

PAIA MANUAL

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Manual Owner	Martinique Ritter
Responsible Business Unit	Administration

MANUAL STATEMENT

- This manual forms part of the manual owner’s internal business processes and procedures.
- Any reference to the “organisation” shall be interpreted to include the “manual owner”.
- The organisation’s governing body, its employees, volunteers, contractors, suppliers and any other persons acting on behalf of the organisation are required to familiarise themselves with the manual’s requirements and undertake to comply with the stated processes and procedures.
- Risk owners and control owners are responsible for overseeing and maintaining control procedures and activities.

MANUAL ADOPTION

By signing this document, I authorise the manual owner’s approval and adoption of the processes and procedures outlined herein.


Name & Surname	Marthinus La Grange Ritter
Capacity	Executive Director
Signature	
Date	20250901

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1 DEFINITIONS

1.1 *Data Subject*

The person to whom Personal Information relates.

1.2 *Deputy Information Officer*

The person to whom any power or duty conferred or imposed on an Information Officer by POPIA has been delegated.

1.3 *Head*

In relation to a private body means:

- in the case of a natural person, that natural person or any person duly authorised by that natural person;
- in the case of a partnership, any partner of the partnership or any person duly authorised by the partnership;
- in the case of a juristic person:
 - the chief executive officer or equivalent officer of the juristic person or any person duly authorised by that officer;
 - or
 - the person who is acting as such or any person duly authorised by such acting person.

1.4 *Information Officer*

The head of a private body.

1.5 *Information Regulator*

The Regulator established in terms of Section 39 of POPIA.

1.6 *PAIA*

The Promotion of Access to Information Act 2 of 2000, as amended from time to time.

1.7 *Person*

A natural person or a juristic person.

1.8 *Personal Information*

- Information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to: information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person;
- Information relating to the education or the medical, financial, criminal or employment history of the person;
- Any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person, the biometric information of the person;
- The personal opinions, views or preferences of the person; correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;



- The views or opinions of another individual about the person; and the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person.

1.9 Personal Requester

A requester seeking access to a record containing personal information about the requester.

1.10 POPIA

The Promotion of Personal Information Act 4 of 2013, as amended from time to time.

1.11 Private body

- a natural person who carries or has carried on any trade, business or profession, but only in such capacity
- a partnership which carries or has carried on any trade, business or profession; or
- any former or existing juristic person, but **excludes** a public body.

1.12 Processing

Any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use, dissemination by means of transmission, distribution or making available in any other form, or merging, linking, as well as restriction, degradation, erasure or destruction of information.

1.13 Public body

- any department of state or administration in the national or provincial sphere of government or any municipality in the local sphere of government; or
- in any other functionary or institution when:
 - exercising a power or performing a duty in terms of the Constitution or a provincial constitution; or
 - exercising a public power or performing a public function in terms of any legislation.

1.14 Requester

In relation to a private body, means any person, including, but not limited to public body or an official thereof, making a request for access to a record of the organisation or a person acting on behalf of such person.

1.15 Request for access

A request for access to a record of the organisation in terms of section 50 of PAIA.

1.16 Record

Any recorded information regardless of the form or medium, in the possession or under the control of the organisation irrespective of whether or not it was created by the organisation.

1.17 Third Party

In relation to a request for access to a record held by the organisation, means any person other than the requester.

2 MANUAL PURPOSE

The Promotion of Access to Information Act, 2000, gives effect to section 32 of the Constitution, which provides that everyone has the right to access information held by the State or any other person (or private body), when that information is required for the exercise or protection of any rights.

The purpose of PAIA 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; and
- actively promote a society in which the people of South Africa have effective access to information to enable them to exercise and protect all of their rights more fully.

The organisation recognises everyone's right to access to information and is committed to provide access to the organisation's records where the proper procedural requirements as set out by PAIA and POPIA have been met.

The organisation's PAIA manual is compiled in accordance with section 51 of the Act and contains the following provisions:

Annexure A : Contact Details & Business Type

This section provides the organisation's postal and street address, phone and fax number, and, if available, the e-mail address of the head of the organisation.

Annexure B : Section 10 PAIA Guide

This section provides a description of the guide referred to in Section 10 of PAIA and how you may obtain access to it.

Annexure C : Statutory Records

This section provides a description of the various statutes in terms of which the organisation is required to maintain records.

Annexure D : Availability of Records

This section provides a list of records held by the organisation along with an indication of whether the record is freely available or only accessible by way of a formal request in terms of the provisions of PAIA. The section also provides a description of the category of data subject(s) to whom the respective records relates along with an indication of the purpose for which the record is being kept. Records that are indicated as "Freely Available" can be accessed by contacting the Deputy Information Officer (see Annexure A), without having to follow any formal procedures. Records that are indicated as a "PAIA Request", requires the

Annexure E : Request Procedure

This section sets out the procedure required to be followed by a Requestor to obtain access to a record indicated as a "PAIA Request" in Annexure D.

Annexure F : Prescribed Fees

This section sets out the fees that are payable to the organisation by the Requestor prior to the organisation processing a request to obtain access to a record held by the organisation.

Annexure G : Processing of Personal Information

This section sets out the applicable aspects for the processing of personal information.

Annexure H: Outcome of Request and Of Fees Payable

This section sets out the outcome of request to the Requestor and of the fees payable by the Requestor.

Annexure I : Deputy Information Officer Appointment

This section provides for the formal appointment of a Deputy Information Officer where so required.



3 DUTIES OF THE INFORMATION OFFICER

The Information Officer and/or the Deputy Information Officer of the organisation are responsible for:

- Publishing and proper communication of the manual i.e. creating manual awareness;
- The facilitation of any request for access;
- Providing adequate notice and feedback to the requester;
- Determining whether to grant a request for access to a complete/full record or only part of a record;
- Ensuring that access to a record, where so granted, is provided timeously and in the correct format; and
- Reviewing the manual for accuracy and communicating any amendments.

