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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 ABBREVIATIONS3
- 2. INTRODUCTION4
- 3. PURPOSE OF PAIA MANUAL4
- 4. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF ROOIKRANS GUESTHOUSE (PTY) LTD
.....5
- 5. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE6 - 7
- 6. CATEGORIES OF RECORDS OF ROOIKRANS GUESTHOUSE (PTY) LTD WHICH ARE AVAILABLE WITHOUT A
PERSON HAVING TO REQUEST ACCESS8
- 7. RECORDS OF ROOIKRANS GUESTHOUSE (PTY) LTD WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY
OTHER
LEGISLATION8 - 9
- 8. TYPES OF RECORDS HELD BY ROOIKRANS GUESTHOUSE (PTY) LTD
.....10
- 9. PROCESSING OF PERSONAL INFORMATION.....11 - 12
- 10. AVAILABILITY OF THE MANUAL13
- 11. UPDATING OF THE MANUAL13

1. LIST OF ACRONYMS AND ABBREVIATIONS

1.1	“IO”	Information Officer
1.2	“DIO”	Deputy Information Officer
1.3	“Minister”	Minister of Justice and Correctional Services
1.4	“PAIA”	Promotion of Access to Information Act No. 2 of 2000 (as amended)
1.5	“POPIA”	Protection of Personal Information Act No.4 of 2013
1.6	“Regulator”	Information Regulator
1.7	“Republic”	Republic of South Africa
1.8	“Rooikrans Guesthouse (Pty) Ltd ”	Rooikrans Guesthouse (Pty) Ltd
1.9	“Guide”	Guide on how to use PAIA

2. INTRODUCTION

This Promotion of Access to Information Act “PAIA” Manual is in respect of Rooikrans Guesthouse (Pty) Ltd . Rooikrans Guesthouse (Pty) Ltd is registered and incorporated in the Republic, registration number 2009/116371/23. Rooikrans Guesthouse (Pty) Ltd is licensed to conduct business in the hospitality industry.

PAIA was enacted on 3 February 2000 and gives effect to the constitutional rights of access to information held by another person and that is required for the exercise or protection of any rights. If a public body is the requester, the public body must be acting in the public interest. If a request is made in terms of PAIA, the body to whom the request is made is obliged to release the information, except where PAIA provides that the information may or must not be released. Requests in terms of PAIA must be made in accordance with the prescribed procedures, at the rates provided.

3. PURPOSE OF PAIA MANUAL

This PAIA Manual is intended to ensure that Rooikrans Guesthouse (Pty) Ltd complies with PAIA and to foster a culture of transparency and accountability within Rooikrans Guesthouse (Pty) Ltd 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 the Republic have effective access to information to enable them to exercise and protect their rights.

PAIA gives effect to the constitutional right of any person’s access to information held by private sector bodies (e.g. companies) or public bodies (i.e. government institutions) that is required for the exercise and/or protection of the requester’s rights.

This PAIA Manual is useful for the public to:

- Check the categories of records held by a body which are available without a person having to submit a formal PAIA request;
- 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;
- Know the description of the records of the body which are available in accordance with any other legislation;
- Access all the relevant contact details of the IO and DIO who will assist the public with the records they intend to access;
- Know the description of the Guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- Know if the body will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;
- Know the description of the categories of data subjects and of the information or categories of information relating thereto;
- Know the recipients or categories of recipients to whom the personal information may be supplied;
- Know if the body has planned to transfer or process personal information outside the Republic and the recipients or categories of recipients to whom the personal information may be supplied; and
- Know whether the body has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

4. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF ROOIKRANS GUESTHOUSE (PTY) LTD

Information Officer

Name: Mrs. Mrs Genevieve van der Merwe

Tel: +27 71 678 3035

Email: rooikransgh@gmail.com

Deputy Information Officer Name:

Angelique Potgieter

Tel: +27 78 349 7306

Email: admin@jafinconsult.co.za

Access to information General contacts

Email: rooikransgh@gmail.com

Tel: +27 71 678 3035

Website: www.rooikransguesthouse.com

Addresses:

Postal Address: Rooikrans 57 JT,

Lydenburg,

1120

Physical Address: Rooikrans 57 JT,

Lydenburg,

1120

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

- 5.1. 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.
- 5.2. The Guide is available in each of the official languages and in braille.
- 5.3. The aforesaid Guide contains the description of:
 - 5.3.1. the objects of PAIA and POPIA;
 - 5.3.2. the postal and street address, phone, and fax number and, if available, electronic mail address of:
 - 5.3.2.1. the IO of every public body and private body, and
 - 5.3.2.2. every DIO of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA²;
 - 5.3.3. the manner and form of a request for:
 - 5.3.3.1. access to a record of a public body contemplated in section 11³; and
 - 5.3.3.2. access to a record of a private body contemplated in section 50⁴;
 - 5.3.4. the assistance available from the IO of a public body in terms of PAIA and POPIA;
 - 5.3.5. the assistance available from the Regulator in terms of PAIA and POPIA;
 - 5.3.6. 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:
 - 5.3.6.1. an internal appeal;
 - 5.3.6.2. a complaint to the Regulator; and
 - 5.3.6.3. an application with a court against a decision by the IO 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;
 - 5.3.7. 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;

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.*

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 5 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.*

5.3.8. the provisions of sections 15⁷ and 52⁸ providing for the voluntary disclosure of categories of records by a public body and private body, respectively;

5.3.9. the notices issued in terms of sections 22⁹ and 54¹⁰ regarding fees to be paid in relation to requests for access; and

5.3.10. the regulations made in terms of section 92¹¹.

