

31 January 2017

South African Human Rights Commission  
Braampark Forum 3  
33 Hoofd Street  
BRAAMFONTEIN  
2017

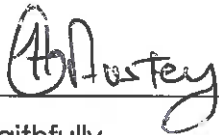
**COPY**

**BY HAND**

Dear Sir / Madam

**LODGEMENT OF FICA MANUAL IN TERMS OF THE PROMOTION OF ACCESS TO  
INFORMATION ACT, 2000 (“PAIA”)**

We hereby lodge the manual for Attacq Limited as prescribed by section 51 of PAIA.  
Kindly acknowledge receipt hereof on the duplicate letter attached hereto.



Your faithfully  
**ATTACQ LIMITED**  
**HELENA C AUSTEN**  
Head of Legal

We acknowledge receipt of the original of this  
letter together with the PAIA Manual for Attacq  
Limited on this 31<sup>st</sup> day  
of January 2017

  
\_\_\_\_\_  
SIGNATURE (FOR SAHRC)

S. maluleke  
\_\_\_\_\_  
FULL NAMES



**PROMOTION OF ACCESS TO INFORMATION ACT, ACT 2 OF 2000  
("PAIA")**

**INFORMATION MANUAL IN TERMS OF SECTION 51 OF PAIA**

**IN RESPECT OF ATTACQ LIMITED**

**(REGISTRATION NUMBER: 1997/000543/06)**

**("Attacq") and its subsidiaries, non-profit companies and joint ventures listed in  
Appendix "A" hereto**

**Attacq is a capital growth company in the real estate sector listed on the JSE Limited and regarded as a private body in terms of PAIA**

**1 Part I: Information required in terms of section 51(1)(a) of PAIA**

**Name of private body:** Attacq Limited and its subsidiaries listed in Appendix "A" hereto

**Head of private body:** M C Wilken c/o Helena Austen (Head of Legal)

**Postal Address:** Postnet Suite 016  
Private Bag X81  
Halfway House  
1685

**Physical Address:** ATT House, 2<sup>nd</sup> Floor  
Maxwell Office Park  
Magwa Crescent West  
Waterfall City  
2090

**Telephone Number:** 087 845 1161

**Facsimile Number:** 086 644 3343

**Electronic Mail:** [legalnotices@attacq.co.za](mailto:legalnotices@attacq.co.za)

**2 Part II: Description of the Guide on how to use PAIA prepared by the South African Human Rights Commission ("the Guide") and the manner in obtaining access to the Guide (section 51(1)(b))**

2.1 The South African Human Rights Commission ("**the SAHRC**") has compiled a guide in terms of section 10 of PAIA. The guide contains information required by any person wishing to exercise any right set out in PAIA.

2.2 The Guide is available in all of the official languages and is available for inspection by the public from the offices of the SAHRC at:

Braampark Forum 3

33 Hoofd Street

Braamfontein

Telephone number: 011 877 3600

OR on its website – [www.sahrc.org.za](http://www.sahrc.org.za)

3 **Part III: Categories of records of Attacq which are available without a person having to request access in terms of PAIA (section 51(1)(c))**

Any records that are required to be made available in terms of the Companies Act No.71 of 2008 and the listing requirements as laid down by the JSE, as amended from time to time, shall be made available for inspection by interested parties.

3.1 all information freely available on Attacq's website namely [www.attacq.co.za](http://www.attacq.co.za); and

3.2 annual financial statements of Attacq Limited.

4 **Part IV: Description of records of Attacq which is available in accordance with any legislation other than PAIA (section 51(1)(d))**

4.1 Basic Conditions of Employment Act, Act 75 of 1997;

4.2 Companies Act, Act 71 of 2008;

4.3 Compensation for Occupational Injuries and Disease Act, Act 130 of 1993;

4.4 Employment Equity Act, Act 55 of 1998;

4.5 Income Tax Act, Act 58 of 1962;

4.6 Labour Relations Act, Act 66 of 1995;

4.7 Skills Development Act, Act 9 of 1999;

4.8 Unemployment Insurance Act, Act 63 of 1962;

4.9 Value Added Tax Act, Act 89 of 1991.

5 **Part V: Information required in terms of section 51(1)(e) (subject to clause 7 of this manual and chapter 4 of PAIA)**

