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South Africa

## Access to Information Manual

In terms of section 51 of the Promotion of Access to Information  
Act 2 of 2000

<b>Gauteng*</b> Tel: 011 237 1000	<b>Eastern Cape</b> Tel: 041 397 8700	<b>Kwazulu-Natal</b> Tel: 031 534 7000	<b>Western Cape</b> Tel: 021 413 3000	<b>Free State</b> Tel: 051 405 0400	<b>Limpopo</b> Tel: 011 237 1015	<b>Mpumalanga</b> Tel: 013 757 0027	<b>Northern Cape</b> Tel: 053 831 1571	<b>North West</b> Tel: 018 381 5938
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**Board of  
Directors:  
(Mustek Limited):**

LI Mophatlane\* (Chairman), H Engelbrecht (Group Chief Executive Officer), CJ Coetzee (Managing Director),  
S Aboo Baker Ebrahim (Group Financial Director), PM Marlowe\*, RB Patmore\*, S Thomas\*,  
S van Schalkwyk (Company Secretary)

\* denotes Independent Non-executive Director \* denotes - ISO 9001, ISO 14001, ISO 27001 certified

## Table of Contents

1	Introduction .....	3
2	Our Subsidiaries .....	3
3	Our Contact Particulars .....	3
4	Further Guidance .....	4
5	Records we hold.....	4
6	Information we hold to comply with the law .....	9
7	How to request access .....	10
8	Decision-Making Process .....	10
9	Grounds for refusal of a request.....	11
10	How we will give you access.....	11
11	How much it will cost you .....	11
12	How we process and protect personal information.....	12
13	Remedies .....	13
14	Updates to this Manual .....	13
15	Dates.....	13

**Callouts like this are a summary of our manual and contain the most important and relevant points for you. They are here to help you understand it, but please read the full manual.**

## 1 Introduction

Mustek Limited is one of the largest assemblers and distributors of personal computers and complementary ICT products in South Africa. Mustek Limited Group was founded in 1987 and includes Rectron. This is our 'Access to Information Manual', which applies to us and all our subsidiaries. Its purpose is to help you access our information and any other information that we have. PAIA requires us to make it available to you so that you:

- know what types of information we have; and
- can request access to it.

We respect your right of access to information. This document will help you exercise that right as required by section 51 of the Promotion to Access of Information Act 2 of 2000 (PAIA).

This manual exists to tell you what information we have and help you get access to it.

## 2 Our Subsidiaries

Our list of subsidiaries to which this Manual also applies are:

- Rectron (Pty) Limited
- Mecer Inter-Ed (Pty) Limited

## 3 Our Contact Particulars

Any person who wishes to request any information from Mustek with the object of protecting or exercising a right may contact the information officer whose contact details are as follows:

Our details are as follows:

- **Company name:** Mustek Limited
- **Registration number:** 1987/070161/06
- **Postal address :** P.O. Box 1638  
Parklands, Gauteng, 2121
- **Physical address:** 322 15th Road  
Randjespark, Gauteng, 1685
- **Phone number:** +27 11 237 1000
- **Fax number:** +27 11 314 5020
- **Information officer:** Neels Coetzee
- **Information officer email:** [POPI@mustek.co.za](mailto:POPI@mustek.co.za)
- **Deputy Information Officer:** Ondela Mhlongo
- **Deputy Information Officer email:** [Ondelam@mustek.co.za](mailto:Ondelam@mustek.co.za)
- **Deputy Information Officer:** Nicole Orr
- **Deputy Information Officer email:** [Nicoleo@mustek.co.za](mailto:Nicoleo@mustek.co.za)
- **Website:** <https://mustek.co.za/>

These are all our details, but please also refer to the website for additional contact details.

## 4 Further Guidance

If you would like further guidance on how you can get access to information under PAIA, you may contact the South African Human Rights Commission (SAHRC) to find out more information about PAIA. They have a guide in each official language of South Africa on how to exercise any right under PAIA. The guide is available here: [Understanding PAIA \(sahrc.org.za\)](http://www.sahrc.org.za) <https://www.sahrc.org.za/home/21/files/SAHRC%20PAIA%20Section%2010%20Guide%202014.pdf>. In terms of the Section 110 of the Protection of Personal Information Act 4 of 2013 the functions of the Human Rights Commission have been transferred to the Information Regulator. Their contact details are as follows:

- **Postal address:** P.O Box 3153, Braamfontein, Johannesburg, 2017
- **Physical address:** JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001
- **Website:** <https://www.justice.gov.za/infocreg/index.html> and <http://www.sahrc.org.za/index.php/understanding-paia>
- General e-mail: [infocreg@justice.gov.za](mailto:infocreg@justice.gov.za)
- Complaints email: [complaints.IR@justice.gov.za](mailto:complaints.IR@justice.gov.za)

**For further guidance on how you can get access to information, please visit:**

<http://www.sahrc.org.za/index.php/understanding-paia> or <https://www.justice.gov.za/infocreg/index.html>.

