



JAGUAR LAND ROVER (SOUTH AFRICA) (PROPRIETARY) LIMITED
(HEREINAFTER REFERRED TO AS "THE COMPANY")

Manual in terms of Section 51 of the Promotion of Access to Information Act 2 of 2000 ("The Act")
December 2017

CONTENTS

1. Definitions
 2. Introduction
 3. Company Overview
 4. Company Contact Details In Terms Of Section 51(1)(A) Of The Act
 5. The Hrc Guide
 6. Records Automatically Available As Provided For Under Section 51(1)(C) Of The Act
 7. Records Available In Accordance With Any Other Legislation In Terms Of Section 51(1)(D) And Section 51(1)(E) Of The Act
 8. The Processes And Procedures For Requesting Information Or Records As Per Section 51(1)(E) Of The Act
 9. Grounds For Refusal Of Access To Records
 10. Availability Of The Manual In Terms Of Section 51(3) Of The Act
 11. External Remedies
 12. Prescribed Fees In Respect Of Private Bodies
- Form C:** Request For Access To Record Of Private Body



1. DEFINITIONS

- 1.1 THE ACT** means the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000);
- 1.2 COMPANY** means Jaguar Land Rover (South Africa) (Pty) Ltd, a private company as contemplated under section 50 of the Act, duly registered in terms of the Companies Act, 2008 of South African under the registration number 2001/027269/07 and having its registered address at 28 Victoria Link, Route 21 Corporate Park, Nellmapius Drive, Irene, Tshwane, Gauteng;
- 1.3 INFORMATION Officer** means Ms. Sharnie Malan, the Customer Services Director of the Company who has been duly appointed to act as the Information Officer on behalf of the Company;
- 1.4 MANUAL** means the Manual required to be compiled in terms of section 50 of the Act, including this Manual, which the Company is obliged to compile in terms of section 50 of the Act and which Manual will assist any person/Requester to obtain access to information held by the Company;
- 1.5 RECORD** means any recorded information regardless of form or medium, in the possession or under the control of the Company and whether or not it was created by the Company;
- 1.6 REQUESTER** means any person, including but not limited to a natural person or a legal entity including a private or public body or a person acting on behalf of such natural person, private or public body who makes a request for access to a Record of the Company.

2. INTRODUCTION

- 2.1 The Act gives effect to the constitutional right of access to any information held by any public or private body that is required for the exercise or protection of any rights.
- 2.2 The Act sets out the procedures attached to such request.
- 2.3 Section 9 of the Act, however, recognises that such right to access to information is subject to certain justifiable limitations, for instance limitations aimed at:
 - a) The reasonable protection of privacy;
 - b) Commercial confidentiality; and
 - c) Effective, efficient and good governance.
- 2.4 Section 50 of the Act obliges private bodies to compile a Manual, which would assist a person to obtain access to information held by the private body and which stipulates the minimum requirements which the Manual has to comply with.
- 2.5 The purpose of the Manual is therefore to inform a person or Requester on how to obtain access to any Record held by the Company which may be required for the exercise or protection of any rights, thereby giving effect to Section 50 of the Act.

3. COMPANY OVERVIEW

- 3.1 The Company is a private company incorporated in terms of the company laws of the Republic of South Africa under Registration Number 2001/027269/07.
- 3.2 The shares of the Company are wholly owned by Jaguar Land Rover (South Africa) Holdings Limited (2011/149827/10) incorporated in the United Kingdom and incorporated as an external Company as required in terms of the Companies Act, 2008 in South Africa.
- 3.3 The main business of the Company is the sale and marketing of Jaguar and Land Rover vehicles, parts and accessories and the provision of related services.



4. COMPANY CONTACT DETAILS IN TERMS OF SECTION 51(1)(A) OF THE ACT

4.1 The Managing Director of the Company is:

Name: Mr. R Gouverneur
Postal Address: Private Bag X2 Pierre Van Ryneveld 0045
Tshwane South Africa
Physical Address: 28 Victoria Link Route 21 Corporate Park
Nellmapius Drive Irene X30
Centurion Tshwane Gauteng South Africa
Phone Number: +27 (12) 450-4000 (switchboard)

The Chief Information Officer of the Company is:

Name: Ms. Sharnie Malan
Postal Address: Private Bag X2 Pierre Van Ryneveld 0045
Tshwane South Africa
Physical Address: 28 Victoria Link Route 21 Corporate Park
Nellmapius Drive Irene X30
Centurion Tshwane Gauteng South Africa
Phone Number: +27 (12) 450-4000
Fax Number: +27 (12) 450-4001
E-mail: crcza@jaguarlandrover.com

5. THE HRC GUIDE

- 5.1 The South African Human Rights Commission has, in terms of section 10 of the Act, compiled a guide on the use of the Act. This guide is available from the South African Human Rights Commission at the following address:
- Private Bag X2700
Houghton 2041
Tel: +27 11 484 8300
Fax: +27 11 484 0582
E-mail: PAIA@sahrc.org.za
Website: www.sahrc.org.za
- 5.2 Alternatively it can be accessed by using the following url link: <http://www.sahrc.org.za/>

6. RECORDS AUTOMATICALLY AVAILABLE AS PROVIDED FOR UNDER SECTION 51(1)(C) OF THE ACT

- 6.1 Records that are automatically available to the public and/ or a Requester are all Records available for view by the public on the Company's website, but excluding all Records which may be housed under any password protect part of said website, which are available to authorised Company users only.
- 6.2 Other non-confidential records, such as statutory records maintained at CIPC, may also be accessed without the need to submit a formal application, however, please note that an appointment to view such records will still have to be made with the Information Officer.



7. RECORDS AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION IN TERMS OF SECTION 51(1)(D) AND SECTION 51(1)(E) OF THE ACT

7.1 Where applicable to its operations, JLR also retains records and documents in terms of the legislation listed below. Unless disclosure is prohibited in terms of legislation, regulations, contractual agreements or otherwise, records that are required to be made available in terms of these acts shall be made available for inspection by interested parties in terms of the requirements and conditions of the Act; the below mentioned legislation, and applicable internal policies and procedures, should such interested parties be entitled to such information. A request to access must be done in accordance with prescriptions of the Act.

- 7.1.1. Advertising On Roads And Ribbon Development Act, 21 Of 1940 (AORRDA)
- 7.1.2. Regulations On Advertising On Or Visible From National Roads.
- 7.1.3. Advertising Standards Authority Of South Africa (ASA)
- 7.1.4. Apportionment Of Damages Act 34 Of 1956 (ADA)
- 7.1.5. Arbitration Act, 42 Of 1965 (AA)
- 7.1.6. Administrative Adjudication Of Road Traffic Offences Act 46 Of 1998 (AARTO) Read With The National Road Traffic Act 93 Of 1996 (NRTA)

- 7.1.7. Basic Conditions Of Employment Act 75 Of 1997 (BCEA)
- 7.1.8. Broad-Based Black Economic Empowerment Act 53 Of 2003 (B-BBEEA)
- 7.1.9. Broadcasting Act 4 Of 1999 (BA)
- 7.1.10. Companies Act 71 Of 2008 (CA)
- 7.1.11. King Code Of Governance For South Africa, 2009 ("King III")
- 7.1.12. International Financial Reporting Standards
- 7.1.13. Compensation For Occupational Injuries And Diseases Act, 130 Of 1993 (COIDA)
- 7.1.14. Competition Act, 89 Of 1998 (CA)
- 7.1.15. Consumer Protection Act 68 Of 2008 (CPA)
- 7.1.16. Constitution Of The Republic Of South Africa Act 108 Of 1996 (CSA)
- 7.1.17. Copyright Act No. 98 Of 1978 (Copyright Act)
- 7.1.18. Criminal Procedure Act No. 51 Of 1977
- 7.1.19. Electronic Communications And Transactions Act, 25 Of 2002 (ECTA)
- 7.1.20. Employment Equity Act, 1998 (Act No. 55 Of 1998) (EEA)
- 7.1.21. Hazardous Substances Act 15 Of 1973 (HSA)
- 7.1.22. Income Tax Act 58 Of 1962 (ITA)
- 7.1.23. Tax Administration Act (TAA)
- 7.1.24. Institution Of Legal Proceedings Against Certain Organs Of State Act 40 Of 2002 (ILPACOSA)



