

Vitafoam (Pty) Ltd PAIA Manual

VITAFOAM PROPRIETARY LIMITED

Registration number 1951/003269/07

PAIA MANUAL

Manual prepared in terms of Section 51 of the Promotion of Access to Information Act 2 of 2000, (the “Act”) for Vitafoam Proprietary Limited (“Vitafoam”)

A | INTRODUCTION

The Act, together with other relevant legislation, provides for the right of access to information held by public and private bodies when such information is requested for the exercise or protection of any rights.

This manual is to assist any potential requesters with the procedural and other requirements which a request for information must meet as prescribed by the Act. Its purpose is to help requesters access Vitafoam information and any other information that Vitafoam maintains. The Act requires Vitafoam to make information available to requesters so that requesters:

- know what types of information Vitafoam maintains; and
- can request access to information that falls within the ambit of the Act.

Overview of Vitafoam

Vitafoam is a private company with its registered address at 3rd Floor, Building 2, The Views, Founders Hill Office Park, 18 Centenary Street, Modderfontein, 1645. Vitafoam constitutes part of the Restonic Group and manufactures foam.

B | OUR DETAILS

Vitafoam Proprietary Limited, Registration number 1951/003269/07	
Physical address	9 Fulton Road, Industria West Johannesburg, 2093
Postal address	P.O Box 43382, Industria, 2042
Telephone number	011 248 9500
Fax number	011 248 9545
Chief executive officer	Michael Borchers 43 Silver Lane, Ormonde, Johannesburg, 2001 Tel: 011 298 9800 Fax: 011 493 1900 Email: CEO@restonicsa.co.za
Information officer	Francois Calitz Chief Financial Officer 43 Silver Lane, Ormonde, Johannesburg, 2001 PO Box 38134, Booyens, 2016 Tel: 011 298 9800 Email: informationofficer@restonicsa.co.za

Further guidance from the Information Regulator

The Act requires the Information Regulator to compile a guide to be available in each official language, to assist individuals in understanding how to exercise their rights contained in the Act. The guide is available on the Information Regulator’s website. Their contact details are as follows:

The Information Regulator (South Africa)

Postal address: P.O. Box 3153, Braamfontein, Johannesburg, 2017

Physical address: JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001

Tel: +27 10 023 5200

General enquiries email: enquiries@inforegulator.org.za

Complaints email: PAIAComplaints@inforegulator.org.za

C | RECORDS ARE KEPT IN TERMS OF THE FOLLOWING LEGISLATION

- Basic Conditions of Employment Act 75 of 1997
- Broad-Based Black Economic Empowerment Act 53 of 2003
- Companies Act 61 of 1973
- 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
- Customs and Excise Act 91 of 1964
- Electronic Communications Act 36 of 2005
- Electronic Communications and Transactions Act 25 of 2002
- Employment Equity Act 55 of 1998
- Financial Intelligence Centre Act 38 of 2001
- Income Tax Act 58 of 1962
- Intellectual Property Laws Amendment Act 28 of 2013
- JSE listings requirements
- Labour Relations Act 66 of 1995
- National Credit Act 34 of 2005
- Occupational Health and Safety Act 85 of 1993
- Prescription Act 18 of 1943
- Prevention of Organised Crime Act 121 of 1998
- Promotion of Access to Information Act 2 of 2000
- Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000
- Protected Disclosures Act 26 of 2000
- Protection of Personal Information Act 4 of 2013
- Regulation of Interception of Communications and Provision of Communication-related Information Act 70 of 2002
- Skills Development Act 97 of 1998
- Skills Development Levies Act 9 of 1999
- 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.

D | RECORDS WHICH ARE AUTOMATICALLY AVAILABLE

No notice has been published to date in terms of Section 51(1)(b)(ii) of the Act. The following records are however automatically available on Vitafoam website to any person requesting this information and it is therefore not necessary to apply for access thereto in terms of the Act:

- Privacy Policy
- Our use of cookies

- Terms and Conditions

E | RECORDS HELD BY VITAFOAM

Statutory

- Memoranda of Incorporation
- Minutes of board of directors' meetings and shareholders' meetings
- Written resolutions
- Company registers
- Records relating to appointment of directors, auditor, secretary, public officer or other officers
- Share registers
- Agreements
- Trademarks and patents
- Title deeds
- Other statutory records, registers and returns.

