

## HADECO (PTY) LTD

Registration number: 1946/02212/09/7

In accordance with Section 51 of the Promotion of Access to Information Act No 2 of 2000 (“the Act”)

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### A. INTRODUCTION TO HADECO (PTY) LTD

The manual is to assist potential requesters as to the procedure to be followed when requesting access to information / documents from Hadeco (Pty) Ltd as contemplated in terms of the Act.

The manual may be amended from time to time and as soon as any amendments have been finalised the latest version of the manual will be made public.

Any requester is advised to contact our Information Officer(s) should he / she require any assistance in respect of the use of this manual and/or requesting or documents / information from Hadeco (Pty) Ltd.

The following words in this manual mean:-

“the Act” shall mean the Promotion of Access to Information Act, No 2 of 2000, together with all relevant regulations.

“the/this manual” shall mean this manual together with all annexures thereto as available at the offices of Hadeco (Pty) Ltd

“Hadeco (Pty) Ltd” shall mean Hadeco (Pty) Ltd, and its subsidiaries.

“SAHRC” shall mean the South African Human Rights Commission.

Hadeco (Pty) Ltd is a private company duly incorporated according to the company laws of the Republic of South African and whose subsidiaries are Harry de Leeuw Export Company (Pty) Ltd and Hadeco Investment Company (Pty) Ltd.

**B. PARTICULARS IN TERMS OF THE SECTION 51 MANUAL**

Contact details (in terms of Section 51(1)(a) of the Act)

**Hadeco (Pty) Ltd**

Chief Executive Officer: S Barnhoorn

**Information Officer** : Michael Smith

Street Address: Falls Road, Little Falls, Roodepoort. 1735

Postal Address: P O Box 7, Maraisburg, 1700

Telephone: 011 958 1350

Website: [www.hadeco.co.za](http://www.hadeco.co.za)

E-mail: [Mike@hadeco.co.za](mailto:Mike@hadeco.co.za)

**1. The section 10 Guide on how to use the Act (in terms of Section 51(1)(b))**

In terms of Section 10 of the Act, the SAHRC is required to compile, in each official language, a guide to the Act to assist people in exercising their rights under the Act. This guide is available from the SAHRC. The SAHRC may be contacted at:

The South African Human Rights Commission (SAHRC):

PAIA Unit

The Research and Documentation Department

Postal address: Private Bag 2700

Houghton

2041

Telephone: 011 484 8300

Fax: 011 484 0582

Website: [www.sahrc.org.za](http://www.sahrc.org.za)

E-mail: [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)

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

Hadeco (Pty) Ltd keeps information / documents in accordance with the following legislation  
(Please note that this is not an exhaustive list):-

- i. Alienation of Land Act No. 69 of 1981
- ii. Arbitration Act No. 42 of 1965
- iii. Basic Conditions of Employment No. 75 of 1997 (including Sectoral Determination 13 Farm workers sector)
- iv. Broad Based Black Economic Empowerment Act No.53 of 2003
- v. Companies Act No. 61 of 1973
- vi. Companies Act No. 71 of 2008
- vii. Compensation for Occupational Injuries and Health Diseases Act No. 130 of 1993
- viii. Competition Act No. 89 of 1998
- ix. Consumer Affairs (Unfair Business Practices) Act No. 71 of 1988
- x. Consumer Protection Act No. 68 of 2008
- xi. Copyright Act No. 98 of 1978
- xii. Credit Agreements Act No. 75 of 1980
- xiii. Criminal Procedure Act No. 51 of 1977
- xiv. Currency and Exchanges Act No. 9 of 1933
- xv. Customs and Excise Act No. 91 of 1964
- xvi. Debtor Collectors Act No. 114 of 1998
- xvii. Employment Equity Act No. 55 of 1998
- xviii. Electronic Communications and Transmissions Act No.25 of 2002
- xix. Finance Act No. 35 of 2000
- xx. Import and Export Control Act No. 45 of 1963
- xxi. Income Tax Act No. 95 of 1967
- xxii. Insolvency Act No. 24 of 1936
- xxiii. Insurance Act No. 27 of 1943
- xxiv. Intellectual Property Laws Amendments Act No. 38 of 1997
- xxv. Labour Relations Act No. 66 of 1995
- xxvi. National Building Regulations and Building Standards Act No. 103 of 1977
- xxvii. National Credit Act No. 34 of 2005
- xxviii. National Environmental management : Waste Act No. 59 of 2008
- xxix. Occupational Health & Safety Act No. 85 of 1993
- xxx. Promotion of Access to Information Act No. 2 of 2000
- xxxi. Protected Disclosures Act No. 26 of 2000
- xxxii. Protection of Businesses Act No. 99 of 1978
- xxxiii. Regulation of Interception of Communications and Provision of Communication Related Information Act No. 70 of 2002 (as amended)
- xxxiv. SA Reserve Bank Act No. 90 of 1989
- xxxv. Sale and Services Matters Act No. 25 of 1964
- xxxvi. Securities Services Act No. 36 of 2004
- xxxvii. Skills Development Levies Act No. 9 of 1999
- xxxviii. Skills Development Act No. 97 of 1998
- xxxix. Stamp Duties Act No. 77 of 1968
- xl. Standards Act No. 29 of 1993
- xli. Stock Exchange Control Act No. 1 of 1985
- xlii. Trade Practices Act No. 76 of 1976
- xliii. Trade Marks Act No. 194 of 1993
- xliv. Unemployment Contributions Act No. 4 of 2002
- xlv. Unemployment Insurance Act No. 63 of 2001
- xlvi. Value Added Tax Act No. 89 of 1991

### **3. Gaining access to records held by Hadeco (Pty) Ltd (in terms of Sections 51(1)(c) and 51(1)(e).**

#### **3.1** What categories of records are, or will be, automatically available without you having to request access to these records in terms of the Act?

