

DALVEN products

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JOHANNESBURG: P.O. Box 1358, Florida 1710 Tel: 011 472 4417 Fax: 011 472 1206
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**REGISTRATION NUMBER OF COMPANY:
1997/004076/23**

NAME OF COMPANY: DALVEN PRODUCTS CC

**Manual in terms of Section 51 of the Promotion
of Access to Information**

Act 2/2000

(The “ACT”)

INDEX

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Preamble:

The Promotion of Access to Information Act No. 2 of 2000 ("the Act") came into operation on 23 November 2001. Section 51 of this Act requires that we as a private body compile a manual giving information to the public regarding the procedure to be followed in requesting information from us for the purpose of exercising or protecting rights

Introduction to the Private Body:

DALVEN PRODUCTS CC is a company operating in South Africa. We are manufacturers, importers and suppliers of waterproofing products, dam lining materials, and certain other products used in the agricultural industry. We have specialised in bitumen based products and supply certain materials to companies in the paint industry.

We as a private body have compiled this manual, not only to comply with the provisions of the Act, but also to foster a culture of transparency and accountability in our environment and to ensure that members of the public have effective access to information in our possession which will assist them in the exercise and protection of their rights. Inside these pages you will be able to view the categories of information which we possess. You will also be directed to the correct procedure to follow should you require access to any of this information. A copy of this manual is also available at the offices of DALVEN PRODUCTS CC Head Office and on our website www.dalven.co.za

1. Contact details:

Full Name : DALVEN PRODUCTS CC
 Registration Number : 1997/004076/23
 Registered Address : c/o M.J.Minter & Co., P O Box 739,
 Constantia. 7848

Addresses

Head Office : P.O.Box 26738, Hout Bay. 7872
 44 Andrews Road, Hout Bay. 7806
 Cape Town Branch : P.O.Box 371, Eppindust. 7475
 2 14th Avenue, Maitland. 7405
 Johannesburg Branch : P.O.Box 1358, Florida. 1710
 198 Winze Drive, Stormill. 1709

Telephone Numbers:

Head Office : 021 790 2379
 Cape Town Branch : 021 593 6790
 Johannesburg Branch : 011 4724417

Fax Numbers:

Head Office : 021 790 3360
 Cape Town Branch : 021 593 8650
 Johannesburg Branch : 011 472 1206

Head / CEO : A.D.J.Swanepoel
 Designated Information Officer : A.D.J.Swanepoel
 Email Address of Information Officer : info@dalven.co.za
 Website address : www.dalven.co.za
 Other Companies : N/A

2. The section 10 Guide on how to use the Act:

Section 10 of the Act requires the South African Human Rights Commission (SAHRC) to publish a Guide containing information reasonably required by a person wishing to exercise or protect any right in terms of this Act.

The Guide contains the following information:

1. The objects of the Act;
2. The manner and form of a request for access to information held by a body;
3. Assistance available from both the information officers and the Human Rights Commission in terms of this Act;
4. All remedies in law regarding acts, omissions, rights and duties, including how to lodge an internal appeal and a court application;
5. Schedules of fees to be paid in relation to requests for access to information; and
6. Regulations made in terms of the Act.

Copies of this Guide are available from the SAHRC. Enquiries regarding the Guide can be addressed to the SAHRC, the contact details of which are as follows:

Post	:	South African Human Rights Commission Promotion of Access to Information Act Unit Research and Documentation Department Private Bag 2700 Houghton 2041
Telephone	:	(011) 877 3803
Fax	:	(011) 403 0625
Website	:	www.sahrc.org.za
E-mail	:	PAIA@sahrc.org.za

3. The Act

- 3.1 The ACT grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.
- 3.2 Requests in terms of the ACT shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in paragraphs 6 and 7 of the Act.
- 3.3 Requesters are referred to the Guide in terms of Section 10 which has been compiled by the South African Human Rights Commission, which will contain information for the purposes of exercising Constitutional Rights. The Guide is available from the SAHRC.

The contact details of the Commission are:

Postal Address:	Private Bag 2700, Houghton, 2041
Telephone Number:	+27-11-877 3600
Fax Number:	+27-11-403 0625
Website:	www.sahrc.org.za

4. Applicable Legislation

No	Ref	Act
1	No 55 of 1998	Employment Equity Act
2	No 95 of 1967	Income Tax Act
3	No 66 of 1995	Labour Relations Act
4	No 89 of 1991	Value Added Tax Act
5	No 75 of 1997	Basic Conditions of Employment Act
6	No 69 of 1984	Close Corporations Act
7	No 2 of 2000	Promotion of Access of Information Act
8	No 30 of 1996	Unemployment Insurance Act

