

KYOCERA MITA SOUTH AFRICA (PTY) LIMITED

Co. Reg. No. 1997/016249/07

A Guide to

ACCESSING OUR INFORMATION

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



Table of contents

	<i>Page</i>
Preamble.....	3
Introduction to this private body.....	3
Section A – Our details.....	7
Section B – The official guide	8
Section C – Information available in terms of the Act.....	9
Section D – Information available in terms of other legislation.....	12
Section E – Information automatically available.....	15
Section F – General	16
Annexure “A” Request for access to record of private body.....	17
Annexure “B” Fees in respect of private bodies.....	21

Preamble

The Promotion of Access to Information Act No. 2 of 2000, (“the Act”) came into operation on 23 November 2001. Section 51 of this 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.

Introduction to this private body

SUPPLY AND DISTRIBUTION OF OFFICE EQUIPMENT, COPIERS, FAX MACHINES, PRINTERS, MULTI-FUNCTION PRODUCTS AND RELATED ACTIVITIES



CORPORATE PROFILE

Kyocera Mita South Africa (Pty) Ltd



Kyocera Mita South Africa, located in Kyalami, Midrand, and with its worldwide headquarters in Osaka, Japan - is part of Kyocera's Document Solutions Company. Kyocera Mita is one of the world's largest manufacturers and supplier of monochrome and colour laser printers, digital copiers, multi-functional and wide format imaging systems, which offer advanced, environmentally friendly total document solutions for offices of all sizes.

Kyocera Corporation and Mita Industrial Company merged in January 2000, and Kyocera Mita's commitment is to supply and service the highest quality fax machines, digital copiers and laser printers in Southern Africa.

Kyocera Mita's products offer a total solution for any print, copy, scan or fax requirements; with a wide range of advanced, environmentally friendly products, which offer significantly low Total Cost of Ownership (TCO) and high reliability.

Kyocera Mita South Africa's distribution is through a dealer network of 47 dealers throughout Southern Africa providing sales and service to all our products.

Keywords in our thinking and developing are:

- innovative;
- clients needs;
- highest level of quality, leading to the best solution.

Kyocera Corporation



Kyocera was founded in 1959 by Dr. Kazuo Inamori, and was originally called Kyoto Ceramic Co., Ltd. specialising in fine ceramics. The history of Kyocera Corporation has seen a huge development in the production of environmentally friendly products and production methods and a clear focus on quality of life.

Kyocera is today one of the world's leading manufacturers of high-tech ceramics, electronic components, solar cells, cellular phones and electronic office equipment.

These corporate resources are devoted to three key areas; information and communications; environmental preservation and lifestyle enhancement. Kyocera Corporation currently employs approximately 44,000 people in more than 20 nations, with headquarters in Kyoto, Japan.

The Corporation has made many social contributions, including the Kyocera Museum of Art, the Children's Travel Programme and the Kyoto Prize, awarded to people who have excelled in one of three categories; Advanced Technology, Basic Sciences, Arts and Philosophy.

As the pace of global change accelerates, Kyocera remains on the leading edge, always creating business with genuine value.

Kyocera Mita Corporation



Kyocera Mita Corporation is the result of a merger of two of the most innovative companies in document management combining digital imaging and reproduction, cartridge-free long life and low cost page printing. Kyocera Mita currently employs approximately 5,000 people, and sales for the year ending March 31, 2001 were €1.4 billion.

The merger of Kyocera and Mita initiated a global restructuring which has accelerated the convergence of networked document management systems.

Kyocera Mita Europe



In January 2000, Kyocera Mita Europe based in Hoofddorp, The Netherlands, became the new European Headquarters as a result of the merger of Kyocera and Mita. Kyocera Mita Europe works alongside subsidiaries, and authorised Kyocera Mita distributors, in over sixty countries throughout Europe, the Middle East and Africa.

Corporate Philosophy

Kyocera Mita South Africa's corporate philosophy reflects that of our mother company Kyocera Corporation 'Preserve the spirit to work fairly and honourably, respecting people, our work, our company and our global community.'

Kyocera Mita South Africa believes in working together to develop and supply high-tech products, in harmony with nature.

