



SHACKLETON CREDIT MANAGEMENT (PTY) LTD

ACCESS TO INFORMATION MANUAL (PRIVATE BODY)

**MANUAL PREPARED IN ACCORDANCE WITH SECTION 51 OF THE
PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000**

1. Introduction

This manual has been prepared to assist persons requesting information and provides procedures to be followed to gain access to information and documentation as provided for in the Act.

Shackleton Credit Management (Pty) Ltd specializes in the acquisition and management of non-performing loan portfolios, often referred to as distressed debt.

2. Background of Shackleton Credit Management (Pty) Ltd

Shackleton Credit Management was established in 2002 by directors Mark Lynn and Steven Main. Jeremy Brink joined as a director in 2003. Mark, Steven and Jeremy are attorneys with extensive experience in insolvency, debt recovery and banking practices and are the Group directors of The Shackleton Group.

3. Organisation Details

Name:	Shackleton Credit Management (Pty) Ltd
Designated person:	Steven Main
Physical address:	187 Hoosen Haffejee Street Pietermaritzburg 3201
Postal address:	PO Box 11035 Dorpspruit 3206
Telephone:	(033) 342 3645
Fax:	(033) 342 3680
Email:	receptionpmb@lmb.co.za
Website:	www.shackletoncredit.co.za

4. Guide in terms of Section 10 of the Act (Section 51(1)(b))

A Guide has been compiled in terms of Section 10 of PAIA by the Human Rights Commission. It contains information required by a person wishing to exercise any right, contemplated by PAIA. It is available in all of the official languages.

The Guide is available for inspection, *inter alia*, at the office of the offices of the Human Rights Commission.

5. Records available without a request (Section 51(1)(c))

No Notice has been given in terms of s 52(2) of records available without a request (s 51 (1)(c)) .

6. Records available in terms of other legislation (Section 51(1)(d))

Records available in terms of other legislation are as follows:

- Basic Conditions of Employment Act 75 of 1997
- Companies Act 2008
- Compensation for Occupational Injuries and Diseases Act 130 of 1993
- Competition Act 89 of 1998
- Consumer Protection Act 68 of 2008
- Electronic Communications and Transactions Act 25 of 2002
- Employment Equity Act 55 of 1998
- Income Tax Act 58 of 1962
- Labour Relations Act 66 of 1995
- Occupational Health and Safety Act 85 of 1993
- Skills Development Act 97 of 1998
- The National Credit Act 34 of 2005
- Unemployment Insurance Act 63 of 2001
- Unemployment Insurance Contributions Act 4 of 2002
- Value Added Tax Act 89 of 1991

7. Subjects and Categories of records held (Section 51(1)(e))

COMPANIES ACT RECORDS

- Documents of incorporation
- Memorandum and Articles of Association
- Minutes of Board of Directors meetings
- Records relating to the appointment of directors/ auditor/ secretary/ public officer and other officers
- Share Register and other statutory registers

FINANCIAL RECORDS

- Annual Financial Statements
- Tax Returns
- Accounting Records
- Banking Records
- Contracts

INCOME TAX RECORDS

- PAYE Records
- Documents issued to employees for income tax purposes
- Records of payments made to SARS on behalf of employees
- All other statutory compliances

PERSONNEL DOCUMENTS AND RECORDS

- Employment contracts
- Disciplinary records
- Salary records
- Disciplinary code
- Leave records

8. Requesting Procedure (Section 51(1)(e); Section 53(1)-(2))

The requester must complete Form C and submit this form together with a request fee, to the head of the private body.

The form must be submitted to the head of the private body at his/ her address, fax number, or electronic mail address, as mentioned above.

The form must:

- provide sufficient particulars to enable the head of the private body to identify the record/s requested and to identify the requester,
- indicate which form of access is required,
- specify a postal address or fax number of the requester in the Republic,
- identify the right that the requester 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 in addition to a written reply, the requester wishes to be informed of the decision on the request in any other manner, to state that manner and the necessary particulars to be informed in the other manner,
- if the request is made on behalf of another person, to submit proof of the capacity in which the requester is making the request, to the reasonable satisfaction of the head of the private body.

9. Other prescribed information (Section 51 (1)(f))

At the time of the compilation of this manual, no further information has been prescribed.

10. Fees (Section 54)

A requester who seeks access to a record must pay the prescribed fee, if any.

11. Availability of the manual (Section 51(3))

This manual is available for inspection at the above-mentioned address; and at the South African Human Rights Commission.

12. Reservation of rights

Nothing in this manual is to be construed as a waiver of the right to the confidentiality of any document or any legal privilege or right of non-disclosure attaching to any document mentioned herein, whether in terms of any statute or under the common law. All rights in this regard are fully reserved.

13. Details of the South African Human Rights Commission

Any queries with regard to this manual should be directed to:

Address: The South African Human Rights Commission; PAIA Unit
Research and Documentation Department
Private Bag 2700
Houghton
2041

Phone: (011) 484 8300

Fax: (011) 484 0582

Email: PAIA@sahrc.org.za

Website: www.sahrc.org.za