



MANUAL

PREPARED IN TERMS OF SECTION 51 OF THE ACCESS
TO INFORMATION ACT, 2 OF 2000

PART 1

[Particulars in terms of Section 51 (1) (a) of the Act]

Name of Private Company

Kevin Bates Flooring and Carpeting (Proprietary) Limited

Company Registration Number

1969/002581/07

Directors of Company

Mr. Graham Edward Park	Chief Executive Officer
Mr. Neil Macdonald Duncan	Managing Director
Mr. Richard John Adcock	Director
Mr. Brandon Edward Park	Director

Street Address

9 Voyager Street
Linbro Business Park
Sandton
2065

Postal Address

P.O. Box 1628
Gallo Manor
2052

Telephone Number

+27 11 608-4270

Facsimile Number

+27 11 608-4278

Electronic Mail Address

info@kevinbates.co.za

Web Page Address

www.kevinbates.co.za

This manual is prepared and published on behalf of the following companies in the Kevin Bates group of companies.

1. Kevin Bates Flooring & Carpeting (Proprietary) Limited and Subsidiaries
2. Kevin Bates Flooring (Zambia) Limited
3. Bates Access Flooring (Proprietary) Limited
4. The Voyager Street Trust

All requests for information in terms of this manual should be addressed to:-

Name of Person	Mr. N.M. Duncan
Telephone Number	(011) 608-4270
Facsimile Number	(011) 608-4278
Electronic Mail Address	neil@kevinbates.co.za

PART 11

[Particulars in terms of Section 51 (1) (b) of the Act]

Guide in Terms of Section 10 Act 2 of 2000

This manual is intended to inform the public of how to exercise their rights under the promotion of Access to Information Act.

A Guide to the Act will be available from the South African Human Rights Commission.

Please direct any queries to:- The South African Human Rights Commission
PAIA Unit
The Research and Documentation Department

Postal Address Private Bag 2700
Houghton
2041

Telephone Number	+ 27 11 484-8300
Facsimile Number	+ 27 11 484-0582
Electronic Mail Address	paia@sahrc.org.za
Web Page Address	www.sahrc.org.za

PART III

[Particulars in terms of Section 51 (1) (d) of the Act]

Records are kept by Kevin Bates Flooring and Carpeting (Pty) Ltd in accordance with the following legislation (other than the Access to Information Act, 2 of 2000).

Unless the legislation states that the general public is allowed access to this information any access must be applied for in terms of the procedures under the Act. Please refer to **PART IV**.

- Arbitration Act No. 42 of 1965
- Basic Conditions of Employment Act No. 75 of 1997
- Companies Act No. 61 of 1973
- Compensation for Occupational Injuries and Health Diseases Act No. 130 of 1993
- Consumer Affairs (Unfair Business Practices) Act No. 71 of 1988
- Employment Equity Act No. 55 of 1998
- Income Tax Act No. 95 of 1967
- Intellectual Property Laws Amendments Act No. 38 of 1997
- Labour Relations Act No. 66 of 1995
- Occupational Health & Safety Act No. 85 of 1993
- Protection of Businesses Act No. 99 of 1978
- Regional Services Councils Act No. 109 of 1985
- S.A. Reserve Bank Act No. 90 of 1989
- Skills Development Levies Act No. 9 of 1999
- Unemployment Contributions Act No. 4 of 2002
- Unemployment Insurance Act No. 63 of 2001
- Value-added Tax Act No. 89 of 1991

PART IV

[Particulars in terms of Section 51 (1) (c) and 51 (1) (e) of the Act]

Access to Records Held by Kevin Bates Flooring and Carpeting (Pty) Ltd

The following categories of records are freely available:

- Marketing and promotional material published by Kevin Bates Flooring & Carpeting (Pty) Ltd.
- All information published on the Kevin Bates web page address www.kevinbates.co.za

Requests for access to information under the Act may be addressed to Kevin Bates Flooring at the contact details given in **PART 1** above on the forms that have been published in the Government Gazette.

