



# Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA  
REPUBLIEK VAN SUID-AFRIKA

Vol. 452

Pretoria, 18 February 2003  
Februarie 2003

No. 24408

## MANUAL

IN ACCORDANCE WITH

THE PROMOTION OF ACCESS TO  
INFORMATION ACT (NO. 2 OF 2000)



AIDS HELPLINE: 0800-0123-22 Prevention is the cure

**INDEX**

| <b>Company Name</b>                         | <b>Gazette<br/>No.</b> | <b>Date</b> | <b>Page<br/>No.</b> |
|---|------------------------|-------------|---------------------|
| CH Badenhorst BK h/a Badenhorst Electronics | 24408                  | 18-2-2003   | 3                   |

**HANDLEIDING OPGESTEL KRAGTENS ARTIKEL 51 VAN DIE WET OP  
BEVORDERING VAN TOEGANG TOT INLIGTING NR. 2 VAN 2000****1 Artikel 51(1)(a)**

**Naam:** CH BADENHORST BK 1994/012771/23  
H/A BADENHORST ELECTRONICS

**Hooflid** MNR CH BADENHORST  
**Straatadres:** Hendersonweg 134  
Moffatview  
Johannesburg

**Posadres:** Posbus 83140  
Southhills  
2136

**Telefoon/Faks:** (011) 613 6376

**2 Artikel (51)(1)(b)**

Die gids waarna verwys in artikel 10 van die Wet word opgestel deur en is verkrygbaar van die SUID AFRIKAANSE MENSEREGTE KOMMISSIE by die volgende adres:

PAIA eenheid  
Die Navorsing en Dokumentasie Departement  
Privaatsak 2700  
Houghton  
2041

**Telefoon:** +27 11 484 8300  
**Faks:** +27 11 484 0582  
**Webtuiste:** [www.sahrc.org.za](http://www.sahrc.org.za)

**3 Artikel 51(1)(c)**

Geen Artikel 52(2) kennisgewing is beskikbaar nie.

**4 Artikel 51(1)(d)**

Inkomstebelastingwet No.58 van 1962  
Wet op Beslote Korporasies No. 69 van 1984

**5 Artikel 51(1)(e)**

Kliënte leërs - konfidensieël en/of geprivilegeerd  
Personeel leërs - konfidensieël en/of geprivilegeerd  
Finansiële leërs - konfidensieël en/of geprivilegeerd  
Persoonlike leërs - konfidensieël en/of geprivilegeerd

**6 Artikel 51(1)(f)**

Geen ander inligting tans voorgeskryf nie.

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| <b>Company Name</b>  | <b>Gazette<br/>No.</b> | <b>Date</b> | <b>Page<br/>No.</b> |
|----------------------|------------------------|-------------|---------------------|
| John Deere (Pty) Ltd | 24409                  | 18-2-2003   | 3                   |

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



**SECTION 51 MANUAL FOR JOHN DEERE (PTY) LTD**  
(Registration no. 1950/037595/07)

**CONTENTS**

**Page**

INTRODUCTION

2

PARTICULARS IN TERMS OF THE SECTION 51 MANUAL

2

1. Contact details. *[Section 51(1)(a)]*
1. 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)]*
  - i. How to request a record.
  - ii. Fees.
  - iii. Categories of records held by John Deere (Pty) Ltd.
5. Other information as may be prescribed. *[Section 51(1)(f)]*
6. Availability of the manual. *[Section 51(3)]*
7. Prescribed fees for private bodies.
8. Prescribed forms.

## **INTRODUCTION TO JOHN DEERE (PTY) LTD**

John Deere (Pty) Ltd, a subsidiary of Deere & Company incorporated in the United States of America, was established in South Africa in 1963 and is based in Nigel, Gauteng Province.

The company distributes various types of agricultural equipment, machinery and parts to the Southern African agricultural community via a network of independent dealers located in this region.

Further details of the company, its activities and its products may be obtained from the following internet site: <http://www.deere.com/sa>.