3.1 *Right of Access*

The Information Officer and/or Deputy Information Officer may only provide access to any record held by the organisation to a requester if:

- The record is required for the exercise or protection of any right;
- The requester complies with the procedural requirements relating to a request for access to that record;; and
- Access to that record is not refused in terms of any of the grounds for refusal listed below.

The Requestor must complete and submit Annexure E to the organisation.

3.2 *Grounds for Refusal*

The Information Officer and/or Deputy Information Officer must assess whether there are any grounds for refusing a request for access.

Where any grounds for refusal are found, a request for access will not be granted and the Information Officer and/or Deputy Information Officer must complete Annexure H and make the completed Annexure available to the Requestor.

However, despite finding any grounds for refusal, access to the record(s) will be provided where:

- the disclosure of the record would reveal evidence of a substantial contravention of, or failure to comply with the law or imminent and serious public or environmental risk; and
- the public interest in disclosing record, will clearly outweigh the harm contemplated in the provision in question,

where there are no grounds for refusal, request for access will be granted.

If a request for access is made with regards to a record containing information that would justify a ground for refusal, every part of the record which

- does not contain; and
- can reasonably be severed from any part that contains, any such information must, despite any other provision of PAIA, also be disclosed,



the grounds for refusal, or absence thereof, are set out below:

A: Mandatory Protection of privacy of a Third Party who is a Natural Person

Grounds for Refusal:

- The disclosure would involve the unreasonable disclosure of personal information about a third party that is a natural person

No Grounds for Refusal:

- The record consists of information that concerns an individual who has already consented in writing to its disclosure to the requester concerned.
- The record consists of information that is already publicly available.
- The record consists of information that was given to the organisation by the individual to whom it relates and the individual was informed by or on behalf of the organisation, before it is given, that the information belongs to a class of information that would or might be made available to the public.
- The record consists of information about an individual's physical or mental health, or well-being, who is under the care of the requester and who is under the age of 18; or incapable of understanding the nature of the request, and if giving access would be in the individual's best interest.
- The record consists of information about an individual who is deceased and the requester is the individual's next of kin or

B: Mandatory Protection of Commercial Information of a Third Party

Grounds for Refusal

- The record consists of information that contains trade secrets of a third party.
- The record consists of information that contains financial, commercial, scientific or technical information, other than trade secrets, of a third party, the disclosure of which would be likely to cause harm to the commercial or financial interests of that third party.

No Grounds for Refusal

- The record consists of information about a third party who has consented who has already consented in writing to its disclosure to the requester concerned.
- The record consists of information about the results of any product or environmental testing or other investigation supplied by a third party or the results of any such testing or investigation carried out by or on behalf of a third party and its disclosure would reveal a serious public safety or environmental risk (the results of any product or environmental testing or other

C: Mandatory Protection of certain Confidential Information of a Third Party

Grounds for Refusal



- The record consists of information the disclosure of which would constitute an action for breach of a duty of confidence owed

D: Mandatory Protection of Safety of Individuals and Protection of Property

Grounds for Refusal

- The record consists of information that if disclosed could reasonably be expected to endanger the life or physical safety of an individual.
- The record consists of information that if disclosed would likely prejudice or impair the security of a building, a structure or system, a computer or communication system, a means of transport, any other property.

E: Mandatory Protection of Records privileged from Production in Legal Proceedings

Grounds for Refusal

- The record consists of information privileged from production in legal proceedings unless the person entitled to the privilege

F: Commercial Information of the Organisation

Grounds for Refusal

- The record consists of information that contains trade secrets of the organisation.
- The record consists of information that contains financial, commercial, scientific or technical information, other than trade secrets, of the organisation, the disclosure of which would likely cause harm to the commercial or financial interests of the organisation.
- The record consists of information, the disclosure of which, could reasonably be expected to put the organisation at a

No Grounds for Refusal

- The record consists of information about the results of any product or environmental testing or other investigation supplied by the organisation or the results of any such testing or investigation carried out by or on behalf of the organisation and its disclosure would reveal a serious public safety or environmental risk (the results of any product or environmental testing or other investigation do not include the results of preliminary testing or other investigation conducted for the purpose of

G: Mandatory Protection of Research Information of a Third Party and the Organisation

Grounds for Refusal

- The record consists of information that contains information about research being or to be carried out by or on behalf of a third party, the disclosure of which would be likely to expose the third party, a person that is or will be carrying out the research on behalf of the third party, or the subject matter of the research to serious disadvantage.
- The record consists of information that contains information about research being or to be carried out by or on behalf of the

4 NOTICE

4.1 *Fee payable*

Where a request for access has been received the Information Officer and/or Deputy Information Officer will notify the requester of receipt and the prescribed fee (if any) that is payable prior to processing the request. Refer to Annexure F for a full breakdown of fees payable. Personal Requesters will not be charged a request fee.

The notice must state:

- The amount of the deposit payable (if any);
- That the requester may lodge a complaint with the Information Regulator or an application with a court against the tender or payment of the request fee, or the tender or payment of a deposit, as the case may be; and
- The procedure (including the period) for lodging the complaint with the Information Regulator or the application, except to the extent that the provisions regarding third party notification may apply, the Information Officer and/or Deputy Information Officer to whom the request is made, must as soon as reasonably possible, but in any event within 30 days, after the request has been received in the prescribed format:
 - Decide in accordance with PAIA whether to grant the request; and
 - Notify the requester of the decision and, if the requester stated that he or she wishes to be informed of the decision in any other manner, inform him or her in that manner, if it is reasonably possible.

4.2 *Granted request for access*

If the request for access is **granted**, the notice must state:

- The access fee (if any) to be paid upon access;
- The form in which access will be given; and
- That the requester may lodge a complaint with the Information Regulator or an application with a court against the access fee to be paid or the form of access granted, and the procedure, including the period allowed, for lodging a complaint with the Information Regulator or the application.

