

**PAIA MANUAL**

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| **Policy Title:** | PAIA Manual | **Effective Date:** | 1 July 2021 |
| **Version No:** | 1 | **Revision Date:** |  |
| **Version approved by:** | Gerhard Stols | **Applicable to:** | All |
| **Purpose:** | To comply with The Protection of Personal Information (POPI) Act 4 of 2013 and the Promotion of Access to Information Act, 2 of 2000 |

The following sets forth the procedures and applicable rules and legislation pertaining to Amax SA’s (the “Company’s”) policy regarding requests for information.

1. **INTRODUCTION:**

This Manual has been prepared in accordance with section 51 of the Act and aims to facilitate a Request for access to a Record held by a private body that is required for the exercise or protection of any rights.

1. **DEFINITIONS:**
	1. Interpretation:
		1. Unless a contrary intention clearly appears, words signifying:-
			1. the singular includes the plural and vice versa;
			2. any one gender includes the other genders and vice versa; and
			3. natural persons include juristic persons.
		2. Unless otherwise stated, terms defined in the Act shall have the same meaning in this Manual.
	2. Definitions:
		1. Act means the Promotion of Access to Information Act, Act 2 of 2000, as amended from time to time.
		2. Company means Amax SA and its affiliated Group of Companies as more fully described in the overview hereunder.
		3. Information Officer means the person acting on behalf of the Company and discharging the duties and responsibilities assigned to the head of the Company by the Act. The Information Officer is duly authorised to act as such and such authorisation has been confirmed by the “head” of the Company in writing.
		4. Manual means this manual published in compliance with Section 51 of the Act.
		5. “Record” means any recorded information, regardless of form or medium, which is in the Possession or under the control of the Company, irrespective of whether or not it was created by the Company.
		6. “Request” means a request for access to a Record of the Company.
		7. “Requestor” means any person, including a public body or an official thereof, making a Request for access to a Record of the Company and includes any person acting on behalf of that person.
		8. “SAHRC” means the South African Human Rights Commission.
2. **OVERVIEW OF THE COMPANY:**
	1. Herman Stols Rekenmeesters (Pty) Ltd t/a Amax SA is a Company incorporated in accordance with the company laws of South Africa.
	2. The Company was founded by Jan Herman Matthys Stols and conducts business as an accounting and financial services firm. Registered at SAIPA as a Professional Accountant Member no: 15715.
3. **THE INFORMATION OFFICER**
	1. The Chief Executive of the Company, as head of the private body, has delegated his powers to the manager, as Information Officer, whose details appear hereunder for purposes of dealing with all matters in connection with Requests for information on the Company’s behalf and to ensure compliance with the Act.
	2. Information Officer: Kim Jordaan
	3. Postal address: P.O. Box 16949, Pretoria North, 0116
	4. E-mail address: kim@amaxsa.co.za
	5. Website: amaxsa.co.za
4. **GUIDE TO ACT**
	1. The SAHRC has compiled a guide, as required by Section 10 of the Act, containing such information as may reasonably be required by a person who wishes to exercise any right contemplated in this Act.
	2. The guide is available on the SAHRC website, https://www.sahrc.org.za/.
	3. The SAHRC can be contacted directly at: The South African Human Rights Commission: PAIA Unit
	4. The SAHRC website at https://www.sahrc.org.za/ at this link: http://www.sahrc.org.za/home/21/files/Form%20C.doc
	5. The Department of Justice and Constitutional Development website at www.justice.gov.za at this link: <https://www.justice.gov.za/forms/paia/J752_paia_Form%20C.pdf>
5. **AUTOMATIC DISCLOSURE - CATEGORIES OF RECORDS AVAILABLE WITHOUT HAVING TO REQUEST ACCESS**
	1. The following Records are automatically available without a person having to request access in terms of the Act:
		1. The webpage (https://amax.services/) is accessible to anyone who has access to the Internet. The Company website hosts the following categories of information:
			1. Brands
			2. Company information
			3. Corporate Information
			4. Corporate Profile
			5. Product and promotional brochures/pamphlets
			6. News and marketing information
		2. The Facebook page is accessible to anyone who has access to the Internet. The Facebook page hosts the following categories of information:
			1. Brands
			2. Company information
			3. Corporate Information
			4. Corporate Profile
			5. Career Opportunities
			6. Product and promotional brochures/pamphlets
			7. News and marketing information
			8. Corporate communications
			9. Other literature intended for public viewing
6. **RECORDS AVAILABLE IN TERMS OF LEGISLATION**
	1. Records are kept in accordance with the following legislation:
		1. Basic Conditions of Employment Act, 1997
		2. Companies Act, 2008
		3. Consumer Protection Act, 2008
		4. Compensation for Occupational Injuries and Diseases Act, 1993
		5. Deeds Registries Act, 1937
		6. Electronic Communications and Transactions Act, 2002
		7. Income Tax Act, 1962
		8. Labour Relations Act, 1995
		9. Long Term Insurance Act, 1998
		10. Medical Schemes Act, 1956
		11. Occupational Health and Safety Act, 1993
		12. Short Term Insurance Act, 1998
		13. Skills Development Act, 1998
		14. Skills Development Levies Act, 1999
		15. Trademarks Act, 1993
		16. Unemployment Insurance Act, 2001
		17. Value Added Tax Act, 1991
		18. Public Accountants and Auditors Act, 1991
7. **CATEGORIES OF RECORDS HELD AND SUBJECT TO REQUEST**

