

ZONKE MONITORING SYSTEMS (PTY) LTD (ZMS)
THIS MANUAL HAS BEEN PREPARED IN TERMS OF SECTION 51 OF THE
PROMOTION OF ACCESS TO INFORMATION ACT 2 / 2000.
Section 51(1)(a)

CONTACT DETAILS OF THE INFORMATION OFFICER

Name of Business: Zonke Monitoring Systems
Contact Person: The Legal and Compliance Manager
Council Nivesh Maharaj
Physical Address: TA Bank Building, Third Floor, South Wing, 160 Jan Smuts Avenue,
Rosebank Johannesburg, South Africa
Postal Address: P/Bag X10016, Sandton, 2146
Telephone Number: +27 11 880 1000
Fax Number: +27 11 880 1000
Web Site: <http://www.zonkems.co.za>
Email Address: info@zonkems.co.za or niveshm@zonkems.co.za

Section 51(1)(b)

DESCRIPTION OF GUIDE REFERED TO

A Guide on how to utilize the Promotion of Access to Information Act, 2000, has been prepared in terms of Section 10 of PAIA by the Human Rights Commission at 29 Princess of Wales Terrace, Cnr York and St Andrews Street, Parktown and on its website at www.sahrc.org.za. Any queries can be directed at:

The South African Human Rights Commission, PAIA Unit, The Research and Documentation
Department.

Postal Address: Private Bag X2700
Houghton
2041

Telephone: (011) 484-8300
(011) 484 1360

Email: PAIA@sahrc.org.za
Website: www.sahrc.org.za

To gain access to the Human Rights Commission's guide to the Act, browse using an Internet web browser to <http://www.sahrc.org.za/paia.htm>

Alternatively Call the Human Rights Advice Line on: 086-012-0120

Section 51(1)(c)

THE LATEST NOTICES IN TERMS OF SECTION

At this stage, no notices have been published on the categories of records that are automatically available without a person having to request access in terms of PAIA.

Section 51(1)(d)

Information is available in terms of the following legislation, if and where applicable:

Labour Relations Act 66 of 1995
Employment Equity Act of 1998
Basic Conditions of Employment Act 75 of 1997
Companies Act 61 of 1973
Income Tax Act 58 of 1962
Value Added Tax Act 89 of 1991
Skills Development Act 9 of 1999
Unemployment Insurance Act 63 of 2001

Related Gambling Acts: BEE Charter Bill, Liquor Act 27 of 1989, Business Act 7 of 1991
Gauteng Gambling Act No 4 of 1995, Regulations and Rules
Mpumalanga Gambling Act No 5 of 1995, Regulations and Rules
North West Casino, Gambling and Betting Act of No 13 of 1994, Regulations and Rules
Free State Gambling Act No 6 of 1996, Regulations and Rules
Kwazulu Natal Gambling Act No 10 of 1996, Regulations and Rules
Limpopo Gambling Act 2 of 2001, Regulations and Rules
Northern Cape Gambling and Racing Act No 5 of 1996, Regulations and Rules
Eastern Cape Gambling Act No 5 of 1997, Regulations and Rules
Western Cape Gambling and Racing Laws No 4 of 1996, Regulations and Rules
National Gambling Act No 7 of 2004, Regulations and Rules

Section 51(1)(e)

DESCRIPTION OF SUBJECTS AND CATEGORIES ON WHICH ZONKE HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT (INCLUDING CONFIDENTIAL RECORDS)

VOLUNTARY DISCLOSURE AND AUTOMATIC AVAILABILITY OF CERTAIN RECORDS (Section 52(1))

Records that may be requested

- Probity Investigation Reports Zonke Monitoring Systems' Internal Control Procedures
- Applications and Approvals in terms of the National gambling legislation and
- Provincial Licensing Authorities legislation or licence conditions
- Probity Investigation Reports
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Automatic Disclosures (section 52(1)(a))

1. For inspection (Section 52(1)(a)(i))
 - Gaming Licenses and Conditions
 - The Gambling Acts, Rules and Regulations
 - Employee Certificates
2. For copying (Section 52(1)(a)(ii))
 - Gaming Legislation: Acts, Regulations and Rules
 - Free of Charge (Section 52(1)(a)(iii))
 - Zonke Monitoring Systems' InfoSite
 - Zonke Monitoring Systems' Brochures
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COMPANIES ACT RECORDS

