

MANUAL

PREPARED IN ACCORDANCE WITH SECTION 51 OF
THE PROMOTION OF ACCESS TO INFORMATION ACT
2/2000

UNIFOAM (PTY) LTD

**PROMOTION OF ACCESS TO INFORMATION ACT
ACT 2 OF 2000 (“The Act”)**

**MANUAL IN TERMS OF SECTION 51 OF THE ACT FOR
UNIFOAM (PTY) LTD**

INTRODUCTION

Unifoam (Pty) Ltd is a Private company with share capital and limited liability in the manufacturing sector which was formed in 1997.

PARTICULARS IN TERMS OF SECTION 51 OF THE ACT

The reference, in this Manual, to any information in addition to that specifically required in terms of Section 51 of the Act does not create any right or entitlement (contractual or otherwise) to receive such information, other than in terms of the Act.

Contact Details [Section 51(1)(a)]

Postal Address	P O Box 828 Ballito 4420
Street Address	1 White Street Mandeni Isithebe 4490
Telephone Number	+27 32 459 1707
Fax Number	+27 32 459 1708
Email Address for Managing Director	eric@unifoam.co.za
Email Address for Request Officer	anesh.rajkumar@unifoam.co.za
Email Address for Authorization Officer	adrian@unifoam.co.za

Head of the Company: Eric L Hardy – Managing Director
Request Officer: Anesh Rajkumar – HR Manager
Authorization Officer: Adrian L Hultzer – Finance Manager

The guide as described in section 10 of the Act [Section 51(1)(b)]

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

The Guide is available for inspection, inter alia, at the office of the offices of the Human Rights Commission at 33 Hoofd Street Forum III, Braampark, Braamfontein, Johannesburg, Gauteng, 2041 and on its website at www.sahrc.org.za.

The latest notice in terms of section 52(2) (If any)

As per the latest notice published under s52(2) – 2019-10-04: GG42740, RG 10991, GoN 1284 – Promotion of Access to Information Act: Rules: procedures for application to court will apply.

The section 10 Guide on how to use the Act (Section 51(1)(b))

The Guide will be available from the South African Human Rights Commission by not later than January 2016. Please direct any queries to:

PAIA Unit
The South African Human Rights Commission
33 Hoofd Street
Forum III, Braampark
Braamfontein
Johannesburg
Gauteng
2041
Telephone: 011 877 3600
Fax: 011 403 0625
Website: www.sahrc.org.za

1. **Categories of records of Unifoam (Pty) Ltd which are available without a person having to request access in terms of the Act, i.e. voluntary disclosure. [Section 51(1)(c)]**

Unifoam (Pty) Ltd is not obliged to publish a notice in terms of Section 52(2) of the Act and to date has not elected to do so. Never the less Unifoam (Pty) Ltd does make certain information freely available to the public in various brochures, press releases, publications, and on its Internet Web Site at. Certain information is also made available to employees of Unifoam (Pty) Ltd, which is not generally made available to the public. To avoid confusion, these items are not listed here but may be obtained by Unifoam (Pty) Ltd's request officer with approval from the authorization officer.

2. **Records available in terms of other legislation [Section 51(1)(d)]**

Information is available in terms of the following legislation to the persons or entities specified in such legislation:

Labour Relations Act 66 of 1995
Broad-Based Black Economic Empowerment Act No. 53 of 2003
Occupational Health & Safety Act No. 85 of 1993
Pension Funds Act No. 24 of 1956
Unemployment Contributions Act No. 4 of 2002
Copyright Act No.98 of 1978
Electronic Communications and Transactions Act No. 25 of 2002
Promotion of Access to Information Act No. 2 of 2000
Employment Equity Act 55 of 1998
Basic Conditions of Employment Act 75 of 1997
Compensation for Occupational Injuries and Disease Act 130 of 1993
Companies Act 71 of 2008
Unemployment Insurance Act 63 of 2001
Value Added Tax Act 89 of 1991
Income Tax Act 58 of 1962
Skills Development Levies Act 9 of 1999
Skills Development Act No. 97 of 1998

3. **How to request a record, a description of the subjects on which we hold records, and the categories of records held on each subject [Section 51(1)(e)]**

5.1 How to request a record

Request for access to records held by Unifoam (Pty) Ltd must be made on the request forms that are available from the SAHRC website (www.sahrc.org.za) or the Department of Justice and Constitutional Development website (www.doj.gov.za) under Regulations. For the convenience of requestors, copies of these forms are included in the version of this manual available at our offices.

Requests for access to records must be made to our Request Officer at the address, fax number or electronic mail address provided.

The requester must provide sufficient detail on the request form to enable the Request Officer to identify the record and the requester. The requester should also indicate which form of access is required and indicate if he or she wishes to be informed in any other manner and state the necessary particulars to be so informed.

It is vital that the requester **identifies the right that he or she is seeking to exercise or protect and provides an explanation of why the requested record is required for the exercise or protection of that right.**

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 our Request Officer.

If a requestor does not use the standard form (Annexure 1), the request may be rejected for lack of procedural compliance, refused (if sufficient information is not provided, or otherwise) or delayed.

Please note that requestors are also required to pay the prescribed fees. **The list of prescribed fees in respect of requests, and in respect of access to records (if the request is granted) is attached as Annexure 2.**

The head of the private body must notify the requester (other than a personal requester) of the prescribed fee (if any) before further processing the request. The requester may lodge an internal appeal or an application to Court against the tender or payment of the request fee.

The head of the private body will then make a decision on the request and notify the requester in the required form.

