



# **CFAO Motors South Africa Proprietary Limited**

**Registration Number: 1997/017428/07**

## **SECTION 51 MANUAL**

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## 1. INTRODUCTION

The Promotion of Access to Information Act, 2 of 2000 (“the Act”) was enacted on 3 February 2000, to give effect to the provisions of section 32 of the Constitution, which provides that any person has a right to gain access to information held by a public or private body, when that information is required for the exercise or protection of any rights. In terms of the Act, a private body includes any former or existing juristic person.

## 2. COMPANY STRUCTURE AND SUBSIDIARIES

**2.1** CFAO Motors South Africa Proprietary Limited is 74.9% held by CFAO Holdings South Africa Proprietary Limited and 25, 1% held by Duaro Finance Proprietary Limited

**2.2** The subsidiaries of CFAO Motors South Africa Proprietary Limited are:

- 2.2.1 CFAO Motors Investments Proprietary Limited - Registration Number 1945/019848/07
- 2.2.2 Autonation Proprietary Limited - Registration Number 2006/020283/07
- 2.2.3 CFAO Motors Insurance - Registration Number 1999/001865/06
- 2.2.4 CFAO Motors Rental (South Africa) Proprietary Limited - Registration Number 1997/017443/07
- 2.2.5 CFAO Motors Rental (Namibia) Proprietary Limited - Registration Number 98/476
- 2.2.6 CFAO Motors Shuttle Service (Namibia) Proprietary Limited - Registration Number 2004/357
- 2.2.7 CFAO Motors Properties Proprietary Limited - Registration Number 2005/022984/07
- 2.2.8 CFAO Motors Proprietary Limited - Registration Number 1997/009861/07
- 2.2.9 CFAO Motors Rentals (Botswana) Proprietary Limited - Registration Number BW00000153191
- 2.2.10 Hertz (Private) Limited - Registration Number 8410/2013
- 2.2.11 Double Ring Investment 233 Proprietary Limited - Registration Number 2004/027574/07
- 2.2.12 Isuzu Truck Centre Proprietary Limited - Registration Number 2004/016613/07
- 2.2.13 CFAO Properties 2 Proprietary Limited - Registration Number 2014/263184/07
- 2.2.14 Action Motor Group Proprietary Limited - Registration Number 2000/029850/07

- 2.2.15 Vosmar Motors Roodepoort Proprietary Limited - Registration Number 2002/005948/07
- 2.2.16 Action Ford Wes Kaap Proprietary Limited - Registration Number 2016/059759/07
- 2.2.17 Vosmar Motors Proprietary Limited - Registration Number 2002/020402/07
- 2.2.18 Action Ford North West Proprietary Limited - Registration Number 2016/029331/07

### 3. CONTACT DETAILS OF THE PROTECTION OF PERSONAL INFORMATION OFFICER (POPIA)

Name: Mr. Kevin Hunt

Physical Address: 265 Rhinoceros Road, Weltevredenpark, Johannesburg,

Phone Number: +27 (11) 288 8205

Email: [popia@cfaomotors.co.za](mailto:popia@cfaomotors.co.za)

### 4. CONTACT DETAILS OF THE PUBLIC INFORMATION OFFICER

Name: Ms. Alison Lowes

Physical Address: 38 Ontdekkers Road, cnr Ontdekkers & CR Swart Roads, Princess, Roodepoort

Phone Number: +27 (11) 549 3100

Email: [PAIA@cfaomotors.co.za](mailto:PAIA@cfaomotors.co.za)

### 5. SECTION 10 GUIDE ON HOW TO USE THE ACT

Requestors are referred to the Guide in terms of S10 of the Act which has been compiled by the South African Human Rights Commission (“SAHRC”) and which contains information for purposes of exercising constitutional rights. The Guide is available from the SAHRC: -

#### **SAHRC (Head Office) contact details:**

Braampark Forum 3  
33 Hoofd Street, Braamfontein

Phone Number: (011) 877 3600

Website: [www.sahrc.org.za](http://www.sahrc.org.za)

Email: [info@sahrc.org.za](mailto:info@sahrc.org.za)

## 6. ACCESS TO THE RECORDS HELD BY CFAO MOTORS SOUTH AFRICA PROPRIETARY LIMITED

Upon written notice or use of the prescribed forms, an appointment within reasonable company hours can be made by interested parties to view the records at: -

CFAO Motors South Africa Proprietary Limited  
38 Ontdekkers Road,  
Cnr Ontdekkers & CR Swart Roads,  
Princess,  
Roodepoort

Interested parties are requested to contact the Information Officer in order to make such an appointment.

