



AfricaRAS: PROTECTION OF ACCESS TO INFORMATION ACT (PAIA) MANUAL

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Policy Owner	CEO
Approval:	Patricia
Information Officer	Jerome

For general enquiries
info@africaras.com

Visit us on
www.africaras.com

Fax No.

+27 (0)86 525 1732

Gauteng

Unit 8 Stanford Office
Park, 12 Bauhinia
Street Highveld
Technopark Centurion,
0169

Tel No.

+27 (0)12 880 1935

North-West

214 Beyers
Naude
Rustenburg
South Africa
0299

Tel No.

+27 (0)14 523 3704

Mpumalanga

11 Van Der Merwe
Street
Nelspruit
Mpumalanga

Tel No.

+27 (0)13 754 7842



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POLICY STATEMENT

- The scope of the manual is limited to the records held by AfricaRAS Rise and Shine Incorporated, Africa Rising Advisory Services (Pty)Ltd and AfricaRAS Advisory (Pty)Ltd (hereafter all referred to as AfricaRAS) which are entities under common control.
- AfricaRAS’s employees, contractors, suppliers, and any other persons acting on behalf of the AfricaRAS are required to familiarise themselves with the manual’s requirements and undertake to comply with the stated processes and procedures.
- These manual forms part of AfricaRAS’ internal business processes and procedures.

1. FOREWORD

Manual of AfricaRAS Group of the following companies:

- a) **AfricaRAS Rise and Shine Incorporated**
Registration Number : 2013/068 978/21
- b) **Africa Rising Advisory Services (Pty) Ltd**
Registration Number : 2016/315 970/07
- c) **AfricaRAS Advisory (Pty) Ltd**
Registration Number : 2016/417 318/07

The Manual is prepared in accordance with Section 51 of the Promotion of Access to Information Act. No. 2 of 2000 and the provisions of the Protection of Personal Information Act No. 4 of 2013.

Nature of business:

We provide sustainable solutions aimed at enhancing good corporate governance, sustainable financial management practices and effective people development in both the public and private sectors of the economy. AfricaRAS specialises in the provision of, assurance (incl. external audit), business services advisory, audit quality assurance, transformation advisory (Incl. BBBEE consulting), IT audits, data analytics, project assurance, governance review, compliance review, performance information review, financial management consulting and people development (incl. training). The partners of the AfricaRAS are all Chartered Accountants (SA) and Registered Accountants and Auditors and are registered with the Independent Regulatory Board for Auditors (IRBA).

AVAILABILITY OF THE MANUAL

A copy of this manual is available to the public for inspection on the Company's website at www.africaras.com or on request from the designated contact person referred to in this manual.

2. DEFINITIONS

- a) **PAIA** means the Promotion of Access to Information Act 2 of 2000.
- b) **POPIA** means the Protection of Personal Information Act 4 of 2013.
- c) **Information Regulator** means the Regulator as established in terms of Section 39 of POPIA.
Person means a natural person or a juristic person.
- d) **Private body** means:
- a natural person who carries or has carried on any trade, business, or profession, but only in such capacity;
 - a partnership which carries or has carried on any trade, business, or profession; or
 - any former or existing juristic person but excludes a public body.
- e) **Public body** means:
- any department of state or administration in the national or provincial sphere of government or any municipality in the local sphere of government; or
 - any other functionary or institution when:
 - ✓ exercising a power or performing a duty in terms of the Constitution or a provincial constitution; or
 - ✓ exercising a public power or performing a public function in terms of any legislation.
- f) **Head**, in relation to the AfricaRAS means the Chief Executive Officer (CEO) or equivalent officer of the juristic person or any person duly authorised by that officer.
- g) **Information Officer** means the responsible person for ensuring the AfricaRAS' compliance with POPIA. The Information Officer must be registered with the South African Information Regulator established under POPIA prior to performing his duties.
- h) **Requester** in relation to the AfricaRAS means any person, including, but not limited to a public body or an official thereof, making a request for access to a record of AfricaRAS or a person acting on behalf of such a person.
- i) **Personal Requester** means a requester seeking access to a record containing Personal Information about the requester.
- j) **Personal Information** is any information that can be used to reveal a person's identity. Personal Information relates to an identifiable, living, natural person, and where applicable, an identifiable, existing juristic person (such as a company), including, but not limited to information concerning:
- race, gender, sex, pregnancy, marital status, national or ethnic origin, colour, sexual orientation, age, physical or mental health, disability, religion, conscience, belief, culture, language, and birth of a person;

information relating to the education or the medical, financial, criminal or employment.