4.3 *Refused request for access*

If the request for access is **refused**, the notice must:

- State adequate reasons for the refusal, including the relevant provision of PAIA that was relied on;
- Exclude, from any such reasons, any reference to the content of the records'; and
- State that the requester may lodge a complaint with the Information Regulator or an application with a court against the refusal of the request, and the procedure (including the period) for lodging a complaint with the Information Regulator or the application.

4.4 *Undiscoverable record*

Should all reasonable steps have been taken to find a record requested, and there are reasonable grounds for believing that the record:

- Is in the organisation's possession, but cannot be found; or



- Simply does not exist,

the head of the organisation must, by way of affidavit or affirmation, notify the requester that it is not possible to provide access to that record. The affidavit or affirmation must provide full account of all steps taken to find the record in question or to determine whether the record exists, as the case may be, including all communication with every person who conducted the search on behalf of the head.

5 AVAILABILITY OF THE MANUAL

A copy of the Manual is available-

- on <https://rittergas.co.za/>;
- head office of the Ritter Gas Services and Supply (Pty) Ltd for public inspection during normal business hours;
- to any person upon request and upon the payment of a reasonable prescribed fee; and
- to the Information Regulator upon request.

A fee for a copy of the Manual, as contemplated in Annexure F, shall be payable per each A4-size photocopy made.

ANNEXURE A : CONTACT DETAILS & BUSINESS TYPE

A. Organisation Contact Details

Postal address:	Erf 2974, Corner of Voortrekker and Lowry Cole Street, Malmesbury
Street address:	Erf 2974, Corner of Voortrekker and Lowry Cole Street, Malmesbury
Phone number:	
Email address:	infor@rittergas.co.za
Fax number:	

B. Head of Organisation

Full names & surname:	Marthinus La Grange Ritter
Email address:	martin@rittergas.co.za
Phone number:	0828751806
Fax number:	

C. Deputy Information Officer

Full names & surname	Martinique Jane Ritter
Email address:	martinique@rittergas.co.za
Phone number:	0825042741
Fax number:	

D. Business Type

The organisation conducts its main type of business in the following sector(s):

Agriculture	<input type="checkbox"/>
Mining and Quarrying	<input type="checkbox"/>
Manufacturing	<input type="checkbox"/>
Electricity, Gas & Water	<input checked="" type="checkbox"/>
Construction	<input type="checkbox"/>
Retail & Motor Trade and Repair Services	<input type="checkbox"/>
Wholesale Trade, Commercial Agents & Allied Services	<input type="checkbox"/>
Catering, Accommodation & Other Trade	<input type="checkbox"/>
Finance & Business Services	<input type="checkbox"/>
Community, Special & Personal Services	<input type="checkbox"/>
If other, please specify:	<input type="checkbox"/>

Head signature:	
Date:	



ANNEXURE B : SECTION 10 PAIA GUIDE

Head signature:	
Date:	

The Regulator has, in terms of section 10(1) of PAIA, as amended, updated and made available the revised Guide on how to use PAIA (“Guide”), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.

The Guide is available in each of the official languages and in braille.

The aforesaid Guide contains the description of-

- the objects of PAIA and POPIA;
- the postal and street address, phone and fax number and, if available, electronic mail address of-
the Information Officer of every public body, and
every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA and section 56 of POPIA ;
- the manner and form of a request for-
access to a record of a public body contemplated in section 11 ; and
access to a record of a private body contemplated in section 50 ;
- the assistance available from the IO of a public body in terms of PAIA and POPIA;
- the assistance available from the Regulator in terms of PAIA and POPIA;
- all remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging-
an internal appeal;
a complaint to the Regulator; and
an application with a court against a decision by the information officer of a public body, a decision on internal appeal or a decision by the Regulator or a decision of the head of a private body;
- the provisions of sections 14 and 51 requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
- the provisions of sections 15 and 52 providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
- the notices issued in terms of sections 22 and 54 regarding fees to be paid in relation to requests for access; and
- the regulations made in terms of section 92 .

Members of the public can inspect or make copies of the Guide from the offices of the public and private bodies, including the office of the Regulator, during normal working hours.

The Guide can also be obtained-

- upon request to the Information Officer;
- from the website of the Regulator (<https://www.justice.gov.za/infoereg/>).



PAIA grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights. Where a public body lodges a request, the public body must be acting in the public interest.

Requests in terms of PAIA shall be made in accordance with the prescribed procedures at the rates provided.

ANNEXURE C : STATUTORY RECORDS

Head signature:	
Date:	

The organisation maintains statutory records and information in terms of the following legislation:

