

INFORMATION ARCHITECTURE CONSULTANCY & TRAINING CC
IACT-AFRICA
MANUAL PREPARED IN TERMS OF SECTION 51 OF
THE PROMOTION OF ACCESS TO INFORMATION ACT (ACT 2 OF 2000)

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1 INFORMATION REQUIRED UNDER SECTION 51(1) (a) OF THE ACT

Designated Head of IACT-Africa: John Cato

Postal Address of IACT-Africa: PO Box 6716, Weltevreden Park, 1705

Street Address of IACT-Africa: 108 7th Avenue, Northcliff Ext 22, Johannesburg, 2195

Tel. No of IACT-Africa: 010 500 1038

Fax. No of IACT-Africa: 010 500 1194

E- Mail address of IACT-Africa: johnc@iact-africa.com

2 DESCRIPTION OF GUIDE REFERRED TO IN SECTION 10

A Guide has been compiled in terms of Section 10 of PAIA by the South African Human Rights Commission (SAHRC and as amended by the Information Regulator South Africa. It contains information required by a person wishing to exercise any right, contemplated by PAIA. It is available in all of the official languages.

The Guide is available for inspection, *inter alia*, at the office of the offices of the Information Regulator South Africa, *inter alia*, at JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001:

Postal Address: P.O Box 31533, Braamfontein, Johannesburg, 2017
Tel Number: 010 023 5200
Email: PAIACompliance@inforegulator.org.za

3 RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION

Records available in terms of other legislation are as follows:

- Basic Conditions of Employment Act 75 of 1997 : Sections 29(4), 30 and 31;
- Companies Act 71 of 2008;
- Compensation for Occupational Injuries and Diseases Act 130 of 1993 :
- Consumer Protection Act 68 of 2008
- Employment Equity Act 55 of 1998 : Section 26;
- Income Tax Act 58 of 1962 : Section 75;
- Occupational Health and Safety Act 85 of 1993 and Occupational Health and Safety Regulations;
- Pension Funds Act 24 of 1956 : Sections 5(2), 15 and 35;
- Protection of Personal Information Act of 2013;
- Promotion of Access to Information Act of 2000;
- Skills Development Levies Act 9 of 1999 : Section 13;
- The records that are required in terms of section 134 of the Insolvency Act 24 of 1936.
- Unemployment Insurance Act 63 of 2001 : Sections 42 and 56;
- Labour Relations Act 66 of 1995 : Section 89;
- Value Added Tax Act No 89 of 1991

4 RECORDS AUTOMATICALLY AVAILABLE

No notice has been submitted by the practice to the Minister of Justice and Constitutional Development regarding the categories of records, which are available without a person having to request access in terms of Section 52(2) of PAIA. However, the information on the website of the business is automatically available without having to request access in terms of PAIA.

5 SUBJECTS AND CATEGORIES OF RECORDS HELD BY IACT-AFRICA

General information about IACT-Africa can be accessed via the internet on [3](#) , which is available to all persons who have access to the internet.

The subjects on which the private body holds records and the categories on each subject in terms of Section 51(1)(e) are as listed below. Please note that a requester is not automatically allowed access to these records and that access to them may be refused in accordance with Sections 62 to 69 of the Act:

1. COMPANIES ACT RECORDS

- All trust deeds;
- Documents of Incorporation;
- Index of names of members of Close Corporation;
- Memorandum of Incorporation;

- Minutes of meeting of the Board of Directors;
- Minutes of meetings of Shareholders;
- Proxy forms
- Register of debenture-holders;
- Register of directors' shareholdings;
- Research and development;
- Share certificates; and
- Share Register and other statutory registers and/or records and/or documents;
- Special resolutions/Resolutions passed at General and Class meetings.

Records relating to the appointment of:

- Auditors;
- Directors;
- Prescribed Officer.
- Public Officer; and
- Secretary;

2. FINANCIAL RECORDS

- Accounting Records
- Annual Financial Reports;
- Annual Financial Statements
- Asset Registers;
- Bank Statements
- Banking details and bank accounts;
- Banking Records
- Debtors / Creditors statements and invoices;
- General ledgers and subsidiary ledgers;
- General reconciliation;
- Invoices;
- Paid Cheques
- Policies and procedures;
- Rental Agreements; and
- Tax Returns.

3. INCOME TAX RECORDS

- PAYE Records
- Documents issued to employees for income tax purposes
- Records of payments made to SARS on behalf of employees
- All other statutory compliances:
 - VAT
 - Regional Services Levies
 - Skills Development Levies
 - UIF
 - Workmen's Compensation

4. PERSONNEL DOCUMENTS AND RECORDS

- Accident books and records;
- Address Lists;
- Disciplinary Code and Records;
- Employee benefits arrangements rules and records;
- Employment Contracts;
- Employment Equity Plan
- Forms and Applications;
- Grievance Procedures;
- Leave Records;
- Medical Aid Records;
- Payroll reports/ Wage register;
- Pension Fund Records;
- Safety, Health and Environmental records;
- Salary Records;
- SETA records
- Standard letters and notices
- Training Manuals;
- Training Records;
- Workplace and Union agreements and records.

5. PROCUREMENT DEPARTMENT

- Standard Terms and Conditions for supply of services and products;
- Contractor, client and supplier agreements;
- Lists of suppliers, products, services and distribution; and
- Policies and Procedures.

6. SALES DEPARTMENT

- Customer details
- Credit application information
- Information and records provided by a third party

7. MARKETING DEPARTMENT

- Advertising and promotional material

8. Risk Management and Audit

- Audit reports;
- Risk management frameworks; and
- Risk management plans.

