



PROMOTION OF ACCESS TO INFORMATION ACT ("PAIA") MANUAL

Note:

The Promotion of Access to Information Act 2 of 2000 ("the Act") seeks to advance the values of transparency and accountability in South Africa and provide the mechanism for requesters to exercise and protect their constitutional right to access to a record.

This manual is prepared in Terms of Section 51 of the Promotion of Access to Information Act No. 2 of 2000. It is drafted in accordance with the requirements issued by the South African Human Rights Commission, amended to the needs of Industrial Logistic Systems, with further additions to comply with the Protection of Personal Information Act No. 4 of 2013.



Industrial Logistic Systems (Pty) Ltd

Reg No. 1987 / 005223 / 07

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ACRONYM	STANDS FOR
ILS	Industrial Logistic Systems
IO	Information Officer
DIO	Deputy Information Officer
PAIA	Promotion of Access to Information Act (2 of 2000)
POPIA	Protection of Personal Information Act (4 of 2013)
SAHRC	South African Human Rights Commission

1. Introduction

This document serves as the PAIA manual (“the Manual”) for Industrial Logistic Systems (“ILS”) in accordance with the requirements of section 51 of the Act to facilitate access to records held by ILS for the exercise or protection of any rights of a person.

A copy of this Manual is available to the public the website of ILS at www.ils.co.za, or on request from the Information Officer or Deputy Information Officer referred to in this Manual.

2. Contact Details: Sec 51 (1) (a)

The Information and Deputy Information Officers will handle all requests on ILS’s behalf and ensure that the requirements of the Act are administered in a fair, objective and unbiased manner.

The contact details for ILS are:

Company Name:	Industrial Logistic Systems Proprietary Limited (Registration Number: 1987 / 005223 / 07)
Information Officer: Email Address:	Clayton Thomas (Managing Director) clayton@ils.co.za
Deputy Information Officer: Email Address:	Ilze Blackmore-Reed ilze@ils.co.za
Contact Number:	+27 11 656 1100
Physical Address:	Ballywoods Office Park, Ashwood House, First Floor 33 Ballyclare Drive, Bryanston, 2021
Postal Address:	P O Box 786677, Sandton, 2146

3. Section 10 Guide

A Guide has been compiled in terms of Section 10 of PAIA by the South African Human Rights Commission (“SAHRC”). It contains information required by a person wishing to exercise any right, contemplated by PAIA. It is available in all of the official languages.

The Guide is available for inspection at the office of the South African Human Rights Commission at Braampark Forum 3, 33 Hoofd Street, Braamfontein, Johannesburg, Gauteng and at www.sahrc.org.za.

The contact details for SAHRC are:

Postal Address:	Private Bag 2700, Houghton, 2041
Telephone Number:	+27 11 877 3600
Fax Number:	+27 11 403 0625
Email:	paia@sahrc.org.za

The contact details for the Information Regulator are:

Physical Address:	JD House, 27 Stiemens Street, Braamfontein, Johannesburg
Postal Address:	P O Box 31533, Braamfontein, Johannesburg, 2017
Email (general enquiries):	infoereg@justice.gov.za
Email (complaints):	complaints.IR@justice.gov.za
Website:	justice.gov.za

4. Subjects and Categories of Records Held

General information about ILS can be accessed via the internet on www.ils.co.za, which is available to all persons who have access to the internet.

The subjects on which the private body holds records and the categories on each subject in terms of Section 51 (1) (e) are as listed below. Please note that a requester is not automatically allowed access to these records and that access to them may be refused in accordance with Sections 62 to 69 of the Act:

4.1 Corporate and Governance

- Incorporation documents
- Statutory records
- Operational records (correspondence, minutes of meetings)
- Intellectual property
- Legal compliance records
- Share certificates
- Policies and procedures
- Advertising and marketing material

4.2 Finance and Taxation

- Accounting records
- Annual financial statements
- Audit reports
- Asset registers
- Bank records and statements
- Debtors / creditors statements and invoices
- General ledgers
- General reconciliations
- Invoices
- Rental agreements
- Tax records and returns
- VAT

