



Access to Information Manual

1 February 2021

Applicable to all brands, divisions, joint ventures, subsidiaries, suppliers, directors, and employees of Tsebo

Version Control

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Contents

1. Introduction	4
2. Company Details	4
3. Human Rights Commission’s PAIA Guide	4
4. Records of Tsebo	5
5. Request for Access to a Record.....	5
6. Information available in terms of other legislation	5
7. Access to Records	5
8. Request procedure	6
9. Timelines for consideration of your request	6
10. Decision Regarding Request and Records Not Found	7
11. Remedies Available on Refusal of Access	7
Annexure A - Description of Records Table.....	8
Annexure B – Request for Access Form	10
Annexure C – Fee Schedule	14

Access to Information Manual

As required by Section 51 of the Promotion to Access of Information Act No 2 of 2000 ("PAIA")

Tsebo Solutions Group (Pty) Ltd.
("Tsebo")

1. Introduction

The object of PAIA is to give you access to the records of Tsebo under certain circumstances. PAIA seeks to promote a society in which you have access to information to enable you to exercise and protect your rights, and to promote a culture of transparency and accountability.

Section 51 of PAIA requires all private bodies to compile a manual containing various information including Tsebo's details, a description of the records of Tsebo, as well as the means by which a record may be accessed.

Tsebo is a private body and therefore this manual has been compiled in terms of and in order to comply with Section 51 of PAIA.

2. Company Details

Tsebo's details are as follows:

Registration Number	2016/224394/07
Postal Address	Private Bag 52660, Saxonwold 2132, Johannesburg, South Africa
Physical Address	Tsebo House, 7 Arnold Road, Rosebank, Johannesburg, 2196
Telephone Number	(011) 441 5300
General contact e-mail address for Tsebo	PAIA@tsebo.com
Website	www.tsebo.com

3. Human Rights Commission's PAIA Guide

In Terms of Section 10 of PAIA, the South African Human Rights Commission ("SAHRC") is required to compile a guide, in each official language, containing information for any person who wishes to exercise any right contemplated in PAIA.

The abovementioned guide is available on their website, www.sahrc.org.za.

4. Records of Tsebo

A description of the records held by Tsebo, as required by section 51(1)(e) of PAIA, is set out in the Description of Records Table which is attached to this manual as Annexure A.

5. Request for Access to a Record

In order to comply with our obligations in terms of PAIA Tsebo has authorised and designated the **Data Protection Office** (PAIA@tsebo.com) to deal with all matters relating to PAIA.

In order to request access to a record please complete the **Request for Access Form** which is attached to this manual as Annexure B and submit it to Tsebo at its postal address or PAIA e-mail at PAIA@tsebo.com.

6. Information available in terms of other legislation

Tsebo holds information in accordance with the following legislation, but is not limited to:

- Basic Conditions of Employment No. 75 of 1997
- Companies Act No. 71 of 2008
- Compensation for Occupational Injuries and Health Diseases Act No. 130 of 1993
- Competition Act No. 89 of 1998
- Credit Agreements Act No. 75 of 1980
- Debtor Collectors Act No. 114 of 1998
- Electronic Communications and Transactions Act No. 25 of 2002
- Employment Equity Act No. 55 of 1998
- Firearms Control Act No. 60 of 2000
- Income Tax Act No. 95 of 1967
- Labour Relations Act No. 66 of 1995
- Occupational Health & Safety Act No. 85 of 1993
- Skills Development Levies Act No. 9 of 1999
- Skills Development Act No. 97 of 1998
- Unemployment Insurance Act No. 63 of 2001
- Value Added Tax Act No. 89 of 1991

7. Access to Records

If your request for access to records of Tsebo is approved, access will be provided in the form as Tsebo reasonably determines, unless you have requested access in a specific form.

8. Request procedure

The purpose of this section is to provide you with guidelines to follow to facilitate a request for access to records held. You must comply with all the procedural requirements contained in PAIA to request for access to a record.

It is important to note that an application for access to information can be refused if the application does not comply with the procedural requirements as stated above. In addition, the successful completion and submission of an Access Request Form does not automatically allow you access to the requested record.

