

# MANUAL IN TERMS OF THE PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000



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## 1. Background

**1.1 Deneb Investments Limited** is a diverse investment company operating in Southern Africa and listed on the Johannesburg Stock Exchange under the Financial Services - Speciality Finance sector.

The Group's various investments are clustered into the following segments:

1.1.1 **Properties:** Vega Group Properties owns and manages a portfolio of industrial and commercial properties situated in Kwa-Zulu Natal, Western Cape and Gauteng with a market value in excess of R1 billion.

1.1.2 **Branded Product Distribution:** Sourcing and distribution of branded products. The businesses operating in this segment include Prima Toys, Prima Interactive, The Empire Group, New Just Fun Group, Seartec, Limtech, Office Box, Clever Little Monkey and Brand ID. These enterprises supply an extensive selection of prestigious brands to the South African consumer, such as Columbia, Microsoft X-Box, Butterfly stationery, Sharp consumer electronics, Speedo and a large variety of well-known toys.

1.1.3 **Industrial Manufacturing:** Manufacturers of specialised industrial products for the mining, agricultural, construction and automotive industries. The businesses operating in this segment are Gold Reef Speciality Chemicals, Custom Extrusion, Brits Nonwoven, Integrated Polypropylene Products, Premier Rainwatergoods and Formex Industries.

1.1.4 **Textile Manufacturing:** Manufacturers of high quality home textiles and cotton, worsted and polyester fabrics predominantly for the South African medical, hospitality and retail markets. The businesses operating in this segment are Winelands Textiles, Frame Knitting Manufacturers, Romatex Home Textiles and First Factory Shops.

**1.2** This manual has been prepared in respect of Deneb Investments Limited (2013/091290/06) and its South African incorporated subsidiaries (“the Deneb Group”):



## **2. Head of the Organisation for the purposes of the Act**

- 2.1 Mr. S A Queen is the Chief Executive Officer of Deneb Investments Limited.
- 2.2 Mr D Levin has been appointed by Mr S A Queen as the Information Officer.
- 2.3 Postal and Street address of Information Officer
- Deneb Investments Limited**  
P.O. BOX 1585  
CAPE TOWN  
8000
- Cnr Main and Browning Roads  
Observatory  
Cape Town  
7925
- 2.4 Contact numbers for Information Officer
- Tel: (021) 486-1400
- 2.5 Electronic mail address of the Information Officer
- [info@deneb.co.za](mailto:info@deneb.co.za)
- 2.6 Compilation date of Manual: 9 June 2015. Revision date of Manual: 10 April 2018 (version 1.03)
- 2.7 Whilst Deneb endeavours to ensure that the published information is accurate, complete and updated on a regular basis, no representation is made regarding the fitness of such information.

## **3. The South African Human Rights Commission guide to the Act in terms**

- 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.

3.4 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](http://www.sahrc.org.za)

#### 4. Categories of Information available

Information which is available from the Deneb Group without having to go through the requirements of the Act is as follows:

The website of Deneb Investments Limited ([www.deneb.co.za](http://www.deneb.co.za)) contains the Annual and Interim Financial Results of the Deneb Group.

#### 5. Records kept in terms of other legislation (s 51(d) records)

Records are kept and are available upon specified conditions in accordance with such legislation as is applicable to the Deneb Group, including:

Basic Conditions of Employment Act, No. 75 of 1997
Broad Based Black Empowerment Act No 53 of 2003
Consumer Protection Act No 68 of 2008
Companies Act No. 71 of 2008
Compensation for Occupational Injuries and Health Diseases Act, No.130 of 1993
Competition Act No 89 of 1998
Customs and Excise No Act 91 of 1964
Employment Equity Act, No. 55 of 1998
Income Tax Act No. 58 of 1962
Labour Relations Act No. 66 of 1995
National Credit Act 34 of 2006
Occupational Health and Safety Act No. 85 of 1993
National Environmental Management Act No 107 of 1998
Patents Act No. 57 of 1987
Pension Funds Act No 24 of 1956
Promotion of Access to Information Act No. 2 of 2000
South African Reserve Bank Act No. 90 of 1989
Skills Development Levies Act No. 9 of 1999



Trade Marks Act No. 194 of 1993
Unemployment Insurance Act No. 63 of 2001
Value Added Tax Act No. 89 of 1991

## 6. Records held by the Deneb Group (Section 51(e) records)

The Deneb Group keeps these records as a matter of standard practise and on advice by their legal representatives.

