



Mitas Corporation (Pty) Ltd

(Registration number: 2017/092499/07)

*Manual in terms of section 51 of the Promotion of Access to
Information Act, 2 of 2000*

*as amended by the Protection of Personal Information Act, No
4 of 2013.*

PROMOTION OF ACCESS TO INFORMATION ACT, 2 OF 2000 AMENDED 4 OF 2013 (THE ACT) ...3

Section 51 Manual of the entity3

1. Contact particulars.....3

2. Introduction.....3

3. Guide in terms of section 10 of The Act.....4

4. Facilitation of a request for access to information.....4

5. Information available in terms of other legislation.....4

6. Information automatically available.....**Error! Bookmark not defined.**

7. Information available in terms of The Act.....**Error! Bookmark not defined.**

8. Requesting procedures.....12

9. Availability of the Manual12

10. Signatory**Error! Bookmark not defined.**

PROMOTION OF ACCESS TO INFORMATION ACT, 2 OF 2000

AMENDED 4 OF 2013 (THE ACT)

SECTION 51 MANUAL OF MITAS CORPORATION (PTY) LTD (REGISTRATION NUMBER:
2017/092499/07)

1. CONTACT PARTICULARS

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2. INTRODUCTION

We as a private body have compiled this manual, not only to comply with the provisions of the Act but also to foster a culture of transparency and accountability in our environment and 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. Inside these pages you will be able to view the categories of information, which we possess. You will also be shown the correct procedure to follow should you require access to any of this information.

3. GUIDE IN TERMS OF SECTION 10 OF THE ACT

Any person who wishes to exercise any right contemplated in The Act may obtain a copy of the information guide issued by the Human Rights Commission in all official languages, from the Human Rights Commission, contact number (011) 887-3600 or www.sahrc.co.za.

4. FACILITATION OF A REQUEST FOR ACCESS TO INFORMATION

Information which is not readily available as indicated in this manual may be requested in accordance with the procedure prescribed in terms of The Act. Copies of the prescribed forms to be completed for submitting a request are available from Mitas Corporation (Pty) Ltd.

5. INFORMATION AVAILABLE IN TERMS OF OTHER LEGISLATION

Information is available in terms of certain provisions of the following legislation:

- 5.1 ARBITRATION ACT 42 OF 1965
- 5.2 BASIC CONDITIONS OF EMPLOYMENT ACT 75 OF 1997
- 5.3 BBBEE ACT 53 OF 2003
- 5.4 COMPANIES ACT 61 OF 1973
- 5.5 COMPANIES ACT 71 OF 2008
- 5.6 COMPENSATION FOR OCCUPATIONAL INJURIES AND HEALTH DISEASES ACT 130 OF 1993
- 5.7 COMPETITION ACT 89 OF 1998
- 5.8 CO-OPERATIVES ACT 14 OF 2005
- 5.9 CONSUMER PROTECTION ACT 68 OF 2008
- 5.10 COPYRIGHT ACT 98 OF 1978
- 5.11 CRIMINAL PROCEDURES ACT 51 OF 1977
- 5.12 CURRENCY AND EXCHANGES ACT 9 OF 1933
- 5.13 CUSTOMS AND EXCISE ACT 91 OF 1964
- 5.14 DEBT COLLECTORS ACT 114 OF 1998
- 5.15 DESIGNS ACT 195 OF 1993
- 5.16 ELECTRONIC COMMUNICATIONS AND TRANSACTIONS ACT 25 OF 2002
- 5.17 EMPLOYMENT EQUITY ACT 55 OF 1998

