

Registration Number:
1962/000271/07

MANUAL FOR
MERCEDES-BENZ SOUTH AFRICA LIMITED

in terms of
Section 51 of
The Promotion of Access to Information Act
No. 2 of 2000
(the "Act")

Date of Compilation: 30 June 2016
Date of Revision: 27 May 2022

TABLE OF CONTENTS

1.	LIST OF ACRONYMS AND ABBREVIATIONS	3
2.	PURPOSE OF PAIA MANUAL	3
3.	KEY CONTACT DETAILS FOR ACCESS TO INFORMATION	4
4.	DESCRIPTION OF GUIDE REFERRED TO IN SECTION 10 OF PAIA.....	5
5.	THE LATEST NOTICE IN TERMS OF SECTION 52(2) OF PAIA.....	5
6.	RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION:.....	5
7.	SUBJECTS AND CATEGORIES OF RECORDS HELD	6
8.	PROCESSING OF PERSONAL INFORMATION	10
9.	AVAILABILITY OF THE MANUAL	14
10.	DETAIL ON HOW TO MAKE A REQUEST FOR ACCESS	15
11.	PRESCRIBED FEES	16
12.	UPDATING OF THE MANUAL	17

1. LIST OF ACRONYMS AND ABBREVIATIONS

- | | | |
|-----|--------------------|--|
| 1.1 | “CEO” | Chief Executive Officer |
| 1.2 | “DIO” | Deputy Information Officer; |
| 1.3 | “IO“ | Information Officer; |
| 1.4 | “Minister” | Minister of Justice and Correctional Services; |
| 1.5 | “PAIA” | Promotion of Access to Information Act No. 2 of 2000 (as amended); |
| 1.6 | “POPIA” | Protection of Personal Information Act No.4 of 2013; |
| 1.7 | “Regulator” | Information Regulator of South Africa. |

2. PURPOSE OF PAIA MANUAL

This PAIA Manual is useful for the public to-

- 2.1 check the categories of records held by a body which are available without a person having to submit a formal PAIA request;
- 2.2 have a sufficient understanding of how to make a request for access to a record of the body, by providing a description of the subjects on which the body holds records and the categories of records held on each subject;
- 2.3 know the description of the records of the body which are available in accordance with any other legislation;
- 2.4 access all the relevant contact details of the Information Officer and Deputy Information Officer who will assist the public with the records they intend to access;
- 2.5 know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- 2.6 know if the body will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;

- 2.7 know the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.8 know the recipients or categories of recipients to whom the personal information may be supplied;
- 2.9 know if the body has planned to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied; and
- 2.10 know whether the body has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

3. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION

3.1. Contact Details of Information Officer

Chief Executive Officer: Andreas Brand
Telephone No. +27 (0)43 706 9111
Email:
dataprotection_mbsa@mercedes-benz.com

3.2. Contact Details of Deputy Information Officer

Manager Compliance: Ms. Mashudu Makhuvha
Telephone No.: +27 (0)12 677 1500
Email:
mashudu.makhuvha@mercedes-benz.com

3.3. Access to information general contacts

Email:
dataprotection_mbsa@mercedes-benz.com

3.4. National or Head Office

Postal Address: PO Box 1717, Pretoria, 0001
Physical Address: Wierda Road (R576/M10 West),
Zwartkop, 0046
Telephone: +27 (0)12 677 1500

Email:

webmails.southafrica@cac.mercedes-benz.com

Website:

<https://corporate.mercedes-benz.co.za>

4. DESCRIPTION OF GUIDE REFERRED TO IN SECTION 10 OF PAIA

A Guide has been compiled by the Information Regulator terms of Section 10 of PAIA. It contains information required by a person wishing to exercise any right contemplated in PAIA and POPIA.

5. THE LATEST NOTICE IN TERMS OF SECTION 52(2) OF PAIA

At this stage, no notice(s) has/have been published on the categories of records that are automatically available without a person having to request access in terms of PAIA.

6. RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION

Record Available	Applicable Legislation
Employment Equity Plan	Employment Equity Act 55 of 1998
Employment Contracts	Basic Conditions of Employment Act 75 of 1997
Records to be kept by Employer	Labour Relations Act 66 of 1995
BBBEE Certificate	Broad-Based Black Economic Empowerment Act 53 of 2003
Compensation payments, assessments and a letter of good standing	Compensation for Occupational Injuries and Disease Act 130 of 1993
Documents of incorporation	Companies Act 71 of 2008
Registration and declaration of employees	Unemployment Insurance Act 63 of 2001
VAT returns for past 5 (five) years; Clearance certificate	Value Added Tax Act 89 of 1991
Income Tax returns for past 5 (five) years; Clearance certificate	Income Tax Act 58 of 1962
Workplace Skills Plan and Annual Training Report (ATR)	Skills Development Act 9 of 1999


Registration certificate	Trade Marks Act 194 of 1993
Terms and Conditions of Use of Website	Electronic Communications and Transactions Act 25 of 2002
Privacy Policy	Protection of Personal Information Act 4 of 2013
Customer records	Consumer Protection Act 68 of 2008
Transaction records	Financial Intelligence Centre Act 38 of 2001
Employee records	Occupational Health and Safety Act
PAIA Manual	Promotion of Access to Information Act 2 of 2000

* **Disclaimer** – The abovementioned does not constitute a closed list.

7. SUBJECTS AND CATEGORIES OF RECORDS HELD

Subject	Category of Information	Availability
Companies Act Records	Documents of incorporation	Available from Companies and Intellectual Property Commission (CIPC) or request in terms of PAIA
	Memorandum of Incorporation	Available from Companies and Intellectual Property Commission (CIPC) or request in terms of PAIA
	Minutes of Directors meetings	Request in terms of PAIA
	Records relating to the appointment of directors	Available from Companies and Intellectual Property Commission (CIPC) or request in terms of PAIA
	Member's Register and other statutory registers	Available from Companies Act or request in terms of PAIA
Financial Records	Published Annual Financial Statements and Management Accounts	Information available on company website
	Accounting Records	Request in terms of PAIA
	Banking Records	Request in terms of PAIA
	Bank Statements	Request in terms of PAIA

	Paid Cheques	Request in terms of PAIA
	Electronic banking records	Request in terms of PAIA
	Asset Register	Request in terms of PAIA
	Rental Agreements	Request in terms of PAIA
	Invoices	Request in terms of PAIA
	Automotive Production Development Programme	Request in terms of PAIA
	Financial reporting packs	Request in terms of PAIA
	Vehicle and Parts Costing	Request in terms of PAIA
Income Tax Records	PAYE Records	Request in terms of PAIA
	Company Tax Returns	Request in terms of PAIA
	Employee Tax Returns	Request in terms of PAIA
	Documents issued to employees for income tax purposes	Request in terms of PAIA
	Records of payments made to SARS on behalf of employees	Request in terms of PAIA
	VAT number	Available from South African Receiver of Revenue website or request in terms of PAIA
	Skills Development Levies	Request in terms of PAIA
	UIF	Request in terms of PAIA
	Carbon Tax	Request in terms of PAIA
	Customs	Request in terms of PAIA
	Quarterly Excise returns to SARS	Request in terms of PAIA
	Workmen's Compensation	Request in terms of PAIA
Human Resources Documents and Records	Employment contracts	Request in terms of PAIA
	Broad Based Black Economic Empowerment certificate	Request in terms of PAIA

	DoEL- EEA2 and EEA4	Request in terms of PAIA
	Employment Equity Plan	Request in terms of PAIA
	Medical Aid records	Request in terms of PAIA
	Retirement Fund records	Request in terms of PAIA
	Disciplinary records	Request in terms of PAIA
	Salary records	Request in terms of PAIA
	SETA records	Request in terms of PAIA
	Disciplinary code	Request in terms of PAIA
	Leave records	Request in terms of PAIA
	Training records	Request in terms of PAIA
	Training Manuals	Request in terms of PAIA
	Policies and Procedures	Request in terms of PAIA
	Health and Safety Records	Request in terms of PAIA
	Recruitment and Termination Records	Request in terms of PAIA
	HR Systems Documentation	Request in terms of PAIA
	Employee Investigation Information	Request in terms of PAIA
	Vehicle Crime Information	Request in terms of PAIA
Public Relations Records	Media Releases	Request in terms of PAIA
	Product Information	Request in terms of PAIA
	Public Corporate Records	Request in terms of PAIA
	Community Trust Records	Request in terms of PAIA
	Website Terms and Conditions (Legal Notice)	Freely available on  Legal Notice (mercedes-benz.co.za)
Corporate Affairs	Social responsibility spend	Request in terms of PAIA
	Social responsibility strategy	Freely available on website

