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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 PREPARED IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT 2000 (ACT 2 OF 2000)

1. INTRODUCTION:

This manual is based on the blueprint issued by the South African Human Rights Commission ("SAHRC").

Masonite (Africa) Limited ("Masonite") owns and cultivates 23000 hectares of timberlands. These plantations supply the source raw material for the manufacture of a wide range of core and added value woodfibre board products. In addition, Masonite is the leading South African supplier of Mineral Fibre Acoustic Ceiling Products.

PARTICULARS IN TERMS OF THE SECTION 51 MANUAL

2. CONTACT DETAILS [Section 51(1)(a)]

- 2.1 Name of private body: *Masonite (Africa) Limited*
- 2.2 Head of private body: *Mr Michael Slater (Managing Director)*
- 2.3 Postal address of private body: *P O Box 671, Durban, 4000*
- 2.4 Street address of private body: *14th Floor Nedbank Centre, Durban Club Place, Durban, 4001*
- 2.5 Telephone number of private body: *(031) 304 3231*
- 2.6 Fax number of private body: *(031) 304 3826*

2.7 Person designated to deal with requests: *Mr Bernard van Maarseven* ("the designated head")

2.8 Electronic mail address of the designated head : *bvanmaars@masonite.co.za*

3. **THE SECTION 10 GUIDE ON HOW TO USE THE ACT** [Section 51(1)(b)]

The Guide contemplated in Section 10 of the Promotion of Access to Information Act ("the Act") will be available from the South African Human Rights Commission ("SAHRC") by not later than August 2003.

Please direct any queries regarding the Guide 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 11 484-0582

Website: www.sahrc.org.za

E-mail: PAIA@sahrc.org.za

4. **RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION** [Section 51(1)(d)]

The following records are available in accordance with the following legislation:

4.1 Income Tax Act 58 of 1962 : Section 75;

4.2 Unemployment Insurance Act 63 of 2001 : Sections 42 and 56;

4.1 Value Added Tax 89 of 1991 : Section 55;

4.2 Compensation for Occupational Injuries and Diseases Act 130 of 1993 :
Sections 80 – 82;

4.3 Occupational Health and Safety Act 85 of 1993 and Occupational Health and
Safety Regulations;

- 4.4 Labour Relations Act 66 of 1995 : Section 89;
- 4.5 Basic Conditions of Employment Act 75 of 1997 : Sections 29(4), 30 and 31;
- 4.6 Employment Equity Act 55 of 1998 : Section 26;
- 4.7 Skills Development Levies Act 9 of 1999 : Section 13;
- 4.8 Pension Funds Act 24 of 1956 : Sections 5(2), 15 and 35;
- 4.9 Stock Exchanges Control Act 1 of 1985;
- 4.10 the records that are required in terms of section 134 of the Insolvency Act 24 of 1936.

5. **ACCESS TO THE RECORDS HELD BY MASONITE** [Sections 51(1)(c) and 51(1)(e)]

- 5.1 The latest notice regarding the categories of records of the body, which are available without a person having to request access in terms of this Act in terms of Section 52(2) [Section 51(1)(c)] :
- nil*

In the absence of the Section 52(2) notice, certain records are freely available without request on Masonite's website: www.masonite.co.za.

- 5.2 The subjects on which the private body holds records and the categories on each subject in terms of Section 51(1)(e) are as listed below. Please note that a requestor is not automatically allowed access to these records and that access to them may be refused in accordance with Sections 62 to 69 of the Act:

5.2.1 **Administration Information:**

- 5.2.1.1 Administration policies and procedures of Masonite
- 5.2.1.2 Minute books
- 5.2.1.3 Information technology systems and user manuals
- 5.2.1.4 Asset register
- 5.2.1.5 Provident/pension fund information
- 5.2.1.6 Address lists and internal telephone lists

5.2.2 Property Records, Certificates and Licences:

- 5.2.2.1 Title deeds
- 5.2.2.2 Mortgage bonds
- 5.2.2.3 Trademark registrations
- 5.2.2.4 Software licences
- 5.2.2.5 Permits
- 5.2.2.6 Lease agreements

5.2.3 Human Resources:

- 5.2.3.1 Employee records and information
- 5.2.3.2 Recruitment records
- 5.2.3.3 Training records, manuals, materials and reports
- 5.2.3.4 Employment equity records and reports
- 5.2.3.5 Disciplinary records
- 5.2.3.6 Payroll records
- 5.2.3.7 UIF returns
- 5.2.3.8 Leave, sick leave, maternity and special leave records
- 5.2.3.9 Medical aid records
- 5.2.3.10 CCMA records

5.2.4 Financial Records:

- 5.2.4.1 VAT returns
- 5.2.4.2 PAYE returns
- 5.2.4.3 Income tax returns
- 5.2.4.4 Annual Reports
- 5.2.4.5 Annual audited financial statements
- 5.2.4.6 Prospectus
- 5.2.4.7 Listing records
- 5.2.4.8 Investment reports
- 5.2.4.9 Share certificates
- 5.2.4.10 Insurance policies
- 5.2.4.11 Tax files and related records
- 5.2.4.12 Accounting records
- 5.2.4.13 Debtors information
- 5.2.4.14 Creditors information

5.2.5 Environmental Records

5.2.5.1 Environmental impact studies and assessments

5.2.5.2 Environmental surveys

5.2.6 Marketing Material:

5.2.6.1 Internet

5.2.6.2 Marketing pamphlets and brochures

5.2.7 Contracts

5.2.7.1 Trust deeds

5.2.7.2 Letters of Authority

5.2.7.3 Service contracts

5.2.8 Customer Related Records:

5.2.8.1 Customer details

5.2.8.2 Credit Application Information

5.2.8.3 Information and records provided by a third party

5.2.9 General information on the private body can be accessed via the internet on: www.masonite.co.za, which is available to all persons who have access to the internet.

6. THE REQUEST PROCEDURES

6.1 Form of request:

6.1.1 The requester must use the prescribed form, as attached in terms of Article 8 of this manual, to make the request for access to a record. This must be made to the designated head. This request must be made to the address, fax number or electronic mail address of the body concerned [s 53(1)].

6.1.2 The requester must provide sufficient detail on the request form to enable the designated head to identify the record and the requester.

6.1.3 The requester should indicate which form of access is required.

- 6.1.4 The requester should 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)].
- 6.1.5 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)].
- 6.1.6 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)].
- 6.2 A requester who seeks access to a record containing personal information about that requester is not required to pay the request fee.
- 6.3 Every other requester, who is not a personal requester, must pay the required request fee.
- 6.4 The designated 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)].
- 6.5 The fee that the requester must pay to a private body is currently R50. The requester may lodge an application to the court against the tender or payment of the request fee [s 54(3)(b)].
- 6.6 After the designated head of the private body has made a decision on the request, the requester must be notified in the required form.
- 6.7 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)].

7 OTHER INFORMATION AS MAY BE PRESCRIBED

[Section 51(1)(f)]

As at the date of this manual, the Minister of Justice and Constitutional Development has not made any regulations in this regard.

8 AVAILABILITY OF THE MANUAL*[Section 51(3)]*

This manual is available:

- 8.1 on Masonite's website – www.masonite.co.za;
- 8.2 for inspection at the offices of Masonite, free of charge;
- 8.3 from the SAHRC; and
- 8.4 in the Government Gazette.

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