



[SOUTH AFRICAN INSTITUTION OF WELDING]

This manual has been prepared in terms of the section 51 of the Promotion of Access to Information Act 2 of 2000 and to address the requirements of the Protection of Personal Information Act 4 of 2014.

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1. DEFINITIONS

Client	any natural or juristic person that received or receives services from the Company
Conditions for Lawful Processing	the conditions for the lawful processing of Personal Information as fully set out in chapter 3 of POPI and in paragraph 12 of this Manual
Data Subject	the person to whom personal information relates
Information Officer	the individual who is identified in paragraph 3 of this manual
Manual	this manual
PAIA	the Promotion of Access to Information Act 2 of 2000
Personal Information	<p>means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to—</p> <ul style="list-style-type: none">a. information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person;b. information relating to the education or the medical, financial, criminal or employment history of the person;

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Private Body

means—

- a. a natural person who carries or has carried on any trade, business or profession, but only in such capacity;
- b. a partnership which carries or has carried on any trade, business or profession; or
- c. any former or existing juristic person, but excludes a public body

Processing

means any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including—

- a. the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;
- b. dissemination by means of transmission, distribution or making available in any other form; or
- c. merging, linking, as well as restriction, degradation, erasure or destruction of information

SAHRC

the South African Human Rights Commission

Any other terms not described herein will have the meaning as ascribed to it in terms of PAIA or POPI.

] Background information of the Company can be found at [\[www.saiw.co.za\]](http://www.saiw.co.za).

4. GUIDE OF SAHRC

- 4.1. A guide to PAIA and how to access information in terms of PAIA has been published pursuant to section 10 of PAIA.
- 4.2. The guide contains information required by an individual who may wish to exercise their rights in terms of PAIA.
- 4.3. Should you wish to access the guide you may request a copy from the Information Officer by submitting **ANNEXURE A**, attached hereto, to the details specified above.
- 4.4. You may also inspect the guide at the Company's offices during ordinary working hours.
- 4.5. You may also request a copy of the guide from Information Regulator at the following details:

Information Regulator:

Postal Address: P.O. Box 31533, Braamfontein, Johannesburg, 2017
Telephone: (010) 023 5200
Website: www.justice.gov.za
Email: PAIAComplainece.IR@justice.gov.za

5. LATEST NOTICES IN TERMS OF SECTION 52(2) OF PAIA

- 5.1. At this stage no Notice(s) has / have been published on the categories of records that are available without having to request access to them in terms of PAIA.

6. AVAILABILITY OF CERTAIN RECORDS IN TERMS OF PAIA

- 6.1. The Company holds and/or process the following records for the purposes of PAIA and POPI.

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- Company registration documents
- Statutory registers
- Minutes of Shareholder's meetings
- Minutes of Director's meetings
- Register of Directors
- Share Certificates

Financial:

- Accounting records
- Annual reports
- Interim reports
- Auditor details and reports
- Tax returns
- Insurance records

Client:

- Client database
- Credit Applications
- Correspondence with Clients
- Documentation prepared for Clients.
- Invoices, receipts, credit and debit notes

Marketing:

- Published Marketing material

Miscellaneous:

- Internal Correspondence
- Information technology records
- Trade secrets
- Domain name registrations
- Website information
- Asset registers
- Title deeds

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- 7.1.27. Income Tax Act, No. 58 of 1962
- 7.1.28. Occupational Health and Safety Act No. 85 of 1993
- 7.1.29. Co-operatives Act No. 14 of 2005
- 7.1.30. Customs and Excise Act No. 91 of 1964
- 7.1.31. Insider Trading Act No. 135 of 1998
- 7.1.32. Prevention of Organised Crime Act No. 121 of 1998
- 7.1.33. Road Transportation Act No. 74 of 1977
- 7.1.34. Stock Exchanges Control Act No. 54 of 1995
- 7.1.35. Transfer Duty Act No. 40 of 1949
- 7.1.36. Machinery and Occupational Safety Amendment Act No. 181 of 1993
- 7.1.37. National Payment Systems Act No. 78 of 1998
- 7.1.38. National Water Act No. 36 of 1998
- 7.1.39. Prescription Act No. 68 of 1969
- 7.1.40. Trademark Act No. 194 of 1993
- 7.1.41. Intellectual Property Laws Amendment Act No.38 of 1997
- 7.1.42. Financial Markets Act No. 19 of 2012

8. REQUEST PROCESS

- 8.1. An individual who wishes to place a request must comply with all the procedures laid down in PAIA.
- 8.2. The requester must complete **ANNEXURE B**, which is attached hereto and submit it to the Information Officer at the details specified above.
- 8.3. The prescribed form must be submitted as well as payment of a request fee and a deposit, if applicable to the information officer at the postal or physical address, fax number or electronic mail as is stated herein.
- 8.4. The prescribed form must be completed with enough particularity to enable the information officer to determine:
 - 8.4.1. The record(s) requested;
 - 8.4.2. The identity of the requestor;
 - 8.4.3. What form of access is required; and
 - 8.4.4. The Postal address or fax number of the requestor.