## 5 Records we hold

The requestor may request access to the following types of documents:

- Company records;
- Business records;
- Financial records;
- Insurance records;
- Income Tax records;
- Personnel records;
- Policies and directives;
- Agreements or contracts;
- Regulatory documents;
- Published information;
- Customer information;

**We hold various subjects and categories of records in electronic or physical form that are available automatically or in other ways.**

## 5.1 Company Records

Company records are all our records related to the incorporation and administration of our company. Some of them are available from the Companies and Intellectual Property Commission (CIPC).

<b>5.1.1</b>	Annual Statutory Return Details	Automatically available from CIPC
<b>5.1.2</b>	Documents of Incorporation	Automatically available from CIPC
<b>5.1.3</b>	Dividend register	Not automatically available
<b>5.1.4</b>	Directors' attendance register	Not automatically available
<b>5.1.5</b>	Index of Members	Not automatically available
<b>5.1.6</b>	Directors' names	Automatically available from CIPC
<b>5.1.7</b>	Memorandum of Incorporation and alterations /amendments	Automatically available from CIPC
<b>5.1.8</b>	Notice and minutes of shareholders' meetings	Not automatically available
<b>5.1.9</b>	Minutes of directors' meetings	Not automatically available
<b>5.1.10</b>	Minutes of audit committee meetings	Not automatically available
<b>5.1.11</b>	Minutes of directors' committee meetings	Not automatically available
<b>5.1.12</b>	Register of Allotments	Not automatically available
<b>5.1.13</b>	Records relating to appointment of directors,	Not automatically available
<b>5.1.14</b>	auditor, secretary, or other officers	
<b>5.1.15</b>	Register of directors' shareholding	Not automatically available
<b>5.1.16</b>	Reports presented at Annual General Meeting	Not automatically available
<b>5.1.17</b>	Written Resolutions	Not automatically available
<b>5.1.18</b>	Shareholders' register	Not automatically available
<b>5.1.19</b>	Securities register / uncertificated securities register	Not automatically available

**Company records include our memorandum of incorporation and directors' names.**

## 5.2 Business records

Business records include any documents that have economic value to the business.

<b>5.2.1</b>	Operational records	Not automatically available
<b>5.2.2</b>	Databases	Not automatically available
<b>5.2.3</b>	Published works	Not automatically available
<b>5.2.4</b>	Internal correspondence	Not automatically available
<b>5.2.5</b>	Product records	Not automatically available

### 5.3 Financial records

<b>5.3.1</b>	Annual financial statements and working Papers (NDA required)	Not automatically available
<b>5.3.2</b>	Subsidiary ledgers (receivables, payables, etc.)	Not automatically available
<b>5.3.3</b>	Banking details	Automatically available on request
<b>5.3.4</b>	Tax returns	Not automatically available
<b>5.3.5</b>	Other documents relating to taxation of the company	Not automatically available
<b>5.3.6</b>	Accounting records	Not automatically available
<b>5.3.7</b>	Banking records	Not automatically available
<b>5.3.8</b>	Bank statements	Not automatically available
<b>5.3.9</b>	Electronic banking records	Not automatically available
<b>5.3.10</b>	Paid cheques	Not automatically available
<b>5.3.11</b>	Asset register	Not automatically available
<b>5.3.12</b>	Rental agreements	Not automatically available
<b>5.3.13</b>	Invoices	Not automatically available
<b>5.3.14</b>	Financial agreements	Not automatically available

**Financial records include our financial statements and banking details.**

### 5.4 Insurance records

Insurance records are all our records related to our insurable assets.

<b>5.4.1</b>	Insurance policies held by the company	Not automatically available
<b>5.4.2</b>	Register of all immovable property owned by the Company	Not automatically available

### 5.5 Income Tax records

Income tax records are all our records related to our income tax obligations.

