

PROUD MARY

PAIA MANUAL

**Prepared in terms of section 51 of the
Promotion of Access to Information Act 2 of
2000 as amended (the “Act”)**

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1. LIST OF ACRONYMS AND ABBREVIATIONS

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|-----|--------------------|---|
| 1.1 | “CEO” | Chief Executive Officer |
| 1.2 | “DIO” | Deputy Information Officer; |
| 1.3 | “IO” | Information Officer; |
| 1.4 | “Minister” | Minister of Justice and Correctional Services; |
| 1.5 | “PAIA” | Promotion of Access to Information Act No. 2 of 2000(as Amended; |
| 1.6 | “POPIA” | Protection of Personal Information Act No.4 of 2013; |
| 1.7 | “Regulator” | Information Regulator; and |
| 1.8 | “Republic” | Republic of South Africa |

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2. PURPOSE OF PAIA MANUAL

The Promotion to Access of Information Act (PAIA) enables third parties to approach private bodies and/or government bodies to request information held by them. The private and/or government body is on request by the third party, obliged to release private information unless PAIA specifically prohibits such. This manual serves as a guide to requestors of personal information and the procedural requirements of PAIA.

This PAIA Manual is useful for the public to-

- 2.1 check the categories of records held by a body which are available without a person having to submit a formal PAIA request;
- 2.2 have a sufficient understanding of how to make a request for access to a record of the body, by providing a description of the subjects on which the body holds records and the categories of records held on each subject;
- 2.3 know the description of the records of the body which are available in accordance with any other legislation;

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- 2.4 access all the relevant contact details of the Information Officer and Deputy Information Officer who will assist the public with the records they intend to access;
- 2.5 know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- 2.6 know if the body will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.7 know the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.8 know the recipients or categories of recipients to whom the personal information may be supplied;
- 2.9 know if the body has planned to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied; and
- 2.10 know whether the body has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

3. COMPANY DETAILS

Head of Company/Group: Jacques Gericke.

Physical Address: 24 CRADDOCK STREET,
ROSEBANK,
2196.

Postal Address: PO BOX 3290,
CITY CENTRE,

PROUD MARY

CAPE TOWN,

8000.

E-mail: jacques@colada.co.za

Landline telephone number: 010-023 3316.

Fax number: N/A.

Cell phone number: 076 969 9429.

Information Officer: Jacques Gericke.

Physical Address: 24 CRADDOCK STREET,
ROSEBANK,
2196.

Postal Address: PO BOX 3290,
CITY CENTRE,
CAPE TOWN,
8000.

E-mail: jacques@colada.co.za

Landline telephone number: 010-023 3316.

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Fax number: N/A.
Cell phone number: 076 969 9429.

Deputy Information Officer: Sne Phiri.

Physical Address: 24 CRADDOCK STREET,
ROSEBANK,
2196.

Postal Address: PO BOX 3290,
CITY CENTRE,
CAPE TOWN,
8000.

E-mail: office@proudmary.co.za

Landline telephone number: 010-023 3316.

Fax number: N/A.

Cell phone number: 065 695 4531.

4. THE ACT

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

Requests in terms of the Act shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in paragraphs 6 and 7 of the Act.

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Requestors are referred to the Guide in terms of Section 10 which has been compiled by the South African Human Rights Commission, which will contain information for the purposes of exercising Constitutional Rights. The Guide is available from the SAHRC.

The contact details of the Commission are:

Postal Address: Private Bag 2700, Houghton, 2041

Telephone Number: +27-11-877 3600

Fax Number: +27-11-403 0625

Website: www.sahrc.org.za

5. LEGISLATION APPLICABLE ON THE COMPANY

- Companies Act No. 61 of 1973;
- Employment Equity Act No. 55 of 1998;
- Income Tax Act No. 95 of 1967;
- Value Added Tax Act No. 89 of 1991;
- Labour Relations Act No. 66 of 1995;
- Basic Conditions of Employment Act No. 75 of 1997;
- Electronic Communications and Transactions Act No. 25 of 2002;
- Promotion of Access of Information Act No. 2 of 2000;
- Unemployment Insurance Act No. 30 of 1996.

6. AUTOMATICALLY AVAILABLE RECORDS

The following records are automatically available to all employees:

- Personnel records are available to the employee whose file it is;

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- Records of disciplinary hearings and related matters are available to the employee concerned;
- The company's implemented policies and procedures.

