

**FROBISHER TRADING 72 CC t/a THE BRASSERIE**  
(Registration Number 2011/105384/23)

**PRIVATE BODY – SECTION 51 MANUAL**  
(Section 51 of the Promotion of Access to Information Act No. 2, 2000)  
Date of Compilation: 07 March 2016

**INTRODUCTION**

This manual has been prepared in terms of Section 51 of the Promotion of Access to Information Act No. 2, 2000 (the "Act"). The Act gives effect to the provisions of Section 32 of the Constitution of the Republic of South Africa Act 108 of 1996 (the "Constitution"), which provides for the right of access to information held by the State and to information held by another person that is required for the exercise and/or protection of any rights.

The reference to any information in addition to that specifically required in terms of Section 51 of the Act does not create any right or entitlement (contractual or otherwise) to receive such information; other than in terms of the Act.

**A. OVERVIEW**

Frobisher Trading 72 CC trading as The Brasserie conducts business as a restaurant in Cape Town.

**B. PARTICULARS REQUIRED IN TERMS OF THE SECTION 51 MANUAL**

**1. CONTACT DETAILS [Section 51(1)(a)]**

<b>Members:</b>	Tammy Nicole Botbyl Peter John Weetman Julie Kay Galvin	Christopher Joseph Coetzee Pieter Stefan Marais
<b>Head of the Body:</b>	Christopher Joseph Coetzee	
<b>Postal address:</b>	The Brasserie P O Box 490 CONSTANTIA 7848	
<b>Street/Business address:</b>	The Brasserie, Shop 1 Forest Glade House Tokai Road, Tokai 7945 Cape Town	
<b>Address for Service of Tax Notices:</b>	The Brasserie, P O Box 490 CONSTANTIA 7848	
<b>Telephone number:</b>	021 794 6255	
<b>Facsimile number:</b>	086 532 6961	
<b>Electronic Mail Address of the Head of the Body (if applicable):</b>	<a href="mailto:info@brasseriet.co.za">info@brasseriet.co.za</a>	
<b>Website address:</b>	<a href="http://www.brasseriet.co.za">www.brasseriet.co.za</a>	

51

2. **HOW TO ACCESS THE GUIDE AS DESCRIBED IN SECTION 10 OF THE ACT**  
[Section 51(1)(b)]

A Guide has been compiled by the South African Human Rights Commission (SAHRC) in terms of Section 10 of the Act. It contains information required by a person wishing to exercise any right, contemplated by the Act and is available in all of the official languages.

The Guide is available for inspection at the offices of the SAHRC. 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 number: +27 11 484 8300  
Facsimile number: +27 11 484 0582  
Website address: [www.sahrc.org.za](http://www.sahrc.org.za)  
Electronic email address: [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)

3. **RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION** [Section 51(1)(d)]

Information is available in terms of the following legislation to the persons or entities specified in such legislation, including but not limited to:

Basic Conditions of Employment Act No. 75 of 1997  
Close Corporations Act No. 69 of 1984  
Compensation for Occupational Injuries and Health Diseases Act No.130 of 1993  
Consumer Protection Act No. 68 of 2008  
Financial Intelligence Centre Act No. 38 of 2001  
Income Tax Act No. 58 of 1962  
Value Added Tax Act No. 89 of 1991

4. **ACCESS TO THE RECORDS HELD BY THE PRIVATE BODY IN QUESTION**  
[Sections 51(1)(c) and 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) (if applicable)** [Section 51(1)(c)]

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

However, it should be noted that information relating to **Frobisher Trading 72 CC trading as The Brasserie** and its services are freely available on **Frobisher Trading 72 CC trading as The Brasserie** website ([www.brasseriect.co.za](http://www.brasseriect.co.za)). Certain other information relating to the body is also made available on such website from time to time. Further information in the form of marketing brochures, advertising material and other public communication is made available from time to time.

