



**MCI CONSULTANTS (PTY) LIMITED**  
**(REGISTRATION NUMBER 1983/011766/07)**

**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).....3**

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**PROMOTION OF ACCESS TO INFORMATION ACT, 2 OF 2000 (THE ACT)****SECTION 51 MANUAL OF MCI CONSULTANTS (PTY) LIMITED****1. CONTACT PARTICULARS**

<b>Head of Business:</b>	Steven Bernard	<b>Information Officer:</b>	Aliki Droussiotis
<b>Postal Address:</b>	P O Box 71 Bruma 2026	<b>Physical Address:</b>	Ground Floor Office 1 18 Nicol Road Bedfordview 2007
<b>Telephone number:</b>	+27 11 454 3420		
<b>E-mail Address:</b>	<a href="mailto:aliki@mci.co.za">aliki@mci.co.za</a>		
<b>Website:</b>	<a href="http://www.mci.co.za">www.mci.co.za</a>		

**2. INTRODUCTION**

**MCI** is a boutique technology partner that provides world class software solutions to drive digital automation within medium and large sized organisations across various industries in South Africa, Africa and abroad.

**3. 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, contact number (011) 887-3600 or [www.sahrc.co.za](http://www.sahrc.co.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 and which is dealt with in detail in Section 8 of this Manual.

**5. INFORMATION AVAILABLE IN TERMS OF OTHER LEGISLATION**

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

- 5.1 Basic Conditions of Employment Act 75 Of 1997
- 5.2 BBBEE Act 53 Of 2003
- 5.3 Companies Act 71 Of 2008
- 5.4 Compensation For Occupational Injuries and Health Diseases Act 130 Of 1993
- 5.5 Consumer Protection Act 68 Of 2008
- 5.6 Copyright Act No 98 Of 1978
- 5.7 Income Tax Act 58 Of 1962
- 5.8 Labour Relations Act 66 Of 1995
- 5.9 Occupational Health and Safety Act 85 Of 1993
- 5.10 Promotion Of Access to Information Act 2 Of 2000
- 5.11 Regional Services Councils Act No 109 Of 1985
- 5.12 Skills Development Levies Act 9 Of 1999
- 5.13 Skills Development Act 97 Of 1998
- 5.14 Unemployment Contributions Act 4 Of 2002
- 5.15 Unemployment Insurance Act 63 Of 2001
- 5.16 Usury Act No 73 Of 1968
- 5.17 Value Added Tax Act 89 Of 1991

Although **MCI** has used its best endeavors to supply you with a list of applicable legislation it is possible that the above list may be incomplete. Wherever it comes to **MCI's** attention that existing or new legislation allows a requester access on a basis other than that set out in the Act, we shall update the list accordingly.

**6. INFORMATION AUTOMATICALLY AVAILABLE**

The following categories of records are automatically available for inspection:

- 6.1 Press Releases
- 6.2 Brochures
- 6.3 Social Media Posts
- 6.4 Website: [www.mci.co.za](http://www.mci.co.za)

**7. INFORMATION AVAILABLE IN TERMS OF THE ACT**

The broad categories and specific subjects within which the business holds records are as listed below. Please note that a requester is not automatically allowed access to these records and that such access may or must be refused in accordance with sections 62 to 69 of The Act.

**7.1 ACCOUNTING RECORDS**

- Annual financial statements and working papers
- Auditor's report
- General ledger
- Subsidiary ledgers (receivables, payables, etc.)
- Bank statements, cheque books, cheques
- Customer and supplier statements and invoices
- Cash books and petty cash books
- Deposit slips
- Fixed asset register
- Insurance records
- Investment records
- Record of assets
- Record of liabilities
- Record of revenue
- Record of expenses
- Tax returns and assessments
- VAT returns

**7.2 HEALTH AND SAFETY**

- Code of Conduct
- Health and safety records
- Register, record of earnings, time worked, payment and particulars of all employees

**7.3 INFORMATION TECHNOLOGY**

- Telephone lines, leased lines and data lines
- Agreements
- Disaster Recovery
- Software Packages
- Policies and Procedures
- Internal Systems Support and Programming
- Software Licenses
- Operating Systems

**7.4 INTELLECTUAL PROPERTY**

- Trademark applications
- Agreements relating to Intellectual Property
- Copyrights

**7.5 INSURANCE**

- Claim records
- Details of coverage, limits and insurers
- Insurance policies

**7.6 LEGAL, AGREEMENTS AND CONTRACTS**

- Agreements with contractors, suppliers and clients
- Agreements with customers
- Permits and licenses.

