

**MANUAL PREPARED IN ACCORDANCE WITH  
SECTION 51 OF THE PROMOTION OF ACCESS TO  
INFORMATION ACT  
(ACT NO. 2 OF 2000) (the "ACT")**

FOR

AIRFLUENT (PTY) LTD

(Registration number : 2020/502114/07)

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## **1. INTRODUCTION**

Airfluent (Pty) Limited trading as Airfluent or Air-fluent.com conducts business as an online retailer and route to market distributor.

This manual sets out the procedure to be followed by a requester when requesting access to information/documents from Airfluent as contemplated in terms of the Act

This manual may be amended from time to time and the latest version of this manual will be made public as soon as any amendments have been finalised.

Any requester is advised to contact Calvin Ntokoane should he/she require any assistance in respect of the utilisation of this manual and or the requesting of documents /information from Airfluent

In this manual, unless the context indicates otherwise:

**“the Act”** : shall mean the Promotion of Access to Information Act No. 2 of 2000 as amended, together with all relevant regulations published;

**“the/this manual”** : shall mean this manual together with all annexures thereto as available from the office or website of Airfluent and SAHRC from time to time;

**“requester”** : shall mean any person or entity requesting information / documents from Airfluent(as the case may be) as contemplated in terms of the Act; and

**“SAHRC”** : shall mean the South African Human Rights Commission

## **2. COMPANY CONTACT DETAILS (Section 51 (1) (a))**

Persons designated/duly authorised persons:

Directors:	Mr. MSC Ntokoane (Managing)
CEO:	Mr. MSC Ntokoane
Postal Address:	45 HIGHBURY ROAD, BLUFF, DURBAN,4052
Street Address:	45 HIGHBURY ROAD, BLUFF, DURBAN , 4052
Telephone Number:	071 811 1801
Email:	calvin@air-fluent.com

DATE OF COMPILATION: 01/09/2020  
DATE OF REVISION: 03/09/2020

### **3. THE ACT (Section 51(1) (b))**

- 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 paragraphs 6 and 7 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:**

Postal Address: Private Bag 2700, Houghton, 2041  
 Telephone Number: +27-11-877 3600  
 Fax Number: +27-11-403 0625  
 Website: [www.sahrc.org.za](http://www.sahrc.org.za)  
 E-mail: [paia@sahrc.org.za](mailto:paia@sahrc.org.za)

### **4. NOTICE(S) IN TERMS OF SECTION 52 (2) OF THE ACT (Section 51 (1) (c)).**

The minister of Justice and Constitution Development has to date not published any notice(s) in terms of section 52(2) of the Act

### **5. INFORMATION /DOCUMENTS AVAILABLE IN ACCORDANCE WITH OTHER LEGISLATION**

(Section 51(1)(d) of the Act)

<b>No</b>	<b>Ref</b>	<b>Act</b>
1	No 61 of 1973	Companies Act
2	No 98 of 1978	Copyright Act
3	No 55 of 1998	Employment Equity Act
4	No 95 of 1967	Income Tax Act
5	No 66 of 1995	Labour Relations Act
6	No 89 of 1991	Value Added Tax Act
7	No 34 of 2005	National Credit Act
8	No 75 of 1997	Basic Conditions of Employment Act
9	No 53 of 2003	Broad Based Black Economic Empowerment Act
10	No 25 of 2002	Electronic Communications and Transactions Act
11	No 2 of 2000	Promotion of Access of Information Act
12	No 30 of 1996	Unemployment Insurance Act

\*Please note that the above is not an exhaustive list.

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## **6. INFORMATION / DOCUMENTATION HELD BY AIRFLUENT IN TERMS OF THE ACT** (Section 51 (1) (e) of the Act)

The Airfluent webpage is accessible to anyone with access to the internet, includes but are not limited to the following categories:

- Company profile information (including but not limited to , company strategy, history, executive management, teams, values, news, contact details, banking details and career opportunities)
- Online retail products (including but not limited to product images, prices, information, descriptions, reviews and departments)
- Retail terms and policies (include but not limited to, terms and conditions for the use of the website, exchange and return policy, frequently asked questions and answers)
- Secured personal user account (including but limited to , login page, personal details, order history, address book, credit cards, invoices, exchanges and returns)

### **Other**

- Standard employment contracts
- Human resources policies and procedures
- List of trademarks and pending applications
- Insurance policies
- Other Commercial contracts
- Marketing material

It is recorded that any and all documents / information requested pertaining to the aforesaid shall always be made available to a requestor subject to the provisions of the Act

## **7. PRESCRIBED FEES (Section 51 (1) (f))**

The following applies to requests (other than personal requests):

- 7.1** A requestor is required to pay the prescribed fees (R50.00) before a request will be processed;
- 7.2** 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);
- 7.3** A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit;
- 7.4** Records may be withheld until the fees have been paid.
- 7.5** 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).

## **8. AVAILABILITY OF THE MANUAL (Section 51(3) of the Act**

This manual is available for inspection free of charge at the offices of Airfluent.

Copies of the manual may be obtained subject to payment of the prescribed fees at the office of Airfluent.

The manual may also be accessed on the website of the SAHRC ([www.sahrc.org.za](http://www.sahrc.org.za)) , Airfluent ([www.air-fluent.com](http://www.air-fluent.com)) and may be published in the Government Gazette.