- 7.1.25. Justices Of The Peace And Commissioners Of Oaths Act 16 Of 1963 (COAA)
- 7.1.26. Labour Relations Act 66 Of 1995 (LRA)
- 7.1.27. National Environment Management: Air Quality Act 39 Of 2004 (NEM: AQA)
- 7.1.28. National Environmental Management Act 107 Of 1998 (NEMA)
- 7.1.29. National Environmental Management Waste Act 59 Of 2008 (NEM:WA)
- 7.1.30. National Health Act 61 Of 2003 (NHA)
- 7.1.31. Merchandise Marks Act, 17 Of 1941 (MMA)
- 7.1.32. National Credit Act, 2005- (NCA)
- 7.1.33. National Water Act, 1998 (NWA)
- 7.1.34. Occupational Health And Safety Act, 1993 (OHSA)
- 7.1.35. Prescription Act, 1969 (Act No. 68 Of 1969)
- 7.1.36. Promotion Of Access To Information Act, No 2 Of 2000 (PAIA)
- 7.1.37. Prevention Of Organised Crime Act, 121 Of 1998 (POCA)
- 7.1.38. Prevention And Combating Of Corrupt Activities Act, 12 Of 2004 (PCCAA)
- 7.1.39. Private Security Industry Regulation Act 56 Of 2001 (PSIRA)
- 7.1.40. Promotion Of Equality & Prevention Of Unfair Discrimination Act, 2000 (Act No. 4 Of 2000)
- 7.1.41. Protected Disclosure Act, 2000 (Act No. 26 Of 2000)
- 7.1.42. Protection Of Personal Information Act, 4 Of 2013 (POPI)
- 7.1.43. Regulation Of Interception Of Communications And Provision Of Communication- Related Information Act, 70 Of 2002 (RICA)
- 7.1.44. Safety At Sports And Recreational Events Act, 2010 (No. 2 Of 2010)
- 7.1.45. Skills Development Act, 97 Of 1998(SDA)
- 7.1.46. Skills Development Levies Act 9 Of 1999 (SDLA)
- 7.1.47. Standards Act, 8 Of 2008 (SA)
- 7.1.48. Tobacco Products Control Act 83 Of 1993 (TPCA)
- 7.1.49. Trade Marks Act, 194 Of 1993
- 7.1.50. Trade Metrology Act, 77 Of 1973 (TMA)
- 7.1.51. Legal Metrology Act, 2014 (LMA)
- 7.1.52. Unemployment Insurance Act, 63 Of 2001 (UIA)
- 7.1.53. Unemployment Insurance Contributions Act, 4 Of 2002 (UICIA)
- 7.1.54. Value Added Tax Act, 1991 (Act No. 89 Of 1991)
- 7.1.55. Water Services Act, 108 Of 1997 (WSA)

It is further recorded that the accessibility of documents and records may be subject to the grounds of refusal set out in the Act and this manual.



7.2 This clause serves as a reference to the categories of information that JLR holds in accordance with section 51(1)(d) of the Act. This information is available only on request and subject to approval in terms of the Act and this manual. The information is classified and grouped according to records relating to the following subjects and categories.

7.2.1 Communications/ Public Affairs Records

- 7.2.1.1. Current Product Information
- 7.2.1.2. Public Corporate Records
- 7.2.1.3. Launches and Events Records
- 7.2.1.4. Journalist Records
- 7.2.1.5. Media Releases

7.2.2. Health, Safety and Environmental Records

- 7.2.2.1. Environmental Policy and Records
- 7.2.2.2. Health and Safety Records
- 7.2.2.3. Human Resources Records
- 7.2.2.4. Employee Records
- 7.2.2.5. Employment Contracts
- 7.2.2.6. Personnel Guidelines, Policies and Procedures
- 7.2.2.7. Employee Medical Records
- 7.2.2.8. Employee Pension and Provident Fund Records
- 7.2.2.9. Recruitment Records

7.2.2. Financial Records

- 7.2.3.1. Audited Financial Statements
- 7.2.3.2. Tax Records (Company and Employees)
- 7.2.3.3. Motor Industry Development Programme Records
- 7.2.3.4. Supplier Records
- 7.2.3.5. Management Accounts
- 7.2.3.6. Insurance Records

7.2.3. Legal and compliance Records

- 7.2.4.1. General Contract Documentation
- 7.2.4.2. Company Guidelines, Policies and Procedures
- 7.2.4.3. Employee, customer and supplier information
- 7.2.4.4. Immovable Property Records
- 7.2.4.5. Statutory Records

7.2.4. Sales and Marketing Records

- 7.2.5.1. Market Information
- 7.2.5.2. Product Brochures
- 7.2.5.3. Owner manuals
- 7.2.5.4. Field Records
- 7.2.5.5. Performance Records
- 7.2.5.6. Product Sales Records
- 7.2.5.7. Marketing and Future Product Strategies
- 7.2.5.8. Customer Information Database

7.2.5. Product and Logistics Records7.2.6.1. Production Records

- 7.2.6.2. Vehicle and Components Specifications
- 7.2.6.3. Engineering Records
- 7.2.6.4. Apprenticeships
- 7.2.6.5. Quality Records
- 7.2.6.6. Customer Communication Records
- 7.2.6.7. Customer Records
- 7.2.6.8. Complaints and Investigation Records

7.3. It is further recorded that the accessibility of documents and records may be subject to the grounds of refusal set out in the Act and this manual.



