

# **TSOGO SUN HOLDINGS LIMITED**

(and its subsidiaries)

("Tsogo Sun" or "the Tsogo Sun Group" or "the Company")

## **Manual in terms of The Promotion Of Access To Information Act ("the act")**

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This Manual is based on the document issued by the South African Human Rights Commission.

## **A. INTRODUCTION TO THE TSOGO SUN GROUP**

1. Tsogo Sun is a hotel, gaming and entertainment group with operations in Africa, the Middle East and the Seychelles. The Group's operations are held through two wholly-owned divisions, Tsogo Sun Gaming, representing the Group's gaming interests, and Tsogo Sun Hotels, representing the Group's hotel interests.

### **i. HOTELS**

Tsogo Sun is one of the largest hotel groups and timeshare operators in South Africa and currently operates 96 hotels with 15 890 rooms in eight countries across Africa, the Middle East and the Seychelles. Tsogo Sun is the only South African hotel group to operate across the deluxe to budget segments of the hotel market with brands including Southern Sun, Garden Court, SunSquare, StayEasy and Sun1.

### **ii. GAMING**

Tsogo Sun is one of the country's largest licensed casino operators, with thirteen properties in prime locations around the country – Montecasino (the flagship of the Group) Silverstar and Gold Reef City in Gauteng; Suncoast, Blackrock and Golden Horse in KwaZulu-Natal; Goldfields in the Free State; The Ridge and Emnotweni in Mpumalanga; The Caledon, Garden Route and Mykonos in the Western Cape and Hemingways in the Eastern Cape.

In addition, Tsogo Sun also owns the Sandton Convention Centre in Johannesburg, which is managed and operated by Southern Sun.

## **B. PURPOSE OF MANUAL**

1. The purpose of this manual is to facilitate requests for access to information of the Tsogo Sun Group.
2. This manual does not comprehensively deal with every procedure provided for in the Act.
3. Requesters of information are advised to familiarise themselves with the provisions of the Act before making any requests to the Tsogo Sun Group in terms of the Act.
4. The Tsogo Sun Group makes no representation and gives no undertaking or warranty that the information provided by it to a requester is complete or accurate, or that such information is fit for any purpose. All users of such information shall use such information entirely at their own risk, and the Company shall not be liable for any loss, expense, liability or claims, howsoever arising, resulting from the use of this manual or any information provided by the Tsogo Sun Group or any error therein.

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

1. **Contact details** *[Section 51(1)(a)]*

Tsogo Sun Holdings Limited  
The Head : Attention The Group Legal Officer  
Street Address : Palazzo Towers East, Montecasino Boulevard, Fourways  
Postal Address : Private Bag X200, Bryanston 2146  
Telephone : (011) 510-7841/3  
Facsimile : (011) 5107249  
E-mail : Lubabalo.tyali@tsogosun.com  
Website : [www.tsogosun.com](http://www.tsogosun.com)

2. **Guide on how to use the Act** [Section 51(1)(b)]

The Promotion of Access to Information Act grants a requester access to records of a company if the record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest. Requests in terms of the Act are required to be made in accordance with the prescribed procedures, at the rates provided.

This Guide is available from the South African Human Rights Commission : PAIA unit, 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.

3. **Records available in terms of any other legislation** [Section 51(1)(d)]

Records are kept and are available upon specified conditions in accordance with such other legislation as is applicable to the Tsogo Sun Group, including:

i. **Company Secretarial and Legal**

- Companies Act 71 of 2008 (as amended)
- Copyright Act 98 of 1978
- Competition Act 89 of 1998
- Share Blocks Control Act 59 of 1980
- Consumer Protection Act 68 of 2008
- Customs and Excise Act 91 of 1964
- Gauteng Liquor Act 2 of 2003
- Free State Liquor Act 3 of 2007
- KwaZulu-Natal Liquor Act 27 of 1989
- Western Cape Liquor Act 4 of 2008
- Eastern Cape Liquor Act 10 of 2003
- Mpumalanga Liquor Act 5 of 2006
- National Liquor Act 59 of 2003
- Northern Cape Liquor Act 2 of 2008

