

Sylko (Pty) Ltd

ACCESS OF INFORMATION

MANUAL

**In terms of Section 51 of the
Promotion of Access to Information Act**

A. Contents

PREAMBLE

INTRODUCTION TO SYLKO (PTY) LTD

B. PARTICULARS IN TERMS OF THE SECTION 51 MANUAL

1. CONTACT DETAILS [SECTION 51(1)(A)]
2. THE SECTION 10 GUIDE ON HOW TO USE THE ACT [SECTION 51(1)(B)]
3. RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION [SECTION 51(1)(D)]
4. ACCESS TO THE RECORDS HELD BY THE PRIVATE BODY IN QUESTION [SECTIONS 51(1)(C) AND 51(1)(E)]
5. OTHER INFORMATION AS MAY BE PRESCRIBED [SECTION 51(1)(F)]
6. AVAILABILITY OF THE MANUAL [SECTION 51(3)]

PREAMBLE

The Promotion of Access to Information Act was promulgated in March 2001. The Act was put in place in order to actively promote a society in which the people of South Africa have effective access to information, which enables them to more fully exercise and protect their rights. The promulgation of the Act was also designed to foster a culture of transparency and accountability in Public and Private Bodies, as defined. This Manual has been prepared in accordance with Section 51 of The Promotion of Access to Information Act, No.

2 of 2000.

INTRODUCTION TO SYLKO (PTY) LTD

Business Registration No: 1999/028291/07

The conversion and distribution of paper and other products to the retail trade

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.

A copy of this manual is also available on our website www.sylko.co.za

B. PARTICULARS IN TERMS OF THE SECTION 51 MANUAL

1. CONTACT DETAILS [SECTION 51(1)(A)]

Information Officer:
Christopher Attwood

Postal Address:
P O Box 12221
Jacobs

4026

Street Address:
Prospecton Industrial Park
6 Prospecton Road
Prospecton

Telephone Number: (031) 9139500
Fax Number: (031) 9139501
E-mail Address: customer@sylko.co.za

2. THE SECTION 10 GUIDE ON HOW TO USE THE ACT [SECTION 51(1)(B)]

The Guide is available from the South African Human Rights Commission.
Please direct any queries 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

E-mail: PAIA@sahrc.org.za

3. RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION [SECTION 51(1)(D)]

- Basic Conditions of Employment No. 75 of 1997
- Companies Act No. 61 of 1973
- Compensation for Occupational Injuries and Health Diseases Act No. 130 of 1993
- Currency and Exchanges Act No. 9 of 1933
- Employment Equity Act No. 55 of 1998
- Income Tax Act No. 95 of 1967
- Labour Relations Act No. 66 of 1995
- Occupational Health & Safety Act No. 85 of 1993
- Pension Funds Act No. 24 of 1956
- SA Reserve Bank Act No. 90 of 1989

- Skills Development Levies Act No. 9 of 1999
- Skills Development Act No. 97 of 1998
- Trade Marks Act No. 194 of 1993
- Unemployment Contributions Act No. 4 of 2002
- Unemployment Insurance Act No. 63 of 2001
- Value Added Tax Act No. 89 of 1991

4. ACCESS TO THE RECORDS HELD BY THE PRIVATE BODY IN QUESTION [SECTIONS 51(1)(C) AND 51(1)(E)]

i. Automatic availability of certain records held by Sylko (Pty) Ltd [Section 51(1)(c)]

The Minister of Justice is entitled to publish a list of records submitted by Sylko (Pty) Ltd to which the public may have access without formally applying for access to such records.

