

Hewlett-Packard South Africa (Proprietary) Limited

A Guide to

ACCESSING OUR INFORMATION

Our Manual in terms of Section 51 of the
Promotion of Access to Information Act





INDEX

NO	CLAUSE HEADING	PAGE
1	PREAMBLE	1
2	INTRODUCTION TO THIS PRIVATE BODY.....	1
3	SECTION A – OUR DETAILS	3
4	SECTION B – THE OFFICIAL GUIDE.....	4
5	SECTION C – INFORMATION AVAILABLE IN TERMS OF THE ACT	5
5.1	Categories of information	5
5.2	Procedure for requesting access to the above information	12
6	SECTION D – INFORMATION AVAILABLE IN TERMS OF OTHER LEGISLATION	13
7	SECTION E – INFORMATION AUTOMATICALLY AVAILABLE.....	14

ANNEXURES

- A FORM C – REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY
- B AN EXPLANATORY NOTE ON FEES TO BE CHARGED BY A PRIVATE BODY
WHEN GRANTING A REQUEST FOR ACCESS TO INFORMATION IN TERMS
OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000



1 PREAMBLE

The Promotion of Access to Information Act No. 2 of 2000, as amended (“Act”) came into operation on 23 November 2001. Section 51 of the Act requires that we as a private body compile a manual giving information to the public regarding the procedure to be followed in requesting information from us for the purpose of exercising or protecting rights.

2 INTRODUCTION TO THIS PRIVATE BODY

2.1 Hewlett-Packard South Africa (Proprietary) Limited is a provider of information technology products, solutions and services to consumers and businesses. Our 4 (four) core business groups are –

2.1.1 Enterprise Systems Group : focuses on providing the key technology components of enterprise information technology infrastructure to enhance business agility, including enterprise storage, servers, management software and a variety of solutions;

2.1.2 Imaging and Printing Group : is the provider of printing and imaging solutions for both business and consumer use and includes printer hardware, all-in-ones, digital imaging devices such as cameras and scanners, and associated supplies and accessories;

2.1.3 HP Services : offers guidance, know-how and a comprehensive portfolio of services to help customers realise measurable business value from their information technology investments; and

2.1.4 Personal Systems Group : focuses on supplying simple, reliable and affordable personal-computing solutions and devices for home and business use, including desktop personal computers, notebooks, workstations, thin clients, smart handhelds and personal devices.

2.2 We as a private body have compiled this manual, not only to comply with the provisions of the Act, but also to foster a culture of transparency and accountability in our environment and to ensure that members of the public have



effective access to information in our possession which will assist them in the exercise and protection of their rights.

2.3 Inside these pages you will be able to view the categories of information which we possess. You will also be shown the correct procedure to follow should you require access to any of this information.

2.4 This manual is available on our website <http://www.hp.co.za>, and is available for inspection at all Hewlett-Packard South Africa offices:

Gauteng

Sandton - 76 Maude Street
Tel (011) 775 5300
Rivonia - 12 Autumn Street
Tel (011) 785 1000

Western Cape

Cape Town- 4 Waterford Place, Century City
Tel (021) 529 6000

Kwazulu Natal

Durban - 86 Armstrong Ave, Hollard Court, La Lucia Office Ridge, La Lucia
Tel (031) 572 8500

Eastern Cape

Port Elizabeth - SANLAM PARK, Block One, Ground Floor, 78 to 84 - 2nd
Avenue, Newton Park
Tel (041) 395 4700



3 SECTION A – OUR DETAILS

3.1 Full Name : Hewlett-Packard South Africa (Proprietary) Limited

3.2 Registration Number : 1994/008447/07

3.3 Registered Address :

12 Autumn Street, Rivonia, Sandton, 2128

3.4 Postal Address :

Private Bag, 9997, Sandton, 2146

3.5 Telephone Number : (011) 785 1000

3.6 Fax Number : (011) 785 1593

3.7 Head/CEO : Henry Ferreira

3.8 Designated Information Officer : Benni North

3.9 Email Address of Information Officer : Benni.North@HP.com

3.10 Website : <http://www.hp.co.za>



4 SECTION B – THE OFFICIAL GUIDE

4.1 Section 10 of the Act requires the South African Human Rights Commission (“SAHRC”) to publish a guide containing information reasonably required by a person wishing to exercise or protect any right in terms of the Act. The Guide will be available from the SAHRC not later than August 2003.

