



PAIA & POPIA MANUAL



This PAIA and POPIA Manual has been prepared in accordance with Section 51 of The Promotion of Access to Information Act 2 of 2000, and The Protection of Personal Information Act 4 of 2013.

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1. INTRODUCTION

UViRCO Technologies (Pty) Ltd. was registered in August 2008 and was formed to manufacture and market the CoroCAM range of products. The CoroCAM technology was licensed to the Company exclusively to manufacture and sell to the world market and the Company is now marketing and selling the licensed products through its established world-wide distributor network in over 50 countries.

As part of its operations, UViRCO holds certain records, including Personal Information. The Promotion of Access to Information Act 2 of 2000 (PAIA) and the Protection of Personal Information Act 4 of 2013 (POPIA) provide for certain records and/or information to be accessed where certain circumstances are met and in accordance with certain procedures and at prescribed fees, giving effect to the right of access to information in terms of the Constitution of the Republic of South Africa.

This PAIA and POPIA Manual has been prepared in accordance with section 51 of the Promotion of Access to Information Act, 2000, and to address requirements of the Protection of Personal Information Act, 2013. It provides an overview of the records held by UViRCO and details of how such records may be accessed, including in relation to giving effect to the rights granted under POPIA terms of which a Data Subject may access its Personal Information, object to Processing and request the correction of any of its Personal Information held by UViRCO.

UViRCO has appointed an Information Officer in accordance with POPIA. In addition to her obligations prescribed under POPIA, the designated Information Officer is also responsible for assessing any requests to UViRCO for access to information in terms of PAIA as well as to oversee any other obligations which UViRCO may have under PAIA.

2. CONTACT DETAILS OF UVIRCO

(Information to be provided in terms of section 51(1)(a) of PAIA)

Street Address: Unit B003, The Woods, 41 De Havilland Crescent, Persequor Technopark,
Pretoria, 0020 Gauteng, South Africa

Tel No: (012) 349 3760

Fax No: (012) 349 5200

Designated Information Official: Madeleine du Plessis

E-Mail address: madeleine@uvirco.com

3. GUIDE ON HOW TO USE PAIA

(Referred to in section 10: section 51(1)(b))

The South African Human Rights Commission (SHRC) has issued a guide on how to use the Act, which is available on the SAHRC website (www.sahrc.org.za). This Manual complies with the requirements of the guide and recognizes that the Information Regulator established under POPIA will be responsible for regulating compliance with PAIA, POPIA and their regulations.

4. RECORDS HELD BY UVIRCO

4.1 Records which are freely available – *Section 51(1)(c) of PAIA*

The following records are automatically available to the general public and need not be requested.

- Brochures/social media e.g. LinkedIn
- Information available on UViRCO's website

4.2 Records held by it in terms of other legislation – *Section 51(1)(d) of PAIA*

UViRCO retains a number of records in accordance with legislation which applies to it, including but not limited to:

- Labour Relations Act, 66 of 1995
- Employment Equity Act, 55 of 1998
- Basic Conditions of Employment Act, 75 of 1997
- Compensation of Occupational Injuries and Disease Act, 130 of 1993
- Companies Act, 71 of 2008
- Unemployment Insurance Act, 63 of 2001
- Value Added Tax Act, 89 of 1991
- Income Tax Act, 58 of 1962
- Skills Development Act, 9 of 1999

4.3 Records held by UViRCO – *Section 51(1)(e) of PAIA*

The records held by UViRCO include but are not limited to:

COMPANIES ACT RECORDS

- Documents of incorporation
- Memorandum of Incorporation
- Minutes of Board of Directors meetings
- Records relating to the appointment of directors, auditors, public officer and other officers
- Share Register and other statutory registers

FINANCIAL RECORDS

- Annual Financial Statements
- Tax Returns
- Accounting Records

- Banking Records
 - Bank Statements, electronic banking records
- Asset Register
- Rental Agreements
- Invoices