Category	General Description
General	Contracts with agents, customers, suppliers, indemnities and guarantees. Major agreements of historical significance. Correspondence, both external and internal correspondence
Purchasing	Documentation relating to the purchasing functions and supply contracts.
Operations	Documentation relating to all aspects of operations.
Human Resources	Staff records, contracts of employment, employment equity, policy and procedures, pension and provident fund details, code of conduct, disciplinary code, collective agreements, BBBEE verification certificates.
Financial	Financial statements, taxation records, banking details, treasury documents, insurance documentation, Information technology

## 7. Making a request in terms of the Act

The process

- 7.1 The first step in the process is to complete "Form-C".(See page 12 below)
- 7.2 Prescribed fees are payable before access to a record will be allowed.
  - 7.2.1 A requestor is required to pay the prescribed fees (R50.00) before a request will be processed;



- 7.2.2 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);
  - 7.2.3 A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit;
  - 7.2.4 Records may be withheld until the fees have been paid;
  - 7.2.5 The fee structure is available on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at [www.sahrc.org.za](http://www.sahrc.org.za).
- 7.3 Once you have filled in the form you need to submit it.
- 7.4 If the record you have requested exists and allowing access to it does not affect a third party your request will be processed within 30 days.
- 7.5 This period may be extended once for a further 30 days if:
- 7.5.1 the request is for a large number of records or requires a search through a large number of records and compliance with the original period would unreasonably interfere with the activities of the Deneb Group;
  - 7.5.2 the request requires a search for records in, or collection thereof from, an office of the Deneb Group not situated in the same town or city as the office of the Information Officer that cannot reasonably be completed within the original period;
  - 7.5.3 consultation among companies comprising the Deneb Group or with another private body is necessary or desirable to decide upon the request that cannot reasonably be completed within the original period;
  - 7.5.4 more than one of the circumstances contemplated in paragraphs 7.5.1, 7.5.2 and 7.5.3 exist in respect of the request making compliance with the original period not reasonably possible; or
  - 7.5.5 the requester consents in writing to such extension.
- 7.6 There are various grounds upon which your request for access to a record may be refused. They are:



- 7.6.1 The protecting personal information of a third person (who is a natural person) from unreasonable disclosure.
- 7.6.2 The protecting commercial information of a third party. (For example trade secrets, financial, commercial, scientific or technical information that may harm the commercial or financial interests of a third party).
- 7.6.3 Refusing access to a record if disclosure would result in the breach of a duty of confidence owed to a third party.
- 7.6.4 Refusing access to a record if it would jeopardise the safety of an individual or prejudice or impair certain property rights of a third person.
- 7.6.5 Refusing access to a record that was produced during legal proceedings, unless that legal privilege has been waived.
- 7.6.6 Refusing access to a record containing trade secrets, financial or sensitive information or any information that would put the private body at a disadvantage in negotiations or prejudice it in commercial competition.
- 7.6.7 Refusing access to a record containing information about research being carried out or about to be carried out on behalf of a third party or the private body itself.
- 7.7 Section 70 of the Act contains an overriding provision. Disclosure is compulsory if it would reveal a substantial contravention of the law, or imminent and serious public safety or environmental risk AND the public interest in the disclosure of the record clearly outweighs the harm contemplated by its disclosure.
- 7.8 If your request does affect a third party then the Information Officer will first need to inform the third party within 21 days of us receiving your request. By this we mean that if the record you request affects any third party in any way, that third party will have to be informed that you are requesting access to the above record.
- 7.9 The third party then has 21 days to make representations/submissions regarding the granting of access to the record.
- 7.10 Once the Information Officer has heard all the submissions, he/ she will make a decision as to whether or not access to the





record will be granted. You must then be granted access to the record within thirty days of being informed of the decision.

- 7.11 If you are not granted access to the record you are entitled to appeal the decision. You must receive proper reasons as to why the request was refused. You need to lodge your appeal in the High Court.
- 7.12 If the Information Officer does decide to grant you access to the record, the third party that has been affected has thirty days in which to appeal the decision – also in the High Court. If no appeal is lodged within 30 days, you must be granted access to the record.

## **8. Summary of applicable time periods in respect of requests for information**

The schedule below outlines the time-periods, which are applicable to this Act. This will enable you to understand the process whereby requests for access to records are considered and the time periods involved.

