

MANUAL
in terms of
Section 51 of
The Promotion of Access to Information Act
2/2000
(the "ACT")

For

NAME OF COMPANY:

AUCTION FINANCE (PTY) LTD

Registration Number of Company:

2003/021721/07

December 2015

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1. INTRODUCTION

Auction Finance (Pty) Ltd mainly conducts business as a Motor Dealership.

The company comprises of the following dealerships:

- Auction Finance

The processing of the personal information is related to the purchase/sale of motor vehicles.

The personal information required will apply to the relevant Act in terms of the business conducted with the client.

The processing of personal information of our personnel and clients falls within the complying with the obligations of the applicable legislation as stipulated in point 4 below.

Refer to Annexure A for further disclosures

2. COMPANY CONTACT DETAILS:

Company Name:	Auction Finance (Pty) Ltd
Directors:	Deline Olivier
Information Officer:	Deline Olivier
Email:	deline@auctionfinance.co.za
Street Address:	Unit 3, Sanhall Park, 1 Kirsty Close Balito 4420
Postal Address:	Unit 3, Sanhall Park, 1 Kirsty Close Balito 4420
Telephone Number:	032 880 0200 0866 426 038

3. THE ACT – Section 10

3.1 The ACT grants a requester access to records of a private body, 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 terms of the ACT shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in paragraphs 6 and 7 of the Act.

3.3 Requesters are referred to the Guide in terms of Section 10 which has been compiled by the South African Human Rights Commission, which will contain information for the purposes of exercising Constitutional Rights. The Guide is available from the SAHRC.

The contact details of the Commission are:

Postal Address: Private Bag 2700, Houghton, 2041

Telephone Number: +27 11 877 3600

Fax Number: +27 11 403 0625

Website: www.sahrc.org.za

This manual is available from the South African Human Rights Commission (see details above), and from Auction Finance (Pty) Ltd (see details above).

4. APPLICABLE LEGISLATION

Records available as regulated by other legislation:

1.	Arbitration Act 42 of 1965
2.	Basic Conditions of Employment 75 of 1997
3.	Close Corporations Act 69 of 1984
4.	Companies Act 71 of 2008
5.	Compensation for Occupational Injuries and Health Diseases Act 130 of 1993
6.	Consumer Protection Act 68 of 2008
7.	Copyright Act 98 of 1978
8.	Debtor Collectors Act 114 of 1998
9.	Electronic Communications and Transactions Act 25 of 2002
10.	Employment Equity Act 55 of 1998
11.	Finance Act 35 of 2000
12.	Financial Advisory and Intermediary Services Act 37 of 2002
13.	Financial Intelligence Centre Act 38 of 2001
14.	Financial Services Board Act 97 of 1990
15.	Financial Services Ombud Schemes Act 37 of 2004
16.	Harmful Business Practices Act 23 of 1999
17.	Income Tax Act 95 of 1967
18.	Insolvency Act 24 of 1936
19.	Inspection of Financial Institutions Act 80 of 1998
20.	Intellectual Property Laws Amendments Act 38 of 1997
21.	Labour Relations Act 66 of 1995
22.	Long Term Insurance Act 52 of 1998
23.	National Credit Act 34 of 2005
24.	National Road Traffic Act 93 of 1996
25.	Occupational Health & Safety Act 85 of 1993
26.	Pension Funds Act 24 of 1956
27.	Promotion of Access to Information Act 2 of 2000
28.	Protection of Businesses Act 99 of 1978
29.	Second-Hand Goods Act 6 of 2009
30.	Short Term Insurance Act 53 of 1998
31.	Skills Development Act 97 of 1998
32.	Skills Development Levies Act 9 of 1999
33.	Tax on Retirement Funds Act 38 of 1996
34.	Trade Marks Act 194 of 1993
35.	Unemployment Contributions Act 4 of 2002
36.	Unemployment Insurance Act 63 of 2001
37.	Value Added Tax Act 89 of 1991

5. SCHEDULE OF RECORDS

Please note that the recording of a category or any of the subject matter in this manual does not imply that a request for access to such records shall be honoured.

In accordance with the provisions of the Act, requests for access to information will be evaluated based on merit of the request and there may be grounds for refusal of such a request. It is therefore imperative that the requests for such records are motivated accordingly.

Auction Finance (Pty) Ltd holds many records relating to third parties as part of its business plan and takes steps to ensure the confidentiality and protection of this information, remains a priority. These records are the property of the third party and not Auction Finance (Pty) Ltd. Records may be kept in respect of other parties, from time to time.