RECORDS KEPT IN TERMS OF THE OTHER LEGISLATION

- Accreditation for Conformity Assessment, Calibration and Good Laboratory Practice Act 19 of 2006 (Science)
- Administration of Estates Act 66 of 1965 (Estates)
- Administrative Adjudication of Road Traffic Offences Act 46 of 1998 (Transport) • Admission of Advocates Act 74 of 1964 (Professions)
- Advertising on Roads and Ribbon Development Act 2 of 1940 (Environment and Conservation)
- Advisory Board on Social Development Act 3 Of 2001 (Welfare and Pensions)
- African Renaissance and International Co-operation Fund Act 51 of 2000 (Finance)
- Aged Persons Act 81 of 1967 (Welfare and Pensions)
- Agricultural Debt Management Act 45 of 2001 (Farming)
- Airports Company Act 44 of 1993 (Transport)
- Alienation of Land Act 68 of 1981 (Contract and Delict)
- Appeals Amendment Act 105 of 1982 (Procedural Law)
- Apportionment of Damages Act 34 of 1956 (Contract and Delict)
- Arbitration Act 42 of 1965 (Procedural Law)
- Architectural Profession Act 44 of 2000 (Professions)
- Associated Institutions Pension Fund Act 41 of 1963 (Welfare and Pensions)
- Associated Institutions Provident Fund Act 11 of 1971 (Welfare and Pensions)
- Atmospheric Pollution Prevention Act 45 of 1965 (Environment and Conservation)
- Attorneys Act 53 of 1979 (Professions)
- Auditing Profession Act 26 of 2005 (Professions)
- Aviation Act 74 of 1962 (Transport)
- Banking Institutions Act 25 of 1946 (Financial Institutions and Insurance)
- Banks Act 94 of 1990 (Financial Institutions and Insurance)
- Basic Conditions of Employment Act 75 of 1997 (Labour)
- Bills of Exchange Act 34 of 1964 (Commercial Law)
- Broad-Based Black Economic Empowerment Act 53 of 2003 (Constitutional Law)
- Broadcasting Act 4 of 1999 (Communication)
- Business Names Act 27 of 1960 (Commercial Law)
- Carriage of Goods by Sea Act 1 of 1986 (Shipping)
- Central Energy Fund Act 38 of 1977 (Energy)
- Citation of Constitutional Laws Act 5 of 2005 (Constitutional Law)
- Civil Aviation Act 13 of 2009 (Transport)
- Civil Aviation Offences Act 10 of 1972 (Transport)
- Civil Proceedings Evidence Act 25 of 1965 (Procedural Law)
- Close Corporations Act 69 of 1984 (Corporate Law)
- Co-operatives Act 91 of 1981 (Corporate Law)
- Co-operative Banks Act 40 of 2007 (Corporate Law)
- Commission on Gender Equality Act 39 of 1996 (Constitutional Law)
- Communal Land Rights Act 11 of 2004 (Land)
- Companies Act 61 of 1973 (Corporate Law)
- Companies Act 71 of 2008 (Corporate Law)



- Compensation for Occupational Injuries and Diseases Act 130 of 1993 (Labour)
- Competition Act 89 of 1998 (Commercial Law)
- Computer Evidence Act 57 of 1983 (Procedural Law)
- Constitution of the Republic of South Africa 108 of 1996 (Constitutional Law)
- Consumer Affairs (Unfair Business Practices) Act 71 of 1988 (Commercial Law)
- Consumer Protection Act 68 of 2008 (Commercial Law)
- Contingency Fees Act 66 of 1997 (Legal Administration)
- Convention on Agency in the International Sale of Goods Act 4 of 1986 (Commercial Law)
- Conventional Penalties Act 15 of 1962 (Contract and Delict)
- Copyright Act 98 of 1978 (Commercial Law)
- Convention on Agency in the International Sale of Goods Act 4 of 1986 (Commercial Law)
- Corporate Amendment Act 24 of 2006 and Directors Liability
- Corruption Act 94 of 1992 (Criminal Law)
- Council for Medical Schemes Levies Act 58 of 2000 (Health)
- Council for the Built Environment Act 43 of 2000 (Professions)
- Counterfeit Goods Act 37 of 1997 (Commercial Law)
- Credit Agreements Act 75 of 1980 (Contract and Delict)
- Criminal Procedure Act 51 of 1977 (Procedural Law)
- Cross-Border Insolvency Act 42 of 2000 (Estates)
- Cross-Border Road Transport Act 4 of 1998 (Transport)
- Customs and Excise Act 91 of 1964 (Revenue)
- Debt Collectors Act 114 of 1998 (Legal Administration)
- Deeds Registries Act 47 of 1937 (Legal Administration)
- Designs Act 195 of 1993 (Commercial Law)
- Divorce Act 70 of 1979 ((Family and Persons)
- Documentary Evidence from Countries in Africa Act 62 of 1993 (Procedural Law)
- Domicile Act 3 of 1992 (Citizenship)
- Dumping at Sea Control Act 73 of 1980 (Environment and Conservation)
- Electricity Act 41 of 1987 (Energy)
- Electronic Communications Act 36 of 2005 (Communication)
- Electronic Communications and Transactions Act 25 of 2002 (Communications)
- Employment Equity Act 55 of 1998 (Labour)
- Enforcement of Foreign Civil Judgments Act 32 of 1988 (Legal Administration)
- Engineering Profession Act 46 of 2000 (Professions) Environment Conservation Act 73 of 1989 (Environment and Conservation)
- Establishment of the Northern Cape Division of the Supreme Court of South Africa Act 15 of 1996 (Courts)
- Estate Agency Affairs Act 112 of 1976 (Professions)
- Expropriation Act 63 of 1975 Legal (Administration)
- Finance Act 42 of 2008 (Finance)
- Financial and Fiscal Commission Amendment Act 25 of 2003 (Constitutional Law)
- Financial Institutions (Protection of Funds) Act 28 of 2001 (Financial Institutions and Insurance)
- Financial Intelligence Centre Act 38 of 2001 (Criminal Law)
- Financial Services Board Act 97 of 1990 (Financial Institutions and Insurance)
- Financial Services Ombud Schemes Act 37 of 2004 (Financial Institutions and Insurance)
- Foreign Courts Evidence Act 80 of 1962 (Procedural Law)
- Formalities in respect of Leases of Land Act 18 of 1969 (Contract and Delict)
- Gas Act 48 of 2001 (Energy)
- Gas Regulator Levies Act 75 of 2002 (Energy)
- General Pensions Act 29 of 1979 (Welfare and Pensions)
- Hazardous Substances Act 15 of 1973 (Health)
- Health Act 63 of 1977 (Health)
- Identification Act 68 of 1997 (Citizenship)