### 6.1 Records available only on request to access in terms of S51(1)(e) of the Act

a. Statutory Information
b. Financial Information
c. Legal Records
d. Insurance Records
e. Employee Contracts
f. Supplier Contracts
g. Client Contracts
h. Share Option Schemes
i. Pension and Provident Fund Details
j. Documentation on Taxation
k. Shareholder Agreements
l. Confidentiality Agreements
m. Restraint of Trade Agreements
n. Lease Agreements
o. Sale Agreements
p. Acquisition Agreements
q. Environmental / Public Safety Records
r. Employment Equity
s. Patents, Trademarks, Trade Names and Protected Names

Records deemed confidential on the part of a third party, will necessitate permission from the third party concerned, before CFAO Motors South Africa Proprietary Limited will permit access.

## 6.2 Records available without a request

Records of a public nature, typically those disclosed on the Company's website can be accessed without the need to submit a formal application.

Other non-confidential records, such as statutory records maintained at the Companies and Intellectual Property Commission, can also be accessed without the need to submit a formal application. However, an appointment to view such records will still need to comply with the requirements laid down for this purpose.

## 6.3 Records available in terms of any other legislation in terms of S51 (1)(d) of the Act

Any records that are required to be made available in terms of the Road Transport Act, Companies Act No. 71 of 2008.

Where applicable to its operations, the Group also retains records and documents in terms of the legislation listed in **Annexure A**. Any records that are required to be made available in terms of the legislation listed in Annexure A will be made available for inspection by requestors in terms of the requirements and conditions of the Act and the applicable legislation, should the requestor be entitled to such information.

## 7. THE REQUEST FOR INFORMATION PROCEDURES

### 7.1 Form of Request

- To request a document that does *not* fall within the ambit of the Act, the requester must direct the request to the Information Officer in writing, and request an appointment to view the documentation.
- To request a document that *does* fall within the ambit of the Act, the requester must make use of the prescribed form. This must be directed to the CEO or the Information Officer of CFAO Motors South Africa Proprietary Limited at the address, fax number or email address of the party concerned.
- The requester must provide sufficient detail on the request form to facilitate identifying the record requested. The requester should also indicate which form of access is required, and indicate if any other method is to be used to respond to the requester.
- The requester must identify the right being exercised or protected, and provide an

explanation of why the requested record is necessary to exercise or protect that right.

- If a request is made on behalf of another person, a consent form/letter of authority must accompany the request.

## **7.2 Fees**

A requester seeking access to a record containing personal information is not required to pay a fee. Any other requester, not requesting personal information, must pay the required fee.

- The party concerned must notify the requester (if not seeking access to personal information) of the prescribed fee to be paid (if any) before processing the request.
- The fee that the requester must pay to CFAO Motors South Africa Proprietary Limited is R50 (fifty rand). The requester may lodge an application to the court against the tender or payment of the requested fee.
- After the party concerned has made a decision regarding the request, the requester must be notified in the required format.
- If the request is granted, a further access fee must be paid for the search, reproduction, preparation and time in excess of the prescribed hours to search and prepare the record for disclosure.

## **7.3 Grounds for refusal of access to records**

Access to records may be refused for the reasons listed in Chapter 4 of the Act. Access to records containing information relating to a third party requires the third party's consent to such access or to provide reasons as to why access cannot be granted. Should a third party furnish reasons for the support or denial of access, our designated Information Officer will consider these reasons in determining whether access should be granted. Refusal of access to records can be appealed to our Information Officer in accordance with Part 4 of the Act.

## **8. REMEDIES AVAILABLE TO THE REQUESTER UPON REFUSAL OF A REQUEST**

### **8.1 Internal Remedies**

CFAO Motors South Africa Proprietary Limited does not have internal appeal procedures. As such, the decision made by the Information Officer is final, and requesters will have to exercise such external remedies at their disposal if the request for information is refused and the requester is not satisfied with the answer supplied by the Information Officer.

### **8.2 External Remedies**

A requester that is dissatisfied with an information officer's refusal to disclose information may apply to a Court for relief within 30 days of notification of the decision.

Likewise, a third party dissatisfied with an information officer's decision to grant a request for information may within 30 days of notification of 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 any other court of similar status.