- history of the person;
 - any identifying number, symbol, email address, physical address, telephone number, location information, online identifier, or other assignment to the person;
 - the biometric information of the person;
 - the personal opinions, views, or preferences of the person;
 - correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
 - the views or opinions of another individual about the person;
 - the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person.
- k) **Request for access** means a request for access to a record of AfricaRAS in terms of section 50 of PAIA.
- l) **Record** means any recorded information regardless of the form or medium, in the possession or under the control of AfricaRAS irrespective of whether it was created by AfricaRAS.
- m) **Data Subject** means the person to whom personal information relates.
- n) **Third Party** in relation to a request for access to a record held by AfricaRAS, means any person other than the requester.
- o) **Processing** means any activity or any set of operations, whether by automatic means, concerning personal information, including
- the collection, receipt, recording, firm, collation, storage, updating or modification, retrieval, alteration, consultation, or use;
 - dissemination by means of transmission, distribution or making available in any other form; or
 - merging, linking, as well as restriction, degradation, erasure, or destruction of information.

3. PURPOSE OF A PAIA MANUAL

On 9 March 2001, the Promotion of Access to Information Act, no 2 of 2000 became operative, giving effect to the section 32(2) Constitutional right of access to information.

One of the main requirements specified in PAIA is the compilation of an information manual that

provides information on both types and categories of records held by a private body.

This document serves as the AfricaRAS information manual and provides reference to the records held by AfricaRAS and the process to request access to such records.

The purpose of PAIA is to:

- foster a culture of transparency and accountability in public and private bodies by giving effect to the right of access to information; 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 all their Constitutional rights more fully.

AfricaRAS recognises everyone's right of access to information and is committed to provide access to AfricaRAS' records where the proper procedural requirements as set out by PAIA and POPIA have been met. In addition, this document serves as the manual which explains how to access, object to processing, or request correction of personal information held by the company, in terms of the PAIA.

4. CONTACT DETAILS

Address: 12 Bauhinia Street, Unit 8 Stanford Office Park, Highveld Technopark, Centurion
Phone number +27(0)12 880 1935
Fax +27(0)86 525 1732

Chief Executive Officer/Information Officer:

Full name and surname: Patricia Stock

Email address: patricias@africaras.com

5. ANNEXURES AND FORMS

AfricaRAS's PAIA manual is compiled in accordance with section 51 of the Act and contains the following Annexures and Forms:

Annexure A: Section 10 PAIA Guide	Description of the guide referred to in Section 10 of PAIA and how you may obtain access to it.
Annexure B: Statutory Records	A description of the various laws of South Africa in terms of which AfricaRAS is required to maintain records.
Annexure C: Availability of Records	A list of records held by AfricaRAS.
Annexure D: Request Procedure	Procedure required to obtain access to a record.
Annexure E: Prescribed Fees	Fees that are payable to AfricaRAS prior to processing a request to obtain access to a record held by AfricaRAS.

6. DUTIES OF THE INFORMATION OFFICER

The Information Officer of AfricaRAS is responsible for:

- Publishing and proper communication of the manual i.e., creating policy awareness;
- The facilitation of any request for access to information;
- Providing adequate notice and feedback to the requester of the information;
- Determining whether to grant a request for access to a complete/full record or only part of a record;
- Ensuring that access to a record, where so granted, is provided timeously and in the correct format; and
- Reviewing the policy for accuracy and communicating any amendments.