4.3 Human Resources / Employee Records

- Employment contracts
- Employee information, forms and applications
- Internal evaluation records
- Disciplinary records
- Leave records
- Payroll reports
- Medical aid records
- Pension and retirement fund records
- Study assistance records
- SETA / training records
- Skills development reports
- Workplace agreements
- Tax returns of employees
- UIF returns

4.4 Information Technology

- Agreements
- Hardware asset registers
- Information security policies / standards / procedures
- Software licences

4.5 Client Records

- Client information
- Non-disclosure agreements
- Tender documents
- Vendor applications
- Confidential and privileged information and records provided by clients

4.6 Suppliers, Service Providers and Third Parties

- Databases
- Supplier, service provider and third-party agreements
- Information and records provided by these parties

5. **Records Available in Terms of Other Legislation**

Where applicable to our operations, information is also available in terms of certain provisions of the following statutes:

- Banks Act 94 of 1990
- Basic Conditions of Employment Act 75 of 1997
- Broad-based Black Economic Empowerment Act 53 of 2003
- Civil Proceedings Evidence Act 25 of 1965
- Companies Act 71 of 2008
- Compensation for Occupational Injuries and Diseases Act 130 of 1993
- Competition Act 89 of 1998
- Constitution of South Africa Act 108 of 1996
- Consumer Protection Act 68 of 2008
- Copyright Act 98 of 1978
- Criminal Procedure Act 51 of 1977
- Customs and Excise Act, 1964
- Debt Collectors Act 114 of 1998
- Electronic Communications and Transactions Act 25 of 2002
- Employment Equity Act 55 of 1998
- Finance Act 2 of 2007
- Harmful Business Practices Act 23 of 1999
- Income Tax Act 58 of 1962
- Insider Trading Act 135 of 1998
- Insolvency Act 24 of 1936
- Intellectual Property Laws Amendment Act 38 of 1997
- Labour Relations Act 66 of 1995
- Magistrates Court Act 32 of 1944
- Occupational Health and Safety Act 85 of 1993
- Pension Funds Act 57 of 1987
- Prevention and Combating of Corrupt Activities Act 12 of 2004
- Prevention of Organised Crime Act 121 of 1998
- Promotion of Access to Information Act 2 of 2000
- Promotion of Equality and Prevention of Unfair Discrimination Act No. 4 of 2000
- Protection of Personal Information Act 4 of 2013
- Regulation of Interception of Communication and Provision of Communications-Related Information Act 70 of 2002
- Information Act 70 of 2002
- Skills Development Act 97 of 1998
- Skills Development Levies Act 9 of 1999
- South African Reserve Bank Act 90 of 1989
- Unemployment Insurance Act 63 of 2001
- Value Added Tax Act 89 of 1991

6. Records Automatically Available

No notice has been published in terms of section 52 of the Act.

7. Access Procedure and Requests

The purpose of this section is to provide requesters with sufficient guidelines and procedures to facilitate a request for access to a record held by ILS.

7.1 Procedural Requirements and Guidelines:

- a) The requester must comply with all the procedural requirements contained in the Act relating to the request for access to a record.
- b) A request for information must be made in the prescribed form, a copy of which is attached hereto as *Annexure A*, and must be addressed to the Information Officer and/or Deputy with the prescribed fee.
- c) The prescribed form must be filled in with sufficient information to enable the Information Officer to identify:
 - The record or records requested; and
 - The identity of the requester
- d) The requester should indicate which form of access is required and specify a postal address or electronic email address.
- e) The requester must identify the right that is sought to be exercised or to be protected and provide an explanation of why the requested record is required for the exercise or protection of that right.
- f) If a request is made on behalf of another person, the requester must submit proof of the capacity in which the requester is making the request to the satisfaction of the Information Officer of the private body.
- g) A requestor who seeks access to a record containing personal information about him/herself is not required to pay the request fee.
- h) Every other requester, who is not a personal requester, must pay the required request fee.
- i) ILS will process the request within 30 (thirty) days, unless the requester has stated special reasons to the satisfaction of the Information Officer that circumstances dictate that the above time periods not be complied with.
- j) A requester will be informed by the Information Officer in writing whether the request is granted or denied. If the requester requires the reasons for the decision in any other manner, he/she will be obliged to state which manner and the particulars required.
- k) If the request is granted then a further access fee must be paid for the search, reproduction, preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