5.1 Records under the Companies Act

- Memorandum of Incorporation
- Minutes of meetings of the Board of Directors
- Minutes of meetings of Shareholders



- Records relating to the appointment of Directors, Auditors, Secretary, Public Officer and any other Officer
- Statutory registers

5.2 Financial Records

- Annual Financial Statements
- Tax Returns
- Accounting Records
- Banking records, bank statements, paid cheques, electronic banking records
- Asset Register
- Rental Agreements
- Invoices

5.3 Income Tax Records

- PAYE records
- Documents issued to employees or income tax purposes
- Records of payments made to the South African Revenue Services on behalf of employees.

**All other Statutory Compliances:**

- Value Added Tax
- Securities Transfer Tax
- Regional Services Levies
- Skills Development Levies
- Unemployment Insurance Fund
- Workmen's Compensation

5.4 Personnel Documents and Records

- Employment contracts
- Employment Equity Plan
- Disciplinary records
- Salary records
- SETA records
- Disciplinary code
- Leave records
- Training records
- Training Manuals

6 Part VI: Detail on how to make a request (section 51(1)(e))

- 6.1 The requester must comply with all the procedural requirements of PAIA relating to the request for access to a record.
- 6.2 The requester must complete Form C (available on the website of SAHRC) and submit this form together with a request fee to the Head of Attacq at the postal address, physical address, facsimile number or electronic mail address under Part 1 above.
- 6.3 The prescribed form must contain sufficient particularity in order to enable the Head of Attacq to identify –
  - 6.3.1 the records requested;
  - 6.3.2 the identity of the requester;
  - 6.3.3 which form of access is required;
  - 6.3.4 the postal address or fax number of the requester in the Republic of South Africa.
- 6.4 In the prescribed form –
  - 6.4.1 the requester must identify the right that the requester is seeking to protect;
  - 6.4.2 the requester must provide an explanation of why the requested record is required for the exercise or protection of any right;
  - 6.4.3 if in addition to a written reply, the requester wishes to be informed of the decision in respect of the request in any other manner, the requester must state the manner in which it wishes to be informed;
  - 6.4.4 If the request is made on behalf of another person, then the requester must submit proof of the capacity in terms of which the requester is making the request, to the reasonable satisfaction of the Head of Attacq.
- 6.5 Attacq will inform the requester within 30 (thirty) days after receipt of the request of its decision whether or not to grant the request.
- 6.6 The 30 (thirty) day period may be extended with a further period of not more than 30 (thirty) days if the request is for a large number of records or requires Attacq to search through a large volume of records or the records are not kept at the offices of Attacq.
- 6.7 If the request for access is granted, the notice will state the access fee (if any) to be paid upon access, the form in which the access will be given and that the requester may lodge an application with a court against the access fee to be

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paid or the form of access granted, and the procedure for lodging the Court Application.

- 6.8 If the request for access is refused, the notice will state adequate reasons for the refusal, including the provisions of PAIA relied on and will state that the requester may lodge an application with a court against the refusal for the request, and the procedure (including the period) for lodging the application.

**7 GROUND FOR REFUSAL OF ACCESS TO RECORDS (CHAPTER 4 OF PAIA)**

Subject to sections 7 and 70 of PAIA, the main grounds on which Attacq may refuse a request for information as contemplated in PAIA relate to the following:

- 7.1 mandatory protection of the privacy of a third party who is a natural person, which would involve the unreasonable disclosure of personal information of that natural person;
- 7.2 mandatory protection of commercial information of a third party, if the record contains –
- 7.2.1 trade secrets of that third party;
  - 7.2.2 financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party;
  - 7.2.3 information disclosed in confidence by a third party to Attacq, if the disclosure could put that third party at a disadvantage in negotiations or prejudice that third party in commercial competition;
- 7.3 mandatory protection of confidential information if the disclosure would constitute a breach of a duty or confidence to a third party in terms of any agreement;
- 7.4 mandatory protection of the safety of individuals and the protection of safety of property;
- 7.5 mandatory protection of records which would be regarded as privileged in legal proceedings;
- 7.6 the protection of the commercial activities of Attacq which include –
- 7.6.1 trade secrets of Attacq;

- 7.6.2 financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of Attacq;
- 7.6.3 information which, if disclosed, could put Attacq at a disadvantage in negotiations or commercial competition;
- 7.6.4 a computer program which is owned by Attacq, and which is protected by copyright except insofar as Attacq is required to give access to a record to which access is granted in terms of PAIA; and
- 7.6.5 research information of Attacq or a third party on behalf of Attacq, if the disclosure would expose the third party, Attacq or the researcher of the subject matter of the research to serious disadvantage.

