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Januarie

No. 34945

M A N U A L

IN ACCORDANCE WITH

THE PROMOTION OF ACCESS TO

INFORMATION ACT (NO. 2 OF 2000)

IMPORTANT NOTICE

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ENDRESS + HAUSER INVESTMENTS (PTY) LTD (B700112) INFORMATION MANUAL (S51 of PAIA)

OVERVIEW: Endress + Hauser Investments (Pty) Ltd was established in 1987, and operates in the Property industry, with the primary products/ services being renting of land and buildings.
 Physical address: 5 Commerce Crescent West, Eastgate Ext 13, Sandton
 Postal Address: PO Box 783996, Sandton, 2146
 Telephone number: 011 262 8000 Fax number: 011 262 8062
 Managing Director: Robert Mackenzie

ACCESS TO INFORMATION PERSONNEL:

Information Officer: has been appointed and authorised by the MD to ensure that the requirements of the Act are administered in a fair, objective and unbiased manner. All inquiries relating to the records held by the company must be directed to Sherilee Start-Taylor (Tel: 011 967 237, Fax: 086-622 9117, e-mail: sherleest@gmail.com)

Appeals Manager: is responsible for reconsidering any request rejected by the Information Officer, upon request from the Requester whose request was turned down by the Information Officer. Appeals Manager is Robert Mackenzie (Tel: 011 262 8000, Fax number: 011 262 8062, e-mail: Rob.MacKenzie@za.endress.com)

GUIDE FOR REQUESTERS WHO WISH TO REQUEST RECORDS IN TERMS OF THE ACT: SAHRC is responsible for compiling a guide that will facilitate ease of use of the Act for Requesters. Direct any queries to SAHRC PAIA Unit Research and Documentation Department

POSTAL ADDRESS: Private Bag 2700, Houghton, 2043
 TEL: +27 (11) 484-8300 FAX NUMBER: +27 (11) 484-0582
 E-MAIL: PAIA@sahrc.org.za

AVAILABILITY: The company's physical address, Government Gazette and Human Rights Commission. This manual is available for inspection at the offices of the company, free of charge. Copies may be obtained, subject to the prescribed fees, at the offices of the company.

REQUESTING ACCESS TO INFORMATION FROM THE COMPANY: "Form C - REQUEST FOR ACCESS TO RECORDS OF A PRIVATE BODY" must be completed by each Requester who requires access to the company records. Form C is available from this manual, the company directly, SAHRC and the Department of Justice and Constitutional Development. Complete all the fields in the request form or re-write the details in an e-mail. Send your request to the Information Officer. You must provide sufficient detail in the request form to enable the Information Officer to easily identify the record / information you require, which form of access is required, the right that is sought to be exercised or to be protected and how you wish to be informed. You should indicate if any other manner is to be used to inform you or convey the record requested to you. In addition a South African postal address must be provided and/or a South African fax number. If you are making a request on behalf of another person, you must submit proof of the capacity in which you are making the request in order to satisfy the Information Officer. Without proof of the capacity the Information Officer is under no obligation to consider or evaluate the request. The Information Officer will reply within 30 days of the date of receiving your request as to whether the information is accessible and/or where it may be collected. This period may be extended for a further period of not more than 30 days, and the Requester will be informed of such, in writing. Should records requested, after a diligent search not be found, or should the requested information not exist, the Requester will, by way of an affidavit, be notified that it is not possible to give access to that record, by the Information Officer.

PROCEDURE TO REQUEST ACCESS TO INFORMATION.

1. Complete Form C - REQUEST FOR ACCESS TO RECORDS OF A PRIVATE BODY.
2. Submit Form C as well as the Request fee to the Information Officer.
3. Within 30 days the information Officer will inform you of the decision whether or not to grant you access to the records you have requested. Should the Information Officer require more time you will be informed thereof and the reasons for the extension.
4. Should access be granted you must pay the required Access Fees, after which the records will be provided to you.
5. Should access not be granted you may appeal against the decision within 30 days of receiving the decision from the Information Officer. Complete Form B - NOTICE OF INTERNAL APPEAL.
6. Should access be granted to you as a result of the internal appeal you must pay the required Access Fees, after which the records will be provided to you.
7. Should access not be granted you may lodge an application to the Court within 60 days of receiving the decision from the Appeal manager.
8. The procedure to lodge an application to the Court is not available to the Company.

