

**MIRFIN VALUATION SERVICES (PTY) LTD
MANUAL IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT**

Background

The Promotion of Access to Information Act 2 of 2000 (“the Act”) came into operation on 23 November 2001. Section 51(1) of this Act requires that Mirfin Valuation Services (Pty) Ltd, as a private body, compiles a manual giving information to the public regarding the subjects and categories of records in its possession and the procedure to be followed by any member of the public in requesting information from it for the purpose of exercising or protecting his or her constitutional right of access to any information that is held by another person and that is required for the exercise or protection of rights of the member of the public.

Introduction

Mirfin Valuation Services (Pty) Ltd is a private limited company, registered in accordance with the laws of the Republic of South Africa with registration number 2012/117580/07 (“the company”). The company is a countrywide provider of property, building and content valuations for replacement cost and market value and offers other valuation and risk assessment services. Mirfin Valuation Services (Pty) Ltd, as a private body, has compiled this manual in compliance with the provisions of the Act and also as a means to foster a culture of transparency and accountability and to ensure that members of the public have effective access to information in the company’s possession which will assist them in the exercise and protection of their rights.

South African Human Rights Commission – Guide on the Act

In terms of Section 10 of the Promotion of Access to Information Act 2 of 2000, the SA Human Rights Commission has compiled a guide on the use of this Act. It is available from the Human Rights Commission on their website, www.sahrc.org.za. Any enquires relating to this guide should be directed to the Chief Executive Officer of the South African Human Rights Commission, Private Bag 2700, Houghton, 2041. Telephone (011) 484 8300, Fax (011) 484 1360, email PAIA@sahrc.org.za.

Availability of Manual and Content of Requests

This manual will enable you to view the categories of information in the possession of Mirfin Valuation Services (Pty) Ltd and to follow the correct procedure when requiring access to any of the information in the company’s possession. All requests for access to information should be addressed to the contact person referred to below.

The manual will be available for inspection at the offices of Mirfin Valuation Services (Pty) Ltd or via its website, <http://www.mirfin.co.za>, and at the South African Human Rights Commission. Copies can be obtained at the prescribed fee at the offices of Mirfin Valuation Services (Pty) Ltd.

Requests for access to records must be made on the request form, the prescribed form C, which is annexed hereto and can also be downloaded from the South African Human Rights Commission (SAHRC) web site www.sahrc.org.za. All requests will only be processed once payment of the prescribed fee has been made.

The requester must provide sufficient detail on the request form to enable Mirfin Valuation Services (Pty) Ltd to identify the record and the requester. The requester should also indicate which form of access is required and indicate whether he or she in addition wishes to be informed in any other manner other than in writing of the decision on his or her request and state the necessary particulars to be so informed, in addition to a postal address and/or fax number in the Republic of South Africa.

The requester must identify the right that he or she is seeking to exercise or protect and provide an explanation of why the requested record is required for the exercise or protection of that right.

If a request is made on behalf of a third party, the requester must then submit proof of the capacity in which the requester is making the request, to the satisfaction of Mirfin Valuation Services (Pty) Ltd.

Kindly note that all requests to Mirfin Valuation Services (Pty) Ltd will be evaluated and considered in accordance with the Act. Publication of this manual and the description of the categories and subject matter of the information held by Mirfin Valuation Services (Pty) Ltd does not give rise to any rights to access such information or records except in terms of the Act.

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.

Contact Details

All requests for access to records relating to Mirfin Valuation Services (Pty) Ltd should be addressed to:

Name of body: Mirfin Valuation Services (Pty) Ltd
Head of the body: Constant Björn Laubscher (contact person)
Physical address: 60 Carol Ave., Lynnwood Manor 0081, Pretoria 0081
Postal address: Suite 276, Private Bag X025, Lynnwood Ridge 0040
Telephone number: +27 861 647 346
Email address: bjorn@mirfin.co.za
Website: www.mirfin.co.za

Information available in terms of the Act

Mirfin Valuation Services (Pty) Ltd holds the following categories of information:

Customer Records

- Orders and Quotations
- Records provided by customers
- Records provided by a customer to a third party acting for or on behalf of Mirfin Valuation Services (Pty) Ltd
- Records provided by third parties
- Records generated by or within Mirfin Valuation Services (Pty) Ltd

Employment Records

- Personal records provided by employees
- Records provided by individuals and other employees
- Employment contracts and conditions of employment
- Disciplinary and performance appraisal records
- Correspondence relating to personnel
- Training material
- Leave requests
- Leave and sick days records
- Personnel files

General Records

- Newsletters
- Insurance records
- Customer, Supplier and Document Databases
- Marketing Records
- Website Information
- Internal Correspondence
- External Correspondence
- Commercial Agreements
- Company documents, minutes of meetings and resolutions

Financial Records

- Financial and Accounting Records (source documents, working papers and financial statements and reports)
- Tax compliance documents
- Asset register

Product-Related Records

- Terms and Conditions
- Privacy Policy
- Statutory Compliance documents
- Supplier Contracts and Correspondence

All information requested will only be made available subject to the provisions of the Act, in particular Sections 62 to 69 of the Act.

Information available in terms of other Legislation

- Where applicable to its operations, information is also available in terms of certain provisions of the following statutes:
- Basic Conditions of Employment Act 75 of 1997
- Broad Based Black Economic Empowerment Act 53 of 2003
- Companies Act 61 of 1973
- Companies Act 71 of 2008
- Compensation for Occupational Injuries and Diseases Act 130 of 1993
- Council for the Built Environment Act 43 of 2000
- Credit Agreements Act 75 of 1980
- Financial Intelligence Centre Act 38 of 2001
- Income Tax Act 58 of 1962
- Insolvency Act 24 of 1936
- Labour Relations Act 66 of 1995
- Marketing Act 59 of 1968
- National Credit Act 34 of 2005
- Occupational Health and Safety Act 85 of 1993
- Pension Funds Act 24 of 1956
- Property Valuers Act 47 of 2000
- Short-term Insurance Act 53 of 1998
- Skills Development Act, No 97 of 1998
- Trade Marks Act 194 of 1993
- Value-added Tax Act 89 of 1991
- Unemployment Insurance Act 63 of 2001

Fees

A requester who seeks access to a record containing personal information about that requester is not required to pay the request fee (this does not mean that the requester will be granted access to such record, which request will be evaluated by Mirfin Valuation Services (Pty) Ltd as per the requirements under the Act). Every other requester must pay the required request fee of R50.00. The fee structure can be obtained on the website of the South African Human Rights Commission (SAHRC) at www.sahrc.org.za.

If the request is granted, the requester must pay a further access fee for the search, reproduction and preparation of the record, as well as for any time that has exceeded the prescribed hours to search and prepare the record requested to be accessed. Information on the structure of access fees is available at www.sahrc.org.za, or in the Government Notice Number R187 of 15 February 2002, which is available at www.doj.gov.za.

FORM C

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]

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: _____

E-mail address: _____ Telephone number: _____

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: _____

