

2020/092091/07

Varnfield and Maritz Motors Pty Ltd

Manual in terms of section 51 of the Promotion of Access to Information Act 2 of 2002

Date of compilation: 29/06/2023

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Varnfield and Maritz Motors Pty Ltd | Reg No. 2020/092091/07 | Vat No. 4190106684 | Lid: AD Varnfield, D Malan

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PO Box 17128, Pretoria North, 0116 | 429 Rachel de Beer Str, Pretoria North, 0182 | www.varnfieldauto.co.za

INDEX

1. Introduction To The Pty Ltd And The Type Of Business: Varnfield And Maritz Motors Pty Ltd
2. Contact Details
3. The Act And Section 10 Guide
4. Applicable Legislation
5. Schedule Of Records
6. Prescribed Fees

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1. INTRODUCTION

Varnfield and Maritz Motors Pty Ltd conduct business as a retailer of used vehicles. We provide clients and prospective clients with applications to several financial institutions such as ABSA Vehicle Finance, WesBank, MFC a Division of Nedbank Ltd, Standard Bank, and Marquis Finance. We are an authorized intermediary and operate under FSP 28260 in terms of the Financial Advisory and Intermediary Service Act 37 of 2002.

2. CONTACT DETAILS

Persons designated/ duly authorized persons:

Members: Mr. AD Varnfield
Mrs. D Malan

Information Officer
In terms of PAIA: Mr. AD Varnfield

Postal Address: PO Box 17128
Pretoria North
0118

Street Address: 429 Rachel de Beer Street
Pretoria North
Gauteng
0182

Telephone Number: 012 546 7158

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Fax Number: 086 667 5754

Email Address: sales@varnfield.co.za

Website: www.varnfiedlauto.co.za

3. THE ACT

(section 51(1)(b))

- 3.1 The Act grants a requester access to records of a private body if the record is requested for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.
- 3.2 Requests in terms of the Act shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariffs are dealt with in paragraphs 6 and 7 of the Act.
- 3.3 Requesters are referred to the Guide in terms of section 10 which has been compiled by the Human Rights Commission and will contain information for the purposes of exercising Constitutional Rights. The Guide is available from the SAHRC.

The contact details of the Commission are:

- Postal Address: Private Bag 2700, Houghton, 2041
- Telephone Number: +27-11-877-3600
- Fax Number: +27-11-403- 0625
- Website: www.sahrc.org.za

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4. APPLICABLE LEGISLATION

1	Basic Conditions Of Employment Act	No. 75 of 1997
2	Broad Based Black Economic Empowerment Act	No. 53 of 2003
3	Close Corporation Act	No. 69 of 1984
4	Companies Act	No. 71 of 2008
5	Compensation for Occupational Injuries and Health Diseases Act	No. 130 of 1993
6	Consumer Protection Act	No. 68 of 2008
7	Copyright Act	No. 98 of 1878
8	Second hand Goods Act	No. 6 of 2009
9	Electronic Communications and Transactions Act	No. 25 of 2002
10	Employment Equity Act	No. 55 of 1998
11	Financial Advisory and Intermediary Services Act	No. 37 of 2002
12	Financial Intelligence Centre Act	No. 38 of 2001
13	Income Tax Act	No. 58 of 1962
14	Insolvency Act	No. 24 of 1936
15	Labour Relations Act	No. 66 of 1995
16	National Credit Act	No. 34 of 2005
17	Occupational Health and Safety Act	No. 85 of 1993
18	Pension Funds Act	No. 24 of 1956
19	Promotion of Access to Information Act	No. 2 of 2000
20	Short Term Insurance Act	No. 53 of 1998
21	Skill Development Levies Act	No. 9 of 1999
22	Skills Development Act	No. 97 of 1998
23	Trade Marks Act	No. 194 of 1993
24	Unemployment Insurance Contributions Act	No.4 of 2002

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25	Unemployment Insurance Act	No. 63 of 2001
26	Value Added Tax Act	No. 89 of 1991

