

WARRIOR PAINTS & COATINGS (PTY) LTD

A Guide to ACCESSING OUR INFORMATION

Date of last update – 14 December 2011

PREAMBLE

The Promotion of Access to Information Act No. 2 of 2000 (“the Act”) came into operation on 23 November 2001. Section 51 of this Act requires that we as a private body compile a manual giving information to the public regarding the procedure to be followed in requesting information from us for the purpose of exercising or protecting rights.

INTRODUCTION TO THE PRIVATE BODY

Warrior Paints & Coatings (Pty) Ltd is an incorporated company operating in Gauteng. We as a private body have compiled this manual to comply with the provisions of the Act and also to ensure that members of the public have effective access to information in our possession which will assist them in the exercise and protection of their rights. You will be able to view the categories of information which we possess in this document. You will also be shown the correct procedure to follow should you require access to any of this information.

A copy of this manual is also available at the offices Warrior Paints & Coatings (Pty) Ltd.

1. CONTACT DETAILS [Section 51(1)(a)]

Full Name:	Warrior Paints & Coatings (Pty) Ltd.
Registration Number:	1987/003946/07
Registered Address:	7 Centuria Park, 265 Von Willich Avenue, Centurion, Gauteng
Postal Address:	P.O. Box 911-1181, Rosslyn, Gauteng, 0200.
Telephone Number:	(012) 541 3596
Fax Number:	(012) 541 1434
Designated Information Officer:	Financial Director
Email Address of Information Officer:	administration@warriorpaints.co.za
Website address:	www.warriorpaints.co.za

2. THE SECTION 10 GUIDE ON HOW TO USE THE ACT [Section 51(1)(b)]

Section 10 of the Act requires the South African Human Rights Commission (SAHRC) to publish a Guide containing information reasonably required by a person wishing to exercise or protect any right in terms of this Act.

The Guide will contain the following information:

1. The objects of the Act;
2. The manner and form of a request for access to information held by a body;
3. Assistance available from both the information officers and the Human Rights Commission in terms of this Act;
4. All remedies in law regarding acts, omissions, rights and duties, including how to lodge an internal appeal and a court application;
5. Schedules of fees to be paid in relation to requests for access to information;
6. Regulations made in terms of the Act.

Copies of this Guide will be available as soon as it is published by the SAHRC.

Enquiries regarding the Guide can be addressed to the SAHRC, the contact details of which are as follows:

Post: South African Human Rights Commission
Promotion of Access to Information Act Unit
Research and Documentation Department
Private Bag 2700
Houghton
2041

Telephone: (011) 484-8300
Fax: (011) 484-0582
Website: www.sahrc.org.za
E-mail: PAIA@sahrc.org.za

3. ACCESS TO THE RECORDS HELD BY THE COMPANY [Section 51(1)(c) and 51(1)(e)].

- i. The latest notice regarding the categories of records of the body, which are available without a person having to request access in terms of this Act in terms of Section 52(2) [Section 51(1)(c)]
- ii. Records that may be requested. A description of the subjects of the records held by the company and the categories in which these subjects are classed [Section 51(1)(e)]

a. Administration

- Statutory Company Information
 - Certificate of Incorporation
 - Certificate to Commence Business
 - Register of Members
 - Register of Directors
 - Directors Minutes
 - Shareholders Minutes
- Licences
 - Vehicle licences
 - Hazardous Substance Licences
- SABS Certificates
- Safety Committee Minutes
- Minutes of Staff Meetings
- Leases

b. Human Resources

- Employment Contracts
- Remuneration Records
- Attendance Register - Time worked by each employee
- Salary and wages register
- Umbrella Provident Plan Scheme
- Group Life Assurance Scheme
- Group Family Benefit Scheme
- Disciplinary Code
- Grievance Procedures
- Training Manuals
- Employment Equity Plan

c. Property, Plant, Equipment and Intellectual Property

- Fixed Property
 - Title Deeds
 - Leases
 - Building plans
 - Mortgage Bonds or other encumbrances to fixed property
- Moveable Property
 - Fixed asset register
 - Finance and Lease Agreement
 - Notarial Bonds

