

PROMOTION OF ACCESS TO INFORMATION MANUAL



SILVER LAKES HOMEOWNERS ASSOCIATION NPC

Registration Number: 1992/004661/08

("the Company")

PREPARED IN TERMS OF SECTION 51 OF THE
PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000
AND INCORPORATING THE ADDITIONAL REQUIREMENTS AS STIPULATED BY
THE PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013

TABLE OF CONTENTS

| | |
|---|----|
| 1. INTERPRETATION & DEFINITIONS..... | 4 |
| 2. INTRODUCTION AND BACKGROUND OF THE MANUAL | 6 |
| 3. SCOPE OF APPLICATIONS..... | 6 |
| 4. DESCRIPTION OF GUIDE REFERRED TO IN SECTION 10: SECTION 51(1)(b) OF PAIA..... | 6 |
| 5. PURPOSE FOR THIS MANUAL..... | 7 |
| 6. CATEGORIES OF INFORMATION AVAILABLE WITHOUT REQUEST IN TERMS OF SECTION 51 OF PAIA | 7 |
| 7. RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION: SECTION 51 OF PAIA..... | 8 |
| 8. RECORDS AVAILABLE ON REQUEST TO ACCESS IN TERMS OF PAIA [SECTION 51]..... | 9 |
| 9. RECORDS AVAILABLE WITHOUT A REQUEST TO ACCESS IN TERMS OF PAIA [SECTION 51]..... | 11 |
| 10. PROTECTION OF PERSONAL INFORMATION ACT NO. 4 OF 2013 (POPIA)..... | 11 |
| 11. DETAILS ON HOW TO MAKE REQUESTS FOR ACCESS TO RECORDS HELD BY THE COMPANY: SECTION 51(1)(e) OF PAIA | 12 |
| 12. REFUSAL OF ACCESS TO RECORDS | 12 |
| 13. FEES PAYABLE | 13 |
| 14. REMEDIES AVAILABLE WHEN THE BODY CORPORATE REFUSES A REQUEST FOR INFORMATION..... | 13 |
| 15. REVIEW, MONITORING AND AVAILABILITY OF THIS MANUAL | 14 |

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TABLE OF FORMS

1. Form 1 – Objection to the Processing of Personal Information
2. Form 2 – Request for Correction or Deletion of Personal Information or Destroying or Deletion of Record of Personal Information
3. Form 3 – Application for the Issue of a Code of Conduct
4. Form 4 – Application for the Consent of a Data Subject for the Processing of Personal Information for the Purpose of Direct Marketing
5. Form 5 – Complaint Regarding Interference with the Protection of Personal Information / Determination of an Adjudicator
6. Form 6 – Notice to Parties: Conciliation Meeting Regarding Interference with the Protection of Personal Information
7. Form 7 – Conciliation Certificate
8. Form 8 – Notice to Parties of Intention of Regulator to Investigate a Complaint
9. Form 9 – Notice to Parties: Settlement Meeting Regarding Interference with the Protection of Personal Information
10. Form 10 – Settlement Certificate
11. Form 11 – Request for an Assessment
12. Form 12 – Notification i.t.o Section 89 of the POPI Act
13. Form 13 – Notice to Parties Not To Issue an Enforcement Notice
14. Form 14 – Referral to Enforcement Committee
15. Form 15 – Enforcement Notice
16. Form 16 – Cancellation or Variation of Enforcement Notice
17. Form 17 – Notice of Appeal
18. Form 18 – Substitution or Setting Aside of Enforcement Notice
19. Form 19 – Notice of Dismissal of Appeal