Benefits

The proven Kyocera controller and its unique intelligent programming language, PRESCRIBE, is now implemented in all Kyocera Mita printers and multifunctional products (MFPs). Using common components for printers and MFPs, give Kyocera Mita more purchasing power for parts, making the final products more cost competitive.

End users will benefit from Kyocera Mita products that provide consistent solutions for printers and MFPs. Additionally, the proven technology of the amorphous silicon drum and other long-life components, initially developed by Kyocera, are now also being used in MFPs, which results in highly reliable products with longer service intervals and significantly lower TCO.

The environment is protected



Care for the environment is growing in importance, not just as a moral issue, but, increasingly as an integral part of the purchasing criteria of major organisations such as local authorities, government departments and large businesses.

Protection of the environment plays an integral part in Kyocera Mita's day-to-day work. Research over the last few decades has been focused, not only in developing the most advanced document management devices, but also doing so in harmony with the environment.

Kyocera pioneered cartridge-free technology – using long life components and only one consumable, toner. This significantly reduces waste and the cost of consumables. Virtually all Kyocera Mita's new products are developed with long life components. Users of Kyocera Mita products are protecting the environment while they reap the benefits of superior equipment with the lowest cost per page and the lowest Total Cost of Ownership (TCO).

Several Kyocera Mita products have been awarded the world-recognised 'Blue Angel' – the most prestigious environmental award in Germany.

Mr. Wayne Holborn

General Manager of Kyocera Mita South Africa



Mr. Wayne Holborn is General Manager of Kyocera Mita South Africa, located in Kyalami, Midrand.

In 1989 Wayne Holborn joined the Electronics Division of Teltron (Pty) Ltd as their Area Sales Manager.

In 1993 he was promoted and transferred to the Marketing Department as Marketing Manager of Teltron's Mita Copier Division in Rivonia, Johannesburg.

In 1997 he was appointed as Acting General Manager of the Mita Division to prepare for the take-over of the division by Mita Europe B.V. and Mita Industrial Co. Japan.

In 1998 his responsibilities changed to Manager: Sales & Marketing of Mita South Africa (Pty) the wholly owned subsidiary of Mita Europe B.V. and Mita Industrial Co. Japan. He was responsible for all Sales and Marketing activities in Southern Africa.

In February 2003 he was appointed General Manager for Kyocera Mita South Africa (Pty) Ltd the company which was established in January 2000 as a result of the merger of the two companies: Mita Industrial Co. and Kyocera Corporation.

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.

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.

A copy of this manual is also available on our website : www.kyoceramita.co.za

Section A – Our details

Full Name : KYOCERA MITA SOUTH AFRICA (PTY) LTD.

Registration Number : 1997/016249/07

Registered Address : 527 KYALAMI BOULEVARD
KYALAMI BUSINESS PARK
MIDRAND
SOUTH AFRICA

Postal Address : P O BOX 7567
1685 HALFWAY HOUSE

Telephone Number : (011) 540-2600

Fax Number : (011) 466-3050

Head/CEO : WAYNE G. HOLBORN

Designated Information Officer : WAYNE G. HOLBORN

Email Address of Information Officer : wayneh@kyoceramita.co.za

Website : www.kyoceramita.co.za

Section B – The official guide

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 this Act.

The Guide will contain the following information:

1. The objects of the Act;
2. Particulars of the information officer of every public body;
3. Particulars of every private body as are practicable;
4. The manner and form of a request for access to information held by a body;
5. Assistance available from both the information officers and the Human Rights Commission in terms of this Act;
6. All remedies in law regarding acts, omissions, rights and duties, including how to lodge an internal appeal and a court application;
7. Schedules of fees to be paid in relation to requests for access to information;
8. Regulations made in terms of the Act.

Copies of this 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:

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

Telephone: (011) 484-8300

Fax: (011) 484-0582

Website: www.sahrc.org.za

E-mail: PAIA@sahrc.org.za

Section C – Information available in terms of the Act

1. Categories of information

We hold the following categories of information: [The headings are intended to be a general framework and you should set out exactly which records are available under each heading - expand on the headings if necessary or delete whichever are not applicable – refer to example in Part 1 of the printed publication.]

