



PAIA MANUAL

**Prepared in terms of section 51 of the Promotion of Access to Information Act 2
of 2000 (as amended)**

DATE OF COMPILATION: 01/11/2023

CURRENT REV 01: 19/06/2025

DATE OF NEXT REVISION: 05/2026

TABLE OF CONTENTS

Contents

1.	LIST OF ACRONYMS AND ABBREVIATIONS	3
2.	PURPOSE OF THE PAIA MANUAL	3
3.	KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF PHACET CONSULTING SERVICES (PTY) LTD.	4
4.	KEY CONTACT DETAILS FOR THE INFORMATION REGULATOR.....	5
5.	GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE	6
6.	REASONS FOR ACCESS REFUSAL	8
7.	CATEGORIES OF RECORDS OF PCS WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS	10
8.	DESCRIPTION OF THE RECORDS OF PCS WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION	11
9.	DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY PCS.....	11
10.	PROCESSING OF PERSONAL INFORMATION	12
11.	INFORMATION WE HOLD TO COMPLY WITH THE LAW	16
12.	HOW MUCH WILL IT COST YOU	17
13.	AVAILABILITY OF THE MANUAL	17
14.	UPDATING OF THE MANUAL	18

1. LIST OF ACRONYMS AND ABBREVIATIONS

- | | | |
|-----|--------------------|---|
| 1.1 | "CEO" | Chief Executive Officer |
| 1.2 | "DIO" | Deputy Information Officer; |
| 1.3 | "IO" | Information Officer; |
| 1.4 | "Minister" | Minister of Justice and Correctional Services; |
| 1.5 | "PAIA" | Promotion of Access to Information Act No. 2 of 2000(
as
Amended; |
| 1.6 | "POPIA" | Protection of Personal Information Act No.4 of 2013; |
| 1.7 | "PCS" | Phacet Consulting Services |
| 1.8 | "Regulator" | Information Regulator; and |
| 1.9 | "Republic" | Republic of South Africa |

2. PURPOSE OF THE PAIA MANUAL

This PAIA Manual is useful for the public to-

- 2.1 check the categories of records held by a body which are available without a person having to submit a formal PAIA request;
- 2.2 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;
- 2.3 know the description of the records of the body which are available in accordance with any other legislation;

- 2.4 access all the relevant contact details of the Information Officer and Deputy Information Officer who will assist the public with the records they intend to access;
- 2.5 know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- 2.6 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;
- 2.7 know the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.8 know the recipients or categories of recipients to whom the personal information may be supplied;
- 2.9 know if the body has planned to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied; and
- 2.10 know whether the body has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

3. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF PHACET CONSULTING SERVICES (PTY) LTD.

3.1. Chief Information Officer

Name: Vernetie Nieuwenhuys
Tel: +27828985706
Email: consult@phacetcs.co.za

3.3 Head Office

Postal Address:
Same as physical address

Physical Address: Tonquani Estate, Hiskett Avenue, Sandton, 2191.

Telephone: +27 072 5033359

Email: consult@phacetcs.co.za

Website: www.phacetcs.co.za

4. KEY CONTACT DETAILS FOR THE INFORMATION REGULATOR

4.1. Information Regulator

The Information Regulator has taken over the function to regulate PAIA from the South African Human Rights Commission from the 30 June 2021. The Information Regulator also regulates POPIA. A complaint may be lodged with the Information Regulator if you are not satisfied with the outcome of your request for information.

Contact details of the Information Regulator:

The Information Regulator (South Africa)

PO Box 31533
Braamfontein
Woodmead North Office Park
54 Maxwell Drive
2191

POPIA complaints
POPIAComplaints@info regulator.org.za
+27 80 001 7160
PAIAComplaints@info regulator.org.za

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 aforesaid Guide contains the description of-

5.2.1. the objects of PAIA and POPIA;

5.2.2. the postal and street address, phone and fax number and, if available, electronic mail address of-

5.2.2.1. the Information Officer of every public body, and

5.2.2.2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA²;

5.2.3. the manner and form of a request for-

5.2.3.1. access to a record of a public body contemplated in section 11³; and

5.2.3.2. access to a record of a private body contemplated in section 50⁴;

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.*

- 5.2.4. the assistance available from the IO of a public body in terms of PAIA and POPIA;
- 5.2.5. the assistance available from the Regulator in terms of PAIA and POPIA;
- 5.2.6. 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-
 - 5.2.6.1. an internal appeal;
 - 5.2.6.2. a complaint to the Regulator; and
 - 5.2.6.3. an application with a court against a decision by the information officer 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;
- 5.2.7. 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;
- 5.2.8. the provisions of sections 15⁷ and 52⁸ providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
- 5.2.9. the notices issued in terms of sections 22⁹ and 54¹⁰ regarding fees to be paid in relation to requests for access; and

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 4 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.

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.

5.2.10. the regulations made in terms of section 92¹¹.

5.3. 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.

5.4. The Guide can also be obtained-

5.4.1. upon request to the Information Officer.

5.4.2. From the website of the Regulator
(<https://www.justice.gov.za/inforeg/>).

5.4.3. A copy of the Guide is also available in English, for public inspection during normal office hours.

6. REASONS FOR ACCESS REFUSAL

A private body such as PCS is entitled to refuse a request for information.

