ASSOCIATION (PTY) LTD (REGISTRATION NUMBER: 2014/031610/07)

### 1. CONTACT PARTICULARS

<b>Head of business:</b>	Daniel Gabriel de Villiers	<b>Information officer:</b>	Chris Botha
<b>Postal Address:</b>	PO Box 2510 Paarl 7620	<b>Physical Address:</b>	PO Box 2510 Paarl 7620
	Cape Town 7620		Cape Town 7620
<b>Telephone Number:</b>	072 631 2930		
<b>E-mail Address:</b>	marketing@bgr.co.za		
<b>Website:</b>	www.bgr.co.za		

### 2. INTRODUCTION

BGR is a unique association of independent firms where each firm retains the character and identity that initially made it successful and thus differentiated it from the rest.

The philosophy that each member firm subscribes to is a method of working where the client's experience is our highest priority and forms the foundation of everything that we do. By pooling our knowledge, expertise and experience we gain the benefits of establishing and adhering to the highest standards, sharing best practices and knowledge, offering broader training for our staff and, most importantly – the best service offering for our clients.

Our staff is the key to our success and therefore we invest in people who share our vision. We believe that every employee is unique and will strive for the best that he or she can offer. Our distinctive working environment allows for individual growth, while our collective values and standards are maintained throughout.

### 3. GUIDE IN TERMS OF SECTION 10 OF THE ACT

**3.1** The ACT grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.

**3.2** Requests in terms of the ACT shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in section 53 and 54 of the Act.

**3.3** Requesters are referred to the Guide in terms of Section 10 which has been compiled by the South African Human Rights Commission, which will contain information for the purposes of exercising Constitutional Rights. The Guide is available from the SAHRC. The contact details of the Commission are:

<b>Postal Address:</b>	Private Bag 2700, Houghton, 2041
<b>Telephone Number:</b>	(+27)11 877 3600
<b>Fax Number:</b>	(+27)11 403 0625

**Website:** [www.sahrc.org.za](http://www.sahrc.org.za)

## 4. FACILITATION OF A REQUEST FOR ACCESS TO INFORMATION

Information which is not readily available as indicated in this manual, may be requested in accordance with the procedure prescribed in terms of The Act. Copies of the prescribed forms to be completed for submitting a request, are available from **BGR Association (Pty) Ltd, [www.bgr.co.za](http://www.bgr.co.za)**.

## 5. INFORMATION AVAILABLE IN TERMS OF OTHER APPLICABLE LEGISLATION

- Basic Conditions of Employment Act 75 of 1997
- Broad-based Black Economic Empowerment Act 53 of 2003
- Companies Act 71 of 2008
- Employment Equity Act 55 of 1998
- Financial Advisory and Intermediary Services Act 37 of 2002
- Labour Relations Act 66 of 1995
- South African Revenue Services Act 34 of 1997
- Value Added Tax Act 89 of 1991

## 6. INFORMATION AUTOMATICALLY AVAILABLE

- Newsletters
- Marketing and Promotional Material
- [www.bgr.co.za](http://www.bgr.co.za)

## 7. INFORMATION AVAILABLE IN TERMS OF THE ACT - ON REQUEST

### **Statutory Business Records**

- Certificate of Change of Name
- Certificate of Incorporation
- Certificate to Commence Business
- Index of Members
- Memorandum of Incorporation
- Register of Allotments
- Register of Directors and Officers
- Resolutions
- Shareholders Agreements

### **Accounting Records**

- Annual financial statements and working papers
- General ledger
- Subsidiary ledgers (receivables, payables, etc.)
- Bank statements, cheque books, cheques
- Customer and supplier statements and invoices

- VAT returns
- Lease or instalment sale agreements
- Budgets and business plans
- Auditor's reports
- Capital expenditure
- Credit agreements

#### **Legal, Agreements and Contracts**

- Agreements with customers
- Agreements with shareholders, officers or directors

#### **Personnel Records**

- Employee evaluation and performance records
- Employee information records
- Employment contracts
- IRP 5 and IT 3 certificates
- Payroll
- UIF, PAYE and SDL returns

#### **Sales and Marketing**

- Brochures, newsletters and marketing material
- Service and product information

## **8. GENERAL**

BGR Association (Pty) Ltd may keep records in terms of other legislation and this act, such as above, but not necessarily limited to. Records kept are subject to change due to operational and legislative needs.