20. Information Officer's Registration Form

21. J749 – Form E
Automatically Available Records and Access to Such Records (Section 52)

22. J751 – Form B
Notice of Internal Appeal

23. J753 – Form D
Automatically Available Records and Access to Such Records (Section 15)

1. **INTERPRETATION & DEFINITIONS**

1.1 In this Manual, unless the context otherwise indicates:

- 1.1.1 the singular shall import and include the plural and *vice versa*; and
- 1.1.2 words indicating one gender shall import and include the other gender; and
- 1.1.3 words indicating natural persons shall import and include artificial persons; and
- 1.1.4 the head notes or clause headings to this Manual are used for the sake of convenience only and shall not govern the interpretation of the clause to which they relate; and
- 1.1.5 the following words and expressions shall, in addition to their respective ordinary meanings, bear the following meanings assigned to each of them respectively:
 - 1.1.5.1 **“Company”** means Silver Lakes Homeowners Association NPC (Reg Number: 1992/004661/08), a non-profit company duly registered and incorporated in accordance with the Company Laws of the Republic of South Africa and having its principal place of business situated at 27 Muirfield Boulevard, Silver Lakes, Pretoria, Gauteng, Republic of South Africa; and
 - 1.1.5.2 **“Conditions for Lawful Processing”** means the conditions for the lawful processing of Personal Information as fully set out in Chapter 3 of POPIA; and
 - 1.1.5.3 **“Constitution”** means the Constitution of the Republic of South Africa, 1996; and
 - 1.1.5.4 **“Data Subject”** has the meaning ascribed thereto in Section 1 of POPIA; and
 - 1.1.5.5 **“Estate”** means Access Erven, Common Property Erven, and other Company Erven [Body Corporate, if applicable], and situated at 27 Muirfield Boulevard, Silver Lakes, Pretoria, Gauteng, Republic of South Africa; and
 - 1.1.5.6 **“Head of the Company”** means the “head” as defined in Section 1 of PAIA; and
 - 1.1.5.7 **“Information Officer”** means Information Officer and Director of the Company so appointed, as referred to in POPIA; and
 - 1.1.5.8 **“Manual”** means this Manual prepared in accordance with Section 51 of PAIA and Regulation 4(1) (d) of the POPIA Regulations and all annexures thereto; and
 - 1.1.5.9 **“Member”** means a registered owner / s of an Erf or as defined in the *Alienation of Land Act No. 68 of 1981* and who is, as a result of such ownership, a member of the Company; and
 - 1.1.5.10 **“PAIA”** means the *Promotion of Access to Information Act No. 2 of 2000*; and
 - 1.1.5.11 **“Personal Information”** has the meaning ascribed thereto in Section 1 of POPIA; and
 - 1.1.5.12 **“Personnel”** refers to any person who works for, or provides services to or on behalf of the Company, and receives or is entitled to receive remuneration and any other person who assists in carrying out or conducting the business of the Company, which includes, without limitation, all directors / all trustees, all permanent, temporary and part-time staff as well as contract workers; and
 - 1.1.5.13 **“POPIA”** means the *Protection of Personal Information Act No. 4 of 2013*; and

