



Manual on Functions of and Index of Records held by Richards Bay Industrial Development Zone Company State Owned Company Limited

This document is compiled in compliance with Part 2 chapter 2 (section 14) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) ("PAIA")

1. INTRODUCTION

This is the Information Manual of the Richards Bay Industrial Development Zone Company (SOC) Limited (Reg. No. 2002/009856/07) ("RBIDZ").

The Manual is created in terms of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) ("PAIA"), a statute contemplated in section 32 of the Constitution of the Republic of South Africa, 1996 where it is provided that everyone has the right of access to any information held by the State and any information that is held by another person and that is required for the exercise or protection of any rights.

The purpose of PAIA, as stated in its preamble, is to foster a culture of transparency and accountability in public and private bodies by giving effect to the right of access to information, and to actively promote a society in which people would have effective access to all information necessary for the full and proper exercise and protection of their rights.

2. DESCRIPTION OF STRUCTURE AND FUNCTIONS (section 14(1)a)

2.1. Structure

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The RBIDZ is a private company established in terms of the Companies Act, 1973 (Act No. 61 of 1973) and was first registered in 2002.

The Shareholders of the RBIDZ are the Provincial Government of KwaZulu-Natal and the City of uMhlatuze, the local authority in whose jurisdiction the RBIDZ is located.

The RBIDZ consists of a Board appointed by the Shareholders and has the following structure:



2.2. Functions:

The RBIDZ holds as an Industrial Development Zone Operator Permit issued by the Minister of Trade and Industry in terms of Regulation 57 of the Industrial Development Zone Programme Regulations (GN R1224 of 1 December 2000)(as amended)(“the Regulations”). The Regulations were in turn promulgated under the Manufacturing Development Act, 1993 (Act No. 187 of 1993).

The functions of the RBIDZ are therefore to develop and operate the Richards Bay Industrial Development Zone in order to –

- (1) facilitate the creation of an industrial complex having strategic economic advantage;
- (2) provide the location for the establishment of strategic investments;
- (3) enable the exploitation of resource-intensive industries;
- (4) take advantage of existing industrial capacity, promote integration with local industry and increase value-added production;
- (5) create employment and other economic and social benefits in the region in which the RBIDZ is located; and

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(6) be consistent with any applicable national policies & law, as determined by appropriate environmental, economic and technical analyses. (Regulation 3(a) of the IDZ Regulations)

3. INFORMATION OFFICERS (sections 14(1)(a) and 14(1)(b))

3.1. Information Officer:

The information officer is the Chief Executive Officer (“CEO”), whose contact details are as follows:

Address:	Captain’s Walk Building, Tuzi Gazi Waterfront, Pioneer Road, Richards Bay
	Private Bag X 1005, Richards Bay, 3900
Telephone	(+27)35 – 788 0571
Facsimile	(+27)35 – 788 0578
Email	info@rbidz.co.za

3.2. Deputy Information Officers

The deputy information officers are the Executive in the CEO’s Office and the Legal Manager/Company Secretary, whose details are as follows:

Address:	Captain’s Walk Building, Tuzi Gazi Waterfront, Pioneer Road, Richards Bay
	Private Bag X 1005, Richards Bay, 3900
Telephone	(+27)35 – 788 0571
Facsimile	(+27)35 – 788 0578
Email	info@rbidz.co.za

4. GUIDE ON HOW TO USE THE ACT [Section 14(1)(c)]

The guide referred to in section 10 of the *Promotion of Access to Information Act* is available from the South African Human Rights Commission, either through its website at www.sahrc.org.za or from the Commission’s Information Officer at :

Address:	Forum 3, Braampark Office Park, Braamfontein, Johannesburg
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	Private Bag 2700, Houghton, 2041
Telephone	(+27)11 - 877 3600
Facsimile	(+27)11 - 484 1360
Email	requestsPAIA@sahrc.org.za

5. ACCESS TO RECORDS HELD BY THE RBIDZ [Section 14(1)(d)]

5.1. Subjects and categories of records held

This section of the Manual sets out the subject and categories of records held by the RBIDZ. **The inclusion of any subject or category of records should not be taken as an indication that records falling within those subjects and/or categories will be made available under PAIA. In particular, certain grounds of refusal as set out in PAIA may be applicable to a request for such records.**

In general the RBIDZ maintains records of all its activities. Files no longer required by the users are transferred to the corporate archives. Records which have reached their disposal date are destroyed according to a retention schedule. Records of lasting legal, social, historical or research value are retained permanently.

Records kept are as follows:

5.1.1. Companies Act 71 of 2008

All documents of incorporation of the RBIDZ are lodged at the offices of the Companies and Intellectual Property Commission, and may be inspected there.

These documents include the memorandum and articles of association of the RBIDZ, as well as the relevant company forms.

The register of members and register of transfers (of members), pledges and bonds of the RBIDZ are available for inspection at the registered office of the RBIDZ.

Special resolutions are lodged with the Companies and Intellectual Property Commission, and are therefore available for inspection there.

A register of the directors' and officials' interests in contracts entered into by the RBIDZ is kept.

