



**Consol Holdings Proprietary
Limited**

Reference Number 2005/034965/07

**Promotion of Access to
Information Manual**

Prepared in accordance with Section 51 of the Promotion of Access to
Information Act 2, of 2000

July 2021

This report contains 6 pages

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1. Introduction

This manual, published in accordance with the requirements of The Promotion of Access to Information Act, 2 of 2000 (“the Act”) has been prepared by Consol Holdings Proprietary Limited and also applies to its subsidiary, Consol Glass Proprietary Limited and other subsidiaries in the Consol Group.

Consol Holdings Proprietary Limited (“Consol”) through its subsidiary Consol Glass Proprietary limited is involved in the manufacture of glass containers and the mining of sand, mostly for use as a raw material in its manufacturing process. General information on the company is available on the website www.consol.co.za.

Consol will protect the confidentiality of information provided to it by individuals or others, subject to Consol’s obligations in terms of any applicable law.

2. Availability of the Manual and Requests

The Chief Executive Officer of Consol has delegated his powers in terms of the Act to the Information Officer, who will handle all requests in terms of this Act on his behalf. All requests in terms of the Act must be addressed to:

Information Officer: J H E du Plessis

Email: jduplessis@consol.co.za

Physical address:

Consol House, Osborn Road, Wadeville, 1407

Postal address:

P O Box 562, Johannesburg, 2000

Tel: (011) 874-0000

Fax: (011) 824-3897

e-mail: information@consol.co.za

This manual is available in both printed and a Portable Document Format (PDF) version.

The printed version of the manual is also available from the Information Officer.

The manual is accessible in PDF format from Consol’s website www.consol.co.za.

The manual may be amended from time to time and as soon as the latest amendments thereto have been finalised the latest version of the manual shall be made available to the public.

3. Records available in terms of other legislation

3.1 Unlimited requestors

Certain legislation mandates Consol to allow any person access to specified information, upon request, irrespective of who that person may be. For example, in terms of the Companies Act 7 of 2008 any person may have access to specified financial information.

In addition certain information regarding Consol is freely available on the Consol website.

3.2 Limited requestors

Certain legislation mandates specific persons access to specified information, upon request. Legislation that may be consulted to establish the type or record and the person having access thereto include:

- Basic Conditions of Employment Act 75 of 1997;
- Companies Act 7 of 2008;
- Compensation of Occupational Injuries and Diseases Act 130 of 1993;
- Competition Act 89 of 1998;
- Consumer Affairs Act 23 of 1999;
- Consumer Protection Act 68 of 2004;
- Credit Agreements Act 75 of 1980;
- Criminal Procedure Act, Act 51 of 1977;
- Debt Collectors Act 114 of 1998;
- Electronic Communications and Transactions Act 2 of 2000;
- Employment Equity Act 55 of 1998;
- Firearms Control Act 60 of 2000;
- Income Tax Act 58 of 1962;
- Insider Trading Act 135 of 1998;
- Insolvency Act 24 of 1936;
- Interception and Monitoring Prohibition Act 127 of 1992;
- Labour Relations Act 66 of 1995;
- Magistrates Court Act 32 of 1944;

- Occupational Health and Safety Act 85 of 1993;
- Prevention of Organised Crime Act 121 of 1998;
- Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000;
- Protection of Personal Information Act, No 4 of 2013
- Skills Development Act 97 of 1997;
- Skills Development Levies Act 9 of 1999;
- Supreme Court Act 59 of 1959;
- Unemployment Insurance Act 63 of 2001; and
- Value Added Tax Act 89 of 1991.

The above list may be amended from time to time.

4. Request Procedure and Fees

4.1 Prescribed access form

Individuals and entities may request access, amendment, or deletion of their own Personal Information held by Consol. In order for us to facilitate your access to a record you need to complete a prescribed access form, which is available from the South African Human Rights Commission at [www. Sahrc.org.za](http://www.Sahrc.org.za). Please take note that the prescribed access form must be completed in full, failure to do so will result in the process being delayed until such additional information is provided.

