



MAX ARCUS & SON (PTY) LTD

WHOLESALE HARDWARE MERCHANTS

Email: info@maxarcus.co.za Website: www.maxarcus.co.za Co. Reg. No. 1957/001574/07 VAT Reg. No. 4240127631

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PROMOTION OF ACCESS TO INFORMATION (PAIA) MANUAL

COMPANY NAME: MAX ARCUS & SON (PTY) LTD

REGISTRATION NUMBER: 1957/001574/07

TYPE OF COMPANY: (PTY) LTD

INDUSTRY: RETAIL

OWNERSHIP

This manual is owned by Max Arcus & Son (Pty) Ltd, hereunder referred to as the "Company". We, hereby confirm the adoption of this manual that will be effective on 01 July 2021.

DISCLAIMER

The contents of this document should only be used for and by Max Arcus & Son (Pty) Ltd and may not be distributed unlawfully. Older versions are not deemed official. Only the latest version is acceptable.

INTRODUCTION

The Promotion of Access to Information Act, 2000, PAIA gives effect to section 32 of the Constitution, which provides that everyone has the right to access information held by the State, as well as information held by another person (or private body) when such privately held information is required to exercise a right or to protect a right.

PAIA, provides that a person requesting information must be given access to any record of a private body, if that record is required for the exercise or the protection of a right. However, such request has to comply with the procedural requirements laid down by the Act.

This manual is compiled in accordance with Section 51 of PAIA and contains the following provisions:

- The Company's postal address, street address, phone and fax number and e-mail address.
- A short description of the guidance document on the application of the Promotion of Information Act and the process to be followed in order to obtain a copy of this guide (compiled by the Human Rights Commission in terms of section 10 of the Act).
- The process to be followed in order to access information held by the Company. See Annexure B.
- A description of the typology of records held by the Company (i.e. various information subjects held on each category type). See Annexure A.
- A description of the Company's information which are available in accordance with any other legislation.

COMPANY CONTACT DETAILS

Phone Number: 021 508 4911

Fax Number: 021 508 4999

E-mail address: info@maxarcus.co.za

Postal Address: PO Box 3252, Cape Town, 8000

Physical Address: 32A Lowestoft Street, Paarden Eiland, 7405

Directors: A P Seragie R J Cotterell



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GUIDE ON THE PROMOTION OF ACCESS TO INFORMATION ACT (SECTION 10 GUIDE)

The guidance document on the application of the Promotion of Access to Information Act has been compiled by the South African Human Rights Commission. The guidance document has been developed in order to assist people to access records and to exercise their right to information. The guide is available in all South African official languages free of charge, and any person may request a copy of the guide. A copy of the guide may be obtained by contacting the South African Human Rights Commission at:

The South African Human Rights Commission; PAIA Unit; The Research and Documentation Department; Private Bag 2700; Houghton; 2041

Telephone: 011 877 3600

E-mail: paia@sahrc.org.za

Website: www.sahrc.org.za

PROCEDURE FOR OBTAINING ACCESS TO INFORMATION

Any person who wishes to request any information held by the Company in order to protect or exercise a right may contact the Company's information officer at the following contact details:

Information Officer Name & Surname: Kerry-Ann Elson
Phone Number: 021 508 7500
E-mail address: kelson@maxarcus.co.za

A request for access to information must be made in the prescribed form to the information officer indicated above. See Annexure B for the prescribed form.

All required text fields on the annexed "Request for Information Form" must be completed in full and in a legible form. The form (as well as any additional pages attached thereto) must be signed by the person submitting the form.

Once the "Request for Information Form" has been submitted, the information officer will notify the person who submitted the request of the prescribed fee (if any) payable before further processing the request.

A person submitting the request must:

- Indicate the identity of the person seeking access to the information
- Provide sufficient particulars to enable the information officer to identify the information requested
- Specify the format in which the information is required
- Indicate the contact details of the person requiring the information
- Indicate the right to be exercised and/or to be protected, and specify the reasons why the information required will enable the person to protect and/or exercise the right
- Where the person requesting the information wishes to be informed of the decision of the request in a particular manner, state the manner and particulars to be so informed
- If the request for information is made on behalf of another person, submit proof that the person submitting the request, has obtained the necessary authorisation to do so



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TYPE OF RECORDS HELD BY THE COMPANY

Request for access to documents held by the Company will be in accordance with the Act. The type of records available to the person requesting the information are listed in Annexure A.

RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION

The person requiring the information may also request information which is available in terms of the following legislation:

- Arbitration Act
- Auditing Professions Act
- Basic Conditions of Employment Act 75 of 1997
- Broad-Based Black Economic Empowerment Act 53 of 2003
- Companies Act 71 of 2008
- Compensation for Occupational Injuries and Diseases Act 130 of 1993
- Competition Act 89 of 1998
- Consumer Protection Act 68 of 2008
- Copyright Act 98 of 1978
- Criminal Procedure Act 51 of 1977
- Debt Collectors Act 114 of 1998
- Domicile Act 3 of 1992
- Employment Equity Act 55 of 1998
- Electronic Communications and Transactions Act 25 of 2002
- Electronic Communications Act, 36 of 2005
- Financial Advisory and Intermediary Services Act 37 of 2002
- Financial Intelligence Centre Act 38 of 2001
- Financial Institutions (Protection of Funds) Act
- Financial Markets Act 19 of 2012
- Friendly Societies Act
- Income Tax Act 58 of 1962
- Insolvency Act
- Intellectual Property Laws Amendments Act 38 of 1997
- Labour Relations Act 66 of 1995
- National Credit Act 34 of 2005
- National Payment System Act 78 of 1998
- Non-profit Organisations Act 71 of 1997
- Occupational Health and Safety Act 85 of 1993
- Pension Fund Act 24 of 1956
- Prevention of Organised Crime Act 121 of 1998
- Prevention and Combating of Corrupt Activities Act 12 of 2004
- Protection of Personal Information Act 4 of 2013
- Promotion of Access to Information Act 2 of 2000
- Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000
- Protection of Constitutional Democracy against Terrorist and related Activities Act
- Protected Disclosures Act 26 of 2000
- Sectoral Determinations (Industry specific)
- Skill Development Levies Act 9 of 1999
- Skills Development Act 97 of 1998
- South African Qualifications Authority Act

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- Tax Administration Act 28 of 2011
- Tax Administration Laws Amendment Act 44 of 2014
- Trade Marks Act 194 of 1993
- Unemployment Insurance Act 63 of 2001
- Unemployment Insurance Contributions Act 4 of 2002
- Value Added Tax Act 89 of 1991
- Such other legislation as may from time to time be applicable

GROUND FOR REFUSAL OF ACCESS TO RECORDS

The Promotion of Access to Information Act provides a number of grounds on which a request for access to information must be refused. These grounds mainly concern instances where the privacy and interests of other individuals are protected, where such records are already otherwise publicly available, instances where public interest are not served, the mandatory protection of commercial information of a third party, as well as the mandatory protection of certain confidential information of a third party. A complete list of the grounds for refusal are indicated within Chapter 4 of the Act.

RECORDS NOT FOUND OR NON-EXISTENT

If the company has searched for a record and believe that it either does not exist or cannot be found, the company will notify the requester by way of an affidavit or affirmation that it is not possible to provide access to the requested record due to its inability to locate it. The company will also provide the requester with details on the steps that were taken to try to locate the record and will confirm to the requester that, if at a later stage the record is located, the company will grant the requester access, provided that access is not prohibited in terms of Chapter 4 of Part 3 of the Act.



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ANNEXURE A

RECORD TYPOLOGY

Request for access to documents held by the Company will be in accordance with the Act. The type of records available to the person requesting the information are listed hereunder:

Administrative Records

These include, but are not limited to the following:

- The Company's registration documents
- The Company's compliance manual
- The Company's policies
- The Company's internal rules and procedures
- Any personal records provided to the Company by its employee
- Any records which a third party has provided to the Company about any of its employee

Human Resources Records

These include, but are not limited to the following:

- Any personal records provided to the Company by its employee
- Any records which a third party has provided to the Company about any of its employee
- Conditions of employment and other employee-related contractual and quasi-legal records
- Internal evaluation and training records
- Other internal records and correspondence
- Criminal Checks and Credit Checks
- Psychometric assessments
- CV's
- Academic Qualifications

Client-related Records

These include, but are not limited to the following:

- Advice records
- Operational records
- Databases
- Information technology
- Marketing records
- Internal correspondence
- Product records
- Statutory records
- Internal policies and procedures
- Treasury-related records
- Securities and equities
- CV's
- Academic Qualifications
- Records held by officials of the Company



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Financial Records

These include, but are not limited to the following:

- Financial statements
- Audit records
- Asset's inventory
- Recons
- Payroll documentation

Other Parties

The Company may possess records pertaining to other parties, including without limitation, contractors, suppliers, subsidiary/holding companies, joint venture companies and other financial services providers.

These records include:

- Service level agreements
- Financial records
- Correspondence
- Non-Disclosure Agreements

Alternatively, such other parties may possess records which can be said to belong to the Company. The following records fall under this category:

- Employee, Client or Company records which are held by another party
- Records held by Company pertaining to other parties, including without limitation:
 - Financial records
 - Correspondence
 - Contractual records
 - Records provided by the other party



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ANNEXURE B

REQUEST FOR INFORMATION FORM

PARTICULARS OF PERSON REQUESTING ACCESS TO INFORMATION

Full Names & Surname: _____

Identification Number: _____

Phone Number: _____

E-mail address: _____

Physical Address: _____

PARTICULARS OF PERSON ON WHOSE BEHALF THE REQUEST IS MADE

Only complete this section if a request for information is made on behalf of another person

Full Names & Surname: _____

Identification Number: _____

PARTICULARS OF REQUESTED INFORMATION

Provide full particulars of the information to which access is requested. If the provided space is inadequate, please continue on a separate page and attach it to this form. (Please sign all additional pages). Full Description:

FORMAT IN WHICH INFORMATION IS REQUIRED

Indicate the format in which the information requested is required. Please note that the request for access in the specified format may depend on the format in which the record is available. Access in the requested format may be refused under certain circumstances. Specify Format:

RIGHT TO BE EXERCISED OR PROTECTED

Indicate the right that is to be exercised and/or protected and why the information is required to protect and/or to exercise this right. Specify Right & Reason:

NOTIFICATION

You will be notified by e-mail and/or post whether your request has been approved or denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars.

Alternative method of Notification:

Signed at: _____ on this _____ day of _____ 20 _____

Signature of person submitting the request

Please feel free to contact us if you have any questions, via e-mail info@maxarcus.co.za.