- 1.1.5.14 “**POPIA Policy**” means such Policy as adopted by the Company in compliance with the provisions of POPIA, and as amended from time to time; and
- 1.1.5.15 “**POPIA Regulations**” mean the regulations promulgated in terms of Section 112(2) of POPIA; and
- 1.1.5.16 “**Private Body**” has the meaning ascribed thereto in Sections 1 of both PAIA and POPIA; and
- 1.1.5.17 “**Processing**” has the meaning ascribed thereto in Section 1 of POPIA; and
- 1.1.5.18 “**Regulator**” means the Information Regulator established in terms of Section 39 of POPIA; and
- 1.1.5.19 “**Responsible Party**” has the meaning ascribed thereto in Section 1 of POPIA; and
- 1.1.5.20 “**Record**” has the meaning ascribed thereto in Section 1 of PAIA and includes Personal Information; and
- 1.1.5.21 “**Requester**” has the meaning ascribed thereto in Section 1 of PAIA; and
- 1.1.5.22 “**Request for Access**” has the meaning ascribed thereto in Section 1 of PAIA; and
- 1.1.5.23 “**Sensitive Personal data**” – includes the following:
- Racial or ethnic origin;
 - Political opinions;
 - Religious or similar beliefs;
 - Financial Information;
 - Mental or physical health;
 - Family details;
 - Criminal records or allegations of criminal conduct.
- 1.1.5.24 “**SAHRC**” means the South African Human Rights Commission.
- 1.2 Capitalised terms used in this Manual have the meanings ascribed thereto in Section 1 of POPIA and PAIA as the context specifically requires, unless otherwise defined herein; and
- 1.3 Where any other term is defined within the context of any particular clause in this Manual (other than definitions appearing in clause 1), unless it is clear from the clause in question that the term so defined has application to the entire Manual, that defined term shall bear the meaning ascribed to it for the entire main parent clause wherein it is defined (i.e. clause 1 or 2 or 3 etc), including all sub-clauses thereto, and not for the entire Manual; and
- 1.4 When any number of days is prescribed in this Manual, same shall be reckoned exclusively of the first and inclusively of the last day, unless the last day falls on a Saturday, Sunday or public holiday, in which case, the last day shall be the next succeeding day which is not a Saturday, Sunday, or public holiday. The term “business day” shall mean any day other than a Saturday, Sunday or public holiday; and
- 1.5 Annexures to this Manual that do not themselves contain their own definitions expressions defined in this Manual shall bear the same meanings in such annexures; and
- 1.6 The use of the word “including” followed by a specific example/s shall not be construed as limiting the meaning of the general wording preceding it and the *eiusdem generis* (of the same type) rule

shall not be applied in the interpretation of such general wording or such specific example/s; and

- 1.7 This Manual and all matters or disputes arising therefrom or incidental thereto, shall be governed and construed in accordance with the laws of the Republic of South Africa.

2. INTRODUCTION AND BACKGROUND OF THE MANUAL

- 2.1. The Company recognizes that Personal Data Protection as per Section 14 of the Constitution of the Republic of South African Act 1996 is an important piece of legislation to protect the rights of individuals in respect to any Personal Information that is kept about them, whether on computer or in manual filing systems.
- 2.2. This Manual is published in terms of Section 51 of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000 – “the Act”) (“PAIA”). PAIA gives effect to the provisions of Section 32 of the Constitution of South Africa, which provides that “*everyone has the right of access to any information held by another person and that is required for the exercise and/or protection of any right*”. Where a request is made in terms of PAIA, the body to which the request is made is obliged to release the information, except where PAIA expressly provides that the information may or must not be released.

3. SCOPE OF APPLICATIONS

- 3.1. This Manual has been prepared in respect of Silver Lakes Homeowners Association NPC Reg Number: 1992/004661/08.
- 3.2. The Information Officer named below is appointed in respect of the Company as a whole.

INFORMATION REQUIRED UNDER SECTION 51(1)(a) OF PAIA: CONTACT DETAILS

| | |
|-----------------------------------|--|
| Name of Private Body | Silver Lakes Homeowners Association NPC |
| Head of Private Body | The Chairperson of the Board of Directors as elected from time to time |
| Information Officer (IO) | Danelle Somalia Smuts – Steenkamp |
| Email Address of IO | fm@silverlakes.co.za |
| Deputy IO | Nienke Moolman, Michele Rankin, Hendrik Du Plessis, Samarize Grover, Brendan Van Niewenhuizen |
| Email Address of Deputy IO | marketing@silverlakes.co.za ; secretary@silverlakes.co.za ; security@silverlakes.co.za ; samarize@silverlakes.co.za ; golfmanager@silverlakes.co.za |
| Postal Address | PO Box 11106 Silver Lakes 0054 |
| Physical Address | 27 Muirfield Boulevard, Silver Lakes, Pretoria |
| Phone Number | 012 809 0142 |
| Fax Number | |
| Website | www.silverlakes.co.za |

