

PAIA Manual

For

| | |
|---|----------------|
| Route Management (Pty) Ltd trading the name and style of the following divisions: <ul style="list-style-type: none">- SA Truck Bodies- Henred Fruehauf- Henred Fruehauf Parts- Henred Fruehauf Axles- Transrep- RVB (Route Vehicle Bodies)- RHE (Route Hydraulic Engineering)<ul style="list-style-type: none">- Trailstar- Duncanmec- Devon Lights | 2001/020040/07 |
|---|----------------|

(“hereinafter collectively referred to as
“the Company”)

in terms of Section 51 of The Promotion of Access to
Information Act No. 2 of 2000 (the "Act")
and the Protection of Personal Information Act No. 4 of 2013
("POPIA")

Prepared by:



Patent. Trade Mark. Copyright Attorneys.

KISCH AFRICA INC

Registration number : 2018/068342/21
Postal address : PO Box 781218, Sandton, 2146
Office number : 011 324 3000
Facsimile number : 086 603 6118
E-mail address : comsec@kisch-ip.com
Web address : www.kisch-ip.com

| | | |
|-----|---|----|
| 1. | INTRODUCTION | 4 |
| 2. | INFORMATION REQUIRED UNDER SECTION 51(1) (A) OF THE ACT | 4 |
| 3. | THE INFORMATION OFFICER (SECTION 51(1)(B)) | 4 |
| 4. | DESCRIPTION OF GUIDE REFERRED TO IN SECTION 10: SECTION 51(1)(B) | 5 |
| 5. | THE LATEST NOTICE IN TERMS OF SECTION 52(2) | 5 |
| 6. | RECORDS AVAILABLE ONLY ON REQUEST TO ACCESS IN TERMS OF THE ACT (SECTION 51(1)(D)) | 5 |
| 7. | RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION: SECTION 51(1)(D) | 6 |
| 8. | SUBJECTS AND CATEGORIES OF RECORDS HELD BY THE COMPANY: SECTION 51(1)(E) | 8 |
| 9. | REQUEST IN TERMS OF POPIA | 12 |
| 10. | DETAIL ON HOW TO MAKE A REQUEST FOR ACCESS – SECTION 51(E) | 12 |
| 11. | PRESCRIBED FEES | 13 |
| | FORM C | 14 |

1. INTRODUCTION

- 1.1 The Company is in the business of manufacturing, the sale, repairs and servicing of heavy-duty road trailers. Sale of second-hand road trailers. Manufacturing of vehicle bodies. Sale of parts and goods ancillary to the aforementioned.
- 1.2 The PAIA manual of the Company is available to view at its premises: 43 George Lubbe Street, Hamilton, Bloemfontein, 9301 and all active websites.

2. INFORMATION REQUIRED UNDER SECTION 51(1) (a) OF THE ACT

| | | |
|-----|---|---|
| 2.1 | Name of head of the Company: | Dirk Samuel Botha |
| 2.2 | Postal Address of head of the Company: | PO Box 6469, Bloemfontein, 9300 |
| 2.4 | Street Address of head of the Company: | 43 George Lubbe Street, Hamilton, Bloemfontein, 9301 |
| 2.5 | Telephone No. of head of the Company: | 051 409 1700 |
| 2.6 | Fax No. of head of the Company: | N/A |
| 2.7 | E- Mail address of head of the Company: | dbpa@satb.co.za |

3. THE INFORMATION OFFICER (SECTION 51(1)(B))

- 3.1 The Head of a Private Body fulfils such a function in terms of Section 51. the Company has elected to appoint an Information Officer to assess requests for access to information as well as oversee its required functions in terms of the Act.
- 3.2 The Information Officer appointed in terms of the Act also refers to the Information Officer as referred to in the Protection of Personal Information Act 4 of 2013 ("POPIA"). The Information Officer oversees the functions and responsibilities as required in terms of both this Act in terms of Section 55 of POPIA after registering with the Information Regulator.
- 3.3 The information Officer may appoint, where it is deemed necessary, Deputy Information Officers, as allowed in terms of section 17 of the Act as well as section 56 of POPIA. This is in order to render the Company as accessible as reasonably possible for requesters of its records and to ensure fulfilment of its obligations and responsibilities as prescribed in terms of section 55 of POPIA. All requests for information in terms of the Act must be addressed to the Information Officer.

