



# PAIA MANUAL

This manual was prepared in terms of Section 51 of the Promotion of Access to Information Act, 2000 (as amended)



## PAIA Manual

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### 1. LIST OF ACRONYMS AND ABBREVIATIONS

The following words will bear the following meaning in this manual:

- 1.1. **“CEO”** Chief Executive Officer / Director;
- 1.2. **“Data Subjects”** The person to whom personal information relates;
- 1.3. **“DIO”** Deputy Information Officer;
- 1.4. **“IO”** Information Officer;
- 1.5. **“Minister”** Minister of Justice and Correctional Services;
- 1.6. **“PAIA”** Promotion of Access to Information Act No. 2 of 2000 (as amended);
- 1.7. **“POPIA”** Protection of Personal Information Act No.4 of 2013;
- 1.8. **“Regulator”** Information Regulator;
- 1.9. **“Republic”** Republic of South Africa; and
- 1.10. **“The Company”** Label & Litho (Pty) Ltd

### 2. PURPOSE OF PAIA MANUAL

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;
- 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

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- 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. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF THE COMPANY

- 3.1. Information Officer: Barend Smit
- 3.2. Company Details:
- |                   |  |
|-------------------|--|
| Postal Address:   | PO Box 17049, Pretoria North, 0116       |
| Physical Address: | 389 Asetileen Street, Silverondale, 0184 |
| Telephone:        | 012 333 9925                             |
| Email:            | info@label-litho.co.za                   |
| Website:          | www.label-litho.co.za                    |

### 4. GUIDE ON HOW TO USE PAIA

- 4.1. 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.
- 4.2. The Guide is available in each of the official languages and in braille.
- 4.3. The aforesaid Guide contains the description of:
- 4.3.1. the objects of PAIA and POPIA;
  - 4.3.2. the postal and street address, phone and fax number and, if available, electronic mail address of:
    - 4.3.2.1. the Information Officer of every public body, and
    - 4.3.2.2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA<sup>1</sup> and section 56 of POPIA<sup>2</sup>
  - 4.3.3. the manner and form of a request for:
    - 4.3.3.1. access to a record of a public body contemplated in section 11<sup>3</sup>; and
    - 4.3.3.2. access to a record of a private body contemplated in section 50<sup>4</sup>;
  - 4.3.4. the assistance available from the IO of a public body in terms of PAIA and POPIA;
  - 4.3.5. the assistance available from the Regulator in terms of PAIA and POPIA;
  - 4.3.6. 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:

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<sup>1</sup> Section 17(1) of PAIA- *For the purposes of PAIA, each public body must, subject to legislation governing the employment of personnel of the public body concerned, designate such number of persons as deputy information officers as are necessary to render the public body as accessible as reasonably possible for requesters of its records.*

<sup>2</sup> Section 56(a) of POPIA- *Each public and private body must make provision, in the manner prescribed in section 17 of the Promotion of Access to Information Act, with the necessary changes, for the designation of such a number of persons, if any, as deputy information officers as is necessary to perform the duties and responsibilities as set out in section 55(1) of POPIA.*

<sup>3</sup> Section 11(1) of PAIA- *A requester must be given access to a record of a public body if that requester complies with all the procedural requirements in PAIA relating to a request for access to that record; and access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*

<sup>4</sup> Section 50(1) of PAIA- *A requester must be given access to any record of a private body if-*

- a) *that record is required for the exercise or protection of any rights;*
- b) *that person complies with the procedural requirements in PAIA relating to a request for access to that record; and*
- c) *access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*

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- 4.3.6.1. an internal appeal;
  - 4.3.6.2. a complaint to the Regulator; and
  - 4.3.6.3. 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;
  - 4.3.7. the provisions of sections 14<sup>5</sup> and 51<sup>6</sup> requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
  - 4.3.8. the provisions of sections 15<sup>7</sup> and 52<sup>8</sup> providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
  - 4.3.9. the notices issued in terms of sections 22<sup>9</sup> and 54<sup>10</sup> regarding fees to be paid in relation to requests for access; and
  - 4.3.10. the regulations made in terms of section 92<sup>11</sup>.
- 4.4. The aforesaid Guide contains the description of:  
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.
- 4.5. The Guide can also be obtained:
- 4.5.1. upon request to the Information Officer;
  - 4.5.2. from the website of the Regulator:  
([PAIA Guide - English Upd 5 Sept \(inforegulator.org.za\)](http://PAIA%20Guide%20-%20English%20Upd%205%20Sept%20(inforegulator.org.za)))
- 4.6. A copy of the Guide is also available in the following two official languages, for public inspection during normal office hours:
- 4.6.1. English and Afrikaans

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<sup>5</sup> Section 14(1) of PAIA- The information officer of a public body must, in at least three official languages, make available a manual containing information listed in paragraph 4 above.

<sup>6</sup> Section 51(1) of PAIA- The head of a private body must make available a manual containing the description of the information listed in paragraph 4 above.

<sup>7</sup> Section 15(1) of PAIA- The information officer of a public body, must make available in the prescribed manner a description of the categories of records of the public body that are automatically available without a person having to request access

<sup>8</sup> Section 52(1) of PAIA- The head of a private body may, on a voluntary basis, make available in the prescribed manner a description of the categories of records of the private body that are automatically available without a person having to request access

<sup>9</sup> Section 22(1) of PAIA- The information officer of a public body to whom a request for access is made, must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

<sup>10</sup> Section 54(1) of PAIA- The head of a private body to whom a request for access is made must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

<sup>11</sup> Section 92(1) of PAIA provides that –“The Minister may, by notice in the Gazette, make regulations regarding-

- (a) any matter which is required or permitted by this Act to be prescribed;
- (b) any matter relating to the fees contemplated in sections 22 and 54;
- (c) any notice required by this Act;
- (d) uniform criteria to be applied by the information officer of a public body when deciding which categories of records are to be made available in terms of section 15; and
- (e) any administrative or procedural matter necessary to give effect to the provisions of this Act.”

