

**MANUAL OF
MEDU HOLDINGS (PROPRIETARY) LIMITED AND
ITS SUBSIDIARIES, ASSOCIATE COMPANIES AND
AFFILIATES ("the Medu Group"), PREPARED IN
TERMS OF THE PROMOTION OF ACCESS TO
INFORMATION ACT, 2000 ("the Act")**

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B. PARTICULARS IN TERMS OF THE SECTION 51 MANUAL

Introduction

Nhlanganiso Mkwanazi, an executive director of Medu Holdings (Proprietary) Limited ("**Medu Holdings**"), has been duly appointed to act as the person to whom requests for access to information held by the Medu Group must be made under the Act ("**the Head**").

1. **Contact details of the Head**

Nhlanganiso Mkwanazi
Executive Director

Postal address : P O Box 311
Melrose Arch
2076

Physical address : 2 Fricker Road
Illovo Boulevard
Illovo
Sandton

Telephone : +27 11 268 9140

Facsimile : +27 11 268 9145

e-mail : nmkwanazi@meducapital.co.za

2. **The Guide**

The South African Human Rights Commission has made available the Guide to the Act. 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

Facsimile : +27 11 484 0582

Website : www.sahrc.org.za

E-mail : PAIA@sahrc.org.za

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

3.1 **Companies Act 61 of 1973**

3.1.1 All documents of incorporation of the entities comprising the Medu Group are lodged at the offices of the Registrar of Companies, and may be

inspected at the Companies Office. These documents include the memorandum and articles of association of the entities comprising the Medu Group, as well as the relevant company forms.

3.1.2 Special resolutions are lodged with the Registrar of Companies, and are therefore available for inspection at the Companies Office.

3.1.3 A register of the directors' and officials' interests in contracts entered into by the entities comprising the Medu Group is kept at the registered offices of such entities, and are available for inspection.

3.2 **Trust Property Control Act 57 of 1988**

3.2.1 All trust documents of trusts which form part of the Medu Group are lodged at the offices of the Master of the High Court, and may be inspected at the Master's office. These documents include the trust deed and letters of authority.

3.2.2 Special resolutions are lodged with the Master of the High Court, and are therefore available for inspection at the Master's office.

4. **Access to records held by entities comprising the Medu Group**

(i) **Subjects and categories of records held by entities comprising the Medu Group**

Note: This section of the Manual sets out the subject and categories of records held by entities comprising the Medu Group. The inclusion of any subject or category of records should not be taken as an indication that records falling within those subjects and/or categories will be made available under the Act. In particular, certain grounds of refusal as set out in the Act may be applicable to a request for such records.

4.1 **Incorporation documents**

4.1.1 The memoranda and articles of association.

4.1.2 The incorporation forms of entities comprising the Medu Group.

4.1.3 Trust deeds of trusts comprising the Medu Group.

4.2 **Constitution of entities comprising the Medu Group**

- 4.2.1 Share registers of entities comprising the Medu Group.
- 4.2.2 Letters of authority issued to trustees of trusts comprising the Medu Group.
- 4.2.3 Minutes of general meetings of the shareholders of entities comprising the Medu Group.
- 4.2.4 Minutes of general meetings of the trustees of the trusts which form part of the Medu Group.
- 4.2.5 Register or list of trustees of the trusts which form part of the Medu Group.
- 4.2.6 Minute books and internal resolutions of the trusts which form part of the Medu Group.

4.3 **Financial and tax records of entities comprising the Medu Group**

- 4.3.1 Accounting records, books and documents of entities comprising the Medu Group.
- 4.3.2 Annual financial reports of entities comprising the Medu Group.
- 4.3.3 Details of auditors of entities comprising the Medu Group - Sizwe Ntsaluba and Deloitte & Touche.
- 4.3.4 External auditors' reports in respect of audits conducted on entities comprising the Medu Group.
- 4.3.5 Tax returns of entities comprising the Medu Group.
- 4.3.6 Other documents and agreements relating to taxation.

