

in accordance with Section 51 of the Promotion of Access to Information Act No 2 of 2000

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**A. THE MANUAL**

This manual is drafted to assist potential requesters with making an application for access to information / documents from The Foschini Group Limited.

The manual may be amended from time to time and as soon as any amendments have been finalised, the latest version of the manual will be made public.

A requester must contact the correct Information Officer(s) as stipulated below, should s/he require any assistance in respect of the use of this manual, and/or when requesting documents and/or information from The Foschini Group Limited in terms of the manual.

The following words in this manual mean:-

“the Act” means the Promotion of Access to Information Act, No 2 of 2000, together with all relevant regulations.

“the/this manual”	means this manual together with all annexures thereto as available at the head office of The Foschini Group Limited.
“The Foschini Group Limited”	means The Foschini Group Limited, and its subsidiaries from time to time.
“SAHRC”	the South African Human Rights Commission.

## B. INTRODUCTION TO THE FOSCHINI GROUP LIMITED

The Foschini Group Limited is an investment holding company whose shares are listed on the JSE Securities Exchange (SA) and whose subsidiaries, through their operating divisions, namely Foschini, branded as Foschini, donna-claire, fashionexpress, Luella; Markham; exact!; The Sports Division, branded as sportscene, Totalsports, DueSouth; TFG Apparel Supply Company; The Jewellery Division, branded as AmericanSwiss, Sterns, Matrix; @home branded as @home, @homelivingspace; Retail Credit Solutions (Pty) Ltd and Foschini Retail Group (Pty) Ltd, retail clothing, jewellery, accessories, cosmetics, sporting apparel, house wares and financial products to the broad middle-income group throughout Southern Africa.

It also administers The Foschini Group Retirement Fund through its subsidiary Foschini Retail Group (Pty) Ltd.

The Foschini Group Limited is a private body as defined in the Act.

## C. PARTICULARS IN TERMS OF THE MANUAL

### 1. Contact details of Information Officers

<b>The Foschini Group Limited</b>	
Chief Executive Officer:	A.D. Murray
<b>Information Officer :</b>	Christine Malan for:  The following trading divisions of Foschini Retail Group (Pty) Ltd: Foschini, donna-claire, fashionexpress, Luella, Markham, exact!, sportscene ,Totalsports, DueSouth, TFG Apparel Supply Company, AmericanSwiss, Sterns, Matrix, @home, @homelivingspace:
Street Address:	Stanley Lewis Centre, 340 Voortrekker Road, Parow East, Cape Town, Western Cape, 7500
Postal Address:	P.O. Box 6020, Parow East, 7501

Telephone:	+ 27 21 938 1911
Website:	<a href="http://www.tfg.co.za">www.tfg.co.za</a>
E-mail:	<a href="mailto:proatia1@tfg.co.za">proatia1@tfg.co.za</a>
<b>AND</b>	
<b>Information Officer :</b>	Carin Wiese for:  The Foschini Group Retirement Fund
Street Address:	Stanley Lewis Centre, 340 Voortrekker Road, Parow East, Cape Town, Western Cape, 7500
Postal Address:	P.O. Box 6020, Parow East, 7501
Telephone:	+ 27 21 938 1911
Website:	<a href="http://www.tfg.co.za">www.tfg.co.za</a>
E-mail:	<a href="mailto:proatia@tfg.co.za">proatia@tfg.co.za</a>
<b>AND</b>	
<b>Information Officer :</b>	Chantal Adler for:  All credit related matters, Retail Credit Solutions (Pty) Ltd and Foschini Retail Group (Pty) Ltd
Street Address:	Stanley Lewis Centre, 340 Voortrekker Road, Parow East, Cape Town, Western Cape, 7500
Postal Address:	P.O. Box 6020, Parow East, 7501
Telephone:	+ 27 21 938 1911
Fax:	+ 27 21 938 7409
Website:	<a href="http://www.tfg.co.za">www.tfg.co.za</a>
E-mail:	<a href="mailto:proatia@tfg.co.za">proatia@tfg.co.za</a>