5.1.2. Other Legislation

Legislation relevant to the RBIDZ

5.1.3. Governance and Management

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- Annual Reports
- policies
- minutes of meetings – Board
- minutes of meetings – management
- minutes of meetings – operational
- strategic planning documents
- operational planning
- liaison with external organisations
- personal files for senior management and board members

5.1.4. Corporate Services Issues

- structure and job descriptions
- administration of benefits
- training
- grievances and disciplinary action
- notices to staff
- social events
- building and facilities administration
- succession planning
- recruitment
- exit interviews
- organograms
- job descriptions
- training
- performance management
- affirmative action plans
- remuneration and benefits
- staff circulars
- employee counselling
- grievances and disciplinary matters
- CCMA referrals
- payroll administration
- IT records
- Computerised records
- Access control and surveillance records
- IT project implementation
- library administration

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- records/knowledge management administration
- technology support
- business systems implementation
- internet site
- intranet site

5.1.5. Finance and Supply Chain Issues

- capital budget
- operating budget
- audits
- petty cash
- domestic services
- insurance
- material and equipment
- accommodation
- appointment of contractors and consultants
- Minutes – tender meetings
- Tender records
- financial forecasts
- budget planning – capital expenditure
- budget planning – operating expenditure
- movable asset management (inventory control)
- reconciliations
- journal vouchers
- receipts
- financial statements
- setting of tariffs
- financial reports
- debtors accounts
- sundry debtors
- creditors payments
- creditors statements
- micro-business development
- inventory control
- corporate insurances
- individual insurance claims
- communication and stationery services

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- office, building and garden services

5.1.6. Planning and Development Issues

- Plans
- Planning Authority Approvals
- engineering project management
- contract documentation
- minutes of project meetings
- progress reports
- contract administration
- cost monitoring
- quality assurance
- engineering surveys
- liaison with external organisations
- infrastructure planning
- costing of works
- planning of on site reticulation
- engineering design
- pollution measurement and control

5.1.7. Business Development Issues

- media contact
- public relations
- Correspondence with clients and potential clients

5.1.8. SHEQ Issues

- Environmental approvals
- Occupational health
- Environmental studies
- Environmental scanning

5.1.9. Legal Matters

- agreements and contracts
- permits and licenses
- servitudes
- litigation
- legal records (agreements, contracts)

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- legal risk management organisational transformation

5.1.10. Internal Audit

(this function is outsourced)

- corporate policies and procedures
- internal audit charter
- audit procedure manual
- audit programmes

5.2. Requests For Access

The requester must comply with the procedures set out in PAIA, any Regulations made in terms of that Act and in the Section 14 Manual produced by the South African Human Rights Commission, as well as any conditions imposed by the RBIDZ unless inconsistent with the Act, Regulations and Manual referred to in this section

Requests for access to records of the RBIDZ must be made using the relevant form, which is available on the website of the Human Rights Commission

<http://www.sahrc.org.za> .

6. **CATEGORIES OF DOCUMENTS AVAILABLE WITHOUT RECOURSE TO THE ACT**

The RBIDZ has a web site at www.rbidz.co.za. Available on the site are the following:

- Latest Annual Report
- General Information
- Structure
- History
- Published papers
- Press releases

7. **GROUNDS FOR REFUSAL OF ACCESS**

The grounds for refusal of access to information held by the RBIDZ are set out in PAIA.

8. **SERVICES AVAILABLE TO MEMBERS OF THE PUBLIC (section 14(1)(f))**

8.1. Services Provided

The RBIDZ only provides services to businesses which qualify as IDZ enterprises and are located within the Richards Bay Industrial Development Zone. These services include -

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- Security
- Management of the Industrial Development zone
- Collection and Administration
- Cleaning of the Property and the Industrial Development Zone;
- Landscape Maintenance
- Promotions other than such expenses as are contributed by the Tenant in terms of the clauses of Annexure A relating to marketing of the Industrial Development Zone
- Repairs and Maintenance to the Industrial Development Zone
- Customs Control area services
- Single window services to government departments
- Environmental services
- Meeting and conference facilities
- Consultancy services in various fields

8.2. ACCESS TO SERVICES

Access to any of the services available from the RBIDZ may be gained by making a request, in writing, to the Information Officer. (See above for contact details).

9. PUBLIC INVOLVEMENT IN THE FORMULATION OF POLICY OR EXERCISE OF POWERS (Section 14(1)(g))

The RBIDZ will workshop certain documents such as its Zone Rules with investors and potential investors in the Richards Bay Industrial Development Zone.

Potential investors and other stakeholders are also free to approach the RBIDZ to discuss ways in which the Richards Bay Industrial Development Zone and the policies relating thereto can be improved.

10. REMEDIES AVAILABLE TO THE PUBLIC (Section 14(1)(h))

Should the RBIDZ, or any of its officials, seem to be derelict in their duty, or fail to fulfil their mandate, the public has recourse, in the first instance, to the General Manager of the Strategic Business Unit concerned. If the issue is not properly addressed by the Head of the Business Unit, the matter may be taken up with the CEO.

If the problem is still not resolved, it should be taken to the Board of Directors of the RBIDZ.

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Should the matter still not be resolved, the matter can be taken up with the Honourable MEC for Economic Development and Tourism of KwaZulu-Natal Province, who, in terms of the Public Finance Management Act, 1999 (Act No. 1 of 1999) is the Executive Authority of the RBIDZ.

The RBIDZ, as a provincial public entity making decisions of an administrative nature, is also subject to the Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000) and the remedies for acts of omission and commission provided in that Act.

11. OTHER INFORMATION [Section 14(1)(i)]

No other information for inclusion in this manual has been prescribed to date.

12. AVAILABILITY OF THE MANUAL

Copies of this manual, in English, Zulu or Afrikaans, may be obtained from the RBIDZ (see above for contact details). The manual may also be accessed at the RBIDZ's website at www.rbidz.co.za.

Copies may also be available at the following places of legal deposit :

- The City Library, Bloemfontein
- The Library of Parliament, Cape Town
- The Natal Society Library, Pietermaritzburg
- The State Library, Pretoria and
- The South African Library, Cape Town

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