<b>Section of the Act</b>	<b>Description of Activity</b>	<b>Time Period</b>
56	Information Officer to decide whether to grant request for access to record that does not relate to a third party and notify requestor	Within 30 days after the request has been received
57	Information Officer to notify third party of an extension of the 30 day time period with reasons for the extension	Within 30 days of receiving the request (this may only be done once and only for the reasons in this section)
71	Information Officer to Notify third party of request for access to information that relates to him/her	Within 21 days of request for access to record affecting the third party has been received.
71	Third party to give written consent or written/oral submissions to information officer	Within 21 days of being informed by the Information Officer of the request for access to the record
73	Information Officer to make a decision about the	30 days after every third party has been informed of



	granting of access to a record which relates to a third party and notify third party and requestor	the request
73	Information Officer to give requestor access to the record if a decision has been made to grant access	Within 30 days of notifying requestor of the decision to allow access
74	If access to a record is denied, the requestor has 30 days in which to lodge an application at court to appeal against the refusal	30 days from date of notification by information officer of decision
74	If access to a record which affects a third party is granted, third party may lodge an application to court to appeal decision of information officer within 30 days	Within 30 days of notification by the Information Officer of the decision
71	If no appeals lodged by third party, Information Officer must give access to the record	Within 30 days of notification by Information Officer of third party

## 8. Deneb Group companies

No	Company	Registration No.
1	Autotube Manufacturing Proprietary Limited	2003/018292/07
2	Blue Reef Water Solutions Proprietary Limited	2013/149985/07
3	Brand ID Ignite Proprietary Limited	2013/131383/07
4	Brand ID International Proprietary Limited	2008/016882/07
5	Brits Nonwoven Proprietary Limited	2000/018452/07
6	Clever Little Monkey Proprietary Limited	2013/045245/07



7	Custom Extrusion Proprietary Limited	2008/018562/07
8	Explorius 151 Proprietary Limited	2014/129510/07
9	First Factory Shops Proprietary Limited	2013/150100/07
10	Formex Industries Proprietary Limited	1987/005556/07
11	Formex Tubing Proprietary Limited	1998/007378/07
12	Frame Knitting Manufacturers Proprietary Limited	2013/149705/07
13	Gold Reef Speciality Chemicals Proprietary Limited	2008/006963/07
14	Integrated Polypropylene Products Proprietary Limited	2013/193012/07
15	Limtech Biometric Solutions Proprietary Limited	1999/016157/07
16	New Just Fun Group Proprietary Limited	2007/027349/07
17	OfficeBox Proprietary Limited	2014/042203/07
18	Philmec Proprietary Limited	2004/016557/07
19	Premier Rainwatergoods Proprietary Limited	2005/043088/07
20	Prima Toy and Leisure Trading Proprietary Limited	1997/015132/07
21	Prima Toy and Leisure Group Proprietary Limited	1997/015103/07
22	Romatex Home Textiles Proprietary Limited	2013/210632/07
23	Sargas Proprietary Limited	1968/009480/07
24	Seardel Number 17 Proprietary Limited	1964/009211/07
25	Seartec Industries Limited	1964/004775/07
26	Seartec Proprietary Limited	1987/004962/07
27	Seartec Trading Proprietary Limited	2005/017638/07



28	The Kid Zone Proprietary Limited	2015/002323/07
29	Winelands Textiles Proprietary Limited	2012/103693/07

## 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 <i>ONLY</i> if a request <i>for information</i> is made on behalf of <i>another</i> 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**

<p>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.</p>
--

Disability:	Form in which record is required
<p>Mark the appropriate box with an X.</p> <p>NOTES:</p> <p>(a) Compliance with your request in the specified form may depend on the form in which the record is available.</p> <p>(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.</p> <p>(c) The fee payable for access for the record, if any, will be determined partly by the form in which access is requested.</p>	

<b>1. If the record is in written or printed form:</b>					
<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record		
<b>2. If record consists of visual images</b> 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*		
<b>3. If record consists of recorded words or information which can be reproduced in sound:</b>					
<input type="checkbox"/>	listen to the soundtrack audio cassette	<input type="checkbox"/>	transcription of soundtrack* written or printed document		
<b>4. If record is held on computer or in an electronic or machine-readable form:</b>					
<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 of .....20

SIGNATURE OF REQUESTER / PERSON ON  
WHOSE BEHALF REQUEST IS MADE