



**PROMOTION OF ACCESS TO INFORMATION ACT 2000**

**SECTION 51 MANUAL FOR JMR Software (Pty) Ltd**

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## **A. INTRODUCTION TO JMR SOFTWARE (PTY) LTD**

JMR Software is a privately owned company specialising in the delivery of custom-developed software applications, focussing on the financial services industry, since 1987. JMR is built on a business model that fuses four components: a staff of 160 highly skilled IT resources, carefully selected software tools and frameworks, the most effective processes and its 15 years industry and solution delivery experience.

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

### **1. Contact details**

Chief Executive Officer	Michael Wade Richards
Physical address	Old Trafford 2 Isle of Houghton c/o Carse O’Gowrie and Boundary roads Houghton 2198 Johannesburg
Postal address	P.O. Box 2202 Houghton 2041
Telephone number	011-484-5070
Fax number	011-484-8652
Web site	<a href="http://www.jmr.co.za">www.jmr.co.za</a>
E-mail address of CEO	<a href="mailto:miker@jmr.co.za">miker@jmr.co.za</a>

### **2. The section 10 Guide on how to use the Act**

The Guide will be available from the South African Human Rights Commission by not later than August 2003. 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: +27 11 484-8300  
Fax: +27 11 484-0582  
Website: [www.sahrc.org.za](http://www.sahrc.org.za)  
E-mail: [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)

### **3. Records available in terms of any other legislation**

1. Administration of Estates Act, No. 66 of 1965
2. Basic Conditions of Employment No. 75 of 1997
3. Companies Act No. 61 of 1973
4. Compensation for Occupational Injuries and Health Diseases Act No. 130 of 1993
5. Consumer Affairs (Unfair Business Practices) Act No. 71 of 1988
6. Copyright Act No. 98 of 1978
7. Currency and Exchanges Act No. 9 of 1933
8. Debtor Collectors Act No. 114 of 1998
9. Employment Equity Act No. 55 of 1998
10. Finance Act No. 35 of 2000
11. Harmful Business Practices Act No. 23 of 1999
12. Income Tax Act No. 95 of 1967
13. Insolvency Act No. 24 of 1936
14. Intellectual Property Laws Amendments Act No. 38 of 1997
15. Labour Relations Act No. 66 of 1995
16. Occupational Health & Safety Act No. 85 of 1993
17. Protection of Businesses Act No. 99 of 1978
18. Skills Development Levies Act No. 9 of 1999
19. Skills Development Act No. 97 of 1998
20. Stamp Duties Act No. 77 of 1968
21. Trade Marks Act No. 194 of 1993
22. Unemployment Contributions Act No. 4 of 2002
23. Unemployment Insurance Act No. 63 of 2001
24. Value Added Tax Act No. 89 of 1991.

### **4. Access to the records held by JMR Software**

#### **4.3 Automatic and voluntary disclosures**

The following information is available at no cost:

- *Technical information relating to the following technology enablers sold by JMR Software*
  - i. Nastel middleware management solutions
  - ii. William Data Systems network management solutions
  - iii. GT Software legacy rejuvenation solutions
  - iv. PCI remote and desktop management solutions
- *Information relating to the following business enablers sold by JMR Software*
  - i. Insurance applications: PolicyINSIGHT, Life Closed Books
  - ii. Banking applications: eLoans
  - iii. Compliance applications: ComplianceExtra
- *Information relating to the provision of skilled labour resources by JMR Software*

- *Information relating to the design and implementation of custom-built software solutions by JMR Software*

## **4.2 Records that may be requested**

JMR Software keeps the following records and categories of information:

- Company financial and administrative records
  - Financial statements
  - Bank statements
- Human Resources records
  - Record of salaries
  - Leave records
  - Employment contracts
  - Time sheets
- Contractual and transactional records relating to the clients of JMR Software
  - Project and services agreements
  - Labour broker agreements
  - License agreements
  - Invoices, statements and payment records
- Contractual and transactional records relating to the suppliers and partners of JMR Software
  - Distribution agreements
  - Invoices, statements and payment records
- Technical records
  - Information relating to completed and current projects
  - Product technical and marketing literature

## **4.3 The request procedures**

### **4.3.1 Form of request**

- The requester must use the prescribed form to make the request for access to a record. This must be made to the Chief Executive Officer. This request must be made to the address, fax number or electronic mail address as shown above.
- The requester must provide sufficient detail on the request form to enable the Chief Executive Officer 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.

- 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.
- 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 Chief Executive Officer.

#### 4.3.2 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 Chief Executive Officer 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.
- The fee that the requester must pay to JMR Software is R50. The requester may lodge an application to the court against the tender or payment of the request fee.
- After the Chief Executive Officer 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.

### **5. Other information as may be prescribed**

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

### **6. Availability of the manual**

This manual is also available for inspection at the offices of JMR Software free of charge; and copies are available with the SAHRC, in the Gazette and on JMR Software's website.

## 7. Fees in respect of private bodies

1. The fee for a copy of the manual as contemplated in regulation 9(2)(c) is R1,10 for every photocopy of an A4-size page or part thereof.

2. The fees for reproduction referred to in regulation 11(1) are as follows:

	R
(a) For every photocopy of an A4-size page or part thereof	1,10
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,75
(c) For a copy in a computer-readable form on -	
(i) stiffy disc	7,50
(ii) compact disc	70,00
(d) (i) For a transcription of visual images, for an A4-size page or part thereof	40,00
(ii) For a copy of visual images	60,00
(e) (i) For a transcription of an audio record, for an A4-size page or part thereof	20,00
(ii) For a copy of an audio record	30,00

3. The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2) is R50,00.

4. The access fees payable by a requester referred to in regulation 11(3) are as follows:

	R
(1)(a) For every photocopy of an A4-size page or part thereof	1,10
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,75
(c) For a copy in a computer-readable form on -	
(i) stiffy disc	7,50
(ii) compact disc	70,00
(d) (i) For a transcription of visual images, for an A4-size page or part thereof	40,00
(ii) For a copy of visual images	60,00

- (e)
  - (i) For a transcription of an audio record,  
for an A4-size page or part thereof 20,00
  - (ii) For a copy of an audio record 30,00
- (f) To search for and prepare the record for disclosure, R30,00 for each hour or part of an hour reasonably required for such search and preparation.
  
- (2) For purposes of section 54(2) of the Act, the following applies:
  - (a) Six hours as the hours to be exceeded before a deposit is payable; and
  - (b) one third of the access fee is payable as a deposit by the requester.
  
- (3) The actual postage is payable when a copy of a record must be posted to a requester.

## 8. Prescribed forms

### Request for access to record of JMR Software (Pty) Ltd

#### A. Particulars of JMR Software (Pty) Ltd

Chief Executive Officer	Michael Wade Richards
Physical address	Old Trafford 2 Isle of Houghton c/o Carse O'Gowrie and Boundary roads Houghton 2198 Johannesburg
Postal address	P.O. Box 2202 Houghton 2041
Telephone number	011-484-5070
Fax number	011-484-8652

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

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

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

<p><i>This section must be completed ONLY if a request for information is made on behalf of another person.</i></p>
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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 to 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
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*
3. If record consists of recorded words or information which can be reproduced in sound:			
	listen to the soundtrack (audio cassette)		transcription of soundtrack* (written or printed document)
4. If record is held on computer or in an electronic or machine-readable form:			
	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