

MUSTARD SEED RELATIONSHIP MARKETING (PTY) LTD

(Registration number: 2018/619438/07)

Manual in terms of section 51 of

The Promotion of Access to Information Act, 2 of 2000

Promotion of Access to Information Act, 2 of 2000 (The Act)

Section 51 Manual of Mustard Seed Relationship Marketing (PTY) Ltd (Registration number 2018/619438/07)

Contact details

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Website:	www.mseed.co.za		

1. Introduction

The business is engaged in advertising, marketing and related services and operates principally in South Africa.

2. Guide in terms of section 10 of The Act

Any person who wishes to exercise any right contemplated in The Act may obtain a copy of the information guide issued by the Human Rights Commission, in all official languages, from the Human Rights Commission, telephone 011 887 3600.

3. 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 Mustard Seed Relationship Marketing (PTY) Ltd or can be accessed at www.sahrc.org.za.

4. Information available in terms of other legislation

Information is available in terms of certain provisions of the following legislation:

- Basic Conditions of Employment Act 75 of 1997
- B-BBEE Act 53 of 2003
- Companies Act 71 of 2008
- Compensation for Occupational Injuries and Health Diseases Act 130 of 1993
- Consumer Protection Act 68 of 2008
- Electronic Communications and Transactions Act 25 of 2002
- Employment Equity Act 55 of 1998
- Income Tax Act 58 of 1962
- Labour Relations Act 66 of 1995
- National Credit Act 34 of 2005
- Occupational Health and Safety Act 85 of 1993
- Promotion of Access to Information Act 2 of 2000
- Securities Transfer Tax Act 25 of 2007
- South African Revenue Services Act 34 of 1997

- Skills Development Levies Act 9 of 1999
- Skills Development Act 97 of 1998
- Unemployment Contributions Act 4 of 2002
- Unemployment Insurance Act 63 of 2001
- Value Added Tax Act 89 of 1991

5. Information automatically available

The following categories of records are automatically available for inspection, purchase or photocopying:

- Marketing and promotional material
- www.mseed.co.za
- Service offering
- List of employees and staff structure
- List of clients
- Contact information
- Privacy policy in terms of the Protection of Personal Information Act of 2013

6. Information available in terms of The Act

The subjects on which the business holds records and the categories on each subject are as listed below. Please note that a requestor is not automatically allowed access to these records and that access to them may or must be refused in accordance with sections 62 to 69 of The Act.

6.1 Accounting records

- Annual financial statements and working papers
- Bank statements, cheque books, cheques
- Customer and supplier statements and invoices
- Fixed asset register
- Tax returns and assessments
- VAT returns
- Lease or instalment sale agreements
- Reviewer's reports
- Capital expenditure
- Record of assets
- Record of liabilities
- Record of loans to related parties
- Record of revenue
- Record of expenses

6.2 Auditors

- Working papers
- Correspondence

6.3 Information technology

- Client database
- Hardware
- Internet

- Licenses
- Software packages
- Telephone lines, leased lines and data lines

6.4 Legal, agreements and contracts

- Agreements with contractors, suppliers and clients
- Agreements with shareholders, officers or directors
- Sale agreements
- Consumer Protection Act – disclosure by intermediary: information provided to a customer
- Consumer Protection Act – disclosure by promotional competitions: full details, rules, etc.

6.5 Personnel records

- Disciplinary records
- Employee information records
- Employee loans
- Employee remuneration
- Employment applications
- Employment contracts
- Employment Equity plan
- IRP5 and IT3 certificates
- Letters of appointment
- Leave applications
- Maternity leave policy
- Payroll
- Provident fund information
- Recruitment and appointments
- Staff loan schemes
- UIF, PAYE and SDL returns
- Training and development

6.6 Sales and marketing

- Clients
- Products
- Public relations policies and procedures
- Sales
- Service and product information

6.7 Statutory company records

- Annual statutory returns
- 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
- Registration certificate

- General resolutions
- Special resolutions
- Shareholders' agreements

6.8 Tax

- Income tax returns
- Provisional tax returns
- Tax assessments
- VAT documents

7. Requesting procedures

- A person who wants access to the records must complete the necessary request form (Form C of Annexure B to Government Notice No. R.187 dated 15 February 2002) that is available at the offices of Mustard Seed Relationship Marketing (PTY) Ltd, or can be accessed at www.sahrc.org.za. The completed request form must be sent to the address or email provided in this manual and marked for the attention of the Information Officer.
- The request must be specific in terms of the record requested.
- Any request that does not comply as prescribed by The Act will be returned.
- Requests must be accompanied by certified proof of identity.
- Section 54 of The Act entitles the company to charge a fee for providing access to records. A minimum fee of R50 will be charged per request and may be increased depending on search and preparation costs.
- Requests will be processed within 30 days. A reasonable extension of time may be required depending on the nature of the request.
- Requests may be refused on the grounds provided for in The Act.
- The decision of the Information Officer is final. If the requestor is dissatisfied with the decision, the requestor may appeal to a court of competent jurisdiction.

8. Availability of the manual

Copies of this manual are available for inspection, free of charge, at the offices of Mustard Seed Relationship Marketing (PTY) Ltd and at www.mseed.co.za.