

MANUCHAR SOUTH AFRICA (PTY) LTD

MANUAL

**IN TERMS OF SECTION 51 OF THE PROMOTION
OF ACCESS TO INFORMATION ACT No. 2 OF 2000**

(“PAIA” and/or “the Act”)

1. COMPANY CONTACT DETAILS

Directors:	SDW Atkinson M C Jacobs
Managing Director:	SDW Atkinson
Information Officer:	SDW Atkinson
Postal address:	892 Umgeni Road Lion Match, Old Factory Building Office 2, First Floor Durban 4000
Street address:	892 Umgeni Road Lion Match, Old Factory Building Office 2, First Floor Durban 4000
Tel. No.:	031 462 9170
Fax No.:	N/a
E-Mail address:	za.contactus@manuchar.com

2. DESCRIPTION OF GUIDE REFERRED TO IN SECTION 10: SECTION 51(1)(b)

A Guide has been compiled in terms of Section 10 of PAIA by Manuchar South Africa (Pty) Ltd. It contains information required by a person wishing to exercise any right, contemplated by PAIA. It is available for inspection, *inter alia*, at the office of the offices of Manuchar South Africa (Pty) Ltd at the physical address above.

3. THE LATEST NOTICE IN TERMS OF SECTION 52(2) (IF ANY):

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

4. RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION: SECTION 51(1)(d)

Records available in terms of other legislation are as follows:

- Labour Relations Act 66 of 1995
- Employment Equity Act 55 of 1998
- Basic Conditions of Employment Act 75 of 1997
- Compensation for Occupational Injuries and Disease Act 130 of 1993

- Companies Act 61 of 1973
- Unemployment Insurance Act 63 of 2001
- Value Added Tax Act 89 of 1991
- Income Tax Act 58 of 1962
- Skills Development Act 9 of 1999
- Consumer Protection Act 68 of 2008
- Occupational Health and Safety Act 85 of 1993
- Customs Control Act, 31 of 2014
- Customs Duty Act 30 of 2014
- Excise Duty Act, 1964 (the Customs and Excise Act, 1964, as amended by the Customs and Excise Amendment Act, 32 of 2014)
- Protection of Personal Information Act 4 of 2013
- Promotion of Access to Information Act 2 of 2000
- Occupational Diseases Act 130 of 1993
- Tobacco Products Control Act 83 of 1993
- Medicines and Related Substances Control Act 101 of 1965
- National Building Regulations and Building Standards Act 103 of 1977
- National Environmental Management Act 107 of 1998
- NEM Air Quality Act 39 of 2004
- National Water Act 36 of 1998
- Disaster Management Act 57 of 2002
- Hazardous Substances Act 15 of 1973

5. SUBJECTS AND CATEGORIES OF RECORDS HELD BY MANUCHAR SOUTH AFRICA (Pty) Ltd: 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
- Bank Statements
- Electronic banking records
- Asset Register
- Rental Agreements

- Invoices
- Company Budget
- Insurance Policies

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:
 - VAT
 - Regional Services Levies
 - Skills Development Levies
 - UIF
 - Workmen's Compensation

PERSONNEL DOCUMENTS AND RECORDS

- Employment contracts
- Employment Equity Plan (if applicable)
- Medical Aid records
- Pension Fund records
- Disciplinary records
- Salary records
- SETA records
- Disciplinary code
- Leave records
- Training records
- Training Manuals
- Performance appraisals
- Interview records
- Appointment records
- CCMA and Litigation records

SECURITY

- Biometric Data
- CCTV footage

INTERNAL RECORDS

- Operational records
- Internal correspondence
- Internal policies and procedures

6. DETAIL ON HOW TO MAKE A REQUEST FOR ACCESS – SECTION 51(e)

- The requester must complete Form C – **Request for access to records of a private body**, which is available on the company website.
- 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.

7. REPRODUCTION FEES

Section 54 of the Act entitles a Private Body to levy a prescribed request fee to a Requester before further processing the request. The fees that may be charged have been published by the Minister of Justice and Constitutional Development and are displayed below.

Annexure 1

THE APPLICABLE FEES FOR REPRODUCTION AS REFERRED TO ABOVE ARE:

	R
• For every photocopy of an A4-size page or part thereof	1,10
• For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form	0,75
• For a copy in a computer-readable form on:	
-3,5" magnetic disc	7,50
-Optical compact disc	70,00
• A transcription of visual images, for an A4-size page or part thereof	40,00
• For a copy of visual images	60,00
• A transcription of an audio record, for an A4-size page or part thereof	20,00
• For a copy of an audio record	30,00

Request fees:

Where a requester submits a request for access to information held by an institution on a person other than the requester himself/herself, a request fee in the amount of R50,00 is payable up-front before the institution will further process the request received.

Access fees:

An access fee is payable in all instances where a request for access to information is granted, except in those instances where payment of an access fee is specially excluded in terms of the Act or an exclusion is determined by the Minister in terms of Section 54 (8).

The applicable access fees which will be payable are:

	R
1 For every photocopy of an A4-size page or part thereof	1,10
2 For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form	0,75
For a copy in a computer-readable form on	
- 3,5" magnetic disc	7,50
- Optical compact disc	70,00
• A transcription of visual images, for an A4-size page or part thereof	40,00
• For a copy of visual images	60,00

- A transcription of an audio record, for an A4-size page or part thereof 20,00
- For a copy of an audio record 30,00
- To search for a record that must be disclosed 30,00
(- per hour or part of an hour reasonably required for such search.)
- Where a copy of a record needs to be posted, the actual postal fee is payable.

Deposits:

Where the institution receives a request for access to information held on a person other than the requester himself/herself and the Information Officer upon receipt of the request is of the opinion that the preparation of the required record of disclosure will take more than 6 (six) hours, a deposit is payable by the requester. The amount of the deposit is equal to 1/3 (one third) of the amount of the applicable access fee.