- Immigration Act 13 of 2002 (Citizenship)
- Immovable Property (Removal or Modification of Restrictions) Act 4 of 1965 (Estates)
- Import and Export Control Act 45 of 1963 (Commercial Law)
- Income Tax Act 58 of 1962 (Income Tax)
- Insolvency Act 24 of 1936 (Estates)
- Institution of Legal Proceedings against certain Organs of State Act 40 of 2002 (Procedural Law)
- Insurance Amendment Act 17 of 2003 (Financial Institutions and Insurance)
- Insurance Laws Amendment Act 27 of 2008 ((Financial Institutions and Insurance)
- Interpretation Act 33 of 1957 (Procedural Law)
- Intestate Succession Act 81 of 1987 (Estates)
- Investigation of Serious Economic Offences Amendment Act 46 of 1995 (Criminal Law)
- Justices of the Peace and Commissioners of Oaths Act 16 of 1963 (Legal Administration)
- Land Affairs Act 101 of 1987 (Land)
- Labour Relations Act 66 of 1995 (Labour)
- Law of Evidence Amendment Act 45 of 1998 (Procedural Law)
- Law of Succession Amendment Act 43 of 1992 (Estates)
- Limitation of Legal Proceedings (Provincial and Local Authorities) Act 94 of 1970 (Procedural)
- Liquor Act 59 of 2003 (Liquor)
- Liquor Products Act 60 of 1989 (Liquor)
- Long-term Insurance Act 52 of 1998 (Financial Institutions and Insurance)
- Magistrates' Courts Act 32 of 1944 (Courts)
- Maintenance Act 99 of 1998 (Family and Persons)
- Maintenance of Surviving Spouses Act 27 of 1990 (Estates)
- Marine Pollution (Control and Civil Liability) Act 6 of 1981 (Environment and Conservation)
- Marine Pollution (Intervention) Act 64 of 1987 (Environment and Conservation)
- Marine Pollution (Prevention of Pollution from Ships) Act 2 of 1986 (Environment and Conservation)
- Marine Traffic Act 2 of 1981 (Shipping)
- Matrimonial Affairs Act 37 of 1953 (Family and Persons)
- Matrimonial Property Act 88 of 1984 (Family and Persons)
- Measurement Units and Measurement Standards Act 18 of 2006 (Science)
- Medical Schemes Act 131 of 1998 (Health)
- Mental Health Care Act 17 of 2002 (Health)
- Merchandise Marks Act 17 of 1941 (Commercial Law)
- Merchant Shipping Act 57 of 1951 (Shipping)
- Mine Health and Safety Act 29 of 1996 (Health)
- Mineral and Petroleum Resources Development Act 28 of 2002 (Resources)
- Natal Advocates and Attorneys Preservation of Rights Act 27 of 1939 (Professions)
- Natal Conveyancers Act 24 of 1926 (Professions)
- National Building Regulations and Building Standards Act 49 of 1995 (Legal Administration)
- National Credit Act 34 of 2005 (Contract and Delict)
- National Energy Act 34 of 2008 (Energy)
- National Energy Regulator Act 40 of 2004 (Energy)
- National Environmental Laws Amendment Act 14 of 2009 (Environment and Conservation)
- National Environmental Management Act 107 of 1998 (Environment and Conservation)
- National Environmental Management Amendment Act 62 of 2008 (Environment and Conservation)
- National Environmental Management: Air Quality Act 39 of 2004 (Environment and Conservation)
- National Environmental Management: Integrated Coastal (Environment and Conservation)
Management Act 24 of 2008 (Environment and Conservation)
- National Environmental Management: Protected Areas Act 57 of 2003 (Environment and Conservation)
- National Environmental Management: Protected Areas Amendment Act 15 of 2009 (Environment and Conservation)
- National Environmental Management: Protected Areas Amendment act 31 of 2004 (Environment and Conservation)
- National Environmental Management: Waste Act 59 of 2008 (Environment and Conservation)

- National Health Act 61 of 2003 (Health)
- National Key Points Act 102 of 1980 (Security and Prisons)
- National Ports Act 12 of 2005 (Transport)
- National Railway Safety Regulator Act 16 of 2002 (Transport)
- National Roads Act 54 of 1971 (Transport)
- National Road Safety Act 9 of 1972 (Transport)
- National Road Traffic Act 93 of 1996 (Transport)
- National Water Act 36 of 1998 (Resources)
- Occupational Health and Safety Act 85 of 1993 (Labour)
- Older Persons Act 13 of 2006 (Welfare and Pensions)
- Patents Act 57 of 1978 (Commercial Law)
- Pension Funds Act 24 of 1956 (Welfare and Pensions)
- Petition Proceedings Replacement Act 35 of 1976 (Courts)
- Petroleum Pipelines Act 60 of 2003 (Energy)
- Petroleum Pipelines Levies Act 28 of 2004 (Energy)
- Petroleum Products Act 120 of 1977 (Energy)
- Physical Planning Act 88 of 1967 (Environment and Conservation)
- Prescription Act 68 of 1969 (Procedural Law)
- Prescribed Rate of Interest Act 55 of 1975 (Contract and Delict)
- Private Security Industry Regulation Act 56 of 2001 (Professions)
- Prize Jurisdiction Act 3 of 1968 (Procedural Law)
- Professional and Technical Surveyors' Act 40 of 1984 (Professions}
- Promotion of Access to Information Act 2 of 2000 (Constitutional Law)
- Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000 (Constitutional Law)
- Property Valuers Profession Act 47 of 2000 (Professions)
- Protection of Businesses Act 99 of 1978 (Commercial Law)
- Public Accountants and Auditors Act 80 of 1991 (Professions)
- Public Audit Act 25 of 2004 (Finance)
- Qualification of Legal Practitioners Amendment Act 78 of 1997 (Professions)
- Quantity Surveying Profession Act 49 of 2000 (Professions)
- Rationalisation of Corporate Laws Act 45 of 1996 (Corporate Law)
- Recognition and Enforcement of Foreign Arbitral Awards Act 40 of 1997 (Courts)
- Recognition of Foreign Legal Qualifications and Practice Act 114 of 1993 (Professions)
- Regulation of Interception of Communication and Provision of Communications Related Information Act 70 of 2002 (Communication)
- Removal of Restrictions Act 84 of 1967 (Land)
- Renaming of High Courts Act 30 of 2008 (Courts)
- Right of Appearance in Courts Act 62 of 1995 (Courts)
- Road Accident Fund Act 56 of 1996 (Financial Institutions and Insurance)
- Road Traffic Act 29 of 1989 (Transport)
- Sea Transport Documents Act 65 of 2000 (Shipping)
- Second State Oil Fund Amendment Act 74 of 1979 (Energy)
- Sectional Titles Act 95 of 1986 (Housing)
- Security by means of Movable Property Act 57 of 1993 (Contract and Delict)
- Security Officers Act 92 of 1987 (Security and Prisons)
- Ship Registration Act 58 of 1998 (Shipping)
- Short Process Courts and Mediation in Certain Civil Cases Act 103 of 1991 (Courts)
- Short-term Insurance Act 53 of 1998 (Financial Institutions and Insurance)
- Skills Development Act 97 of 1998 (Labour)
- Skills Development Amendment Act 37 of 2008 (Labour)
- Skills Development Levies Act 9 of 1999 (Labour)
- Small Claims Courts Act 61 of 1984 (Courts)



