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No. 24523

M A N U A L

IN ACCORDANCE WITH

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



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

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MANUAL

of

DEGUSSA AFRICA (PROPRIETARY) LIMITED

Registration Number : 1976/002340/07

(a Private Body)

(hereinafter "the Company")

Prepared in accordance with Section 51 of the Promotion of Access to Information Act, No. 2 of 2000.

1. **INTRODUCTION**

1.1 The Promotion of Access to Information Act, No. 2 of 2000 (hereinafter "the Act") requires every Private Body (as defined in the Act) to

1.1.1 compile a manual (hereinafter "the Manual") containing the information referred to in Section 51(1) of the Act; and

1.1.2 make the Manual available as prescribed in the Act.

1.2 This Manual is compiled to give effect to the Company's obligations in terms of Part 3 of the Act.

2. **INFORMATION IN TERMS OF SECTION 51(1)(a) OF THE ACT**

The postal and street address, phone and fax numbers and electronic mail address of the Head of the Company are supplied in **Schedule 1** hereto.

3. **INFORMATION IN TERMS OF SECTION 51(1)(b) OF THE ACT**

The guide envisaged by Section 10 of the Act has been compiled by the Human Rights Commission. Requests for access to this guide should be directed to

The South African Human Rights Commission,
Private Bag X2700,
HOUGHTON,
2041

Telephone Number: (011) 484 8300

Facsimile Number: (011) 484 1360

Website: www.sahrc.org.za

E-mail address: plal@sahrc.org.za

4. **INFORMATION IN TERMS OF SECTION 51(1)(c) OF THE ACT**

No information is available on a voluntary basis as contemplated by the above section.

5. **INFORMATION IN TERMS OF SECTION 51(1)(d) OF THE ACT**

There is no information available concerning the Company in terms of other legislation.

6. **INFORMATION IN TERMS OF SECTION 51(1)(e) OF THE ACT**

6.1 A description of

6.1.1 the subjects on which the Company holds records; and

6.2.2 the categories of records held on each subject

is supplied in **Schedule 2** hereto.

6.2 A requester of information in terms of the Act will be required to comply strictly with the procedures and formalities contemplated in Chapter 3 of Part III of the Act.

SCHEDULE 1

Information concerning the Head of the Company contemplated in Section 51(1)(a) of the Act

1. **Postal Address:**

P O Box 3404
HALFWAY HOUSE
1685

2. **Street Address:**

142, 16th Road
MIDRAND
1685

3. **Phone Number:**

(011) 315-6880

4. **Fax Number:**

(011) 315-6870

5. **Electronic Mail Address:**

guenter.kunzmann@degussa.com

SCHEDULE 2

Information in terms of Section 51(1)(e) of the Act

The subjects on which the Company holds records and the categories of records held in respect of each subject are the following:

1. **Labour Relations Act No. 66 of 1995, as amended**

- Code of Conduct
- Disciplinary Procedure
- Grievance Procedure
- Collective Agreements
- Employment Equity Act No. 55 of 1998
- Employment Equity Plan

2. **Basic Conditions of Employment Act No. 75 of 1997, as amended**

- Regulation of working time
- Ordinary hours of working time
- Meal intervals and rest periods
- Particulars of employment
- Written particulars of employment
- Conflict of interest
- Medical examinations
- Transferability and termination of employment
- Leave
- Annual leave
- Cumulative leave
- Special leave
- Study leave

- Maternity leave
- Leave without pay
- Sick leave
- Family responsibility leave

3. **Human Resources**

- Manual on discipline and conditions of employment
- Disciplinary records and documentation pertaining to disciplinary proceedings
- Performance assessments and performance records
- Payroll records
- Leave, sick leave, maternity and special leave records
- Returns to Unemployment Insurance Fund
- Sita records
- Employment equity report
- Training schedules and material
- List of employees
- Recruitment policy
- Code of business ethics
- Certificates of service.

4. **Employee Benefits**

- Details of Pension/Provident Funds of which various employees of the Company are members
- Rules and regulations relating to such Funds
- Membership
- Pre-benefit medical disclosure
- Contributions
- Investment options
- Retirement dates
- Retirement benefits
- Death benefits
- Disablement benefits

- Resignation before retirement
- Absence from work
- Employee housing loan scheme and the rules and regulations applicable thereto.

5. **Financial Records**

- Accounting records, books and documents of the Company
- Interim and annual financial reports of the Company
- Auditors reports in respect of audits conducted on the Company
- VAT returns
- Income tax returns and assessments
- Other documents and agreements relating to the taxation and other financial records of the Company

6. **Marketing Material**

- Brochures
- Price lists
- Advertising material

7. **Insurance**

- Insurance policies taken out for the benefit of the Company

8. **Production Records**

9. **Fixed Assets**

- Title Deeds in respect of immovable properties owned by the Company
- Agreements for the sale or lease of immovable properties owned by the Company
- Agreements of lease of movable property by the Company
- Instalment sale agreements and other Credit agreements

- Agreements recording security interests in favour of third parties over certain movable assets of the Company

10. **Computer Systems and Programmes**

- Agreements relating to computer systems and computer programmes

11. **Commercial Agreements**

- Loans from third parties
- Loans to third parties
- Security agreements, guarantees and indemnities
- Agency, license, management and distribution agreements
- Standard conditions of contract
- Agreements between the shareholders of the Company
- Agreements with suppliers
- Agreements with customers
- Documents recording other interests and investments of the Company

12. **Legal Proceedings**

- Records relating to the legal proceedings in which the Company is involved from time to time

13. **Scientific and Technical Information**

- Scientific and/or technical information in the possession of the Company from time to time

14. **Trade Secrets**

15. **Environment Conservation Act No. 73 of 1989**

- Records and applications pursuant to that Act.

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16. **Occupational Health and Safety Act No. 85 of 1993, as amended**
 - Records maintained in terms of the above Act

 17. **Companies Act No. 61 of 1973**
 - Records and applications pursuant to that Act.

 18. **Standards Act No. 29 of 1993**
 - Applications for accreditation in terms of the above Act.

 19. **Customs and Excise Act No. 91 of 1964, as amended**
 - Records and applications pursuant to the above Act.

 20. **Correspondence and Internal Reports**
 - Records in hard copy and electronic format with respect to all of the subjects referred to in clauses 1 to 19 above.
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