



MANUAL

As prescribed by the provisions of

THE PROMOTION OF ACCESS TO INFORMATION ACT
Act 2 of 2000 (“PAIA”)
Private Body **PAIA Manual**

Business Name (“the Private Body”)	Savvy Civils and Plumbing (Pty) Ltd
Registration/ ID Number	2018/39715/07



INTRODUCTION

This manual extends to the information held by the above business, hereinafter referred to as "The Private Body". The Private Body is a registered business as indicated above with registration number or identity number as reflected above.

This manual is intended to foster a culture of transparency and accountability, by giving effect to the right to information that is required for the exercise or protection of any right and to actively promote a society in which the people of South Africa have effective access to information to enable them to exercise and protect their rights more fully.

In order to promote effective governance of private bodies, it is necessary to ensure that everyone is empowered and educated to understand their rights in terms of PAIA in order for them to exercise their rights in relation to public and private bodies.

Section 9 of PAIA however recognises that such a right to access to information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to:

- Limitations aimed at the reasonable protection of privacy, commercial confidentiality; and effective, efficient, and good governance; and
- In a manner which balances that right and any other rights, including such rights contained in the Bill of Rights in the Constitution.

This manual is available for inspection free of charge as the physical address of The Private Body, or on our website, if applicable, as recorded below.

PURPOSE OF PAIA

This manual is compiled in accordance with Section 51 of PAIA. It is intended to provide:

- A description of the records held by The Private Body.
- Stipulate the ground for refusal of access to any records.
- Outline the procedure to be followed and the fees payable when requesting access.



1. Particulars of the Private Body

Name	Savvy Civils and Plumbing (Pty) Ltd
Registration Number	2018/397154/07
VAT number (if applicable)	
Head	Armand Dawie Matthysen
E-mail address	accounts@savvyplumbing.co.za
Street Address	11 Bartlett Road, Beyers Park, Boksburg, Gauteng, 1459
Postal Address	PO Box 12032, Elspark, Elspark, Gauteng, 1459
Website Address	https://savvyplumbing.co.za/
Telephone number	087 806 6262
Fax (If Applicable)	N/A

2. Official PAIA Guide

A Private Body is required in terms of PAIA to compile a guide in any official language, containing information as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA, in a manner that is easily comprehensible to any such person. Any queries concerning the guide should be referred to The Private Body or the Information Regulator (website <http://www.justice.gov.za/inforeg/>) appointed in terms of POPI (the Protection of Personal Information Act, 2013).

3. Applicable Legislation

All records that are legally required to be kept by The Private Body in terms of any applicable legislation, including the following legislation, are available subject to PAIA:

- Companies Act.
- Personal information or Professions Act.
- The Labour Relations Act.
- Employment Equity Act.
- Basic Conditions of Employment Act.
- Compensation of Occupational Injuries and Diseases Act.
- Unemployment Insurance Act.
- Any other legislation relevant to the business concerned.



RECORDS OF THE PRIVATE BODY

Section 50 of PAIA stipulates that:

A requester must be given access to any record of a private body if:

- That record is required for the exercise or protection of any right.
- That person complies with the procedural requirements in PAIA relating to a request for access to that record.
- Access to that record is not refused in terms of any grounds for refusal contemplated in Chapter 4 of PAIA.

The accessibility of the documents may be subject to grounds for refusal as set out in **Item 7** of this manual.

4. Access to Records Held by The Private Body

Records held by The Private Body may be accessed by requests only once the prerequisite requirements for access have been met. A requester is any person making a request for access to a record of The Private Body.

There are two types of requesters:

4.1. Personal Requester

A personal requester is a requester who is seeking access to a record containing personal information about the requester. The Private Body will voluntarily provide the requested information or give access to any record with regard to the requester's personal information.

4.2. Other Requester

This requester (other than a personal requester) is entitled to request access to information on third parties. However, The Private Body, is not obligated to voluntarily grant access. The requester must fulfil the procedural requirements for access in terms of PAIA, including the payment of a request and access fee.



5. Request Procedure

A requester requiring access to information held by The Private Body must complete the prescribed Form C, a copy of which is attached hereto and marked Annexure A. The form is also available from the website of the Department of Justice at www.doj.gov.za.

The applicable fee will be advised upon request.

The prescribed form:

Must be completed comprehensively to at least enable the Information Officer to identify:

- The record or records requested.
- The identity number of the requester.
- The form of access required if the request is granted.
- The postal address or fax number of the requester.

