

MERCEDES-BENZ SOUTH AFRICA (PTY) LIMITED

(Registration Number 1962/000271/07)
(the “COMPANY”)

MANUAL
in terms of

THE PROMOTION OF ACCESS TO INFORMATION ACT

2/2000
(the “ACT”)

Compiled by the Legal Department
December 2007

With acknowledgements to:

1. The South African Human Rights Commission
2. The Department of Justice and Constitutional Development

INDEX

<u>Paragraph No.</u>	<u>Subject</u>	<u>Page No.</u>
1.	Introduction to the COMPANY	3
2.	Contact Details	3
3.	The ACT	3
4.	Company Records Classification Key	4
5.	Summary: Records availability	5
6.	Form of Request	6
7.	*Prescribed Fees	7

**Note : The forms and fee structure are available on website of the South African Human Rights Commission at the following address www.sahrc.org.za.*

1. INTRODUCTION

The COMPANY manufactures and markets passenger cars and commercial vehicles under the Mercedes-Benz, Mitsubishi, Freightliner, Western Star and smart brands and exports components and Mercedes-Benz passenger cars.

2. COMPANY CONTACT DETAILS

2.1. Persons designated/duly authorised persons:

- | | | |
|--------|------------------|--|
| 2.1.1. | Head | Rani Soobramoney |
| 2.1.2. | Postal address | PO Box 1717
Pretoria
0001 |
| 2.1.3. | Street address | Wierda Road (R576/M10 West)
Zwartkop |
| 2.1.4. | Telephone number | (012) 677-1529 |
| 2.1.5. | Fax number | (012) 677-1630 |
| 2.1.6. | Electronic Mail | rita.van_dyk@daimler.com |

3. THE ACT

3.1. The ACT grants a requester access to records of the COMPANY, if the record is required 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 tariff are dealt with in paragraphs 7 and 8.

3.3. Requesters are referred to the Guide compiled by the South African Human Rights Commission, which contains information for the purposes of exercising Constitutional Rights. The contact details of the Commission are:

- 3.3.1. Physical address: Braampark Forum 3, 33 Hoofd Street, Braamfontein

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

4. COMPANY RECORD CLASSIFICATION KEY

Classification No.	Access	Classification
1	May be disclosed	Public Access Document
2	May not be disclosed	Request after commencement of criminal or civil proceedings [s7]
3	May be disclosed	Subject to copyright
4	Limited disclosure	Personal information that belongs to the requester of that information [s61]
5	May not be disclosed	Unreasonable disclosure of personal information of Natural person [s63(1)]
6	May not be disclosed	Likely to harm the commercial or financial interests of third party [s64(a)(b)]
7	May not be disclosed	Likely to harm the Company or third party in contract or other negotiations [s64(c)]
8	May not be disclosed	Would breach a duty of confidence owed to a third party in terms of an Agreement [s65]
9	May not be disclosed	Likely to compromise the safety of individuals or protection of property [s66]
10	May not be disclosed	Legally privileged documents [s67]
11	May not be refused	Environmental testing / investigation which reveals public safety / environmental risks [s64(2); s68(2)]
12	May not be disclosed	Commercial information of Private Body [s68]
13	May not be disclosed	Likely to prejudice research and development information of the Company or a third party [s69]
14	May not be refused	Disclosure in public interest [s70]

5. **SUMMARY: RECORDS AVAILABILITY**

Departmental Records	Subject	Classification No.
Communications / Public Affairs Division	Product Information	1
	Public Corporate Records	1
	Community Trust Records	1, 6, 7, 8
	Media Releases	1
Environmental Department	Environmental Policy	1
	Environmental Records	11, 14
Human Resources Division	Staff Records	4, 5, 9
	Employment Contracts	4, 5
	Policies and Procedures	4
	Health and Safety Records	4, 5, 8
Financial Division	Audited Financial Statements	12
	Tax Records (Company & Employees)	12
	Motor Industry Development Programme Records	12
	Asset Register	12
Legal Department / Company Secretarial	General Contract Documentation	6, 12
	Trade Marks	1
	Statutory Records	12
Marketing Division	Market Information	12, 13
	Customer Information	1
	- Product Brochures	
	- Owner Manuals	
	Field Records	4, 12
	Performance Records	12
	Product Sales Records	1
	Marketing Strategies	12
Customer Database	12	
Dealer Franchise Documents	6, 7, 12, 13	
Production/Logistics	Production Records	12
Production Engineering	Vehicle and Components Specifications	3, 12, 13
	Engineering Records	12, 13
Quality	Quality Records	12

5.1. Records available in terms of other legislation (section 51(1)(d)) are as follows:

5.1.1. Labour Relations Act 66 of 1995;

- 5.1.2. Employment Equity Act 55 of 1998;
- 5.1.3. Basic Conditions of Employment Act 75 of 1997;
- 5.1.4. Compensation for Occupational Injuries and Disease Act 130 of 1993;
- 5.1.5. Companies Act 61 of 1973;
- 5.1.6. Unemployment Insurance Act 63 of 2001;
- 5.1.7. Value Added Tax Act 89 of 1991;
- 5.1.8. Income Tax Act 58 of 1962; and
- 5.1.9. Skills Development Act 9 of 1999.

6. FORM OF REQUEST

To facilitate the processing of your request, kindly:

- 6.1. Use the prescribed form (Form C), available on the website of the South African Human Rights Commission at the following address www.sahrc.org.za.
- 6.2. Address your request to the person appointed as the head of this COMPANY for purposes of requests for information under the ACT and referred to in paragraph 2.1.1 above.
- 6.3. Provide sufficient details to enable the COMPANY to identify:
 - (a) The record(s) requested;
 - (b) The requester (and if an agent is lodging the request, proof of capacity);
 - (c) The form of access required;
 - (d) (i) The postal address or fax number of the requester in the Republic;
(ii) If the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof;
 - (e) The right which the requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.
 - (f) Any person on whose behalf the request is made and to submit proof of the capacity in which the requester is making the request.

7. PRESCRIBED FEES

The following applies to requests (other than personal requests):

- 7.1. Please also note that if you earn below R14712 a year or you and your partner's combined income is less than R27 192 per year, you will not have to pay a request fee with your application.
- 7.2. You will also not have to pay a request fee if your request for information is a request for your personal information.
- 7.3. In all other instances a fee of R50.00 needs to accompany your request.
- 7.4. 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).
- 7.5. A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit.
- 7.6. Records may be withheld until the fees have been paid.
- 7.7. The fee structure is available on the website of the South African Human Rights Commission www.sahrc.org.za (Lodging PAIA Request).