



**GROUP OF  
COMPANIES**

# Access to Information Manual

## **UVUNDLU INVESTMENTS HOLDINGS (PTY) LTD**

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*THIS MANUAL WAS PREPARED IN ACCORDANCE WITH SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000 AND THE PROTECTION OF PERSONAL INFORMATION ACT, 2013*

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## 1. Document Management

Date	Version	Description	Author
01 August 2018	1.0	First Release	J Jones
17 November 2020	1.1	Reviewed	J Jones

## 2. Introduction

The Promotion of Access to Information Act, 2000 (“the Act”) gives third parties the right to approach private bodies to request information held by them, which is required in the exercise and/or protection of any rights. The purpose of this Manual is to assist people wishing to access information in terms of the Act from Uvundlu Investments Holdings (Pty) Ltd and its subsidiaries.

### 2.1. Group Overview

Uvundlu Investments Holdings (Pty) Ltd (“Uvundlu”) is a privately owned, limited liability company which was incorporated in South Africa on 18 March 2016, under registration number 2016/126555/07. Uvundlu trades as the Goscor Group of Companies and consists of the following divisions:

#### Head Office and Group Services

The Goscor Head Office maintains the financial and management accounts, performs the company secretarial, human capital, IT, and Marketing functions for the Group.

#### Materials Handling Cluster

The materials handling cluster is comprised of Goscor Lift Truck Company (Pty) Ltd, and its division Goscor Rental Company. It carries out the import, distribution, sale, rental, and maintenance of materials handling equipment in South Africa, and various countries in Southern Africa through its authorised dealers.

#### Construction and Earthmoving Equipment Cluster

The construction and earthmoving equipment cluster is comprised of Goscor (Pty) Ltd t/a Goscor Earthmoving Equipment, Bobcat Equipment South Africa (Pty) Ltd, Goscor Compressed Air Solutions (Pty) Ltd, and Goscor (Pty) Ltd t/a Goscor Power Products. It carries out the import, distribution, sale, rental, and maintenance of industrial, construction and earthmoving equipment in South Africa, and various countries in Southern Africa through its authorised dealers.

#### Goscor Cleaning Equipment

Goscor Cleaning Equipment (Pty) Ltd carries out the import, distribution, sale, rental, and maintenance of industrial cleaning equipment in South Africa, and various countries in Southern Africa through its authorised dealers.

#### Multifranchise

Goscor (Pty) Ltd, trading through its divisions Goscor Nelspruit and Goscor Port Elizabeth, carries out the sale, rental, and maintenance of materials handling equipment, construction and earthmoving equipment, and industrial cleaning equipment within South Africa.

### 2.2. Contact Details

Head of body:	AN Wilson (CEO)
Information Officer:	J Jones
Physical Address:	7 Neutron Road Chloorkop Kempton Park
Postal Address:	PO Box 12174 Chloorkop 1624
Telephone Number:	+27 11 230 2600
Email address:	<a href="mailto:paia@goscor.co.za">paia@goscor.co.za</a>

### 3. Guide on how to use the Act

A guide to the Act (as contemplated under section 10 of the Act) is available from the South African Human Rights Commission. The guide contains such information as may reasonably be required by a person who wishes to exercise any right contemplated in the Act. Any enquiries regarding this guide and its contents should be directed to:

The South African Human Rights Commission:  
PAIA Unit (the Research and Documentation Department) Postal address: Private Bag 2700,  
Houghton, 2041 Telephone: +27 11 484-8300  
Fax: +27 11 484-7146  
Website: [www.sahrc.org.za](http://www.sahrc.org.za) E-mail: [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)

### 4. Access to Records held by the Group

Records held by the Group may be accessed, on request, only once the requirements for access have been met. A requester is any person making a request for access to a record of the Group and in this regard, the Act distinguishes between two types of requesters:

#### Personal Requester

A personal requester is one who seeks access to a record containing the requester's own personal information.

#### Other Requester

Other requesters are those who request access to information pertaining to third parties.

It should be noted that a request for access to information can be refused if the application does not comply with the requirement of the Act. Further the completion and submission of a request does not automatically allow the requester access to the requested record.