	Sponsorships/Agreements	Request in terms of PAIA
	Donations Agreements	Request in terms of PAIA
	External Affairs reporting	Request in terms of PAIA
Sales and AfterSales	Work Instructions	Request in terms of PAIA
	Policies and Procedures	Request in terms of PAIA
	Warranty terms and conditions	Information available on company website
	Service and maintenance plans terms and conditions	Information available on company website
	Warranty claims procedures	Request in terms of PAIA
	Service and maintenance claims procedures	Request in terms of PAIA
	Customer complaints resolution procedures	Request in terms of PAIA
	Customer complaints process	Information available on company website
	Vehicle repair (servicing, maintenance, campaigns) history records	Request in terms of PAIA
	Vehicle ownership history records	Request in terms of PAIA
	Customer records	Request in terms of PAIA
	Marketing Strategy	Request in terms of PAIA
	Product Information - Product Brochures - Owner Manuals	Information available on company website
	Products Sales history	Information available on company website
	Product planning and arrival	Information available on company website
Dealer Training	Dealer training records	Information available on NAAMSA website
Business Partners	Dealer Franchise Documents	Request in terms of PAIA
	Field Records	Request in terms of PAIA
	Performance Records	Request in terms of PAIA

	Business partner agreements	Request in terms of PAIA
	Dealership Locator	Request in terms of PAIA
IT	Testing and development records	Request in terms of PAIA
	Policies and Procedure Manuals	Information available on company website
	Service Level Agreements	Request in terms of PAIA
Production/ Logistics and Engineering	Vehicle and Components Specifications	Request in terms of PAIA
	Production Records	Request in terms of PAIA
	Engineering Records	Request in terms of PAIA
Legal Records	General Contract documentation	Request in terms of PAIA
Quality Records	Quality records	Request in terms of PAIA
Environmental Records	Environmental Policy	Request in terms of PAIA
	Environmental Records	Request in terms of PAIA

8. PROCESSING OF PERSONAL INFORMATION

8.1 Purpose of Processing Personal Information

We collect and process personal information for various purposes so we can provide customers with the best possible products and services that we and our authorised agents have to offer, to create a more personalised experience, and in order to comply with our legal, regulatory, industry or workplace requirements.

More specific purposes include but are not limited to the following:

a. Customers/Clients:

- Any purpose relating to buying, selling, repairing and loaning vehicles and parts;

- Registering your interest in buying vehicles, including via our microsites;
- Providing you with digital services requested by you including the MercedesMe connect and smart control information and telematics services;
- Responding to enquiries in relation to products, we sell and services we offer;
- Customer assistance, care, contact and information;
- Roadside assistance, vehicle warranty, product issues, service measures and recalls;
- Marketing, event and promotional activities;
- Market research, customer surveys, customer analysis and product development.

b. Business Partners

- For the purpose of business partner processes and engagements.

c. Employees

- Recruitment purposes;
- Contractual obligation between employees and MBSA.

d. General

- Any purpose which we inform you about when we collect your personal information or to which you have provided your consent;
- Any related purpose which would be reasonably necessary or directly related to one or more of our functions or activities;
- Marketing, event and promotional activities;
- Fulfilling and processing orders and administering accounts;
- Accounting, billing or other internal administrative purpose;
- Conducting background checks, including checking against sanctions lists;
- Safety and security.

8.2 Description of the categories of Data Subjects and of the information or categories of information relating thereto

Categories of Data Subjects	Personal Information Processed
Customers and Potential Clients	Personal Information i.e. Name, Surname, Email Address, ID number, Driver's License, Address, Phone Number, Date of Birth, Identifying symbol and number, Online Identifiers.
	Financial Information i.e. Invoices, Payment Method Information.
	Vehicle Information i.e. Vin number, Vehicle Registration number, Vehicle Engine number Vehicle History, Vehicle Location.
Business Partners and Suppliers	Personal Information i.e. Company name, Company registration, banking details, invoices, Company address, contact details, Supplier ID, Contact person details and company representatives contact details.
	Financial Performance Information i.e. Dealer financial information, Financial health check.
Employees	Personal Information i.e. name, surname, identity number, marital status, contact details, physical address, email address, qualifications, employment history, criminal history, medical records, disability, date of birth, race, nationality, banking details, tax number, employee number, pregnancy information.
	Family Information i.e. dependents information, children's information,

	next of kin, emergency contact person and details.
	Employment Records i.e employee performance,
	Access Records i.e. biometrics, location information, surveillance information.
Potential Candidates (Recruitment)	Personal Information i.e. name, surname, identity number/passport, contact details, physical address, email address, curriculum vitae information, date of birth, race, gender.
Visitors	Personal Information i.e. name, surname, identity document/ passport, contact information, details of person visiting, vehicle registration, driver's license information, COVID-19 screening.
	Access Records and Surveillance Records.