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| **Records** | **Subject** | **Availability** |
| Public Affairs | Media ReleasesCareer opportunities | Freely available on website and facebook pageFreely available on website and facebook page |
| Financial | Financial statementsFinancial and tax recordsAsset registerManagement accountsVAT returns | Not availableNot availableNot availableNot availableNot available |
| Human Resources | HR Policies & ProceduresEmployee recordsBenefitsDisciplinary and grievance procedures and hearings, including CCMA RecordsIncentive scheme rules | Request in terms of PAIANot availableNot availableNot availableNot available |
| Insurance | PoliciesClaim records | Request in terms of PAIARequest in terms of PAIA |
| Information Technology | HardwareSoftwareLicencesPolicies and ProceduresOperating Systems | Request in terms of PAIARequest in terms of PAIARequest in terms of PAIARequest in terms of PAIARequest in terms of PAIA |
| Company documents | Company registersCIPC documentsShare certificates | Not availableRequest in terms of PAIANot available |
| Assets | Land and building registerFixed assets registerTitle deesLeases | Not availableNot availableNot availableNot available |
| Record of our clients | Accounting recordsFinancial recordsLegal recordsInsurance recordsRelated recordsCIPC recordsCommunications with client | Not availableNot availableNot availableNot availableNot availableRequest in terms of PAIARequest in terms of PAIA |
| Contracts | Internal contractsContracts with external companies | Not availableRequest in terms of PAIA |

1. **ACCESS: PROCEDURE AND FEES**
	1. How to Request a Record:
		1. Requests for access to Records must be made to the Information Officer in the prescribed form, Form 2 at the address, or electronic mail address referred to above. Failure to make use of the prescribed form could result in your Request being refused or delayed.
		2. A Request for access to a Record must be accompanied by payment of an initial non- refundable Request fee of R57.00 (inclusive of VAT). This fee is not applicable to personal Requests, i.e. individual seeking access to Records pertaining him/herself.
		3. The Requestor must provide sufficient detail on the Request form to enable the Information Officer to clearly identify the Record as well as the Requestor’s identify, which is to be accompanied by positive proof of identification.
		4. The Requestor must indicate which form of access is required and if he/she wishes to be informed on the decision on the Request in any other manner, to state the necessary particulars to be so informed.
		5. Access is not automatic. The Requestor must therefore identify the right he/she is seeking to exercise or protect and provide an explanation as to why the requested Record is required for the exercise or protection of that right.
		6. If a Request is made on behalf of a person, the Requestor must then submit proof, to the satisfaction of the Information Officer, of his/her authority to make the Request. Failure to do so will result in the Request being rejected.
	2. Decision on Request:
		1. The Requestor will be notified, within 30 days, in the manner indicated by him/her of the outcome of his/her Request, alternatively whether an extension not exceeding 30 days is required to deal with the Request.
		2. If the Request for access is granted a further access fee must be paid for the reproduction as well as the search and preparation of the Records and for any time that has exceeded the prescribed hours to search and prepare the Record for disclosure. Access will be withheld until the Requestor has made payment of the applicable fee(s).
		3. In the event that the Request for access is refused, reasons for the refusal will be provided and the Requestor will be advised that he/she may lodge an application with a court against the refusal of the Request, as well as the procedure for lodging the application.
		4. The Requestor may lodge an internal appeal or an application to court against the tender or payment of the Request fee.
	3. Availability:
		1. This Manual is available at 262 Jack Hindon Street, Pretoria North during office hours.
		2. Alternatively, this Manual may be requested from the Information Officer via e-mail.
	4. Fees:
		1. The fees payable in respect of access to Records are set out in Form 3.

FORM 2

REQUEST FOR ACCESS TO RECORD

[Regulation 7]

**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

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*(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.

