

**Montagu Wine & Spirits Company Ltd**

(Registration number: 2008/014718/06)

Manual in terms of section 51 of the

Promotion of Access to Information Act, 2 of 2000

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Promotion of Access to Information Act, 2 of 2000 (The Act)

**Section 51 Manual of Montagu Wine & Spirits Company Ltd (Registration number: 2008/014718/06)**

**1. Contact particulars**

Head of business:	Steyn Joubert	Information officer:	Elna Carstens
Postal address:	PO Box 332 Montagu 6720	Physical address:	98 Bath Street Montagu 6720
Telephone number:	023 614 1340	Fax number:	086 605 1107
E-mail address:	manager@mwsc.co.za		
Website:	<a href="http://www.mwsc.co.za">www.mwsc.co.za</a>		

**2. Guide in terms of section 10 of The Act**

Any person who wishes to exercise any right contemplated in The Act may obtain a copy of the information guide issued by the Human Rights Commission in all official languages, from the Human Rights Commission, tel (011) 877-3600.

**3. Facilitation of a request for access to information**

Information which is not readily available as indicated in this manual, may be requested in accordance with the procedure prescribed in terms of the Act. Copies of the prescribed forms to be completed for submitting a request, are available from Montagu Wine & Spirits Company Ltd.

**4. Information available in terms of other legislation**

Information is available in terms of certain provisions of the following legislation:

- 4.1 Basic Conditions of Employment Act 75 of 1997
- 4.2 BBBEE Act 53 of 2003
- 4.3 Companies Act 61 of 1973
- 4.4 Companies Act 71 of 2008
- 4.5 Compensation for Occupational Injuries and Health Diseases Act 130 of 1993
- 4.6 Consumer Protection Act 68 of 2008
- 4.7 Customs and Excise Act 91 of 1964
- 4.8 Employment Equity Act 55 of 1998
- 4.9 Income Tax Act 58 of 1962
- 4.10 Labour Relations Act 66 of 1995
- 4.11 Occupational Health and Safety Act 85 of 1993
- 4.12 Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000
- 4.13 South African Revenue Services Act 34 of 1997
- 4.14 Skills Development Levies Act 9 of 1999
- 4.15 Skills Development Act 97 of 1998
- 4.16 Unemployment Contributions Act 4 of 2002
- 4.17 Unemployment Insurance Act 63 of 2001
- 4.18 Value Added Tax Act 89 of 1991

**5. Information automatically available**

The following categories of records are automatically available for inspection, purchase or photocopying:

- 5.1 Pricelists
- 5.2 [www.mwsc.co.za](http://www.mwsc.co.za)

**6. Information available in terms of The Act**

The subjects on which the business holds records and the categories on each subject are as listed below. Please note that a requestor is not automatically allowed access to these records and that access to them may or must be refused in accordance with section 62 to 69 of The Act.



**6.1 Accounting records**

- 6.1.1 Annual financial statements and working papers
- 6.1.2 General ledger
- 6.1.3 Subsidiary ledgers (receivables, payables, etc.)
- 6.1.4 Bank statements, cheque books, cheques
- 6.1.5 Customer and supplier statements and invoices
- 6.1.6 Deposit slips
- 6.1.7 Cash books and petty cash books
- 6.1.8 Fixed asset register
- 6.1.9 Tax returns and assessments
- 6.1.10 VAT returns
- 6.1.11 Insurance records
- 6.1.12 Auditor's reports
- 6.1.13 Inventory records (including stock take)
- 6.1.14 Capital expenditure
- 6.1.15 Credit agreements
- 6.1.16 Record of assets
- 6.1.17 Record of liabilities
- 6.1.18 Record of liabilities and obligations
- 6.1.19 Record of property held
- 6.1.20 Record of revenue
- 6.1.21 Record of expenses

**6.2 Auditors**

- 6.2.1 Working papers
- 6.2.2 Correspondence
- 6.2.3 Annual Financial Statements

**6.3 Credit Agreements**

- 6.3.1 Credit Provider's documents

**6.4 Fixed Property**

- 6.4.1 Title deeds

**6.5 Health and Safety**

- 6.5.1 Register, record of earnings, time worked, payment and particulars of all employees
- 6.5.2 Health and safety committee's records of each recommendation affecting the health of employees and reports made to the inspector
- 6.5.3 Details of aqueous discharges
- 6.5.4 Details of solid waste discharges
- 6.5.5 Emergency response plans
- 6.5.6 Permits, licenses, approvals and registrations for operations of sites and business
- 6.5.7 Records of assessment and air monitoring and asbestos inventory
- 6.5.8 Records of assessment and noise monitoring for noise monitoring and noise induced hearing loss
- 6.5.9 Records of incident reported at work
- 6.5.10 Records of waste water discharges
- 6.5.11 Records of waste water storage and disposal
- 6.5.12 Waste water assessment and monitoring records
- 6.5.13 Safety management systems, data and audits
- 6.5.14 Water quality monitoring programme records



**6.6 Information Technology**

- 6.6.1 Client database
- 6.6.2 Hardware
- 6.6.3 Internet
- 6.6.4 Intranet
- 6.6.5 Licenses
- 6.6.6 Telephone exchange equipment
- 6.6.7 Telephone lines, leased lines and data lines

