

Promotion of Access to Information Act, Section 51 Manual

For

Lab88 (Pty) Ltd

1. Introduction

This Manual is published in terms of Section 51 of the Promotion of Access to Information Act, 2 of 2000. The Act gives effect to the provisions of Section 32 of 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 right.

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 compliance with the terms of the Act.

This manual applies in respect of each member of the Lab88 (Pty) Ltd. The Information Officer named below is appointed in respect of the Lab88 (Pty) Ltd as a whole.

2. Interpretation

Unless the context clearly indicates otherwise, the following terms shall have the meanings assigned to them hereunder, namely: –

- 2.1 **Act.** “Act” means the Promotion of Access to Information Act (Act 2 of 2000), as amended from time to time.
- 2.2 **Information Officer.** “Information Officer” means the person acting on behalf of Lab88 (Pty) Ltd and discharging the duties and responsibilities assigned to the “head” of Lab88 (Pty) Ltd by the Act. The Information Officer is duly authorised to act as such and said authorisation has been confirmed by the “head” of Lab88 (Pty) Ltd in writing.
- 2.3 **Manual.** “Manual” means this manual published in compliance with Section 51 of the Act.
- 2.4 **Personnel.** “Personnel” means any person who works for or provides services to or on behalf of Lab88 (Pty) Ltd and receives or is entitled to receive any remuneration. This includes, without limitation, directors (both executive and non-executive), all permanent, temporary and part-time staff as well as contract workers.
- 2.5 **Records.** “Records” mean any recorded information, regardless of form or medium, which is in the possession or under the control of Lab88 (Pty) Ltd, irrespective of whether it was created by Lab88 (Pty) Ltd.
- 2.6 **Requests.** “Requests” means a request for access to a record of Lab88 (Pty) Ltd.
- 2.7 **Requester.** “Requester” means any person, including a public body or an official thereof, making a request for access to a record of Lab88 (Pty) Ltd and includes any person acting on behalf of that person.
- 2.8 **SAHRC.** “SAHRC” means the South African Human Rights Commission.
- 2.9 Unless contrary intention clearly appears, words signifying:–
 - The singular includes the plural and vice versa;
 - Any one gender includes the other gender and vice versa; and
 - Natural persons include juristic persons.

3. Lab88 Company Overview

Lab88 (Pty) Ltd supports the constitutional right of access to information and we are committed to provide you access to our records in accordance with the provisions of the Act, subject to the confidentiality we owe third parties and the principles of our law.

4. Availability of this Manual

A copy of this Manual is available on our website (www.lab88.co.za). You may also request a copy from the Information Officer by email at the address set out hereinafter. The manual may also be inspected at our head office at the address set out below. This Manual will be updated from time to time, as and when required.

5. How to request access to records held by Lab88 (Pty) Ltd

Requests for access to records held by Lab88 (Pty) Ltd must be made on the request forms that are available from the SAHRC website (www.sahrc.org.za) or the department of Justice and Constitutional Development (www.doj.gov.za).

For the convenience of requester, copies of such forms are included in the version of this Manual available at our head office.

The requestor must provide sufficient detail on the request form to enable the Information Officer to identify the record and the requester. The Requester should also indicate which form of access is required and indicate if he or she wishes to be informed in any other manner and state the necessary particulars to be so informed.

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 person, the Requester must then submit proof of the capacity in which the Requester is making the request to the lawful satisfaction of the Lab88 (Pty) Ltd Information Officer.

The standard form must be used for the making of a request. Not using the required form could cause your request to be refused (if you do not provide sufficient information) or delayed.

Kindly note that all requests to Lab88 (Pty) Ltd will be evaluated and considered in accordance with the Act. Publication of this manual and describing the categories and subject matter of information held by Lab88 (Pty) Ltd does not in and of itself give rise to any rights (in contract or otherwise) to access such information or records except in terms of the Act.