INCOME TAX RECORDS

- PAYE Records
- Documents issued to employees for income tax purposes
- Records of payments made to SARS on behalf of employees
- All other statutory compliances:
 - VAT
 - Skills Development Levies
 - UIF
 - Workmen's Compensation

PERSONNEL DOCUMENTS AND RECORDS

- Employment contracts
- Employment Equity Plan
- Medical Aid records
- Pension Fund records
- Disciplinary records
- Salary records
- SETA records
- Disciplinary code
- Leave records
- Training records
- Training Manuals

5. PROCESS FOR REQUESTS TO INFORMATION

- 5.1 Requests for access to records held by UViRCO must be made on the request form that is available from SAHRC website, www.sahrc.org.za or the Department of Justice and Constitutional Development, www.doj.gov.za. For the convenience of requestors, a copy of this form is included in this manual as Annexure A, Form C.
- 5.2 The requester must complete Form C and submit this form together with a request fee, to the Information Officer of UViRCO.
- 5.3 The request is to be made to the Information Officer addressed to the contact details set out above, point 2, section 51(1)(a) of PAIA)

- 5.4 The Form must:
- 5.4.1 Provide sufficient particulars to enable the Information Officer to identify the record/s requested and to identify the requester,
 - 5.4.2 Indicate which form of access is required,
 - 5.4.3 Specify a postal address or fax number of the requester in the Republic,
 - 5.4.4 Identify the right that the requester is seeking to exercise or protect,
 - 5.4.5 Provide an explanation of why the requested record is required for the exercise or protection of that right,
 - 5.4.6 If in addition to a written reply, the requester wishes to be informed of the decision on the request in any other manner, to state that manner and the necessary particulars to be informed in the other manner,
 - 5.4.7 If the request is made on behalf of another person, to submit proof of the capacity in which the requester is making the request, to the reasonable satisfaction of UVIRCO.
- 5.5 If a requester does not use Form C, the request may be rejected for lack of procedural compliance, refused (if sufficient information is not provided, or otherwise) or delayed.
- 5.6 The Information Officer shall notify the requester (other than a personal requester) of the prescribed fee (if any) before further Processing the request. The requester may lodge an internal appeal or an application to Court against the tender or payment of the requested fee.
- 5.7 The Information Officer will evaluate and consider the request in terms of the provisions of PAIA, will make a decision on the request and notify the requester in the required form.
- 5.8 If the request is granted then a further access fee must be paid for the reproduction and the search and preparation, and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

C. PARTICULARS OF PERSON ON WHOSE BEHALF 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 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.*
- (b) 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.*

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

2. Reference number, if available: _____

3. Any further particulars of 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.*

Reason for exemption from payment of fees:

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 for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.

Disability: Mark the appropriate box with an X

NOTES:

- (a) Compliance with your request 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 for 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:						
This includes photographs, slides, video recordings, computer-generated images, sketches, etc.						
	View the images		Copy of the images		Transcription of the images	
3. If record consists of recorded word or information which can be reproduced in sound:						
	Listen to the soundtrack, audio cassette		Transcription of soundtrack* written or printed document			
4. If 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*	
'If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.					YES	NO

G PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED

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.

1. Indicate which right is to be exercised or protected: _____

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

H. 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 _____ on this _____ day of _____ 20_____

SIGNATURE OF REQUESTER / PERSON ON
WHOSE BEHALF REQUEST IS MADE

ANNEXURE B

PRESCRIBED FEES *(Section 51(1)(f))*

1. The fee for a copy of the manual as contemplated in regulation 9(2)(c) is R1.10 for every photocopy of an A4-size page or part thereof.

2. The fees for reproduction referred to in regulation 11 (1) are as follows:

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 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, for an A4-size page or part thereof	R40.00
For a copy of visual images	R60.00
For a transcription of an audio record, for an A4-size page or part thereof	R20.00
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) is R50.00.

