

PAIA MANUAL

***Prepared in terms of section 51
of the
Promotion of Access to Information Act 2 of 2000
(as amended)***

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TABLE OF CONTENTS

1.	LIST OF ACRONYMS AND ABBREVIATIONS	3
2.	PURPOSE OF PAIA MANUAL	3
3.	KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF SWISS STEEL SOUTH AFRICA (PTY) LTD	4
4.	GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE	5
5.	CATEGORIES OF RECORDS OF SWISS STEEL SOUTH AFRICA (PTY) LTD WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS	8
6.	DESCRIPTION OF THE RECORDS OF SWISS STEEL SOUTH AFRICA (PTY) LTD WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION	8
7.	DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY SWISS STEEL SOUTH AFRICA (PTY) LTD	8
8.	PROCESSING OF PERSONAL INFORMATION	9
9.	AVAILABILITY OF THE MANUAL	11
10.	UPDATING OF THE MANUAL	11

1. LIST OF ACRONYMS AND ABBREVIATIONS

1.1	“DIO”	Deputy Information Officer
1.2	“IO“	Information Officer
1.3	“MD”	Managing Director
1.4	“Minister”	Minister of Justice and Correctional Services
1.5	“PAIA”	Promotion of Access to Information Act No. 2 of 2000 (as amended)
1.6	“PAYE”	Pay as you earn tax
1.7	“POPIA”	Protection of Personal Information Act No.4 of 2013
1.8	“Regulator”	Information Regulator
1.9	“Republic”	Republic of South Africa
1.10	“SETA”	Sector Education and Training Authority
1.11	“UIF”	Unemployment Insurance Fund
1.12	“VAT”	Value added tax

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;
- 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
- 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 SWISS STEEL SOUTH AFRICA (PTY) LTD

3.1. Chief Information Officer

Name: Mohamed Imran Kajee
Tel: +27 (0) 116263370
Email: mohamedimran.kajee@swisssteelgroup.com
Fax number: +27 (0) 11 6262191

Deputy Information Officer

Name: Tracy Singh
Tel: +27 (0) 116263370
Email: tracy.singh@swisssteelgroup.com
Fax Number: +27 (0) 11 6262191

Deputy Information Officer

Name: Ronel Jansen Van Rensburg
Tel: +27 (0) 116263370
Email: roneljansen.vanrensburg@swisssteelgroup.com
Fax Number: +27 (0) 11 6262191

3.3 Access to information general contacts

Email: mohamedimran.kajee@swisssteelgroup.com

3.4 Head Office

Postal Address: Postnet Suite 308, Private Bag X19, Gardenview, 2047

Physical Address: 36 Crucible Road, Heriotdale, 2094

Telephone: +27 (0) 116263370

Email: mohamedimran.kajee@swisssteelgroup.com

Website: www.swisssteel-group.com

4. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

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 PAIA¹ and section 56 of POPIA²;

¹ 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.*

² 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.*

- 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 11³; and
 - 4.3.3.2. access to a record of a private body contemplated in section 50⁴;
- 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-
 - 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 14⁵ and 51⁶ requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;

³ 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.

⁴ 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.

⁵ 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.

⁶ 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.

- 4.3.8. the provisions of sections 15⁷ and 52⁸ 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 22⁹ and 54¹⁰ regarding fees to be paid in relation to requests for access; and
- 4.3.10. the regulations made in terms of section 92¹¹.
- 4.4. 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 (<https://info regulator.org.za/paia-guidelines/>).
- 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

⁷ 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

⁸ 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

⁹ 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.

¹⁰ 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.