**7.7 HUMAN RESOURCES**

- Timesheets
- Code of conduct

- Employee information records
- Employee remuneration
- Employment applications
- Employee date of birth
- Employment contracts
- Health and safety records
- Human resources policies and procedures
- IRP 5 and IT 3 certificates
- Leave applications
- Maternity leave policy
- Name and occupation of each employee
- Payroll
- Personnel file
- Salary and wage registers
- Salary slips and wage records
- Tax returns of employees
- Time records
- UIF, PAYE and SDL returns
- Workmen's Compensation documents

#### **7.8 PROPERTY**

- Leases

#### **7.9 SALES AND MARKETING**

- Client Information
- Marketing Brochures
- Marketing Strategies
- Product Brochures
- Policies and Procedures

#### 7.10 STATUTORY COMPANY RECORDS

- Annual Statutory Returns
- Certificate of Incorporation
- Directors' Attendance Register
- Memorandum and Articles of Association
- Minute Books
- Minutes of Directors' Meetings
- Notice and Minutes of Shareholders' Meetings
- Register of Directors and Officers
- Register of Directors' Shareholding
- Resolutions
- Resolutions Passed at Meetings
- Shareholders' Register

#### 7.11 TAX

- Income tax returns
- VAT documents
- Vendors information
- Documentary proof substantiating the zero rating of supplies

### 8. REQUESTING PROCEDURES

Any person who requires access to the records must complete **Form C** which is annexed to this Manual and may also be printed from the website, [www.mci.co.za](http://www.mci.co.za). This form can also be accessed on [www.sahrc.org.za](http://www.sahrc.org.za).

The completed **Form C** must be sent to the address provided in this Manual and marked for the attention of the Information Officer.



Please take note that the prescribed access form must be completed in full, failure to do so will result in the process being delayed until such additional information is provided. MCI will not be held liable for delays due to receipt of incomplete forms. Due cognizance should be taken of the following instructions when completing the **Access Request Form** because the Information Officer shall not process any request for access to a record until satisfied that all requirements have been met:

1. The **Access Request Form** must be completed in the English language.
2. Proof of identity is required to authenticate the requester's identity. If the requester acts as an agent requester, the requester shall provide proof of the identity of the person on whose behalf the request is made, the authority or mandate given to the requester by such person and proof of the identity of the requester as provided above.
3. Type or print in BLOCK LETTERS an answer to every question.
4. If a question does not apply, state "N/A" in response to that question.
5. If there is nothing to disclose in reply to a particular question, state "nil" in response to that question.
6. If there is insufficient space on a printed form in which to answer a question, additional information may be provided on an additional attached folio.
7. When the use of an additional folio is required, precede each answer thereon with the title applicable to that question.

## 9. ACCESS FEES

The Gazetted scale of fees payable by requesters of information is set out below.

A requester who is making a request in his/her personal capacity is exempted from paying an access fee. The access fee payable by a requester who is making a request on behalf of another person in terms of section 54(7) of the Act, is as follows:

R \*

1.	For every photocopy of an A4 size page or part thereof	1.10
2.	For every printed copy on A4 size page or part thereof held on a computer or in electronic or machine-readable form	0.75
3.	For a copy in a machine-readable form on USB	70.00
4.	For a transcription of visual images:	40.00
4.1	For an A4 size page or part thereof	40.00
4.2	For a copy of visual images	60.00
5.	For a transcription of an audio record:	
5.1	For an A4 sized page or part thereof	20.00
5.2	For a copy of an audio record	30.00

6. In addition to the above, a request fee of R 50.00\* is payable by a requester, other than a personal requester, in terms of section 54(1) of the Act.

7. A search fee of R 30.00\* per hour or part thereof may be levied and where such search is likely to take six hours or more, the Information Officer is entitled to request that a deposit of one third of the estimated cost be lodged in terms of section 54(2) of the Act.

8. \* All amounts listed above are exclusive of VAT.

