

INDEX

Company Name	Gazette No.	Date	Page No.
National Empowerment Fund Trust (Trust No. IT 10145/00)	30554	11-12-2007	3



THE NATIONAL EMPOWERMENT FUND TRUST ("The NEF") (TRUST NO. IT 10145/00) MANUAL IN TERMS OF SECTION 14 OF THE PROMOTION OF ACCESS TO INFORMATION ACT, NO 2 OF 2000 (PAIA)

CONTENTS	PAGE
INTRODUCTION	4
CHAPTER 1	4
Functions and structure of the NEF	
1.1 Functions	
1.2 Structure	
1.3 Schematic diagram of structure	
CHAPTER 2	5
Contact details	
CHAPTER 3	6
Section 10: Guide on how to use the Act	
CHAPTER 4	6
4.1 Notice in terms of section 15(2) of the Act	
4.2 Automatic disclosure	
4.3 Records that may be formally requested	
4.4 Request procedure	
4.5 Types of requesters	
4.6 Appeal against refusal of access to information	
CHAPTER 5	10
Miscellaneous	
5.1 Availability of the Manual	
5.2 Arrangement allowing for public involvement in the formulation of policy and the exercise of power {s 14(1)(g)}	
5.3 Prescribed forms and fees	

1 INTRODUCTION

- 1.1 The Promotion of Access to Information Act, No 2 of 2000 was enacted on 3 February 2000, to give effect to the constitutional right of access to information. Where a request is made in terms of the Act, the private or public body to whom the request is made is obliged to release the information.

It is important to note that disclosure, in this manual, of the records held by the NEF, does not preclude the NEF from refusing access to information when grounds exist for such refusal. Sections 34 to 46 of the PAIA stipulate the grounds for refusing access to information and in considering whether to provide access to information, the NEF will take into account those grounds for refusal.

1.2 PURPOSE OF THE MANUAL

This manual is intended to foster a culture of transparency and accountability within the National Empowerment Fund (NEF) by giving effect to the right to information that is required for the exercise or protection of any right and to actively promote a society in which the people of the Republic of South Africa have effective access to information to enable them to fully exercise and protect their rights.

- 1.3 Section 9 of the Act recognises that such right to access information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to:

1.3.1 Limitations aimed at the reasonable protection of privacy;

1.3.2 Commercial confidentiality; and

1.3.3 Effective, efficient and good governance,

CHAPTER 1

1 THE FUNCTIONS AND STRUCTURE OF THE NEF

1.1 Functions

The National Empowerment Fund is established in terms of the National Empowerment Fund Act, Act No. 105 of 1997 and the objects thereof are to facilitate the redressing of the economic inequality which resulted from the past unfair discrimination against historically disadvantaged persons by –

- (a) providing historically disadvantaged persons with the opportunity of, directly or indirectly, acquiring shares or interest in State Owned Commercial Enterprises that are being restructured or in private business enterprises;

- (b) encouraging and promoting savings, investments and meaningful economic participation by historically disadvantaged persons;
- (c) promoting and supporting business ventures pioneered and run by historically disadvantaged persons;
- (d) promoting the universal understanding of equity ownership among historically disadvantaged persons;
- (e) encouraging the development of a competitive and effective equities market inclusive of all persons in the Republic;
- (f) contributing to the creation of employment opportunities; and
- (g) generally employing such schemes, businesses and enterprises as may be necessary to achieve the objects of the NEF Act.

1.2 Structure

- 2.1.1 The NEF comprises of a Board of Trustees, the Chief Executive Officer and the Staff. All members of the Board of Trustees are appointed by the President on the advice of the Minister of the **dti**, in terms of section 8 of NEF Act. The CEO is appointed by the Board with the approval of the Minister of the **dti** in terms of section 17 of the NEF Act.

The Staff of the NEF is appointed by the Chief Executive Officer in accordance to a structure that is approved by the Board of Trustees.

1.3 Schematic diagram of structure

A diagram representing the structure of the NEF approved by the Board of Trustees is attached.

CHAPTER 2

2. CONTACT DETAILS

2.1 Information Officer:

Ms Philisiwe Buthelezi, Chief Executive Officer, e-mail:
ButheleziP@nefcorp.co.za

2.2 Deputy Information Officer:

Ms Emma Riley, Secretariat, e-mail: riley@nefcorp.co.za

2.3 General Information

2.3.1 Name of Public Body: National Empowerment Fund

2.3.2 Postal Address: P O Box 31, Melrose Arch, Melrose North 2076

- 2.3.3 Physical Address: West Block, 187 Rivonia Road, Morningside, 2057
- 2.3.4 Telephone Number: (011) 305-8000
- 2.3.5 Facsimile number: (011) 305-8001
- 2.3.6 Website: www.nefcorp.co.za;
- 2.3.7 E-mail Address: info@nefcorp.co.za

CHAPTER 3

3.1 GUIDE OF SOUTH AFRICAN HUMAN RIGHTS COMMISSION

The guide contemplated in Section 10 of the Act has at the time of publication not yet been compiled by the South African Human Rights Commission. The guide will contain such information as may reasonably be required by a person who wishes to exercise any right contemplated in Act. Any enquiries regarding this guide should be directed to the:

The Research and Documentation Department
South African Human Rights Commission
PAIA Unit
29 Princess of Wales Terrace
Parktown
JOHANNESBURG

Private Bag: X2700, HOUGHTON, 2041;

Telephone Number: (011) 484-8300

Facsimile Number: (011) 484-1360

Website: www.sahrc.org.za

E-mail Address: PAIA@sahrc.org.za

CHAPTER 4

4.1 Notice in terms of section 15(2) of the Act

The Minister of Justice and Constitutional Development has not issued any regulations regarding the section 15(2) notice.