The Act provides for the automatic disclosure of certain records. Should records be automatically disclosed, you will not have to formally request these records in terms of the Act.

In terms of the Act, this automatic disclosure by private companies is voluntary. This means that a private company is not obliged to make such disclosure. If a private company chooses to make such voluntary disclosure, it may do so by giving notice thereof in terms of Section 52(2) of the Act.

#### **3.2 What records can you request?**

(in terms of Section 51(1)(e))

Requests for records in respect of Hadeco (Pty) Ltd, Harry de Leeuw Export Company (Pty) Ltd and Hadeco Investment Company (Pty) Ltd are to be forwarded to our information officer:

Michael Smith

Street Address: Falls Road, Little Falls , Roodepoort, 1735

Postal Address: P O Box 7, Maraisburg, 1700

Telephone: 011 958 1350

Website: [www.hadeco.co.za](http://www.hadeco.co.za)

E-Mail: [Mike@hadeco.co.za](mailto:Mike@hadeco.co.za)

### **CATEGORIES & TYPES OF RECORDS HELD BY HADECO (PTY) LTD**

#### **STATUTORY:**

- Registers
- Annual reports
- Statutory records & returns
- Agreements
- Trade marks
- Licences
- Copyrights & designs
- Title deeds
- Lease agreements

#### **HUMAN RESOURCES:**

- Policies & Procedures
- Employment equity plan & report
- Skills development plan
- Pension
- IR disciplinary & grievance procedures & hearings
- CCMA records

#### ADMIN, FINANCE & ACCOUNTING:

- Accounting records
- Suppliers records
- Policies & procedures
- Store records

#### CREDIT SERVICES:

- Customer records
- Credit application forms
- Terms & conditions
- Correspondence

#### ASSETS & SECURITY:

- Procedures & schedules

### 3.3 How do you request records?

The following procedures must be followed:

- You must use the prescribed form to make the request for access to a record
- You can download the form from the Department of Justice website at [www.doj.gov.za](http://www.doj.gov.za)
- Your request must be made to the relevant Information Officer.
- Your request must be made to the address, or fax number or electronic mail address as set out under B above.
- You must provide sufficient detail on the request form to enable the Information Officer to clearly identify the records as well as your specific identity.
- You must also indicate which form of access you require. You must also indicate if you wish to be informed in any other manner and if so, you must state the necessary particulars required to be so informed.
- You must identify the right that you are seeking to protect or that you wish to exercise and you must provide an explanation as to why the requested records is required for the protection or exercise of that right.
- If you are making the request on behalf of another person, you must submit proof, to the satisfaction of the Information Officer, of the capacity in which you are making the request.
- The prescribed fee (if any) must be paid as set out in 7 below

## 4. Other information as may be prescribed in terms of Section 51(1)(f)

In terms of this Section, the Minister may publish a notice prescribing any other information that companies will have to disclose.

## 5. Availability of the manual (in terms of Section 51(3))

- 5.1 This manual is available for inspection during office hours, at no cost, at our Head Office for Hadeco (Pty) Ltd, Harry de Leeuw Export Company (Pty) Ltd and Hadeco Investment Company (Pty) Ltd situated at Falls Road, Little Falls, Roodepoort
- 5.2 Should you wish to obtain a copy of this manual, or part thereof, such copy can be obtained from either:

- 5.2.1 Our Head Office, at the prescribed fee as set out in Item 1 of Par 111 of the Prescribed Fee Schedule; or
- 5.2.2 The South African Human rights Commission. Please direct your query for a copy directly to the SAHRC details of which are set out in 1 above; or
- 5.2.3 The Government Gazette (the Government Printers); or
- 5.2.4 It can be downloaded from our website at [www.hadeco.co.za](http://www.hadeco.co.za)

6. **Prescribed fees.**

- i. Once your request is made, you will receive notice from us to pay the prescribed fee of R50.00
- ii. This prescribed fee must be paid before your request will be processed.
- iii. Payment of this fee is to be made as directed by the Information Officer.
- iv. If you are making a request in your personal capacity, payment of the prescribed fee of R50-00 may not be required.
- v. We will then make a decision in respect of your request and will notify you of our decision.
- vi. Should your request be refused, you may lodge an application at court against the tender or payment of the requested fee as will be advised in the Notice to you (in terms of (sec 54(3)(b) of the Act))
- vii. If your request is granted then you will have to pay a further access fee for the search, reproduction and preparation of the record as well as for any time, that has exceeded the prescribed hours, to search and in order prepare the record for disclosure to you (in terms of sec (54(6) of the Act))
- viii. The fees schedule can be downloaded from the Department of Justice website at [www.doj.gov.za](http://www.doj.gov.za)

**VALUE ADDED TAX:**

Please note that Hadeco (Pty) Ltd is registered under the Value-Added Tax Act (Act No. 89 of 1991) as a vendor and may in terms thereof add value-added tax (VAT) to all fees prescribed.

7. Prescribed forms.

Your request must be set out in the prescribed form, which you can download from the Department of Justice website at [www.doj.gov.za](http://www.doj.gov.za) and after completion must be forwarded to:

Hadeco (Pty) Ltd, Harry de Leeuw Export Company (Pty) Ltd, Hadeco Investment Company (Pty) Ltd

For attention: Michael Smith

Falls Road, Little Falls, 1735

P O Box 7, Maraisburg,1700

Tel: 011 958 1350