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- 5.18 EXPROPRIATION ACT 63 OF 1975
 - 5.19 FINANCIAL ADVISORY AND INTERMEDIARY SERVICE ACT 37 OF 2002
 - 5.20 FINANCIAL INTELLIGENCE CENTRE ACT 38 OF 2001
 - 5.21 FINANCIAL RELATIONS ACT 65 OF 1976
 - 5.22 FINANCIAL SERVICES BOARD ACT 97 OF 1990
 - 5.23 INCOME TAX ACT 58 OF 1962
 - 5.24 INSOLVENCY ACT 24 OF 1936
 - 5.25 INSPECTION OF FINANCIAL INSTITUTIONS ACT 80 OF 1998
 - 5.26 LABOUR RELATIONS ACT 66 OF 1995
 - 5.27 NATIONAL CREDIT ACT 34 OF 2005
 - 5.28 NATIONAL ENVIRONMENTAL MANAGEMENT ACT 107 OF 1998
 - 5.29 NATIONAL PAYMENT SYSTEM ACT 78 OF 1998
 - 5.30 OCCUPATIONAL HEALTH AND SAFETY ACT 85 OF 1993
 - 5.31 PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 5 OF 2000
 - 5.32 PRESCRIPTION ACT 68 OF 1969
 - 5.33 PREVENTION OF COMBATING OF CORRUPT ACTIVITIES ACT 12 OF 2004
 - 5.34 PREVENTION OF ORGANISED CRIME ACT 121 OF 1998
 - 5.35 PROTECTION OF CONSTITUTIONAL DEMOCRACY AGAINST TERRORIST AND RELATED ACTIVITIES ACT 33 OF 2004
 - 5.36 PROTECTION OF INFORMATION ACT 84 OF 1982
 - 5.37 PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000
 - 5.38 PROMOTION OF ADMINISTRATIVE JUSTICE ACT 3 OF 2000
 - 5.39 PROMOTION OF EQUALITY AND PREVENTION OF UNFAIR DISCRIMINATION ACT 4 OF 2000
 - 5.40 PROTECTION OF BUSINESSES ACT 99 OF 1978
 - 5.41 REGULATION OF INTERCEPTION OF COMMUNICATIONS AND PROVISION OF COMMUNICATION RELATED INFORMATION ACT 70 OF 2002
 - 5.42 SECURITIES TRANSFER TAX ACT 25 OF 2007

- 5.43 SHORT TERM INSURANCE ACT 53 OF 1998
- 5.44 SKILLS DEVELOPMENT LEVIES ACT 9 OF 1999
- 5.45 SKILLS DEVELOPMENT ACT 97 OF 1998
- 5.46 STATISTICS ACT 6 OF 1999
- 5.47 TRADE MARKS ACT 194 OF 1993
- 5.48 UNEMPLOYMENT CONTRIBUTIONS ACT 4 OF 2002
- 5.49 UNEMPLOYMENT INSURANCE ACT 63 OF 2001
- 5.50 VALUE ADDED TAX ACT 89 OF 1991

6. INFORMATION AUTOMATICALLY AVAILABLE

The following categories of records are automatically available for inspection, purchase or photocopying:

- 6.1 NEWSLETTERS
- 6.2 PAMPHLETS / BROCHURES
- 6.3 POSTERS
- 6.4 PRICELISTS
- 6.5 REPORTS
- 6.6 MARKETING AND PROMOTIONAL MATERIAL
- 6.7 WEBSITE ADDRESS IF APPLICABLE IS:
 - WWW.MITASCORP.CO.ZA
 - WWW.TRACESOL.CO.ZA
 - WWW.AUTOMATIONSOLUTIONSAFRICA.COM
 - WWW.TRACEPACK.CO.ZA

7. INFORMATION AVAILABLE IN TERMS OF THE ACT

The subjects on which the business holds records and the categories on each subject are as listed below. Please note that a requester is not automatically allowed access to these records and that access to them may or must be refused in accordance with section 62 to 69 of The Act.

- 7.1 ACCOUNTING RECORDS
 - Annual financial statements and working papers
 - General ledger

- Subsidiary ledgers (receivables, payables, etc.)
- Bank statements, cheque books, cheques
- Customer and supplier statements and invoices
- Deposit slips
- Cash books and petty cash books
- Fixed asset register
- Tax returns and assessments
- VAT returns
- Lease or instalment sale agreements
- Budgets and business plans
- Insurance record
- Investment records
- Auditor's reports
- Systems documentation
- Management review
- Capital expenditure
- Credit agreement
- Record of assets
- Record of liabilities
- Record of loans to related parties
- Record of liabilities and obligation
- Record of revenue
- Record of expenses

7.2 AUDITORS

- Working papers
- Correspondence

7.3 CREDIT AGREEMENTS

- Debt counsellor's documents
- Credit Provider's documents
- Credit Bureaux' documents
- Enquiries
- Details and results of disputes lodged with consumers
- Payment profile
- Adverse information
- Debt restructuring

- Civil court judgements
- Administration orders
- Sequestrations
- Liquidations
- Rehabilitation orders
- Insert other credit records here.

