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MANUAL

IN ACCORDANCE WITH

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



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SERVICE CENTRES SA

**MANUAL OF
MACSTEEL SERVICE CENTRES SA (PTY) LIMITED
("MACSTEEL")
IN TERMS OF THE PROMOTION OF ACCESS TO
INFORMATION ACT, 2000
("THE ACT")**

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B. PARTICULARS IN TERMS OF THE SECTION 51 MANUAL

Introduction to Macsteel

Macsteel is a private company which manufactures and sells steel and allied products and services, including value added products and services, throughout the Republic of South Africa and various African markets. Macsteel employs approximately 4800 employees.

This manual includes information held by the wholly owned subsidiaries of Macsteel, the details of which are set out in the attached addendum "A".

Barend Jacobus Olivier has been duly appointed by the head of Macsteel, to act as the person to whom requests for access to information must be made in terms of the Act.

1. Contact details of head

Mr Barend Jacobus Olivier

Group Human Resources Director

Postal address : Macsteel Service Centres SA (Pty) Limited
P O Box 7729
Johannesburg
2000
South Africa

Physical address : 243 Dyson Road
Wadeville
Johannesburg
South Africa

Telephone : 011 871 0000

Facsimile : 011 871 0284

e-mail : ben.olivier@macsteel.co.za

2. The Guide

The Guide will, according to the South African Human Rights Commission, be available by no later than August 2003. 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

Facsimile : +27 11 484 0582

Website : www.sahrc.org.za

E-mail : PAIA@sahrc.org.za

3. Records available in terms of other legislation

3.1 Companies Act 61 of 1973

3.1.1 All documents of incorporation of Macsteel are lodged at the offices of the Registrar of Companies, and may be inspected at the Companies office. These documents include the memorandum and articles of association of Macsteel, as well as the relevant company forms.

3.1.2 The register of members and registers of transfers (of members), pledges and bonds of Macsteel are available for inspection at the registered office of Macsteel.

3.1.3 Special resolutions are lodged with the Registrar of Companies, and are therefore available for inspection at the Companies office.

3.1.4 A register of the directors' and officials' interests in contracts entered into by Macsteel is kept at the registered office of Macsteel, and is available for inspection.

3.2 **Pension Funds Act 24 of 1956** – The rules of the pension fund utilised by Macsteel, as well as the last revenue account and balance sheet of such

fund, are available for inspection at the offices of the Registrar of Pension Funds.

- 3.3 **Employment Equity Act 55 of 1998** – As a designated employer, Macsteel has lodged copies its employment equity reports at the Department of Labour.

4. Access to records held by Macsteel

(i) Subjects and categories of records held by Macsteel

Note: This section of the Manual sets out the subject and categories of records held by Macsteel. The inclusion of any subject or category of records should not be taken as an indication that records falling within those subjects and/or categories will be made available under the Act. In particular, certain grounds of refusal as set out in the Act may be applicable to a request for such records.

4.1 Incorporation documents

4.1.1 The memorandum and articles of association of Macsteel.

4.1.2 The incorporation forms of Macsteel.

4.2 Constitution of Macsteel

4.2.1 The share register of Macsteel.

4.2.2 Shareholders' agreements of Macsteel.

4.2.3 Minutes of general meetings of the shareholders of Macsteel.

4.2.4 Register or list of directors of Macsteel.

4.2.5 Minute books and internal resolutions of Macsteel.

4.2.6 Statutory registers.

4.3 Financial records of Macsteel

4.3.1 Accounting records, books and documents of Macsteel.

4.3.2 Annual financial reports of Macsteel.

- 4.3.3 Details of auditors of Macsteel.
- 4.3.4 Auditors' reports in respect of audits conducted on Macsteel.
- 4.3.5 Details of actuaries of the pension scheme utilised by Macsteel.
- 4.3.6 Tax returns of Macsteel.
- 4.3.7 Other documents and agreements relating to taxation.
- 4.3.8 Other financial records of Macsteel.

4.4 Banking details of Macsteel

- 4.4.1 Indebtedness to bankers.
- 4.4.2 Bank facilities and accounts details.
- 4.4.3 Bank statements.
- 4.4.4 Guarantees given by, or in respect of, Macsteel.
- 4.4.5 Other financial commitments of Macsteel.
- 4.4.6 Other banking records of Macsteel.

4.5 Human resources / employment records

- 4.5.1 List of employees.
- 4.5.2 Letters or contracts of employment with directors, officers and employees of Macsteel, and/or documentation pertaining to arrangements with directors, officers and employees of Macsteel.
- 4.5.3 Documents relating to employee benefits.
- 4.5.4 Compensation or redundancy payments.
- 4.5.5 Documents and information in respect of a share incentive scheme.
- 4.5.6 Personnel files.
- 4.5.7 Collective and recognition agreements with a trade union.

- 4.5.8 Employment equity plans of Macsteel.
- 4.5.9 Procedural agreements and policies of Macsteel.
- 4.5.10 Disciplinary records and documentation pertaining to disciplinary proceedings.
- 4.5.11 Training manuals and information pertaining to skills development.
- 4.5.12 Other information relating to employees of Macsteel.

4.6 Health and safety requirements

- 4.6.1 Information required to be held by Macsteel in terms of the Occupational Health and Safety Act, 1993.
- 4.6.2 Other documents held by Macsteel relating to health and safety.

4.7 Intellectual Property

- 4.7.1 Trade-marks, patents, copyrights and designs held by Macsteel.
- 4.7.2 Licences relating to intellectual property rights.
- 4.7.3 Other agreements relating to intellectual property rights.

4.8 Permits

- 4.8.1 Licences, material permits, consents, approvals, authorisations and certificates.
- 4.8.2 Applications for permits, licences and authorisations.
- 4.8.3 Registrations and declarations of permits.