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| **PERSONAL INFORMATION** |
| Full Names |  |
| Identity Number |  |
| Capacity in which request is made *(when made on behalf of another person)* |  |
| Postal Address |  |
| Street Address |  |
| E-mail Address |  |
| Contact Numbers | Tel. (B): |  | Facsimile: |  |
| Cellular: |  |
| Full names of person on whose behalf request is made *(if applicable):* |  |
| Identity Number |  |
| Postal Address |  |
| Street Address |  |
| E-mail Address |  |
| Contact Numbers | Tel. (B) |  | Facsimile |  |
| Cellular |  |
| **PARTICULARS OF RECORD REQUESTED***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.)* |
| Description of record or relevant part of the record: |  |
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| Reference number, if available |  |
| Any further particulars of record |  |
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| **TYPE OF RECORD***(Mark the applicable box with an "****X****")* |
| Record is in written or printed form |  |
| Record comprises virtual images *(this includes photographs, slides, video recordings, computer-generated images, sketches, etc.)* |  |
| 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 |  |

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| **FORM OF ACCESS***(Mark the applicable box with an "****X****")* |
| Printed copy of record *(including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)* |  |
| Written or printed transcription of virtual images *(this includes photographs, slides, video recordings, computer-generated images, sketches, etc.)* |  |
| Transcription of soundtrack *(written or printed document)* |  |
| Copy of record on flash drive *(including virtual images and soundtracks)* |  |
| Copy of record on compact disc drive *(including virtual images and soundtracks)* |  |
| Copy of record saved on cloud storage server |  |

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| **MANNER OF ACCESS***(Mark the applicable box with an "****X****")* |
| Personal inspection of record at registered address of public/private body *(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)* |  |
| Postal services to postal address |  |
| Postal services to street address |  |
| Courier service to street address |  |
| Facsimile of information in written or printed format *(including transcriptions)* |  |
| E-mail of information *(including soundtracks if possible)* |  |
| Cloud share/file transfer |  |
| Preferred language*(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)* |  |

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| **PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED***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.* |
| Indicate which right is to be exercised or protected |  |
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| --- | --- |
| Explain why the record requested is required for the exercise or protection of the aforementioned right: |  |
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| **FEES** |
| 1. *A request fee must be paid before the request will be considered.*
2. *You will be notified of the amount of the access fee to be paid.*
3. *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.*
4. *If you qualify for exemption of the payment of any fee, please state the reason for exemption*
 |
| 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*****(Please specify)*** |
|  |  |  |

Signed at this day of 20

# Signature of Requester / person on whose behalf request is made

***FOR OFFICIAL USE***

|  |  |
| --- | --- |
| *Reference number:* |  |
| *Request received by:**(State Rank, Name And Surname of Information Officer)* |  |
| *Date received:* |  |
| *Access fees:* |  |
| *Deposit (if any):* |  |

# Signature of Information Officer

FORM 3:

OUTCOME OF REQUEST AND FEES PAYABLE

[Regulation 8]

Note:

1. If your request is granted the –
2. Amount of the deposit, (if any), is payable before your request is processed; and
3. Requested record/ portion of the record will only be released once proof of full payment is received.
4. Please use the reference number hereunder in all future correspondence.

Reference number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

TO: The Information Officer

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 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Your request dated \_\_\_\_\_\_\_\_\_\_\_, refers.

# You requested:

|  |  |
| --- | --- |
| Personal inspection of information at registered address of public/private body *(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)* 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. |  |

**OR**

# You requested:

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

1. **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 *(including transcriptions)* |  |
| E-mail of information *(including soundtracks if possible)* |  |
| Cloud share/file transfer |  |
| Preferred language:*(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)* |  |

Kindly take note that your request has been:

Approved

Denied, for the following reasons:

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# Fees payable with regards to your request:

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| --- | --- | --- | --- |
| **Description** | **Amount** | **Number of pages/items** | **Total** |
| The request fee payable by every requester |  R 140.00 |  |  |
| Photocopy/ printed black & white copy of A4- size page |  R2.00 per page or part thereof |  |  |
| Printed copy of A4- size page | R2.00 per page or part thereof |  |  |
| For a copy in a computer-readable form on:1. Flash drive
	* To be provided by requestor
2. Compact disc
	* If provided by requestor
	* If provided to the requestor
 | R40.00 |  |  |
| R40.00 |
| R60.00 |
| For a transcription of visual images per A4-size page | Service to be outsourced. Will |  |  |
|  | depend on the quotation of the |
| Copy of visual images |  |  |
|  | service provider |
| Transcription of an audio record, per A4-size | R24.00 |  |  |
| Copy of an audio record |  |  |  |
| (i) Flash drive |  |
| * To be provided by requestor
 | R40.00 |
| (ii) Compact disc |  |
| * If provided by requestor
 | R40.00 |
| * If provided to the requestor
 | R60. 00 |
|  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.Not to exceed a total cost of  | R145.00R435.00 |  |  |
| Deposit: If search exceeds 6 hours | One third of the amount per request calculated in terms of item 2 to 8. |  |  |
| Postage, e-mail, or any other electronic transfer | Actual expense, if any. |  |  |
| **TOTAL:** |  |

1. **Deposit payable (if search exceeds six hours):**

Yes No

|  |  |  |  |
| --- | --- | --- | --- |
| Hours of search |  | Amount of deposit*(calculated on one third of total amount per request)* |  |

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 No.: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Submit proof of payment to: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signed at this day of 20

**Information officer**