9. Payment of Prescribed Fees:

- Payment details can be obtained from the Information Officer and payment can be made either via a direct deposit, by bank guaranteed cheque or by postal order (no credit card payments are accepted). Proof of payment must be supplied. Four types of fees are provided for in terms of the Act:
- **Request fee:** An initial, non-refundable R57.00 (excl.. VAT) is payable on submission. This fee is not applicable to Personal Requesters, referring to any person seeking access to records that contain their personal information.
- **Reproduction fee:** This fee is payable with respect to all records that are automatically available.
- **Access fee:** If the request for access is successful an access fee may be required to reimburse MCI for the costs involved in the search, reproduction and/or preparation of the

record and will be calculated based on the Prescribed Fees.

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- **Deposit:** A deposit of one third (1/3) of the amount of the applicable access fee, is payable if **MCI** receives a request for access to information held on a person other than the requester himself/herself and the preparation for the record will take more than six (6) hours. In the event that access is refused to the requested record, the full deposit will be refunded to the requester.

10. Notification:

- **MCI** will, within thirty (30) days of receipt of the request decide whether to grant or decline the request and give notice with reasons (if required) to that effect.
- The thirty (30) day period within which **MCI** has to decide whether to grant or refuse the request, may be extended for a further period of not more than thirty (30) days, if the request is for a large volume of information, or the request requires a search for information held at another office of **MCI** and the information cannot be reasonably be obtained within the original thirty (30) day period. **MCI** will notify the requester in writer should an extension be sought.
- If the request for access to a record is successful, the requester will be notified of the following:
  - The amount of the access fee payable upon gaining access to the record.
  - An indication of the form in which the access will be granted; and
  - Notice that the requester may lodge an application with a court against the payment of the access fee and the procedure, including the period, for lodging the application.
  - If the request for access to a record is not successful, the requester will be notified of the following:
    - Adequate reasons for the refusal (refer to Third Party Information and Grounds for Refusal); and
    - That the requester may lodge an application with a court against the refusal of the request and the procedure, including the period for lodging the application.

11. Records that cannot be found or do not exist:

- If **MCI** has searched for a record and it is believed that the record either does not exist or cannot be found, the requester will be notified by way of an affidavit or affirmation. This will include the steps that were taken to try to locate the record.

**10. APPEAL AGAINST REFUSAL TO DISCLOSE INFORMATION**

In the event that the Information Officer refuses a request for information, the requester shall have a right of appeal in terms of section 75(1) of the Act and must lodge an internal appeal within 60 days and pay an appeal fee of R 50.00 excl. VAT.

A ruling on the appeal must be provided to the requester within 30 days of lodgment of the appeal.

Requests may be refused on the following grounds, as set out in the Act:

- Mandatory protection of privacy of a third party who is a natural person, including a deceased person, which would involve the unreasonable disclosure of personal information of that natural person;
- Mandatory protection of commercial information of a third party or **MCI**, if the record contains:
  - Trade secrets of the third party or **MCI**.
  - Financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of the third party or **MCI**; and
  - Information disclosed in confidence by a third party to **MCI** if the disclosure could put that third party to a disadvantage or commercial competition.
- Mandatory protection of certain confidential information of a third party if disclosure of the record would result in a breach of a duty of confidence owed to that party in terms of an agreement.
- Mandatory protection of the safety of individuals, and the protection of property.
- Mandatory protection of records privileged from production in legal proceedings, unless the legal privilege has been waived; and
- Mandatory protection of research information of a third party and of **MCI**.

## 11. SHARING OF PERSONAL INFORMATION

### 1. MCI may share personal information with:

- Service providers who perform services on behalf of the MCI; and
- Third-party suppliers.

### 2. MCI Security measures to protect personal information with:

- MCI takes the security of your data seriously and therefore reasonable technical and organizational measures have been implemented to protect personal information. MCI has internal policies and controls in place to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by our employees in the proper performance of their duties.
- MCI will take steps to ensure that third-party providers who process personal information on behalf of MCI apply adequate safeguards as required in terms POPIA.

### 3. Transborder Flows of Personal Information

- MCI may from time to time transfer personal information to another country for the purposes of rendering services to employees and customers. MCI will take the necessary steps to ensure that services providers and third-party operators are bound by laws, binding corporate rules or binding agreements that provide an adequate level of protection and uphold principles for reasonable and lawful processing of personal information in terms of POPIA.

