



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

**FOR**

**HONDA MOTOR SOUTHERN AFRICA PROPRIETARY LIMITED,  
REGISTRATION NUMBER 2000/010675/07**

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## 1. **Introduction**

1.1 Honda Motor Southern Africa Proprietary Limited ("**Honda SA**") is the South African operating company and subsidiary of the Honda Motor Co. Ltd. Honda SA is an independent retailer of automobiles, motorcycles, marine and power equipment.

1.2 This manual has been compiled in accordance with the requirements of the Promotion of Access to Information Act, 2000 ("**PAIA**"). Honda SA is a private body as contemplated in PAIA and this manual contains the information specified in section 51(1) of PAIA, which is applicable to private bodies.

## 2. **Contact details**

The managing director of Honda SA is Toshiaki Konaka, who has authorised Lavendra Padayachee, the Head: General Administration of Honda SA, to act as the head of Honda SA for the purposes of PAIA. The contact details of Lavendra Padayachee are as follows:

Street Address:	Building 6 Maxwell Office Park Magwa Crescent Park Waterfall City 2090
Postal Address:	Honda Motors Southern Africa P O Box 7179 Halfway House 1685 South Africa
Telephone:	+27 11 058 1100
Fax:	+27 11 058 1200
Email:	rajn.mahabeer@honda-eu.com

### 3. **The South African Human Rights Commission Guide to PAIA**

- 3.1 The South African Human Rights Commission (“**SAHRC**”) has, in terms of section 10 of PAIA, published a guide to assist persons wishing to exercise any rights in terms of PAIA.
- 3.2 Any person wishing to obtain the guide may either access it through the SAHRC’s website at [www.sahrc.org.za](http://www.sahrc.org.za) or should contact the SAHRC at:

The South African Human Rights Commission  
Private Bag X2700  
Houghton  
2041  
Tel: +27 011 877 3803  
Fax: +27 011 403 0625  
E-mail: [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)

### 4. **Information available without a request**

At this stage, no notices have been published in terms of section 52(2) of PAIA. Certain information is, however, freely available on the internet website of Honda SA at <http://honda.co.za/en/home/>. This information includes:

- description of business, products and services;
- authorised dealers;
- approved panel beaters;

### 5. **Honda SA products: Records available in terms of other legislation**

Certain records of Honda SA are available in terms of legislation other than PAIA. The specific records which are held in terms of such legislation are set out therein and these records may in certain instances only be accessed by the persons or in the circumstances specified in the relevant legislation. The legislation is as follows:

- 5.1 Companies Act, 2008;
- 5.2 Basic Conditions of Employment Act, 1997;
- 5.3 Employment Equity Act, 1998;

- 5.4 Labour Relations Act, 1995;
- 5.5 Compensation for Occupational Injuries and Diseases Act, 1993;
- 5.6 Occupation Health and Safety Act, 1993;
- 5.7 Income Tax Act, 1962;
- 5.8 Value Added Tax Act, 1991;
- 5.9 Customs and Excise Act, 1964;
- 5.10 Electronic Communications and Transactions Act, 2002;
- 5.11 Unemployment Insurance Act, 2001;
- 5.12 Unemployment Insurance Contributions Act, 2002;
- 5.13 Skills Development Act, 1998;
- 5.14 Skills Development Levies Act, 1999; and
- 5.15 National Environmental Management Act, 1998.

## 6. **Subject and categories of records held by Honda SA**

Honda SA maintains records on the following subject matters and categories in respect of such subjects. Recording a category or subject matter in this manual does not imply that a request for access to such records would be honoured. All requests for access will be evaluated on a case-by-case basis in accordance with the provisions of PAIA.

<b>Subjects</b>	<b>Description of categories of records</b>
Company secretarial	Memorandum of incorporation
	Record of directors
	Notice and minutes of the sole shareholders' meetings

	Written communications sent to the sole shareholder
	Minutes of all meetings and resolutions of directors and committees
	Securities register
	Record of auditors
	Share certificates
	Delegations of authority
Administration and general business	Minutes of management meetings
	General correspondence
	Operational records
	Regulatory approvals, registrations, permits and licenses
	Insurance policies
	Litigation records
Financial and accounting	Financial statements and management accounts
	Journals and ledgers
	Stock records
	Asset registers
	Debtors records
	Bank statements
	Invoices
	Tax records
	Audit records and reports
	Credit/debit notes
Human Resources	Employment contracts
	Personnel records including personal details, disciplinary records and performance records
	Employee tax information
	Records of Unemployment Insurance Fund contributions
	Payroll records
	Health and safety records

	Medical aid information
	Provident fund information
	Disciplinary code and procedure
	Grievance procedure
	Employee policies and procedures
	Work permits
	Training records
	Recruitment records
Services / Operations	Correspondence with customers and dealers
	Dealer agreements
	Pricing lists and pricing information
	Warranty procedures
	Marketing presentations and material
Property	Lease agreements
Supplier and services records	Agreements with suppliers
	Agreements with service providers, including security and maintenance services
Information technology	Business and date information
	IT capabilities
	Systems and user manuals
	Software licenses
	Supplier contracts
	Equipment lease agreements
	Domain and website information
Intellectual Property	Registered trademarks and applications

## 7. Request procedures

- 7.1 A request for access to records held by Honda SA in terms of section 50 of PAIA must be made on the form contained in the Regulations regarding the Promotion of Access to Information (Form C). A copy of the form is provided in

paragraph 10 below. The request must be made to Honda SA at its address, telefax number or email address specified in paragraph 2 above.