4. DESCRIPTION OF GUIDE REFERRED TO IN SECTION 10: SECTION 51(1)(b) OF PAIA

A guide has been compiled, in terms of Section 10 of the PAIA, by the South African Human Rights Commission (SAHRC). It contains information to assist a person wishing to exercise a right, in terms of the Promotion of Access to Information Act, No. 2 of 2000. This guide that has been prepared in accordance with Section 10 of the PAIA is available for inspection, *inter alia* as follows:

| | |
|---|--|
| The South African Human Rights Commission: | PAIA Unit The Research and Documentation Department |
| Postal address: | Private Bag 2700 |
| Physical address: | Braampark Forum 3 |

| | |
|-------------------|--|
| | 33 Hoofd Street Braamfontein, Johannesburg, Gauteng |
| Telephone: | +27 11 877 3622 / 3600 |
| Fax: | +27 11 403 0668 |
| Website: | www.sahrc.org.za |
| E-mail: | paia@sahrc.org.za |

5. PURPOSE FOR THIS MANUAL

- 5.1. The reference to any information in addition to that specifically required in terms of Section 51 of PAIA does not create any right or entitlement (contractual or otherwise) to receive such requested information.
- 5.2. It is important to note that PAIA recognizes certain limitations to the right of access to Personal Information, including, but not limited to, limitations aimed at the reasonable protection of privacy, commercial confidentiality, and effective and good governance, and in a manner which balances that right with any other rights, including such rights contained in the Bill of Rights in the Constitution. Any request for access to Personal Information may be refused on the grounds as set out in Chapter 4 of Part 3 of PAIA.
- 5.3. PAIA obliges private bodies to compile a Manual ("Manual") which would assist a Requester to obtain access to information held by the Private Body and stipulates the minimum requirements with which the Manual has to comply.
- 5.4. The purpose of the Protection of Personal Information Act No. 4 of 2013 ("POPIA") is to, amongst others, promote the protection of Personal Information of persons that are processed by public and Private Bodies and to protect persons against the unlawful collection, retention, dissemination and use of their Personal Information.
- 5.5. The purpose of this Manual, in accordance with PAIA and POPIA is –
 - 5.5.1. to make available to potential Requesters, information regarding the Records held by the Company; and
 - 5.5.2. to define the manner and form in which a request for Personal Information ("Information Request") must be submitted to the Company; and
 - 5.5.3. to set out the criteria and grounds to be applied by the Company in granting or refusing an Information Request; and
 - 5.5.4. to set out the purpose and the way Personal Information is processed, stored, secured and destroyed by the Company.
- 5.6. The Company also acknowledges that from a regulatory perspective and for the confidence of Members and Residents, the provisions contained in this Manual, read with the provisions of PAIA and POPIA will ensure that Personal Information given to the Company will be treated appropriately.
- 5.7. The aim of this Manual is to ensure that the Company complies with this legislation and the Company understands fully its obligations under the POPIA and PAIA Act.

6. CATEGORIES OF INFORMATION AVAILABLE WITHOUT REQUEST IN TERMS OF SECTION 51 OF PAIA

- 6.1. No notice in terms of Section 52(2) of PAIA, regarding the categories of records of the Company which are available without request has been published.
- 6.2. The information as regarding the Company is accessible at www.Silverlakes.co.za without request. The website contains various categories of information relating to the Company, such as,

details of the estate layout and the contact details.

7. **RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION: SECTION 51 OF PAIA**

Records are kept in accordance with the following legislation, all of which are available, subject to such legislation and the Act:

| | |
|-----|--|
| 1. | Alienation of Land Act No. 68 of 1981 |
| 2. | Arbitration Act No. 42 of 1965 |
| 3. | Basic Conditions of Employment No. 75 of 1997 |
| 4. | Broad – Based Black Economic Empowerment Act No. 71 of 2003 |
| 5. | Companies Act No. 71 of 2008 (as amended) |
| 6. | Compensation for Occupational Injuries and Health Diseases Act No. 130 of 1993 |
| 7. | Consumer Protection Act No. 68 of 2008 |
| 8. | Community Schemes Ombud Service Act No.9 of 2011 |
| 9. | Community Schemes Ombud Service Act Regulations: Levies and Fees |
| 10. | Debt Collectors Act No.114 of 1998 |
| 11. | Electronic Communications Act No. 36 of 2005 |
| 12. | Electronic Communications and Transactions Act No. 25 of 2002 |
| 13. | Employment Equity Act No. 55 of 1998 |
| 14. | Environmental Conservation Act No. 73 of 1989 |
| 15. | Hazardous Substances Act No. 15 of 1973 |
| 16. | Financial Intelligence Act No. 38 of 2001 |
| 17. | Health Act No. 63 of 1977 |
| 18. | Identification Act No. 68 of 1997 |
| 19. | Income Tax Act No. 58 of 1962 |
| 20. | Insolvency Act No. 24 of 1936 |
| 21. | Labour Relations Act No.66 of 1995 |
| 22. | Municipal Systems Act No. 32 of 2000 and other Municipal Acts and Bylaws |
| 23. | National Building Regulations and Building Standards Act No. 103 of 1977 |
| 24. | National Credit Act No. 34 of 2005 |
| 25. | National Environmental Management Act No. 107 of 1998 |
| 26. | National Environmental Management: Air Quality Act No. 39 of 2004 |
| 27. | National Environmental Management: Biodiversity Act No. 10 of 2004 |
| 28. | National Environmental Management: Waste Act No. 59 of 2008 |
| 29. | National Forest Act No. 84 of 1998 |
| 30. | National Road Traffic Act No. 93 of 1996 |
| 31. | National Veld and Forest Fire Act No. 101 of 1998 |
| 32. | National Water Act No. 36 of 1998 |
| 33. | Occupational Health & Safety Act No. 85 of 1993 |
| 34. | Pension Funds Act No. 24 of 1956 |
| 35. | Prescription Act No. 68 of 1969 |
| 36. | Preferential Procurement Policy Framework Act No. 5 of 2000 |
| 37. | Promotion of Access to Information Act No. 2 of 2000 |
| 38. | Promotion of Equality and Prevention of Unfair Discrimination Act No. 4 of 2000 |
| 39. | Protection of Information Act No. 84 of 1982 |
| 40. | Protection of Personal Information Act No. 4 of 2013 |
| 41. | Regional Services Councils Act No. 109 of 1985 |
| 42. | Regulation of Interception of Communications and Provisions of Communications Related Information Act No. 48 of 2008 |
| 43. | Regulation of Interception of Communications and Provisions of Communications Related Information Act No. 70 of 2002 |
| 44. | Road Transportation Act No. 74 of 1977 |
| 45. | Sectional Titles Act No. 95 of 1986 (as amended) |
| 46. | Sectional Titles Schemes Management Act No.8 of 2011 (as amended) |
| 47. | Sectional Titles Schemes Management Regulations |
| 48. | Short Term Insurance Act No. 53 of 1998 |
| 49. | Skill Development Levies Act No. 9 of 1999 |

| | |
|-----|--|
| 50. | Skills Development Act No. 97 of 1998 |
| 51. | Tax Administration Act No. 28 of 2011 |
| 52. | The Communities Scheme Ombudsman Services Act No. 9 of 2011 |
| 53. | The King Report on Corporate Governance in South Africa – King III and King IV |
| 54. | Tobacco Products Control Act No. 83 of 1993 |
| 55. | Unemployment Insurance Act No. 63 of 2001 |
| 56. | Unemployment Insurance Contributions Act No. 4 of 2002 |
| 57. | Value Added Tax Act No. 89 of 1991 |

Although we have used our best endeavours to supply a list of applicable legislation, it is possible that this list may be incomplete. Whenever it comes to our attention that existing or new legislation allows a Requester access on a basis other than as set out in PAIA, we shall update the list accordingly. If a Requester believes that a Right of Access to a record exists in terms of other legislation listed above or any other legislation, the Requester is required to indicate what legislative right the request is based on, to allow the Information Officer the opportunity of considering the request in light thereof.