8. Grounds for Refusal to Records

ILS has the right to reject any request for information submitted in terms of Sections 62 to 70 of Chapter 4 of the PAIA Act, including but not limited to:

- a) Where the disclosure would amount to an unreasonable disclosure of personal information;
- b) Where the disclosure would amount to disclosure of the trade secrets of a third party;
- c) Where the disclosure would lead to a revelation of financial, commercial, scientific or technical information of a third party;

- d) Where such information was supplied in confidence by a third party;
- e) Where the disclosure would breach the duty of confidence owed to a third party;
- f) Where the disclosure would endanger the life or physical safety of an individual;
- g) If the disclosure is prohibited under the Criminal Procedure Act;
- h) If the disclosure is privileged under legal proceedings;
- i) Where the request is frivolous or vexatious.

All requests for information will be assessed on their own merit and in accordance with the applicable legal principles and legislation.

9. Remedies Available Upon Refusal of Request

9.1 Internal Remedies:

Requestors may appeal the ruling if the request for information is refused, and/or the requester is not satisfied with the answer supplied. An appeal form, attached hereto as Annexure B, must be completed with adequate reasons for the appeal and submitted to the Information Officer and/or Deputy within 30 (thirty) days of the notification of the decision. The Information Officer, Deputy Information and Group Information Officer of the Holding Company will review the appeal collectively and decide on the validity thereof. The matter may be escalated to Legal if deemed necessary. The result will be communicated back to the data subject within a reasonable timeframe, which will be noted upon receipt of the appeal.

9.2 External Remedies:

If all internal appeal processes have been depleted and a requester is still not satisfied with the outcome, the matter can then be taken to court.

10. Fees

Four types of fees are provided for in terms of the Act:

10.1 Request Fee:

A fee of R 50.00 (excl. VAT) is payable up-front by all requesters, except personal requesters, upon submission. This fee is not refundable.

10.2 Access Fee:

If the request is for access to a record is successful, an access fee may be required to re-imburse ILS for the costs involved in the search, reproduction and/or preparation of the record and will be calculated based on the Prescribed Fees.

The applicable fees (excluding VAT) which will be payable are:

Category	Rand
For every photocopy of an A4-size page or part thereof	1.10
For every printed copy of an A4-size page or part thereof held on a computer or in electronic form	0.75
For a copy in a computer readable form: Compact disc	70.00

A transcription of visual images, for an A4-size page or part thereof	40.00
For a copy of visual images	60.00
A transcription of an audio record, for an A4-size page or part thereof	20.00
For a copy of an audio record	30.00

10.3 Reproduction Fee:

This fee is payable with respect to all records that are automatically available.

The applicable fees (excluding VAT) for reproduction as referred to above are:

Category	Rand
For every photocopy of an A4-size page or part thereof	1.10
For every printed copy of an A4-size page or part thereof held on a computer or in electronic form	0.75
For a copy in a computer readable form: Compact disc	70.00
A transcription of visual images for an A4-size page or part thereof	40.00
i. For a copy of visual images	60.00
ii. A transcription of an audio record, for an A4-size page or part thereof	20.00
iii. For a copy of an audio record	30.00

10.4 Deposit:

A deposit of one third (1/3) of the amount of the applicable access fee, is payable if ILS receives a request for access to information held on a person other than the requester himself / herself and the preparation for the record will take more than six (6) hours. In the event that access is refused to the requested record, the full deposit will be refunded to the requester.

11. Personal Information

11.1 Sharing of Personal Information:

ILS may share personal information for legitimate business purposes and to fulfil contractual obligations with:

- a) Its Holding Company and Subsidiaries located in and outside of South Africa
- b) Service providers who perform services on behalf of ILS
- c) Third party suppliers

11.2 Security Measures to Protect Personal Information:

- a) ILS takes the security of your data seriously and therefore reasonable technical and organisational measures have been implemented to protect personal information. ILS has internal policies and controls in place to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by our employees in the proper performance of their duties.
- b) ILS will take steps to ensure that third party providers who process personal information on behalf of ILS apply adequate safeguards as required in terms of POPIA.

11.3 Transborder Flows of Personal Information:

- a) ILS may from time to time transfer personal information to another country for the purposes of rendering services to employees and clients. ILS will take all the necessary steps to ensure that service providers and third party operators are bound by laws, binding corporate rules or binding agreements that provide an adequate level of protection and uphold principles for reasonable and lawful processing of personal information in terms of POPIA.