Right of Access

The Information Officer may only provide access to any record held by AfricaRAS to a requester if:

- The record is required for the exercise or protection of any right; and
- The requester complies with the procedural requirements relating to a request for access to that record; and
- Access to that record is not refused in terms of any of the grounds for refusal as listed in section 8 below

7. STEPS TO REQUEST INFORMATION

COMPLETION OF ACCESS REQUEST FORM

To facilitate a timely response to requests for access, all requesters should take note of the following when completing the Access Request Form:

- ✓ The Access Request Form must be completed. Proof of identity is required to authenticate the identity of the requester.
- ✓ In addition to the access form, requestors will be required to supply a copy of their identification document.
- ✓ Complete the form in block letters and answer every question.
- ✓ If a question does not apply state N/A in response to that question
- ✓ If there is nothing to disclose in reply to a particular question state "nil" in response to that question.
- ✓ If there is insufficient space on a printed form, additional information may be provided on an attached folio.
- ✓ When the use of an attached folio is required, precede each answer with the applicable title.

SUBMISSION OF ACCESS REQUEST FORM

- ✓ Complete Access Request Form together with a copy of the identity document must be submitted either via post, e-mail or fax and must be addressed to the contact person as indicated above.
- ✓ This fee is not applicable to personal requesters (Natural persons) referring to any person seeking to access records that contain their personal information.
- ✓ An initial, request fee of R57.00 (including VAT) is payable on submission.
- ✓ Once the request has been processed, the Information Officer will inform you of the outcome of your request and any additional fees that may fall due.

PAYMENT OF FEES

- ✓ Payment details can be obtained from the contact person as indicated above and can be made either via a direct deposit, by bank.
- ✓ If the request for access is successful an access fee may be required for the search, reproduction and/or preparation of the record(s) and will be calculated based on the Prescribed Fees as reflected in Annexure E.

NOTIFICATION

AfricaRAS 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 within which AfricaRAS must decide whether to grant or refuse the request may be extended for a further period of not more than 30 days, if the request is for a large volume of information, or the request requires a search for the information held at another office of AfricaRAS and the information cannot reasonably be obtained within the original 30-day period. AfricaRAS will notify the requester in writing should an extension be sought.

The Information Officer will notify the requester that a request for access has been received and that the prescribed fee (if any) is payable prior to processing the request. Please refer to Annexure E for a full breakdown of fees payable. Personal requesters (Natural persons) will not be charged a request fee.

Please be advised that PAIA provides a few grounds on which a request for access to information must be refused.

8. GROUNDS FOR REFUSAL OF ACCESS TO RECORDS

The Information Officer must assess whether there are any grounds for refusing a request for access. Where any grounds for refusal are found, a request for access will not be granted.

However, despite finding any grounds for refusal, access to the record(s) will be provided where:

- the disclosure of the record would reveal evidence of a substantial contravention of, or failure to comply with any legislation; or
- the disclosure of the record would reveal imminent and serious public or environmental risk, and
- the public interest in disclosing record, will clearly outweigh the harm contemplated in the provision in question,

Where there are no grounds for refusal, request for access will be granted.

If a request for access is made with regards to a record containing information that would justify a ground for refusal, every part of the record which does not contain and can reasonably be severed from any part that contains, any such information must, despite any other provision of PAIA, also be disclosed to a requester.

The grounds for refusal are set out below:

- Mandatory protection of the privacy of a Third Party who is a natural/juristic person, who would involve the unreasonable disclosure of personal information of that natural/juristic person.
- Mandatory protection of the commercial information of a third party, if the record contains:

- Trade secrets of that party;
- Financial, commercial, scientific, or technical information which disclosure could likely cause harm to the financial or commercial interests of that party;
- Information disclosed in confidence by a third party to AfricaRAS if the disclosure could put that third party to a disadvantage in negotiations or commercial competition;
- Mandatory protection of confidential information of third parties if it is protected in terms of any agreement;
- Mandatory protection of the safety of individuals and the protection of property;
- Mandatory protection of records which could be regarded as privileged in legal proceedings;
- The commercial activities of AfricaRAS which may include:
 - Trade secrets of AfricaRAS;
 - Financial, commercial, scientific, or technical information which disclosure could likely cause harm to the financial or commercial interests of AfricaRAS.