### **5. CATEGORIES OF RECORDS HELD BY THE COMPANY IN TERMS OF PAIA**

#### **5.1. RECORDS AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS**

The following records are automatically available without having to submit a formal request to access the information in terms of PAIA:

- Information displayed on the Company's website including corporate information and information relating to the Company's team, products and services;
- Public corporate records; and
- Published financial records which are generally available to the public.

#### **5.2. RECORDS AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION**

The Company keeps information/documents in accordance with applicable legislation including but not limited to:

- Companies Act 71 of 2008, as amended
- Income Tax Act 58 of 1962 (Section 75), as amended
- Value-Added Tax Act 89 of 1991 (Section 65), as amended
- Customs and Excise Act 91 of 1964 (Section 101), as amended
- Basic Conditions of Employment Act 75 of 1997 (Section 31), as amended
- Employment Equity Act 55 of 1998 (Section 26), as amended
- Compensation for Occupational Injuries and Diseases Act 130 of 1993 (Section 97), as amended
- Insolvency Act 24 of 1936 (Sections 134 and 155), as amended
- Occupational Health and Safety Act 85 of 1993, as amended
- South African Reserve Bank Act 90 of 1989, as amended
- Labour Relations Act 66 of 1995, as amended
- Skills Development Act 97 of 1998, as amended
- Skills Development Levies Act 9 of 1999, as amended
- Unemployment Insurance Act 63 of 2001, as amended
- Unemployment Insurance Contributions Act 4 of 2002, as amended
- Copyright Act 98 of 1978, as amended
- Trade Marks Act 194 of 1993, as amended
- Consumer Protection Act 68 of 2008, as amended
- Electronic Communications and Transactions Act 25 of 2002, as amended
- Electronic Communications Act 13 of 2000, as amended
- Protection of Personal Information Act 4 of 2013, as amended.

#### **5.3. DESCRIPTION OF THE SUBJECTS AND CATEGORIES ON WHICH THE BODY HOLDS RECORDS**

The documents listed below include information pertaining to the day-to-day management of the business of the Company:

- Strategic Documents, Plans, Proposals
  - Strategic plans
  - Annual reports
  - Company policies
  - Constitutive documentation

- Human Resources
  - HR policies and procedures
  - Employee information
  - Employee contracts, records and reports
  - Employee benefits
  - Equity and skills
- Finance and Insurance
  - Insurance policies
  - Financial reports
  - Statutory records
- Stakeholder Relations
  - Commercial contracts
  - Stakeholder information

Any and all documents/information requested pertaining to this category will only be made available strictly subject to the provisions of PAIA.

## **6. PROCESSING OF PERSONAL INFORMATION**

### **6.1. Purpose of Processing Personal Information**

6.1.1. In order to fulfill our commitments to our clients, service providers, employees, and other stakeholders, the Company may collect, process and store their personal information. In adherence to the principal of minimality as described in POPIA, the Company collect and process only personal information that is relevant and necessary to fulfil our obligations, and to deliver and improve our products and services.

### **6.2. Description of the categories of Data Subjects and of the information or categories of information relating thereto**

6.2.1. Data subjects that the Company may collect personal information from include, but are not limited to:

- Clients / customers
- Service providers / external contractors
- Employees

6.2.2. Personal information that the Company may collect include, but are not limited to:

- Names and surnames, registered names, registration numbers, identification numbers, account information and other unique identifiers;
- Contact numbers, email addresses, physical addresses, and location information;
- Financial records, education, and employment history;
- Information relating to health, race, ethnicity, gender, disability; and
- Biometric information.

### **6.3. The recipients or categories of recipients to whom the personal information may be supplied**

6.3.1. The Company will not share personal information with any third parties, unless obliged to do so, for example:

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- Companies that provide services to us or on our behalf, or enable us to provide services to you, including contractors, debt collectors, lawyers and auditors;
- In accordance with an applicable law or to conform to any other legal or regulatory requirement, for example South African Revenue Service (SARS), and the South African Police Service (SAPS);
- To comply with the requirements of existing or future legal proceedings; and
- To prevent fraud, loss, bribery, or corruption, for example to the credit bureaus or the South African Qualifications Authority.

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

- 6.4.1. The Company has put in place administrative, technical and physical safeguards to protect personal information and prevent loss, damage or unauthorised access to or disclosure of personal information. Some of the security measures implemented in order to ensure the confidentiality, integrity and availability of information includes:
- only information used for legitimate purposes will be acquired and stored;
  - only authorised employees will have access to sensitive information;
  - hard copy information will be stored under lock and key with limited access; and
  - electronic information will be regularly backed up and will be password protected.
- 6.4.2. The security measures in place to protect personal information will be regularly checked and updated in response to new risks or any identified deficiencies.
- 6.4.3. Any information submitted to the Company via email or the internet will be at the data subject's own risks, only once received by the Company will security safeguards apply.

## **7. AVAILABILITY OF THE MANUAL**

- 7.1. A copy of the Manual is available:
- 7.1.1. on the Company's website: [www.label-litho.co.za](http://www.label-litho.co.za);
  - 7.1.2. at the Company's premises for public inspection during normal business hours;
  - 7.1.3. to any person upon request and upon the payment of a reasonable prescribed fee; and
  - 7.1.4. to the Information Regulator upon request.
- 7.2. 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.

## **8. UPDATING OF THE MANUAL**

- 8.1. This manual will be updated as necessary in accordance with changing legislation or circumstances.

*Signature omitted for security reasons, signed copy available on request.*