4.9 Insurance records

Insurance policies taken out for the benefit of Macsteel and its employees.

4.10 Immovable and movable property

- 4.10.1 Title deeds of land owned by Macsteel.

- 4.10.2 Agreements for the lease or sale of land and/or other immovable property by Macsteel.
- 4.10.3 Agreements for the lease or sale of movable property by Macsteel.
- 4.10.4 Mortgage bonds, liens, notarial bonds or security interests on property.
- 4.10.5 Credit sale agreements and/or hire purchase agreements.
- 4.10.6 Other agreements for the purchase, ordinary sale, conditional sale, or hire of assets.

4.11 Information technology

- 4.11.1 Computer software support and maintenance agreements.
- 4.11.2 Web site development, support and maintenance agreements.
- 4.11.3 Computer software licence agreements.
- 4.11.4 Agreements in respect of computer hardware used by Macsteel.
- 4.11.5 Rate stability agreement.
- 4.11.6 Agreements with Internet Service Providers, and other telecommunications entities.
- 4.11.7 Leased line agreements.
- 4.11.8 SITA agreements.
- 4.11.9 Other documentation pertaining to computer systems and computer programs held by Macsteel.

4.12 Miscellaneous agreements of Macsteel

- 4.12.1 Structured finance agreements.
- 4.12.2 Loans from third parties (including banks).
- 4.12.3 Loans to third parties.
- 4.12.4 Suretyship agreements.

- 4.12.5 Security agreements, guarantees and indemnities, including notarial bond agreements.
- 4.12.6 Agreements restricting the trading activities of Macsteel.
- 4.12.7 Agency, management and distribution agreements.
- 4.12.8 Royalty agreements.
- 4.12.9 Marketing agreements.
- 4.12.10 Agreements relating to the import and export of steel and allied products.
- 4.12.11 Standard conditions of business and standard-form contracts.
- 4.12.12 Agreements in terms of which Macsteel is a member of a joint venture, consortium, partnership, incorporated or unincorporated association, and shareholders' agreements of another entity which Macsteel is a party to.
- 4.12.13 Agreements with suppliers of Macsteel, including steel mills.
- 4.12.14 Agreements with customers of Macsteel, including steel merchants, wholesalers, contractors, distributors and end-users.
- 4.12.15 Manufacturing agreements.
- 4.12.16 Technical consultancy agreements.
- 4.12.17 Any other agreements.

4.13 Correspondence

Correspondence of Macsteel, including internal and external memoranda.

4.14 Information relating to legal proceedings

Records relating to legal proceedings involving Macsteel.

4.15 Environmental records

- 4.15.1 Environmental impact assessments and documents pertaining to studies conducted in this regard.
- 4.15.2 Agreements pertaining to environmental issues.

4.15.3 Policy of Macsteel regarding environmental issues.

4.16 Research and scientific or technical information of Macsteel

4.16.1 Documentation pertaining to research conducted by Macsteel.

4.16.2 Research reports prepared by Macsteel.

4.16.3 Scientific and/or technical information in the possession of Macsteel.

(ii) The request procedures

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 Macsteel. This request must be made to the address, fax number or electronic mail address of the head of Macsteel.
- The requester must provide sufficient detail on the request form to enable the head of Macsteel 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.
- The requester must identify the right that he or she is seeking to exercise or protect and provide an explanation as to why the requested record is required for the exercise or protection of that right.
- If a request is made on behalf of a person, the requester must submit proof of the capacity in which the requester is making the request to the satisfaction of the head of Macsteel.

Fees:

- The head of Macsteel must notify the requester (other than a personal requester) by notice, requiring the requester to pay the fee of R50 before further processing the request. A personal requester does not pay such fee.
- The requester may lodge an internal appeal or an application to the court against the tender or payment of the request fee.

- The head of Macsteel 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 search, reproduction, preparation and for any time that had exceeded the prescribed hours to search and prepare the record for disclosure.

5. Availability of the manual

The manual is available for inspection at the offices of Macsteel free of charge, and on the website of Macsteel: www.macsteel.co.za. Copies are also available with the SAHRC and in the Government Gazette.

6. Prescribed fees and forms in respect of private bodies

The prescribed forms and fees for requests to private bodies, are available on the website of the Department of Justice and Constitutional Development:

www.doj.gov.za

7. Addendum "A": details of wholly owned subsidiaries of Macsteel

Ferro International (Pty) Limited
Ferro Steel (Pty) Limited
Ferro T & S (Pty) Limited
Gulf Steel (Pty) Limited
Hall & Pickles (Pty) Limited
Hall Holdings (Pty) Limited
Jacksons Metals (Pty) Limited
Macsteel Africa (Pty) Limited
Macsteel Bright Bar (Pty) Limited
Macsteel Cape Town (Pty) Limited
Macsteel Coil Processing (Pty) Limited
Macsteel Commercial Holdings (Pty) Limited
Macsteel Commercial Investments (Pty) Limited
Macsteel Corporate Services (Pty) Limited
Macsteel Flanges (Pty) Limited
Macsteel Pretoria (Pty) Limited
Macsteel Roofing (Pty) Limited
Macsteel Trading (Pty) Limited
Macsteel Tube & Pipe (Pty) Limited
MCF Steel (Pty) Limited
Mcwillaw Steel (Pty) Limited
National Trading Company (Pty) Limited
Rand Bright Steels (Pty) Limited
Salton SA (Pty) Limited
Seabeach Property Holding No 22 (Pty) Limited
Striven Profile Systems (Pty) Limited
VRN Property Holdings (Pty) Limited
VRN Steel (Pty) Limited
Wedge Steel World (Pty) Limited
Western Transvaal Industries (Pty) Limited

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