4.2 Copies of the Guide will be available as soon as it is published by the SAHRC. Enquiries regarding the Guide can be addressed to the SAHRC, the contact details of which are as follows:

4.2.1 **Post:** South African Human Rights Commission
Promotion of Access to Information Act Unit
Research and Documentation Department
Private Bag 2700
Houghton
2041

4.2.2 **Telephone:** (011) 484-8300

4.2.3 **Fax:** (011) 484-0582

4.2.4 **Website:** www.sahrc.org.za

4.2.5 **E-mail:** PAIA@sahrc.org.za

5 SECTION C – INFORMATION AVAILABLE IN TERMS OF THE ACT

5.1 Categories of information

We hold the following categories of information:

5.1.1 Statutory Company Information

- 5.1.1.1 Certificate of Incorporation;
- 5.1.1.2 Certificate of Change of Name;
- 5.1.1.3 Memorandum and Articles of Association;
- 5.1.1.4 Certificate to Commence Business;
- 5.1.1.5 Minute Book, CM25 and CM26, as well as Resolutions passed at general/class meetings;
- 5.1.1.6 Proxy Forms;
- 5.1.1.7 Proxy Forms used at Court convened meetings;
- 5.1.1.8 A Register of Allotments – after a person ceased to be a member;
- 5.1.1.9 Register of Members;
- 5.1.1.10 Index of Members;
- 5.1.1.11 Register of Mortgages and Debentures and Fixed Assets;
- 5.1.1.12 Register of Directors' shareholdings;
- 5.1.1.13 Register of Directors and Certain Officers;
- 5.1.1.14 Directors' Attendance Register;
- 5.1.1.15 A Branch Register;

- 5.1.1.16 Annual Financial Statements including:
 - 5.1.1.16.1 Annual accounts;
 - 5.1.1.16.2 Directors' reports;
 - 5.1.1.16.3 Auditor's report;
- 5.1.1.17 Books of Account regarding information required by the Companies Act, No. 61 of 1973, as amended;
- 5.1.1.18 Supporting schedules to books of account and ancillary books of account.

5.1.2 **Accounting Records**

- 5.1.2.1 Books of Account including journals and ledgers;
- 5.1.2.2 Delivery notes, orders, invoices, statements, receipts, vouchers and bills of exchange.

5.1.3 **Statutory Employee Records**

- 5.1.3.1 Employees' names and occupations;
- 5.1.3.2 Time worked by each employee;
- 5.1.3.3 Remuneration paid to each employee;
- 5.1.3.4 Date of birth of each employee;
- 5.1.3.5 Attendance register;
- 5.1.3.6 Employment equity plan;
- 5.1.3.7 Salary and wages register;
- 5.1.3.8 Records of foreign employees;

- 5.1.3.9 Arbitration awards;
- 5.1.3.10 Records and determinations made in terms of the Labour Act;
- 5.1.3.11 Industrial training records;
- 5.1.3.12 Staff records (after date of employment ceases);
- 5.1.3.13 Expense accounts;
- 5.1.3.14 Records in terms of the Income Tax .

5.1.4 **Other Employee Records**

- 5.1.4.1 Employee contracts;
- 5.1.4.2 Incentive schemes;
- 5.1.4.3 Staff loan schemes;
- 5.1.4.4 Study assistance schemes;
- 5.1.4.5 Maternity leave policy;
- 5.1.4.6 Relocation policy;
- 5.1.4.7 Housing scheme;
- 5.1.4.8 Disability scheme;
- 5.1.4.9 Funeral insurance scheme;
- 5.1.4.10 Group personal accident;
- 5.1.4.11 Group life;
- 5.1.4.12 Micro loan scheme;

5.1.4.13 Employee stock purchase plan;

5.1.4.14 Code of conduct.

5.1.5 **Pension and Retirement Funding Records**

5.1.5.1 Pension Fund Rules;

5.1.5.2 Pension Fund account records;

5.1.5.3 Minutes of Meetings of trustees and members;

5.1.5.4 Actuarial Valuation Reports;

5.1.5.5 Contribution Records;

5.1.5.6 Annual accounts.

5.1.6 **Environmental Health And Safety**

5.1.6.1 Safety management systems, data and audits;

5.1.6.2 Industrial hygiene programs, data and audits;

5.1.6.3 Employee public health emergency action plans;

5.1.6.4 Permits, licences, approvals and registrations for operations of sites and business;

5.1.6.5 Emergency response plans;

5.1.6.6 Environmental management programs and systems.

5.1.7 **Fixed Property**

5.1.7.1 Title Deeds;

5.1.7.2 Leases;

5.1.7.3 Building plans;

5.1.7.4 Mortgage Bonds or other encumbrances to fixed property.

5.1.8 **Movable Property**

5.1.8.1 Asset register;

5.1.8.2 Finance and Lease Agreements;

5.1.8.3 Notarial Bonds;

5.1.8.4 Deeds of Pledge.

5.1.9 **Intellectual Property**

5.1.9.1 Trademarks, trade names and protected names;

5.1.9.2 Copyrights;

5.1.9.3 Agreements relating to intellectual property such as licence agreements, secrecy agreements, research and development agreements, consulting agreements, use agreements, joint venture agreements and joint development agreements.

5.1.10 **Agreements and Contracts**

5.1.10.1 Material agreements concerning provision of services or goods;

5.1.10.2 Joint venture agreements, partnership agreements, participation, franchise, co-marketing, co-promotion or other alliance agreements;

5.1.10.3 Agreements with shareholders, officers or directors;

5.1.10.4 Acquisition or disposal documentation;

5.1.10.5 Agreements with contractors and suppliers;



- 5.1.10.6 Agreements with customers;
- 5.1.10.7 Sale agreements;
- 5.1.10.8 Distributor, dealer or agency agreements;
- 5.1.10.9 Restraint agreements;
- 5.1.10.10 Agreements with governmental agencies;
- 5.1.10.11 Purchase or lease agreements.