(a) STATUTORY COMPANY INFORMATION

- (i) Certificate of Incorporation;
- (ii) Certificate of Change of Name (if any);
- (iii) Memorandum and Articles of Association;
- (v) Minute Book, CM25 and CM26, as well as Resolutions passed at general/class meetings;
- (xi) Register of Mortgages and Debentures and Fixed Assets;
- (xii) Register of Directors' shareholdings;
- (xiii) Register of Directors and Certain Officers;
- (xvi) Annual Financial Statements including:
 - (a) Annual accounts;
 - (b) Directors' reports;
 - (c) Auditor's report.
- (xvii) Books of Account regarding information required by the Companies Act, 1973;
- (xviii) Supporting schedules to books of account and ancillary books of account;

(b) STATUTORY CLOSE CORPORATION INFORMATION

(c) ACCOUNTING RECORDS

- (i) Books of Account including journals and ledgers;
- (ii) Delivery notes, orders, invoices, statements, receipts, vouchers and bills of exchange.

(d) STATUTORY EMPLOYEE RECORDS

- (i) Employees' names and occupations;
- (iii) Remuneration paid to each employee.
- (v) Wages register;
- (vi) Attendance register;
- (vii) Employment equity plan;
- (viii) Salary and wages register;
- (xv) Staff records (after date of employment ceases);

(e) OTHER EMPLOYEE RECORDS

- (i) Employee contracts;

- (ii) Incentive schemes;
- (iii) Staff loan schemes;
- (iv) Study assistance schemes;
- (v) Maternity leave policy;
- (viii) Disability scheme;
- (ix) Group personal accident;
- (xi) Group life;
- (xiv) Code of conduct.

(f) PENSION AND RETIREMENT FUNDING RECORDS

- (i) Pension Fund Rules;
- (iii) Minutes of Meetings of trustees and members;
- (v) Contribution Reports;
- (vi) Annual accounts.

(g) ENVIRONMENTAL HEALTH AND SAFETY

(h) FIXED PROPERTY

- (ii) Leases;

(i) MOVABLE PROPERTY

- (i) Asset register;
- (ii) Finance and Lease Agreements;

(j) INTELLECTUAL PROPERTY

- (i) Patents, patent applications and inventions;
- (ii) Trademarks, trade names and protected names;
- (iii) Copyrights;
- (iv) 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;

(k) AGREEMENTS AND CONTRACTS

- (ii) Joint venture agreements, partnership agreements, participation, franchise, co-marketing, co-promotion or other alliance agreements;
- (v) Agreements with contractors and suppliers;
- (vi) Agreements with customers;
- (vii) Warranty agreements;
- (viii) Sale agreements;
- (ix) Distributor, dealer or agency agreements;
- (xii) Purchase or lease agreements.

(l) TAXATION

(i) Copies of all Income Tax Returns and other tax returns and documents;

(m) LEGAL

(n) INSURANCE

(i) Insurance policies;

(ii) Claim records;

(iii) Details of insurance coverages, limits and insurers.

(o) TRANSPORTATION

(p) INFORMATION TECHNOLOGY

(i) Hardware;

(ii) Operating Systems;

(iii) Telephone Exchange Equipment;

(iv) Telephone Lines, Leased Lines and Data Lines;

(vi) Software Packages;

(xii) Licenses;

(q) SALES AND MARKETING

(i) Products;

(ii) Markets;

(iii) Customers;

(iv) Brochures, Newsletters and Advertising Materials;

(v) Sales;

(vii) Domestic and Export Orders

2. Procedure for requesting access to the above information

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:

- our information officer (whose contact details are in section A of this manual);
- the SAHRC website (www.sahrc.org.za);
- the Department of Justice and Constitutional Development website (www.doj.gov.za).

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.

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.

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.

Section D – Information available in terms of other legislation

Where applicable to our operations, information is also available in terms of certain provisions of the following statutes: ~~[delete whichever is not applicable to your organisation – refer to Part 5 of the printed publication for actual extracts of the statutes which deal with the provision of information]~~