11.4 Purpose of Processing of Personal Information:

ILS processes personal information which includes but is not limited to the following purposes:

- Employee administration
- Rendering of services to clients
- Transacting with our suppliers
- Maintaining client, supplier, service provider and third party records
- Recruitment purposes
- Travel purposes
- General administration
- Financial and tax purposes
- Legal purposes
- Health and safety purposes
- Visitor access monitoring purposes
- Responding to website queries

11.5 Types of Personal Information:

Categories of Individuals and Juristic Entities	Categories of Personal Information Held	Availability
Employees	<ul style="list-style-type: none"> • ID number • Contact details • Physical and postal address • Date of birth • Age • Nationality • Disability • CV's (including education and employment history) • Banking details • Income tax number • Remuneration and benefit information (including medical aid, pension fund and Group life cover) • Employee contracts • Employee performance records • Training records • Disciplinary records • Health and safety records 	Not automatically available
Directors and Shareholders	<ul style="list-style-type: none"> • Name and surname • ID number • Financial information as required for statutory reporting 	Not automatically available

New Job Applicants	<ul style="list-style-type: none"> • Name and surname • Address • Contact details • Email address • Details of qualifications • Skills • Experiences and employment history • Information about your current level of remuneration, including benefit entitlements, whether or not you have a disability for which ILS needs to make reasonable adjustments during the recruitment process and information about your entitlement to work in South Africa. 	Not automatically available
Clients	<ul style="list-style-type: none"> • Entity name • Registration number • Income tax number • Contact details for representative persons • FICA documentation • BBBEE certificates • Invoices and statements • Contractual documentation 	Not automatically available
Suppliers / Service Providers	<ul style="list-style-type: none"> • Entity name • Registration number • Income tax number • Contact details for representative persons • FICA documentation • BBBEE certificates • Invoices and statements • Contractual documentation 	Not automatically available
Website and/or General Visitors	<ul style="list-style-type: none"> • Name and surname • Company name • Email address • Contact number • Job title 	Not automatically available

12. Availability of this Manual

This manual is available for inspection at the ILS offices or on the company website www.ils.co.za



ANNEXURE A

PAIA REQUEST FOR ACCESS TO A RECORD IN TERMS OF SEC 53(1) of the PROMOTION OF ACCESS TO INFORMATION ACT 2 of 2000

1. Particulars of Private Body requesting access to the record:

Contact details:	
Chief Executive Officer (as defined in the Act)	
Information Officer	
Postal address	
Physical address	
Phone number	
Fax number	
E-mail address	
Website address	

2. Particulars of an individual person requesting access to the record:

- The particulars of the person who requests access to the record must be recorded below.
- Furnish an address and/or fax number in the Republic of South Africa to which information must be sent.
- Proof of identity is required from both the requester and any person or any party acting on behalf of the requester. The original identity document or such other proof satisfactory to the Information Officer will need to be presented with this request by the requester or the requester's representative before the request will be processed.
- If the request is made on behalf of another person, proof of the capacity in which the request is made, is also to be presented with this request

DETAILS OF REQUESTER

Surname	
Full names	
Identity number	
Postal address	
Telephone number	
Fax number	
E-mail address	

If a request is made on behalf of another person the requester is obliged to identify him / herself and to provide proof of the mandate under which the request is made, to the satisfaction of the Information Officer.

3. Particulars of person on whose behalf request is made:

Surname	
Name	
Identity number	

4. Particulars of record:

- 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 folio and attach it to this form. The requester must sign all the additional folios.
- The requester's attention is drawn to the grounds on which the private body must or may refuse access to a record (in certain instances this may be mandatory, in others it may be discretionary):
 - Mandatory protection of the privacy of a third party who is a natural person (human being);
 - Mandatory protection of certain confidential information of a third party;
 - Mandatory protection of commercial information of third party;
 - Mandatory protection of the safety of individuals, and the protection of property;
 - Mandatory protection of records privileged from production in legal proceedings;
 - Commercial information of a private body;
 - Mandatory protection of research information of a third party and a private body.