You must complete the **Request for Access Form**, Annexure B, and submit same as well as payment of a request fee and a deposit, if applicable to the Data Protection Information Officer at the postal or email address as stated above.

Completion of the Request for Access Form must follow the instructions listed below:

- The Request for Access Form must be completed in the English Language.
- Type or print in BLOCK LETTERS an answer to 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 in which to answer a question, additional information may be provided on an additional folio.
- When the use of an additional folio is used, precede each answer thereon with the title applicable to that question.
- All additional folios used and attached to the Request for Access Form must be signed by the requestor.

Further to the completion of all fields in the Request for Access Form, please ensure that you provide us with the following information:

- A copy of your valid South African ID document or card.
- A copy of the power of attorney (if applicable).
- Details of how the information requested must be provided to you if the request is granted.
- Your contact details.

Once the completed prescribed form is received you will be requested to deposit a request fee of R50, the account details will be provided in our communication to you. Once proof of payment is received, the request will be processed.

9. Timelines for consideration of your request

Tsebo will respond within 30 days of the receipt of all the necessary information. Tsebo may extend the period of 30 days once for a further period of not more than 30 days, if:

- The request is for a large number of records or requires a search through a large number of records and compliance with the original period would unreasonably interfere with the activities of Tsebo.
- The request requires a search for records in, or collection thereof from, an office of Tsebo not situated in the same town or city as the office of the head that cannot reasonably be completed within the original period.
- Consultation among divisions of Tsebo or with another private body is necessary or desirable to decide upon the request that cannot reasonably be completed within the original period.

If a period is extended, Tsebo must, as soon as reasonably possible, but in any event within 30 days, after the request is received, notify the requester of that extension, the period of the extension and the reasons for the extension. And notify the requester that they may lodge an application with a court against the extension, and the procedure (including the period) for lodging the application.

10. Decision Regarding Request and Records Not Found

PAIA provides for numerous grounds upon which Tsebo may refuse to grant you access to a record of Tsebo. These grounds for refusal are to protect:

- The privacy of another person
- Commercial information of another company
- Confidential information of another person
- The safety of individuals and property
- Records privileged from operations in legal proceedings

You will be notified in writing whether your request has been approved or denied within 30 calendar days after receipt by Tsebo of the completed **Request for Access Form**. Should any record of Tsebo requested by you not be found or not exist, Tsebo will, by way of affidavit, notify you that it is not possible to give access to that particular record.

11. Remedies Available on Refusal of Access

Tsebo does not have internal appeal procedures. As such, the decision made by the Data Protection Information Officer is final, and you will have to exercise external remedies at your disposal if the request for information is refused and are not satisfied with the answer supplied by the Data Protection Office.

Subject to the provisions of the PAIA, if you or a third party are dissatisfied with the Data Protection Information Officer's refusal to disclose information, may within 180 days of notification of the decision, apply to a Court for relief.

Annexure A - Description of Records Table

Categories of Records on Each Subject	Form Held	Availability
1. Company Secretarial Records		
Company Incorporation Documents	Electronic and physical	Automatically available
Names of Directors	Electronic and physical	Automatically available on company website www.tsebofs.com
Salaries of Directors	Electronic and physical	Not automatically available
2. Financial Records of TseboFS		
Financial statements	Electronic and physical	Yes, in accordance with the Companies Act
Documents relating to taxation of Tsebo	Physical	Not automatically available
Financial Agreements	Physical	Not automatically available
Banking Details	Electronic and physical	Automatically available.
3. Insurance of Company		
Insurance Policies held by Tsebo	Physical	Not automatically available
4. Employees		
List of Employees	Electronic and physical	Not automatically available
Personal information of employees	Electronic and physical	Not automatically available
Employee contracts of employment	Electronic and physical	Not automatically available
Pension Funds & Provident Fund	Electronic and physical	Not automatically available
Salaries of Employees	Electronic and physical	Not automatically available
Leave records	Physical	Not automatically available
5. Company Policies and Directives		
Internal relating to employees and Tsebo	Electronic and physical	Not automatically available
External relating to clients and other third parties	Electronic and physical	Automatically available
6. Agreements or Contracts		
Standard Agreements	Physical	Not automatically available
Contracts concluded with customers	Physical	Not automatically available
Third party contracts (such as Agreements etc.)	Physical	Not automatically available
Supplier contracts	Physical	Not automatically available