ii. **Accounting and Finance**

- Income Tax Act 95 of 1967
- Revenue Laws Amendment Act 60 of 2008
- Value Added Tax Act 89 of 1991
- Financial Intelligence Centre Act 38 of 2001
- South African Reserve Bank Act 90 of 1989 (as amended)
- National Credit Act 34 of 2006

iii. **Human Resources**

- Labour Relations Act 66 of 1995
- Basic Conditions of Employment Act 75 of 1997
- Employment Equity Act 55 of 1998
- Skills Development Levies Act 9 of 1999
- Pension Funds Act 24 of 1956
- Medical Schemes Act 131 of 1998
- Compensation for Occupational Injuries and Health Diseases Act 130 of 1993
- Occupational Health and Safety Act 85 of 1993
- Unemployment Insurance Act 63 of 2001
- Environmental Health and Safety Act 1989

iv. **Gambling Acts**

- Gambling and Betting Act (Eastern Cape) 5 of 1997
- Gauteng Gambling Act 4 of 1995
- KwaZulu-Natal Gambling Act 10 of 1996

- National Gambling Act 33 of 1996
- Western Cape Gambling and Racing Law 4 of 1996
- Mpumalanga Gambling Act 5 of 1995 (as amended)

4. **Access to the records held by the Tsogo Sun Group** [Sections 51(1)(c) and 51(1)(e)]

i. **The categories of records which are available without a person having to request access in terms of the Act** [Section 51(1)(c)].

Information already available in the public domain including information that is available in terms of the latest notice regarding the categories of records in terms of section 52 (2)

ii. **Records that may be requested** [Section 51(1)(e)]

Kindly note that there are a number of grounds for refusal of access to records, [Sections 7, 61 and 63 to 70]

Company Secretarial / Legal

- General contracts
- Statutory records
- Licences
- Minutes of meetings
- Title Deeds
- Correspondence
- Organogram
- Management Agreements
- Leases
- Limits of Authority
- Registered trademarks, trade names, protected names and other copyright

items Human Resources

- Staff records
- Contracts of employment
- Employment equity
- Policy and Procedures
- Pension and Provident Fund details
- Code of Conduct
- Disciplinary Code
- Collective Agreements
- BBBEE Verification

Certificate Financial

- Audited financial statements
- Taxation records
- Asset register
- Management accounts
- Banking details
- Treasury documents
- Insurance documentation
- Information

technology Gaming /

Compliance

- Casino Licences
- Employee Licences

iii. **The request procedure**

To facilitate the processing of your request, kindly:

- Use the prescribed form.
- Provide proof of identity to authenticate the request and the requester. Therefore in addition to the prescribed form, requesters will be required to supply a certified copy of their identification document or any other legally acceptable form of identification.
- Address your request to the Group Company Secretary at the address, facsimile number or electronic mail address of the Tsogo Sun Group.
- Provide sufficient details to enable the Tsogo Sun Group to identify the following:
  - (a) record(s) requested;
  - (b) requester (and if an agent is lodging the request, proof of capacity);
  - (c) the form of access required;
    - postal address or facsimile number of the requester in the Republic;
    - if the requester wishes to be informed of the decision in any manner (in addition to written), the manner and particulars thereof;
  - (d) the right which the requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.

iv. **Notification**

Requesters will be informed within 30 days if the Tsogo Sun Group's decision is to refuse access to the information requested based on any of the grounds for refusal as contemplated in Sections 7, 61 and 63 to 70 of the Act. Take note that the 30 day period may be extended for a further 30 day period should more time be required to gather the requested information. The requester will, however, be notified if the initial 30 day notice period is to be extended for a further 30 days.

v. **Prescribed Fees**

The following applies to requests (other than personal requests):

- A requester is required to pay the prescribed fees (R50,00) before a request will be processed;
- If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted);
- A requester may lodge an application with a court against the tender/payment of the request fee and/or deposit;
- Records may be withheld until the fees have been paid.