Contact Details of the Information Officer

| | |
|----------------------|--|
| Information Officer: | Pierre Ferreira |
| Physical Address: | 43 George Lubbe Street, Hamilton, Bloemfontein, 9301 |
| Telephone: | 051 409 1700 |
| Email: | pierre@satb.co.za |
| Alternative email: | legal@satb.co.za |

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

A Guide has been compiled by the Human Rights Commission in terms of Section 10 of the Act. It contains information required by a person wishing to exercise any right contemplated by the Act and is available in all of the official languages.

The Guide is available for inspection at the office of the offices of the Human Rights Commission at 29 Princess of Wales Terrace, corner York and St. Andrews Street, Parktown and on its website at www.sahrc.org.za.

This guide has further been compiled in terms of POPIA and will be made available to the Information Regulator upon the publication of the regulations relating to same.

5. THE LATEST NOTICE IN TERMS OF SECTION 52(2)

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.

6. RECORDS AVAILABLE ONLY ON REQUEST TO ACCESS IN TERMS OF THE ACT (SECTION 51(1)(D))

6.1 Records held by the Company

6.2 The information is classified and grouped according to records relating to the following subject and categories;

6.2.1 Personnel Records: refers to any person who works for, or provides services to or on behalf of the Company, and receives or is entitled to receive remuneration and any other person who assists in carrying out or conducting the business of the Company. This includes, without limitation, Directors (Executive and non-executive), all permanent, temporary and part-time staff, as well as contract workers.

6.2.1.1 Personal records provided by personnel.

6.2.1.2 Records provided by a third party relating to personnel.

6.2.1.3 Conditions of employment and other personnel-related contractual and quasi-legal records

6.2.1.4 Internal evaluation records and other internal records

Prepared by:

6.2.1.5 Correspondence relating to personnel

6.2.1.6 Training schedules and material.

6.2.2 Customer related records:

6.2.2.1 Records provided by a customer to a third party acting for or on behalf of the Company

6.2.2.2 Records provided by a third party

6.2.2.3 Records generated by or within the Company relating to its customers including transactional records.

A “**customer**” refers to any natural or juristic entity that receives services from the Company.

6.2.3 **Private Body Records** include financial, operational, marketing records, databases and information technology as further detailed in clause 7 and 8 below.

6.2.4 **Internal Correspondence** relating *inter alia* to:

6.2.4.1 Product records

6.2.4.2 Statutory records

6.2.4.3 Internal policies and procedures

6.2.4.4 Records held by officials of any institution, government body.

These records include, but are not limited to, the records which pertain to the Company's own affairs.

6.2.5 Other Party Records

6.2.5.1 Personnel, customer or private body records which are held by another party, as opposed to the records held by the Company itself.

6.2.5.2 Records held by the Company pertaining to other parties, including without limitation, financial records, correspondence, contractual records provided by the other party, and records third parties have provided about the contractor's suppliers.

6.2.5.3 The Company may possess records pertaining to other parties including without limitation contractors, suppliers, subsidiary/holding/sister companies, joint venture companies, and service providers. Alternatively, such other parties may possess records that can be said to belong to the Company.