## **PARTICULARS IN TERMS OF THE SECTION 51 MANUAL**

### **1. Contact details [Section 51(1)(a)]**

The Board of Directors has duly authorised the Managing Director to deal with all matters in connection with requests for information in terms of the Promotion of Access to Information Act, No. 2 of 2000.

|                        |   |
|------------------------|---|
| <b>Postal address:</b> | P O Box 198<br>Nigel<br>1490                                      |
| <b>Street address:</b> | 2 Johnson Road<br>Pretoriusstad Industrial Sites<br>Nigel<br>1491 |
| <b>Telephone no:</b>   | +27 11 365 1000   |
| <b>Facsimile no:</b>   | +27 11 365 1113   |
| <b>E-mail:</b>         | <a href="http://www.johndeere.co.za">www.johndeere.co.za</a>      |

### **2. 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 August 2003. Please direct any queries to:

**The South African Human Rights Commission:**

**PAIA Unit**

**The Research and Documentation Department**

|                        |  |
|------------------------|--|
| <b>Postal address:</b> | Private Bag 2700<br>Houghton<br>2041                     |
| <b>Telephone:</b>      | +27 11 484 8300  |
| <b>Facsimile no:</b>   | +27 11 484 0582  |
| <b>Website:</b>        | <a href="http://www.sahrc.org.za">www.sahrc.org.za</a>   |
| <b>E-mail:</b>         | <a href="mailto:PAIA@sahrc.org.za">PAIA@sahrc.org.za</a> |



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

Records are kept in accordance with the following legislation:

- Companies Act No. 61 of 1973.
- Income Tax Act No. 95 of 1967.
- Customs & Excise Act No. 71 of 1964.
- Regional Services Council Act No. 109 of 1985.
- Basic Conditions of Employment Act No. 75 of 1997.
- Unemployment Contributions Act No. 4 of 2002.
- Occupational Health and Safety Act No. 85 of 1993.
- Value Added Tax Act No. 89 of 1991.
- Labour Relations Act No. 66 of 1995.
- Employment Equity Act No. 55 of 1998.
- Skills Development Levies Act No. 9 of 1999.

4. **Access to the records held by the private body in question** [Sections 51(1)(c) and 51(1)(e)]

**How to request a record:**

- Section 53 prescribes that 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, or his duly authorized deputy. 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 he or she wishes to be informed in any other manner and state the necessary particulars to be so informed [s 53(2)(a) and (b) and (c)].
- The requester must identify the right that he or she is seeking to exercise or to protect 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, and preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure [s 54(6)].

#### **Categories of records held by John Deere (Pty) Ltd**

The web page, [www.deere.com/sa](http://www.deere.com/sa), is accessible to anyone who has access to the Internet. John Deere (Pty) Ltd's website has the following categories:

- John Deere Worldwide.
- About Our Company.
- Contact Us.
- Search.
- Products and Equipment.
  - Agricultural Equipment.
  - Commercial and Consumer Equipment.
  - Safety.
- Services and Support.
  - Ag Management Solutions.
  - Technology Corner.
- Parts.
  - Information.
  - Parts Network.
- Dealer Information.
  - Dealer Value to Customer.
  - Dealer Locator.
- Special Offers.
- Info Centre.
  - Company Information.
  - Career Opportunities.
  - Calender of Events.
  - Related Links.
  - Fun Corner.
- What's New.
- John Deere News.
- Special Offers.
- Technology Corner.

**Other records**

- Operational information:  
This information can be defined as information needed in the day-to-day running of the organization and is generally of little or no use to persons outside of the organization (e.g. internal telephone lists, buying requisitions, address lists, company policies & procedures, contracts, employee records and general "house-keeping" information).
- Correspondence and communications.
- Disciplinary files.
- Product brochures, sales manuals and technical manuals.
- Product price manuals.
- Training records.
- Dealer and customer databases.
- Minutes of meetings.
- Statutory records pertaining to a private company.
- Financial records, including accounting records and auditors reports.
- Factory production, scheduling and inventory records.
- Engineering and product technical drawings and decisions.
- Parts inventory records, orders and sales records.
- Wholegoods inventory records, orders and sales records.
- Industrial relations and human resources records.
- Payroll records.
- Etc.

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 is available from the South African Human Rights Commission (see details above), John Deere (Pty) Ltd (see details above) and in electronic format on the company's website.

7. **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,<br>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,<br>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 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,<br>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,<br>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.

**8. Prescribed forms****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 Director: John Deere (Pty) Ltd

**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 ONLY if a request for information is made on behalf of another 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: |
|-------------|-----------------------------------|

Mark the appropriate box with an X.

**NOTES:**

- (a) Compliance with your request in the specified form may depend on the form in which the record is available.
- (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.
- (c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

**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"/> 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"/> 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

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