## 2. A guide to the Act

In terms of section 10 of the Act, the SAHRC is required to compile, in each official language, a guide to the Act, to assist people in exercising their rights under the Act. This guide is available from the SAHRC. The SAHRC may be contacted at:

*The South African Human Rights Commission (SAHRC):*

*PAIA Unit*

*The Research and Documentation Department*

Postal address                      Private Bag 2700 , Houghton, 2041

Telephone:                            +27 11 484-8300

Fax:                                      +27 11 484-0582

Website:                                [www.sahrc.org.za](http://www.sahrc.org.za)

E-mail:                                  [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)

## 3. Records available in terms of other legislation

The Foschini Group Limited keeps information / documents in accordance with the following legislation (please note that this is not an exhaustive list): -

- 3.1 Administration of Estates Act, No. 66 of 1965
- 3.2 Alienation of Land Act No. 68 of 1981
- 3.3 Arbitration Act No. 42 of 1965
- 3.4 Banks Act No. 94 of 1990
- 3.5 Basic Conditions of Employment No.75 of 1997 (including Sectoral Determination 9: Wholesale and Retail Sector)
- 3.6 Broad Based Black Economic Empowerment Act No. 53 of 2003
- 3.7 Closed Pension Fund Act No. 197 of 1993
- 3.8 Companies Act No. 61 of 1973
- 3.9 Companies Act No. 71 of 2008
- 3.10 Compensation for Occupational Injuries and Health Diseases Act No.130 of 1993
- 3.11 Competition Act No. 89 of 1998
- 3.12 Consumer Affairs (Unfair Business Practices) Act No. 71 of 1988

- 3.13 Consumer Protection Act No. 68 of 2008
- 3.14 Copyright Act No. 98 of 1978
- 3.15 Credit Agreements Act No. 75 of 1980
- 3.16 Criminal Procedure Act No. 51 of 1977
- 3.17 Currency and Exchanges Act No. 9 of 1933
- 3.18 Customs and Excise Act No. 91 of 1964
- 3.19 Debt Collectors Act No. 114 of 1998
- 3.20 Employment Equity Act No. 55 of 1998
- 3.21 Electronic Communications and Transmissions Act No. 25 of 2002
- 3.22 Finance Act No. 35 of 2000
- 3.23 Financial Advisory and Intermediary Services Act No. 37 of 2003
- 3.24 Financial Intelligence Centre Act No. 38 of 2001
- 3.25 Financial Services Board Act No. 97 of 1990
- 3.26 Financial Relations Act No. 65 of 1976
- 3.27 Foodstuffs, Cosmetics and Disinfectants Act No. 54 of 1972
- 3.28 General Pensions Act No. 29 of 1979
- 3.29 Harmful Business Practices Act No. 23 of 1999
- 3.30 Home Loan and Mortgage Disclosure Act No. 63 of 2000
- 3.31 Import and Export Control Act No. 45 of 1963
- 3.32 Income Tax Act No. 95 of 1967
- 3.33 Insider Trading Act No. 135 of 1998
- 3.34 Insolvency Act No. 24 of 1936
- 3.35 Insurance Act No 27 of 1943
- 3.36 Intellectual Property Laws Amendments Act No. 38 of 1997
- 3.37 Labour Relations Act No. 66 of 1995
- 3.38 Long Term Insurance Act No. 52 of 1998
- 3.39 Medical Schemes Act No. 131 of 1998
- 3.40 Merchandise Marks Act No. 17 of 1941
- 3.41 National Building Regulations and Building Standards Act No. 103 of 1977