5.4. 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.

5.5. The Guide can also be obtained:

5.5.1. upon request to the IO;

5.5.2. from the website of the Regulator (<https://www.inforegulator.org.za>).

5.6. A copy of the Guide is also available in the following two official languages, for public inspection during normal office hours:

- 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.”

6. CATEGORIES OF RECORDS OF ROOIKRANS GUESTHOUSE (PTY) LTD WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

Below are the categories of records held by Rooikrans Guesthouse (Pty) Ltd which are available without a person having to request access by completing Form 2. These records are available on the website and a person may download or request telephonically or by sending an email or a letter.

Category of Records	Record Type	Available on Website	Available upon Request
Rooikrans Guesthouse (Pty) Ltd Policy Records	PAIA Manual	✓	✓
	Privacy Policy	✓	✓
	Conflicts of Interest Management Policy	✓	✓
	Cookie Policy	✓	✓
	Imprint	✓	✓

7. RECORDS OF ROOIKRANS GUESTHOUSE (PTY) LTD WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION

CATEGORY OF RECORDS	APPLICABLE LEGISLATION
<ul style="list-style-type: none"> - Employee Identification and Contact Details (Name and Surname, Contact Number, Identity Number, Passport Number, Phone Number, Age, Address, Bank Account Details) - Family Records (Next of Kin Name and Surname, Contact Number) - Professional History (Occupation, Qualification) - Demographic Details (Age, Income, Gender, Location) - Behavioural Data (Criminal Checks, Performance, Disciplinary) - Employee Pension Plan Records - Employee Leave of Absence Records - - Employee Training Records - Employee Handbook (Staff Policies/Rules) 	Basic Conditions of Employment Act
<ul style="list-style-type: none"> - Skills Development Section on the Financial Services Council Report - BBBEE Status 	Broad Based Black Economic Empowerment Act

<ul style="list-style-type: none"> - BBBEE Status of Suppliers - Supplier Employee Information - Contractor and Supplier Agreements - List of Suppliers, Products, Services and Distributors 	Broad Based Black Economic Empowerment Act (Cont.)
<ul style="list-style-type: none"> - Finance and Accounting - Company Secretarial - Actuarial - Claims - Assets - Contracts and Agreements - Internal Insurance 	Companies Act, 71 of 2008
<ul style="list-style-type: none"> - Employee Benefit and Compensation - Plan Records - Workers' Compensation Records 	Compensation for Occupational Injuries & Diseases Act
<ul style="list-style-type: none"> - Digital Signatures - Transactional Records - Records of third parties to whom information is disclosed 	Electronic Communications and Transactions Act
<ul style="list-style-type: none"> - Employment Equity Plans and Targets - Clients' Identification and Contact Details (Identity Number, Phone Number, Age, Address, Bank Account Details) - Demographic Records Demographic Details (Age, Income, Gender, Location) - Policy Wording - Policy Schedules - Disclosure Notices 	Employment Equity Act
<ul style="list-style-type: none"> - PAYE Records - SARS records - Unemployment Insurance Fund (UIF) files - Accounting and Finance Records 	Income Tax Act
<ul style="list-style-type: none"> - Disciplinary records, including outcomes - Labor Relations Reports - Arbitration Awards - Records of Strike Action and Protests - Employee Complaints / Investigations and Employee Relations - Employee Handbook (Staff Policies/Rules) 	Labor Relations Act
<ul style="list-style-type: none"> - PAIA Manual - PAIA Requests and Outcome 	Promotion of Access to Information Act

<ul style="list-style-type: none"> - POPIA Operating Contract - Data Transfer Agreement - Layered Privacy Notices and Privacy Policy - Data Subject Rights Requests - Privacy Policy 	Protection of Personal Information Act
<ul style="list-style-type: none"> - Address of the business, and any of its branches, of the Employer - The names, identification numbers and monthly remuneration of each of its employees and must state the address at which the employee is employed - Employee Identification Details & Documents - Financial Records (Salary, Banking Details, SARS) - The number of benefits for purposes of section 13(3) - The benefits the applicant is entitled to in terms of section 	Unemployment Insurance Act
<ul style="list-style-type: none"> - Financial Records - Tax records 	Value Added Tax Act

8. TYPES OF RECORDS HELD BY ROOIKRANS GUESTHOUSE (PTY) LTD

Rooikrans Guesthouse (Pty) Ltd holds records on the following categories and subject matters. However, please note that recording a category or subject matter in this Manual does not imply that a request for access to such records would be granted. All requests for access will be evaluated on a case-by-case basis in accordance with the provisions of the Act.

