KAP AUTOMOTIVE

PAIA MANUAL

KAP Automotive (Pty) Ltd
Registration number 1957/001891/07

PAIA MANUAL

Manual prepared in terms of Section 51 of the Promotion of Access to Information Act 2 of 2000, (the "Act") for KAP Automotive (Pty) Ltd ("KAP Automotive Division")

A | INTRODUCTION

The Act, together with other relevant legislation, provides for the right of access to information held by public and private bodies when such information is requested for the exercise or protection of any rights.

This manual is to assist any potential requesters with the procedural and other requirements which a request for information must meet as prescribed by the Act. Its purpose is to help requesters access KAP Automotive Division information and any other information that KAP Automotive Division maintains. The Act requires KAP Automotive Division to make information available to requesters so that requesters:

- know what types of information KAP Automotive Division maintains; and
- can request access to information that falls within the ambit of the Act and which is not information that falls in the class of "mandatory protected privacy rights".

Overview of KAP Automotive Division

KAP Automotive Division is a private company with its registered address at 3rd Floor, Building 2, The Views, Founders Hill Office Park, 18 Centenary Street, Modderfontein, 1645. KAP Automotive Division is a manufacturer of vehicle retail accessories and components used in new vehicle assembly.

B | INFORMATION REQUIRED IN TERMS OF SECTION 51(1)(a) OF THE ACT

KAP Automotive (Pty) Ltd, Registration number 1957/001891/07	
Physical address	291 Paisley Road, Jacobs, Durban, 4052
Postal address	PO Box 13330, Jacobs, 4026
Telephone number	031 460 4200
Fax number	N/A
Chief executive officer	Ugo Marco Gianni Frigerio
	291 Paisley Road, Jacobs, Durban, 4052Tel: +27 31 460 4209 Fax: N/A Email: ceo@feltex.co.za
Information officer	Mark Balladon Director: KAP Automotive (Pty) Ltd 291 Paisley Road, Jacobs, Durban, 4052PO Box 13330, Jacobs, 4026 Tel: +27 31 460 4203 Email: Information_officer@feltex.co.za

Section 10 guide
The Act requires the Information Regulator to compile a guide to be available in each official language, to assist individuals in understanding how to exercise their rights contained in the Act. The current guide compiled by the South African Human Rights Commission is available at the Human Rights Commission's website.

In terms of the Section 110 of the Protection of Personal Information Act 4 of 2013 the functions of the Human Rights Commission have transferred to the Information Regulator. Their contact details are as follows:

The Information Regulator (South Africa)
P.O. Box 3153, Braamfontein, Johannesburg, 2017
Physical address: JD House,
27 Stiemens Street, Braamfontein, Johannesburg, 2001
Tel: +27 10 023 5200
Email: inforeg@justice.gov.za

C | RECORDS ARE KEPT IN TERMS OF THE FOLLOWING LEGISLATION

- Basic Conditions of Employment Act 75 of 1997
- Broad-Based Black Economic Empowerment Act 53 of 2003
- Companies Act 61 of 1973
- Companies Act 71 of 2008
- Compensation for Occupational Injuries and Diseases Act 130 of 1993
- Competition Act 89 of 1998
- Consumer Protection Act 68 of 2008
- Copyright Act 98 of 1978
- Customs and Excise Act 91 of 1964
- Electronic Communications Act 36 of 2005
- Electronic Communications and Transactions Act 25 of 2002
- Employment Equity Act 55 of 1998
- Financial Intelligence Centre Act 38 of 2001
- Income Tax Act 58 of 1962
- Intellectual Property Laws Amendment Act 28 of 2013
- JSE listings requirements
- Labour Relations Act 66 of 1995
- National Credit Act 34 of 2005
- Occupational Health and Safety Act 85 of 1993
- Prescription Act 18 of 1943
- Prevention of Organised Crime Act 121 of 1998
- Promotion of Access to Information Act 2 of 2000
- Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000
- Protected Disclosures Act 26 of 2000
- Protection of Personal Information Act 4 of 2013
- Regulation of Interception of Communications and Provision of Communication-related Information Act 70 of 2002
- Skills Development Act 97 of 1998
- Skills Development Levies Act 9 of 1999
- Trade Marks Act 194 of 1993
- Unemployment Insurance Act 63 of 2001

- Unemployment Insurance Contributions Act 4 of 2002
- Value-Added Tax Act 89 of 1991
- Such other legislation as may from time to time be applicable.