- South African Passports and Travel Documents Act (Citizenship)
- Special Pensions Act 69 of 1996 (Welfare and Pensions)
- Standards Act 8 of 2008 (Science)
- State Attorney Act 56 of 1957 (Professions)
- Supreme Court Act 59 of 1959 (Courts)
- Temporary Employees Pension Fund Act 75 of 1979 (Welfare Pensions)
- The South African National Roads Agency Limited and Roads Act 7 of 1998 (Transport)
- Tobacco Products Control Act 83 of 1993 (Health)
- Town and Regional Planners Act 19 of 1984 (Professions) • Trade Marks Act 94 of 1993 (Commercial Law)
- Trade Metrology Act 77 of 1973 (Science) • Trade Practices Act 76 of 1976 (Commercial Law)
- Transfer Duty Act 40 of 1949 (Revenue)
- Trust Property Control Act 7 of 1988 (Estates)
- Unemployment Insurance Act 63 of 2001 (Labour)
- Unemployment Insurance Contributions Act 4 of 2002 (Labour)
- Value-Added Tax Act 89 of 1991 (Revenue)
- Vexatious Proceedings Act 3 of 1956 (Courts)
- Water Services Act 108 of 1997 (Resources) • Wills Act 7 of 1953 (Estates)

ANNEXURE D : AVAILABILITY OF RECORDS

Head signature:	
Date:	

The organisation maintains the following categories of records and related subject matter. The status of the record's availability, the purpose for its processing and the relevant data subject category to who the record relates are set out below:

Category:	Record:	Availability:	Purpose:	Data Subject:
Public Affairs	Public Product Information	Freely Available	Convey Public Information	Organisation
	Public Corporate Records	Freely Available	Convey Public Information	Organisation
	Media Releases	Freely Available	Convey Public Information	Organisation
	Published Newsletters	Freely Available	Convey Public Information	Organisation
	Magazine Articles	Freely Available	Convey Public Information	Organisation
Regulatory & Administrative	Permits, Licenses or Authorities	Freely Available	Statutory Requirement	Organisation
	Conflict of Interest Management Policy	Freely Available	Statutory Requirement	Organisation
	Complaints Policy	Freely Available	Statutory Requirement	Organisation
	FICA Internal Rules	PAIA Request	Statutory Requirement	Organisation
	Health & Safety Plan	PAIA Request	Statutory Requirement	Organisation
	Memorandum of Incorporation	PAIA Request	Statutory Requirement	Organisation
	Minutes of Board or Directors Meetings	PAIA Request	Statutory Requirement	Organisation
	Register of Members	PAIA Request	Statutory Requirement	Organisation
	Register of Board of Directors	PAIA Request	Statutory Requirement	Organisation
	Internal correspondence (e-mails/memos)	PAIA Request	Internal Communications	Employees
Insurance Policies held by organisation	PAIA Request	Risk Management	Organisation	
Human Resources	Employment Applications	PAIA Request	Internal Referencing	Employees
	Employment Contracts	PAIA Request	Contractual Agreement	Employees
	Personal Information of Employees	PAIA Request	Internal Referencing	Employees
	Employment Equity Plan	PAIA Request	Statutory Requirement	Organisation
	Medical Aid Records	PAIA Request	Internal Referencing	Employees
	Pension Fund Records	PAIA Request	Internal Referencing	Employees
	Disciplinary Records	PAIA Request	Statutory Requirement	Employees
	Performance Management Records	PAIA Request	Internal Referencing	Employees
	Salary Records	PAIA Request	Internal Referencing	Employees
	Employee Benefit Records	PAIA Request	Internal Referencing	Employees
	PAYE Records	PAIA Request	Statutory Requirement	Employees
	Seta Records	PAIA Request	Statutory Requirement	Employees
	Disciplinary Code	PAIA Request	Statutory Requirement	Organisation
Leave Records	PAIA Request	Internal Referencing	Employees	