PRESCRIBED FEES: Annexure 1 documents the prescribed fees, which must be paid before further processing of the request. Records may be withheld until the fees have been paid.

Requesting Fee: R200.00 (two hundred rand), paid to The company by cash or EFT. Only upon receipt of the payment will the request be processed. Proof of payment must be attached to the request. Banking details are available from Rob.MacKenzie@za.endress.com. Should you object to the payment, lodge an application to the High Court. The Request for records will then only be processed once a decision has been received from the High Court. The Request Fee is not paid by the Requester if the information required is personal information about the Requester. Reproduction fees may be charged, and records may be withheld until the prescribed fees are paid.

Access Fees: If the request is granted, a further Access Fee must be paid for the search, reproduction, preparation and for any time, which has exceeded the prescribed hours to search for, and prepare the record for disclosure. See attached Annexure for the payments. Should the preparation of a record exceed the prescribed 6 hours, a deposit of one third of the prescribed total Access Fee will be payable by the Requester before the preparation continues. The Information Officer will notify the Requester of this requirement in writing.

REMEDIES AVAILABLE, SHOULD THE COMPANY FAIL TO RESPOND TO YOUR REQUEST: Should you believe that the company's refusal to grant information to you is unjustifiable, or you have any other grounds for complaint in terms of PAIA, you may lodge an internal appeal. Complete Form D and submit it to the Information Officer. Should, as a result of the internal appeal your request still not be granted you can lodge an application to the Court within 60 (sixty) days of the decision of the internal appeal.

AVAILABLE RECORDS

a. Classification of records:

1	Automatically Accessible Information
2	Not automatically accessible information.
3	Information that may not be refused.

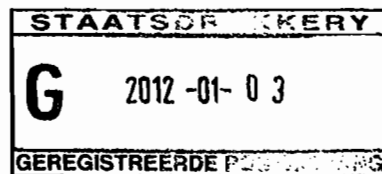
b. Fields on which information is held by the company: Finance and Administration, Commercial and Legal, Information technology, Legislation

i. Finance and Administration.

Annual Financial statements	2
Asset register	2
Books of account (ledgers, journals)	2
Budgets	2
Copies of all Income tax returns, and other tax returns and documents.	2
Financial analysis and reports.	2
Financial and tax records (Company and employees)	2
Financial year-end results.	2
Invoices and correspondence to clients and suppliers.	2
Levies documentation.	2
Management Accounts	2
Statements	2

ii. Commercial and Legal.

Acquisition documentation.	2
Agreements with contractors.	2
Agreements with shareholders, Officers or directors.	2
Agreements with suppliers.	2
Books of account regarding required information in terms of the Companies Act of 1973	2
Building plans	2
Certificate of change of name	2
Certificate of incorporation	2
Certificate to commence business.	2
Complaints, pleadings briefs and other documentation relating to any legal action.	2
Contracts and agreements	2
Correspondence	2
Deeds of pledge	2
Directors attendance register	2
Directors resolutions	2
Disposal documentation.	2
Finance and lease agreements	2
Index of members	2
Insurance	2
Insurance details	2
Insurance policies.	2
Leases	2
Litigations	2
Material agreements regarding services or materials.	2
Memorandum and articles of association.	2
Minute Book, CM 25 and CM 26, resolutions passed.	2



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Minutes of meetings	2
Mortgage bonds (Encumbrances on fixed property)	2
Property leases and agreements	2
Purchase agreements	2
Register of Directors and Certain officers	2
Register of mortgages, debentures and fixed assets	2
Sale agreements	2
Settlements	2
Shareholders information	2
Supporting schedules to books of account and ancillary books of account.	2

* for closed corporations

ii. Information technology

Capacity and utilization of systems	2
Disaster recovery	2
Hardware	2
Internal Systems support	2
IT Audits	2
LAN Installations	2
Operating Systems	2
Programming/Development	2
Software packages	2
Telephone exchange equipment	2
Telephone lines, leased lines and data lines	2

iv. Legislation

Companies Act (Act 61 of 1973)	1
Constitution of the Republic of South Africa (Act 108 of 1996)	1
Income Tax Act (Act 58 of 1962)	1
Promotion of Access to Information Act (Act 2 of 2000)	1
Value-Added Tax Act (Act 89 of 1991)	1

DEFINITIONS are as per the PAIA and relevant legislation.