6.2.6 The accessibility of the records may be subject to the grounds of refusal as set out in this PAIA manual and POPIA. Amongst others, records deemed confidential on the part of a third party will require consent from said third party in addition to the normal requirements before the Company will consider granting access

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

| Record Available | Applicable Legislation |
|-------------------------|-----------------------------------|
| Property Deeds | Alienation of Land Act 68 of 1981 |

Prepared by:

| | |
|--|--|
| Employee Records | Basic Conditions of Employment Act 75 of 1997 |
| Company registration documents, certificates, minutes, resolutions | Companies Act 71 of 2008 |
| Compensation payments, assessments and a letter of good standing | Compensation for Occupational Injuries and Disease Act 130 of 1993 |
| Competition Commission Records and Merger Notices | Competition Act 89 of 1998 |
| Literary, artistic works and Records | Copyright Act 98 of 1978 |
| Brand Protection | Counterfeit Goods Act, 37 of 1997 |
| Export and Import Records | Customs and Excise Act 91 of 1964 |
| Website Terms of Use, Privacy Policy | Electronic Communications and Transactions Act 25 of 2002 |
| Workplace Skills Plan and Annual Training Report (ATR) | Employment Equity Act 55 of 1998 |
| FICA Records | Financial Intelligence Centre Amendment Act 1 of 2017 |
| Income Tax returns for past 5 (five) years; Clearance certificate | Income Tax Act 58 of 1962 |
| Registered Intellectual Property Records | Intellectual Property Laws Amendment Act 28 of 2013 |
| Employment Records | Labour Relations Act 66 of 1995 |
| Lease Agreements | Leases of Land Act 18 of 1969 |
| Credit Agreements, credit checks | National Credit Act 34 of 2005 |
| Quality Records | National Environmental Management Act 107 of 1998 |
| Recycling | National Environmental Management: Waste Act, 59 of 2008 |
| Logistics and insurance records | National Road Traffic Act 93 of 1996 |
| COIDA and OHSA Records | Occupational Health and Safety Act 85 of 1993 |
| Employee Provident and Pension Fund Records | Pension Funds Act 24 of 1956 |
| Legal Records | Prescription Act 68 of 1969 |
| FICA and Audit Records | Prevention of Organised Crime Act 121 of 1998 |
| PAIA Manual | Promotion of Access to Information Act 2 of 2000 |
| POPIA Policy, PAIA Manual | Protection of Personal Information Act 4 of 2013 |
| Accounting Records | Revenue Laws Second Amendment Act 61 of 2008 |
| Logistic Records | Road Transportation Act 74 of 1977 |
| Employee Records and Skills Development Levy Records | Skills Development Act 97 of 1998 |
| Patent Records | South African Patent Act 57 of 1978 |
| Tax Records and Filings | Taxation Laws Amendment Act 23 of 2020 |

| | |
|--|---|
| BBBEE Compliance | The Broad-based Black Economic Empowerment Act 53 of 2003 |
| Consumer Records | The Consumer Protection Act 1987 |
| Trade Mark Application and Registrations | Trade Marks Act 194 of 1993 |
| Property Records | Transfer Duty Act 1949 |
| Employee Records and Submissions | Unemployment Insurance Act 63 of 2001 |
| VAT returns for past 5 (five) years; Clearance certificate | Value Added Tax Act 89 of 1991 |

**8. SUBJECTS AND CATEGORIES OF RECORDS HELD BY THE COMPANY:
SECTION 51(1)(e)**

| Classification No. | Access | Classification |
|---------------------------|----------------------|--|
| 1 | May be disclosed | Public Access Document |
| 2 | May not be disclosed | Request after commencement of criminal or civil proceedings [s7] |
| 3 | May be disclosed | Subject to copyright |
| 4 | Limited disclosure | Personal information that belongs to the requester of that information [s61] |
| 5 | May not be disclosed | Unreasonable disclosure of personal information of Natural person [s63(1)] |
| 6 | May not be disclosed | Likely to harm the commercial or financial interests of third party [s64(1)(a) and (b)] |
| 7 | May not be disclosed | Likely to harm the Company or third party in contract or other negotiations [s64(1)(c)] |
| 8 | May not be disclosed | Would breach a duty of confidence owed to a third party in terms of an Agreement [s65] |
| 9 | May not be disclosed | Likely to compromise the safety of individuals or protection of property [s66] |
| 10 | May not be disclosed | Legally privileged documents [s67] |
| 11 | May not be refused | Environmental testing / investigation which reveals public safety / environmental risks [s64(2); s68(2)] |
| 12 | May not be disclosed | Commercial information of Private Body [s68] |
| 13 | May not be disclosed | Likely to prejudice research and development information of the Company or a third party [s69] |
| 14 | May not be refused | Disclosure in public interest [s70] |