7.4 FIXED PROPERTY

- Leases

7.5 HEALTH AND SAFETY

- Register, record of earnings, time worked, payment and particulars of all employees
- Emergency response plans
- Permits, licenses, approvals and registrations for operations of sites and business
- Records of incident reported at work

7.6 INFORMATION TECHNOLOGY

- Agreements
- Audits
- Capacity and utilisation of current systems
- Client database
- Development or investment plans
- Disaster recovery processes and procedures
- Hardware
- Internet
- Intranet
- Licenses
- Systems support, programming and development
- LAN Installations
- Operating systems
- Software packages
- Telephone exchange equipment
- Telephone lines, leased lines and data lines

7.7 INSURANCE

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

7.8 INTELLECTUAL PROPERTY

- Agreements relating to intellectual property, e.g. license agreements, secrecy agreements, research and development agreements, use agreements, joint venture agreements and joint development agreements.
- Copyrights
- Litigation and other disputes involving intellectual property
- Designs, trademarks, trade names and protected names

7.9 LEGAL, AGREEMENTS AND CONTRACTS

- Acquisition or disposal documentation
- Agreements with contractors, suppliers and clients
- Agreements with customers
- Agreements with governmental agencies
- Complaints, pleadings, briefs and other documents pertaining to actual, pending or threatened litigation, arbitration or investigation
- Distributor, dealer or agency agreements
- Joint venture agreements, partnership agreements, participation, franchise, co-marketing, co-promotion or other alliance agreements
- Material agreements relating to provision of services or materials
- Material licenses, permits and authorisations
- Contracts, including lease agreements and finance agreements
- Restraint agreements
- Sale agreements
- Settlement agreements
- Warranty agreements
- Electronic communications - Personal information and the purpose for which the data was collected
- Electronic communications - Record of any third party to whom the information was disclosed
- Electronic communications - All personal data which has become obsolete
- Consumer Protection Act - disclosure by intermediary: information provided to a consumer
- Consumer Protection Act - disclosure by intermediary: conflict of interest
- Consumer Protection Act - disclosure by intermediary: record of advise and basis on which it was given
- Consumer Protection Act - disclosure by intermediary: written instructions to consumer
- Consumer Protection Act - disclosure by promotional competitions: full details, rules, etc.

7.10 PERSONNEL RECORDS

- Arbitration awards
- Attendance register
- Bargaining Council documents
- Collective agreements

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- Disability schemes
 - Disciplinary records
 - Employee evaluation and performance records
 - Employee information records
 - Employee loans
 - Employee share purchase plan
 - Employee remuneration
 - Employment applications
 - Employee date of birth
 - Employment contracts
 - Employment equity plan
 - Expense accounts
 - Group personal accident
 - Health and safety records
 - Incentive schemes
 - Industrial training records
 - IRP 5 and IT 3 certificates
 - Letters of appointment
 - Leave applications
 - Maternity leave policy
 - Medical aid records
 - Name and occupation of each employee
 - Organisational design
 - Payroll
 - Particulars of each employee
 - Pension fund information
 - Personnel file
 - Policies and procedures
 - Provident fund information
 - Records of strikes, lockouts or protest action
 - Recruitment and appointments
 - Registered trade unions / employers' organisations documents, list of members and ballot papers
 - Salary and wage registers
 - Salary slips and wage records
 - Scholarships and bursaries
 - Staff records after employment

- Strike, lock out or protest action records
- Study assistance schemes
- Tax returns of employees
- Time records
- Training and development
- UIF, PAYE and SDL returns
- Workmen's Compensation documents

7.11 SALES AND MARKETING

- Brochures, newsletters and marketing material
- Customers
- Domestic and export orders
- Media releases
- Products
- Public relations policies and procedures
- Sales
- Service and product information