DESCRIPTION OF RECORD AND/OR PART OF RECORD

Category	Description of record

Notes to particular of record:

- Your indication as to the required form of access depends on the form in which the record is available.
- Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.
- The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

<i>Mark the appropriate box with an "X".</i>					
1. If the record is in written or printed form -					
copy of record*		inspection of record			
2. If record consists of visual images - (This includes photographs, slides, video recordings, computer-generated images, sketches, etc.)					
view the images		copy of the images*		transcription of the images*	
If the record consists of recorded words or information which can be reproduced in sound -					
listen to the soundtrack (audio cassette)		transcription of soundtrack* (written or printed document)			
If the record is held on computer or in an electronic or machine-readable form -					
printed copy of record*		printed copy of information derived		copy in computer readable format*	
Do you wish the copy or transcription to be posted to you? Note: If you requested a copy or transcription of a record (above), a postal fee is payable.				Yes	No

5. Fees

- A request for access to a record, other than record containing personal information about yourself, will be processed only after a request fee (currently R50.00 excl. VAT) has been paid.
- If the prescribed request fee is amended, you will be notified of the amount required to be paid as the request fee.
- 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.
- If you qualify for exemption of the payment of any fee, please state the reason, therefore.

The requester qualifies for an exemption in payment of fees (mark the appropriate box)	Yes	No
Reason		

6. Form of access to record

<i>If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.</i>	
Disability:	
Form in which record is required?	

7. Details of the right to be exercised and/or protected.

Indicate which right is to be exercised or protected *

Explain why the requested record is required for the exercising or protection of the aforementioned right *

* NOTE:

If the provided space is inadequate please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

8. Notice of decision regarding request for access

You will be notified in writing whether your request has been approved/denied. If you wish to be informed thereof in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

9. Signatures

Signed at _____ this _____ day of _____ 20 _____

SIGNATURE OF REQUESTER
(sign & print name)

SIGNATURE OF REPRESENTATIVE
(sign & print name)



ANNEXURE B

NOTICE OF INTERNAL APPEAL FORM

IN TERMS OF SEC 75 of the PROMOTION OF ACCESS TO INFORMATION ACT 2 of 2000

STATE YOUR REFERENCE NO:

A. Particulars of ILS

The name and postal or physical address and email address of the Information Officer or Deputy Information Officer must be stated below.

Attention:

Information Officer / Deputy Information Officer: ILS

B. Particulars of person requesting access to the record

- a) The particulars of the person requesting access to the record must be recorded below.*
- b) Furnish an address and/or email address in the Republic to which information/decision must be sent.*
- c) Proof of the capacity in which the request is made, if applicable, must be attached.*

Full names and surname: _____

Postal address: _____

Telephone number: _____

Fax number: _____

Email address: _____

Capacity in which the request is made, together with proof of such capacity, when made on behalf of another person:

C. Particulars of person on whose behalf the request is made

This section must be completed only if a request for information is made on behalf of another person.

Full names and surname: _____

Identity / Company Number: _____

D. The decision against which the internal appeal is lodged

Mark the decision against which the internal appeal is lodged with an "X" in the appropriate box:

<input type="checkbox"/>	Refusal of request for access.
<input type="checkbox"/>	Decision regarding fees determined in terms of section 22 of the Act.
<input type="checkbox"/>	Decision regarding the extension of the period within which request must be dealt with in terms of section 26(1) of the Act.
<input type="checkbox"/>	Decision in terms of section 29(3) of the act to refuse access in the form as requested by the requester.
<input type="checkbox"/>	Decision to grant request for access.

E. Grounds for appeal

If the provided space is inadequate please continue on a separate page and attach it to this form.

You must sign all the additional pages.

State the grounds upon which the internal appeal is based:

State any other information that may be relevant in considering the appeal:

F. Notice of decision on appeal

You will be notified in writing, at the address, email or fax number provided in Part B, of the decision on your internal appeal. If you also wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request?

Signed at _____ this _____ day _____ 20 _____

SIGNATURE OF APPELLANT

PAIA NOTICE FOR INTERNAL APPEAL - FOR INTERNAL USE:

Appeal received by:	
Appeal received on:	
Appeal fee:	
Submitted to Relevant Authority on:	
Outcome of appeal:	
New decision, if applicable:	
Signature of Relevant Authority:	
Date of decision:	