- Documents of Incorporation
- Memorandum of Association
- Minutes of Board Directors and managers meetings
- Share Register
- Shareholder's Agreement
- Board Resolutions

FINANCIAL RECORDS

- Annual Financial Statements
- Debtors and Creditors invoices and statements
- Payment requisitions
- Debtors receipts
- Payroll files

- Income Tax records
- Copies of Secretarial information
- Statutory returns
- Human Resource files
- Bank Statements
- Banking records
- Electronic banking Records
- Fixed Asset Register
- Rental Agreements

HUMAN RESOURCE DOCUMENTS AND RECORDS

- Personnel Files
- Employment Contracts
- Employment Equity Plan
- Pension fund Records
- Disciplinary Records
- Salary records
- Training records and Manuals
- Leave records

LEGAL AND COMPLIANCE

1. ZMS business strategy
 2. HR Strategy
 3. Policies and Procedure Manuals
- Human Resources
 - Finance and Administration
 - Internal Control Standards
 - Legal and Compliance
 - Internal Audit function
 - Information security
 - Information technology
 - Probity Investigations
1. Personal History disclosure forms
 2. Personal declaration forms (employees, directors and shareholders)
 3. Business History Disclosure forms

CONTRACTS

- Service Level Contract with NGB
- Service Level Agreements: Route operators, Manufacturers and Test Laboratories
- Confidentiality and non disclosure: Manufacturers and Test Laboratories
- SDL Supply contract: Route Operators
- SDL Maintenance and support service contracts: Route Operators
- Subcontractor contracts
- Computer Software licenses
- Service provider contracts: HR Consulting and Cleaning Services
- Correspondence documents
- Licence certificates (Supplier licence, employee registration certificates): Western Cape Gambling and Racing Board, Gauteng Gambling Board, Mpumalanga Gambling Board and the Eastern Cape Gambling and Racing Board
- SABS letter of certification (LOCs) for the CEMS

OPERATIONS AND TECHNICAL

- Zonke “A” Protocol (ZAP) Manual
- Testing Tool 2 User Manual
- SDL Service Manual (Version 1.7)
- SDL User Manual Version 2
- CEMS User Manual Revision number 2
- Training Manuals
- Training Records

D. DETAILS ON HOW TO MAKE A REQUEST FOR ACCESS – SECTION 50 (1)(a)(b)(c), (51 (1)(e)

A Requester must be given access to a record if the requester complies with the following procedure:

- The requester complies with all the procedural requirements of the Act relating to the request for access to that record;
- The record is required for the exercise and or protection of any rights;
- Access to that record is not refused on any ground of refusal contemplated in Chapter 4 of the Act.

Nature of the request:

- For the purposes of the request, the requester must use the form (Form C) published in the Government Gazette (Govt Gazette No R187 – 15 February 2002 Form A – refer Annexure A) and submit the same together with a request fee to the Information Officer of Zonke Monitoring Systems (Pty) Ltd.
- The requester must also indicate if the request is for a copy of the record or if the requester wants to view the documents from Zonke Monitoring System (Pty) Ltd’s offices. Alternatively, if the record is not a document, it can then be viewed in the requested form, where possible (Section 53(2) (b)).
- If the requester asks for access in a particular manner, it should be given in the manner that it has been asked for. This is unless doing so would interfere with the running of the company or damage the record, or infringe a copyright not owned by the State. If access is given in another form, then the fee must be calculated according to the manner in which the requester first opted for (Section 53(2)(b)).
- If the requester is a public body as defined in the Act, for the exercise or protection of any rights, other than its rights, it must establish that it is acting in the public interest (Section 50(2)).
- If in addition to a written reply to a request for the record, the requester wants to be told about the decision in any other way, e.g. telephonically, this must be reflected in the request (Section 53(2)(e)).
- If the requester is asking for the information on behalf of someone else, the capacity in which the request is being made and proof thereof should be indicated (Section 53(2)(f)).
- The form must be submitted to the head of the body at his address, fax number or electronic mail address. (Section 53(1)).
- The information officer will deal with the request for information within 30 days after receipt of the request or as soon as is reasonable (Section 56(1)). In certain instances the period of 30 days may be extended for a further 30 days (Section 57(1)).
- Failure by the head of the company to give a decision on a request for access to the requester concerned within the time periods contemplated shall be deemed or regarded as having declined the request for access to information. (Section 58).
- The requester will be notified of the prescribed fee payable prior to the request for information being further processed (Section 54(1)).
- The requester will be notified whether or not he or she will be granted access to the information requested (Section 56(2)).
- The form must:
 - Provide sufficient particulars to enable the information officer of the private body to identify the records/ requested and identify the requester, (Section 53(2) (a)).
 - Indicate which form of access is required, (Section 53(2) (b)).