- Administration of Estates Act No. 66 of 1965
- Armaments Development and Production Act No. 57 of 1968
- Atmospheric Pollution Prevention Act No. 45 of 1965
- Banks Act No. 94 of 1990
- 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
- Co-operatives Act No. 91 of 1981
- Correctional Services Act No. 111 of 1998
- Credit Agreements Act No. 75 of 1980
- Custody and Administration of Securities Act No. 85 of 1992
- Customs and Excise Act No 91 of 1964
- Debt Collectors Act No. 114 of 1998
- Defence Act No. 44 of 1957
- Designs Act No. 195 of 1993
- Employment Equity Act No. 55 of 1998
- Financial Intelligence Centre Act No. 38 of 2001
- Financial Markets Control Act No. 55 of 1989
- Health Professions Act No. 56 of 1974
- Housing Act No. 107 of 1997
- Income Tax Act No. 58 of 1962
- Insider Trading Act No. 135 of 1998
- Labour Relations Act No. 66 of 1995
- Legal Deposit Act No. 54 of 1997
- Long-term Insurance Act No. 52 of 1998
- Mine Health and Safety Act No. 29 of 1996
- Minerals Act No. 50 of 1991
- Mineral and Petroleum Resources Development Act 28 of 2002
- National Environmental Management Act No. 107 of 1998
- National Key Points Act No. 102 of 1980
- National Nuclear Regulator Act No. 47 of 1999
- National Road Traffic Act No. 93 of 1996

- National Water Act No. 36 of 1998
- Nuclear Energy Act No. 131 of 1993
- Nuclear Energy Act No. 46 of 1999
- Occupational Health and Safety Act No. 85 of 1993
- Prevention of Organised Crime Act No. 121 of 1998
- Public Finance Management Act No. 1 of 1999
- Road Transportation Act No. 74 of 1977
- Security Officers Act No. 92 of 1987
- Short-term Insurance Act No. 53 of 1998
- South African Medicines and Medical Devices Regulatory Authority Act No. 132 of 1998
- South African Police Service Act No. 68 of 1995
- Space Affairs Act No. 84 of 1993
- Stock Exchanges Control Act No. 1 of 1985
- Transfer Duty Act No. 40 of 1949
- Unemployment Insurance Act No. 63 of 2001
- Unit Trusts Control Act No. 54 of 1981
- Witness Protection Act No. 112 of 1998

Where applicable to our operations, we also retain records and documents in terms of the following statutes: ~~[delete whichever is not applicable to your organisation – refer to Part 6 of the printed publication for actual extracts of the statutes which deal with the retention of records and documents]~~

- Agricultural Produce Agents Act No. 12 of 1992
- Basic Conditions of Employment Act No. 75 of 1997
- Close Corporations Act No. 69 of 1984
- Companies Act No. 61 of 1973
- Compensation for Occupational Injuries and Diseases Act No. 130 of 1993
- Co-operatives Act No. 91 of 1981
- Customs and Excise Act No. 91 of 1964
- Employment Equity Act No. 55 of 1998
- Estate Agency Affairs Act No. 112 of 1976
- Explosives Act No. 26 of 1956
- Financial Markets Control Act No. 55 of 1989
- Immigration Act No. 13 of 2002
- Income Tax Act No. 58 of 1962
- Insolvency Act No. 24 of 1936
- Labour Relations Act No. 66 of 1995
- Liquor Act No. 27 of 1989
- Machinery and Occupational Safety Act No. 6 of 1983

- Mine Health and Safety Act No. 29 of 1996
- Minerals Act No. 50 of 1991
- Mutual Banks Act No. 124 of 1993
- National Payment System Act No. 78 of 1998
- National Water Act No. 36 of 1998
- Nursing Act No. 50 of 1978
- Occupational Health and Safety Act No. 85 of 1993
- Prescription Act No. 68 of 1969
- Sectional Titles Act No. 95 of 1986
- South African Medicines and Medical Devices Regulatory Authority Act No. 132 of 1998
- Stamp Duties Act No. 77 of 1968
- Stock Exchanges Control Act No. 1 of 1985
- Transfer Duty Act No. 40 of 1949
- Value-added Tax Act No. 89 of 1991

Section E – Information automatically available

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 Promotion of Access to Information Act.

Request forms for these categories of information are also available from our information officer, whose contact details appear in section A of this manual. [The list below is intended to be a guide and information officers may wish to supplement or amend the suggested list. Information which is of a public nature or which is available to the general public should be considered for inclusion in this list]

1. Newsletters.
2. Booklets.
3. Pamphlets / Brochures.
4. Reports.
5. Posters.
6. Other literature intended for public viewing.

