



Companies and Intellectual
Property Commission

a member of the dti group

MANUAL IN TERMS OF SECTION 14 OF THE PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000.

ISO 9001: 2008 Certified

The dti Campus (Block F - Entfufukweni), 77 Meintjies Street, Sunnyside, Pretoria | P O Box 429,
Pretoria, 0001

Tel: +27 12 394 5064 | Fax: +27 12 394 6064 | Call Centre: 086 100
2472

Email: Lmatseembi@cipc.co.za | Website: www.cipc.co.za

TABLE OF CONTENTS

- 1. The Promotion of Access to Information Act ("PAIA"/"Act") Of 2000.**
- 2. Description.**
 - Mandate:
 - Structure:
 - Functions:
 - CIPC's mission and vision:
- 3. Contact Details.**
- 4. Section 10 Guide.**
- 5. How to Request Access to a Record Held by the CIPC.**
 - Records held by the CIPC:
 - Categories of records held by the CIPC:
- 6. The CIPC is a Public Body Defined in Section 1 (b) (ii).**
 - Section 15(2) does not apply to the CIPC:
- 7. CIPC Services to the Public.**
 - Access to the CIPC services:
- 8. How to Participate in or Influence –**
 - The formulation of Policy, the exercise of Powers or Performance of duties:
- 9. Remedies.**



Companies and Intellectual
Property Commission

a member of the dti group

THE PROMOTION OF ACCESS TO INFORMATION ACT ("PAIA"/"ACT") OF 2000.

PAIA was passed by parliament in 2000 and came into force in 2001. This legislation gives effect to the right of access to information held by Public and Private Bodies. This is a constitutional right, it is enshrined in section 32¹ of the Constitution of the Republic of South Africa. However, this access is subject to justifiable limitations and in a manner that balances the right with other rights.

The Act requires the CIPC to compile a manual that provides information on the categories of records it holds. This Manual is compiled in terms of section 14 in order to comply with this requirement and further explain how a request for access to information should be made to the CIPC.

a. DESCRIPTION.

Mandate:

CIPC is an institution exercising a public power in terms of a legislation in accordance with section 1 (b) (ii) of the Act read with section 185 (1) Chapter 8 Part A, of the Companies Act 2008. *(as amended)*.

¹ section 32 which states: (1) Everyone has the right of access to – (a) any information held by the state, and; (b) any information that is held by another person and that is required for the exercise or protection of any rights; (2) National legislation must be enacted to give effect to this right, and may provide for reasonable measures to alleviate the administrative and financial burden on the state