9. SAFETY, HEALTH AND ENVIRONMENT

- Complete Safety, Health and Environment Risk Assessment
- Environmental Managements Plans
- Inquiries, inspections, examinations by environmental authorities

10. IT DEPARTMENT

- Computer / mobile device usage policy documentation;
- Disaster recovery plans;
- Hardware asset registers;
- Information security policies/standards/procedures;
- Information technology systems and user manuals
- Information usage policy documentation;
- Project implementation plans;
- Software licensing; and
- System documentation and manuals.

6 PURPOSE OF PROCESSING OF PERSONAL INFORMATION

- To support the administration of customers
- To support the administration of contractors
- To support the administration of suppliers
- To support the administration of staff
- To support engagement with suppliers
- To support engagement with the general public
- To support engagement with investors and the media

7 DATA SUBJECTS CATEGORIES AND THEIR PERSONAL INFORMATION

Customers: record of customers life cycle

Suppliers: record of supplier life cycle

Employees: record of employee life cycle

General public: tracking general enquiries and web site visits

Investors: records as maintained by the Company Secretary

Media: records of media interactions

8 PLANNED RECIPIENTS OF PERSONAL INFORMATION

Statutory authorities

Law enforcement

Tax authorities

Financial institutions

Employee pension and provident funds

Industry bodies

9 PLANNED TRANS-BORDER FLOWS OF PERSONAL INFORMATION

Flows to service providers/operators

Flows to customers

Flows to suppliers

Flows through the use of social media

10 SECURITY MEASURES TO PROTECT PERSONAL INFORMATION

Physical security measures
Information security measures
Training in information security
Policies in information security

11 DETAIL ON HOW TO MAKE A REQUEST FOR ACCESS

11.1 PAIA FORM 02: REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY

In terms of Section 53 (1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) [Regulation (7), Form 02 should be used to request access to a record held by a Public or Private body in terms of PAIA. Form 02 can be downloaded from the Information Regulator website under Documents/Forms. It can also be downloaded using the link below.

Form 02: Request for Access to Record:

<https://infoeregulator.org.za/paia-forms/>

Please note: Do not use Form 02 for personal information requests (Data Subject Requests). The appropriate form for these requests is described in point 14.2 below.

11.2 POPIA FORM 2: REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION OR DESTROYING OR DELETION OF RECORD OF PERSONAL INFORMATION IN TERMS OF SECTION 24 (1) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)

In terms of the Protection of Personal Information Act of 2013, Section 24 and the Regulations relating to the Protection of Personal information, 2017, [Regulation 3(2)] Form 2 should be used to raise requests for the correction or deletion of personal information, or destroying or deletion of record of personal information. Form 2 is available on the Information Regulator website under Documents/Forms. It can be downloaded using the link below:

Form 2: Request for Correction or Deletion of Personal Information or Destroying or Deletion of Record of Personal Information

<https://infoeregulator.org.za/popia-forms/>

IACT-Africa has the right to reject any request for information submitted in terms of Sections 62 to 70 of Chapter 4 of the PAIA Act.

12 AVAILABILITY OF THE MANUAL

This manual is available for inspection at the office of IACT-Africa or on the company website free of charge.

Publication date of this manual: 30th October 2023

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13 FEES IN RESPECT OF PRIVATE BODIES

The following is a breakdown of the fees structure for the purposes of determining the manner in which fees relating to a request for access to a record of a private body are to be calculated:

Part III of Regulation 187 published in the Government Gazette on the 15 February 2002:

1. The fee for a copy of the manual as contemplated in regulation 9(2)(c) is R1,10 for every photocopy of an A4-size page or part thereof.
2. The fees for reproduction referred to in regulation 11(1) are as follows:
 - a. (a) For every photocopy of an A4-size page or part thereof R1,10
 - b. (b) 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
 - c. (c) For a copy in a computer-readable form on - (i) stiffy disc R 7,50; (ii) compact disc R 70,00
 - d. (d) (i) For a transcription of visual images, for an A4-size page or part thereof R 40,00, (ii) For a copy of visual images R 60,00
 - e. (e) (i) For a transcription of an audio record, for an A4-size page or part thereof R 20,00; (ii) For a copy of an audio record R 30,00
3. The request fee payable by a requester, other than a personal requester, referred to in Regulation 11(2) is R50,00.
4. The access fees payable by a requester referred to in Regulation 11(3) are as follows:
 1.
 - a) For every photocopy of an A4-size page or part thereof R 1,10;
 - b) For every printed copy of an A4-size page or part; thereof held on a computer or in electronic or machine-readable form R 0,75;
 - c) For a copy in a computer-readable form on - (i) stiffy disc R 7,50; (ii) compact disc R 70,00
 - d) (i) For a transcription of visual images, for an A4-size page or part thereof R 40,00; (ii) For a copy of visual images R 60,00
 - e) (i) For a transcription of an audio record, for an A4-size page or part thereof R 20,00; (ii) For a copy of an audio record R 30,00
 - f) 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.
 2. For purposes of section 54(2) of the Act, the following applies:
 - (a) Six hours as the hours to be exceeded before a deposit is payable; and
 - (b) one third of the access fee is payable as a deposit by the requester.
 3. The actual postage is payable when a copy of a record must be posted to a requester.

A. Fees

*(a) A request for access to a record, other than a record containing personal information about yourself, will be processed only after a **request fee** has been paid.*

(b) You will be notified of the amount required to be paid as the request fee.

*(c) 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.*

(d) If you qualify for exemption of the payment of any fee, please state the reason for exemption.

Reason for exemption from payment of fees: _____