D | NOTICE IN TERMS OF SECTION 51(1)(b)(ii)

No notice has been published to date in terms of Section 51(1)(b)(ii) of the Act.

E | RECORDS HELD BY KAP AUTOMOTIVE DIVISION IN TERMS OF SECTION 51(1)(b)(iii)

Statutory

- Memoranda of Incorporation
- Minutes of board of directors' meetings and shareholders' meetings
- Written resolutions
- Company registers
- Records relating to appointment of directors, auditor, secretary, public officer or other officers
- Share registers
- Agreements
- Trademarks and patents
- Title deeds
- Other statutory records, registers and returns.

Administrative, Finance and Accounting

- Accounting records
- Tax returns and other documents relating to taxation of the company
- Banking records and documents
- Asset register
- Rental agreements
- Financial statements
- Invoices
- Financial agreements
- Regional services levies
- Skills development levies
- UIF
- Workmen's compensation.

Human Resources

- List of employees
- Policies and procedures
- Employment contracts
- Employment equity plans
- Pension and provident fund scheme details
- Salaries of employees
- Leave records
- Internal evaluations
- Skills development plans
- Disciplinary records
- Disciplinary codes
- Training records
- Operating manuals
- Personal records provided by personnel

- Other statutory records and reports.

Insurance records
- Insurance policies

Operations
- Permits, licences, consents, approvals, authorisations, applications and registrations
- Policies and procedures (both internal and external)
- Reports and supporting documentation
- Contractor, client and supplier agreements and information
- Documentation on Customs and Excise
- Environmental, Health and Safety records.

F | PROCEDURE FOR REQUEST FOR ACCESS (SECTION 53 TO 57 AND 60 OF THE ACT)

1. To request a document that falls within the ambit of the Act, the requester must complete the prescribed form as set out in Annexure B (Form C) hereto and submit the form, together with the relevant fee, to the Information Officer at the address listed under B above.

2. The prescribed form must be completed with sufficient detail to enable the Information Officer to clearly identify the record/s requested, the requester's identity (including email address, postal address or fax number) and in which form the records should be supplied, should the request be granted. The requester must explain which right is being protected or exercised. The requester must also detail any other way the requester would like to be informed of KAP Automotive Division decision other than in writing.

3. If the request is being made on behalf of another person, the requester must submit proof, to the satisfaction of the Information Officer, of the capacity in which the requester is making the request.

4. If a requester does not use the standard form, the Information Officer may:
   - reject the request due to lack of procedural compliance;
   - refuse the request, if the requester does not provide sufficient information; or
   - delay it until the standard form is received.

5. The Information Officer will process the request and notify the requester in writing within 30 calendar days of its decision whether or not the request has been granted. Should the request be granted, the notice will state the access fees (if any) that are payable. The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record. If the requester has asked for the information to be made available in a specific form that requires a different procedure to be followed, a higher fee may be applicable. This is also the case in the event that KAP has exceeded the prescribed hours to search and prepare the record for disclosure. A requester that qualifies for exemption of the payment of any fee, must state the reason for exemption. A copy of the fee structure applicable to public and private bodies can be accessed at the Information Regulator. Requesters must pay the fees before KAP Automotive Division will hand over any information. Compliance with a request to provide information in a specified form may depend on the form in which the record is available in KAP Automotive Division records, hence access in the form requested may not be possible in certain circumstances.

6. If KAP Automotive Division cannot find any requested record or it does not exist, KAP Automotive Division will notify the requester by way of affidavit that it is not possible to give access to that particular record.