Subjects on which the body holds Records	Categories of Records
Accounting and Finance	<ul style="list-style-type: none"> - Accounting Period Records - Accounts Payables - Accounts Receivables - Financial Reporting and Work Papers - Internal Banking Records - Meeting Records - Financial Control - Profit and Loss Statements - Meeting Records – Transaction Review/Financial Risk Related Committee - Debt - Loans and Financial Obligations
Tax	<ul style="list-style-type: none"> - Tax Returns - Direct: Workpapers; Supporting Materials; Audits; Protests; Research - Tax Returns - Indirect: Workpapers; Supporting Materials - Tax Accounts - Tax Compliance

9. PROCESSING OF PERSONAL INFORMATION

9.1. Purpose of Processing Personal Information

We may be required to obtain Personal Information to comply with applicable legal requirements, and certain Personal Information may be needed to enable us to fulfil the terms of our contract, or in preparation of entering into a contract.

9.2. Description of the categories of Data Subjects and of the information or categories of information relating thereto.

CATEGORIES OF DATA SUBJECTS	PERSONAL INFORMATION THAT MAY BE PROCESSED
Employees / Contractors	<ul style="list-style-type: none"> - General Identification and Contact Information - Financial Information - Banking Information - Health/Medical Information - Sexual Orientation - Marital Status / Spouse - Demographic Information / Citizenship - Biometric Information - Ethnicity Information - Education Qualifications and Professional Registrations - Next of Kin Information - Employment History - Tax Information - Pension Fund Information - Criminal Checks - Performance and Disciplinary Information

9.3. The recipients or categories of recipients to whom the personal information may be supplied.

CATEGORY OF PERSONAL INFORMATION	RECIPIENTS OR CATEGORIES OF RECIPIENTS TO WHOM THE PERSONAL INFORMATION MAY BE SUPPLIED
<ul style="list-style-type: none"> - Employee Names, Identity Numbers and demographics - Banking Details - Beneficiary Details - Claim Information - Medical and Health Information 	Employee Insurance Service Providers

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

Rooikrans Guesthouse (Pty) Ltd maintains, operates, and regularly tests a comprehensive, documented information security program designed to protect the confidentiality, integrity, and availability of personal information. Rooikrans Guesthouse (Pty) Ltd 's information security program complies with applicable privacy and security laws and includes appropriate technical, administrative, physical, organizational, and operational measures and controls to ensure a level of security appropriate to the information security risk. These security measures include encryption, limiting access to personal information, technical access controls such as password and multi-factor authentication protections and other controls to limit access to personal information such as the use of firewalls, the use of anti-virus software, recording access logs and maintaining written policies and procedures. Rooikrans Guesthouse (Pty) Ltd ensures that all personnel are trained as necessary in relation to our information security program.

Rooikrans Guesthouse (Pty) Ltd has implemented a comprehensive Information Security Program (Policy, Procedures and Controls) to ensure the safety and security of physical (hardcopy) records containing personal information. Security and safety controls are designed to maintain confidentiality, prevent loss, damage, or any compromise to information by unauthorised personnel, fire and or dampness to records stored in onsite storage facilities. These safety and security procedures include storing of records in secure record storage rooms with restricted access and general surveillance systems and access controls to prevent unauthorised access, and controls to prevent unauthorised destruction of records.

The following additional measures have been implemented for Record Storage Room:

- Physical Access Control Systems – access granted to authorised personnel
- Electronic Security Systems (Security Video and Alarms) – surveillance and intrusion detection
- Fireproof – Fire Prevention, walls, floors, and ceiling constructed with non-combustible materials
- Fire Safety Equipment – Fire alarm and sprinklers (detection and protection)
- Air conditioner -Temperature control, maintained at room temperature
- Storage Racks (raised from floor and installed away from walls) – prevention of dampness and mould
- No windows – prevention of damage from sun.

10. AVAILABILITY OF THE MANUAL

10.1. A copy of the Manual is available:

10.1.1. on

www.rooikransquesthouse.com;

10.1.2. Office of Rooikrans Guesthouse (Pty) Ltd for public inspection during normal business hours;

10.1.3. to any person upon request and upon the payment of a reasonable prescribed fee as contemplated in Annexure B of the Regulations; and

10.1.4. to the Information Regulator upon request.

10.2. 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.

11. UPDATING OF THE MANUAL

The IO of Rooikrans Guesthouse (Pty) Ltd will on a regular basis update this manual.

Issued by

Genevieve van der Merwe

Information Officer Rooikrans Guesthouse (Pty) Ltd