4.2 Proof of identity

Proof of identity is required to authenticate the request and the requestor. The requestor must identify the right that is sought to be exercised or to be protected and provide an explanation of why the record is required for the exercise or protection of that right. In addition to the access form, requestors will be required to supply a certified copy of the identification document or any other legal means of identification and if the request is made on behalf of another person, the requestor must then submit proof of the capacity in which the requestor is making the request.

4.3 Prescribed fees

Once the Information Officer has made a decision regarding the request, the applicant will be notified and advised of the access, search and reproduction fees payable. Please take note that a request will not be processed until the request fee and the deposit (if applicable) have been paid. Requestors are advised that the following fees are provided for in terms of the Act.

Request fee: a fee of R50.00 which is an administration fee must be paid by all requestors, except personal requestors (a personal requestor is a requestor seeking access containing information about the requestor himself/herself), before the request is considered and is not refundable; Personal requestors will not be charged a request fee.

- Access fee: which is payable once access to a record is granted, this fee is intended to reimburse Consol for the costs involved in searching and preparing the record for delivery.
- Reproduction fee: a fee of R1.10 will be charged for every copy of an A4 page or part thereof.
- Postal fee: the actual postage fee will be charged where the record needs to be posted.

Where Consol receives a request for access to information held pertaining to a person other than the requestor himself / herself and the information officer is of the opinion that the preparation of the required record will take more than six (6) hours, a deposit of one third of the amount of the applicable access fee will be payable in advance in cash or by electronic funds transfer and the balance payable once access to the record is granted.

5. Classes of records

5.1 Financial / Tax records

- Audited financial statements;
- Tax returns;
- Accounting records;
- Banking details and bank accounts;
- Debtors / Creditors statements and invoices;
- General ledgers and subsidiary ledgers;
- General ledger reconciliation;
- Statutory records in respect of vat, UIF, Skills Development Levies and COIDA;
- PAYE records.

5.2 Legal

- Legal and Contractual Records;
- Registers required in terms of the Companies Act;
- Minutes of Board Meetings;
- Insurance Policies held by Organisation;

5.3 Human Resources

- Employment records;
- Employment Equity plan;
- Health and safety records.

5.4 Information Technology

- System documentation and manuals

5.5 Internal Communications

- Policies and procedures.

6. Refusal of request

The above-mentioned records are available for public inspection at the offices of Consol during office hours, by prior arrangement with the Information Officer, subject to the grounds of refusal mentioned in the Act.

The main grounds for Consol to refuse a request for information relate to the –

- mandatory protection of privacy of a third party who is a natural person;
- mandatory protection of the commercial information of a third party;
- mandatory protection of confidential information of third parties if it is protected in terms of any agreements;
- mandatory protection of the safety of individuals and protection of property;
- mandatory protection of records which would be regarded as privileged in legal proceedings;
- mandatory protection of the commercial activities of Consol;
- the research information of Consol or a third party, if its disclosure would disclose the identity of Consol, the researcher or the subject matter of the research and would place the research at a serious disadvantage; and
- requests for information that are clearly frivolous or which involve an unreasonable diversion of resources shall be refused.

6.1 Remedies available if request for access to Personal Information is refused

A requestor that is dissatisfied with the Information Officer's refusal to disclose information, may within 30 days of notification of the decision, apply to a court for relief. Likewise, a third party dissatisfied with the Information Officer's decision to grant a request for information, may within 30 days of notification of the decision, apply to a court for relief. For purposes of the Act, courts that have jurisdiction over these applications are the Constitutional Court, the High Court or another court of similar status.

6.2 **Records that cannot be found or do not exist**

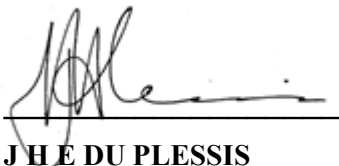
If the Information Officer's has searched for a record and it is believed that the record does not exist or cannot be found, the requester will be notified by way of an affidavit or affirmation. This will include the steps that were taken to try to locate the record.



M ARNOLD

Chief Executive Officer

Consol Holdings Proprietary Limited



J H E DU PLESSIS

Information Officer

Consol Holdings Proprietary Limited