Administration:

- Memoranda and Articles of Association
- Financial records
- Operational records
- Intellectual property
- Marketing records;
- Internal correspondence;
- Service records;
- Statutory records – for Companies
- Internal policies and procedures – where applicable
- Minutes of meetings – where applicable
- Records held by officials of Auction Finance (Pty) Ltd

Human Resources:

- Conditions of employment and other personnel-related contractual and quasi legal records;
- Internal record & correspondence
- Industrial and Labour Relations Records
- Information relating to Health and Safety Regulations
- Pension and Provident Fund Records
- Personnel Guidelines, Policies and Procedures
- Skills Requirements
- Training Records
- Any records a third party has provided to us about any of their personnel;

Operations:

- Contracts with the client and between the client and other persons;
- Any records a client has provided to Auction Finance (Pty) Ltd or a third party acting for or on behalf of Auction Finance (Pty) Ltd (including financial, legal, tax, operational, employee and similar records);
- Any records a third party has provided to Auction Finance (Pty) Ltd which concerns a client; and
- Records generated by or within Auction Finance (Pty) Ltd pertaining to the client, including transactional records.
- General Correspondence
- Production Records
- Sales Records
- Suppliers' Registry

Finances:

- Annual Financial Statements
- Asset Register
- Banking Records
- Budgets
- Contracts
- Financial Transactions
- General Correspondence
- Insurance Information
- Internal Audit Records
- Management Accounts
- Purchase and Order Information
- Stock Records
- Tax Records (company and employee)

6. FORM OF REQUEST

To facilitate the processing of your request, kindly:

- 6.1 Use the prescribed form, available on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at www.sahrc.org.za.
- 6.2 Address your request to the Head of the Company (CEO)/Information Officer.
- 6.3 Provide sufficient details to enable the Auction Finance (Pty) Ltd to identify:
 - (a) The record(s) requested;
 - (b) The requester (and if an agent is lodging the request, proof of capacity);
 - (c) The form of access required;
 - (d)
 - (i) the postal address or fax number of the requester in the Republic;
 - (ii) If the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof;
 - (e) The right which the requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.

7. PRESCRIBED FEES

The following applies to requests (other than personal requests):

- 7.1 A requestor is required to pay the prescribed fees (R50.00) before a request will be processed;
- 7.2 If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted);
- 7.3 A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit;
- 7.4 Records may be withheld until the fees have been paid.
- 7.5 The fee structure is available on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at www.sahrc.org.za.

Kindly refer Annexure B for the prescribed form C for requests to the SAHRC.

8. AVAILABILITY OF MANUAL

This manual is available from the South African Human Rights Commission per details above.

This manual is also available at the premises of Auction Finance (Pty) Ltd per details above.

ANNEXURE A:

Information relating to Protection of Personal Information Act 4 of 2013:

Purpose of processing personal information of clients relates specifically to the purchase/sale/servicing/renting of motor vehicles and financial services rendered accordingly.

The processing relates specifically to the conclusion of contracts as well as to comply with obligations imposed by law on Auction Finance (Pty) Ltd.

Description of information gathered from clients:

- Age
- Sex
- Nationality
- Race
- Physical address
- Postal address
- Occupation
- Qualifications
- Company of employment
- Income/Bank statements
- Income & expenditures
- Copy of ID

Information supplied by Auction Finance (Pty) Ltd to other recipients will be expressly authorized by the client to do so.

Security measures are in place to ensure the protection of information of Auction Finance (Pty) Ltd clients and personnel. This includes a clean desk policy, limited authorized access to personal data that needs to be processed.

Privacy Policy available on request.

ANNEXURE B:

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

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

Full names and surname:

Identity number:

Postal address:

Fax number:

Telephone number:

E-mail address:

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 <i>ONLY</i> if a request <i>for information</i> is made on behalf of <i>another</i> person.
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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

- | |
|--|
| <p>(a) A request for access to a record, other <i>than</i> a record containing personal information about yourself, will be processed only after a request fee has been paid.</p> <p>(b) You will be <i>notified of</i> the amount required to be paid as the request fee.</p> <p>(c) The fee payable for access to a record depends <i>on</i> the form <i>in which</i> access is required and the reasonable time <i>required</i> to search for and prepare a record.</p> <p>(d) If you qualify for exemption <i>of</i> the payment <i>of</i> any fee, please state the reason for exemption.</p> |
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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.	
<p>NOTES:</p> <p>(a) Compliance with your request in the specified form may depend on the form in which the record is available.</p> <p>(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.</p> <p>(c) The fee payable for access for the record, if any, will be determined partly by the form in which access is requested.</p>	

1. If the record is in written or printed form:

<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record
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2. If record consists of visual images

this includes photographs, slides, video recordings, computer-generated images, sketches, etc)

<input type="checkbox"/>	view the images	<input type="checkbox"/>	copy of the images"	<input type="checkbox"/>	transcription of the images*
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3. If record consists of recorded words or information which can be reproduced in sound:

<input type="checkbox"/>	listen to the soundtrack audio cassette	<input type="checkbox"/>	transcription of soundtrack* written or printed document
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4. If record is held on computer or in an electronic or machine-readable form:

<input type="checkbox"/>	printed copy of record*	<input type="checkbox"/>	printed copy of information derived from the record"	<input type="checkbox"/>	copy in computer readable form* (stiffy or compact disc)
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'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
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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 of20

SIGNATURE OF REQUESTER / PERSON ON
WHOSE BEHALF REQUEST IS MADE