Form of Request

- The requester must use the prescribed form to make the request for access to a record. This must be made to the head of the private body. This request must be made to the address, fax number or electronic mail address of the body concerned [S. 53 (1)].
- The requester must provide sufficient detail on the request form to enable the head of the private body to identify the record and the requester. The requester should also indicate which form of access is required. The requester should also indicate if any other manner is to be used to inform the requester and state the necessary particulars to be so informed [S. 53 (2) (a) and (b) and (c)].
- The requester must identify the right that is sought to be exercised or to be protected and provide an explanation of why the requested record is required for the exercise or protection of that right [S. 53 (2) (d)].
- If a request is made on behalf of another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the head of the private body. [S. 53 (2) (f)].

Fees

A requester who seeks access to a record containing personal information about that requester is not required to pay the request fee. Every other requester, who is not a personal requester, must pay the required request fee.

- The head of the private body must notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed fee (if any) before further processing the request [S. 54 (1)].
- The fee that the requester must pay to a private body is R50. The requester may lodge an application to the court against the tender or payment of the request fee [S. 54 (3) (b)].
- After the head of the private body has made a decision on the request, the requester must be notified in the required form.
- If the request is granted then a further access fee must be paid for the search, reproduction, preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure [S. 54 (6)].

Ground for Refusal of Access to Records

It must be borne in mind that the Act sets out grounds on which access to information may be refused. These grounds are listed below.

- Privacy of a third party who is a natural person.
- Commercial information of third party.
- Confidential information of third party.
- Safety of individuals, and protection of property.
- Records privileged from production in legal proceedings.
- Commercial information of Kevin Bates Flooring.
- Research information of third party.
- Research information of Kevin Bates Flooring.

Human Resources Records

These records refer to any person who works for or provides services to or on behalf of Kevin Bates Flooring and receives any remuneration, and any other person who assists in carrying out or conducting the business of Kevin Bates Flooring. This includes, without limitation, directors, executives, non-executives, all permanent, temporary and part-time staff as well as contract workers.

Human Resource Records Include the Following

- Any personal records provided to Kevin Bates by their personnel.
- Any records that a third party has provided to Kevin Bates about any of their personnel.
- Conditions of employment and other personnel related contractual and quasi-legal records.
- Internal evaluation records.
- Internal policies, standard and procedures.
- Medical aid scheme rules.
- Remuneration records.
- Other internal records and correspondence.

Customer Related Records

A customer includes any natural or juristic entity who purchases products or receives services from Kevin Bates Flooring. Customer related information includes the following:-

- Any records a customer has provided to a third party acting for or on behalf of Kevin Bates Flooring.
- Any records a third party has provided to Kevin Bates Flooring.
- Records generated by or within Kevin Bates Flooring pertaining to the customer, including transactional records.

Kevin Bates Records

The following are considered to include but not be limited to records which pertain to Kevin Bates Flooring own affairs:-

- Financial Records
- Internal Audit Records
- Operational Records
- Technical Records
- Purchasing Records
- Contracts
- Property Information
- Databases

- Information Technology
- Marketing Records
- Internal Correspondence
- Product Records
- Statutory Records
- Internal Policies and Procedures
- Records Held by an Official of Kevin Bates Flooring

Other Parties

Kevin Bates Flooring may possess records pertaining to other parties, including without limitation contractors, suppliers, associate companies, joint venture companies, and service providers. Alternatively, such other parties may possess records, which can be said to belong to Kevin Bates Flooring.

The Following Records Fall Under This Category

Personnel, customer or Kevin Bates Flooring records which are held by another party as opposed to being held by Kevin Bates Flooring.

Records held by Kevin Bates Flooring pertaining to other parties, including without limitation financial records, correspondence, contractual records, records provided by the other party, and records third parties have provided about the contractors / suppliers.

PART VI

[Information required under section 51 (3) of the Act]

This manual is available for inspection at the offices of Kevin Bates Flooring and Carpeting (Pty) Ltd free of charge, and copies are available with the SAFRC in the Government Gazette and on the Kevin Bates Flooring web page.