When completing the form below please:

- indicate the identity of the person seeking access to the information;
- provide sufficient particulars of the requested information to enable the Information Officer to identify the information requested;
- specify the format in which the information is required;
- indicate the contact details of the person requiring the information;
- indicate the right to be exercised and/or to be protected, and specify the reasons why the information required will enable the person to protect and/or exercise the right;
- where the person requesting the information wishes to be informed of the decision of the request in a particular manner, state the manner and particulars to be so informed;
- if the request for information is made on behalf of another person, submit proof that the person submitting the request, has obtained the necessary consent to do so.

9. TRANSBORDER FLOWS OF PERSONAL INFORMATION

Where it is necessary, for the purposes of processing, to transfer personal information outside of South Africa, we will only do so in accordance with the provisions of POPIA.

We anticipate that personal information may be transferred outside of South Africa for purposes of cloud storage, and where we do so, we will ensure that the necessary safeguards are in place to protect personal information.

10. SECURITY OF PERSONAL INFORMATION

The company takes appropriate and reasonable technical and organisational measures to protect personal information which it processes, to prevent:

- a) The loss of, damage to, or unauthorised destruction of personal information;
- b) The unlawful access to or processing of personal information.

ANNEXURE A: SECTION 10 PAIA GUIDE

PAIA grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights.

Where a public body lodges a request, the public body must be acting in the public interest.

Requests in terms of PAIA shall be made in accordance with the prescribed procedures and at the rates provided.

Requesters are referred to the guide in terms of section 10 of the Act which has been compiled by the South African Human Rights Commission. The guide contains information for the purposes of exercising Constitutional rights.

The guide is available in all South African official languages free of charge and any person may request a copy of the guide.

A copy of the guide may be obtained by contacting the South African Human Rights Commission at:

Postal Address: The South African Human Rights Commission, PAIA Unit, Private Bag 2700, Houghton, 2041

Telephone Number: (011) 484 8300

Fax Number: (011) 484 0582

Email: PAIA@sahrc.org.za

Website: www.sahrc.org.za

ANNEXURE B: STATUTORY RECORDS

Administration of Estates Amendment Act 54 of 1970
Auditing Professions Amendment Act 5 of 2021
Basic Conditions of Employment Act 5 of 2018
Broad Based Black Economic Empowerment Act 46 of 2013
Companies Amendment Act 3 of 2011
Compensation of Occupational Injuries & Diseases Act 130 of 1993
Constitution of South Africa 15 of 2005
Consumer Protection Act 68 of 2008
Copyright Act 39 of 1986
Customs and Excise Amendment Act 13 of 2019
Electronic Communications and Transactions Act 37 of 2005
Employment Equity Amendment Act 47 of 2013
Financial Advisory & Intermediary Services Act 37 of 2002
Financial Institutions (Protection of Funds) Amendment Act 95 of 1978
Financial Intelligence Centre Act 1 of 2017
Income Tax Act 23 of 1922
Labour Relations Act 6 of 2014
Long-term Insurance Act 52 of 1998
Municipal Finance Management Act 56 of 2003
National Credit Act 19 of 2014
Occupational Health and Safety Act 85 of 1993
Promotion of Access to Information Amendment Act 31 of 2019
Patents Act 11 of 2007
Pension Funds Amendment Act 11 of 2007
Prevention of Organised Crime Act 121 of 1998
Prevention and combatting of Corrupt Activities Act 7 of 2013
Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000
Public Audit Amendment Act 5 of 2018
Public Finance Management Act 29 of 1999
Short-term Insurance Act 53 of 1998
Skills Development Levies Amendment Act 24 of 2010
South African Reserve Bank Act 90 of 1989
Trademarks Act 194 of 1993
Value Added Tax Act 89 of 1991

ANNEXURE C: AVAILABILITY, CATEGORIES AND PROCESSING OF RECORDS

AfricaRAS maintains the following categories of records and related subject matters which are retained for the minimum period as required by law and industry norms specific to nature of the purpose of processing, unless formal consent is obtained from data subjects instructing client has furnished their consent or instructed us to retain the records for a longer period.

