

Promotion of Access to Information Act Manual

Frasers International Removals (Pty) Ltd
12 August 2003

A copy of the manual will be available for inspection at our Head Office situated at 18 Goodenough Avenue, Epping Industria, 7460, Cape Town, on our website at www.frasers.co.za and at the offices of the Human Rights Commission.

1. Introduction

The Promotion of Access to Information Act of 2000 came into effect in March 2001. The purpose of this Act is to give effect to the constitutional right of access to any information held by public or private bodies, and which is required for the exercise or protection of any rights.

The Human Rights Commission compiled a guide that provides details on how to use the Act. This guide is available from the Human Rights Commission as follows:

The South African Human Rights Commission:
PAIA Unit
The Research and Documentation Department
Postal Address: Private Bag 2700
Houghton
2041
Phone: (011) 484 8300
Fax: (011) 484 0582
e-mail: PAIA@sahrc.org.za
Website: www.sahrc.org.za

In terms of Section 51(1) of the Promotion of Access to Information Act, all heads of private bodies are required to compile a manual that provides information regarding the subjects and categories of records held by such private bodies. This manual is intended to fulfill this requirement.

Accordingly, this manual provides a reference to the records we hold and the process that needs to be adopted to access such records. All requests for access to information (other than information that is available to the public) should be addressed to the contact person as identified in section 3 of this manual, as he/she is our designated Information Officer.

2. Company overview, structure and scope of the manual

Frasers International Removals (Pty) Ltd is a wholly owned trading subsidiary of The Laser Transport Group (Pty) Ltd. The records identified in this manual pertain to all records that relate to Frasers International Removals (Pty) Ltd as held by The Laser Transport Group (Pty) Ltd.

3. Administration of the Act

The Chief Executive Officer (CEO) of Frasers International Removals (Pty) Ltd has duly authorized the contact person below to ensure that the requirements of the Act are administered in a fair, objective and unbiased manner.

Accordingly, all requests for access to records should be addressed to:

Contact person: Erico Puccini
Postal address: PO Box 204 Eppindust 7475
Physical address: 18 Goodenough Avenue Epping Industria 7460
Phone number: 021-505 9000
Fax number: 021-534 1954
e-mail address: eric.puccini@laser.co.za

4. Subjects and corresponding categories of records we hold

Our records can be found in various forms including electronic and paper. In terms of the Promotion of Access to Information Act, access must be granted irrespective of form or medium.

To facilitate the easy identification of the records we hold, we have **categorised** our records per **subject** area. The table below provides an indication of the subjects of information that we hold and the corresponding categories:

Subjects	Categories
Finance	<ul style="list-style-type: none">• Audited financial statements• Tax records (company and employee)• Asset Register• General Correspondence• Management Accounts• Budgets• Contracts• Insurance Information• Financial Transactions• Purchase and Order information• Banking Records• Internal audit records
Logistics	<ul style="list-style-type: none">• Information relating to freight agents• Shipping Information• Information relating to delivery schedules and plans• Planning Routes

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Information Technology	<ul style="list-style-type: none">• IT Policies and Procedures• Network Diagrams• User Manuals
Human Resources	<ul style="list-style-type: none">• Employee Records• Employment Contracts• Personnel guidelines, policies and procedures• Employee medical records• General Correspondence• Training records• Employment equity records• Employee benefit records• Labour relations records• Statutory records• Performance appraisals• Information relating to health and safety regulations
Sales and Marketing	<ul style="list-style-type: none">• Marketing Information• Brochures on Company Information• General Correspondence• Information relating to employee sales performance• Marketing and future strategies• Customer Information• Contracts• Information relating to work-in-progress

5. Records that can be accessed without a formal request

All records that can be accessed without the submission of a formal request (i.e. a formal request as defined by the Promotion of Access to Information Act) can be accessed by logging onto www.frasers.co.za or by contacting our Information Officer (Eric Puccini).

Additionally, we are required to ensure that certain records are available (as prescribed by each Act), in terms of the following Acts:

- Basic Conditions of Employment No. 75 of 1997
- Companies Act No. 61 of 1973
- Compensation for Occupational Injuries and Health Diseases Act No. 130 of 1993
- Consumer Affairs (Unfair Business Practices) Act No. 71 of 1988
- Copyright Act No. 98 of 1978
- Credit Agreements Act No. 75 of 1980
- Currency and Exchanges Act No. 9 of 1933
- Debtor Collectors Act No. 114 of 1998
- Employment Equity Act No. 55 of 1998
- Finance Act No. 35 of 2000
- Harmful Business Practices Act No. 23 of 1999
- Income Tax Act No. 95 of 1967
- Insolvency Act No. 24 of 1936

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- Intellectual Property Laws Amendments Act No. 38 of 1997
- Labour Relations Act No. 66 of 1995
- Occupational Health & Safety Act No. 85 of 1993
- Protection of Businesses Act No. 99 of 1978
- Regional Services Councils Act No. 109 of 1985
- SA Reserve Bank Act No. 90 of 1989
- Skills Development Levies Act No. 9 of 1999
- Skills Development Act No. 97 of 1998
- Stamp Duties Act No. 77 of 1968
- Tax on Retirement Funds Act No. 38 of 1996
- Trade Marks Act No. 194 of 1993
- Unemployment Contributions Act No. 4 of 2002
- Unemployment Insurance Act No. 63 of 2001
- Usury Act No 73 of 1968
- Value Added Tax Act No. 89 of 1991

Please note that while we have made every effort to identify all pertinent legislation, we cannot guarantee that all legislation has been included. Should you be aware of any specific legislation that should be included and which has been omitted, please contact our Information Officer (Eric Puccini). Your assistance in this regard is appreciated.