| Subject | Category of Information | Availability | Retention Period | Classification No. |
|---|---|--|-------------------------|---------------------------|
| Companies Act Records | Documents of incorporation | Available from Companies and Intellectual Property Commission (CIPC) or request in terms of PAIA | Indefinite | 1 |
| | Memorandum and Articles of Association | Available from Companies and Intellectual Property Commission (CIPC) or request in terms of PAIA | Indefinite | 1 |
| | Minutes of Board of Directors meetings | Request in terms of PAIA | 7 years | 12 |
| | Records relating to the appointment of directors/ auditor/ secretary/ public officer and other officers | Available from Companies and Intellectual Property Commission (CIPC) or request in terms of PAIA | 7 years | 1 |
| | Share Register and other statutory registers | Available from Companies Act or request in terms of PAIA | Indefinite | 12 |
| | Annual Returns (CIPC) | Request in terms of PAIA | 7 years | 12 |
| Financial and Customer Development (Sales) Records | Annual Financial Statements | Request in terms of PAIA | 5 years | 12 |
| | Tax Returns | Request in terms of PAIA | 5 years | 12 |
| | Accounting Records | Request in terms of PAIA | 5 years | 12 |
| | Banking Records | Request in terms of PAIA | 5 years | 12 |
| | Bank Statements | Request in terms of PAIA | 5 years | 12 |
| | Paid Cheques | Request in terms of PAIA | 5 years | 12 |
| | Electronic banking records | Request in terms of PAIA | 5 years | 12 |

| | | | | |
|--|---|---|---------|---------|
| | Asset Register | Request in terms of PAIA | 5 years | 12 |
| | Rental Agreements | Request in terms of PAIA | 3 years | 12 |
| | Invoices | Request in terms of PAIA | 5 years | 12 |
| | Information generated by the Company in relation to all service providers | Request in terms of PAIA | 5 years | 12 |
| | Information provided by other third parties in relation to services providers | Request in terms of PAIA | 5 years | 12 |
| | Information relating to distributors, retailers, wholesalers | Request in terms of PAIA | 5 years | 12 |
| Income Tax Records | PAYE Records | Request in terms of PAIA | 5 years | 12 |
| | Documents issued to employees for income tax purposes | Request in terms of PAIA | 5 years | 12 |
| | Records of payments made to SARS on behalf of employees | Request in terms of PAIA | 5 years | 12 |
| | VAT | Available from South African Receiver of Revenue website www.sars.gov.za or request in terms of PAIA | 5 years | 1 |
| | Skills Development Levies | Request in terms of PAIA | 5 years | 12 |
| | UIF | Request in terms of PAIA | 5 years | 12 |
| | Workmen's Compensation | Request in terms of PAIA | 5 years | 5, 9 |
| Human Resources Documents and Records | Employment contracts | Request in terms of PAIA | 5 years | 1 |
| | Employment Equity Plan (if applicable) | Request in terms of PAIA | 5 years | 12 |
| | Medical Aid records | Request in terms of PAIA | 5 years | 4, 5, 9 |
| | Pension Fund records | Request in terms of PAIA | 5 years | 5, 9 |
| | Disciplinary records | Request in terms of PAIA | 5 years | 5, 9 |
| | Salary records | Request in terms of PAIA | 5 years | 5, 9 |

