



PAIA – Promotion of Access to Information Act

INFORMATION MANUAL IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2 OF 2000 IN RESPECT OF HEWLETT PACKARD SA (PTY) LTD (REGISTRATION NUMBER 1994/008447/07) (“HP”) AND ITS FOLLOWING SUBSIDIARIES:

- Techink Manufacturing (Pty) Ltd (registration number 2005/031818/07)

INTRODUCTION:

The Promotion of Access to Information Act, 2 of 2000 (hereinafter referred to as the “Act”) gives effect to Section 37(1)(a) & (b) of the Constitution of the Republic of South Africa, Act 108 of 1996, which provides for the right of access to information held by public and private bodies when such information is requested for the exercise or protection of any rights. The Act, inter alia, sets out the requisite procedural requirements in relation to a request for information, the requirements to be met, and grounds for refusal of the request.

The purpose of this manual is to inform requestors of the procedural and other requirements which a request for information must meet as prescribed by the Act.

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

Head of HP: Frank van Rees

Postal address: Private Bag 9997, Sandton, 2146

Street address: 12 Autumn Street, Rivonia, Sandton, 2128

Tel no: 011 785 1000

Fax no: 011 785 1353

E-mail address: frank.van rees@hp.com

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

A guide has been compiled by the South African Human Rights Commission (“SAHRC”) in terms of section 10 of the Act. It contains information required by a person wishing to exercise any right, contemplated by the Act. It is available in all of the official languages.



The guide is available for inspection, inter alia, at the office of the SAHRC at 29 Princess of Wales Terrace, cnr York and St. Andrews Street, Parktown and on its website at www.sahrc.org.za.

C. THE LATEST NOTICE IN TERMS OF SECTION 52(2) (IF ANY):

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 the Act, however, all information freely available on HP's website (www.hp.com) is automatically available to any person and it is therefore not necessary to apply for access thereto in terms of the Act.

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

Labour Relations Act 66 of 1995

Employment Equity Act 55 of 1998

Basic Conditions of Employment Act 75 of 1997

Compensation for Occupational Injuries and Disease Act 130 of 1993

Companies Act 71 of 2008

Unemployment Insurance Act 63 of 2001

Value Added Tax 58 of 1962

Income Tax Act 58 of 1962

Skills Development Act 9 of 1999

Occupational Health and Safety Act 85 of 1993

E. SUBJECTS AND CATEGORIES OF RECORDS HELD BY HP

1. Company Act records

Memorandum of incorporation

Minutes of Board of Directors' meetings



Records relating to the appointment of directors/auditors/secretary/public officer and other officers

Share Register and other statutory registers

2. Financial Records

Annual Financial Statements

Tax returns

Accounting Records

Asset Register

Rental agreements

Invoices

3. Income tax records

PAYE records

Documents issued to employees for income tax purposes

Records of payments made to SA Revenue Services on behalf of employees

All other statutory compliances: VAT, Regional Services Levies, Skills Development Levies, UIF, Workmen's Compensation

4. Personnel documents and records

Employment contracts

Employment Equity Plan (if applicable)

Medical aid records

Pension fund records

Disciplinary records

Salary records

Disciplinary code



Leave records

Training records

Training Manuals

Address lists

Internal Telephone lists

F. PROCEDURE FOR REQUEST FOR ACCESS IN TERMS OF THE ACT

- The requester must complete Form C and submit this form together with the applicable request fee to the Head of HP;
- The form must be submitted to the Head of HP at his address, fax number and electronic e-mail address;
- The form must provide sufficient particulars to enable the Head of HP to identify the record/s requested and to:
 - Identify the requester,
 - Indicate which form of access is required,
 - Specify a postal address and/or fax number of the requester in the RSA.
- The requester must 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;
- The requester must indicate, 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;
- If the 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 reasonable satisfaction of the Head of HP.
- HP will inform the requester within 30 days after receipt of the request of its decision whether or not to grant the request;



- The 30 day period may be extended, in HP's sole discretion, with a further period of not more than 30 days if the request is for a large number of records or requires a search through a large number of records and compliance with the original period would unreasonably interfere with the activities of HP or the records are not located at the premises of HP.

G. GROUNDINGS FOR REFUSAL OF ACCESS TO RECORDS

- Apart from section 7 of the Act, and subject to section 70 of the Act, HP may refuse a request for information, which includes but is not limited to the following:
 - Protection of the privacy of a third party, if that third party is a natural person, which would involve the unreasonable disclosure of personal information of that natural person;
 - Protection of commercial information of a third party if the record contains:
 - a. Trade secrets of that third party,
 - b. Financial, commercial, scientific or technical information other than trade secrets of a third party, the disclosure of which would be likely to cause harm to the commercial or financial interest of that third party,
 - c. Information disclosed subject to a confidentiality undertaking between HP and a third party,
 - d. Protection of safety of individuals and protection of property,
 - e. Protection of records which would be regarded as privileged in any legal proceedings.
- Protection of commercial activities of HP, which includes but is not limited to:
 - a. Trade secrets of HP,
 - b. Financial, commercial, scientific or technical information, disclosure which could cause harm to HP,
 - c. Information which, if disclosed, could put HP at a disadvantage in negotiations or commercial competition,
 - d. A computer programme owned by HP and which is protected under copyright,
 - e. The research information of HP or a third party on behalf of HP if the disclosure would expose the third party, HP or the researcher to serious disadvantage.



H. REMEDIES AVAILABLE IN REFUSAL OF A REQUEST FOR INFORMATION

HP does not have an internal appeal procedure and therefore the decision made by the Head of HP is final;

Should the requester be dissatisfied with the decision made by the Head of HP the requester may within 30 days after notification of the refusal apply to a Court of law for the appropriate relief.

I. FEES

The prescribed fee for the request is available on the website of SAHRC.