8. **RECORDS AVAILABLE ON REQUEST TO ACCESS IN TERMS OF PAIA [SECTION 51]**

RECORDS HELD BY THE COMPANY

- 8.1. For the purposes of this clause, “Personnel” refers to any person who works for, or provides services to, or on behalf of the Company, and receives or is entitled to receive remuneration and any other person who assists in carrying out or conducting the business of the Company. This includes, without limitation, directors (executive and non-executive), all permanent, temporary and part-time staff, as well as contract workers.
- 8.2. This clause serves as a reference to the categories of information that the Company holds. The information is classified and grouped according to records relating to the following subjects and categories:-

| RECORD | SUBJECT | AVAILABILITY |
|------------------------------|---|---|
| <u>Public Affairs</u> | <ol style="list-style-type: none"> 1. Annual AGM/SGM - Minutes, Director's Reports/Pack. 2. Communiqués. 3. Company documents. 4. Company Resolutions. 5. Conduct Rules. 6. Architectural Guidelines 7. Newsletters. 8. Service provider contact details. 9. Council Compliance Certificates 10. Any other Company governance documents | All freely available on request at the Management Offices. |
| <u>Financial</u> | <ol style="list-style-type: none"> 1. Annual Audited Financial Statements. 2. Annual Company Budget. 3. Annual Summary Budget Performance statements. 4. Auditors' files. 5. Company's accounting records, bank statements, creditor and debtor accounts. 6. Company Insurance Policy (ies). 7. Levy roll. 8. SARS files. 9. Staff remuneration records and budget | <p><u>Items 1 – 3:</u> Freely available on request at the Management Offices</p> <p><u>Items 4 – 9:</u> Request in terms of PAIA.</p> |

| | | |
|-------------------------------|---|--|
| | details. | |
| <u>Members</u> | <ol style="list-style-type: none"> 1. Biometric access & egress movement details. 2. Biometric registration details. 3. Voice Management System (VMS) 4. House / Building plans. 5. Levy account details. 6. Litigation between owner and the Company details & debt collection. 7. Members' files. 8. Ownership details and votes. 9. Occupational Certificates 10. Personal registration details. 11. Property sales, clearance information and transfer documents. 12. Registration of contractors & domestic workers. 13. Tenant information & personal details. 14. Company utility account details in respect of the Club House and Golf Club 15. Vehicle & motorcycle registration details (if applicable) 16. Information / applications to operate a business from home 17. Rental agreements for Clubhouse and Golf Club | <u>All Items:</u> Request in terms of PAIA |
| <u>Human Resources</u> | <ol style="list-style-type: none"> 1. Appraisal records. 2. Biometric registration records. 3. CCMA & Litigation records. 4. Voice Management System registration records 5. Director's and Board Member's personal details/information. 6. Disciplinary records. 7. Employment Contracts. 8. Addendums to Employment Contracts 9. Employment Equity Plan and reports 10. Employment records. 11. Interview & appointment records. 12. Leave records. 13. Personnel details. 14. Personnel files. 15. Protective clothing records (if applicable) 16. Provident Fund records (if applicable) 17. Training records. 18. Workman's Compensation records. | <u>All Items:</u> Request in terms of PAIA |
| <u>Security</u> | <ol style="list-style-type: none"> 1. Biometrics registration, access & egress details. 2. CCTV footage. 3. Company Registration status. 4. Employment information. 5. Standard Operating Procedures | <u>All Items:</u> Request in terms of PAIA |
| <u>Management</u> | <ol style="list-style-type: none"> 1. Minutes of Directors meetings & Resolutions. 2. Correspondence with Government Departments 3. Developer agreements and contracts | <u>All Items:</u> Request in terms of PAIA |

| | | |
|-----------------------|---|--|
| | <ol style="list-style-type: none"> 4. Health & Safety Registers. 5. Litigation cases between the Company and third parties. 6. Maintenance meetings minutes. 7. Various committee minutes 8. Maintenance schedules and checklists. 9. Official correspondence with Company Auditors, Attorneys and Financial Institutions. 10. Official correspondence with debtors & creditors. 11. Official correspondence with members & residents. 12. Official correspondence with service providers. 13. Occupational Health and Safety (“OSH”) Act File & Reports/findings. 14. Service contracts with service providers. 15. Staff meetings minutes. 16. Utility records including water/electricity usage & readings. | |
| <u>Archive</u> | All archive documents relating to the entire above schedule, excluding the Section – Public Affairs | <u>All Items:</u> Request in terms of PAIA |