5

(ii) **Records that may be requested [Section 51(1)(e)]**

**Administration/ Internal Records:**

- Founding/Amended Founding Statement
- Statutory Records

**Human Resources/ Personnel Related:**

- Employee Personnel Records
- Employment Contracts
- Leave Records
- Remuneration Records, Benefits & Policies
- Salary Records & Surveys

**Operations:**

- Sales Records

**Financial Information:**

- Annual Financial Statements
- Accounting Records
- Assets Inventory/Register
- Banking Records (Banking Details, Bank Statements, Paid Cheques, Electronic Banking Records, Deposit Slips etc.)
- Invoices & Credit Notes
- Rental Agreements
- Stock Records
- Vouchers

**Income Tax Records:**

- SARS Tax Returns
- PAYE Records
- Records of payments made to SARS on behalf of Employees/Clients
- VAT Records
- Skills Development Levies
- Unemployment Insurance Fund
- Workmen's Compensation

**Please note that the abovementioned records are of a CONFIDENTIAL nature and are only accessible to those authorised to have access thereto.**

✓/

Access to certain records may be denied on the grounds set out in Sections 62-70 (Chapter 4) of the Act.

#### 5. FORM OF REQUEST

- The requester must use the prescribed form (Form C as annexed hereto) 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 number or electronic mail address of the body concerned [Section 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 [Sections 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 [Section 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 [Section 53(2)(f)].

Access to certain records may be denied on the grounds set out in Sections 62-70 (Chapter 4) of the Act.

#### 6. PRESCRIBED FEES

A requester who seeks access to a record containing personal 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 [Section 54(1)].

The fee that the requester must pay to a private body is R50.00 (fifty rand). The requester may lodge an application to the court against the tender or payment of the request fee [Section 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 [Section 54(6)].

The fee structure is available on the website of The South African Human Rights Commission [www.sahrc.org.za](http://www.sahrc.org.za) or the website of The Department of Justice and Constitutional Development [www.doj.gov.za](http://www.doj.gov.za).

5/

**7. OTHER INFORMATION AS MAY BE PRESCRIBED** [Section 51(1)(f)]

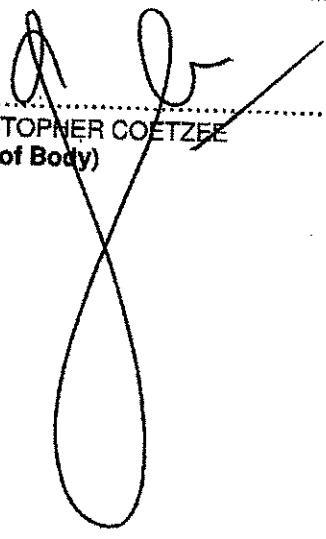
The Minister of Justice and Constitutional Development has not made any regulations in this regard.

**8. AVAILABILITY OF THE MANUAL** [Section 51(3)]

The information/PAIA manual is available for inspection free of charge, during office hours, at the offices of **Frobisher Trading 72 CC trading as The Brasserie** and on their website **www.brasseriect.co.za**.

Furthermore, a copy is available at the offices of The South African Human Rights Commission (Refer 2 above, for contact details).

SIGNED at CAPE TOWN on the 7<sup>th</sup> day of MARCH 2016.

  
.....  
**CHRISTOPNER COETZEE**  
**(Head of Body)**

## FORM C

### REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY

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

[Regulation 10]

#### A. Particulars of private body

The Head:

#### B. Particulars of person requesting access to the record

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

Full names and surname:

Identity number:

Postal address:

Fax number:

Telephone number:

E-mail address:

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

#### C. Particulars of person on whose behalf request is made

This section must be completed <i>ONLY</i> if a request for information is made on behalf of <i>another</i> person.
---

Full names and surname:

Identity number:

#### D. Particulars 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 requester must sign all the additional folios.          |

1. Description of record or relevant part of the record:
2. Reference number, if available:
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 required 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 for exemption.

Reason for exemption from payment of fees:

## 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
Mark the appropriate box with an X.	
NOTES: (a) Compliance with your request in the specified form may depend on the form in which the record is available. (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. (c) The fee payable for access for the record, if any, will be determined partly by the form in which access is requested.	

<b>1. If the record is in written or printed form:</b>			
	copy of record*		inspection of record
<b>2. If record consists of visual images</b> this includes photographs, slides, video recordings, computer-generated images, sketches, etc)			
	view the images	copy of the images"	transcription of the images*
<b>3. If record consists of recorded words or information which can be reproduced in sound:</b>			
	listen to the soundtrack audio cassette	transcription of soundtrack* written or printed document	
<b>4. If record is held on computer or in an electronic or machine-readable form:</b>			
	printed copy of record*	printed copy of information derived from the record"	copy in computer readable form* (stiffy or 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? Postage is payable.	YES	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 record requested is required for the exercise 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 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 .....20

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