Notification of the availability of these records in terms of these Acts has not been given to the Cabinet Minister of Justice.

6. Procedure to follow when submitting a formal request of access to a record

A request for access to a record (that does not fall within the categories identified in Section 5) of this manual must be done formally either via conventional mail, e-mail or fax.

This request should be in the prescribed format as defined in Form C of Annexure B as identified in Government Notice Number 187, Regulation 6. A request form is also available from our offices. The prescribed request fee should be attached (refer to Section 8 of this manual for more details on the fees).

Our Information Officer will respond to your request within 30 days of receiving the request by indicating whether your request for access has been granted.

Please note that the successful completion and submission of an access request form does not automatically allow the requestor access to the requested record.

The request form must be completed as follows:

- Type or print in BLOCK LETTERS and answer every question.
- If an answer does not apply, state “N/A” in response to that question.
- If there is nothing to disclose in reply to a particular question, state “nil” in response to that question
- If there is insufficient space on a printed form in which to answer a question, additional information may be provided on a separate page that is clearly marked and referenced.

If access to a record/information is granted, our response will include:

- An indication of the access fee that should be paid upon gaining access (if any);
- An indication of the form in which the access will be granted;

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- A notice that you may lodge an application with the court against the access fee to be paid or the form of the access, including guidance on the procedure for lodging the application.

If access to a record/information is denied, our response will include:

- Adequate reasons for the refusal; and
- Notice that you may lodge an application with the court against the refusal and the procedure including the period, for lodging the application. For details on the procedure, please refer to Chapter 2 of Part 4 of the Promotion of Access to Information Act.

Assuming your request of access is granted, you will be able to gain access to the requested records as soon as is reasonably possible and once the access fee has been paid.

Access will be granted to a record if the following criteria are fulfilled:

- The record is required for the exercise or protection of any right;
- The requestor complies with the procedural requirements in the Act relating to a request; and
- Access to the record is not refused in terms of any ground for refusal as contemplated in Chapter 4 of Part 3 of the Act.

7. Denial of access

Access may be refused under limited circumstances including:

- Protecting personal information that we (Frasers International Removals (Pty) Ltd) - hold about a third person (who is a natural person) from unreasonable disclosure;
- Protecting commercial information that we hold about a third party (for example trade secrets: financial, commercial, scientific or technical information that may harm the commercial or financial interests of a third party);
- If disclosure would result in a breach of a duty of confidence owed to a third party;
- If disclosure would jeopardize the safety or life of an individual;
- If disclosure would prejudice or impair the security of property or means of transport;
- If disclosure would prejudice or impair the protection of a person in accordance with a witness protection scheme;
- If disclosure would prejudice or impair the protection of the safety of the public;
- The record is privileged from production in legal proceedings unless the privilege has been waived;
- If the record is a computer programme;
- Disclosure of the record will put Frasers International Removals (Pty) Ltd - at a disadvantage in contractual or other negotiations or prejudice it in commercial competition;
- Disclosure of the record (containing trade secrets, financial, commercial, scientific, or technical information) would harm the commercial or financial interests of - Frasers International Removals (Pty) Ltd and
- Records containing information about research being carried out or about to be carried out on behalf of a third party or Frasers International Removals (Pty) Ltd.

8. Fees

The applicable fees are prescribed in terms of the regulations that relate to the Promotion of Access to Information Act. There are two basic types of fees applicable in terms of the Promotion of Access to Information Act – “request” and “access” fees. The non-refundable request fee (currently R 57.00 inclusive of VAT) is payable on submission of the request for access to a record (unless the request is for personal records of the requestor in which event there is no applicable fee). The access fee is

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payable prior to gaining access to the records in the required form. The applicable fees are prescribed in terms of Part III of Annexure A as identified in Government Notice Number 187, Regulation 11.

9. Request for access to information about third parties

If you request access to a record that contains information about a third party, we are obliged to attempt to contact this third party to inform them of the request and to give them an opportunity to respond by either consenting to the access or by providing reasons why the access should be denied.

In the event that the third party furnishes reasons for the support or denial of access, our designated Information Officer will consider these reasons in determining whether access should be granted. You may appeal against a refusal of access by our Information Officer. Please refer to Part 4 of the Promotion of Access to Information Act for further details on the Appeal Process.

10. Records that cannot be found or that do not exist

If we searched for a record and believe that it either does not exist or cannot be found, we will notify you by way of an affidavit or affirmation that it is not possible to give you access to the requested record as we are unable to locate it. We will also provide you with details on the steps that were taken to try to locate the record.

If at a later stage the record is located, we will grant you access, provided that access is not prohibited in terms of Chapter 4 of Part 3 of the Promotion of Access to Information Act.