| | | | | |
|---|---|---------------------------------------|------------|-----------|
| | Disciplinary code | Request in terms of PAIA | 5 years | 5, 9 |
| | Leave records | Request in terms of PAIA | 5 years | 12 |
| | Training records | Request in terms of PAIA | 5 years | 5, 9 |
| | Training Manuals | Request in terms of PAIA | 5 years | 12 |
| | Internal evaluation information (IOs, IDP, PEP etc) | Request in terms of PAIA | 5 years | 12 |
| | Organisational Charts | Request in terms of PAIA | 5 years | 1, 3 |
| Public Relations Records | Public Product Information | Request in terms of PAIA | 3 years | 12 |
| | Media Releases | Request in terms of PAIA | 3 years | 4,5,9 |
| Marketing and Consumer Affairs Records | Product Brochures | Request in terms of PAIA | 3 years | 1 |
| | Owner Manuals | Request in terms of PAIA | 3 years | 1, 12 |
| | Products Sales Records | Request in terms of PAIA | Indefinite | 1 |
| | Marketing Strategies | Request in terms of PAIA | Indefinite | 1, 12 |
| | Customer Database | Request in terms of PAIA | Indefinite | 12 |
| | Information of social media users | Request in terms of PAIA | 3 years | 12, 13 |
| | Customer Buying behaviour | Request in terms of PAIA | Indefinite | 12 |
| | Product complaints | Request in terms of PAIA | 3 years | 1 |
| | Advertising events | Request in terms of PAIA | 5 years | 12 |
| | Promotional competitions | Request in terms of PAIA or email [*] | 5 years | 1, 12 |
| Legal Records | Agreements with suppliers | Request in terms of PAIA | 3 years | 12 |
| | Agreements with Customers | Request in terms of PAIA | 3 years | 12 |
| Information Technology Records | IP Addresses | Request in terms of PAIA | 5 years | 12 |
| Procurement, Customer Services and Logistics Records | Products and Services supplier Information | Request in terms of PAIA | 3 years | 3, 12, 13 |

Prepared by:

| | | | | |
|---------------------|---|--------------------------|------------|------|
| | Third Party Information acting on behalf of the Company | Request in terms of PAIA | 3 years | 6,12 |
| | Third Party service providers e.g. courier, transportation by land, sea, air or road, warehousing, customs clearance and forwarding | Request in terms of PAIA | 3 years | 12 |
| CCTV Records | Images of customers and accompanied minors, images of employees | Request in terms of PAIA | 1 year | 12 |
| Regulatory | Product registrations and licenses | Request in terms of PAIA | Indefinite | 12 |

9. REQUEST IN TERMS OF POPIA

9.1 Where a data subject has requested access to personal information not falling within the above categories or where the data subject is requesting:

9.1.1 to update his/her/its personal information;

9.1.2 a list of the data subject's personal information the Company has in its possession or control; or

9.1.3 the subscription or deletion of a data subject's personal information

Then the data subject, at no cost, must direct the request to the Information Officer of the Company as per the details in set out in section 3 above.

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

10.1 The requester must complete Form C below and submit this form together with a request fee, to the head of the Company.

10.2 The form must be submitted to the head of the Company at his/her address, fax number, or electronic mail address as provided under paragraph above.

10.3 The form must:

10.3.1 provide sufficient particulars to enable the head of the private body to identify the record/s requested and to identify the requester;

10.3.2 indicate which form of access is required;

10.3.3 specify a postal address or fax number of the requester in South Africa;

10.3.4 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;

10.3.5 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;

10.3.6 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.

11. PRESCRIBED FEES

The following applies to all requests:

11.1 A requestor is required to pay the prescribed fee (R50.00) before a request will be processed;

11.2 If the preparation of the record requested requires more than the prescribed (six) hours, a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted);

11.3 A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit;

11.4 Records may be withheld until the fees have been paid;

11.5 The fee structure is available on the website of the South African Human Rights Commission at www.sahrc.org.za.

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:

DRAFT

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:

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 for 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 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 soundtrack* written or printed document |
|--|---|--|---|

4. If record is held on computer or in an electronic or machine-readable form:

| | | | | | |
|--|-------------------------|--|--|--|---|
| | printed copy of record* | | printed copy of information derived from the record" | | 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. | 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

DRAFT

SIGNATURE OF REQUESTER / PERSON ON
WHOSE BEHALF REQUEST IS MADE