5. SCHEDULE OF RECORDS

Record	Subject	Availability
Public Affairs	<ul style="list-style-type: none"> Public Product Information 	Freely available on: www.varnfieldauto.co.za
Financial	<ul style="list-style-type: none"> Financial Statements Financial and Tax records (Company and Employees) Asset Register Management Accounts 	Requested in terms of PAIA Not Available
Displayed compliance records as required by legislation.	<ul style="list-style-type: none"> Representative certificate IDA Risk Management Services FSP 28260 Financial Service Board Licensee no 28260 NCR Credit Provider Certificates from WesBank, ABSA Motor Finance Corporation Certificate of registration as Second-hand goods dealer. Regulatory Examination 	Displayed in full view in office Request in terms of PAIA

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	Certificate RE5 for Representatives	
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6. SUBJECTS AND CATEGORIES OF RECORDS

In order to request access to Varnfield and Maritz Motors Pty Ltd.'s records, the subjects and categories of records held by Varnfield and Maritz Motors Pty Ltd are as follows:

6.1 Companies Act Records

- Memorandum of incorporation
- Minutes of Board of Directors Meetings
- Records relating to the appointment of directors/auditors/secretaries/ public officers and other officers
- Share Register and other statutory registers

6.2 Financial Records

- Annual Financial Statements
- Tax Returns
- Accounting Records
- Bank statements
- Asset Register
- Rental Agreements
- Invoices

6.3 Income Tax and Other Tax Records

- PAYE records
- Documents issued to employees for income tax purposes

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- Records of payments made to SARS on behalf of employees
- VAT records
- Regional Services Levies records
- Skills Development Levies records
- UIF records

6.4 Information Technology Records

- Hardware and software licenses
- Telephone lines, leased lines, and data lines

6.5 Personnel Records

- Workmen's Compensation records
- Employment contracts
- Employment Equity Plan and reports
- Medical Aid records
- Pension Fund records
- Disciplinary records
- Salary records
- SETA records
- Company policies and procedures
- Leave records
- Training records

6.6 Client Related Records

- Records that contain information of Varnfield and Maritz Motors Pty Ltd clients, whether natural or juristic, that receive a service from Varnfield and Maritz Motors Pty Ltd, that has either been provided to Varnfield and Maritz Motors Pty Ltd by the

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client or generated by Independent Dealer Association of South Africa in respect of the client.

6.7 Legal Records

- Various Legal Agreements including supplier agreements, lease agreements, service level agreements, and brand agreements.

7. FORM OF REQUEST FOR INFORMATION

7.1 A requester is not automatically entitled to the record in respect of which the request is made. Each request will be evaluated on its own merits.

7.2 In order to process a request, a requester should:

7.2.1 Use the prescribed form, which is available on the website of the South African Human Rights Commission at www.sahrc.org.za, entitled Form C (a copy of which is attached to this Manual for reference purposes).

7.2.2 Address the request to the Information officer of Varnfield and Maritz Motors Pty Ltd.

7.2.3 Provide sufficient details in the request to allow Lightstone to identify:

- The records requested;
- The form of access required;
- The postal address of fax number of the requester (which must be in the Republic of South Africa) and the manner and particulars in which the requester wishes to be informed of the decision if the requester wishes to be informed in a manner in addition to written and
- The right that the requester is seeking to exercise or protect with an explanation of the reason the records are required to exercise or protect the right.

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8. PRESCRIBED FEES

Where information is requested (other than for personal requests):

- 8.1 A requester is required to pay the prescribed fees (R50,00) before a request will be processed;
- 8.2 If the preparation of the record requested requires more than the prescribed hours (six), 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 requester 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.

The fee structure is available on the website of the South African Human Rights Commission at www.sahrc.org.za. (A copy of the fee structure current at the time of preparation of this Manual is attached to the back of this Manual, but requesters of information are directed to access the latest fee structure on the aforementioned website.)

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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 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:

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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.	
NOTES:	
(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 a case you will be informed if access will be granted in another form.	
(c) The fee payable for access for 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:					
<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 cassette	<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* (stiffy or compact disc)		
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.			<table border="1"><tr><td>YES</td><td>NO</td></tr></table>	YES	NO
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:
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 Pretoria North This 30 day of July 2023

SIGNATURE OF REQUESTER / PERSON ON
WHOSE BEHALF REQUEST IS MADE

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