5. Schedule of Records

Records	Subject	Availability
Public Affairs	<ul style="list-style-type: none"> Public Product Information 	Freely available on website www.dalven.co.za
Financial	<ul style="list-style-type: none"> Financial Statements Financial and Tax Records (Company & Employees) Asset Register Management Accounts 	Request in terms of PAIA Request in terms of PAIA Request in terms of PAIA Request in terms of PAIA
Marketing	<ul style="list-style-type: none"> Market Information Public Customer Information: Product Data Sheets Product Sales Records Marketing Strategies Customer Database 	Limited Information available on web site. Request in terms of PAIA Available on website Request in terms of PAIA Request in terms of PAIA Request in terms of PAIA

6. Form of request

To facilitate the processing of your request, kindly:

- 6.1 Use the prescribed form, available on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at www.sahrc.org.za.
- 6.2 Address your request to the Head of the Company (CEO).
- 6.3 Provide sufficient details to enable the COMPANY to identify:
 - (a) The record(s) requested;
 - (b) The requester (and if an agent is lodging the request, proof of capacity);
 - (c) The form of access required;
 - (d) (i) The postal address or fax number of the requester in the Republic;
(ii) If the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof;
 - (e) The right which the requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.

7. Prescribed fees

The following applies to requests (other than personal requests):

- 7.1 A requestor is required to pay the prescribed fees (R50.00) before a request will be processed;
- 7.2 If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted);
- 7.3 A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit;
- 7.4 Records may be withheld until the fees have been paid.
- 7.5 The fee structure is available on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at www.sahrc.org.za.

8. Information available in terms of the Act

Categories of information held

(a) STATUTORY COMPANY INFORMATION

Close Corporations Act, 1984 Founding Statement Certificate of Change of Name (if any); Register of Members; Register of Fixed Assets; Register of Members' shareholdings; Annual Financial Statements including: Annual accounts; Accounting Officers' reports; Books of Account (Computerised); Supporting schedules to books of account and ancillary books of account;

(b) ACCOUNTING RECORDS

Books of Account including journals and ledgers; Delivery notes, orders, invoices, statements, receipts and vouchers.

(c) STATUTORY EMPLOYEE RECORDS

Employees' names and occupations; Time worked by each employee; Remuneration paid to each employee.; Date of birth of each employee; Salary and wages register; Leave records.

(d) OTHER EMPLOYEE RECORDS

Employee contracts; Disability scheme; Group personal accident; Group life.

(e) PROVIDENT FUND AND RETIREMENT FUNDING RECORDS

Provident Fund Rules; Provident Fund account records; Valuation Reports.

(f) FIXED PROPERTY – Title deeds

1. Unit 2, Jaguar Park, 2 14th Avenue, Maitland, 7405 Cape Town
2. 198 Winze Drive, Stormill, 1709 Johannesburg.

(g) MOVABLE PROPERTY

Asset register; Finance and Lease Agreements.

(h) INTELLECTUAL PROPERTY

Trademarks, trade names and protected names; Copyrights; Agreements relating to intellectual property, research and development agreements, consulting agreements, use agreements, joint venture agreements and joint development agreements.

(i) AGREEMENTS AND CONTRACTS

Material agreements concerning provision of services or materials; Joint venture agreements, partnership agreements, participation, co-marketing, co-promotion or other alliance agreements; Agreements with shareholders, officers or directors; Agreements with contractors and suppliers; Agreements with customers; Sale agreements; Distributor, dealer or agency agreements; Purchase or lease agreements.

(j) TAXATION

Copies of all Income Tax Returns and other tax returns and documents;

(k) LEGAL

Records relating to legal proceedings; licences, permits and authorisations; settlement agreements.

(l) INSURANCE

Insurance policies; Claim records; Details of insurance coverage, limits and insurers.

(m) INFORMATION TECHNOLOGY

Hardware; Operating Systems; Telephone Exchange Equipment; Telephone Lines, Leased Lines and Data Lines; LAN Installations; Software Packages; Disaster Recovery; Internal Systems Support and Programming / Development; Capacity and Utilization of Current Systems; Agreements; Licenses.

(n) SALES AND MARKETING

Products; markets; customers; brochures, newsletters and advertising materials; sales records.

9. Procedure for requesting access to the above information

If you wish to request access to any of the above categories of information, you are required to complete a prescribed request form. These forms are available from:

- our information officer (whose contact details are in section A of this manual);
- the SAHRC website (www.sahrc.org.za)
- the Department of Justice and Constitutional Development website (www.doj.gov.za).

There is a prescribed fee (payable in advance) for requesting and accessing information in terms of the Act. Details of these fees are contained in the request form. You may also be called upon to pay the additional fees prescribed by regulation for searching for and compiling the information which you have requested, including copying charges.