5.1.11 **Taxation**

Copies of all Income Tax Returns and other tax returns and documents.

5.1.12 **Legal**

- 5.1.12.1 Complaints, pleadings, briefs and other documents pertaining to any actual, pending or threatened litigation, arbitration or investigation;
- 5.1.12.2 Settlement agreements;
- 5.1.12.3 Material licences, permits and authorisations.

5.1.13 **Insurance**

- 5.1.13.1 Insurance policies;
- 5.1.13.2 Claim records;
- 5.1.13.3 Details of insurance coverages, limits and insurers.

5.1.14 **Transportation**

- 5.1.14.1 Transportation rights;
- 5.1.14.2 Permits;



- 5.1.14.3 Transportation System Delivery Plan;
- 5.1.14.4 Transportation, Warehouse and Storage Contracts.

- 5.1.15 **Information Technology**
- 5.1.15.1 Hardware;
- 5.1.15.2 Operating Systems;
- 5.1.15.3 Telephone Exchange Equipment;
- 5.1.15.4 Telephone Lines, Leased Lines and Data Lines;
- 5.1.15.5 LAN Installations;
- 5.1.15.6 Software Packages;
- 5.1.15.7 Disaster Recovery;
- 5.1.15.8 Internal Systems Support and Programming / Development;
- 5.1.15.9 Capacity and Utilization of Current Systems;
- 5.1.15.10 Development or Investment Plans;
- 5.1.15.11 Agreements;
- 5.1.15.12 Licenses;
- 5.1.15.13 Audits.

- 5.1.16 **Sales and Marketing**
- 5.1.16.1 Products;
- 5.1.16.2 Markets;
- 5.1.16.3 Customers;



- 5.1.16.4 Brochures, Newsletters and Advertising Materials;
- 5.1.16.5 Sales;
- 5.1.16.6 Public Relations Policies and Procedures;
- 5.1.16.7 Domestic and Export Orders.

5.2 Procedure for requesting access to the above information

5.2.1 If you wish to request access to any of the above categories of information, you are required to complete a request form as set out in Annexure “A” hereto. These forms are available from:

5.2.1.1 our information officer (whose contact details are in section A of this manual);

5.2.1.2 the SAHRC website (www.sahrc.org.za); or

5.2.1.3 the Department of Justice and Constitutional Development website (www.doj.gov.za).

5.2.2 There is a prescribed fee (payable in advance) for requesting and accessing information in terms of the Act. Details of these fees are contained in the request form.

5.2.3 You may also be called upon to pay the additional fees prescribed by regulation for searching for and compiling the information which you have requested, including copying charges.

5.2.4 It is important to note that access is not automatic – you must identify the right you are seeking to exercise or protect and explain why the record you request is required for the exercise or protection of that right. You will be notified in the manner indicated by you on the request form whether your request has been approved.



6 SECTION D – INFORMATION AVAILABLE IN TERMS OF OTHER LEGISLATION

6.1 Where applicable to our operations, information is also available in terms of certain provisions of the following statutes:

- Basic Conditions of Employment Act No. 75 of 1997
- Companies Act No. 61 of 1973
- Compensation for Occupational Injuries and Diseases Act No. 130 of 1993
- Competition Act No. 89 of 1998
- Credit Agreements Act No. 75 of 1980
- Customs and Excise Act No 91 of 1964
- Debt Collectors Act No. 114 of 1998
- Employment Equity Act No. 55 of 1998
- Income Tax Act No. 58 of 1962
- Labour Relations Act No. 66 of 1995
- Occupational Health and Safety Act No. 85 of 1993
- Unemployment Insurance Act No. 63 of 2001

6.2 Where applicable to our operations, we also retain records and documents in terms of the following statutes:

- Basic Conditions of Employment Act No. 75 of 1997
- Companies Act No. 61 of 1973
- Compensation for Occupational Injuries and Diseases Act No. 130 of 1993
- Customs and Excise Act No. 91 of 1964
- Employment Equity Act No. 55 of 1998
- Income Tax Act No. 58 of 1962
- Insolvency Act No. 24 of 1936
- Labour Relations Act No. 66 of 1995
- Occupational Health and Safety Act No. 85 of 1993
- Stamp Duties Act No. 77 of 1968
- Value-added Tax Act No. 89 of 1991



7 SECTION E – INFORMATION AUTOMATICALLY AVAILABLE

7.1 The following categories of records are automatically available for inspection, purchase or photocopying. In other words you do not need to request this information in terms of the Act.

7.2 Request forms for these categories of information are also available from our information officer, whose contact details appear in section A of this manual.

7.2.1 Newsletters.

7.2.2 Pamphlets / Brochures.

7.2.3 Certain Reports.

7.2.4 Other literature intended for public viewing.