- 7.2 A person or entity requesting access to records (“**a requester**”) must provide sufficient detail on the prescribed form to allow Honda SA to identify the record or records which have been requested and the identity of the requester. If a request is made on behalf of another person or entity, the requester must submit details and proof of the capacity in which the requester is making the request, which must be reasonably satisfactory to Honda SA. The requester is also required to indicate the form of access to the relevant records that is required, and to provide his, her or its contact details in the Republic of South Africa.
- 7.3 The requester is required to identify the right that he, she or it is seeking to exercise by accessing records held by Honda SA and to explain why the particular record or records requested is required for the exercise or protection of that right.
- 7.4 Honda SA is required to inform a requester in writing of its decision in relation to a request. If the requester wishes to be informed of Honda SA’s decision in another manner as well, this manner must be set out in the request and the relevant details included, in order to enable Honda SA to inform the requester in the preferred manner.
- 7.5 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.
- 7.6 This period may be extended once for a further 30 days if:
- 7.6.1 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 Honda SA;



- 7.6.2 the request requires a search for records in, or collection thereof from, an office of Honda SA other than the Midrand office of Honda SA and this search cannot reasonably be completed within the original 30 days;
- 7.6.3 consultation among offices of Honda SA 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;
- 7.6.4 more than one of the circumstances contemplated in paragraphs 7.6.1, 7.6.2 and 7.6.3 exist in respect of the request making compliance with the original period not reasonably possible; or
- 7.6.5 the requester consents in writing to such extension.
- 7.7 There are various grounds upon which a request for access to a record may be refused. These include:
  - 7.7.1 the protection of personal information of a third person (who is a natural person) from unreasonable disclosure;
  - 7.7.2 the protection 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);
  - 7.7.3 refusing access to a record if disclosure would result in the breach of a duty of confidence owed to a third party;
  - 7.7.4 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;
  - 7.7.5 refusing access to a record that was produced during legal proceedings, unless that legal privilege has been waived;
  - 7.7.6 refusing access to a record containing trade secrets, financial or sensitive information or any information that would put Honda SA at a disadvantage in negotiations or prejudice it in commercial competition; and

7.7.7 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 Honda SA.

7.8 In terms of section 70 of PAIA, 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.

7.9 If your request does affect a third party then Honda SA 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.

7.10 The third party then has 21 days to make representations and/or submissions regarding the granting of access to the record.

7.11 Once the head of Honda SA has heard all the submissions, he or she will make a decision as to whether or not access to the record will be granted. If the decision is to grant you access to the record, you must then be granted access to the record within 30 days of being informed of the decision, unless an application with a court is lodged against the decision within that period.

7.12 If the head of Honda SA does not grant you access to the record, you may apply to a court for appropriate relief in terms of section 82 of PAIA.

7.13 If the head of Honda SA does decide to grant you access to the record, the third party that has been affected may lodge an application with a court against the decision of the head within 30 days after notice is given.

## 8. **Prescribed fees**

8.1 A request fee of R50.00 is payable by a requester, other than a requester who is seeking access to a record containing personal information about him, her or itself. This request fee may be paid at the time a request is made, or the person

authorised to deal with such requests on Honda SA's behalf may notify the requester to pay the request fee before processing the request any further. A requester may make an application to court against the payment of the request fee.

- 8.2 A requester whose request for access to a record or records held by Honda SA is granted is also required to pay an access fee for the reproduction of the record or records, and for the search for and the preparation of the records for disclosure. Honda SA is entitled to withhold a record until the required access fees have been paid. The access fees which are payable are as follows:

Item	Action taken	Fee
1.	Photocopy of an A4-size page or part thereof	R1.10
2.	Printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	R0.75
3.	For a copy in a computer-readable form on -	
3.1	stiffy disc	R7.50
3.2	compact disc	R70.00
4.	Transcription of visual images, for an A4-size page or part thereof	R40.00
5.	Copy of visual images	R60.00
6.	Transcription of an audio record, for an A4-size page or part thereof	R20.00
7.	Copy of an audio record	R30.00

- 8.3 In addition, if the search for and preparation of the record or records requested takes more than six hours, Honda SA may charge R50.00 for each hour or part thereof which is required for the search for and preparation of the records.

## 9. Other information

No other information has been prescribed to be contained in this manual as contemplated in section 51(1)(f) of PAIA.

10. **Prescribed form**

**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**

- |  |
|--|
| <p>(a) The particulars of the person who requests access to the record must be given below.</p> <p>(b) The address and/or fax number in the Republic of South Africa to which the information is to be sent must be given.</p> <p>(c) Proof of the capacity in which the request is made, if applicable, must be attached.</p> |
|--|

- (d) Full names and surname:
- (e) Identity number:
- (f) Postal address:
- (g) Fax number:
- (h) Telephone number:
- (i) E-mail address:
- (j) 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 *ONLY* if a request for information is made on behalf of another 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**

- (a) A request for access to a record, other *than* a record containing personal information about yourself, will be processed only after a request fee has been paid.
- (b) You will be *notified* of the amount required to be paid as the request fee.
- (c) 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.
- (d) If you qualify for exemption *of* the payment *of* any fee, please state the reason for exemption.

Reason for exemption from payment of fees:

**F. Form of access to record**

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.

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

<b>1. If the record is in written or printed form:</b>				
	copy of record*		inspection of record	
<b>2. If record consists of visual images</b> (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)				
	view the images		copy of the images*      transcription of the images*	
<b>3. If record consists of recorded words or information which can be reproduced in sound:</b>				
	listen to the soundtrack audio cassette		transcription of soundtrack* written or printed document	
<b>4. If record is held on computer or in an electronic or machine-readable form:</b>				
	printed copy of record*		printed copy of information derived from the record      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.			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