<b>5.5.1</b>	PAYE Records	Not automatically available
<b>5.5.2</b>	Corporate tax records	Not automatically available
<b>5.5.3</b>	Customs tax	Not automatically available
<b>5.5.4</b>	Documents issued to employees for income tax purposes	Not automatically available
<b>5.5.5</b>	Records of payments made to SARS on behalf of employees	Not automatically available
<b>5.5.6</b>	VAT records	Not automatically available
<b>5.5.7</b>	Regional Services Levies	Not automatically available
<b>5.5.8</b>	Skills Development Levies	Not automatically available
<b>5.5.9</b>	UIF	Not automatically available
<b>5.5.10</b>	Workmen's Compensation	Not automatically available

## 5.6 Personnel records

Personnel records are all our records about anyone who works for us, provides services to us, or provides services on our behalf and who receives or is entitled to receive remuneration, including our employees, contractors, and other personnel.

<b>5.6.1</b>	List of employees	Not automatically available
<b>5.6.2</b>	Employee personal information	Not automatically available
<b>5.6.3</b>	Employee employment contracts	Not automatically available
<b>5.6.4</b>	Employment policies and procedures	Not automatically available
<b>5.6.5</b>	Employment Equity Plan	Not automatically available
<b>5.6.6</b>	Medical aid records	Not automatically available
<b>5.6.7</b>	Pension and provident fund records	Not automatically available
<b>5.6.8</b>	Salaries of employees	Not automatically available
<b>5.6.9</b>	Leave records	Not automatically available
<b>5.6.10</b>	Internal evaluations	Not automatically available
<b>5.6.11</b>	Disciplinary records	Not automatically available
<b>5.6.12</b>	Disciplinary codes	Not automatically available
<b>5.6.13</b>	Training records	Not automatically available
<b>5.6.14</b>	Operating manuals	Not automatically available
<b>5.6.15</b>	Personal records provided by personnel	Not automatically available
<b>5.6.16</b>	Other statutory records	Not automatically available
<b>5.6.17</b>	Related correspondence	Not automatically available

**Personnel records include records about our employees and contractors.**

## 5.7 Policies and directives

Policies and directives include both internal and external documents.

<b>5.7.1</b>	Internal relating to employees and the company	Not automatically available
<b>5.7.2</b>	External relating to clients and other third parties	Not automatically available
<b>5.7.3</b>	Information technology systems and documents	Not automatically available

## 5.8 Agreements or contracts

Agreements or contracts include the documents themselves and all related documents.

<b>5.8.1</b>	Standard Agreements	Not automatically available
<b>5.8.2</b>	Contracts concluded with customers	Not automatically available
<b>5.8.3</b>	NDA's	Not automatically available
<b>5.8.4</b>	Letters of Intent, MOUs	Not automatically available

<b>5.8.5</b>	Third party contracts (such as JV agreements, VAR Agreements, etc.)	Not automatically available
<b>5.8.6</b>	Office management contracts	Not automatically available
<b>5.8.7</b>	Supplier contracts	Not automatically available

## **5.9 Regulatory documents**

Regulatory documents include any documents required to comply with any laws.

<b>5.9.1</b>	Permits	Not automatically available
<b>5.9.2</b>	Licences	Not automatically available
<b>5.9.3</b>	Authorities	Not automatically available

## **5.10 Published information**

Published information includes any document that we prepare and produce.

<b>5.10.1</b>	External newsletters and circulars	Automatically available
<b>5.10.2</b>	Internal newsletters and circulars	Not automatically available
<b>5.10.3</b>	Information on the company published by third parties	Not automatically available

## **5.11 Customer-related information**

Customer information includes any information about anyone (any natural or juristic entity) that we provide goods or services to, including our customers, leads, or prospects. Customer-related information includes the following:

<b>5.11.1</b>	Customer details	Not automatically available
<b>5.11.2</b>	Contact details of individuals within customers	Not automatically available
<b>5.11.3</b>	Communications with customers	Not automatically available
<b>5.11.4</b>	Sales records	Not automatically available
<b>5.11.5</b>	Transactional information	Not automatically available
<b>5.11.6</b>	Marketing records	Not automatically available

## **5.12 Reference materials**

Reference materials include any sources of information that we contribute to.