**8 REMEDIES AVAILABLE ON REFUSAL OF A REQUEST FOR INFORMATION**


- 8.1 Attacq does not have an internal appeal procedure and as such, the decision made by the Head of Attacq is final.
- 8.2 If your request is denied, you are entitled to apply to a court with the appropriate jurisdiction for relief.

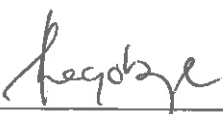
**9 FEES AND FORM C**

- 9.1 The prescribed fee for requests to private bodies is available on the website of the SAHRC.
- 9.2 Form C is available on the website of the SAHRC.

SIGNED ON THIS 31st day of **JANUARY** 2017.

As witness:

  
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**Morne C Wilken**  
**Chief Executive Officer**

**APPENDIX "A"****LIST OF SUBSIDIARIES OF ATTACQ LIMITED**

<b>COMPANY NAME</b>	<b>REGISTRATION NUMBER</b>
Adamax Property Projects Brooklyn Proprietary Limited	1995/012307/07
Attacq Energy Proprietary Limited	2016/032324/07
Attacq Management Services Proprietary Limited	2007/004176/07
Attacq Namco Proprietary Limited	2015/214697/07
Attacq Retail Services Proprietary Limited	2007/016015/07
Attacq Retail Fund Proprietary Limited	2008/021582/07
Atterbury Investment Holdings International Limited	C106518/C1/GBL
Atterbury Waterfall Investment Company Proprietary Limited	2000/013587/07
AWIC Waterfall TM JVCO Proprietary Limited	2016/010916/07
Brooklyn Bridge Office Park Proprietary Limited	2005/038166/07
Harlequin Duck Properties 204 Proprietary Limited	2002/011586/07
Le Chateau Property Development Proprietary Limited	2005/042877/07
Lynnaur Investments Proprietary Limited	2005/027735/07
Lynnwood Bridge Office Park Proprietary Limited	2005/024830/07
Majestic Offices Proprietary Limited	2004/013721/07
Mantrablox Proprietary Limited	2010/011244/07
Micawber 831 Proprietary Limited	2010/024023/07
Nieuwtown Property Development Company Proprietary Limited	2006/027097/07
Razorbill Properties 91 Proprietary Limited	2000/006755/07

**LIST OF NON-PROFIT COMPANIES ASSOCIATED WITH ATTACQ LIMITED**

Lynnwood Bridge Property Owners Association NPC	2011/001628/08
LP8 Waterfall Distribution Campus NPC (RF)	2012/067149/08
LP22 Waterfall Commercial District	2012/187937/08
LP9 Logistics Precinct Property Association NPC (RF)	2014/150603/08
Maxwell Office Park Property Association NPC	2013/188575/08
Waterfall City Property Association NPC	2012/188210/08
Waterfall Corporate Campus Property Association LP10B NPC	2015/049807/08

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**LIST OF UNINCORPORATED JOINT VENTURE ENTITIES ASSOCIATED WITH ATTACQ LIMITED**

Maxwell Office Park JV	
Mall of Africa JV	
Corporate Campus JV	
Woodmead North JV	

**LIST OF INCORPORATED JOINT VENTURES ASSOCIATED WITH ATTACQ LIMITED**

EA Waterfall Logistics Proprietary Limited	2016/185518/07
Winter Robin Investments Proprietary Limited	2014/275544/07
AWIC Pocket 3 JVCO Proprietary Limited	2016/032002/07

**OTHER**

The Attacq Foundation Trust (1276/2016 – Johannesburg Master's Office)

Attacq Group ESD Proprietary Limited (Registration Number: 2014/096382/07)