



**NISSAN SOUTH AFRICA PROPRIETARY LIMITED**

**AND**

**NISSAN MOTOR COMPANY SOUTH AFRICA**

**PROPRIETARY LIMITED**

**MANUAL IN TERMS OF THE PROMOTION OF ACCESS**

**TO INFORMATION ACT 2/2000 ("THE ACT")**

**INDEX**

<b>Paragraph No.</b>	<b>Subject</b>	<b>Page No.</b>
1	Introduction	3
2	Information Officers and Contact details	4
3	The Act	5
4	South African Human Rights Commission Guide on the Act	5
5	Records	6
6	Other Applicable Legislation	7
7	Company Records Classification Key	8
8	Summary: Records Availability	9
9	Form of Request	10
10	Prescribed Fees	10

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## 1. INTRODUCTION

This information manual ("the Manual") is published in terms of Section 14 of the Promotion of Access to Information Act No. 2 of 2000 (the "Act"). The Act gives effect to the provisions of Section 32 of the Constitution which provides for the right of access to information held by the State or Private Body and to information held by another person that is required for the exercise and/or protection of any right.

The purpose of this Act is to foster a culture of transparency and accountability in both the public and private sectors by affording any person the right of access to information to enable them to exercise and protect all of their rights to the full extent required.

This manual has been prepared in respect of the Nissan South Africa Group of Companies, which include the following entities:-

- (i) Nissan Motor Company South Africa Propriety Limited (Registration Number 1974/002883/07); and
- (ii) Nissan South Africa Proprietary Limited (Registration Number 1963/007428/07), which includes Infiniti, a division of Nissan South Africa Proprietary Limited, (hereinafter collectively referred to as "the Company").

The purpose of this manual is to set out the procedures to be followed and criteria that have to be met for anyone (the "requester") to request access to records in the possession or under the control of the company. The Company conducts business as a manufacturer, importer and exporter of motor vehicles and components.

## 2. INFORMATION OFFICERS AND CONTACT DETAILS

2.1 In terms of the Act, the Chief Executive Officer of a public body is automatically designated as Chief Information Officer. The Company's Chief Executive's details as follows:

Company	Nissan South Africa Propriety Limited
Chief Executive	Mr Mike Whitefield
Postal Address	P.O. Box 911-010, Rosslyn, 0200
Street Address	Ernest Oppenheimer Street, Rosslyn,0200
Telephone number	+27 12 529-6000
Fax	+27 12 529-6820

2.2 Requesters are required to address all requests to the relevant Information Officer, at the contact details listed below.

Requests may be directed to:

Company	Nissan South Africa Propriety Limited
Information Officer	Mr Wonga Mesatywa
Postal Address	P.O. Box 911-010, Rosslyn, 0200
Street Address	Ernest Oppenheimer Street, Rosslyn, 0200
Telephone number	+27 12 529-6632
Fax number	086 636-2895
Electronic mail address	wongam@nissan.co.za

### **3. THE ACT**

3.1 The Act grants a requester access to records of the Company, 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 the terms of the Act shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff dealt with in paragraphs 7 and 8.

### **4. SOUTH AFRICAN HUMAN RIGHTS COMMISSION (“SAHRC”) GUIDE ON THE ACT**

A guide to the Act and the rights of requesters is available from the SAHRC or from their website: [www.sahrc.org.za](http://www.sahrc.org.za). Should you have any queries in this regard, please contact the SAHRC directly at:

The South African Human Rights Commission: PAIA Unit

The Research and Documentation Department

Private Bag 2700

Houghton

2041

Telephone: +27 11 484-8300

Fax: +27 11 484-8300

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

Email: [paia@sahr.org.za](mailto:paia@sahr.org.za)

## 5. RECORDS

### A. AUTOMATICALLY AVAILABLE FOR FREE

No notice has been published in terms of section 52 of the Act. However, the following records are available at the registered office of the Company.

No.	Description
1	Documentation and information relating to the Company which is held by the Registrar of Companies
2	Product and Promotional Brochures
3	News and other Marketing Information
4	Information is also available on the Nissan South Africa website: <a href="http://www.nissan.co.za">www.nissan.co.za</a>

Access to these records will be granted to the requesters in the respect of a request for access to records, subject to the provisions of the Promotion of Access to Information Act, 2000.

### B. RECORDS AUTOMATICALLY AVAILABLE SUBJECT TO PAYMENT OF PRESCRIBED FEE

No.	Description
1	All documents relating to the incorporation of the Company that are retained by the Corporate Centre
2	Laws, regulations and by laws that govern the functioning and conduct of the Company
3	Details of auditors of the Corporate Centre
4	Details of actuaries of the pension scheme and the medical aid fund utilised by the Company
5	Rules of benefit, and medical schemes and funds
6	Newsletters

Requesters will be advised of prescribed fees on receipt of a request for access to records. Access to these records will be granted to requesters in respect of a request for access to records, subject to the provisions of the Promotion of Access to Information Act, 2000.