## 9. PRESCRIBED FEES

The fee for a copy of the manual as contemplated in regulation 9(2)(c) is R1,00 for every photocopy of an A4-size page or part thereof.

The fee for reproduction referred to in section 52(3) of the Act, is as follows:

		R
(a)	For every photocopy of an A4-size page or part thereof	1,10
(b)	For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form.	0,75
(c)	For a copy in a computer-readable form on –	
	(i) compact disc	70,00
(d)	(i) For a transcription of visual images, for an A4-size page or part thereof	40,00
	(ii) For a copy of visual images	60,00
(e)	(i) For a transcription of an audio record, for an A4-size page or part thereof	20,00
	(ii) For a copy of an audio record	30,00

The request fee payable by a requester, other than a personal requester, referred to in section 54(1) of the Act is R50,00. The access fees payable by a requester referred to in section 54(7) of the Act, unless exempted under section 54(8) of the Act, are as follows:

		R
(a)	For every photocopy of an A4-size page or part thereof	1,10
(b)	For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form.	0,75
(c)	For a copy in a computer-readable form on –	
	(i) compact disc	70,00
(d)	(i) For a transcription of visual images, for an A4-size page or part thereof	40,00
	(ii) For a copy of visual images	60,00
(e)	(i) For a transcription of an audio record, for an A4-size page or part thereof	20,00
	(ii) For a copy of an audio record	30,00
(f)	To search for the record for disclosure, R30,00 for each hour or part of an hour reasonably required for such search.	30,00

- The actual postal fee is payable when a copy of a record must be posted to a requester.
- For the purposes of section 54(2) of the Act the following applies:
  - a) Six hours as the hours to be exceeded before a deposit is payable; and
  - b) One third of the access fee is payable as a deposit by the requester.



## 10. PRESCRIBED FORMS

### REQUEST FOR ACCESS TO THE RECORD OF A PRIVATE BODY Section 53(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000)

#### [Regulation 10]

#### A Particulars of a 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 ONLY if a request for information is made on behalf of another 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: \_\_\_\_\_

**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.

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: \_\_\_\_\_

Mark the appropriate box with an X

- c) Compliance with your request in the specified form may depend on the form in which the record is available.
- d) 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.
- e) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

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

Copy of record*	Inspection of record
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2. If the record consists of visual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.)

View the images	Copy of the images*	Transcription of the images*
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3. If record consists of recorded words or information which can be reproduced in sound:

Listen to the soundtrack (audio cassette)	Transcription of the soundtrack*
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4. If record is held on computer or in an electronic or machine-readable form:

Printed copy of record*	Printed copy of information derived from the record*	Copy in computer readable form* (stiffy or compact disc)
-------------------------	--	--

* If you requested a copy of the 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:

\_\_\_\_\_

i. Explain why the record requested is required for the exercise or protection of the aforementioned right:

\_\_\_\_\_

\_\_\_\_\_  
**SIGNATURE OF REQUESTER/  
PERSON ON WHOSE BEHALF REQUEST IS MADE**

**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 by alternative means, 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 access to the record?

Signed at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_

## 11. ANNEXURE A

### Applicable legislation as per section 51(1)(d) of the Act:

#### A

- Administrative Adjudication of Road Traffic Offences Act, 1998
- Advertising on Roads and Ribbon Development Act, 1940
- Alienation of Land Act, 1981
- Arbitration Act, 1965
- Atmospheric Pollution Prevention Act, 1965

#### B

- Bills of Exchange Act, 1964
- Broadcasting Act, 1999
- Basic Conditions of Employment Act, 1997
- Broad-Based Black Economic Empowerment Act, 2003
- Businesses Act, 1991

#### C

- Companies Act No 71, 2008
- Compensation for Occupational Injuries and Diseases Act, 1993
- Competition Act, 1998
- Constitution of the Republic of South Africa, 1996
- Consumer Protection Act, 2008
- Copyright Act, 1978
- Counterfeit Goods Act, 1997
- Customs and Excise Act, 1964
- Currency and Exchanges Act, 1933

#### D

- Debt Collectors Act, 1998
- Designs Act, 1993

#### E

- Electronic Communications and Transactions Act, 2002
- Electronic Communications Act, 2005

#### F

- Financial Advisory and Intermediary Services Act, 2002
- Financial Intelligence Centre Act, 2001

#### H

- Health Professions Act, 1974