

SA BIAS INDUSTRIES (PTY) LIMITED

("SA Bias")

REGISTRATION NUMBER 1997/020860/07

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

CONTENTS

1. Contact details
2. The Guide published by the South African Human Rights Commission
3. Records held in terms of applicable legislation
4. Records held as a matter of standard practise
5. Records which are automatically available without having to make a request in the prescribed form
6. Making a request in terms of the Act
7. Grounds for refusal
8. The Information Officer's Decision and the Requester's Recourse
9. Other information:
 - Annexure A and B
 - Prescribed fees
 - Prescribed forms

**MANUAL PREPARED IN TERMS OF SECTION 51 OF THE
PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000**

("the Act")

1. DETAILS OF THE PRIVATE BODY (Section 51(1)(a))

Name of Business	: SA Bias Industries (Pty) Ltd
Head of Private Body	: Mr J H A Park
Information Officer	: Mr R C Moore
Street Address	: 2 nd Floor PSG House Alphen Park Lower Main Road Constantia, 7806
Postal Address	: Private Bag X13 CONSTANTIA, 7848
Telephone	: +27 21 7944966
Fax	: +27 21 7940545
Email	: rmoore@sabias.co.za
Website	: www.sabias.co.za
Wholly owned Subsidiaries	: SA Bias Industries (Pty) Limited is the holding company of a number of subsidiaries within the SA Bias Group. This manual deals with information in the possession of the Group as a whole and reference to documentation and schedules "A" and "B" hereto, is to be taken to refer to documentation in the possession of SA Bias Industries (Pty) Limited and the following companies within its Group: <ul style="list-style-type: none">• International Trimmings & Labels SA (Pty) Ltd• NKM Investments (Pty) Ltd• Die Cast Trims (Pty) Ltd• Narrowtex (Pty) Ltd• Narrowtex Group (Pty) Ltd• National Braiding Industries (Pty) Ltd• National Trimmings Specialists (Pty) Ltd• Bitrim Management & Financial Services (Pty) Ltd• Apparel Components Manufacturers (Pty) Ltd• Webbing Products (Pty) Ltd

2. THE SOUTH AFRICAN HUMAN RIGHTS COMMISSION GUIDE TO THE ACT

The Act requires the South African Human Rights Commission (SAHRC) to compile a guide to be available in each official language, to assist individuals in understanding how to exercise their rights contained in Act. The guide will describe the objects of the Act and generally how to go about making use of the provisions in the Act.

To date this guide has not been compiled and the SAHRC is unsure when it will be available. As soon as it is available, it will form part of this manual.

Any queries regarding this guide can be addressed directly to the SAHRC at:

The South African Human Rights Commission
Private Bag 2700
Houghton
2041

Tel: +27 11 484 8300
Fax: +27 11 484 0582
Website: www.sahrc.org.za
E-mail: PAIA@sahrc.org.za

3. RECORDS HELD IN TERMS OF APPLICABLE LEGISLATION (Section 51(1)(D))

SA Bias is required by law to keep certain records. These records must be kept in terms of different Acts of Parliament. SA Bias holds the following records in terms of these Acts of Parliament:

See Annexure "A" hereto.

4. RECORDS HELD AS A MATTER OF STANDARD PRACTISE (Section 51(1)(e))

SA Bias keeps certain records in the conduct of its day to day business and as a matter of standard practice and the advice of its legal representatives. SA Bias holds the following the subjects and categories of the records:

See Annexure "B" hereto.

5. RECORDS WHICH ARE AUTOMATICALLY AVAILABLE WITHOUT HAVING TO MAKE A REQUEST IN THE PRESCRIBED FORM

- 5.1 All information on SA Bias Industries (Pty) Limited website;
- 5.2 Annual report.

6. MAKING A REQUEST IN TERMS OF THE ACT

- 6.1 The first step in the process is to obtain "Request Form-C".
- 6.2 You will be able to get the form together with a list of applicable fees from the head office of SA Bias, indicated in the street address. These fees must be paid before access to a record will be allowed. You will be informed of the amount of your fees once you have submitted your request. The Minister may exempt certain persons from having to pay the fees referred to in the Act. To date, no such exemptions have been published.
- 6.3 Once you have filled in the form you need to submit it to the Information Officer at the postal address, fax number or electronic mail address listed above.
- 6.4 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.
- 6.5 This period may be extended ONCE for a further 30 days if:

- 6.5.1 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 SA Bias;
- 6.5.2 the request requires a search for records in, or collection thereof from, an office of SA Bias not situated in the same town or city as the office of the information officer and this search cannot reasonably be completed within the original 30 days;
- 6.5.3 consultation among divisions of SA Bias or with another private body is necessary or desirable to decide upon the request and this consultation cannot reasonably be completed within the original period;
- 6.5.4 more than one of the circumstances contemplated in paragraphs 6.5.1, 6.5.2 and 6.5.3 exist in respect of the request making compliance with the original period not reasonably possible; or
- 6.5.5 you, as the requester, consent in writing to such extension.

7. GROUNDS FOR REFUSAL

- 7.1 There are various grounds upon which your request for access to a record may be refused. They are:
 - 7.1.1 the protecting of personal information of a third person (who is a natural person) from unreasonable disclosure;
 - 7.1.2 the protecting of 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).
 - 7.1.3 Refusing access to a record if disclosure would result in the breach of a duty of confidence owed to a third party.
 - 7.1.4 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.
 - 7.1.5 Refusing access to a record that was produced during legal proceedings, unless that legal privilege has been waived.
 - 7.1.6 Refusing access to a record containing trade secrets, financial or sensitive information or any information that would put SA Bias at a disadvantage in negotiations or prejudice it in commercial competition.
 - 7.1.7 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 by SA Bias.
- 7.2 Section 70 of the Act contains an overriding provision. Disclosure is compulsory if it would reveal a substantial contravention of, or failure to comply with 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.
- 7.3 If your request does affect a third party then we 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.
- 7.4 The third party then has 21 days to make representations and/or submissions regarding the granting of access to the record.

8. THE INFORMATION OFFICER'S DECISION AND REQUESTER'S RECOURSE

- 8.1 Once the Information Officer of SA Bias has heard all the submissions, he or 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.

- 8.2 If the Information Officer does not grant you 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.
- 8.3 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.

9. OTHER 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.

Section of the Act	Description of activity	Time period
10	The Guide published by the South African Human Rights Commission to assist in the use of this Act must be published	It is meant to be available from August 2000
51	Preparation of Company Manual	To be available after 28 February 2003
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 granting of access to a record which relates to a third party and notify third party and requestor	30 days after every third party has been informed of 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

This company strives to be a leader in its industry in all fields, including its practical subscription to the guiding principles in our constitution such as transparency and the free flow of information. Should you have any queries regarding the use of this manual, please do not hesitate to contact the information officer or myself.

**JHA PARK
CHIEF EXECUTIVE OFFICER
SA BIAS INDUSTRIES (PTY) LTD**