The relevant data subject category to who the record relates to, purpose of processing thereof and third-party recipient are set out below:

Category:	Type of Personal Information/Records	Purpose of processing	RECIPIENTS OF PERSONAL INFORMATION (Incl. 3 rd PARTIES)
Human Resources	Employment Applications: Name, Curriculum Vitae/Resume, application information, criminal checks, background checks, qualification records, psychometric testing results.	Recruitment and employment purposes, including background checks, reference checks, criminal record checks, Home Affairs checks and qualification checks. To give effect to the employment contract.	3 rd party service providers or operators who provide software or systems (Incl. cloud storage) to process the personal information. To clients, government/legal organisations/agencies, or professional bodies where we are required to disclose under a legal obligation.
	Employment Contracts	To pay salaries.	
	Personal Information of Employees	To submit information as per our legal obligations imposed on us.	
	Employment Equity Plan		
	Medical Aid Records		
	Pension Fund Records	To monitor performance.	To law enforcement agencies, where necessary.
	Disciplinary Records		
Performance Management	To ensure a safe		

	<p>Client Contracts/Service Level Agreements</p> <p>Client Internal Information</p> <p>Client Statutory and Tax Records</p> <p>Findings and Recommendations Reports</p> <p>Investigative Material</p> <p>Legal Documentation</p> <p>Proposal and Tender Documentation</p>		
Regulatory & Administrative	<p>Policies and procedure documentation</p> <p>Codes of Conduct</p> <p>Memorandum of Incorporation</p> <p>Financial Statements</p> <p>Financial and Tax Records</p> <p>Asset Register</p> <p>Management Accounts and Reports</p> <p>Vouchers, Cash Books and Ledgers</p> <p>Banking Records and Statements</p> <p>Minutes of Meetings</p> <p>Register of Board of Directors</p> <p>Register of the shareholders of the company</p> <p>Internal correspondence (e-</p>	To maintain companies records which contain personal processed information and shareholder's information as required by the Companies Act.	<p>3rd party service providers or operators who provide software or systems (Incl. cloud storage) to process the personal information.</p> <p>To clients, government/legal organisations/agencies, or professional bodies where we are required to disclose under a legal obligation</p>

	mails/memos)		
	Insurance Policies held by firm		
Suppliers/vendors	Supplier name and company information, bank details, personal information of supplier representatives. Supplier agreements, non-disclosure agreements	To manage and maintain the supplier account and contractual relationship details with AfricaRAS. To give effect to and enforce any contract entered into between the vendor and AfricaRAS.	3 rd party service providers or operators who provide software or systems (Incl. cloud storage) to process the personal information. To clients, government/legal organisations/agencies, or professional bodies where we are required to disclose under a legal obligation
Visitors to AfricaRAS office locations	CCTV records and the registration information, ID Numbers (where applicable)	To detect, prevent and report theft and other crimes. For the safety of staff and visitors to our buildings	3 rd party service providers or operators who provide software or systems (Incl. cloud storage) to process the personal information. To clients, government/legal organisations/agencies, or professional bodies where we are required to disclose under a legal obligation
Marketing	Marketing material Advertisements	To communicate the AfricaRAS' service	3 rd party service providers or

	<p>Social media content Marketing strategies</p>	<p>offerings, technical updates, employee's achievements, affiliated professional' bodies updates and to market events.</p>	<p>operators who provide software or systems (Incl. cloud storage) to process the personal information.</p> <p>To clients, government/legal organisations/agencies, or professional bodies where we are required to disclose under a legal obligation</p>
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ANNEXURE D: REQUEST FOR INFORMATION FORM

To facilitate the processing of your request, kindly complete and submit the form below to the e-mail address of the Information Officer indicated above.