Categories of Records on Each Subject	Form Held	Availability
7. Regulatory		
Permits, Licences or Authorities	Physical	Not automatically available
8. Published Information		
External Newsletters and Circulars	Electronic and physical	Automatically available
Internal Newsletters and Circulars	Electronic and physical	Not automatically available
Information on Tsebo published by third parties	Electronic and/or physical	Not automatically available
9. Customer Information		
Customer Details	Electronic and physical	Not automatically available
Contact details of individuals within customers	Electronic and physical	Not automatically available
Communications with customers	Electronic and physical	Not automatically available
10. Reference Materials		
Newsletters and journals articles	Electronic and physical	Not automatically available
Newspaper articles	Physical	Not automatically available
Magazines	Physical	Not automatically available
Newspaper articles	Physical	Not automatically available
11. Physical security		
Internal security services and firearms	Electronic and physical	Not automatically available
12. Occupational Health and Safety		
Construction administration and safety	Electronic and physical	Not automatically available
Elevators, escalators and passenger conveyors, lifting machinery,	Electronic and physical	Not automatically available
Electrical installations	Electronic and physical	Not automatically available
Fire equipment	Electronic and physical	Not automatically available
Noise	Electronic and physical	Not automatically available

Annexure B – Request for Access Form**Request for Access to Records of Private Body****(Section 53(1) of the Promotion of Access to Information Act, (No 2 of 2000))****(Regulation 10)****A. Particulars of Private Body**

The Personal Information Officer: Tsebo Solutions Group (Pty) Ltd in respect of _____ (specify company, if applicable).

B. Particulars of Person requesting access to the record

The particulars of the person who requests access to the records must be recorded below. Furnish an address and/or fax number in the Republic to which information must be sent. Proof of the capacity in which the request is made, if applicable, must be attached.

Full Name and Surname:			
Identity Number:			
Postal Address:			
Telephone Number:		E-Mail Address:	

Capacity in which request is made, when made on behalf of another person:

C. Particulars of person of whose behalf request is made:

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

Full Name and Surname:	
Identity Number:	

D. Particulars of Record:

- a) 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 please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

1. Description of the Record or relevant part of the record:

2. Reference number, if available:

Any further particulars of the record:

E. Fees:

- a) 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.
- b) You will be notified of the amount required to be paid as the request fee.
- 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. 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.

Reason for exemption of payment of the fee (if any):

F. Form of Access to the Record:

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.

Disability	Form in Which Record is Required

Mark the appropriate box below with an "X"

NOTES:

- (a) Compliance with your request for access in the specified form may depend on the form in which the record is available.
- (b) 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.
- (c) 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 the record consists of visual images: <i>(This includes photographs, slides, video recordings, computer-generated images, sketches, etc.)</i>					
	View the images		Copy of the images *	Transcription of the images*	
3. 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)	
4. If the record is held on computer or in an electronic or machine-readable form:					
	Printed copy of record		Printed copy of information derived from the record *	copy in computer readable form* (stiffy or compact disc)	
If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? A postal fee is payable.				Yes	No
Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available.					
In which language would you prefer the record?					

G. 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 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?

Signed at _____ this _____ day of _____ 20____

Signature of requester/person on whose behalf request is made:

Annexure C – Fee Schedule

Fee Schedule

Fees for Reproduction	
For every photocopy of an A4 page or part thereof	R1.80
For every printed copy of an A4 page or part thereof held on a computer or in electronic or machine-readable form	R0.75
For a copy in a computer readable form on stiffy disc	R7.50
For a copy in a computer-readable form on compact disc	R70.00
For a transcription of visual images per A4 page or part thereof	R40.00
For a copy of visual images	R60.00
For a transcription of an audio record per A4 page or part thereof	R20.00
For a copy of an audio record	R30.00
Request Fee	
For a person requesting access to information other than a personal requester i.e. a requester seeking access to a record containing personal information about the requester.	R50.00
Search Fee	
Per hour or part thereof required searching for and preparing the record for disclosure.	R30.00
Deposit	
A deposit of one third of the access fee is payable as a deposit if the search for a record requires more than six hours.	