## **6. OTHER APPLICABLE LEGISLATION**

Records are kept in accordance with such other legislation as applicable to the Nissan South Africa Group, which includes, but is not limited to:

Pension Fund ACT 24 OF 1956

Companies Act 71 of 2008

Income Tax Act 58 of 1962

Unemployment Insurance Act 63 of 2001

Value-Added Tax Act 89 of 1991

Compensation for Occupational Injuries and Diseases Act 130 of 1993

Occupational Health and Safety Act 85 of 1993

Labour Relations Act 66 of 1995

Basic Conditions of Employment Act 75 of 1997

Employment Equity Act 55 of 1998

Skills Development Levies Act 9 of 1999

Customs and Excise Act 91 of 1954

Machinery and Occupational Safety ACT 6 OF 1993

Transfer Duty Act 40 of 1949

Prevention of Organized Crime Act 121 of 1998

Regulation of Interception of Communications and Provision of Communication-related Information Act 70 of 2002

Long Term Insurance Act 52 of 1998

Tax on Retirement Fund Act 38 of 1996

Financial Services Board Act 97 of 1990

The Friendly Societies Act 25 of 1989

Securities Exchanges Control Act 1 of 1985

Estate Duty Act 45 of 1955

Consumer Protection Act 68 of 2008

## 7. COMPANY RECORDS CLASSIFICATION KEY

Classification No.	Access	Classification
1	May be Disclosed	Public Access Document
2	May not be Disclosed	Request after commencement of criminal or civil proceedings [s7]
3	May be Disclosed	Subject to copyright
4	Limited Disclosure	Personal Information that belongs to the requester of that information (s61)
5	May not be Disclosed	Unreasonable disclosure of personal information of Natural Person [s63(1)]
6	May not be Disclosed	Likely to harm the commercial or financial interests of third party [s64(a)(b)]
7	May not be Disclosed	Likely to harm the Company or third party in contract or other negotiations [s64(c)]
8	May not be Disclosed	Would breach a duty of confidence owed to a third party in terms of an Agreement [s65]
9	May not be Disclosed	Likely to compromise the safety of individuals or protection of property [s66]
10	May not be Disclosed	Legally privileged document [67]
11	May not be Refused	Environmental testing / investigation which reveals public safety / environmental risks [s64(2); s68 (2)]
12	May not be Disclosed	Commercial information of Private Body [s68]
13	May not be Disclosed	Likely to prejudice research and development information of the company or a third party [69]
14	May not be Disclosed	Disclosure in public interest [s70]



## 8. SUMMARY: RECORDS AVAILABILITY

<b>Departmental</b>	<b>Subject</b>	<b>Classification No.</b>
Communications/Public Affairs Division	Product Information	1
	Public Corporate Records	1
	Media Releases	1
	Environmental Policy	1
Environmental Division	Environmental Records	11,4
	Staff Records	4,5,9
Human Resource Division	Employment Contracts	4,5
	Policies and Procedures	3,4,12
	Health & Safety records	4,5,8
	Audited Financial Statements	12
Financial Department	Tax Records (Company & Employees)	12
	Motor Industry Development Programme Records	12
	Asset Register	12
	Management Accounts	12
	General Contract Documentation	12
Communications/Public Affairs Division	Product Information	1
Group Legal Services	Trade Marks	1
	Statutory Records	12
	Market Information	12,13
Marketing Department	Customer Information:	
	Product Brochures	1
	General Owner Manuals	1
	Field Records	4,12
	Performance Records	12
	Product Sales Records	12
	Marketing Strategies	12
	Customer Database	12
	Dealer Franchise Document	6,7,8,12,13
	Production Records	12
Production Logistics	Vehicle and Components Specifications	3, 12, 13
Production Engineering	Engineering Records	3,12,13
Quality	Quality Records	12

## 9. FORM OF REQUEST

To facilitate the processing of your request, kindly:

Use the prescribed form, available on the websites of the Department of Justice and Constitutional Development, at [www.doj.gov.za](http://www.doj.gov.za) or the South Africa Human Rights Commission at [www.sahrc.org.za](http://www.sahrc.org.za).

Address your request to the Information Officer.

Provide sufficient details to enable the Company to identify:

- (a) the records(s) requested;
- (b) the requester (and if an agent is lodging the request, proof of capacity) ;
- (c) the form access required;
- (d) the postal address or fax number of the requester in the Republic;
- (e) if the requester wishes to be informed of the decision in any manner )in addition to written to the manner and particulars thereof; and
- (f) the right which reliance is placed.

## 10. PRESCRIBED FEES

The following applies to requests (other than personal requests)

10.1 A requestor is required to pay the prescribed fees of R50.00 (fifty Rand) before a request will be processed

10.2 If the preparation of the record requested requires more than the prescribed 6 (six) hours, a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted)

10.3 A requestor may lodge an application with a court against the tender/payment of the request fee and/ or deposit.

10.4 Records may be withheld until the fees have been paid.

10.5 The Fee structure is available on the websites of the Department of Justice and Constitutional Development at [www.doj.gov.za](http://www.doj.gov.za) or the South African Human Right Commission at [www.sahrc.org.za](http://www.sahrc.org.za)