The requester must also

- State that he/she requires the information in order to exercise or protect a right.
- Clearly state the nature of the right to be exercised or protected. In addition, the requester must clearly specify why the record is necessary to exercise or protect such a right.

The Private Body will process the request within 30 days, unless the requester has stated special reasons which would satisfy the Information Officer that circumstances dictating that the above time periods are not complied with.

The requester will be informed in writing whether access has been granted or denied. If, in addition, the requester requires the reasons for the decision in any other manner, he must state the manner and the particulars so required.

If a request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of the Information Officer.

If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally.

The requester must pay the prescribed fee before any further processing can take place.



6. Records are broadly classified and grouped according to the following subjects and categories:

6.1. Staff Records

- Personal records provided by staff.
- Records provided by a third party relating to staff.
- Condition of employment and other staff-related contractual and quasi-legal records.
- Internal evaluation records and other internal records.
- Correspondence relating to staff; and
- Training and schedules and material.

“Staff” refers to any person who works for or provides services to or on behalf of The Private Body and that receives or is entitled to receive remuneration and any other person who assists in carrying or conducting the business of The Private Body and includes, without limitation, the directors, owners, all permanent, temporary, and part-time staff as well as contract workers.

6.2. Client/Dependant/Customer Related Personal Records

- Records provided by a client, dependant, or customer to The Private Body.
- Records provided by a client, dependant, or customer to a third party acting for or on behalf of The Private Body.
- Records provided to a third party.
- Records generated by or within The Private Body relating to clients/dependants or customers.

The term customer refers to any natural or juristic entity that receives services from the Business and includes a client/dependant.

7. Business Records

These records include, but are not limited to, the records which pertain to The Private Body's own affairs:

- Financial records and Operational records.
- Information and Technology policies and procedures.
- Marketing and Communication records.
- Administrative records.
- Statutory records.
- Internal Policies and Procedures; and
- Human Resources Records.



Other Party Records

- The Private Body may possess records pertaining to other parties including but not limited to contractors, suppliers and service providers and such other parties may possess records that can be said to belong to The Private Body:
- Personnel, member, dependant, customer, or private body records which are held by another party, as opposed to the records held by The Private Body itself.
- Records held by The Private Body, pertaining to other parties, including without limitation, financial records, correspondence, contractual records, records provided by the other party, and records third parties have provided about contractors/suppliers.

Access to personal information.

If the Information Officer is of the opinion when dealing with access to personal information or other records, or if the request has been made on behalf of the person to whom the record relates (“relevant person”) that the disclosure of the record to the relevant person might cause serious harm to his or her physical or mental health or well-being, the Information Officer may, before giving access consult the relevant person.

If the relevant person is –

- Under the age of 16 years, a person having parental responsibilities for the relevant person must make the nomination; or
- Incapable of managing his or her affairs, a person appointed by the court to manage those affairs must make that nomination.

If, after being given access to the record concerned the Information Officer is of the opinion that the disclosure of the record to the relevant person would be likely to cause serious harm to his or her physical or mental personal information or, or well-being, the Information Officer may only give access to the record if the requester proves that adequate provision is made for such counselling or arrangements as are reasonably practicable before during or after the disclosure of the record to limit, alleviate or avoid such harm to the relevant person. Before access to the record is given to the requester, the person responsible for such counselling or arrangements must be given access to the record.



8. Grounds for refusal to access records.

The Private Body may refuse a request for information. The basis on which The Private Body may refuse a request has been detailed below:

8.1 **Mandatory protection of privacy of third party who is a natural person.**

A request for access to a record may be refused if its disclosure would involve the unreasonable disclosure of personal information about a third party, including a deceased individual.

8.2 **Mandatory protection of commercial information of a third party**

A request for access to a record may be refused if the record contains-

- Trade secrets of a third party.
- Financial, commercial, scientific, or technical information, other than trade secrets, of a third party, the disclosure of which would be likely to cause harm to the commercial or financial interests of that third party; or
- Information supplied in confidence by a third party, the disclosure of which could reasonably be expected to –
 - Put that third party at a disadvantage in contractual or other negotiations;
 - or
 - Prejudice that third party in commercial competition.

8.3 **Mandatory protection of certain confidential information of a third party**

A request for access to a record may be refused if its disclosure would constitute an action for breach of a duty of confidence owed to a third party in terms of an agreement or applicable legislation.