8.3. Note that the accessibility of the records may be subject to the grounds of refusal set out in this PAIA Manual. Amongst others, records deemed confidential on the part of a third party, will necessitate permission from the third party concerned, in addition to normal requirements, before the Company will consider access.

9. RECORDS AVAILABLE WITHOUT A REQUEST TO ACCESS IN TERMS OF PAIA [SECTION 51]

9.1. Records of a public nature, typically those disclosed on the Company’s website and in its various annual reports, may be accessed without the need to submit a formal application.

9.2. Other non-confidential records, such as statutory records maintained at CIPC, may also be accessed without the need to submit a formal application, however, please note that an appointment to view such records will still have to be made with the head of company, as set out in POPIA.

10. PROTECTION OF PERSONAL INFORMATION ACT NO. 4 OF 2013 (POPIA)

10.1. The purpose of processing Personal Information, a description of the categories of Data Subjects and of the Personal Information or categories of Personal Information relating thereto, the recipients or categories of recipients to whom the Personal Information may be supplied, the planned transborder flows of Personal Information and a general description allowing a preliminary assessment of the suitability of the Personal Information security measures to be implemented by a responsible party to ensure the confidentiality, integrity and availability of the information which is to be processed, is contained in the POPIA Policy and adopted by the Company prepared in accordance with provisions and guidelines identified as set out in POPIA and PAIA.

10.2. A copy of the Company’s POPIA Policy is attached marked annexure “X”.

11. DETAILS ON HOW TO MAKE REQUESTS FOR ACCESS TO RECORDS HELD BY THE COMPANY: SECTION 51(1)(e) OF PAIA

- 11.1. A request shall be made and submitted to the Information Officer on the prescribed form, a copy of the form is attached marked annexure “Y” (“prescribed form”). The prescribed form is also available from SAHRC website (www.sahrc.org.za) or the Department of Justice and Constitutional Development (www.doj.gov.za).
- 11.2. The prescribed form must be completed with enough particularity to enable the Information Officer to identify:
- A. the Record(s) requested;
 - B. the identity of the Requester;
 - C. indicate which form of access is required, if the request is granted;
 - D. specify the postal address, fax number or email address of the Requester in the Republic of South Africa.
- 11.3. The Requester must state which right he or she is seeking to exercise or protect and provide an explanation of why the requested Record is required for the exercise or protection of such right (Section 53(2)(d) of PAIA).
- 11.4. The Requester will be informed in writing, within 30 (thirty) days of receipt of the Request for Access, whether access has been granted or denied. If, in addition, the Requester requires the reasons for the decision in any manner, he or she must state the manner and the particulars so required (Section 53(2)(a) and (b) and (c) and (e) of PAIA).
- 11.5. If a Request for Access is made on behalf of another person, the prescribed form will still need to be completed and the Requester must submit proof of the capacity in which the Requester is making the Request for Access to the reasonable satisfaction of the Information Officer (Section 53(2)(f) of PAIA).
- 11.6. If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the Request for Access orally.
- 11.7. Should the Information Officer require an extension of time, the Requester shall be informed in the manner stipulated in the prescribed form of the reasons for the extension.
- 11.8. Notwithstanding the foregoing, the Information Officer will advise the Requester in the manner stipulated by the Requester in the prescribed form of –
- A. the access fee to be paid for the Personal Information (in accordance with paragraph 13);
 - B. the format in which access will be given; and
 - C. the fact that the Requester may lodge an appeal with a court of competent jurisdiction against the access fee charged or the format in which access is to be granted.
- 11.9. After access is granted, actual access to the Record requested will be given as soon as reasonably possible.
- 11.10. In the event that the requested Record cannot be found or if the Records do not exist, then the Information Officer shall notify the Requester, by way of an affidavit or affirmation, that it is not possible to give access to the requested Record.