¹¹ 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 OF SWISS STEEL SOUTH AFRICA (PTY) LTD WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

Category of records	Types of the Record
Product information	Information relating to our products and services
Public facing policies and notices	Privacy Policy, Cookie Policy, Terms and Conditions of Sale, Code of Conduct, Copyright notice

6. DESCRIPTION OF THE RECORDS OF SWISS STEEL SOUTH AFRICA (PTY) LTD WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION

Category of Records	Applicable Legislation
Company Registration	<ul style="list-style-type: none"> • Documents of Incorporation • Memorandum and Articles of Association • Records relating to the appointment of directors/ auditor/ secretary/public officer and other officers • Share Register and other statutory registers • Companies Act 71 of 2008
Access to Information	<ul style="list-style-type: none"> • Promotion of Access to Information Act 2 of 2000 • PAIA Manual

7. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY SWISS STEEL SOUTH AFRICA (PTY) LTD

Subjects on which the body holds records	Categories of records
Finance Financial Records	<ul style="list-style-type: none"> • Annual Financial Statements • Tax Returns • Accounting Records • Banking Records • Bank Statements • Paid Cheques • Electronic banking records • Asset Register • Rental Agreements • Invoices
Finance	<ul style="list-style-type: none"> • PAYE Records

Subjects on which the body holds records	Categories of records
Income Tax Records	<ul style="list-style-type: none"> • Documents issued to employees for income tax purposes • Records of payments made to SARS on behalf of employees • All other statutory compliances: <ul style="list-style-type: none"> ○ VAT ○ Regional Services Levies ○ Skills Development Levies ○ UIF • Workmen's Compensation
HR Personnel Records	<ul style="list-style-type: none"> • Employment contracts • Employment Equity Plan • Medical Aid records • Pension Fund records • Disciplinary records • Salary records • SETA records • Disciplinary code • Leave records • Training records • Training Manuals
Inter-company Agreements	<ul style="list-style-type: none"> • Sales Partnership Agreements with parent companies • Management Services Agreements • IT Services Agreements

8. PROCESSING OF PERSONAL INFORMATION

8.1 Purpose of Processing Personal Information

- To fulfill a contract with the data subject or to take steps at the request of the data subject prior to entering into a contract.
- To comply with legal obligation to which the personal information controller is subject.
- To obtain consent for one or more specific purposes.
- To pursue a legitimate interest of the operator or a third party.
- To meet other conditions.
- To collect, receive, record, organize, combine, store, update, modify, retrieve, alter, consult, use, transfer, distribute, make available, merge, link, restrict, degrade, erase or destroy the information.

8.2 Description of the categories of Data Subjects and of the information or categories of information relating thereto includes but is not limited to those set out in our Privacy Policy, which is available at: <https://www.swisssteel-international.co.za/privacy-policy>

8.3 The recipients or categories of recipients to whom the personal information may be supplied includes but is not limited to those set out in our Privacy Policy, which is available at: <https://www.swisssteel-international.co.za/privacy-policy> and

Category of personal information	Recipients or Categories of Recipients to whom the personal information may be supplied
Identity number and names, for criminal checks	South African Police Services, LexisNexis Risk Management (Pty) Ltd,
Qualifications, for qualification verifications	South African Qualifications Authority, LexisNexis Risk Management (Pty) Ltd,
Credit and payment history, for credit information	Credit Bureaus

8.4 Planned transborder flows of personal information includes but is not limited to those set out in our Privacy Policy, which is available at <https://www.swisssteel-international.co.za/privacy-policy> as well as

Country data is stored in	Categories of personal information
Germany	Name, Surname, Date of Birth, Gender, Contract start date, Contract type, Branch location

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

We implement technical and organisational measures to ensure a level of security appropriate to the risk to the personal information we process. These measures are aimed at ensuring the integrity, confidentiality, and availability of personal information.

9. AVAILABILITY OF THE MANUAL

9.1 A copy of the Manual is available-

9.1.1 at head office of Swiss Steel South Africa (Pty) Ltd for public inspection during normal business hours;

9.1.2 to any person upon request and upon the payment of a reasonable prescribed fee; and

9.1.3 to the Information Regulator upon request.

9.2 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.

10. UPDATING OF THE MANUAL

We will update this processing notice from time to time. Any changes will be posted on this page with an updated revision date.

Issued by

Mohamed Imran Kajee