<b>5.12.1</b>	Books	Not automatically available
<b>5.12.2</b>	Newsletters and journals articles	Not automatically available
<b>5.12.3</b>	Magazines	Not automatically available
<b>5.12.4</b>	Newspaper articles	Not automatically available



## 6 Information we hold to comply with the law

We hold records for the purposes of PAIA in terms of the following main laws, among others:

- Alienation of Land Act 68 of 1981;
- Basic Conditions of Employment Act 75 of 1997;
- Broad Based Black Economic Empowerment Act 53 of 2003;
- Companies Act 61 of 1973;
- Companies Act 71 of 2008;
- Compensation for Occupational Injuries & Diseases Act 130 of 1993
- Competition Act 89 of 1998;
- Consumer Protection Act 68 of 2008;
- Copyright Act 98 of 1978;
- Electronic Communications Act 36 of 2005;
- Electronic Communications and Transactions Act 25 of 2002;
- Employment Equity Act 55 of 1998;
- Financial Intelligence Centre Act 38 of 2001;
- Financial Services Board Act 97 of 1990;
- Income Tax Act 58 of 1962;
- Income Tax Act 95 95 of 1967;
- Intellectual Property Laws Amendment Act, No 38 of 1997;
- Intellectual Property Laws Amendment Act, No 28 of 2013;
- Labour Relations Act 66 of 1995;
- National Credit Act 34 of 2005;Occupational Health and Safety Act 85 of 1993;
- Prescription Act 18 of 1943;
- Prevention & Combating of Corrupt Activities Act 12 of 2004;
- Prevention of Organised Crime Act 121 of 1998;
- Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000;
- Protected Disclosures Act 26 of 2000;
- Promotion of Access to Information Act, No 2 of 2000;
- Protection of Constitutional Democracy against Terrorist and Related Activities Act 33 of 2004;
- Protection of Personal Information Act 4 of 2013;
- Pension Funds Act 24 of 1956;
- Regional Services Councils Act 109 of 1985;
- Short Term Insurance Act 53 of 1998;
- Skills Development Act 97 of 1998;
- Skills Development Levies Act 9 of 1999;
- South African Qualifications Authority Act 58 of 1995;
- Trade Marks Act 194 of 1993;
- Unemployment Insurance Contributions Act 4 of 2002;
- Unemployment Insurance Act 63 of 2001;
- Usury Act 73 of 1968; and
- Value Added Taxation act 89 of 1991.

The Information officer will take into considerations section 8 of the manual to decide on whether or not access to any of the information stated above should be given to the requester.

## 7 How to request access

We have authorised and designated our information officer to deal with all matters relating to PAIA to comply with our obligations in terms of PAIA. To request access to a record, please complete Form C which is available from:

- The Information Regulator website at [https://www.justice.gov.za/forms/paia/J752\\_paia\\_Form%20C.pdf](https://www.justice.gov.za/forms/paia/J752_paia_Form%20C.pdf)

Please submit the completed form to our information officer together with the relevant request fee (details here: <http://www.sahrc.org.za/home/21/files/PAIA%20Notice%20on%20fees.pdf>) at our information officer's email address, our physical address, or by fax in terms of our details provided above. Please ensure that the completed form:

- has sufficient information to enable the information officer to identify the requestor,
- the record(s) requested and the form of access required;
- specifies the requestor's email address, postal address, or fax number;
- identifies and describes the right sought to be exercised or protected;
- explains why the record is required to exercise or protect that right;
- provides any other way you would like to be informed of the decision other than a written notification; and
- provides proof of the capacity in which the requestor makes the request if the request is made on behalf of someone else, to the satisfaction of the information officer.

If you do not use the standard form:

- we may reject the request due to lack of procedural compliance;
- refuse it if you do not provide sufficient information; or
- delay it.

## 8 Decision-Making Process

**8.1** In terms of Section 55, the information officer will take all reasonable steps to find a record that has been requested. If the record cannot be found or does not exist, the information officer must notify the requestor by way of affidavit or affirmation that it is not possible to give access to the record. This is deemed to be a refusal of the request. If, however, the record is later found, the requestor must be given access if the request would otherwise have been granted.

**8.2** Section 56 provides that the information officer must within 30 days of receipt of a correctly completed request notify the requestor of the decision as to whether or not to grant the request. If the request is:

- 8.2.1 Granted:** the notification must state the applicable access fee required to be paid, together with the procedure to be followed should the requestor wish to apply to court against such fee, and the form in which access will be given.