9. GROUNDS FOR REFUSAL

- 9.1. The following are grounds upon which the Company may, subject to the exceptions in Chapter 4 of PAIA, refuse a request for access in accordance with Chapter 4 of PAIA:
 - 9.1.1. Mandatory protection of the privacy of a third party who is a natural person, including a deceased person, where such disclosure of Personal Information would be unreasonable
 - 9.1.2. Mandatory protection of the commercial information of a third party, if the Records contain:
 - 9.1.2.1. Trade secrets of that third party;
 - 9.1.2.2. Financial, commercial, scientific or technical information of the third party, the disclosure of which could likely cause harm to the financial or commercial interests of that third party; and/or
 - 9.1.2.3. Information disclosed in confidence by a third party to The Company, the disclosure of which could put that third party at a disadvantage in contractual or other negotiations or prejudice the third party in commercial competition;
 - 9.1.3. Mandatory protection of confidential information of third parties if it is protected in terms of any agreement;
 - 9.1.4. Mandatory protection of the safety of individuals and the protection of property;
 - 9.1.5. Mandatory protection of Records that would be regarded as privileged in legal proceedings;
 - 9.1.6. Protection of the commercial information of the Company, which may include:
 - 9.1.6.1. Trade secrets;
 - 9.1.6.2. Financial/commercial, scientific or technical information, the disclosure of which could likely cause harm to the financial or commercial interests of the Company;
 - 9.1.6.3. Information which, if disclosed, could put the Company at a disadvantage in contractual or other negotiations or prejudice the Company in commercial competition; and/or

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Transcription of visual images per A4 page	As per quotation of service provider
Copy of visual images	As per quotation of service provider
Transcription of an audio record per A4 page	R24.00
Copy of an audio record on flash drive (flash drive to be provided by requestor)	R40.00
Copy of an audio on a compact disc (compact disc to be provided by requestor)	R40.00
Copy of an audio on a compact disc (compact disc to be provided by the Company)	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	R145.00
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 (cannot exceed total cost)	R435.00
Postage, email or any other electronic transfer	Actual expense, if any.

12. POPI

12.1. Conditions for lawful processing:

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- 12.1.3.3.2. to verify the identity of Customer representatives who contact the Company or may be contacted by The Company;
- 12.1.3.3.3. for risk assessment, information security management, statistical, trend analysis and planning purposes;
- 12.1.3.3.4. to monitor and record calls and electronic communications with the Client for quality, training, investigation and fraud prevention purposes;
- 12.1.3.3.5. to enforce or defend the Company or the Company affiliates' rights;
- 12.1.3.3.6. to manage the Company's relationship with its clients, which may include providing information to its clients and its clients affiliates about the Company's and the Company affiliates' products and services;
- 12.1.3.4. the purposes related to any authorised disclosure made in terms of agreement, law or regulation;
- 12.1.3.5. any additional purposes expressly authorised by the Company's client;
- 12.1.3.6. any additional purposes as may be notified to the Client or Data Subjects in any notice provided by the Company.
- 12.2. The Company processes personal information the following categories of Data Subjects:
 - 12.2.1. Juristic persons –
 - 12.2.1.1. Corporate clients
 - 12.2.1.2. Suppliers
 - 12.2.2. Natural persons –
 - 12.2.2.1. Individuals
 - 12.2.2.2. Staff
 - 12.2.2.3. Clients
 - 12.2.2.4. Suppliers
- 12.3. The Company process the following categories personal information:
 - 12.3.1. Client profile information;
 - 12.3.2. Bank account details;

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- 12.8. The Company may share personal information with third parties and in certain instances this may result in cross border flow of the personal information. The personal information will always be subject to protection, not less than the protection it is afforded under the Protection of Personal Information Act No.4 of 2013.
- 12.9. Objection to the processing of personal information by a data subject:
- 12.9.1. Section 11(3) of POPI and regulation 2 of the POPI regulations provides that a data subject may, at any time object to the processing of their personal information in the prescribed form attached to this manual as annexure "B".
- 12.10. Request for correction or deletion of personal information:
- 12.10.1. Section 24 of POPI and regulation 3 of the POPI regulations provides that a data subject may request for their personal information to be corrected and/or deleted in the prescribed form attached hereto as **ANNEXURE "C"**.

SIGNATURE INFORMATION

OFFICER:



DATE:

31/12/2021

FORM 1

REQUEST FOR A COPY OF THE GUIDE

[Regulations 3]

TO: The Information Officer

I,

Full names:	ef		
In my capacity as (mark with "x"):	Information officer		Other
Name of "public/private body (if applicable)			
Postal Address:			
Street Address:			
E-mail Address:			
Facsimile:			
Contact numbers:	Tel.(B):		Cellular:

Hereby request the following copy (ies) of the Guide:

Language (mark with "X")	No of copies	Language (mark with "X")	No of copies
<input type="checkbox"/> Sepedi		<input type="checkbox"/> Sesotho	
<input type="checkbox"/> Setswana		<input type="checkbox"/> siSwati	
<input type="checkbox"/> Tshivenda		<input type="checkbox"/> Xitsonga	
<input type="checkbox"/> Afrikaans		<input type="checkbox"/> English	
<input type="checkbox"/> isiNdebele		<input type="checkbox"/> isiXhosa	
<input type="checkbox"/> isiZulu			

Manner of collection (mark with "x"):

Personal collection	Postal address	Facsimile	Electronic communication (Please specify)
<input type="checkbox"/>			

Signed at _____ this _____ day of _____ 20 _____

Signature of requester

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Street Address			
E-mail Address			
Contact Numbers	Tel. (B)		Facsimile
	Cellular		
PARTICULARS OF RECORD REQUESTED			
<i>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.)</i>			
Description of record or relevant part of the record:			
Reference number, if available			
Any further particulars of record			
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			

Explain why the record requested is required for the exercise or protection of the aforementioned right:	

FEES	
a)	A request fee must be paid before the request will be considered.
b)	You will be notified of the amount of the access fee to be paid.
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	

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

Fax number/ E-mail address:	
C	INFORMATION TO BE CORRECTED/DELETED/ DESTROYED/ DESTROYED

Signed at this day of20.....

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Signature of data subject/ designated person