- 3.42 National Credit Act No. 34 of 2005
- 3.43 National Environmental management : Waste Act No. 59 of 2008
- 3.44 Occupational Health & Safety Act No. 85 of 1993
- 3.45 Pension Funds Act No. 24 of 1956
- 3.46 Post Office Act No. 44 of 1958
- 3.47 Price Control Amendment Act, No. 80 of 1967
- 3.48 Prescribed rate of Interest Act No. 55 of 1975
- 3.49 Prevention and Combating of Corrupt Activities Act No. 12 of 2004
- 3.50 Promotion of Access to Information Act No. 2 of 2000
- 3.51 Protected Disclosures Act No. 26 of 2000
- 3.52 Protection of Businesses Act No. 99 of 1978
- 3.53 Regional Services Councils Act No. 109 of 1985
- 3.54 Regulation of Interception of Communications and Provision of Communication Related Information Act No 70 of 2002 (as amended)
- 3.55 SA Reserve Bank Act No. 90 of 1989
- 3.56 Second Hand Goods Act No. 23 of 1955
- 3.57 Sale and Services Matters Act No. 25 of 1964
- 3.58 Securities Services Act No. 36 of 2004
- 3.59 Short Term Insurance Act No. 53 of 1998
- 3.60 Skills Development Levies Act No. 9 of 1999
- 3.61 Skills Development Act No. 97 of 1998
- 3.62 Stamp Duties Act No. 77 of 1968
- 3.63 Standards Act No. 29 of 1993
- 3.64 Stock Exchange Control Act No. 1 of 1985
- 3.65 Tax on Retirement Funds Act No. 38 of 1996
- 3.66 Trade Practices Act No. 76 of 1976
- 3.67 Trade Marks Act No. 194 of 1993
- 3.68 Uncertificated Securities Tax Act No. 31 of 1998
- 3.69 Unemployment Contributions Act No. 4 of 2002
- 3.70 Unemployment Insurance Act No. 63 of 2001

3.71 Usury Act No 73 of 1968

3.72 Value Added Tax Act No. 89 of 1991.

**4. Gaining access to records held by The Foschini Group Limited.**

4.1 All records pertaining to the granting of credit, including account applications, terms and conditions, customer records, and statements of accounts, are automatically available to a requester who has an account with The Foschini group, without them having to request these records in terms of the Act. Positive proof of identification must be provided by the requester on making a request for this type of information.

4.2. Requests for records in respect of:

4.2.1 Foschini, donna-claire, fashionexpress, Luella, Markham, exact!, sportscene, Totalsports, DueSouth, TFG Apparel Supply Company, AmericanSwiss, Sterns, Matrix, @home, @homelivingspace must be forwarded to the following Information Officer:

**Christine Malan**

Street Address: 340 Voortrekker Road, Parow East, Cape Town,  
Western Cape, 7500

Postal Address: P.O. Box 6020, Parow East, 7501

Telephone: +27 21 938 1911

Website: [www.tfg.co.za](http://www.tfg.co.za)

Email: [proatia1@tfg.co.za](mailto:proatia1@tfg.co.za)

4.2.2 Requests for records in respect of The Foschini Group Retirement Fund must be forwarded to the following Information Officer:

**Carin Wiese**

Street Address: 340 Voortrekker Road, Parow East, Cape Town,  
Western Cape, 7500

Postal Address: P.O. Box 6020, Parow East, 7501

Telephone: +27 21 938 1911

Website: [www.tfg.co.za](http://www.tfg.co.za)

Email: [proatia@tfg.co.za](mailto:proatia@tfg.co.za)

4.2.3 Requests for records in respect of all credit related matters, Retail Credit Solutions (Pty) Ltd or Foschini Retail Group (Pty) Ltd must be forwarded to the following Information Officer:

**Chantal Adler**

Street Address: 340 Voortrekker Road, Parow East, Cape Town,  
Western Cape, 7500

Postal Address: P.O. Box 6020, Parow East, 7500

Telephone: + 27 21 938 1911

Fax: + 27 21 938 7409

Website: [www.tfg.co.za](http://www.tfg.co.za)

E-mail: [proatia@tfg.co.za](mailto:proatia@tfg.co.za)

**4.3 Records held by The Foschini Group that may be requested are set out in the following categories and types:**

- STATUTORY:
  - registers
  - annual reports
  - statutory records & returns
  - agreements
  - trade marks & patents
  - licences
  - copyrights & designs
  - title deeds
  - lease agreements
- HUMAN RESOURCES:
  - policies & procedures
  - employment equity plan & report
  - skills development plan
  - pension
  - IR disciplinary & grievance procedures & hearings
  - CCMA records
  - records & reports

- ADMIN, FINANCE & ACCOUNTING:
  - accounting records
  - suppliers records
  - policies & procedures
  - store records
  