A. Request for Information in terms of PAIA:	
Details of the Information Officer of AfricaRAS: Patricia Stock	
B. Details of person requesting access to the record	
i. The particulars of the person who requests access to the record must be recorded below.	
ii. Furnish an address and/or fax number in South Africa to which information must be sent.	
iii. Proof of the capacity in which the request is made, if applicable, must be attached.	
Full names & surname:	
Identity number:	
Postal address:	
Fax number:	
Telephone number:	
Email address:	
Capacity:	
C. Details of the person on whose behalf request is made	
This section must be completed <i>ONLY</i> if a request for information is made on behalf of another person.	
Full names & surname:	
Identity number:	
D. Details of Requested Record	
i. Provide full particulars of the record to which access is requested.	
ii. If the provided space is inadequate, please continue a separate page and attach to this form.	
Please sign any additional pages	
Description of record:	
Reference number:	

Any further particulars:	
E. Fees	
i. 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.	
ii. You will be notified of the amount required to be paid as the request fee.	
iii. 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.	
iv. If you qualify for exemption of the payment of any fee, please state the reason therefor.	
Reason for exemption:	
F. Form of access to record	
If you are prevented by a disability to read, view, or listen to the record in the form of access provided hereunder, please state your disability and indicate in which form the record is required. Disability:	
Form in which required:	
Mark the appropriate box with an "X" Your indication as to the required form of access depends on the form in which the record is available.	
ii. Access in the form requested may be refused in certain circumstances, in such a case you will be informed of access will be granted in another form.	
iii. The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.	
1) If the record is in written or printed form: copy of record inspection of record	
2) If record consists of visual images: view the images <input type="checkbox"/> copy of the images <input type="checkbox"/> transcription of the image <input type="checkbox"/>	
3) If the record consists of recorded words or information which can be reproduced in sound: listen to the soundtrack <input type="checkbox"/>	

ANNEXURE E: PRESCRIBED FEES

The following applies to requests (other than personal requests):

- ✓ A requester is required to pay a preliminary request fee before a request will be processed.
- ✓ If the preparation of the record requested requires more than the prescribed hours (six), an additional deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted).
- ✓ A requestor may lodge an application to a relevant court for waiver of the payment of the required fee and/or deposit.
- ✓ Records may be withheld until the fees have been paid.
- ✓ The fee structure is also available on the South African Human Rights Commission's website at www.sahrc.org.za

No.	Description	Fee
1.	The fee for a copy of the manual as contemplated in regulation 9(2)(c), for every photocopy of an A4-size page or part thereof	R1.10
2.	The fees for reproduction referred to in regulation 11(1) are as follows:	-
	a) For every photocopy of an A4 size page or part thereof	R1.10
	For every printed copy of an A4 size page or part thereof held on a computer or in electronic readable form	R0.75
	c) For a copy in a computer-readable form on stiffy disc	R7.50
	d) For a copy in a computer-readable form on compact disc	R70.00
	e) For a transcription of visual images, for an A4 size page or part thereof	R40.00
	f) For a copy of a visual image	R60.00
	g) For a transcription of an audio record	R20.00
	h) For a copy of an audio record	R30.00
3.	The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2)	R50.00
4.	The request fee payable by a requester, other than a personal requester, referred to in regulation 11(3):	-
	a) For every photocopy of an A4 size page or part thereof	R1.10
	For a printed copy of an A4 size page or part thereof held on a computer or in electronic readable form	R0.75
	c) For a copy in a computer readable form on stiffy disc	R7.50
	d) For a copy in a computer readable form on compact disc	R70.00
	e) For a transcription of visual images, for an A4 size page or part thereof	R40.00

f)	For a copy of a visual image	R60.00
g)	For a transcription of an audio record, for A4 size page or part thereof	R20.00
h)	For a copy of an audio record	R30.00
5.	The actual postage fee is payable when a copy of a record must be posted to a requester	-
6.	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	-
	b) One third of the access fee is payable as a deposit by the requester	-

PLEASE NOTE THAT ALL PRICES LISTED ABOVE ARE INCLUSIVE OF VALUE ADDED TAX

- a) The actual postage fee is payable when a copy of a record must be posted to a requester.
- b) Six hours as the hours to be exceeded before a deposit is payable; and
- c) One third of the access fee is payable as a deposit by the requester.