8. THE PROCESSES AND PROCEDURES FOR REQUESTING INFORMATION OR RECORDS AS PER SECTION 51(1)(E) OF THE ACT

- 8.1 The Requester must use the prescribed form C annexed hereto to make the request for access to a Record.
- 8.2 The request must be made to the Information Officer whose contact details are set out in paragraph 4.1 above.
- 8.3 The request must be made to the address, fax number or electronic mail address of such contact persons set out in paragraph 4.1 above.
- 8.4 The Requester must provide sufficient detail on the request form to enable the Information Officer to identify the Record and the Requester. The Requester should also indicate which form of access is required. The Requester should also indicate if he or she wishes to be informed in any other manner and state the necessary particulars to be so informed.
- 8.5 The Requester must identify the right that he or she 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.
- 8.6 If a request is made on behalf of another person, the Requester must submit proof of the capacity in which the Requester is making the request, to the satisfaction of the Information Officer.
- 8.7 The Information Officer shall notify the Requester by notice, requiring the Requester to pay the prescribed fee (if any) before further processing the request.

- 8.8 In the event that the Company via its Information Officer refuses to give the Requester access to requested Records, the Requester may lodge an application with a court of law for the Company to be ordered to give the Requester access to the requested Records.
- 8.9 If the court orders the Company to grant the Requester access to the requested Records, the Requester must pay a further access fee for the reproduction, the search, preparation and time taken to provide the Records, in excess of the prescribed hours permitted under the Act to search and prepare the Record for disclosure.

9. GROUNDS FOR REFUSAL OF ACCESS TO RECORDS

- 9.1 Notwithstanding the generality thereof and subject always to the provisions of the Act, the Company may refuse a request for information or Record if that information or Record relates to:
 - 9.1.1. Mandatory protection of the privacy of a third party who is a natural person, which involves the unreasonable disclosure of personal information of that natural person or which is in contravention with POPI;
 - 9.1.2. Mandatory protection of the commercial information of a third party, if the Record contains –
 - 9.1.2.1. Trade secrets of that third party;
 - 9.1.2.2. Financial, commercial, scientific or technical information which the disclosure could likely cause harm to the financial or commercial interests of that third party;

- 9.1.2.3. Information disclosed in confidence by a third party to the Company if the disclosure could put that third party at a disadvantage in negotiations or commercial competition.
- 9.1.3. Mandatory protection of confidential information of third parties if it is protected in terms of any agreement;
- 9.1.4. Mandatory protection of the safety of individuals and the protection of property;
- 9.1.5. Mandatory protection of Records which would be regarded as privileged in legal proceedings;
- 9.1.6. The commercial activities of the Company, which may include –
 - 9.1.6.1 Trade secrets of the Company or its holding Company or any associated or related or subsidiary companies no matter where registered or situated in the world;
 - 9.1.6.2 Financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of the Company or any associated or related or subsidiary companies no matter where registered or situated in the world;
 - 9.1.6.3 Information which, if disclosed could put the Company or any associated or related or subsidiary companies
- 9.1.6.4 A computer program which is owned by the Company or any associated or related or subsidiary companies no matter where registered or situated in the world and which is protected by copyright.
- 9.1.7. The research information of the Company or any associated or related or subsidiary companies no matter where registered or situated in the world or third party, if its disclosure would disclose the identity of the Company, the researcher or the subject matter of the research and would place the research at a serious disadvantage.
- 9.2 The Company shall refuse requests for information where such requests are frivolous or vexatious or involve an unreasonable diversion of the Company resources.
- 9.3 Notwithstanding the generality thereof and subject always to the provisions of the Act, the Company may refuse a request for information if it has a right to refuse the request as allowed under PAIA.



