

## SECTION 51 MANUAL FOR ANDREAS STIHL (PTY) LTD

### PARTICULARS IN TERMS OF SECTION 51 MANUAL

INTRODUCTION: Importer and distributor of Stihl products in South Africa. A wholly owned subsidiary of Stihl international GMBH.

#### 1. CONTACT DETAILS

Postal Address: P O Box 100148  
Scottsville  
3209

Physical Address: 5 Bush Shrike Close  
Montrose Office Park  
Victoria Country Club Estate  
Montrose  
Pietermaritzburg  
3201

Phone: +27 33 846-3800

Fax: +27 33 846-3850

E-mail: [hayden.hutton@stihl.co.za](mailto:hayden.hutton@stihl.co.za)

Website: [www.stihl.co.za](http://www.stihl.co.za)

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

A Guide has been compiled in terms of Section 10 of PAIA by the Human Rights Commission. It contains information required by a person wishing to exercise any right, contemplated by PAIA. It can be made available in all the official languages. The guide is available for inspection from the South African Human Rights Commission. Please direct any queries to:

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## **The South African Human Rights Commission:**

### **PAIA Unit**

#### **The Research and Documentation Department**

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E-mail: [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)

### **3. 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 PAIA

### **4. RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION**

1. Basic Conditions of Employment No. 75 of 1997
2. Companies Act No. 61 of 1973
3. Compensation for Occupational Injuries and Health Diseases Act No. 130 of 1993
4. Employment Equity Act No. 55 of 1998
5. Income Tax Act No. 95 of 1967
6. Labour Relations Act No. 66 of 1995
7. Occupational Health & Safety Act No. 85 of 1993
8. Skills Development Act No. 9 of 1999
9. Unemployment Insurance Act No. 63 of 2001
10. Value Added Tax Act No. 89 of 1991

### **5. ACCESS TO THE RECORDS HELD BY ANDREAS STIHL (PTY) LTD**

1. **Documentation available without a person having to request access in terms of this Act in terms of section 52(2)**

Pamphlets and technical specifications are available from registered dealers', details available in local telephone directories and on 0800336996.

2. **Records that may be requested:**

#### **i) COMPANIES ACT RECORDS**

- Memorandum of Incorporation
- Minutes of Board of Directors meetings
- Records relating to the appointment of directors/ auditor/ secretary/public officer and other officers
- Share Register and other statutory registers

#### **ii) FINANCIAL RECORDS**

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

### **iii) INCOME TAX RECORDS**

- PAYE Records
- Documents issued to employees for income tax purposes
- Records of payments made to SARS on behalf of employees
- All other statutory compliances:
  - VAT
  - Regional Services Levies
  - Skills Development Levies
  - UIF
  - Workmen's Compensation

### **iv) PERSONNEL DOCUMENTS AND RECORDS**

- Employment contracts
- Employment Equity Plan (if applicable)
- Medical Aid records
- Pension Fund records
- Disciplinary records
- Salary records
- SETA records
- Disciplinary code
- Leave records
- Training records
- Training Manuals

## **6. FORM OF REQUEST**

- The requester must use the prescribed FORM 2 REQUEST - FOR ACCESS TO RECORD Regulation 7 (attached) to make the request for access to a record. This must be made to the The Information Officer. This request must be made to the address, fax number or electronic mail as given in this manual.
- 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 the type of record or which form of access is required. The requester should also indicate if any other manner of access is to be used to inform the requester and state the necessary particulars to be so informed [s 53(2)(a) and (b) and (c)].

- The requester must identify the right that is sought to be exercised or to be protected and provide an explanation of why the requested record is required for the exercise or protection of that right [s 53(2)(d)].
- If a request is made on behalf of another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the head of the private body [s 53(2)(f)].

## **7. FEES**

A requester who seeks access to a record containing personal information about that requester is not required to pay the request fee. Every other requester, who is not a personal requester, must pay the required request fee, as prescribed from time to time.

After the head of the private body has made a decision on the request, the requester must be notified using FORM 3 – OUTCOME OF REQUEST AND OF FEES PAYABLE

If the request is granted then a further access fee must be paid for the search, reproduction, preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure [s 54(6)].

## **8. AVAILABILITY OF THE MANUAL [Section 51(3)]**

The manual is also available for inspection at the offices of ANDREAS STIHL free of charge; and copies are available with the SAHRC and on ANDREAS STIHL website: [www.stihl.co.za](http://www.stihl.co.za)