ANNEXURE A: FEES IN RESPECT OF PRIVATE BODIES

- The fee for a copy of the manual as contemplated in regulation 9(2)(c), is R 1.10 for every photocopy of an A4-size paper or part thereof.
 - The fees for reproduction referred to in regulation 11(1) are as follows:
 - For every photocopy of an A4-size page or part thereof: R1.10
 - For every printed copy of an A4-size page or part thereof, held on a computer or in electronic or machine-readable form: R 0.75
 - For a copy in a computer-readable form on compact disc: R70.00
 - For a transcription of visual images, for an A4-size page or part thereof: R 40.00
 - For a copy of visual images: R 60.00
 - For a transcription of an audio record, for an A4-size page or part thereof: R 20.00
 - For a copy of an audio record: R 30.00
 - The request fee payable by a Requester, other than a personal Requester, referred to in regulation 11(2) is R 50.00.
 - The access fees payable by a Requester referred to in regulation 11(3) are as follows:
 - For every photocopy of an A4-size page or part thereof: R 1.10
 - For every printed copy of an A4-size page or part thereof, held on a computer or in electronic or machine-readable form: R 0.75
 - For a copy in a computer-readable form on Compact Disc: R70.00
 - For a transcription of visual images, for an A4-size page or part thereof: R 40.00
 - For a copy of visual images: R 60.00
 - For a transcription of an audio record, for an A4-size page or part thereof: R 20.00
 - To search for, and prepare the record for disclosure, an hourly fee for each hour or part of an hour, reasonably required for such search and preparation: R 30.00
2. For purposes of section 54(2) of the Act, the following applies:
- Six hours as the hours to be exceeded before a deposit is payable; and
 - 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.

ANNEXURE B: FORM C: REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY

Particulars of private body: Name: _____ Head of organisation: _____

Particulars of person requesting access to the record: Full names and surname: _____ Identity Number: _____

E-mail: _____ Fax: _____ Tel: _____

Capacity in which the request is made, when made on behalf of another person: _____

Particulars of person on whose behalf request is made Full names and surname: _____ Identity number: _____

Particulars of record: Description of record/relevant part of record: _____ Reference number, if applicable: _____

Fees: Reason for exemption from payment of fees: _____

Form of access to record (If disability prevents you from reading, viewing, reading or listening to the record, state your disability and the form in which the records is required.

If the record is in written or printed form:		View images		Y	N	Copy of record*	Y	N	Inspection of record	Y	N
If the record consists of visual images:		Listen (Audio cassette)		Y	N	Copy of images*	Y	N	Transcription of images	Y	N
If the record consists of recorded words or information which can be reproduced in sound:		Printed copy of record*		Y	N	Printed copy of information derived from the record*	Y	N	Transcription of soundtrack* (written or printed document)	Y	N
If record is held on computer or in an electronic or machine readable form:		Copy in computer readable form* (compact disc)		Y	N	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.)					
				Y	N						

Particulars of rights to be exercised or protected: Indicate which right is to be exercised or protected: _____

Explain why the record requested is required for the exercise or protection of the aforementioned right: _____

Notice of decision regarding request for access, other than in writing: How would you prefer to be informed of the decision regarding your request for access to the record? _____

Signed at _____ this _____ day of _____ by _____ (Signature of Requester)

ANNEXURE C: FORM D: NOTICE OF INTERNAL APPEAL

Particulars of private body: The Information Officer: _____

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Particulars of the Requester/third party who lodges the internal appeal

Full names and surname : _____ Identity Number: _____

Fax Number : _____ Telephone Number: _____ e-mail address: _____

Capacity in which an internal appeal on behalf of another person is lodged : _____

Particulars of person on whose behalf request is made: Full names and surname : _____ Identity number : _____

The decision against which the internal appeal is lodged

<input type="checkbox"/>	Refusal of request for access.
<input type="checkbox"/>	Decision regarding the prescribed fees.
<input type="checkbox"/>	Decision regarding the extension of the period in which the request must be dealt with
<input type="checkbox"/>	Decision to refuse access in the form requested by the Requester.
<input type="checkbox"/>	Decision to grant request for access.

