

Registration Number:
1962/000271/06

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:

04 July 2016



Mercedes-Benz

TABLE OF CONTENTS

| | | |
|----|--|----|
| 1. | INTRODUCTION..... | 3 |
| 2. | INFORMATION REQUIRED UNDER SECTION 51(1) (A) OF THE ACT | 3 |
| 3. | DESCRIPTION OF GUIDE REFERRED TO IN SECTION 10: SECTION 51(1)(B)..... | 4 |
| 4. | THE LATEST NOTICE IN TERMS OF SECTION 52(2)..... | 4 |
| 5. | RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION: SECTION 51(1)(D)..... | 4 |
| 6. | SUBJECTS AND CATEGORIES OF RECORDS HELD BY MERCEDES-BENZ SOUTH AFRICA LIMITED: SECTION 51(1)(E)..... | 5 |
| 7. | DETAIL ON HOW TO MAKE A REQUEST FOR ACCESS – SECTION 51(E)..... | 8 |
| 8. | PRESCRIBED FEES | 8 |
| | FORM C | 10 |

1. INTRODUCTION

Mercedes-Benz South Africa Limited manufactures and markets passenger cars under the Mercedes-Benz and smart brands and exports components and Mercedes-Benz passenger cars.

2. INFORMATION REQUIRED UNDER SECTION 51(1) (a) OF THE ACT

Contact Details of Information Officer

| | |
|---|---|
| 2.1 Name of General Legal Counsel of Mercedes-Benz South Africa Limited: | Ms. Liezl De Wet |
| 2.2 Postal Address of General Legal Counsel of Mercedes-Benz South Africa Limited: | PO Box 1717, Pretoria 0001 |
| 2.3 Street Address of General Legal Counsel of Mercedes-Benz South Africa Limited: | Wierda Road (R576/M10 West) Zwartkop |
| 2.4 Telephone No. of General Legal Counsel of Mercedes-Benz South Africa Limited: | +27 (0)12 677 1926 |
| 2.5 E- Mail address of General Legal Counsel of Mercedes-Benz South Africa Limited: | liezl.de_wet@daimler.com & Dataprotection_mbsa@daimler.com |

Contact Details of Deputy Information Officer

| | |
|---|---|
| 2.1 Name of Senior Legal Specialist of Mercedes-Benz South Africa Limited: | Ms. Ilske Bredenkamp |
| 2.2 Postal Address of Senior Legal Specialist of Mercedes-Benz South Africa Limited: | PO Box 1717, Pretoria 0001 |
| 2.3 Street Address of Senior Legal Specialist of Mercedes-Benz South Africa Limited: | Wierda Road (R576/M10 West) Zwartkop |
| 2.4 Telephone No. of Senior Legal Specialist of Mercedes-Benz South Africa Limited: | +27 (0)12 677 1504 |
| 2.5 E- Mail address of Senior Legal Specialist of Mercedes-Benz South Africa Limited: | ilske.bredenkamp@daimler.com & Dataprotection_mbsa@daimler.com |

3. DESCRIPTION OF GUIDE REFERRED TO IN SECTION 10: SECTION 51(1)(b).

A Guide has been compiled by the Human Rights Commission in terms of Section 10 of the Act. It contains information required by a person wishing to exercise any right contemplated by the Act and is available in all of the official languages.

The Guide is available for inspection at the office of the offices of the Human Rights Commission at 29 Princess of Wales Terrace, corner York and St. Andrews Street, Parktown and on its website at www.sahrc.org.za.

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

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.

5. RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION: SECTION 51(1)(d)

| Record Available | Applicable Legislation |
|--|--|
| Employment Equity Plan | Employment Equity Act 55 of 1998 |
| Employment Contracts | Basic Conditions of Employment Act 75 of 1997 |
| 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 |
| VAT 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, Privacy Policy | Electronic Communications and Transactions Act 25 of 2002 |

**6. SUBJECTS AND CATEGORIES OF RECORDS HELD BY MERCEDES-BENZ
SOUTH AFRICA LIMITED: SECTION 51(1)(e)**

| Classification No. | Access | Classification |
|---------------------------|----------------------|--|
| 1 | May be disclosed | Public Access Document |
| 2 | May not be disclosed | Request after commencement of criminal or civil proceedings [s7] |
| 3 | May be disclosed | Subject to copyright |
| 4 | Limited disclosure | Personal information that belongs to the requester of that information [s34] |
| 5 | May not be disclosed | Unreasonable disclosure of personal information of Natural person [s34(1)] |
| 6 | May not be disclosed | Likely to harm the commercial or financial interests of third party [s36(1)(a) and (b)] |
| 7 | May not be disclosed | Likely to harm the Company or third party in contract or other negotiations [s36(1)(c)] |
| 8 | May not be disclosed | Would breach a duty of confidence owed to a third party in terms of an Agreement [s37] |
| 9 | May not be disclosed | Likely to compromise the safety of individuals or protection of property [s38] |
| 10 | May not be disclosed | Legally privileged documents [s40] |
| 11 | May not be refused | Environmental testing / investigation which reveals public safety / environmental risks [s36(2); s36(3)] |
| 12 | May not be disclosed | Commercial information of Public Body [s36] |
| 13 | May not be disclosed | Likely to prejudice research and development information of the Company or a third party [s43] |
| 14 | May not be refused | Disclosure in public interest [s46] |

| Subject | Category of Information | Availability | Classification No. |
|------------------------------|--------------------------------|--|---------------------------|
| Companies Act Records | Documents of incorporation | Available from Companies and Intellectual Property | 1 |

| | | | |
|--|---|---|------|
| | | 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 | 1 |
| | Minutes of Directors meetings | Request in terms of PAIA | 12 |
| | Records relating to the appointment of directors | Available from Companies and Intellectual Property Commission (CIPC) or request in terms of PAIA | 1 |
| | Member's Register and other statutory registers | Available from Companies Act or request in terms of PAIA | 12 |
| Financial Records | Annual Financial Statements and Management Accounts | Request in terms of PAIA | 12 |
| | Tax Returns | Request in terms of PAIA | 12 |
| | Accounting Records | Request in terms of PAIA | 12 |
| | Banking Records | Request in terms of PAIA | 12 |
| | Bank Statements | Request in terms of PAIA | 12 |
| | Paid Cheques | Request in terms of PAIA | 12 |
| | Electronic banking records | Request in terms of PAIA | 12 |
| | Asset Register | Request in terms of PAIA | 12 |
| | Rental Agreements | Request in terms of PAIA | 12 |
| | Invoices | Request in terms of PAIA | 12 |
| | Motor Industry Development Programme Records | Request in terms of PAIA | 12 |
| Income Tax Records | PAYE Records | Request in terms of PAIA | 12 |
| | Documents issued to employees for income tax purposes | Request in terms of PAIA | 12 |
| | Records of payments made to SARS on behalf of employees | Request in terms of PAIA | 12 |
| | VAT number | Available from South African Receiver of Revenue website www.sars.gov.za or request in terms of PAIA | 1 |
| | Skills Development Levies | Request in terms of PAIA | 12 |
| | UIF | Request in terms of PAIA | 12 |
| | Workmen's Compensation | Request in terms of PAIA | 12 |
| Human Resources Documents and Records | Employment contracts | Request in terms of PAIA | 5, 9 |
| | Broad Based Black Economic Empowerment | Request in terms of PAIA | 1 |