	Training Records	PAIA Request	Internal Referencing	Employees
	Training Manual	PAIA Request	Internal Referencing	Organisation
Financial	Financial Statements	PAIA Request	Internal Referencing	Organisation
	Financial and Tax Records	PAIA Request	Statutory Requirement	Organisation
	Asset Register	PAIA Request	Internal Referencing	Organisation
	Management Accounts and Reports	PAIA Request	Internal Referencing	Organisation
	Vouchers, Cash Books and Ledgers	PAIA Request	Internal Referencing	Organisation
	Banking Records and Statements	PAIA Request	Internal Referencing	Organisation
	Electronic Banking Records	PAIA Request	Internal Referencing	Organisation
Marketing	Market Information	PAIA Request	Internal Referencing	Organisation
	Product Brochures	PAIA Request	Internal Referencing	Organisation
	Advertisements	PAIA Request	Internal Referencing	Organisation
	Field Records	PAIA Request	Internal Referencing	Organisation
	Performance Records	PAIA Request	Internal Referencing	Organisation
	Product / Service Sales Records	PAIA Request	Internal Referencing	Organisation
	Marketing Strategies	PAIA Request	Internal Referencing	Organisation
Client Customer	Customer / Client Database	PAIA Request	Internal Referencing	Customers
	Customer / Client agreements	PAIA Request	Internal Referencing	Customers
	Customer / Client Files	PAIA Request	Internal Referencing	Customers
	Customer / Client Instructions	PAIA Request	Internal Communications	Customers
	Customer / Client Correspondence	PAIA Request	External Communications	Customers
Third Party	Rental agreements	PAIA Request	Contractual Agreement	Third Party
	Franchise agreements	PAIA Request	Contractual Agreement	Third Party
	Non-disclosure agreements	PAIA Request	Risk Management	Third Party
	Letters of Intent	PAIA Request	Contractual Agreement	Third Party
	Supplier Contracts	PAIA Request	Contractual Agreement	Third Party

ANNEXURE E: REQUEST FOR ACCESS TO RECORD

NOTE:

1. Proof of identity must be attached by the requester.
2. If requests made on behalf of another person, proof of such authorisation, must be attached to this form.

TO: The Information Officer

 (Address)

E-mail address: _____

Fax number: _____

Mark with an "X"

Request is made in my own name Request is made on behalf of another person.

PERSONAL INFORMATION				
Full Names				
Identity Number				
Capacity in which request is made (<i>when made on behalf of another person</i>)				
Postal Address				
Street Address				
E-mail Address				
Contact Numbers	Tel.:		Facsimile:	
	Cellular:			
Full names of person on whose behalf request is made (<i>if applicable</i>):				
Identity Number				
Postal Address				



Street Address			
E-mail Address			
Contact Numbers	Tel.		Facsimile
	Cellular		
PARTICULARS OF RECORD REQUESTED			
<p><i>Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)</i></p>			
Description of record or relevant part of the record:			
Reference number, if available			
Any further particulars of record			
TYPE OF RECORD <i>(Mark the applicable box with an "X")</i>			
Record is in written or printed form			
Record comprises virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>			
Record consists of recorded words or information which can be reproduced in sound			
Record is held on a computer or in an electronic, or machine-readable form			
FORM OF ACCESS <i>(Mark the applicable box with an "X")</i>			
Printed copy of record <i>(including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)</i>			



Written or printed transcription of virtual images (<i>this includes photographs, slides, video recordings, computer-generated images, sketches, etc</i>)	
Transcription of soundtrack (<i>written or printed document</i>)	
Copy of record on flash drive (<i>including virtual images and soundtracks</i>)	
Copy of record on compact disc drive(<i>including virtual images and soundtracks</i>)	
Copy of record saved on cloud storage server	

MANNER OF ACCESS <i>(Mark the applicable box with an "X")</i>	
Personal inspection of record at registered address of private body (<i>including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form</i>)	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format (<i>including transcriptions</i>)	
E-mail of information (<i>including soundtracks if possible</i>)	
Cloud share/file transfer	
Preferred language <i>(Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available)</i>	

PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED	
<i>If the provided space is inadequate, please continue on a separate page and attach it to this Form. The requester must sign all the additional pages.</i>	
Indicate which right is to be exercised or protected	
Explain why the record requested is required for the exercise or protection of the aforementioned right:	



FEES	
a)	<i>A request fee must be paid before the request will be considered.</i>
b)	<i>You will be notified of the amount of the access fee to be paid.</i>
c)	<i>The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.</i>
d)	<i>If you qualify for exemption of the payment of any fee, please state the reason for exemption</i>
Reason	

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

Postal address	Facsimile	Electronic communication <i>(Please specify)</i>

Signed at _____ this _____ day of _____ 20 _____

Signature of Requester / person on whose behalf request is made

FOR OFFICIAL USE

<i>Reference number:</i>	
<i>Request received by: (Name And Surname of Information Officer)</i>	
<i>Date received:</i>	
<i>Access fees:</i>	
<i>Deposit (if any):</i>	

Signature of Information Officer



ANNEXURE F: PRESCRIBED FEES

The following applies to requests (other than personal requests):

- A requester is required to pay a preliminary request fee before a request will be processed.
- If the preparation of the record requested requires more than the prescribed hours (six), an additional deposit shall be paid (of not more than one third of the access fee which would be payable if the request was granted).
- A requestor may lodge an application with a court against the tender / payment of the request fee and/or deposit.
- Records may be withheld until the fees have been paid.

No.	Description	Fee
1.	The request fee payable by every requester	R140.00
2.	Photocopy/printed black & white copy of A4-size page	R2.00
3.	Printed copy of an A4 size page	R2.00
4.	For a copy in a computer-readable form on:	
	i. Flash drive (to be provided by requester)	R40.00
	ii. Compact disc:	
	- If provided by requestor	R40.00
	- If provided to the requestor	R60.00
5.	For a transcription of visual images per A4-size page	Service to be outsourced. Will depend
6.	Copy of visual images	
7.	Transcription of an audio record, per A4-size page	R24.00
8.	Copy of an audio record on:	
	i. Flash drive (to be provided by requester)	R40.00
	ii. Compact disc:	
	- If provided by requestor	R40.00
	- If provided to the requestor	R60.00
9.	To search for and prepare the record for disclosure for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation.	R145.00
	To not exceed a total cost of	R435.00
10.	Deposit: If search exceeds 6 hours	One third of amount per request to items 2-



11.	Postage, e-mail or any other electronic transfer	Actual expense, if any."
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ANNEXURE G: PROCESSING OF PERSONAL INFORMATION

Head signature:

Date:

1. Purpose of Processing Personal Information

Describe the purpose or reasons for processing personal information in your organisation.