### 4. Purpose of Processing of Personal Information

MCI processes Personal Information which includes but it is not limited to the following purposes:

- Rendering of services to our customers
- Employee administration
- Providing or managing any information on products
- Transacting with our suppliers
- Maintaining customer records

- Recruitment purposes
- Apprenticeship and bursary purposes
- Travel purposes
- General administration
- Financial and tax purposes
- Legal purposes
- Health and safety purposes
- Visitor access monitoring purposes
- Managing the premises and facilities
- Investigating of and preventing fraud
- Debt recovery and responding to website enquires

## 5. Types of Personal Information

CATEGORIES INDIVIDUALS AND JURISTIC ENTITIES	CATEGORIES OF PERSONAL INFORMATION HELD	AVAILABILITY
Employees	<ul style="list-style-type: none"> <li>• ID number</li> <li>• Contact details</li> <li>• Physical and postal address</li> <li>• Date of birth</li> <li>• Age</li> <li>• Disability Information</li> <li>• Employment history</li> <li>• Criminal/background checks</li> <li>• CVs</li> <li>• Education history</li> <li>• Banking details</li> <li>• Income tax reference number</li> <li>• Remuneration and benefit information (including medical aid, pension/provident fund information)</li> <li>• Details related to employee performance</li> <li>• Disciplinary procedures</li> <li>• Employee disability information</li> <li>• Employee contracts</li> <li>• Employee Performance records</li> <li>• Time and attendance records</li> </ul>	Not automatically available

CATEGORIES INDIVIDUALS AND JURISTIC ENTITIES	CATEGORIES OF PERSONAL INFORMATION HELD	AVAILABILITY
Suppliers/Service Providers	<ul style="list-style-type: none"> <li>• Entity Name</li> <li>• Registration Number</li> <li>• Income Tax Number</li> <li>• Contact Details for Representative Persons</li> <li>• FICA Documentation</li> <li>• BBB-EE Certificates</li> <li>• Invoices</li> <li>• Contractual Documentation</li> </ul>	Not automatically available
Directors and Shareholders	<ul style="list-style-type: none"> <li>• Name</li> <li>• Surname</li> <li>• ID numbers</li> <li>• Financial information as required for statutory reporting</li> </ul>	Not automatically available
New Job Applicants	<ul style="list-style-type: none"> <li>• Name</li> <li>• Surname</li> <li>• Address</li> <li>• Contact details</li> <li>• Email address</li> <li>• Telephone number</li> <li>• Details of qualifications</li> <li>• Skills</li> <li>• Experiences and employment history</li> <li>• Information about your current level of remuneration</li> <li>• Information about your entitlement to work in South Africa</li> </ul>	Not automatically available



CATEGORIES INDIVIDUALS AND JURISTIC ENTITIES	CATEGORIES OF PERSONAL INFORMATION HELD	AVAILABILITY
Website Visitors	<ul style="list-style-type: none"><li>Name</li><li>Email address</li><li>Company name</li><li>Job title and telephone number</li></ul>	Not automatically available
Visitors	<ul style="list-style-type: none"><li>Physical access records</li></ul>	Not automatically available

## 12. AVAILABILITY OF THE MANUAL

Copies of this Manual are available for inspection, free of charge, at the offices of **MCI Consultants (PTY) Limited** or from the South African Human Rights Commission.

**12. SIGNATURE OF INFORMATION OFFICER**

This Manual is signed and dated by the Information Officer in terms of Section 51 of the Promotion of Access to Information Act, 2 of 2000

<p>Aliki Droussiotis</p> <hr/> <p><b>INFORMATION OFFICER</b></p>	<p><i>Aliki Droussiotis</i></p> <hr/> <p><b>SIGNATURE</b></p>
<p>13/6/2024</p> <hr/> <p><b>DATE</b></p>	

**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. |
| (b) | 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 *ONLY* if a request for information is made on behalf of another 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.	

**1. If the record is in written or printed form:**

	copy of record*		inspection of record
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**2. If record consists of visual images**

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....

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**SIGNATURE OF REQUESTER / PERSON ON WHOSE BEHALF REQUEST IS MADE**