7. NOT AUTOMATICALLY AVAILABLE RECORDS

The following records are not automatically available without a request in terms of the Act:

- All statutory returns regarding:
- VAT;
- Workmen's Compensation;
- UIF;
- Regional Service Levies;
- Skills Development Levies;
- Documents concerning compliance by the company, insofar as it may be necessary, the Occupational Health and Safety Act No. 85 of 1993, and any other applicable environmental legislation.

8. OTHER TYPES OF RECORDS HELD BY THE COMPANY

These records are not automatically available without a request in terms of the Act. A request in terms of this section is subject to section 63(1) of the Act, which provides that the head of a company must refuse a request for access to a record of the company if the disclosure of the record would involve the unreasonable disclosure of personal information about a third party including a deceased individual.

● HUMAN RESOURCES DEPARTMENT

- Personnel information including personal information, employment history and health records that the company may hold from time to time;
- Training and development information;
- General files containing information on employee benefits and employee recruitment and selection information.

● FINANCE/ACCOUNTS DEPARTMENT

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- Financial records;
- A list of company's creditors and debtors;
- Salary information;
- Bank account information;
- Fixed assets register.

9. PROCESSING OF PERSONAL INFORMATION

9.1 Description of the categories of Data Subjects and of the information or categories of information relating thereto

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

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

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Category of personal information	Recipients or Categories of Recipients to whom the personal information may be supplied
Identity number and names, for criminal checks	<i>Inter alia</i> , South African Police Services.
Qualifications, for qualification verifications	<i>Inter alia</i> , South African Qualifications Authority.
Credit and payment history, for credit information	<i>Inter alia</i> , Credit Bureaus.

9.3 Planned trans-border flows of personal information

N/A.

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

- Manually stored personal information will be stored in a locked area inside a locked cabinet with restricted access;
- Electronically stored personal information will be secured by the necessary password security measures, anti-virus, firewalls and restricted access.

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10. PROCESS OF REQUESTING INFORMATION NOT AUTOMATICALLY AVAILABLE

- To facilitate the processing of your request, kindly:
 - Use the prescribed form available at www.sahrc.org.za;
 - Address your request to the Head of the Company;
 - Provide sufficient details to enable the company to identify:
 - The record/s requested;
 - The form of access required;
 - The postal address/ fax number of the requestor in RSA and if the requestor wishes to be informed of the decision in any manner (in addition to written);
 - The right which the requestor is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.

11. PRESCRIBED FEES

- The fees for reproduction of a record as referred to in section 52(3) are as follows:

11.1.1. for every photocopy of an A4 size page or part thereof R1,10;

11.1.2. for every printed copy of an A4-size page or part thereof R0,75;

11.1.3. for a copy of a compact disc R70,00;

11.1.4. for a transcript of visual images for an A4 size page or part thereof R40,00;

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11.1.5. for a copy of visual images R60,00;

11.1.6. for a transcript of an audio record, for an A4-size page or part thereof R20,00;

11.1.7. for a copy of an audio record R30,00;

11.2. The request fee payable by a requestor, other than a personal requestor is R50, 00;

11.3. If the head of the company or if the request liaison officer is of the opinion that six hours will be exceeded to search, reproduce and/or prepare the information requested, a deposit is payable equal to one-third of an amount of R30 for each hour or part thereof, exceeding the six hours.

12. INFORMATION OR RECORDS NOT FOUND

- If all reasonable steps have been taken to find a record, and such a record cannot be found or if the records do not exist, then the head of the company or management shall notify the requestor, by way of an affidavit or affirmation, that it is not possible to give access to the requested record;
- The affidavit or affirmation shall provide a full account of all the steps taken to find the record or to determine the existence thereof, including details of all communications by the head of the company or the request liaison officer with every person who conducted the search;
- The notice shall be regarded as a decision to refuse a request for access to the record concerned for the purposes of the Act;
- If the record in question should later be found, the requestor shall be given access to the record in the manner stipulated by the requestor in the prescribed form unless access is refused by the head of the company or the request liaison officer;
- The attention of the requestor is drawn to the provisions of Chapter 4 of Part 3 of the Act in terms of which the company may refuse, on certain specified grounds, to provide information to a requestor.

13. AVAILABILITY OF THE MANUAL

- a. A copy of the Manual is available-
 - i. On our website;
 - ii. Our head office for public inspection during normal business hours;

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- iii. To any person upon request and upon the payment of a reasonable prescribed fee; and
 - iv. To the Information Regulator upon request.
- b. A fee for a copy of the Manual, as contemplated in annexure B of the Regulations, shall be payable per each A4-size photocopy made.

14. UPDATING OF THE MANUAL

This manual will be updated on a regular basis.

Issued by

(Insert the Name of the information Officer)

(Title of the head of the body. e.g. Chief Executive Officer)