**8.2.2 Declined:** the notification must include adequate reasons for the decision, together with the relevant provisions of the Act relied upon, and provide the procedure to be followed should the requestor wish to apply to court against the decision.

We will notify you in writing whether your request has been approved or denied within 30 calendar days after we have received a completed request for access form. If we cannot find any requested record or it does not exist, then we will notify you by way of affidavit that it is not possible to give access to that particular record.

**8.3** The information officer may extend the period of 30 days by a further period not exceeding 30 days if:

- 8.3.1** the request is for a large number of records or requires a search through a large number of records;
- 8.3.2** the request requires a search for records located in a different office of the private body not situated in the same city;
- 8.3.3** consultation between divisions of the private body, or with another private body is required; or
- 8.3.4** the requestor consents to the extension.

The requestor must be notified within the initial 30 day period in writing of the extension, together with reasons therefor, and the procedure involved should the requestor wish to apply to court against the extension.

## 9 Grounds for refusal of a request

The information officer's failure to respond to the requestor within the 30 day period constitutes a deemed refusal of the request. We may have to refuse you access to certain records in terms of PAIA to protect:

- someone else's privacy;
- another company's commercial information;
- someone else's confidential information;
- the safety of individuals and property;
- records privileged from production in legal proceedings; or
- research information.

## 10 How we will give you access

We will evaluate and consider all requests to us in terms of PAIA. If we approve your request for access to our records, then we will decide how to provide access to you – unless you have asked for access in a specific form. Publication of this manual does not give rise to any rights to access information records, except in terms of PAIA.

## 11 How much it will cost you

You must pay us a request fee as required by law when submitting a request for access to information. The prescribed fees are as set out in the Fee Schedule which is available here: [...](#)

<http://www.sahrc.org.za/home/21/files/PAIA%20Notice%20on%20fees.pdf>. You must pay us the fees before we will hand over any information. You may have to pay a further access fee if we grant the request for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

## **12 How we process and protect personal information**

We process the personal information of various categories of people for various purposes as set out in this clause.

### **12.1 Categories of people**

We process the personal information of the following categories of people:

- customers or clients;
- prospects or leads;
- employees;
- recruiters and medical practitioners providing services related to employees;
- contractors, vendors, or suppliers;
- debtors and creditors;
- dealers; and
- directors and shareholders.

### **12.2 Purposes**

We process the personal information to:

- provide our goods or supply our services;
- better understand our data subjects needs when doing so;
- keep our data subject records up-to-date;
- manage employees in general;
- manage supplier contracts in general;
- manage dealer relationships in general;
- manage customers in general;
- manage customer credit in general;
- enforce debts;
- market goods and services to customers;
- run promotional competitions for businesses;
- process customer requests or complaints; and
- process personal information of employees for forensic purposes.

### **12.3 Categories of personal information**

We process many different categories of personal information, including:

- contact details, such as phone numbers, physical and postal addresses, and email addresses;
- personal details, such as names and ages;
- demographic details, such as races and age groups;
- health information;
- biometric information;

- account numbers;
- background information;
- contract information;
- credit information;
- market intelligence information;
- learner information; and
- debt and debtor information.

#### **12.4 Third-party disclosures**

We give the following people personal information that we process in the ordinary course of business to fulfil our obligations to our customers or clients:

- contractors, vendors, or suppliers;
- agents, distributors, or other resellers;
- operators, other responsible parties, or co-responsible parties; and
- third party vendors (such as software developers) to help us maintain our services.

#### **12.5 Cross-border transfers**

We send personal information outside of South Africa to various countries. We will only transfer data to other countries who have similar privacy laws to South Africa's, or recipients who can guarantee the protection of personal information to the same standard we must protect it.

#### **12.6 Security**

We secure our data by maintaining reasonable measures to protect personal information from loss, misuse, and unauthorized access, disclosure, alteration and destruction. We also take reasonable steps to keep personal information accurate, current, complete, and reliable for its intended use.

### **13 Remedies**

If your request for access is denied, for the necessary relief, you may:

- apply to a court with appropriate jurisdiction, or
- lodge a complaint with the Information Regulator,

### **14 Updates to this Manual**

This manual will be updated whenever we make material changes to the current information.

### **15 Dates**

- Date compiled: June 2021
- Date revised: 10 April 2024