7.12 STATUTORY COMPANY RECORDS

- Annual Statutory Returns
- Certificate of Change of Name
- Certificate of Incorporation
- Certificate to Commence Business
- Dividend register
- Directors' attendance register
- Memorandum and Articles of Association
- Memorandum of Incorporation and alterations / amendments
- Notice and minutes of shareholders' meetings
- Minutes of directors' meetings
- Minutes of audit committee meetings
- Minutes of directors' committee meetings
- Other minute books
- Proxy documents
- Register of Allotments
- Register of company secretary and auditors
- Register of debenture holders
- Register of directors and officers

- Register of directors' shareholding
- Register of past directors
- Registration Certificate
- Register of beneficial interest holders
- Reports presented at Annual General Meeting
- Resolutions
- Rules
- Shareholders' agreements
- Shareholders' register
- Securities register / un-certificated securities register
- Written communication to holders of securities
- Cooperation agreements
- Founding Statement and amendments
- Minute books
- Resolutions passed at meetings

7.13 TAX

- Income tax returns
- Provisional tax returns
- Tax assessments
- Documents relating to where the objection and appeal is lodged
- Records relating to taxable gain or assessed capital loss
- VAT documents
- Records of importation goods and documents
- Vendors information
- Documentary proof substantiating the zero rating of supplies

8. REQUESTING PROCEDURES

A person who wants access to the records must complete the necessary request form, that is available at the offices of Mitas Corporation (Pty) Ltd, or can be accessed on www.sahrc.org.za. The completed request form must be sent to the address or fax number provided in this manual, and marked for the attention of the Information Officer.

9. AVAILABILITY OF THE MANUAL

Copies of this manual are available for inspection, free of charge, at the offices of Mitas Corporation (Pty) Ltd, from the South African Human Rights Commission.

ANNEXURE 1

FORM C (of Regulation 10)

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 Managing Partner: **Mitas Corporation (Pty) Ltd**

B. Particulars of person requesting access to the record

- | |
|---|
| <p>(a) <i>The particulars of the person who requests access to the record must be given below.</i></p> <p>(b) <i>The address and/or fax number in the Republic to which the information is to be sent must be given.</i></p> <p>(c) <i>Proof of the capacity in which the request is made, if applicable, must be attached.</i></p> |
|---|

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

<p><i>This section must be completed ONLY if a request for information is made on behalf of another person.</i></p>

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:	
<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 to 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 tran		YES	NO
Postage is payable.			

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 WHOM BEHALF REQUEST IS MADE

ANNEXURE 2

FEES IN RESPECT OF PRIVATE BODIES

1. The fee for a copy of the manual as contemplated in regulation 9(2)(c) is R1,10 for every photocopy of an A4-size page or part thereof.

2. The fees for reproduction referred to in regulation 11(1) are as follows:

	R
(a) For every photocopy of an A4-size page or part thereof	1,10
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine - readable form	0,75
(c) For a copy in a computer-readable form on -	
(i) stiffy disc	7,50
(ii) compact disc	70,00
(d) (i) For a transcription of visual images, for an A4-size page or part thereof	40,00
(ii) For a copy of visual images	60,00
(e) (i) For a transcription of an audio record, for an A4-size page or part thereof	20,00
(ii) For a copy of an audio record	30,00

3. The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2) is R50,00.

4. The access fees payable by a requester referred to in regulation 11(3) are as follows:

	R
(1) (a) For every photocopy of an A4-size page or part thereof	1,10
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machinereadable form	0,75
(c) For a copy in a computer-readable form on -	
(i) stiffy disc	7,50
(ii) compact disc	70,00
(d) (i) For a transcription of visual images, for an A4-size page or part thereof	40,00
(ii) For a copy of visual images	60,00
(e) (i) For a transcription of an audio record, for an A4-size page or part thereof	20,00
(ii) For a copy of an audio record	30,00

- (f) To search for and prepare the record for disclosure, R30,00 for each hour or part of an hour reasonably required for such search and preparation.

- (2) For purposes of section 54(2) of the Act, the following applies:
 - (a) Six hours as the hours to be exceeded before a deposit is payable; and
 - (b) one third of the access fee is payable as a deposit by the requester.

- (3) The actual postage is payable when a copy of a record must be posted to a requester.