Section F – General

[This section may be used for comments by the information officer or for industry-specific information which you may wish to add]

ANNEXURE “A”

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:

WAYNE GEORGE HOLBORN

.....
.....

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 ONLY if a request for information is made on behalf of another person.

Full names and surname:.....

.....

Identity number:.....

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 to 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:

copy of record*	inspection of record
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2. If record consists of visual images

(this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):

view the images	copy of the images*	transcription of the images*
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3. If record consists of recorded words or information which can be reproduced in sound:

listen to the soundtrack (audio cassette)	transcription of soundtrack* (written or printed document)
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4. If record is held on computer or in an electronic or machine-readable form:

printed copy of record*	printed copy of information derived from the record*	copy in computer readable form* (stiffy or compact disc)
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*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.	YES	NO
---	-----	----

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 atthis day of..... 20.....

.....
SIGNATURE OF REQUESTER/PERSON ON WHOSE BEHALF
REQUEST IS MADE

ANNEXURE “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.

The fees chargeable by private bodies are contained in Part III of Annexure “A” of the Regulations. A copy of Part III is attached for your convenience. The present charges are as follows:

1. Copies of a manual

Should an individual require a copy of the private body’s manual, a fee of R1,10 is chargeable for every photocopy of an A4 page or part thereof.

2. Reproduction fees¹

Reproduction fees apply to obtaining copies or transcriptions of information which is automatically available from the private body. The fees are listed in paragraph 2 of Part III of Annexure “A” to the Regulations.

3. Access fees²

Access fees are chargeable for copies or transcriptions of information requested under this Act. The fees are listed in paragraph 4 of Part III of Annexure “A” to the Regulations.

4. Other fees

- 4.1 A request fee³ of R50,00 is payable by a requester who is seeking access to a record containing information which is not personal to the requester. See paragraph 6 of Part 1 of this Work.
- 4.2 A search fee⁴ may be charged at a rate of R30,00 per hour or part thereof for searching and preparing the record for disclosure provided such time was reasonably required for that purpose.
- 4.3 If the request is not limited to records containing information which is personal to the requester and if the head of the private body is of the opinion that the time taken to give effect to the request will exceed six hours the requester can be called upon to pay a deposit of not more than one third of an estimate of the access fee which will become payable.⁵
- 4.4 If a copy of a record is posted to a requester, the requester is obliged to pay the actual postage payable.

1

2

3

4 Annexure “A”, Part III, Item 4(1)(f).

5

PART III
FEES IN RESPECT OF PRIVATE BODIES

1. The fee for a copy of the manual as contemplated in regulation 9 (2) (c) is R1,10 for every photocopy of an A4-size page or part thereof.

2. The fees for reproduction referred to in regulation 11 (1) are as follows:

	R
(a) For every photocopy of an A4-size page or part thereof.....	1,10
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,75
(c) For a copy in a computer-readable form on—	
(i) stiffy disc.....	7,50
(ii) compact disc.....	70,00
(d) (i) For a transcription of visual images, for an A4-size page or part thereof.....	40,00
(ii) For a copy of visual images.....	60,00
(e) (i) For a transcription of an audio record, for an A4-size page or part thereof	20,00
(ii) For a copy of an audio record.....	30,00

3. The request fee payable by a requester, other than a personal requester, referred to in regulation 11 (2) is R50,00.

4. The access fees payable by a requester referred to in regulation 11 (3) are as follows:

	R
(1) (a) For every photocopy of an A4-size page or part thereof.....	1,10
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form.....	0,75
(c) For a copy in a computer-readable form on—	
(i) stiffy disc.....	7,50
(ii) compact disc.....	70,00
(d) (i) For a transcription of visual images, for an A4-size page or part thereof.....	40,00
(ii) For a copy of visual images.....	60,00
(e) (i) For a transcription of an audio record, for an A4-size page or part thereof.....	20,00
(ii) For a copy of an audio record.....	30,00
(f) To search for and prepare the record for disclosure, R30,00 for each hour or part of an hour reasonably required for such search and preparation.	

(2) For purposes of section 54 (2) of the Act, the following applies:

- (a) Six hours as the hours to be exceeded before a deposit is payable; and
- (b) one third of the access fee is payable as a deposit by the requester.

(3) The actual postage is payable when a copy of a record must be posted to a requester.