- Specify a postal address or fax number of the requester in the Republic, (Section 53(2) (c)).
- Identify the right which 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, (Section 53(2) (d)).
- 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, (Section 53(2) (e)).
- If the request is made on behalf of any other person, to submit proof of the capacity in which the requester is making the request, to the reasonable satisfaction of the private body (Section 53(2) (f)).

Section 51(1)(f)

FEEES IN RESPECT OF REQUESTS FOR INFORMATION FEES IN RESPECT OF PRIVATE BODIES

E. FEES

- There are two types of fees required to be paid in terms of the act namely, the request fee and the access fee (see annexure b for the prescribed fees)
- A requester who seeks access to a record containing own personal information (“a personal requester”), is not required to pay the request fee. Every other requester, who is not a personal requester, must pay the request fee (Section 54(1) :
- The Information Officer 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.
- The request fee payable to private bodies is R50.00. The requester may lodge an internal appeal, where appropriate, or an application to the court against the tender or payment of the request fee.
- After the information officer has made a decision, the requester must be notified of such a decision in a manner that the requester wanted it to be notified. (Section 56(1) (b)).
- If the request is granted, a further access fee must be paid for the search, preparation, reproduction and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure. (Section 54(6)).

F. SERVICES AVAILABLE

- A full description of services that may be availed to members of the public can be viewed on Zonke Monitoring Systems’ website at www.zonkems.co.za. Zonke Monitoring Systems (Pty) Ltd offers services, in particular to the National Gambling Board, Provincial Licensing Authorities, licensees of the Provincial Licensing Authorities and the gaming industry as a whole by fulfilling the following functions:
- Operates a national centralized electronic monitoring system of all linked limited machines and records all gambling activities related thereto in terms of its agreement with the National Gambling Board of South Africa.
- Ensures that the limited payout machine industry is conducted in compliance and conformity with the National Gambling and Provincial Gambling legislations.
- Receives, investigates and resolves incidents arising from gambling activities from sites operated by licensed Route Operators.
- Manufacturers and supplies respective licensed operators with site data loggers
- Ensures that the CEMS utilised is fully functional and reliable and is in accordance with the gambling legislation and Service level contract with the National Gambling Board.
- Ensures through its operations division that the needs of various role players in the industry are timeously met, by providing effective communication mechanisms.

G. HOW TO GAIN ACCESS TO THESE SERVICES

To gain access to the aforementioned services at Zonke Monitoring Systems, a request must be lodged by contacting the Legal and Compliance Manager of the company, who is the Information Officer. For contact details, please refer to section 1 above.

H. REMEDIES AVAILABLE IF THE PROVISIONS OF THIS ACT ARE NOT COMPLIED WITH (Section 51*)

(If the provisions of this act are not complied with (section 74 and section 78))

Zonke Monitoring Systems (Pty) Ltd may, from time to time, refrain from or refuse to furnish the requested information to a requester. An appeal may be lodged against the decision of the Information officer with the Chief Executive Officer of the company.

If the requester is still aggrieved by the decision of the Chief Executive Officer, he or she can apply to court for the appropriate relief.

I. UPDATING THE MANUAL (Section 51(2))

This manual shall be updated at least once per year.

J. AVAILABILITY OF MANUAL (Section 51(3))

This manual is available in English and has been submitted to its majority shareholder, Mvelaphanda Group (Pty) Ltd and to the South African Human Rights Commission. It is further available at Zonke Monitoring systems (Pty) Ltd's Head Office (Information Officer's Office), and at the Zonke Monitoring Systems' website (www.zonkems.co.za).

END OF DOCUMENT