Grounds for appeal: State the grounds on which the internal appeal is based: _____

State any other information that may be relevant in considering the appeal: _____

A. Notice of decision of appeal: State the manner in which the outcome is disclosed: _____

Signed at _____ this _____ day of _____ by _____ (Signature of Requester)

ENDRESS + HAUSER (PTY) LTD (8408441) INFORMATION MANUAL (S51 of PAIA)

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 Physical address: 5 Commerce Crescent West, Eastgate Ext 13, Sandton www.za.endress.com
 Postal Address: PO Box 783996, Sandton, 2146
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AVAILABLE RECORDS

a. Classification of records:

1	Automatically Accessible Information
2	Not automatically accessible information.
3	Information that may not be refused.

b. Fields on which information is held by the company: Human Resources, Finance and Administration, Production, Marketing, Commercial and Legal, Health and Safety and Environmental, ISO Compliance, information technology, Legislation:

i. Human Resources

Arbitration awards	1
Attendance register.	2
Correspondence relating to disputes	2
Determinations in terms of the Wages Act.	2
Disability scheme	2
Employment Equity Analysis	1
Employment Equity Reports	1
Group life	1
Incentive schemes	2
Income Differential Statements	2
Labour broker contracts of employment.	2
Leave records.	2
Maternity leave records.	2
Micro loan scheme	2
Permanent contracts of employment.	2
Personal details of each employee	2
Personal information of employees: incapacity certificates, garnishee orders, etc.	2
Policies and procedures.	2
Records of foreign employees	2
Relocations registers	2
Remuneration details	2
Skills Development submissions to the SETA.	1
Staff loan schemes.	2
Staff records.	2
Study assistance schemes	2
Tax and UIF returns.	2
Temporary contracts of employment	2
Training records.	2

ii. Finance and Administration.

Annual Financial statements	2
Asset register	2
Books of account (ledgers, journals)	2
Budgets	2
Copies of all income tax returns, and other tax returns and documents.	2
Delivery Notes	2
Financial analysis and reports.	2
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v. Commercial and Legal.	
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Agency agreements	2
Agreements with contractors.	2
Agreements with governmental agencies.	2
Agreements with shareholders, Officers or directors.	2
Agreements with suppliers.	2
Books of account regarding required information in terms of the Companies Act of 1973	2
Branch register	2
Certificate of change of name	2
Certificate of incorporation	2
Certificate to commence business.	2
Claim records.	2
Co-marketing agreements	2
Complaints, pleadings briefs and other documentation relating to any legal action.	2
Consulting agreements	2
Contracts and agreements	2
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Register of Directors and Certain officers	2
Register of mortgages, debentures and fixed assets.	2
Sale agreements	2
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Transportation contracts	2
Warranty agreements	2
	* for closed corporations
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Medical surveillance records.	2
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Noise exposure records.	2
Permits, licenses, approvals and operations of businesses and sites.	2
Plan and improvements.	2
Policies	2
Records of training in terms of hazardous chemical substances.	2
Records of type of work carried out with lead.	2
Records of types of work carried out with asbestos.	2
Records of waste water discharges, storage and disposal.	2
Registration with Workmen's Compensation	2
Safety management systems. Data and audits.	2
vii. ISO Compliance	
ISO Certification documentation	1
ISO Certificate.	1
ISO Manual	1
ISO Reports	1
viii. Information technology	
Capacity and utilization of systems	2
Disaster recovery.	2
Hardware	2
Internal Systems support	2
IT Audits	2
LAN Installations	2
Operating Systems	2
Programming/Development.	2
Software packages	2
Telephone exchange equipment	2
Telephone lines, leased lines and data lines.	2
ix. Legislation	
Basic Conditions of Employment Act (Act 75 of 1997)	1
Companies Act (Act 61 of 1973)	1
Compensation for Occupational Injuries and Diseases Act (Act 130 of 1993)	1
Constitution of the Republic of South Africa (Act 108 of 1996)	1
Credit Agreements ct (Act 75 of n1980)	1
Customs and Excise Act (Act 91 of 1964)	1
Debt Collectors Act (Act 114 of 1998)	1
Employment Equity Act (Act 55 of 1998)	1
Income Tax Act (Act 58 of 1962)	1
Industry collective agreement and related agreements.	1
Labour Relations Act (Act 66 of 1995, with amendments)	1
Machinery and Occupational Safety Act (Act 6 of 1983)	1
Occupational Health and Safety Act (Act 85 of 1993)	1
Promotion of Access to Information Act (Act 2 of 2000)	1
Skills Development Act (Act 97 of 1998)	1
Skills Development Levies Act (Act 9 of 1999)	1
Unemployment Contributions Act (Act 4 of 2002)	1
Unemployment Insurance Act (Act 30 of 1966)	1
Value-Added Tax Act (Act 89 of 1991)	1

