

# **BARLOWORLD MOTOR (PTY) LTD**

**(Company Registration No. 1946/021661/07)**

**MANUAL PREPARED IN ACCORDANCE WITH SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT, NO. 2 OF 2000 ("the Act")**

## **PART I**

### **Information required under section 51 (1) (a) of the Act**

**Name of body:** Barloworld Motor (Pty) Ltd  
**Head of body:** Martin Laubscher  
**Address:** Barloworld Corporate Office  
180 Katherine Street  
Sandton  
2126

**Postal Address:** P.O. Box 2031  
Rivonia  
2128

**All requests for information in terms of the Act should be addressed to the appointed Deputy Information Officer, Ms Iris Manaka, who can be contacted as follows:**

**Telephone No.:** (011) 445 1479  
**Fax:** (011) 444 4170  
**e-mail:** [irism@barloworld.com](mailto:irism@barloworld.com)

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**PART II**

**Information required under section 51 (1) (b) of the Act**

The guide referred to in this section (as well as the request forms themselves) can be obtained from the South African Human Rights Commission at [www.sahrc.org.za](http://www.sahrc.org.za), telephone number (011) 484-8300.

**PART III**

**Information referred to under section 51 (1) (c) of the Act**

The following categories of records will be freely available:

1. Annual Reports
2. Marketing and promotional material published by the Company
3. All information published on the Company's Website ([www.avis.co.za](http://www.avis.co.za))

**PART IV**

**Information required under section 51 (1) (d) of the Act**

Records are kept in accordance with the following legislation:

1. Administration of Estates Act, No. 66 of 1965
2. Administrative Adjudication of Road Traffic Offences Amendment Act No. 27 of 2002
3. Arbitration Act No. 42 of 1965
4. Basic Conditions of Employment Act No. 75 of 1997
5. Closed Corporations Act No. 69 of 1984
6. Companies Act No. 61 of 1973
7. Compensation for Occupational Injuries and Health Diseases Act No. 130 of 1993
8. Consumer Affairs (Unfair Business Practices) Act No. 71 of 1988
9. Copyright Act No. 98 of 1978
10. Credit Agreements Act No. 75 of 1980
11. Currency and Exchanges Act No. 9 of 1933
12. Debt Collectors Act No. 114 of 1998
13. Employment Equity Act No. 55 of 1998
14. Finance Act No. 35 of 2000
15. Financial Services Board Act No. 97 of 1990
16. Financial Relations Act No. 65 of 1976
17. Harmful Business Practices Act No. 23 of 1999
18. Income Tax Act No. 95 of 1967
19. Insolvency Act No. 24 of 1936
20. Insurance Act No. 27 of 1943

21. Intellectual Property Laws Amendments Act No. 38 of 1997
22. Labour Relations Act No. 66 of 1995
23. Long Term Insurance Act No. 52 of 1998
24. Medical Schemes Act No. 131 of 1998
25. Occupational Health & Safety Act No. 85 of 1993
26. Pension Funds Act No. 24 of 1956
27. Post Office Act No. 44 of 1958
28. Regional Services Councils Act No. 109 of 1985
29. Road Traffic Act No. 29 of 1989
30. Road Transportation Act No. 74 of 1977
31. SA Reserve Bank Act No. 90 of 1989
32. Short Term Insurance Act No. 53 of 1998
33. Skills Development Levies Act No. 9 of 1999
34. Skills Development Act No. 97 of 1998
35. Stamp Duties Act No. 77 of 1968
36. Stock Exchange Control Act No. 1 of 1985
37. Tax on Retirement Funds Act No. 38 of 1996
38. Trade Marks Act No. 194 of 1993
39. Unemployment Contributions Act No. 4 of 2002
40. Unemployment Insurance Act No. 63 of 2001
41. Usury Act No. 73 of 1968
42. Value Added Tax Act No. of 89 of 1991

## PART V

### Information required under section 51 (1) (e) of the Act

#### **Personnel records**

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

#### **Personnel records include the following:**

- Any personal records provided to the Company by their personnel;
- Any records that a third party has provided to the Company about any of their personnel;
- Conditions of employment and other personnel-related contractual and quasi-legal records;
- Internal evaluation records; and
- Other internal records and correspondence.

### **Customer-related records**

A customer includes any natural or juristic entity who receives services from the Company. Customer-related information includes the following:

- Any records a customer has provided to a third party acting for or on behalf of the Company;
- Any records a third party has provided to the Company; and
- Records generated by or within the Company pertaining to the customer, including transactional records.

### **Records pertaining to the Company**

The following are considered to include but not be limited to records that pertain to the Company's own affairs:

- Financial records;
- Operational records;
- Databases;
- Marketing records;
- Internal correspondence;
- Product records;
- Statutory records;
- Internal policies and procedures;
- Treasury-related records;
- Securities and equities; and
- Records held by officials of the Company;
- Software and licensing agreements.

### **Other Parties**

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

### **The following records fall under this category:**

- Personnel, customer or the Company's records which are held by another party as opposed to being held by the Company; and
- Records held by the Company pertaining to other parties, including without limitation financial records, correspondence, contractual records, records provided by the other party, and records third parties have provided about the contractors / suppliers.

**Form of request:**

- The requester must use the prescribed form to make the request for access to a record. This must be made to the head office of the private body. This request must be made to the address, fax number or electronic mail address of the body concerned.*[s53(1)]*.
- The requester must provide sufficient detail on the request form to enable the head of the private body to identify the record and the requester. The requester should also indicate which form of access is required. 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 *[s 53(2)(d)]*.
- If a 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 head of the private body *[s 53(2)(f)]*.

**Fees:**

A requester who seeks 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 request fee:

- The head of the private body 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 *[s 54(1)]*.
- The fee that the requester must pay to a private body is R50. The requester may lodge an application to the court against the tender or payment of the request fee *[s 54(3)(b)]*.
- After the head of the private body has made a decision on the request, the requester must be notified in the required form.
- 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 *[s 54(6)]*.