4. The access fees payable by a requester referred to in regulation 11(3) are as follows:

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 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, for an A4-size page or part thereof	R40.00
For a copy of visual images	R60.00
For a transcription of an audio record, for an A4-size page or part thereof	R20.00
For a copy of an audio record	R30.00

For purposes of section 54(2) of the Act, the following applies:

- Six hours as the hours to be exceeded before a deposit is payable, and
- One third of the access fee is payable as a deposit by the requester.

The actual postage is payable when a copy of a record must be posted to a requester.

If the request for access is refused, the Information Officer shall advise the requester in writing of the refusal, including adequate reasons for the refusal and that the requester may lodge an appeal with a court of competent jurisdiction against the refusal of the request (section 56(3) of PAIA)

Upon the refusal by the Information Officer, any deposit paid by the requester will be refunded.

The requester may lodge an appeal with a court of competent jurisdiction against any Process set out in this manual.

6. RECORDS NOT FOUND

6.1 If a record cannot be found or if the records do not exist, the Information Officer shall notify the requester (providing full details of steps taken to find the record or determine its existence) that it is not possible to give access to the requested record.

6.2 If the record in question should later be found, the requester shall be given access to the record unless access is refused by UViRCO.

7. REFUSAL OF ACCESS

7.1 UViRCO may refuse to grant access on certain ground, including the following, (Part 3 Section 4 of PAIA):

7.1.1 That the record constitutes privileged information for the purposes of legal proceedings or is subject to professional privilege,

7.1.2 To protect the commercial information or the confidential information of a third party or UViRCO,

7.1.3 That is necessary to protect the safety of individuals or property,

7.1.4 That is necessary to protect the research information of a third party of UViRCO,

7.1.5 That granting access would result in the unreasonable disclosure of Personal Information about a third party.

8. PROTECTION OF PERSONAL INFORMATION

8.1 Introduction

8.1.1 Chapter 3 of POPIA provides for the minimum conditions for lawful Processing of Personal Information by a Responsible Party, as such terms are defined under POPIA. These conditions may not be derogated from unless specific exclusions apply as outlined in POPIA.

8.1.2 UViRCO requires Personal Information relating to both natural and legal persons in order to carry out its business and organizational functions. The manner in which this information is Processed and the purpose for which it is Processed is determined by UViRCO. Accordingly, UViRCO is a Responsible Party for the purposes of POPIA and will ensure that the Personal Information of Data Subject, as defined by the POPIA:

- a) is Processed lawfully, fairly and transparently and have a legal basis to Process Personal Information,
- b) is Processed only for the purpose for which it was collected,
- c) will not be Processed for a secondary purpose unless that Processing is compatible with the original purpose,
- d) is adequate, relevant and not excessive for the purposes for which it was collected,
- e) is accurate and kept up to date,
- f) will not be kept for longer than necessary,
- g) is Processed in accordance with integrity and confidentiality principles – this includes physical and organizational measures to ensure that Personal Information, in both physical and electronic form, is subject to an appropriate level of security when stored, used and communicated by UViRCO, in order to protect against access and acquisition by unauthorized persons and accidental loss, destruction or damage,
- h) is Processed in accordance with the rights of Data Subjects, where applicable.

8.2 Data Subject Rights

8.2.1 Data Subjects have the right to:

- a) be notified that their Personal Information is being collected by UViRCO, and has the right to be notified in the event of a data breach,
- b) know whether UViRCO holds Personal Information about them and to access that information. Any request for information must be handled in accordance with the provisions of this PAIA Manual,
- c) request the correction or deletion of inaccurate, irrelevant, excessive, out of date, incomplete misleading or unlawfully obtained Personal Information,
- d) object to UViRCO's use of their Personal Information and request to deletion of such Personal Information, (Deletion is subject to UViRCO's record keeping requirements),
- e) object to the Processing of Personal Information for purposes of direct marketing by means of unsolicited electronic communications,
- f) complain to the Information Regulator regarding an alleged infringement of any of the rights protected under POPIA and to institute civil proceedings regarding the alleged non-compliance with the protection of his, her or its information.