8.3 The recipients or categories of recipients to whom the personal information may be supplied

Category of personal information	Recipients or Categories of Recipients to whom the personal information may be supplied
Identity number and names, for criminal checks	Supplier for Criminal Checks
Qualifications, for qualification verifications	Supplier for Qualifications verification

8.4 Planned cross border flows of personal information

During our daily business, activities, personal information, under conditions of confidentiality, may be transferred, accessed, processed and/or stored in various countries for the purpose of service delivery.

We will not transfer personal information to a third party in another country unless:

- The recipient of the personal information is subject to a law, binding corporate rules or a binding agreement which:-
- Upholds principles for reasonable processing of the information that are substantially similar to the conditions contained in POPIA and
- Includes provisions that are substantially similar to those contained in POPIA relating to the further transfer of personal information from the recipient to third parties who are in another country;
- The transfer is necessary for the performance of a contract or for the implementation of pre-contractual measures taken; or consent has been obtained from the data subject.

8.5 General description of Information Security Measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information

Mercedes-Benz South Africa Limited uses technical and organizational security measures in order to protect the information we have under our control against accidental or intentional manipulation, loss, destruction and against access by unauthorized persons. Our security procedures are continually enhanced as new technology becomes available.

9. AVAILABILITY OF THE MANUAL

9.1 A copy of the Manual is available-

9.1.1 On <https://corporate.mercedes-benz.co.za>

9.1.2 head office of Mercedes-Benz South Africa Limited for public inspection during normal business hours;

9.1.3 to any person upon request and upon the payment of a reasonable prescribed fee; and

9.1.4 to the Information Regulator upon request.

10. DETAIL ON HOW TO MAKE A REQUEST FOR ACCESS

10.1 The requester must complete **Form 2: Request for Access to Records** (as per Regulation 7), available on the Information Regulator website and submit this form together with a request fee, to the Information Officer of Mercedes-Benz South Africa Limited.

10.2 The form must be submitted to the Information Officer of Mercedes-Benz South Africa Limited at her address, fax number, or electronic mail address as provided under paragraph 2 above.

10.3 The form must:

10.3.1 provide sufficient particulars to enable the Information Officer of Mercedes-Benz South Africa Limited to identify the record/s requested and to identify the requester;

10.3.2 indicate which form of access is required;

10.3.3 specify a postal address or fax number of the requester in South Africa;

10.3.4 identify the right that the requester is seeking to exercise or protect, and provide an explanation of why the requested record is required for the exercise or protection of that right;

10.3.5 if in addition to a written reply, the requester wishes to be informed of the decision on the request in any other manner, to state that manner and the necessary particulars to be informed in the other manner;

10.3.6 if the request is made on behalf of another person, to submit proof of the capacity in which the requester is making the request, to the reasonable satisfaction of the Information Officer of Mercedes-Benz South Africa Limited.

11. PRESCRIBED FEES

PAIA provides for two types of fees, namely:

- 11.1 A request fee, which will be a standard fee; and
- 11.2 An access fee, which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs.

When the request is received by the Information Officer, such officer shall by notice require the requester, other than a personal requester, to pay the prescribed request fee (if any), before further processing of the request.

If the search for the record has been made and the preparation of the record for disclosure including arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, the Information Officer shall notify the requester to pay as a deposit the prescribed portion of the access fee which would be payable if the request is granted. The Information Officer shall have the discretion to withhold a record until the requester has paid the requisite fee.

A requester whose request for access to a record has been granted, must pay an access fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure including making arrangements to make it available in the request form.

If a deposit has been paid in respect of a request for access which is refused, it remains within the discretion of the Information Regulator whether a refund should be granted.

The Information Officer will at all times have the discretion to charge the applicable fees as described above.

All fees payable in respect of this clause 11, will be charged at the regulated and published fees prescribed at the time of making the request in terms of this PAIA and POPIA Manual.

12. UPDATING OF THE MANUAL

The Information Officer of Mercedes-Benz South Africa Limited will on a regular basis update this manual.

Issued by

**Information Officer
Mercedes-Benz South Africa Limited**