| | | | |
|--|--|--|--------------|
| | certificate | | |
| | Employment Equity Plan | Request in terms of PAIA | 12 |
| | Medical Aid records | Request in terms of PAIA | 4, 5, 9 |
| | Pension Fund records | Request in terms of PAIA | 5, 9 |
| | Disciplinary records | Request in terms of PAIA | 5, 9 |
| | Salary records | Request in terms of PAIA | 5, 9 |
| | SETA records | Request in terms of PAIA | 5, 9 |
| | Disciplinary code | Request in terms of PAIA | 5, 9 |
| | Leave records | Request in terms of PAIA | 5, 9 |
| | Training records | Request in terms of PAIA | 12 |
| | Training Manuals | Request in terms of PAIA | 12 |
| | Policies and Procedures | Request in terms of PAIA | 12 |
| | Health and Safety Records | Request in terms of PAIA | 4,5,9 |
| Public Relations Records | Media Releases | Request in terms of PAIA | 1 |
| | Product Information | Request in terms of PAIA | 1 |
| | Public Corporate Records | Request in terms of PAIA | 1 |
| | Community Trust Records | Request in terms of PAIA | 1, 6, 7, 8 |
| | Website Terms and Conditions | Freely available on www.mercedes-benzsa.co.za | 1 |
| | Trade Marks | Request in terms of PAIA | 1 |
| Marketing Records | Marketing Information | Request in terms of PAIA | 12, 13 |
| | Customer Information - Product Brochures - Owner Manuals | Request in terms of PAIA | 1 |
| | Products Sales Records | Request in terms of PAIA | 1 |
| | Marketing Strategies | Request in terms of PAIA | 12 |
| | Customer Database | Request in terms of PAIA | 12 |
| | Dealer Franchise Documents | Request in terms of PAIA | 6, 7, 12, 13 |
| | Field Records | Request in terms of PAIA | 12, 13 |
| | Performance Records | Request in terms of PAIA | 12 |
| Production/ Logistics and Engineering | Vehicle and Components Specifications | | 3, 12, 13 |
| | Production Records | | 12 |
| | Engineering Records | | 12, 13 |
| Legal Records | General Contract documentation | Request in terms of PAIA | 6,12 |
| Quality Records | Quality records | Request in terms of PAIA | 12 |
| Environmental Records | Environmental Policy | Request in terms of PAIA | 1 |
| | Environmental Records | Request in terms of PAIA | 11,14 |



7. DETAIL ON HOW TO MAKE A REQUEST FOR ACCESS – SECTION 51(e)

- 7.1 The requester must complete Form C below and submit this form together with a request fee, to the Information Officer and Deputy Information Officer of Mercedes-Benz South Africa Limited.
- 7.2 The form must be submitted to the Information Officer and Deputy Information Officer of Mercedes-Benz South Africa Limited at his/her address, fax number, or electronic mail address as provided under paragraph 2 above.
- 7.3 The form must:
 - 7.3.1 provide sufficient particulars to enable the Information Officer and Deputy Information Officer of Mercedes-Benz South Africa Limited to identify the record/s requested and to identify the requester;
 - 7.3.2 indicate which form of access is required;
 - 7.3.3 specify a postal address or fax number of the requester in South Africa;
 - 7.3.4 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;
 - 7.3.5 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;
 - 7.3.6 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 and Deputy Information Officer of Mercedes-Benz South Africa Limited.

8. PRESCRIBED FEES

The following applies to all requests:

- 8.1 A requestor is required to pay the prescribed fee (R50.00) before a request will be processed;

- 8.2 If the preparation of the record requested requires more than the prescribed (six) hours, a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted);
- 8.3 A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit;
- 8.4 Records may be withheld until the fees have been paid;
- 8.5 The fee structure is available on the website of the South African Human Rights Commission at www.sahrc.org.za.



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. |
|--|

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:



Mercedes-Benz

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> |
|--|

Reason for exemption from payment of fees:

F. Form of access to record

| |
|--|
| <p>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.</p> |
|--|

| | |
|---|----------------------------------|
| Disability: | Form in which record is required |
| <p>Mark the appropriate box with an X.</p> <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 | | |
| 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"/> | | <input type="checkbox"/> | transcription of the images* | | |
| 3. If record consists of recorded words or information which can be reproduced in sound: | | | | | |
| <input type="checkbox"/> | listen to the soundtrack audio cd | <input type="checkbox"/> | transcription of soundtrack* written or printed document | | |
| 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"/> | | <input type="checkbox"/> | copy in computer readable form* (flash drive or compact disc) | | |
| <p>'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.</p> | | | <table border="1"> <tr> <td>YES</td> <td>NO</td> </tr> </table> | YES | NO |
| 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 of20

SIGNATURE OF REQUESTER / PERSON ON
WHOSE BEHALF REQUEST IS MADE