DEFINITIONS are as per the PAIA and relevant legislation.

ANNEXURE A: FEES IN RESPECT OF PRIVATE BODIES

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 - One-third of the access fee is payable as a deposit by the Requester.
 - The actual postage is payable when a copy of a record must be posted to a Requester.

ANNEXURE B: FORM C: REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY

Particulars of private body: Name: _____ Head of organization: _____

Particulars of person requesting access to the record: Full names and surname: _____ Identity Number: _____

E-mail: _____ Fax: _____ Tel: _____

Capacity in which the request is made, when made on behalf of another person : _____

Particulars of person on whose behalf request is made Full names and surname : _____ Identity number : _____

Particulars of record: Description of record/relevant part of record: _____ Reference number, if applicable : _____

Endress + Hauser (Pty) Ltd Information Manual

Fees: Reason for exemption from payment of fees: _____

Form of access to record (If disability prevents you from reading, viewing, reading or listening to the record, state your disability and the form in which the records is required.)

If the record is in written or printed form:		View Images		Y	N	Copy of record*	Y	N	Inspection of record	Y	N
If the record consists of visual images:		Listen (Audio cassette)		Y	N	Copy of Images*	Y	N	Transcription of Images	Y	N
If the record consists of recorded words or information which can be reproduced in sound:		Printed copy of record*		Y	N	Printed copy of information derived from the record*	Y	N	Transcription of soundtrack*(written or printed document)	Y	N
If record is held on computer or in an electronic or machine readable form:		Copy in computer readable form* (compact disc)		Y	N		Y	N		Y	N
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.)										Y	N

Particulars of rights to be exercised or protected: Indicate which right is to be exercised or protected : _____

Explain why the record requested is required for the exercise or protection of the aforementioned right: _____

Notice of decision regarding request for access, other than in writing: How would you prefer to be informed of the decision regarding your request for access to the record? _____

Signed at _____ this _____ day of _____ by _____ (Signature of Requester)

ANNEXURE C: FORM D: NOTICE OF INTERNAL APPEAL

Particulars of private body: The Information Officer: _____

Particulars of the Requester/third party who lodges the Internal appeal

Full names and surname : _____ Identity Number: _____

Fax Number : _____ Telephone Number: _____ e-mail address: _____

Capacity in which an internal appeal on behalf of another person is lodged : _____

Particulars of person on whose behalf request is made: Full names and surname : _____ Identity number : _____

The decision against which the internal appeal is lodged

<input type="checkbox"/>	Refusal of request for access.
<input type="checkbox"/>	Decision regarding the prescribed fees.
<input type="checkbox"/>	Decision regarding the extension of the period in which the request must be dealt with
<input type="checkbox"/>	Decision to refuse access in the form requested by the Requester.
<input type="checkbox"/>	Decision to grant request for access.

Grounds for appeal: State the grounds on which the internal appeal is based: _____

State any other information that may be relevant in considering the appeal: _____

A. Notice of decision of appeal: State the manner in which the outcome is disclosed: _____

Signed at _____ this _____ day of _____ by _____ (Signature of Requester)