d. Agreements and Contracts

- Material agreements concerning provision of services or materials
- Agreements with shareholders, officers or directors
- Agreements with contractors and suppliers
- Agreements with customers
- Sale agreements
- Distributor, dealer or agency agreements
- Purchase or lease agreements
- Franchise agreements with franchisees

e. Insurance

- Insurance policies
- Claim records
- Details of insurance coverage, limits and insurers

f. Operations

- Production Records
- Manufacturing Statistics
- Development Records
- Product Specifications
- Price Lists
- Suspensive Sale Contractors
- Delivery and drivers log sheets

g. Finances

- Annual Financial Statements
- Stock Records
- Register of Fixed Assets
- Books of Account regarding information required by the Companies Act, 1973
- Books of Account including journals and ledgers
- Supporting schedules to books of account and ancillary books of account
- Delivery notes, orders, invoices, statements
- Receipts
- Expense Vouchers

4. RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION [Section 51(1)(d)]

Basic Condition of Employment No. 75 of 1997
Employment Equities Act No 55 of 1998

Compensation for Occupational Injuries and Health Diseases Act No 130 of 1993
Labour Relations Act No 66 of 1995
Skills Development Act no 97 of 1998
Unemployment Insurance Act No 63 of 2001
Companies Act No 61 of 1973
Companies Act No 71 of 2008
Income Tax Act No 95 of 1967
Value Added Tax Act No 89 of 1991
National Credit Act No 34 of 2005
Competition Act No 89 of 1998

i. The request procedures

Form of request:

- The requester must use the prescribed form to make the request for access to a record. This must be made to our information officer (whose contact details are in paragraph 1 of this manual). This request must be made to the address, fax number or electronic mail address of the body concerned *[s51(1)]*.
- The requester must provide sufficient detail on the request form to enable the information officer to identify the record and the requester. The requester should also indicate if any other manner is to be used to inform the requester and state the necessary particulars to be so informed *[s53(2)(a) and (b) and (c)]*.
- The requester must identify the right that is sought to be exercised or to be protected and provide an explanation of why the requested record is required for the exercise or protection of that right *[s53(2)(d)]*.
- If the request is made on behalf of another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the information officer of the private body *[s53(2)(f)]*.

Fees:

A requester who seeks access to a record containing personal information about that requester is not required to pay the request fee. Every other requester, who is not a personal requester, must pay the required fee:

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 *[s54(1)]*.
2. The fee that the requester must pay to a private body is R50. The requester may lodge an application to the court against a payment of the requested fee *[s54(3)(b)]*.
3. After the head of the private body has made a decision on the request, the requester must be notified in the required form.
4. If the request is granted, then a further access fee must be paid for the search, reproduction, preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure *[s54(6)]*.

5. Other information as may be prescribed *[Sec 51(1)(f)]*.

The Minister of Justice and Constitutional Development has not made any regulations in this regard.

6. Information automatically available

The following categories of records are automatically available for inspection, purchase or photocopying. In other words you do not need to request this information in terms of the Promotion of Access to Information Act

- Booklets
- Pamphlets / Brochures
- Posters
- Other literature intended for public viewing.
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Request forms for these categories of information are also available from our Information Officer, whose contact details appear in paragraph 1 of this manual.

7. Availability of the manual [Sec 51(3)].

The manual is available for inspection at the following offices of Warrior Paints & Coatings (Pty) Ltd free of charge:

- Head Office
12 Frans du Toit Street
Rosslyn
Gauteng
0200
- Gezina Branch
- Menlyn Retail Park Branch
- Centurion Branch
- East Rand Value Mall Branch
- Monument Park Branch
- Parkview Branch

Copies of the manual are available with the SAHRC, in the Government Gazette and on the Warrior Paints & Coatings (Pty) Ltd web site.