**6.7 Insurance**

- 6.7.1 Claim records
- 6.7.2 Details of coverage, limits and insurers
- 6.7.3 Insurance policies

**6.8 Intellectual Property**

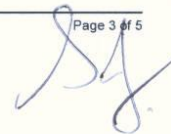
- 6.8.1 Designs, trademarks, trade names and protected names

**6.9 Legal, Agreements and Contracts**

- 6.9.1 Agreements with contractors, suppliers and clients
- 6.9.2 Agreements with customers
- 6.9.3 Agreements with shareholders, officers or directors
- 6.9.4 Contracts, including lease agreements and finance agreements
- 6.9.5 Sale agreements

**6.10 Personnel Records**

- 6.10.1 Attendance register
- 6.10.2 Disciplinary records
- 6.10.3 Employee evaluation and performance records
- 6.10.4 Employee information records
- 6.10.5 Employee remuneration
- 6.10.6 Employment applications
- 6.10.7 Employee date of birth
- 6.10.8 Employment contracts
- 6.10.9 Employment equity plan
- 6.10.10 Health and safety records
- 6.10.11 Industrial training records
- 6.10.12 IRP 5 and IT 3 certificates
- 6.10.13 Letters of appointment
- 6.10.14 Leave applications
- 6.10.15 Maternity leave policy
- 6.10.16 Name and occupation of each employee
- 6.10.17 Organisational design
- 6.10.18 Payroll
- 6.10.19 Particulars of each employee
- 6.10.20 Pension fund information
- 6.10.21 Personnel file
- 6.10.22 Policies and procedures
- 6.10.23 Provident fund information
- 6.10.24 Recruitment and appointments



- 6.10.25 Salary and wage registers
- 6.10.26 Salary slips and wage records
- 6.10.27 Tax returns of employees
- 6.10.28 Time records
- 6.10.29 Training and development
- 6.10.30 UIF, PAYE and SDL returns
- 6.10.31 Workmen's Compensation documents

**6.11 Sales and Marketing**

- 6.11.1 Customers
- 6.11.2 Domestic and export orders
- 6.11.3 Products
- 6.11.4 Sales
- 6.11.5 Service and product information

**6.12 Statutory Company Records**

- 6.12.1 Annual Statutory Returns
- 6.12.2 Certificate of Change of Name
- 6.12.3 Certificate of Incorporation
- 6.12.4 Certificate to Commence Business
- 6.12.5 Directors' attendance register
- 6.12.6 Index of Members
- 6.12.7 Memorandum and Articles of Association
- 6.12.8 Memorandum of Incorporation and alterations / amendments
- 6.12.9 Notice and minutes of shareholders' meetings
- 6.12.10 Minutes of directors' meetings
- 6.12.11 Other minute books
- 6.12.12 Register of Allotments
- 6.12.13 Register of company secretary and auditors
- 6.12.14 Register of directors and officers
- 6.12.15 Register of directors' shareholding
- 6.12.16 Register of past directors
- 6.12.17 Registration Certificate
- 6.12.18 Reports presented at Annual General Meeting
- 6.12.19 General resolutions
- 6.12.20 Shareholders' agreements
- 6.12.21 Shareholders' register

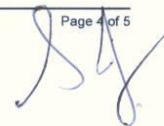
**6.13 Tax**

- 6.13.1 Income tax returns
- 6.13.2 Provisional tax returns
- 6.13.3 Tax assessments
- 6.13.4 VAT documents

**7. Requesting procedures**

A person who wants access to the records must complete the necessary request form, that is available at the offices of Montagu Wine & Spirits Company Ltd, or can be accessed on [www.sahrc.org.za](http://www.sahrc.org.za). The completed request form must be sent to the address or fax number provided in this manual, and marked for the attention of the Information Officer.

If the request for access is successful an access fee may be required for the search, reproduction and/or preparation of the record(s) and will be calculated based on the prescribed fee structure under the Act. The fee structure is available on [www.sahrc.org.za](http://www.sahrc.org.za).



8. **Availability of the Manual**

Copies of this manual are available for inspection, free of charge, at the offices of Montagu Wine & Spirits Company Ltd, from the South African Human Rights Commission and at [www.mwsc.co.za](http://www.mwsc.co.za).

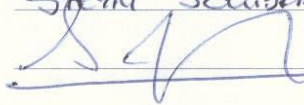
9. **Signature**

We confirm, to the best of our knowledge, and belief, the accuracy and completeness of the information provided.

Name of Information Officer:

STEYN JOUBERT

Signature:



Date:

Carel Bester  
C2M CHARTERED ACCOUNTANTS INC.

20 December 2011

Dear Sirs

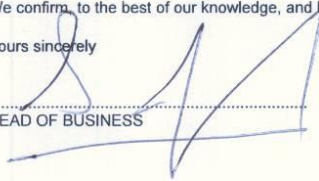
LETTER OF REPRESENTATION

This representation letter is provided in connection with your preparation and submission of the manual required by the Promotion of Access to Information Act, 2 of 2000 ("the Act") for Montagu Wine & Spirits Company Ltd.

We acknowledge our responsibility for the completeness and accuracy of the information provided in the manual.

We confirm, to the best of our knowledge, and belief, the accuracy and completeness of the information provided.

Yours sincerely

  
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HEAD OF BUSINESS

  
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INFORMATION OFFICER