7. Should the request be refused, the notice will state adequate reasons for the refusal.

8. Publication of this manual does not give rise to any rights to access information, except in terms of the Act.

G | GROUNDS FOR REFUSAL OF ACCESS TO RECORDS (SECTION 63 TO 69 OF THE ACT AND THE PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013)

Access to certain records may be or must be denied on the grounds set out in the Act. This includes:

- Mandatory protection of privacy of a third party who is a natural person
- Mandatory protection of commercial information of third party
- Mandatory protection of certain confidential information of third party
- Mandatory protection of safety of individuals, and protection of property
- Mandatory protection of records privileged from production in legal proceedings
- Commercial information of private body
- Mandatory protection of research information of third party, and protection of research information of privacy body.

H | PROCESSING PERSONAL INFORMATION

KAP Automotive Division processes the personal information of various categories of people for various purposes as set out in its Privacy Policy, which is available on KAP Automotive Division's website (www.feltex.co.za).

I | OTHER PRESCRIBED INFORMATION

The Minister of Justice and Constitutional Development has not made any regulations prescribing any other information that needs to appear in this manual.

J | AVAILABILITY OF THE MANUAL

Copies of this manual are available for inspection, free of charge, at the registered offices of KAP Automotive Division. Copies are also available on KAP Automotive Division's website (www.feltex.co.za).

K | UPDATES OF THE MANUAL

This manual will be updated whenever KAP Automotive Division makes material changes to the current information.

ANNEXURE A

REQUEST FOR ACCESS TO THE RECORD OF A PRIVATE BODY

Section 53(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000)

[Regulation 10]
FORM C

A | PARTICULARS OF A PRIVATE BODY

The Head: _____

B | PARTICULARS OF PERSON REQUESTING ACCESS TO THE RECORD

a) The particulars of the person who requests access to the record must be given below.
b) The address and/or fax number in the Republic to which the information is to be sent must be given.
c) Proof of the capacity in which the request is made, if applicable, must be attached.

Full names and surname: _____

Identity number: _____

Postal address: _____

Telephone number: _____ Fax number: _____

Email address: _____

Capacity in which request is made, when made on behalf of another person:

_____

C | PARTICULARS OF PERSON ON WHOSE BEHALF REQUEST IS MADE

This section must be completed ONLY if a request for information is made on behalf of another person.

Full names and surname: _____

Identity number: _____

D | PARTICULARS OF RECORD

a) Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.
b) If the provided space is inadequate, please continue on a separate folio and attach it to this form. **The requester must sign all the additional folios.**

1. Description of record or relevant part of the record: _____
2. Reference number, if available: _____
3. Any further particulars of record: _____

E | FEES

a) A request for access to a record, other than a record containing personal information about yourself, will be processed only after a request fee has been paid.
b) You will be notified of the amount required to be paid as the request fee.
c) The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.
d) If you qualify for exemption of the payment of any fee, please state the reason for exemption.

Reason for exemption from payment of fees:

F | FORM OF ACCESS TO RECORD

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.

Disability:

Form in which record is required:

Mark the appropriate box with an X

Notes

a) Compliance with your request in the specified form may depend on the form in which the record is available.
b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.
c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

1. If the record is in written or printed form					
Copy of record*		Inspection of record			
2. If the record consists of visual images (This includes photographs, slides, video recordings, computer-generated images, sketches, etc.)					
View the images		Copy of the images*		Transcription of the images*	
3. If record consists of recorded words or information which can be reproduced in sound					
Listen to the soundtrack (audio cassette)		Transcription of the soundtrack*			
4. If record is held on computer or in an electronic or machine-readable form					
Printed copy of record*	☐	Printed copy of information delivered from the record	☐	Copy in computer readable from (compact disk)	☐

G | PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED

If the provided space is inadequate, please continue on a separate folio and attach it to this form.
The requester must sign all the additional folios.

1. Indicate which right is to be exercised or protected:

2. Explain why the record requested is required for the exercise or protection of the aforementioned right:

H | NOTICE OF DECISION REGARDING REQUEST FOR ACCESS

You will be notified in writing whether your request has been approved/denied. If you wish to be informed by alternative means, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your access to the record?

Signed at_____this_____day of_____20__

Signature of requester/person on behalf of whom request is made