#### 4.1. Request Procedure

A requester must complete the prescribed form enclosed herewith in Appendix 1 and submit same as well as payment of a request fee and a deposit, if applicable to the information officer at the postal or physical address, or email address stated herein. The prescribed form must be filled in with enough particularity to at least enable the information officer to identify:

- The record or records requested;
- The identity of the requester;
- What form of access is required; and
- The postal address or email address of the requester.

A requester must state that the information is required in order to exercise or protect a right, and clearly state what the nature of the right is so to be exercised or protected. The requester must also provide an explanation of why the requested record is required for the exercise or protection of that right.

If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally to the information officer.

#### 4.2. Decision

The Group will, within 30 days of receipt of a request, decide whether to grant or decline a request unless the requestor has stated special reasons which would satisfy the information officer that circumstances dictate that this time period not be complied with, and give notice with reasons (if required) to that effect. The 30 day period may be extended for a further period of not more than 30 days if the request is for a large quantity of information, or the request requires a search for information held at an office other than the Group's head office, or the information cannot reasonably be obtained within the original 30 day period. The information officer will notify the requester in writing should an extension be necessary.

## 5. Fees

The Act provides for two types of fees:

A request fee (currently R50 excluding VAT) and an access fee, which will be calculated, in terms of the tariffs set out in the SAHRC Notice, taking into account reproduction costs, search and preparation time and costs, as well as postal costs where applicable.

When a request is received by the information officer of the Group, the information officer shall by notice require the requester, other than a personal requester, to pay the prescribed request fee, before further processing of the request. If a search for the record is necessary and the preparation of the record for disclosure, including arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, the information officer shall notify the requester to pay as a deposit the prescribed portion of the access fee which would be payable if the request is granted.

The information officer shall withhold a record until the requester has paid the fee or fees as indicated. A requester whose request for access to a record has been granted, must pay an access fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure including making arrangements to make it available in the request form. If a deposit has been paid in respect of a request for access, which is refused, then the information officer shall repay the deposit to the requester.

## 6. Categories of Records Held by the Group:

### 6.1. Companies Act Records

- Documents of incorporation
- Memorandum of Incorporation
- Minutes of Board of Directors meetings
- Records relating to the appointment of directors / auditor / secretary / public officer and other officers
- Share Register and other statutory registers

### 6.2. Financial Records

- Annual Financial Statements
- Tax Returns
- Accounting Records
- Banking Records
- Bank Statements
- Electronic banking records
- Asset Register
- Rental Agreements
- Invoices
- Insurance records
- Investment records

### 6.3. Tax Records

- PAYE Records
- Documents issued to employees for income tax purposes
- Records of payments made to SARS on behalf of employees
- All other statutory compliances:
  - o VAT
  - o Skills Development Levies
  - o UIF
  - o Workmen's Compensation

### 6.4. Personnel Documents and Records

- Employment contracts
- Employment Equity Plan (if applicable)
- Disciplinary records

- Salary records
- Disciplinary code
- Leave records
- Training records
- Training manuals
- Pension records
- Employee benefit records
- Employee performance records
- General HR policies and procedures

#### **6.5. General Records**

- Contracts and Agreements
- General correspondence
- Trademark and Copyright records
- Building and Property records
- General administrative records
- Working papers
- Management reports
- Minutes of meetings
- Operational records
- Transactional documents

### **7. Records Available in Accordance with other Legislation**

Records of the Group may be kept by or on behalf of the Group in accordance with the following legislation (some of which legislation may not be applicable to the Group), as well as with other legislation that may apply to the Group and/or its subsidiaries from time to time:

- Atmospheric Pollution Prevention Act 45 of 1965
- Basic Conditions of Employment Act 57 of 1997
- Broad-based Black Economic Empowerment Act 53 of 2003 Companies Act 71 of 2008
- Compensation for Occupational Injuries and Diseases Act 130 of 1993
- Consumer Protection Act 68 of 2008
- Copyright Act 98 of 1978
- Currencies and Exchanges Act 9 of 1993
- Electronic Communications and Transactions Act 25 of 2002 Employment Equity Act 55 of 1998
- Financial Intelligence Centre Act 38 of 2001
- Financial Markets Control Act 55 of 1981
- Income Tax Act 58 of 1962
- Intellectual Property Laws Amendments Act 38 of 1997
- Labour Relations Act 66 of 1995
- Occupational Health and Safety Act 85 of 1993
- Regulation of Interception of Communications and Provision of Communication-Related Information Act 70 of 2002
- Pensions Fund Act 24 of 1956
- Prevention of Organised Crime Act 121 of 1998
- Prevention and Combating of Corrupt Activities Act 12 of 2004 Promotion of Access to Information Act 2 of 2000
- Protected Disclosures Act 26 of 2000
- Protection of Constitutional Democracy against Terrorist and Related Activities Act 33 of 2004 Skills Development Act 97 of 1998
- Skills Development Levy Act 9 of 1999 Securities Transfer Tax Act 25 of 2007
- Securities Transfer Tax Administration Act 26 of 2007 Trade Marks Act 194 of 1993
- Trust Property Control Act 57 of 1988 Unemployment Insurance Act 30 of 1966
- Unemployment Insurance Contributions Act 4 of 2002 Value Added Tax Act 89 of 1991

## 8. Processing of Personal Information

### 8.1. Purpose of Processing

The Group uses the Personal Information under its care in the following ways:

- Conducting credit reference checks and assessments
- Administration of agreements
- Providing products and services to customers
- Discounting and asset funding purposes
- Detecting and prevention of fraud, crime, money laundering and other malpractice
- Conducting market or customer satisfaction research
- Marketing and sales
- In connection with legal proceedings
- Staff administration
- Keeping of accounts and records
- Complying with legal and regulatory requirements
- Profiling data subjects for the purposes of direct marketing

### 8.2. Categories of Data Subjects and their Personal Information

The Group may possess records relating to suppliers, shareholders, contractors service providers, staff and customers:

Entity Type	Personal Information Processed
Customers : Natural Persons	Names; contact details; physical and postal addresses; date of birth; ID number; tax related information; nationality; gender; confidential correspondence
Customer : Juristic Persons / Entities	Names of contact persons; name of legal entity; physical and postal address and contact details; financial information; registration number; founding documents; tax related information; authorised signatories; beneficiaries; ultimate beneficial owners; shareholding information; BBBEE information
Contracted Service Providers	Names of contact persons; name of legal entity; physical and postal address and contact details; financial information; registration number; founding documents; tax related information; authorised signatories; beneficiaries; ultimate beneficial owners; shareholding information; BBBEE information
Employees / Directors	Gender; pregnancy; marital status; colour, race; age; language; education information; financial information; employment history; ID number; physical and postal address; contact details; opinions; criminal record; well-being



### **8.3. Categories of Recipients for Processing the Personal Information**

The Group may share the Personal Information with its agents, affiliates, and associated companies who may use this information to send the Data Subject information on products and services. The Group may supply the Personal Information to any party to whom the Group may have assigned or transferred any of its rights or obligations under any agreement, and/or to service providers who render the following services:

- Capturing and organising of data;
- Storing of data;
- Sending of emails and other correspondence to customers;
- Conducting due diligence checks;
- Administration of the Medical Aid and Pension Schemes.

### **8.4. Actual or Planned Transborder Flows of Personal Information**

Personal Information may be transmitted transborder to the Group's authorised dealers and its suppliers in other countries, and Personal Information may be stored in data servers hosted outside South Africa, which may not have adequate data protection laws. The Group will endeavour to ensure that its dealers and suppliers will make all reasonable efforts to secure said data and Personal Information.

### **8.5. Retention of Personal Information Records**

The Group may retain Personal Information records indefinitely, unless the Data Subject objects thereto. If the Data Subject objects to indefinite retention of its Personal Information the Group shall retain the Personal Information records to the extent permitted or required by law.