8.3 Purpose of the Processing of Personal Information by UViRCO

The purpose for which UViRCO will Process Personal Information, is set out in Section A, Annexure C, provided that this is not an exhaustive list.

8.4 Categories of Data Subjects

The various categories of Data Subjects that UViRCO Processes Personal Information in respect of and the types of Personal Information relating thereto includes but is not limited to those detailed in Section B of Annexure C.

8.5 Sharing of Personal Information

UViRCO may share a Data Subject's Personal Information in accordance with Section C, Annexure C.

8.6 Cross-border flows of Personal Information

8.6.1 Section 72 of POPIA provides that Personal Information may only be transferred to the Republic of South Africa if the:

- a) Recipient's country can offer such data an adequate level of protection. This means that its data privacy laws must be substantially similar to the Conditions for Lawful Processing as contained in POPIA, or
- b) The Data Subject consents to the transfer of his/her Personal Information; or
- c) Transfer is necessary for the performance of a contractual obligation between the Data Subject and the Responsible Party; or
- d) Transfer is necessary for the performance of a contractual obligation between the Responsible Party and a third party, in the interests of the Data Subject; or
- e) The transfer is for the benefit of the Data Subject, and it is not reasonably practicable to obtain the consent of the Data Subject, and if it were, the Data Subject, would in all likelihood provide such consent.

8.6.2 Planned cross-border transfers of Personal Information and the justifications therefor include but is not limited to those detailed in Section D, Annexure C.

8.7 Description of information security measures to be implemented by UViRCO

Section E, Annexure C sets out the types of security measures to be implemented by UViRCO in order to ensure that Personal Information is respected and protected. This is not an exhaustive list and is subject to change.

8.8 Objection to the Processing of Personal Information by a Data Subject

Section 11(3) of POPIA and regulation 2 of the POPIA Regulations provide that a Data Subject may, at any time, object to the Processing of his/her its Personal Information in the prescribed form attached to this Manual as Annexure D, subject to exceptions contained in POPIA.

8.9 Request for correction or deletion of Personal Information

Section 24 of POPIA and regulation 3 of the POPIA Regulations provide that Data Subjects may request for their Personal Information to be corrected/deleted in the prescribed form attached as Annexure E.

ANNEXURE C

A. PURPOSE OF PROCESSING

The purposes for which UViRCO Processes Personal Information include but is not limited to:

- Rendering of services to its clients;
- Employee administration, recruitment;
- Transacting with suppliers and third party service providers;
- Maintaining records;
- General administration;
- Financial requirements; and
- Compliance with legal and regulatory requirements.

B. CATEGORIES OF DATA SUBJECTS AND ASSOCIATED PERSONAL INFORMATION

Data Subject	Personal Information Processed
Employees	ID number, contact details, physical and postal address, date of birth, age, marital status, race, employment history, criminal/background checks, fingerprints, CV's, education history, banking details, income tax reference number, remuneration and benefit information (including medical aid, pension/provident fund information), details related to employee performance, disciplinary procedures, employee disability information, payroll records, electronic access records, physical access records.
Clients	Natural persons: ID number, information required for FICA compliance, contact details, physical and postal address. Legal persons: Entity name, registration number, VAT number, contact details for representative persons, FICA documentation.
Suppliers and Service providers	Entity name, registration number, income tax number, tax information, contact details for representative persons, FICA documentation, BBB-EE certifications, invoices, agreements.
Directors and Stakeholders	Name, surname, ID numbers, other information as required for reporting purposes.
Job applications	Name, surname, address, contact details, email address, telephone number, details of qualification, skills, experience and employment history, current remuneration.
Website visitors	Name, email address, company name, job title and telephone number
Visitors	Physical access records, electronic access records

C. SHARING OF PERSONAL INFORMATION

UViRCO may share Personal Information with:

- Clients of UViRCO located inside and outside of South Africa
- Service providers who perform services on behalf of UViRCO, and
- Third party suppliers

D. CROSS BORDER TRANSFERS OF PERSONAL INFORMATION

UViRCO may from time to time need to transfer Personal Information to a country outside South Africa for the purposes of rendering services to clients, service providers and other third parties, or for administration purposes of employee/s.