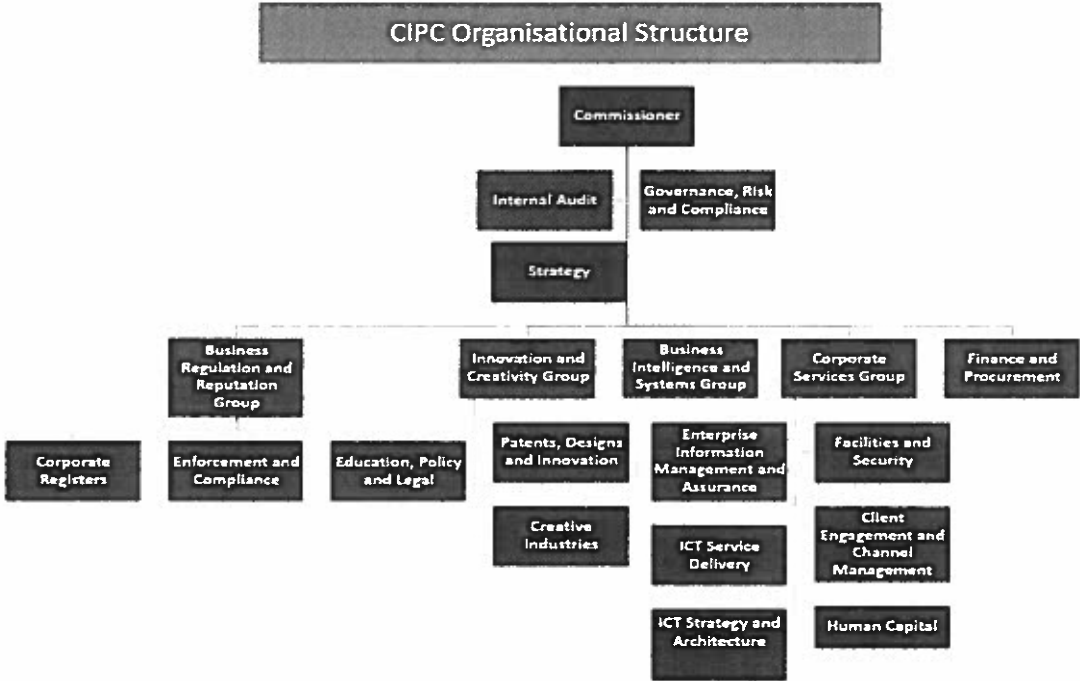
ISO 9001: 2008 Certified

The dti Campus (Block F - Entfufukweni), 77 Meintjies Street, Sunnyside, Pretoria | P O Box 429, Pretoria, 0001

Tel: +27 12 394 5064 | Fax: +27 12 394 6064 | Call Centre 086 100 2472

Email: Lmatseembi@cipc.co.za | Website: www.cipc.co.za

Structure:





Companies and Intellectual
Property Commission
a member of the dti group

Functions:

- Registration of Companies, Co-operatives and Intellectual Property Rights (trade marks, patents, designs and copyright) and maintenance thereof.
- Disclosure of Information on its business registers.
- Promotion of education and awareness of Company and Intellectual Property Law.
- Promotion of compliance with relevant legislation.
- Efficient and effective enforcement of relevant legislation.
- Monitoring compliance with and contraventions of financial reporting standards, and making recommendations thereto to Financial Reporting Standards Council (FRSC)
- Licensing of Business rescue practitioners.
- Report, research and advice Minister on matters of national policy relating to company and intellectual property law.

The CIPC's mission is to:

To be a reputable world class regulator of business entities and intellectual property.

The CIPC's vision is that:

In partnership with others, we make it easy and attractive to do business in South Africa.

ISO 9001: 2008 Certified

The dti Campus (Block F - Entofutukweni), 77 Meinljes Street, Sunnyside, Pretoria I P O Box 429, Pretoria, 0001

Tel: +27 12 394 5064 | Fax: +27 12 394 6064 | Call Centre: 086 100 2472

Email: Lmatseembi@cipc.co.za | Website: www.cipc.co.za

b. CONTACT DETAILS.

The Information Officer	COMPANIES AND INTELLECTUAL PROPERTY COMMISSION
Name	<u>Adv. Rory Voller</u>
Physical Address	The dti Campus (Block F - Entfufukweni), 77 Meintjies Street Sunnyside, Pretoria P O Box 429, Pretoria
Telephone number	012 394 9973
Fax number	012 394 1015
Call center	086 100 2472
E-mail address	<u>Rvoller@cipc.co.za</u>
Website	<u>www.cipc.co.za</u>

The Information Officer, has duly designated the person below as Deputy Information Officer to render CIPC as accessible as reasonably possible for the requesters of its records in terms of PAIA;

Deputy Information Officer	COMPANIES AND INTELLECTUAL PROPERTY COMMISSION
Name	<u>Adv. Lloyd Matseembi</u>
Physical Address	The dti Campus (Block F - Entfufukweni), 77 Meintjies Street Sunnyside, Pretoria P O Box 429, Pretoria
Telephone number	012 394 5064
Fax number	012 394 6064
Call center	086 100 2472
E-mail address	<u>Lmatseembi@cipc.co.za</u>
Website	<u>www.cipc.co.za</u>



Companies and Intellectual
Property Commission

a member of the dti group

c. SECTION 10 GUIDE.

The South African Human Rights Commission

The South African Human Rights Commission (SAHRC) is established in terms of section 18(b) of the Constitution of South Africa 1996. It is the national institution established to entrench constitutional democracy and appointed to administer the Act.

Should you require further information regarding PAIA and / or wish to contact the SAHRC please visit the Commission's website at <http://www.sahrc.org.za>.

d. HOW TO REQUEST ACCESS TO A RECORD HELD BY THE CIPC.