10. AVAILABILITY OF THE MANUAL IN TERMS OF SECTION 51(3) OF THE ACT

- 10.1 This Manual has been made available to the Human Rights Commission, in accordance with paragraph 9 (1) of the Regulations promulgated in terms of the Act and is published on the Company's website at.
- 10.2 This manual is available to view at JLR premises at 28 Victoria Link, Route 21 Corporate Park, Nellmapius Drive, Irene, Tshwane, Gauteng.

11. REFUSAL REMEDIES

- 11.1 JLR does not have internal appeal procedures. The decision made by the Information Officer is final. Requesters will have to exercise such external remedies at their disposal if the request for information is refused, and the requestor is not satisfied with the answer supplied by the Information Officer.
- 11.2 A requestor that is dissatisfied with the Information Officer's refusal to disclose information, may within 30 days of notification of the decision, apply to a Court for relief.
- A third party dissatisfied with the Information Officer's decision to grant a request for information, may within 30 days of notification for the decision, apply to a court for relief.

For purposes of the Act, the courts that have jurisdiction over these applications are the constitutional court, the High Court or another court of similar.

12. PRESCRIBED FEES IN RESPECT OF PRIVATE BODIES

- 12.1 The following fees have been prescribed in the Regulations promulgated in terms of the Act and must be paid by a Requester before the Company may decide whether or not to make any Records requested available to the Requester.
- 12.2 The fee for a copy of the Manual as contemplated in regulation 9(2) (c) of the Act is R1,10 for every photocopy of an A4-size page or part thereof.
- 12.3 The fees for reproduction referred to in regulation 11(1) of the Act are as follows:

ACCESS OF INFORMATION CHARGE	FEE (R)
Photocopy of an A4-size page or part thereof	R1.10
Printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form	R0.75
Copy on compact disc	R70.00
Transcription of visual images:	R40.00
- A4-size page or part thereof	R60.00
- Copy of visual images	
Transcription of an audio Record:	R20.00
- A4-size page or part thereof	R30.00
- For a copy of an audio Record	

- 12.5.6 To search for and prepare the Record for disclosure, for each hour or part of an hour reasonably required for such search and preparation is R30.00
- 12.5.7 For purposes of section 54(2) of the Act, the following applies: -
six hours as the hours to be exceed before a deposit is payable;
one third of the access fee is payable as a deposit by the Requester.
- 12.5.8 The actual postage is payable when a copy of a Record must be posted to a Requester.
- 12.6 Please make contact with the Information Officer to obtain the relevant banking details where the above fees are to be paid into.
- 12.7 Form C attached hereto is the prescribed form as per Regulation 10 which should be completed by a Requester who wants access to the Records of the Company.



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

1. 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.

- 1. Full names and surname:

- 2. Identity number:

- 3. Postal Address:

- 4. Fax Number:

- 5. Telephone number:

- 6. E-mail Address:



7. Capacity in which the request is made, when made on behalf of another person:

C. PARTICULARS OF PERSON ON WHOSE BEHALF REQUEST IS MADE

(a) This section must be completed ONLY if requests for information is made on behalf of another person.

1. Full names and surname: _____

2. 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) In 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.

1. Reason for exemption from payment of fees:

F. FORM OF ACCESS TO RECORD

- (a) 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.

- 1. Disability: _____
- 2. Form in which Record is required: _____

- (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 case you will be informed if access will be granted in another form.
- (c) The fee payable for access to the Record, if any, will be determined partly by the form in which access is requested.



Mark the appropriate box with an X.

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

Copy of Record*	<input type="checkbox"/>
Inspection of Record	<input type="checkbox"/>

2. If the Record consists of visual images (this includes photographs, slide, video Recordings, computer – generated images, sketches etc.):

View the images	<input type="checkbox"/>
Copy of the images*	<input type="checkbox"/>
Transcription of the images*	<input type="checkbox"/>

3. If the Record consists of Recorded words or information which can be reproduced in sound:

Listen to the soundtrack (audio cassette)	<input type="checkbox"/>
Transcription of soundtrack* (written or printed document)	<input type="checkbox"/>

4. If the Record is held on computer or in an electronic or machine readable form:

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

5. If you requested a copy or transcription of a Record (above), do you wish the copy or transcription to be posted to you?

Yes	<input type="checkbox"/>
No	<input type="checkbox"/>

Postal Address if yes:



G. PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED

(a) 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:

(a) 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 _____

Name

Signature of Requester / Person on whose behalf request is made