Where Personal Information is transferred outside South Africa, UViRCO will take steps to ensure that such transfer is subject to 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 the POPI Act.

E. INFORMATION SECURITY MEASURES

UViRCO implements and maintains reasonable technical and organizational measures to protect Personal Information, including by way of the implementation of policies, procedures and controls aimed at preventing any unauthorized access to, loss or destruction of Personal Information.

UViRCO has a wide range of security measures designed to mitigate data security breaches, accidental loss or destruction of, or damage to, Personal Information. These include the storage of Personal Information relating to clients and employees in locked cabinets within the UViRCO offices, IT systems such as encryption software, password protection software. Restricted access, levels of authority and separation of duties are in place for dealing with all Personal Information.

UViRCO will take steps to ensure that the third party providers who Process Personal Information on behalf of UViRCO apply appropriate safeguards in compliance with POPIA.

ANNEXURE D

Objection to the Processing of Personal Information in terms of Section 11(3) of POPIA by a Data Subject

Regulations relating to the protection of Personal Information, 2018

Note:

1. Affidavits or other documentary evidence as applicable in support of the objection may be attached.
2. If the space provided for in this Form is inadequate, submit information as an annexure to this Form and sign each page.
3. Complete as is applicable.

A. DETAILS OF DATA SUBJECT	
Name(s) and surname/registered name	
Unique identifier/Identity Number	
Residential, postal or business address	
Contact number(s)	
Fax number/email address	
B. DETAILS OF RESPONSIBLE PARTY	
Name(s) and Surname/registered name	
Unique identifier/Identity Number	
Residential, postal or business address	
Contact number(s)	
Fax number/email address	
C. REASONS FOR OBJECTION IN TERMS OF SECTION 11(1)(d) TO (f) (Please provide detailed reasons for the objection)	

Signed at _____ this _____ day of _____ 20__.

Signature of Requester/Person on whose behalf request is made

ANNEXURE E

Request for correction of Personal Information or destroying or deletion of record of Personal Information in terms of Section 24(1) of POPIA

Regulations relating to the protection of Personal Information, 2018

Note:

1. Affidavits or other documentary evidence as applicable in support of the objection may be attached.
2. If the space provided for in this Form is inadequate, submit information as an annexure to this Form and sign each page.
3. Complete as is applicable.

Request for: (Mark the appropriate box with an “X”)

Correction or deletion of the Personal Information about the Data Subject which is in possession or under the control of the Responsible Party.

Destroying or deletion of a record of Personal Information about the Data Subject which is in possession or under the control of the Responsible Party and who is no longer authorized to retain the record of information.

A. DETAILS OF DATA SUBJECT	
Name(s) and surname/registered name	
Unique identifier/Identity Number	
Residential, postal or business address	
Contact number(s)	
Fax number/email address	
B. DETAILS OF RESPONSIBLE PARTY	
Name(s) and Surname/registered name	
Residential, postal or business address	
Contact number(s)	
Fax number/email address	
C. REASONS FOR OBJECTION IN TERMS OF SECTION 11(1)(d) TO (f) (Please provide detailed reasons for the objection)	

D. Reasons for correction or deletion of the Personal Information about the Data Subject in terms of Section 24(1)(a) which is in possession or under the control of the Responsible Party, and or reasons for destruction or deletion of a record of Personal Information about the Data Subject in terms of Section 24(1)(b) which the Responsible Party is no longer authorised to retain (please provide detailed reasons for this request)

Signed at _____ this _____ day of _____ 20____.

Signature of Requester/Person on whose behalf request is made