1. The person requesting access to information (*Requester*) must use the prescribed form, Form A below) to make the request.
2. The request must be addressed to the Deputy Information Officer, using the contact details.
3. The Requester must provide sufficient information on the request form to enable the Deputy Information Officer to identify the information requested.
4. The Requester should choose the preferred form of access (view, obtain a copy, paper or electronic format etc.), and
5. The language for the provision of the information as well as state other preferences provided for on the request form.
6. In the event of a Requester making a request on behalf of another person, the Requester must submit proof of the capacity in which the request is made.
7. Where access to information has been granted, the Requester must pay an access fee for the reproduction, location, preparation of copies or transcripts of the information and for time reasonably required in excess of the prescribed hours estimated in the Act for these purposes, in order to disclose the information.
8. The Deputy Information Officer will inform the Requester of his decision to grant or refuse access to the information requested within thirty (30) days following receipt of the request. In the event that a request for information involves a third party, the

ISO 9001: 2008 Certified

The dti Campus (Block F - Entfufukweni), 77 Meintjies Street, Sunnyside, Pretoria | P O Box 429, Pretoria, 0001

Tel: +27 12 394 5064 | Fax: +27 12 394 6064 | Call Centre: 086 100 2472

Email: Lmatseembi@cipc.co.za | Website: www.cipc.co.za

Deputy Information Officer may extend the thirty day period mentioned above, by up to but not exceeding a further thirty (30) days in order to give a third party the chance to make representations.

9. Forms; <http://www.cipc.co.za/index.php/Access/companies/>.

Records held by CIPC:

<http://www.cipc.co.za/index.php/find-enterprise-ip-informatr/moo2/public-disclosure/>.

Categories of records held by CIPC:

<http://www.cipc.co.za/index.php/find-enterprise-ip-informatr/moo2/public-disclosure/>.

e. THE CIPC IS a PUBLIC BODY DEFINED IN SECTION 1 (b) (ii).

Section 15 does not apply to the CIPC.

f. CIPC SERVICES TO THE PUBLIC.

- Registration of Companies, Co-operatives and Intellectual Property Rights (trade marks, patents, designs and copyright) and maintenance thereof.
- Disclosure of Information on its business registers.
- Promotion of education and awareness of Company and Intellectual Property Law.
- Promotion of compliance with relevant legislation.
- Efficient and effective enforcement of relevant legislation.
- Monitoring compliance with and contraventions of financial reporting standards, and making recommendations thereto to Financial Reporting Standards Council (FRSC)
- Licensing of Business rescue practitioners.
- Report, research and advise Minister on matters of national policy relating to company and intellectual property law.



Companies and Intellectual
Property Commission

a member of the dti group

Access to CIPC services:

Visit our website at: <http://www.cipc.co.za/za/>. click on Access thereon.

g. HOW TO PARTICIPATE IN OR INFLUENCE –

(i) The formulation of policy, the exercise of powers or Performance of duties;

- Public workshops
- Stakeholder forums workshops, and
- Discussions/workshops with government departments

h. REMEDIES.

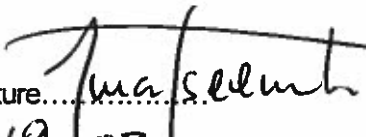

A requester may apply to court for a review of a decision of the CIPC if they are not satisfied with the decision thereof as contemplated in section 78 of PAIA.

ISO 9001: 2008 Certified

The dti Campus (Block F - Entfufukweni), 77 Meintjies Street, Sunnyside, Pretoria | P O Box 429, Pretoria, 0001

Tel: +27 12 394 5064 | Fax: +27 12 394 6064 | Call Centre: 086 100 2472

Email: Lmatseembi@cipc.co.za | Website: www.cipc.co.za

MANUAL IN TERMS OF SECTION 14 OF THE PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000. ("PAIA")		PAIA SECTION 14 (1)
AUTHOUR/REQUESTOR	Signature	Comment
Adv. Lloyd Matseembi Deputy Information Officer (DIO)	Signature.....  Date: 19/03/2018	
Commissioner	Approved/ Not approved	Comment
Adv. Rory Voller Information Officer (IO)	 Signature..... Date: 16/3/2018	