

UPDATED MANUAL IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT

ACT NO. 2 OF 2000 FOR:

Franck Global Spa Pty Ltd

also referred to herein as “Franck Global”

Registration Number: 2001/006137/07

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1. INTRODUCTION TO THE PRIVATE BODY (description of main business)

Franck Global Spa Pty Ltd produces and sells a phyto-effective, scientifically formulated skin care range.

2. PARTICULARS IN TERMS OF THE SECTION 51 MANUAL

a. Contact Details

Name of Company: Franck Global Spa Pty Ltd

Chief Executive Officer: Carina Franck

Information Officer: Mandy Nortje

Registered Physical Address: Linbro Business Park

57 Saturn Crescent,

Sandton, 2190

Johannesburg

Postal Address: P O BOX 44140

LINDEN

2140

Telephone: +27 (0) 11 656 1122

E-mail address: info@franckglobal.com

Website: www.franckglobal.com

b. The section 10 Guide on how to use the Act

The Guide will be available from the South African Human Rights Commission.

Kindly direct any queries as follows:

The South African Human Rights Commission:

PAIA UNIT

The Research & Documentation Department

Postal Address: South African Human Rights Commission

Promotion of Access to Information Act

Unit

Private Bag 2700, Houghton 2041

Telephone: +27 11 877 3600 or +27 11 484 8300

Website: www.sahrc.org.za

E-mail addresses: PAIA@sahrc.org.za / info@sahrc.org.za

c. Records available in terms of legislation

- Income Tax Act No. 58 of 1962
- Labour Relations Act No 66 of 1995
- Basic Conditions of Employment Act No 75 of 1997
- Employment Equity Act No 55 of 1998
- Skills Development Act No 97 of 1998
- Skills Development Levies Act No 9 of 1999
- Unemployment Insurance Act No 63 of 2001
- Unemployment Contributions Act No 4 of 2002
- Companies Act No 71 of 2008

Access to the records held by the private body in question

i. No records available without request for access

ii. Records that may be requested

The Company holds the information / documents listed herein below:

A. Companies Act Records

- Documents of Incorporation
- Memorandum of Articles of Association
- Minutes of Board of Directors Meetings
- Records pertaining to the appointment of directors, auditor, co secretary, public officer and other officers (where applicable)
- Share Register and other statutory registers
- Group organogram (if applicable)

B. Financial Records

- Annual Financial Statements

- Tax Returns
- Accounting Records (Journals & Ledgers)
- Banking Records (Cheques, EFT records, Deposit slips)
- Bank Statements
- Register of Fixed Assets
- Invoices

C. Income Tax Records

- PAYE Records
- Documents issued to employees for income tax purposes
- Salaries & Wages Records
- Records of payments made to SARS on behalf of employees;
- Workmen's Compensation
- All other statutory compliances:
- Skills Development Levies
- UIF
- Income Tax
- Provisional Tax

D. Other Personnel Documents & Records

- Employment contracts
- Employment Equity Plan (if applicable)
- Medical Aid Records (if applicable)
- Pension Fund Records (if applicable)
- Disciplinary Records
- Salary Records
- SETA Records
- Leave Records
- Training Records
- Training Manuals (if applicable)
- Job descriptions

E. Company Intellectual Property & Records

- Details relating to the operational, commercial interests of the Company
- Commercial contracts
- Corporate governance reports
- Corporate governance training material

F. Licenses & Internal Policies

- Conflicts of Interest Management Policy
- Complaints Resolution Policy
- Confidentiality Policy

G. Information Technology

- Agreements
- Client database (CRM system)
- Hardware Register
- Software Licenses Register
- Internet Service Provider

iii. The procedures for requesting access to information

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 head of the private body. This request must be made to the address, fax number or e-mail address of the body concerned *[s 53(1)]*.

§ The requested 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 *[s 53(2)(a); (b) & (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 *[s 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 *[s 53(2)(f)]*.

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 to the private body:

§ 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 *[s 54(1)]*

§ The fee that the requester must pay to a private body is R50. The requester may lodge an application to the court against the tender or payment of the request fee *[s 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 production, preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure [s 54(6)]

e. Other information as may be prescribed

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

f. Availability of the Manual

§ This manual is available for inspection at the offices of the Company free of charge

§ Copies of the manual are available with the SAHRC

§ The manual may also be viewed on the Company's website

g. Form C and Fees

§ Form C and the fees pamphlet can be viewed on the Company's website

§ Form C and the fees pamphlet can be obtained from the website of the Department of Justice & Constitutional Development

http://www.justice.gov.za/forms/form_paia.htm

<http://www.justice.gov.za/paia/paia.htm>