4.4 **Banking details of entities comprising the Medu Group**

- 4.4.1 Bank facilities and accounts details.
- 4.4.2 Bank statements.
- 4.4.3 Guarantees given by, or in respect of, entities comprising the Medu Group.

4.5 **Human resources / employment records**

- 4.5.1 List of employees.
- 4.5.2 Contracts of employment with directors and letters of appointment of employees of entities comprising the Medu Group.
- 4.5.3 Restraint of trade agreements.
- 4.5.4 Documents relating to employee benefits.
- 4.5.5 Compensation or redundancy payments.
- 4.5.6 Documents and information in respect of entities comprising the Medu Group incentive scheme or trust.
- 4.5.7 Personnel files.
- 4.5.8 Procedures and policies of entities comprising the Medu Group.
- 4.5.9 Disciplinary records and documentation pertaining to disciplinary proceedings.
- 4.5.10 Training manuals.
- 4.5.11 Other information relating to employees of entities comprising the Medu Group.

4.6 **Intellectual Property**

- 4.6.1 Copyright of entities comprising the Medu Group.
- 4.6.2 Other documents relating to intellectual property rights.

4.7 **Permits**

- 4.7.1 Licences, consents, approvals, authorisations and certificates.
- 4.7.2 Applications for licences, consents, approvals, authorisations and certificates.

4.8 **Insurance records**

Insurance policies taken out for the benefit of entities comprising the Medu Group.

4.9 **Immovable and movable property**

Agreements for the lease or sale of movable property by entities comprising the Medu Group.

4.10 **Information technology**

4.10.1 Computer software support and maintenance agreements.

4.10.2 Web site development, support and maintenance agreements.

4.10.3 Computer software licence agreements.

4.10.4 Agreements with Internet Service Providers and other telecommunications entities.

4.10.5 Leased line agreements.

4.10.6 Other documentation pertaining to computer systems and computer programs held by entities comprising the Medu Group.

4.10.7 Individual contracts in respect of usage of cellular telephones.

4.11 **Specific agreements relating to the business activities of entities comprising the Medu Group**

4.11.1 Indemnity, confidentiality and non-disclosure agreements.

4.11.2 Agreements in terms of which entities comprising the Medu Group are members of a joint venture, consortium, partnership, incorporated or unincorporated association, and shareholders' agreements of another entity which entities comprising the Medu Group are party to.

4.11.3 Agreements relating to transactions.

4.11.4 Presentations to clients.

4.11.5 Research information.

4.11.6 Any other agreements.

4.12 **Correspondence**

Correspondence of entities comprising the Medu Group, including internal and external memoranda.

(ii) The request procedures

Form of request:

- The requester must use the prescribed form to make the request for access to a record. This request must be addressed to the Head using the address, fax number or electronic mail address of the Head contained in paragraph 1 of Part B of this manual.
- The requester must provide sufficient detail on the request form to enable the Head to identify the record and the requester. The requester should also indicate which form of access is required. The requester should also 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 as to 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 submit proof of the capacity in which the requester is making the request to the satisfaction of the head of entities comprising the Medu Group.

Fees:

- The Head must notify the requester (other than a personal requester) by notice, requiring the requester to pay the fee of R50 before further processing the request. A personal requester does not pay such fee.
- The requester may lodge an internal appeal or an application to the court against the tender or payment of the request fee.
- The Head will then make a decision on the request and notify the requester 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 had exceeded the prescribed hours to search and prepare the record for disclosure.

5. **Availability of the manual**

The manual is available for inspection at the offices of Medu Holdings free of charge and on the web site of Medu Holdings at www.meducapital.co.za. Copies are also available with the SAHRC.

6. **Prescribed fees and forms in respect of private bodies**

The prescribed forms and fees for requests to private bodies are available on the web site of the Department of Justice and Constitutional Development:

www.doj.gov.za