## **9. REQUESTING PROCEDURES**

A person who wants access to the records must complete the necessary request forms that is available at the offices of BGR Association (Pty) Ltd, or can be accessed on [www.justice.gov.za/inforeg](http://www.justice.gov.za/inforeg). The completed request form must be sent to the address or fax number provided in this manual and marked for the attention of the Information Officer.

Please provide sufficient details to enable the company to identify:

- a. The record(s) requested
- b. The requester (and if an agent is lodging the request, proof of capacity)
- c. The form of access required
- d. The postal address or fax number of the requester in the Republic
- e. If the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof
- f. The right which the requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.

## 10. PRESCRIBED FEES

- A requestor is required to pay the prescribed fees before a request will be processed;
- If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted);
- A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit
- Records may be withheld until the fees have been paid.
- The fee structure is available on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at [www.sahrc.org.za](http://www.sahrc.org.za) and as an appendix to this manual.

## 11. PROTECTION OF PERSONAL INFORMATION PROCESSED

COMPANY is committed to protecting the privacy of personal information of our data subjects. The information you share with us as a data subject allows us to provide you with the best experience with our products and services, or as a stakeholder.

COMPANY has dedicated policies and procedures in place to protect all personal information collected and processed by us. Please read below for more information on how we collect, process, use and disclose personal information.

### 11.1 The purpose of processing of personal information

We process personal information for various reasons, including but not limited to the following:

- To manage information, products and/or services requested by data subjects
- To help us identify data subjects when they contact us
- Manage customers
- To maintain customer records
- Training purposes
- Financial and tax purposes
- Legal or contractual purposes

- Marketing purposes

## 11.2 Data subject categories and personal information processed

<b>Employees</b>	Education history e-mail address Language and birth of the person Location information Telephone number
<b>Prospective employee</b>	Education history e-mail address Language and birth of the person Location information Telephone number

## 11.3 Recipients with whom personal information is shared

In processing your personal information, we may share it within the group of companies or with other third parties. These include but are not limited to:

- Tax authorities

## 11.4 Security measures implemented to protect personal information

We have identified our security risks over the personal information we process in line with the Protection of Personal Information Act, and we have implemented various security measures to ensure reasonable protection against the risk of loss, misuse, unauthorised access and disclosure, alteration and destruction of the personal information.

We also take steps to ensure that operators that process personal information on behalf of company name apply adequate safeguards as outlined above.

## 11.5 Trans-border flows of personal information

We may transfer to, and store personal information we collect about you, in countries other than South Africa, if the relevant business transactions or situation requires trans-border processing. These countries may not have the same data protection laws as South Africa, and in this instance, we will only transfer the information if we have consent from you, or it is necessary for the performance or conclusion of a contract between us.

## 11.6 Personal information received from third parties

When we receive personal information from a third party on behalf of a data subject, we require confirmation that they have written consent from the data subject that they are aware of the contents of this PAIA manual and the Privacy Policy, and do not have any objection to our processing their information in accordance with this policy.

Where information on third parties is provided by a data subject, or a third party provides information on a data subject, that information may be taken into account with other personal information.



## 11.7 Data Breaches

Where there are reasonable grounds to believe that the personal information of a data subject has been accessed or acquired by any unauthorised person, BGR ASSOCIATION (PTY) LTD shall notify:

- a) the Regulator; and
- b) the data subject, unless the identity of such data subject cannot be established.

The notification will be made as soon as reasonably possible after the discovery of the compromise, taking into account the legitimate needs of law enforcement or any measures reasonably necessary to determine the scope of the compromise and to restore the integrity of the responsible party's information system.

## 12. AVAILABILITY OF THE MANUAL

Copies of the manual are available for inspection, free of charge, at the offices of BGR Association (Pty) Ltd, from the South African Human Rights Commission and at: [www.bgr.co.za](http://www.bgr.co.za).