- RETIREMENT FUND
  - rules
  - registers
  - policies and Procedures
  - correspondence
  - statutory records and returns
  
- CREDIT SERVICES:
  - customer records
  - credit application forms
  - terms & conditions
  - correspondence
  - credit agreements
  
- ASSETS & SECURITY:
  - procedures & schedules

4.4 To request records, the following procedures must be followed:

4.4.1 The prescribed form must be used to make the request for access to a record.

4.4.2 The form can be downloaded from the Department of Justice website at [www.doj.gov.za](http://www.doj.gov.za).

4.4.3 A request must be made to the correct Information Officer, or delays may occur in responding to the request.

4.4.4 A request must be made to the address, fax number or electronic mail address of the correct Information Officer, as set out above.

4.4.5 Sufficient detail of the request made must be provided on the request form to enable the Information Officer to clearly identify the record as well as the requester's specific identity, and positive proof of identification must be provided by the requester.

- 4.4.6 A requester must indicate which form of access they require.
- 4.4.7 A requester must indicate if they wish to be informed in any other manner and if so, they must state the necessary particulars required to be so informed.
- 4.4.8 A requester must identify the right that they are seeking to protect or that they wish to exercise and they must provide an explanation as to why the requested record is required for the protection or exercise of that right.
- 4.4.9 If a requester is making the request on behalf of another person, they must submit proof, to the satisfaction of the Information Officer, of their authority to make such a request, by means of a legally binding Power of Attorney in their favour. Failure to do so will result in the request being rejected.
- 4.4.10 The prescribed fee (if any) must be paid as set out in 7 below.

## **5. Other information as may be prescribed by the Minister**

The Minister may publish a notice prescribing any other information that companies will have to disclose.

## **6. Availability of the manual**

6.1 This manual is available for inspection during office hours, at no cost, at The Foschini Group head office, situated at Stanley Lewis Centre, 340 Voortrekker Road, Parow East, Cape Town for:

- 6.1.1 Foschini, donna-claire, fashionexpress, Luella, Markham, exact!, sportscene, Totalsports, DueSouth, TFG Apparel Supply Company, AmericanSwiss, Sterns, Matrix, @home and @homelivingspace;
- 6.1.2 The Foschini Group Retirement Fund; and
- 6.1.3 Retail Credit Solutions (Pty) Ltd and Foschini Retail Group (Pty) Ltd;

6.2 A copy of this manual, or part thereof, can be obtained from either:

- 6.2.1 our head office, at the prescribed fee as set out in Item 1 of Part III of the Fee Schedule; or
- 6.2.2 the South African Human Rights Commission, whose details are set out in 2 above; or
- 6.2.3 the Government Gazette (the Government Printers); or
- 6.2.4 our website at [www.tfg.co.za](http://www.tfg.co.za).

## **7. Prescribed fees**

- 7.1 Once a request is made, we will send notice to the requester to pay the prescribed fee of R50.00.
- 7.2 This prescribed fee must be paid before a request will be processed.
- 7.3 Payment of this fee is to be made as directed by the Information Officer.
- 7.4 If a request is in a person's personal capacity, payment of the prescribed fee of R50.00 may not be required.
- 7.5 The Information Officer will then make a decision in respect of your request and will notify you of his/her decision.
- 7.6 Should a request be refused, the requester may lodge an application at court against the tender or payment of the requested fee as will be advised in the Notice to them.
- 7.7 If a request is granted then the requester will have to pay a further access fee for the search, reproduction and preparation of the record as well as for any time, which has exceeded the prescribed hours, to search and in order prepare the record for disclosure to them.
- 7.8 The fees schedule can be downloaded from the Department of Justice website at [www.doj.gov.za](http://www.doj.gov.za)

**VALUE ADDED TAX:** Please note that certain of The Foschini Group Limited's subsidiaries are registered under the Value-Added Tax Act (Act No. 89 of 1991) as a vendor and may in terms thereof add value-added tax (VAT) to all fees prescribed.

## **8. Prescribed forms.**

A request must be set out in the prescribed form and must be forwarded to the Information officers as indicated in C1 above