Appendix 1:

Prescribed forms for access to a record of Warrior Paints & Coatings (Pty) Ltd

FORM C

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY
(Section 53(1) of the Promotion of Access to Information Act, 2000
(Act No. 2 of 2000)

[Regulation 10]

A. Particulars of 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:

Fax number:

Telephone number:

E-mail 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 <i>ONLY</i> 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

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

Reason for exemption from payment of fees:

F. Form of access to record

<p>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.</p>
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Disability:	Form in which record is required
<p>Mark the appropriate box with an X.</p> <p>NOTES:</p> <p>(a) Compliance with your request in the specified form may depend on the form in which the record is available.</p> <p>(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.</p> <p>(c) The fee payable for access for the record, if any, will be determined partly by the form in which access is requested.</p>	

1. If the record is in written or printed form:					
<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record		
2. If record consists of visual images this includes photographs, slides, video recordings, computer-generated images, sketches, etc)					
<input type="checkbox"/>	view the images	<input type="checkbox"/>	copy of the images"		
<input type="checkbox"/>		<input type="checkbox"/>	transcription of the images*		
3. If record consists of recorded words or information which can be reproduced in sound:					
<input type="checkbox"/>	listen to the soundtrack audio cassette	<input type="checkbox"/>	transcription of soundtrack* written or printed document		
4. If record is held on computer or in an electronic or machine-readable form:					
<input type="checkbox"/>	printed copy of record*	<input type="checkbox"/>	printed copy of information derived from the record"		
<input type="checkbox"/>		<input type="checkbox"/>	copy in computer readable form* (stiffy or compact disc)		
'If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.			<table border="1"> <tr> <td>YES</td> <td>NO</td> </tr> </table>	YES	NO
YES	NO				

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 in another manner, 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 request for access to the record?
.....
.....

Signed at This day of20.....

SIGNATURE OF REQUESTER / PERSON ON
WHOSE BEHALF REQUEST IS MADE

Appendix 2:

PRESCRIBED FEES

Please take note that a request will be processed until the request fee and the deposit (if applicable) have been paid. Requestors are advised that four types of fees are provided for in terms of the Act.

- **Reproduction fee:** this fee is payable with respect to all records that are automatically available;
- **Request fee:** this fee is an administration fee that must be paid by all requestors, except personal requestor is a requestor seeking access containing information about the requestor him/herself), before the request is considered and is not refundable;
- **Access fee:** which is payable once access to a record is granted, this fee is intended to reimburse Warrior Paints & Coatings (Pty) Ltd for the costs involved in searching and preparing the record for delivery;
- **Deposit:** which is payable if Warrior Paints & Coatings (Pty) Ltd receives a request for access to information held on a person other than the requestor himself/herself and the preparation for the record will take more than six hours.

REPRODUCTION FEES

The applicable fees (excluding VAT) for reproduction as referred to above are:

	Rand
• For every photocopy of an A4-size page or part thereof	1.10
• For every printed of an A4-size page or part thereof held on a computer Or in electronic form	0.75
• For a copy in a computer readable form: Stiffy 5 ¼ disc	7.50
Compact disc	70.00
• A transcription of visual images, for and 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 fee

A request fee of R50.00 (excluding VAT) is payable upfront where a requestor Submits a request for access to information on anybody else other than a requestor him /herself

Access fees

The applicable fees (excluding VAT) which will be payable are:

	Rand
• For every photocopy of an A4-size page or part thereof	1.10
• For every printed of an A4-size page or part thereof held	

On a computer or in electronic form	0.75
• For an copy in a computer readable form:	
Stiffy 5 ¼ disc:	7.50
Compact disc	70.00
• A transcription of visual images, for and 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 copy of an audio record	30.00
• To search a record that must be disclosed, per hour or part of the hour	30.00
• Where a copy of the record needs to be posted, that actual postal fee is Payable	

Deposit

Where Warrior Paints & Coatings (Pty) Ltd receives a request for access to information held on a person other than the requestor himself/herself and the information officer is of the opinion that the preparation of the required record will take more than six (6) hours, a deposit of one third (1/3) of the amount of the applicable access fee.