If the request is granted then a further access fee must be paid for the reproduction and the search and preparation, and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

Kindly note that all request to Unifoam (Pty) Ltd will be evaluated and considered in accordance with the Act. Publication of this Manual and describing the categories and subject matter of information held by Unifoam (Pty) Ltd does not give rise to any rights to access such information or records, except in terms of the Act.

5.2 Schedule of records - Subjects and categories of records held by Unifoam (Pty) Ltd

We maintain records on the following categories and subject matters. **However, please note that recording a category or subject matter in this Manual does not imply that a request for access to such records would be honoured.** All requests for access will be evaluated on a case-by-case basis in accordance with the provisions of the Act. In particular, there may be applicable grounds of refusal of such a request, as set out in the Act.

Please note further that many of the records held by us are those of third parties, such as clients and employees, and we take the protection of third party confidential information very seriously. In particular, where we act as professional advisors to clients, many of the records held are confidential and others are the property of the client and not of Unifoam (Pty) Ltd. Requests for access to these records will be considered very carefully. **Please ensure that requests for such records are carefully motivated.**

For all information listed below, availability will be as per request in terms of PAIA.

5.2.1 Internal Records:

The following are records pertaining to Unifoam (Pty) Ltd's own affairs:
Memorandum of Incorporation
Financial Records
Operational Records
Intellectual Property
Marketing Records
Internal Correspondence
Service Records
Statutory Records
Internal Policies and Procedures
Minutes of Meetings
Charters, codes of conducts and policies (both internal & external) to which Unifoam (Pty) Ltd and its personnel subscribe, and
Records held by officials of Unifoam (Pty) Ltd.

5.2.2 Personnel Records:

For the purposes of this section, "personnel" means any person who works for or provides services to or on behalf of Unifoam (Pty) Ltd and receives or is entitled to receive any remuneration and any other person who assists in carrying out or conducting the business of Unifoam (Pty) Ltd. This includes, without limitation, partners, directors, all permanent, temporary and part-time staff as well as consultants and contract workers.

Personnel records include the following:

Any personal records provided to us by our personnel
Any records a third party has provided to us about any of their personnel
Conditions of employment and other personnel-related contractual and quasi-

legal record
Employment policies and procedures
Internal evaluation and disciplinary records, and
Other internal records and correspondence

5.2.3 Client-related records:

Client-related information includes the following:

Contracts with the client and between the client and other persons

Any records a client has provided to Unifoam (Pty) Ltd or a third party acting for or on behalf of Unifoam (Pty) Ltd (including financial, legal, tax, operational, employee and similar records)

Working papers and notes

Any research conducted by Unifoam (Pty) Ltd in respect of its clients or research derived by Unifoam (Pty) Ltd from its clients and their activities

Records, reports design and the like generated by Unifoam (Pty) Ltd for its clients

Any records a third party has provided to Unifoam (Pty) Ltd, which concerns a client, and

Records generated by or within Unifoam (Pty) Ltd pertaining to the client, including transactional records.

5.2.4 Other Parties:

Records are kept in respect of other parties, including without limitation joint ventures and consortia to which Unifoam (Pty) Ltd is party, contractors and sub-contractors, suppliers, service providers, and providers of information regarding general market conditions. In addition, such other parties may possess records which can be said to belong to Unifoam (Pty) Ltd.

The following records fall into this category:

Personnel, client, or Unifoam (Pty) Ltd records which are held by another party as opposed to being held by Unifoam (Pty) Ltd, and

Records held by Unifoam (Pty) Ltd pertaining to other parties, including financial records, correspondence, contractual records, records provided by the other party, and records third parties have provided about the contractors or suppliers.

5.2.5 Other Records:

We hold further records, including:

Information relating to Unifoam (Pty) Ltd's own commercial activities

Procurement and administration for Unifoam (Pty) Ltd, and

Research information belonging to Unifoam (Pty) Ltd or carried out on behalf of a third party.

6 Other information as may be described [Section 51(1)(f)]

No such information has been prescribed.

7 Availability of the manual [Section 51(3)]

This manual is available from the South African Human Rights commission (see details above) and from Unifoam (Pty) Ltd (website).

ANNEXURE 1

**FORM C (of Regulation 10)
REQUEST FOR ACCESS TO RECORD OF A 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 Director: Eric Hardy

B. PARTICULARS OF PERSON REQUESTING INFORMATION

- (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 & Surname:
Identity Number:
Postal Address:
Postal Code:
Telephone Number:
Fax Number:
E-Mail Address:
Capacity in which Request is Made:
(When on behalf of another person)

C. PARTICULARS OF PERSON ON WHOSE BEHALF REQUEST IS MADE
(This section to be completed ONLY if Request is made on behalf of another person)

Full Names & 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.

Description of Relevant Record:
Reference Number, if available:
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 for the payment of any fee, please state the reason for exemption

Reason for Exemption from payment of Fees:

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 disk	7,50
	ii) Compact Disk	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	50,00
	4. The access fees payable by a requester referred to in regulation 11(3) are as follows:	
	4.1 a) For every photocopy of an A4-size page or part thereof	1,00
	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 Disk	7,50
	ii) compact Disk	70,00
	d) For a transcription of visual images	
	i) for an A4-size page or part thereof	40,00
	ii) for a copy of visual images	60,00
	e) For a transcription of an audio record	
	i) 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 per hour or part thereof	30,00
	4.2 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.	
	4.3 The actual postage is payable when a copy of a record must be posted to a requester.	