6. Contact Details

Name of Private Body	Lab88 (Pty) Ltd Registration Number 2009/011379/07
Designated Information Officer	Conrad Leigh
Email Address of Information Officer	conradl@lab88.co.za
Physical Address	1st Floor Cedar Square Shopping Centre Cnr. Willow and Cedar Avenue Fourways; 2191

Postal Address	Postnet Suite #810 Private Bag X153 Bryanston 2021
Contact Number	Local: 0861 8 LAB88 (52288)
Fax Number	0862193417

7. Voluntary Disclosure

Lab88 (Pty) Ltd is not obligated to and has not published a notice in terms of Section 52(2) of the Act. Nevertheless, Lab88 (Pty) Ltd does make certain information freely available on our website at www.lab88.co.za. Certain other information relating to Lab88 (Pty) Ltd is also made available on such website from time to time as well as on various other websites. Brochures are made available to customers and made available in Lab88 stores.

Certain information is also made available to employees of Lab88 (Pty) Ltd, which is not generally made available to the public. To avoid confusion, these items of information are not listed hereby but may be obtained by Lab88 employees from our HR officer.

8. Records available in terms of any other Legislation

Information is retained in terms of the following legislation and is usually available only to the persons or entities specified in such legislation: -

Companies Act 61 of 1973
Income Tax Act 58 of 1962
Value Added Tax Act 89 of 1991
Labour Relations Act 66 of 1995
Basic Conditions of Employment Act 75 of 1997
Employment Equity Act 55 of 1998
Skills Development Act 97 of 1998
Skills Development Levies Act 9 of 1999
Unemployment Insurance Act 30 of 1966
Unemployment Contributions Act 4 of 2002
National Environmental Management Act 107 of 1998
Compensation for Occupational Injuries and Health Diseases Act 130 of 1993
Consumer Affairs (Unfair Business Practices) Act 71 of 1988
Credit Agreements Act 75 of 1980
Harmful Business Practices Act 23 of 1999
Medical Schemes Act 131 of 1998
Occupational Health & Safety Act 85 of 1993
Protection of Business Act 99 of 1978
Regional Service Councils Act 109 of 1985
Short Term Insurance Act 53 of 1998
Stamp Duties Act 77 of 1968
Stock Exchanges Control Act 1 of 1985 and the rules and listings requirements of the JSE Securities Exchange authorised in terms thereof
Usury Act No 73 of 1968

9. Records held by Lab88 (Pty) Ltd

We maintain records on the following categories and subject matters. However, please note that recording a category or subject matter in this Manual does not imply that a request for access to such records would be honoured. All requests for access will be evaluated on a case by case basis in accordance with the provisions of the Act.

Records held internally

The following are records pertaining to Lab88's own affairs:-

- Memorandum and Articles of Association
- Financial records
- Operational records
- Intellectual property
- Marketing records
- Internal correspondence
- Product records
- Statutory records
- Internal policies and procedures
- Records held by officials of Lab88 (Pty) Ltd
- Contractual records

Personnel records

Personnel records include the following:-

- Any personal records provided to Lab88 by its personnel
- Any records a third party has provided to the Lab88 about any of its personnel
- Conditions of employment and other personnel-related contractual and other legal records
- Internal evaluation records
- Other internal records and correspondence

Customer related records

Customer related information includes the following:-

- Any records a customer has provided to Lab88 (Pty) Ltd or a third party acting for or on behalf of Lab88 (Pty) Ltd
- Any credit records or other research conducted by Lab88 in respect of its customers or research derived by Lab88 (Pty) Ltd from its customers and their activities
- Any records a third party has provided to Lab88 either directly or indirectly
- Records generated by or within Lab88 (Pty) Ltd pertaining to the customer, including transaction records

Other records

Further records are held including:

Information relating to Lab88's own commercial activities

Third Parties

Records are kept in respect of third parties, including without limitation:-

- Contractors
- Commercial Banks
- Auditors
- Suppliers
- Joint Venture Companies
- Consultants
- Service Providers
- Franchisees