The list of records that are freely available and which need not be requested in terms of this Act are:

- Booklets
- Pamphlets / Brochures

ii. Records that may be requested. [Section 51(1)(e)]

A description of the subjects of the records held by the body and the categories in which these subjects are classed

ACCOUNTING RECORDS

- Books of Account including journals and ledgers
- Delivery notes, orders, invoices, statements, receipts, vouchers and bills of exchange

AGREEMENTS AND CONTRACTS

- Agreements with contractors and suppliers
- Agreements with customers
- Agreements with shareholders, officers or directors

- Distributor, dealer or agency agreements
- Purchase or lease agreements

ENVIRONMENTAL HEALTH AND SAFETY • Permits, licences, approvals and registrations for operations of sites and business

- Safety management systems, data and audits
- Safety, Health and Environmental records

FIXED PROPERTY

- Building plans
- Leases

INFORMATION TECHNOLOGY

- Agreements
- Audits
- Capacity and Utilization of Current Systems
- Disaster Recovery
- Hardware
- Licenses
- Software Packages
- Telephone Exchange Equipment
- Telephone Lines, Leased Lines and Data Lines

INSURANCE

- Claim records
- Details of insurance coverages, limits and insurers
- Insurance policies

INTELLECTUAL PROPERTY

- Trademarks, trade names and protected names

LEGAL • Complaints, pleadings, briefs and other documents pertaining to any actual, pending or threatened litigation, arbitration or investigation

MOVABLE PROPERTY

- Asset register

- Notarial Bonds

OTHER EMPLOYEE RECORDS

- Code of conduct

- Disability scheme

- Employee contracts

- Funeral insurance scheme

- Group life

- Group personal accident

- Housing scheme

- Incentive schemes

- Maternity leave policy

- Relocation policy

- Staff loan schemes

- Study assistance schemes

PENSION AND RETIREMENT FUNDING RECORDS

- Actuarial Valuation Reports

- Annual accounts

- Contribution Reports

- Minutes of Meetings of trustees and members

- Pension Fund account records

- Pension Fund Rules

SALES AND MARKETING • Brochures, Newsletters and Advertising Materials

- Customers
- Domestic and Export Orders
- Markets
- Products
- Sales

STATUTORY CLOSE CORPORATION INFORMATION • Accounting records, including supporting schedules to accounting records and ancillary accounting records

- Annual Financial Statements, including annual accounts and the report of the accounting officer;
- Minute Books as well as Resolutions passed at meetings;
- Proof of registration;

STATUTORY COMPANY INFORMATION

- Annual Financial Statements: Annual accounts
- Annual Financial Statements: Auditor's report
- Annual Financial Statements: Directors' reports
- Books of Account regarding information required by the Companies Act, 1973
- Certificate of Change of Name (if any)
- Certificate of Incorporation
- Certificate to Commence Business
- Directors' Attendance Register
- Memorandum and Articles of Association
- Minute Book, CM25 and CM26, as well as Resolutions passed at general/class meetings
- Register of Directors and Certain Officers

- Register of Directors' shareholdings

STATUTORY EMPLOYEE RECORDS

- Attendance register
- Collective agreements
- Date of birth of each employee
- Employees' names and occupations
- Employment equity plan
- Expense accounts
- Industrial training records
- IRP5 / IT3 certificates for employees
- Remuneration paid to each employee
- Salary and wages register
- Staff records (after date of employment ceases)
- Time worked by each employee

TAXATION • Copies of all Income Tax Returns and other tax returns and documents;

TRANSPORTATION

- Transportation, Warehouse and Storage Contracts

iii. The Request Procedure

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 of the private body. This request must be made to the address, fax number or electronic mail address of the body concerned [s 53(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 [s 53(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 access 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)].

5. OTHER INFORMATION AS MAY BE PRESCRIBED [SECTION 51(1)(F)]

The Minister of Justice and Constitutional Development has not made any regulations in this regard.

6. AVAILABILITY OF THE MANUAL [SECTION 51(3)]

This manual has been made available to the Human Rights Commission, In accordance with paragraph 9(1) of the Regulations promulgated in terms of the Act and is published on the website of Sylko (Pty) Ltd (www.sylko.co.za)