2. Description of the categories of Data Subjects and of the information or categories of information relating thereto

Specify the categories of data subjects in respect of whom the body processes personal information and the nature or categories of the personal information being processed.

Below is the template that can be used to set out the categories of data subjects and the description of the nature or categories of the personal information to be processed. Note that the nature or categories of the personal information is dependent on the purpose of the body in performing its functions or services..

Categories of Data Subjects	Personal Information that may be processed
Customers / Clients	name, address, registration numbers or identity numbers, employment status and bank details
Service Providers	names, registration number, vat numbers, address, trade secrets and bank details
Employees	address, qualifications, gender and race

3. The recipients or categories of recipients to whom the personal information may be supplied

Specify the person or category of persons to whom the body may disseminate personal information. Below is an example of the category of personal information which may be disseminated and the recipient or category of recipients of the personal information.

Category of personal information	Recipients or Categories of Recipients to whom the personal information may be supplied
Identity number and names, for criminal checks	South African Police Services
Qualifications, for qualification verifications	South African Qualifications Authority

Category of personal information	Recipients or Categories of Recipients to whom the personal information may be supplied
Credit and payment history, for credit information	Credit Bureaus

4. Planned transborder flows of personal information

Indicate if the body has planned transborder flows of personal information. For example, some personal information may be stored in the cloud outside the Republic. Please specify the country in which personal information will be stored and categories of personal information.

5. General description of Information Security Measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information

Specify the nature of the security safeguards to be implemented or under implementation to ensure the confidentiality and integrity of the personal information under the care of the body. This may, for example, include Data Encryption; Anti-virus and Anti-malware Solutions.

ANNEXURE H: OUTCOME OF REQUEST AND OF FEES PAYABLE

Note:

1. If your request is granted the—
 - (a) amount of the deposit, (if any), is payable before your request is processed; and
 - (b) requested record/portion of the record will only be released once proof of full payment is received.
2. Please use the reference number hereunder in all future correspondence.

Reference number: _____

TO:

Your request dated _____, refers.

1. You requested:

Personal inspection of information at registered address of private body (<i>including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form</i>) is free of charge. You are required to make an appointment for the inspection of the information and to bring this Form with you. If you then require any form of reproduction of the information, you will be liable for the fees prescribed in Annexure B.	
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OR

2. You requested:

Printed copies of the information (<i>including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form</i>)	
Written or printed transcription of virtual images (<i>this includes photographs, slides, video recordings, computer-generated images, sketches, etc</i>)	
Transcription of soundtrack (<i>written or printed document</i>)	
Copy of information on flash drive (<i>including virtual images and soundtracks</i>)	
Copy of information on compact disc drive (<i>including virtual images and soundtracks</i>)	
Copy of record saved on cloud storage server	

3. To be submitted:

Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format (<i>including transcriptions</i>)	
E-mail of information (<i>including soundtracks if possible</i>)	
Cloud share/file transfer	
Preferred language: (<i>Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available</i>)	



Kindly note that your request has been:

- Approved
- Denied, for the following reasons:

4. Fees payable with regards to your request:

Item	Cost per A4-size page or part thereof/item	Number of pages/items	Total
Photocopy			
Printed copy			
For a copy in a computer-readable form on:			
(i) Flash drive	R40.00		
• To be provided by requestor			
(ii) Compact disc	R40.00		
• If provided by requestor	R60.00		
• If provided to the requestor			
For a transcription of visual images per A4-sizepage	Service to be outsourced. Will depend on the quotation of the service provider		
Copy of visual images			
Transcription of an audio record, per A4-size	R24.00		
Copy of an audio record			
(i) Flash drive	R40.00		
• To be provided by requestor			
(ii) Compact disc	R40.00		
• If provided by requestor	R60.00		
• If provided to the requestor			
Postage, e-mail or any other electronic transfer:	Actual costs		
TOTAL:			

5. Deposit payable (if search exceeds six hours):

- Yes
- No

Hours of search		Amount of deposit <i>(calculated on one third of total amount per request)</i>	
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The amount must be paid into the following Bank account:

Name of Bank: _____



Name of account holder: _____
Type of account: _____
Account number: _____
Branch Code: _____
Reference Nr: _____
Submit proof of payment to: _____

Signed at _____ this _____ day of _____ 20 _____

Information Officer



ANNEXURE I: DEPUTY INFORMATION OFFICER APPOINTMENT

Head signature:	
Date:	

In terms of the Protection of Personal Information Act the head of a private body is the designated Information Officer for that private body. The Information Officer may delegate any power or duty conferred or imposed in terms of POPIA to the Deputy Information Officer.

The organisation has appointed a Deputy Information Officer to facilitate any requests to access records held by the organisation. This delegation does not prohibit the person who made the delegation from exercising power concerned or performing the duty concerned himself or herself. The delegation may at any time be withdrawn or amended in writing by the person who made the delegation.

The Deputy Information Officer need not have any specific qualifications but must have a thorough knowledge of the organisation's functional departments and business processes.

The Deputy Information Officer has the authority to approach all staff members of the organisation and to request all records held by the organisation. Where a manager is of the opinion that access to a record should not be granted to the Deputy Information Officer, reasons for this decision shall be given to the Information Officer who will make a final decision on the matter.

Together with the Information Officer, the Deputy Information Officer is responsible for:

- Publishing and proper communication of the manual i.e. creating manual awareness
- The facilitation of any request for access
- Providing adequate notice and feedback to the requester
- Determining whether to grant a request for access to a complete/full record or only part of a record
- Ensuring that access to a record, where so granted, is provided timeously and in the correct format
- Reviewing the manual for accuracy and communicating any amendments

As the Head of the organisation, I _____ hereby appoint _____

as the Organisation's Deputy Information Officer

Head Signature

Date



Deputy Information Officer Signature

Date