Administrative, Finance and Accounting

- Accounting records
- Tax returns and other documents relating to taxation of the company
- Banking records and documents
- Asset register
- Rental agreements
- Financial statements
- Invoices
- Financial agreements
- Regional services levies
- Skills development levies
- UIF
- Workmen's compensation.

Human Resources

- List of employees
- Policies and procedures
- Employment contracts
- Employment equity plans
- Pension and provident fund scheme details
- Salaries of employees
- Leave records
- Internal evaluations
- Skills development plans
- Disciplinary records
- Disciplinary codes
- Training records
- Operating manuals
- Personal records provided by personnel
- Other statutory records and reports.

Insurance records

- Insurance policies

Operations

- Permits, licences, consents, approvals, authorisations, applications and registrations
- Policies and procedures (both internal and external)
- Reports and supporting documentation
- Contractor, client and supplier agreements and information
- Documentation on Customs and Excise
- Environmental, Health and Safety records.

F | PROCEDURE FOR REQUEST FOR ACCESS

1. To request a document that falls within the ambit of the Act, the requester must contact the Information Officer at the address listed under B above. The Information Officer will respond to the requester with the appropriate form for the requester to complete and return, together with the relevant fee, to the Information Officer.
2. The requester must complete the form with sufficient detail to enable the Information Officer to clearly identify the record/s requested, the requester's identity (including email address, postal address or fax number) and in which form the records should be supplied, should the request be granted. The requester must explain which right is being protected or exercised. The requester must also detail any other way the requester would like to be informed of Vitafoam's decision other than in writing.
3. If the request is being made on behalf of another person, the requester must submit proof, with the completed form, to the satisfaction of the Information Officer, of the capacity in which the requester is making the request.
4. If a requester does not use the standard form, the Information Officer may:
 - reject the request due to lack of procedural compliance;
 - refuse the request, if the requester does not provide sufficient information; or
 - delay it until the standard form is received.
5. The Information Officer will process the request and notify the requester in writing within 30 calendar days of its decision whether or not the request has been granted. Should the request be granted, the notice will state the access fees (if any) that are payable. The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record. If the requester has asked for the information to be made available in a specific form that requires a different procedure to be followed, a higher fee may be applicable. This is also the case in the event that Vitafoam has exceeded the prescribed hours to search and prepare the record for disclosure. A requester that qualifies for exemption of the payment of any fee, must state the reason for exemption. A copy of the fee structure applicable to public and private bodies can be accessed at the Information Regulator. Requesters must pay the fees before Vitafoam will hand over any information. Compliance with a request to provide information in a specified form may depend on the form in which the record is available in Vitafoam records, hence access in the form requested may not be possible in certain circumstances.
6. If Vitafoam cannot find any requested record or it does not exist, Vitafoam will notify the requester by way of affidavit that it is not possible to give access to that particular record.
7. Should the request be refused, the notice will state adequate reasons for the refusal.
8. If the Information Officer denies the request for access, the requester may:
 - apply to a court with appropriate jurisdiction, or
 - complain to the Information Regulator,
 for the necessary relief within 180 calendar days of notifying the requester of the Information Officer's decision.

9. Publication of this manual does not give rise to any rights to access information, except in terms of the Act.

G | GROUNDS FOR REFUSAL OF ACCESS TO RECORDS

Access to certain records may be or must be denied on the grounds set out in the Act. This includes:

- Mandatory protection of privacy of a third party who is a natural person
- Mandatory protection of commercial information of third party
- Mandatory protection of certain confidential information of third party
- Mandatory protection of safety of individuals, and protection of property
- Mandatory protection of records privileged from production in legal proceedings
- Commercial information of private body
- Mandatory protection of research information of third party, and protection of research information of privacy body.

H | PROCESSING PERSONAL INFORMATION

Vitafoam processes the personal information of various categories of people for various purposes as set out in its Privacy Policy, which is available on Vitafoam's website (www.vitafoam.co.za).

I | OTHER PRESCRIBED INFORMATION

The Minister of Justice and Constitutional Development has not made any regulations prescribing any other information that needs to appear in this manual.

J | AVAILABILITY OF THE MANUAL

Copies of this manual are available for inspection, free of charge, at the registered offices of Vitafoam. Copies are also available on Vitafoam's website (www.vitafoam.co.za).

K | UPDATES OF THE MANUAL

This manual will be updated whenever Vitafoam makes material changes to the current information.