### **8.6. General Description of Information Security Measures**

The Group employs up to date technology to ensure the confidentiality, integrity and availability of the Personal Information under its care. Measures include:

- Firewalls
- Virus protection software and update protocols
- Logical and physical access control;
- Secure setup of hardware and software making up the IT infrastructure;
- Outsourced Service Providers who process Personal Information on behalf of the Group are contracted to implement security controls.

## **9. Remedies Available if Request for Information is Refused**

### **9.1. Internal Remedies**

The Group does not have internal appeal procedures. As such, the decision made by the information officer pertaining to a request is final, and requestors will have to exercise such external remedies at their disposal if a request is refused, and the requestor is not satisfied with the response provided by the information officer.

### **9.2. External Remedies**

A requestor that is dissatisfied with the information officer's refusal to disclose information, may within 30 days of notification of the decision, apply to a court for relief. Likewise, a third party dissatisfied with the information officer's decision to grant a request for information, may within 30 days of notification of the decision, apply to a court for relief. For purposes of the Act, courts that have jurisdiction over these applications are the Constitutional Court, the High Court or another court of similar status.

## **10. Grounds for Refusal**

The Group may legitimately refuse to grant access to a requested record that falls within a certain category. Grounds on which the Group may refuse access include:

- Protecting personal information that the Group holds about a third person (who is a natural


- person) including a deceased person, from unreasonable disclosure;
- Protecting commercial information that the Group holds about a third party or the Group (for example trade secret: financial, commercial, scientific or technical information that may harm the commercial or financial interests of the organisation or the third party);
- If disclosure of the record would result in a breach of a duty of confidence owed to a third party in terms of an agreement;
- If disclosure of the record would endanger the life or physical safety of an individual;
- If disclosure of the record would prejudice or impair the security of property or means of transport;
- If disclosure of the record would prejudice or impair the protection of a person in accordance with a witness protection scheme;
- If disclosure of the record would prejudice or impair the protection of the safety of the public;
- The record is privileged from production in legal proceedings, unless the legal privilege has been waived;
- Disclosure of the record (containing trade secrets, financial, commercial, scientific, or technical information) would harm the commercial or financial interests of the Group;
- Disclosure of the record would put the Group at a disadvantage in contractual or other negotiations or prejudice it in commercial competition;
- The record is a computer programme; and
- The record contains information about research being carried out or about to be carried out on behalf of a third party or the Group.

Records that cannot be found or do not exist

If the Group has searched for a record and it is believed that the record does not exist or cannot be found, the requester will be notified by way of an affidavit or affirmation. This will include the steps that were taken to try to locate the record.

## 11. Approval

SIGNED ON BEHALF OF THE GROUP ON THIS 17 DAY OF November 2020.

  
\_\_\_\_\_  
**ANTHONY NEIL WILSON**  
Group CEO

## Appendix 1: Prescribed Form C To Be Completed By A Requester

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 <i>for information</i> is made on behalf of <i>another</i> 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
Form in which record is required:	
Mark the appropriate box with an X.	
<p>NOTES:</p> <ul style="list-style-type: none"> <li>(a) Compliance with your request in the specified form may depend on the form in which the record is available.</li> <li>(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.</li> <li>(c) The fee payable for access for the record, if any, will be determined partly by the form in which access is requested.</li> </ul>	

<b>1. If the record is in written or printed form:</b>					
	copy of record*		inspection of record		
<b>2. If record consists of visual images</b> this includes photographs, slides, video recordings, computer-generated images, sketches, etc)					
	view the images		copy of the images"	transcription of the images*	
<b>3. If record consists of recorded words or information which can be reproduced in sound:</b>					
	listen to the soundtrack audio cassette		transcription of soundtrack* written or printed document		
<b>4. If record is held on computer or in an electronic or machine-readable form:</b>					
	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 of .....20