It is important to note that access is not automatic – you must identify the right you are seeking to exercise or protect and explain why the record you request is required for the exercise or protection of that right. You will be notified in the manner indicated by you on the request form whether your request has been approved.

Section D – Information available in terms of other legislation.

Where applicable to our operations, information is also available in terms of certain provisions of the following statutes:

Compensation for Occupational Injuries and Diseases Act 130 of 1993; Income Tax Act 58 of 1962; Companies Act 61 of 1973; Insolvency Act 24 of 1936; Value Added Tax Act 89 of 1991; Medical Schemes Act 131 of 1998; Basic Conditions of Employment Act 75 of 1997; Labour Relations Act 66 of 1995; Employment Equity Act 55 of 1998; Skills Development Levies Act 9 of 1999; Skills Development Act 97 of 1998; Unemployment Insurance Act 30 of 1966; Occupational Health and Safety Act 85 of 1993; Pension Fund Act 24 of 1956; Public Accountants and Auditors Act 51 of 1951; Financial Intelligence Centre Act 38 of 2001.

Section E – Information automatically available.

The following categories of records are automatically available for inspection, purchase or photocopying. In other words you do not need to request this information in terms of the Promotion of Access to Information Act: Booklets; Pamphlets / Brochures; Posters; Other literature intended for public viewing. Request for these categories of information are available from our information officer, whose contact details appear in section 1. of this manual.

Signed..... A D J Swanepoel (Member)

ADDENDUM

FORM C

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY
(Section 53(1) of the Promotion of Access to Information Act, 2000
(Act No. 2 of 2000)

[Regulation 10]

A. Particulars of private body

The Head:

B. Particulars of person requesting access to the record

- (a) The particulars of the person who requests access to the record must be given below.
- (b) The address and/or fax number in the Republic to which the information is to be sent must be given.
- (c) Proof of the capacity in which the request is made, if applicable, must be attached.

Full names and surname:

Identity number:

Postal address:

Fax number:

Telephone number:

E-mail address:

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

C. Particulars of person on whose behalf request is made

This section must be completed *ONLY* if a request for information is made on behalf of *another* person.

Full names and surname:

Identity number:

D. Particulars of record

- (a) Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.
- (b) If the provided space is inadequate, please continue on a separate folio and attach it to this form.
The requester must sign all the additional folios.

1. Description of record or relevant part of the record:
2. Reference number, if available:
3. Any further particulars of record:

E. Fees

- | |
|--|
| <p>(a) A request for access to a record, other <i>than</i> a record containing personal information about yourself, will be processed only after a request fee has been paid.</p> <p>(b) You will be <i>notified of</i> the amount required to be paid as the request fee.</p> <p>(c) The fee payable for access to a record depends <i>on</i> the form <i>in which</i> access is required and the reasonable time <i>required</i> to search for and prepare a record.</p> <p>(d) If you qualify for exemption <i>of</i> the payment <i>of</i> any fee, please state the reason for exemption.</p> |
|--|

Reason for exemption from payment of fees:

F. Form of access to record

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.

Disability:	Form in which record is required
Mark the appropriate box with an X.	
NOTES:	
(a) Compliance with your request in the specified form may depend on the form in which the record is available.	
(b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.	
(c) The fee payable for access for the record, if any, will be determined partly by the form in which access is requested.	

1. If the record is in written or printed form:					
<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record		
2. If record consists of visual images this includes photographs, slides, video recordings, computer-generated images, sketches, etc)					
<input type="checkbox"/>	view the images	<input type="checkbox"/>	copy of the images"		
<input type="checkbox"/>		<input type="checkbox"/>	transcription of the images*		
3. If record consists of recorded words or information which can be reproduced in sound:					
<input type="checkbox"/>	listen to the soundtrack audio cassette	<input type="checkbox"/>	transcription of soundtrack* written or printed document		
4. If record is held on computer or in an electronic or machine-readable form:					
<input type="checkbox"/>	printed copy of record*	<input type="checkbox"/>	printed copy of information derived from the record"		
<input type="checkbox"/>		<input type="checkbox"/>	copy in computer readable form* (stiffy or compact disc)		
'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.			<table border="1"> <tr> <td>YES</td> <td>NO</td> </tr> </table>	YES	NO
YES	NO				

G Particulars of right to be exercised or protected

If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

- 1. Indicate which right is to be exercised or protected:

- 2. Explain why the record requested is required for the exercise or protection of the aforementioned right:

H. Notice of decision regarding request for access

You will be notified in writing whether your request has been approved/denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

Signed at..... This..... day of20

SIGNATURE OF REQUESTER / PERSON ON
WHOSE BEHALF REQUEST IS MADE