12. REFUSAL OF ACCESS TO RECORDS

- 12.1. If the Request for Access is refused, the Information Officer shall advise the Requester in writing of the refusal. The notice of refusal shall state –
- 12.1.1. adequate reasons for the refusal; and

12.1.2. that the Requester may within 180 (one hundred and eighty) days of being informed of the decision, lodge an appeal with a court of competent jurisdiction against the refusal of the Request (including the period) for lodging such an appeal.

12.2. Upon the refusal of the Information Officer, the deposit paid by the Requester will be refunded.

12.3. If the Information Officer fails to respond within 30 (thirty) days after a Request for Access has been received, it is deemed, in terms of Section 58 read together with section 56(1) of PAIA, that the Information Officer has refused the Request.

13. FEES PAYABLE

13.1. The access fees payable by a Requester referred to in regulation 11(3) of the PAIA Regulations are as follows:

| | |
|---|--------|
| For every photocopy of an A4-size page or part thereof | R1,10 |
| For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form | R0,75 |
| For a copy in a computer-readable form: | |
| For a transcription of visual images, for an A4-size page or part thereof | R40,00 |
| For a copy of visual images | R60,00 |
| For a transcription of an audio record, for an A4-size page or part thereof | R20,00 |
| For a copy of an audio record | R30,00 |
| To search for and prepare the record for disclosure, R30.00 for each hour or part of an hour reasonably required for such search and preparation. | |

13.2. The fees for reproduction of a record, as prescribed by the Minister of Justice in terms of Section 52(3) of PAIA are as follows:

| | |
|--|--------|
| For every photocopy of an A4 size page or part thereof | R1,10 |
| For every printed copy of an A4-size page or part thereof | R0,75 |
| For a copy of a compact disc | R70,00 |
| For a transcript of visual images for an A4 size page or part thereof | R40,00 |
| For a copy of visual images | R60,00 |
| For a transcript of an audio record, for an A4-size page or part thereof | R20,00 |
| For a copy of an audio record | R30,00 |

13.3. The request fee payable by a Requester, other than a personal requester, is R50.00.

13.4. If the Information Officer is of the opinion that 6 (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 R30.00 for each hour or part thereof, exceeding the 6 (six) hours.

14. REMEDIES AVAILABLE WHEN THE COMPANY REFUSES A REQUEST FOR INFORMATION

14.1. Internal Remedies

The Company does not have an internal appeal procedure. As such, the decision made by the Information Officer is final, and the Requester will have to exercise such external remedies at their disposal if the request for Personal Information is refused, or the fees payable, or if the Requester is unhappy with the quality of information provided, or the Requester is not satisfied with the answer supplied by the Information Officer.

14.2. External Remedies

A Requester that is dissatisfied with an Information Officer's refusal to disclose Personal Information, may within 30 (thirty) days of notification of the decision, apply to a relevant Court for relief. Likewise, a Third Party dissatisfied with an Information Officer's decision to grant a request for Personal Information, may within 180 (one hundred and eighty) days of notification of the

decision, apply to a Court for relief. For purposes of PAIA, the Courts that have jurisdiction over these applications are the Constitutional Court, the High Court or another court of similar status.

15. REVIEW, MONITORING AND AVAILABILITY OF THIS MANUAL

15.1. This Manual may be reviewed annually and at such times as the need to consider amendments if deemed necessary and appropriate by legislation. This process must be prompted by the Information Officer. Any changes to this Manual will require the permission of the Director of the Company.

15.2. This Manual is also available for inspection by the general public upon request, during office hours and free of charge at the physical address of the Company or its appointed Managing Agents.

15.3. Copies may also be requested from the SAHRC.

15.4. This Manual is also published on the Company's website referred to above.