\_\_\_\_\_  
SIGNATURE OF REQUESTER / PERSON ON  
WHOSE BEHALF REQUEST IS MADE

## Appendix 2: SAHRC Notice of Fees Associated with PAIA Requests

SOUTH AFRICAN HUMAN RIGHTS COMMISSION

Tel: (011) 877 3600

Fax: 011 403 0625

**Physical Address**  
33 Hoofd Street  
Braampark Forum 3  
Braamfontein  
2198

**Postal Address**  
Private Bag X 2700  
Houghton  
2041



### NOTICE IN TERMS OF THE PROMOTION OF ACCESS TO INFORMATION 2 OF 2000 RE: FEES ASSOCIATED WITH PAIA REQUESTS ARE DETERMINED BY THE REGULATIONS ONLY AND NOT THROUGH OTHER APPLICABLE LAWS OR POLICIES

This Notice serves to state that the South African Human Rights Commission (the Commission) hereby confirms that the costs associated with all requests made under the Promotion of Access to Information Act 2 of 2000 (PAIA) are determined by the Regulations relating to PAIA only, and not by any other laws or regulations. Therefore, any demands made by a public or private body for the payment of additional fees with respect to PAIA requests are invalid.

The Commission is an independent public body currently mandated under PAIA to monitor the implementation of the Act. In accordance with its responsibilities to ensure compliance with PAIA, the Commission issues this notice to bring clarity to all interested parties that it is *only* the Minister of Justice and Constitutional Development who has the power to make decisions regarding fees associated with PAIA requests. The Commission further confirms that Value-Added Tax (VAT) is only payable by institutions who have registered as VAT vendors.

#### 1. The Promotion of Access to Information Act

PAIA gives effect to the constitutional right to access of information, as provided for under section 32 of the Constitution. Although responding to requests and reproducing records in an accurate and orderly manner takes time and resources, section 9 of the Act specifically calls for the establishment of mandatory mechanisms and procedures to ensure that access to records of both public and private bodies is "as swiftly, *inexpensively* and effortlessly as reasonably possible." [emphasis added].

Furthermore, section 92 of the Act grants the Minister of Justice and Constitutional Development the power to make regulations pertaining to fees associated with requests made to both public and private bodies.

#### 2. Regulations to PAIA

In February 2002, the Minister of Justice and Constitutional Development published a schedule of fees for PAIA requests in the Gazette, which provided for the following:

##### Fees for Requesting Records

Requesters are required to pay a fee for requesting access to records from both public and private bodies. The fee for requesting records from a public body is R35, while the fee for requesting records from a private body is R50. It is important to note that people who are requesting access to their personal information are exempt from paying a fee. Furthermore, people who earn less than R14,712 per annum (if single) and R27,192 per annum (if married or have a life partner), are also exempt from paying the request fees.

##### Fees for Accessing Records

Requesters are also required to pay fees for accessing the records of public and private bodies, which include fees associated with the search for, preparation of, and reproduction of documents. The breakdown of fees for requests to both public and private bodies are as follows:

##### **Public Bodies:**

- Copy per A4 page – 60 cents
- Printing per A4 page – 40 cents
- Copy on a CD – R40
- Transcription of visual images per A4 page – R22
- Copy of a visual image – R60
- Transcription of an audio recording per A4 page – R12
- Copy of an audio recording – R17
- Search and preparation of the record for disclosure – R15 per hour or part thereof, excluding the first hour, reasonably required for the search and preparation
- Actual postage fee

##### **Private Bodies:**

- Copy per A4 page – R1.10
- Printing per A4 page – 75 cents
- Copy on a CD – R70
- Transcription of visual images per A4 page – R40
- Copy of a visual image – R60
- Transcription of an audio recording per A4 page – R20
- Copy of an audio recording – R30
- Search and preparation of the record for disclosure – R30 per hour or part thereof, excluding the first hour, reasonably required for the search and preparation
- Actual postage fee

#### 3. Registered VAT Vendors

The Commission further confirms that Value-Added Tax (VAT) is only payable by institutions who have registered as VAT vendors, as required under section 23 of the Value-Added Tax Act of 1991.

Sincerely,

Advocate L M Mushwana  
Chair of the South African Human Rights Commission

Transforming society. Securing rights. Restoring dignity.

**Chairperson:** ML Mushwana; **Deputy Chairperson:** P Govender; **Commissioners:** L Mokate, B Malatji, J Love, D Titus  
**Chief Executive Officer:** K Ahmed