**9. FORM OF REQUEST**

(Section 53(1) of the Act)

**REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY**

(Section 53(1) of the Promotion of Access to Information Act No. 2 of 2000)

**[Regulation 10, read with Form C of Annexure B]****A. PARTICULARS OF PRIVATE BODY**

The Head:

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**B. PARTICULARS OF PERSON REQUESTING ACCESS TO THE RECORD**

- (a) The particulars of the person who requests access to the record must be recorded below.*
- (b) Furnish an address and/or fax number in the Republic to which information must be sent.*
- (c) Proof of the capacity in which the request is made, if applicable, must be attached.*

Full names and surname: \_\_\_\_\_

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Identity number: \_\_\_\_\_

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Postal address: \_\_\_\_\_

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Fax number: \_\_\_\_\_

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Telephone number: \_\_\_\_\_

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E-mail address: \_\_\_\_\_

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Capacity in which request is made, when made on behalf of another person:

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**C. PARTICULARS OF PERSON ON WHOSE BEHALF REQUEST IS MADE**

*This section must be completed only if a request for information is made on behalf of another person.*

Full names and surname: \_\_\_\_\_  
 \_\_\_\_\_

Identity number: \_\_\_\_\_

**D. PARTICULAR OF RECORD**

*(a) Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.  
 (b) If the provided space is inadequate, please continue on a separate folio and attach it to this form. **The requested must sign all the additional folios.***

1. Description of record or relevant part of the record: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

2. Reference number, if applicable: \_\_\_\_\_

3. Any further particulars of record: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**E. FEES**

*(a) A request for access to a record, other than a record containing personal information about yourself, will be processed only after a **request fee** has been paid.  
 (b) You will be notified of the amount requested to be paid as the request fee.  
 (c) The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.  
 (d) If you qualify for exemption of the payment of any fee, please state the reason therefor.*

Reason for exemption from payment of fees: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



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**F. FORM OF ACCESS TO RECORD**

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.			
Disability: _____ _____ _____		Form in which record is required: _____ _____ _____	
<p>Mark the appropriate box with an "X":</p> <p>Notes:</p> <p>(a) Your indication as to the required form of access depends on the form in which the record is available.</p> <p>(b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.</p> <p>(c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.</p>			
<b>1. If the record is in written on printed form -</b>			
<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record
<b>2. If record consists of visual images -</b> (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.)			
<input type="checkbox"/>	view the images	<input type="checkbox"/>	copy the images*
<input type="checkbox"/>		<input type="checkbox"/>	transcription of the images*
<b>3. If record consists of recorded works or information which can be reproduced in sound -</b>			
<input type="checkbox"/>	listen to the soundtrack (audio cassette)	<input type="checkbox"/>	transcription of soundtrack* (written or printed document)
<b>4. If record is held on computer or in an electronic or machine readable form -</b>			
<input type="checkbox"/>	printed copy of record*	<input type="checkbox"/>	printed copy of information derived from the record*
<input type="checkbox"/>		<input type="checkbox"/>	copy in computer readable form * (i.e. compact disc)
*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? <b>A postal fee is payable</b>			<input type="checkbox"/> Yes <input type="checkbox"/> No

**G. PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED**

*If the provided space is inadequate, please continue on a separate folio and attach it to this form. **The requester must sign all the additional folios.***

1. Indicate which right is to be exercised or protected: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Explain why the requested record is required for the exercising or protection of the  
aforementioned right: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**H. NOTICE OF DECISION REGARDING REQUEST FOR ACCESS**

You will be notified in writing whether your request has been approved / denied. If you wish to be informed thereof in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

\_\_\_\_\_  
\_\_\_\_\_

Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ of 20\_\_\_\_

\_\_\_\_\_  
SIGNATURE OF REQUESTER / PERSON ON  
WHOSE BEHALF REQUEST IS MADE

**10. PRESCRIBED FEES**

10.1 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.

10.2 The fee for reproduction referred to in regulation 11(1), is as follows:

	<u>Rand amount</u>
(a) For every photocopy of an A4-size page or part thereof	1.10
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form	0.75
(c) For a copy in a computer-readable form on: i) compact disc	70.00
(d) i) For a transcription of visual images, for an A4-size page or part thereof	40.00
ii) For a copy of visual images	60.00
(e) i) For a transcription of an audio record, for an A4-size page or part thereof	20.00
ii) For a copy of an audio record	30.00

10.3 The request fee payable by a requested, other than a personal requested, referred to in regulation 11(2) is R50.00.

10.4 The access fees payable by a requester referred to in regulation 11(3) are as follows:

	<u>Rand amount</u>
(1) (a) For every photocopy of an A4-size page or part thereof	1.10
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form	0.75
(c) For a copy in a computer-readable form on: i) compact disc	70.00
(d) i) For a transcription of visual images for an A4-size page or part thereof	40.00
ii) For a copy of visual images	60.00
(e) i) For transcription of an audio record, for an A4-sizing page or part thereof	20.00
ii) For a copy of an audio record	30.00

(f) To search for the record for disclosure, R30.00 for each hour or part of an hour reasonably required for such search and operation.

(2) For purposes of section 54(2) of the Act, the following applies:

(a) six hours as the hours to be exceeded before a deposit is payable; and

(b) one third of the access fee is payable as a deposit by the requester.

(3) The actual postage is payable when a copy of a record must be posted to a requester.