8.4 **Mandatory protection of safety of individuals and protection of property**

A request for access to a record may be refused if –

- Its disclosure could reasonably be expected to endanger the life or physical safety of an individual, or
- If its disclosure would be likely to prejudice or impair –
The security of:
 - A building, structure, or system, including but not limited to, a computer or communication system.



- A means of transport, or
- Any other property, or

- Methods, systems, plans or procedures for the protection of –
 - An individual in accordance with a witness protection scheme.
 - The safety of the public, or any part of the public; or
 - The security of property.

8.5 Mandatory protection of records privileged from production in legal proceedings.

A request for access to a record may be refused if the record is privileged from production in legal proceedings unless the person entitled to the privilege has waived the privilege.

8.6 Commercial information of private body

A request for access to a record may be refused if the record –

- Contains trade secrets of the private body.
- Contains financial, commercial, scientific, or technical information, other than trade secrets, of the private body, the disclosure of which would be likely to cause harm to the commercial or financial interests of the body.
- Contains information, the disclosure of which could reasonably be expected to put the private body at a disadvantage in contractual or other negotiations, or to prejudice the body in commercial competition; or
- Is a computer program, as defined in section 1(1) of the Copyright Act 98 of 1978 as amended, owned by the private body, except insofar as it is required to give access to a record to which access is granted in terms of this Act?

8.7 Mandatory protection of research information of third party and protection of research information of private body.

8.8 Requests for information that are clearly frivolous or vexatious or which involve an unreasonable diversion of resources shall be refused.



9. Information or records not found.

- If a requested record cannot be found or the records do not exist, the Private Body manager/ head or a requested person must by way of an affidavit or an affirmation, notify the requester that it is not possible to give access to the requested record.
- The affidavit or affirmation will provide an explanation of the steps taken to find the record.
- This notice will be regarded as a decision to refuse a request for access to the record concerned for the purposes of PAIA.
- If the record is found at a later stage, the requester must be given access to the record in the manner stipulated by the requester in the prescribed form unless access is refused by the Private Body manager/head or the requested person.

The attention of the requester is drawn to the provisions of Chapter 4 of PAIA in terms of which The Private Body may refuse, on certain grounds, to provide information to the requester.

10. Decision

The Private Body will within 30 days of receipt of the request, decide whether to grant or decline the request and give notice with reasons (if required) to that effect.

The 30-day period with which The Private Body has to decide whether to grant or refuse the request, may be extended for a further period if the request is for a large volume of information, or the request requires a search for information and the information cannot reasonably be obtained within the original 30-day period. The Information Officer will notify the requester in writing should an extension be required.

11. Remedies available when The Private Body refused a request for information.

The decision made by the Information Officer is final. Requesters who are dissatisfied with a decision of the Information Officer will have to exercise external remedies at their disposal.

A requester or a third party who is dissatisfied with an Information Officer's refusal to disclose information or the disclosed information may within 30 days of notification of the decision apply to the Constitutional Court, the High Court, or another Court of similar status for relief.



12. Fees

- 12.1 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.
- 12.2 You will be notified of the amount required to be paid as the request fee.
- 12.3 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 prepared a record.
- 12.4 If you qualify for exemption of the payment of any fee, please state the reason for exemption.

13. The details regarding the processing of personal information as envisaged in POPI (the Protection of Personal Information Act, 2013) are as follows:

Purpose of processing	To provide the services offered by The Private Body to its clients/ customers and their dependents, as well as comply with legislative and regulatory requirements imposed on the Private Body.
Categories of data subjects	Clients/ customers and their dependents, services providers, employees, and contractors.
Categories of information	Names, identity numbers, address, contact details, physical and mental personal information or biometrics, wellbeing, disability, language, gender, employment, banking, pregnancy, marital status, and correspondence.
Recipients of information	Third Parties such as SAPS, Service providers and the Sectoral Bodies.
Trans-border information flow	No personal information will be exported from the Republic of South Africa.
Information security measures implemented	Premises and data access controls are in place. Regular data backup and offsite data storage are in place. Latest anti-virus software and system monitoring software are used. UPS systems and air-condition systems in server rooms are used. Policies are in place pertaining to disaster procedures, computer and network usage, online access, internet access, passwords, and document management.
Personal Information	Policies are in place pertaining to the protection of and managing personal information in The Private Body.



14. Information Automatically Available

The following categories of records are automatically available for inspection, purchase, or photocopying, and can be requested from the Information Officer.

- Newsletters.
- Pamphlets/Brochures.
- Advertising material.