5. **Other information as may be prescribed** [Section 51(1)(f)]

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

6. **Availability of the Manual** [Section 51(3)]

This Manual is also available for inspection at the offices of the Tsogo Sun Group free of charge and copies are available with the SAHRC, in the Gazette and on the Tsogo Sun Group websites referred to above.

7. **Prescribed Fees for private bodies**

i. 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.

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

- |  |        |
|--|--------|
| (a) For every photocopy of an A4-size page or part thereof   | R1,10  |
| (b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form | 0,75c  |
| (c) For a copy in a computer-readable form on:   |        |
| (i) stiffy disc  | R7,50  |
| (ii) compact disc  | R70,00 |
| (d) (i) For a transcription of visual images, for an A4-size page or part thereof  | R40,00 |
| (ii) For a copy of visual images   | R60,00 |
| (e) (i) For a transcription of an audio record, for an A4-size page or part thereof  | R20,00 |
| (ii) For a copy of an audio record   | R30,00 |

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

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

- |   |        |
|---|--------|
| (a) For every photocopy of an A4-size page or part thereof  | R1,10  |
| (b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form                            | 0,75c  |
| (c) For a copy in a computer-readable form on:  |        |
| (i) stiffy disc   | R7,50  |
| (ii) compact disc   | R70,00 |
| (d) (i) For a transcription of visual images, for an A4-size page or part thereof   | R40,00 |
| (ii) For a copy of visual images  | R60,00 |
| (e) (i) For a transcription of an audio record, for an A4-size page or part   | R20,00 |
| (ii) For a copy of an audio record  | R30,00 |
| (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. |        |
| (g) For purposes of section 54(2) of the Act, the following applies:  |        |

- (i) Six hours as the hours to be exceeded before a deposit is payable; and
  - (ii) one third of the access fee is payable as a deposit by the requester.
- (h) The actual postage is payable when a copy of a record must be posted to a requester.

8. **Prescribed forms**

**REQUEST FOR ACCESS TO RECORDS OF  
THE TSOGO SUN GROUP**

(Section 53(1) of the Promotion of Access to Information Act, 2000  
(Act No. 2 of 2000))

**[Regulation 4]**

A. **Particulars**

Tsogo Sun Holdings Limited and its subsidiaries  
The Head : Attention The Group Company Secretary  
Palazzo Towers East, Montecasino Boulevard, Fourways  
Private Bag X200, Bryanston 2146  
Telephone +27 11 510-7839 Facsimile +27 11 388-5403

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 facsimile 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: \_\_\_\_\_

Facsimile 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**

*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**

<p>(a) <i>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.</i></p> <p>(b) <i>If the provided space is inadequate, please continue on a separate folio and attach it to this form. <b>The requester must sign all the additional folios.</b></i></p>
---

Description of record or relevant part of the record : \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Reference number, if available: \_\_\_\_\_

Any further particulars of record: \_\_\_\_\_

E. **Fees**

<p>(a) <i>A request for access to a record, other than a record containing personal information about yourself, will be processed only after a <b>request fee</b> has been paid.</i></p> <p>(b) <i>You will be notified of the amount <b>payable</b> required to be paid as the request fee.</i></p> <p>(c) <i>The <b>fee payable for access</b> to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.</i></p> <p>(d) <i>If you qualify for exemption of the payment of any fee, please state the reason for exemption.</i></p>
--

Reason for exemption from payment of fees: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

F. **Form of access to record**

<p><i>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.</i></p>	
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
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**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*
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**3. If record consists of recorded words or information which can be reproduced in sound:**

	listen to the sound-track (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)
<p>*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you?  <b>Postage is payable.</b></p>				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.***

Indicate which right is to be exercised or protected : \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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**

\_\_\_\_\_

\_\_\_\_\_  
**PLEASE PRINT**