6.1. The main grounds for PCS to refuse a request for information relates to the:

6.1.1. mandatory protection of the privacy of a third party who is a natural person or a deceased person (section 63 of PAIA) or a juristic person, as include in the POPIA which would involve the unreasonable disclosure of personal information of that natural or juristic person

6.1.2. mandatory protection of personal information and for disclosure of any personal information to, in addition to any other legislative, regulatory, or contractual agreements, comply with the provisions of POPIA

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.”

- 6.1.3. mandatory protection of the commercial protection of a third party (section 64 of PAIA) if the record contains:
 - 6.1.3.1. trade secrets of the third party
 - 6.1.3.2. financial, commercial, scientific, or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party
 - 6.1.3.3. information disclosed in confidence by a third party to PCS if the disclosure could put that third party at a disadvantage in negotiations or commercial competition
- 6.1.4. mandatory protection of confidential information of third parties (section 65 of PAIA) if it is protected in terms of any agreement
- 6.1.5. mandatory protection of the safety of individuals and the protection of property (section 66 of PAIA) and/or
- 6.1.6. mandatory protection of records which would be regarded as privileged in legal proceedings (section 67 of PAIA).
- 6.2. The commercial activities (Section 68 of PAIA) of a private body, such as PCS, which may include:
 - 6.2.1. trade secrets of PCS
 - 6.2.2. financial, commercial, scientific, or technical information which disclosure could likely cause harm to the financial or commercial interests of PCS
 - 6.2.3. information which, if disclosed could put PCS at a disadvantage in negotiations or commercial competition
 - 6.2.4. a computer programme which is owned by PCS and which is protected by copyright and/or
 - 6.2.5. the research information (section 69 of PAIA) of PCS of a third party, if its disclosure would disclose the identity of PCS, the researcher or the

subject matter of the research and would place the research at a serious disadvantage.

6.3. Requests for information that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources shall be refused.

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

If a requested record cannot be found or if the record does not exist, the Information Officer shall, by way of an affidavit or affirmation, notify the requester that it is not possible to give access to the requested record. Such a notice will be regarded as a decision to refuse the request for access to the record concerned for the purposes of PAIA. If the record is later found, the requester shall be given access to the record in the manner stipulated by the requester in the prescribed form, unless the Information Officer refuses access to such record.

You will be notified in writing on Form 3 as required by PAIA as to whether your request for information has been approved or denied within 30 (Thirty) calendar days after receipt of a completed request refer Form 2.

7. CATEGORIES OF RECORDS OF PCS WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

The categories of records held by PCS which are available without a person having to request access by completing Form 2 as per the PAIA regulations (27 August 2021). These are records that are available on the website (as indicated) and a person may download or request telephonically or by sending an email (refer paragraph 3.3) or a letter.

Refer **Table 1** for documents which are available as described above.

Table 1

Category of records	Types of the Record	Available on Website	Available upon request
Compliance	Terms of use for the website	x	x
Compliance	Privacy Policy for the website	x	x
Compliance	PAIA Manual	x	x

Compliance	SARS Tax Compliance Status		x
Compliance	BBBEE Exemption Certificate		x
Compliance	Company Registration Document (CIPC)		x
Compliance	VAT Registration		x
Marketing	Company Profile		x
Marketing	Public Service/Product Information		x

8. DESCRIPTION OF THE RECORDS OF PCS WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION

These are the records which are created and available in accordance with any of the South African legislation. These are records that are available by request telephonically or by sending an email (refer paragraph 3.3) or a letter. Refer to the list of legislation in Section 11 of this manual.

9. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY PCS

The subjects in respect of which PCS holds records and the categories of records held on each subject is depicted in Table 3 below and a person can request access by completing Form 2 as per the PAIA regulations (27 August 2021) (Refer Form 2).

Table 3

Subjects on which the body holds records	Categories of records
Proposals	- Proposals
Human Resources	- HR policies and procedures - Advertised posts - Employees records
Compliance	- Policies and Procedures - Personal information impact assessment where available/conducted.
Marketing	- List of Customers and Prospects - Customer agreements

Subjects on which the body holds records	Categories of records
	<ul style="list-style-type: none"> - Customer files - Customer correspondence - Project/Contract records
Finance	<ul style="list-style-type: none"> - Financial Statements - VAT Schedules - SARS Tax Clearance - Monthly and Annual Journals - Cash Book - General Ledger - Financial Reconciliations - Debtors <ul style="list-style-type: none"> o Invoices o Receipts o Statements o Credit Notes - Creditors <ul style="list-style-type: none"> o Invoices o Statements o Credit Notes o Asset Register - Banking Records and Statements - Electronic Banking Records
Operations	<ul style="list-style-type: none"> - Rental Agreements - Non-disclosure Agreements - PoPIA Agreements - Supplier Agreements - Internal Correspondence (Emails/Memos)

10. PROCESSING OF PERSONAL INFORMATION

10.1. Purpose of Processing Personal Information

There are various types of personal information that PCS deals with. Refer to **Table 4** for the purpose per category of Data Subjects.

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

Specify the categories of data subjects in respect of whom the body processes personal information and the nature or categories of the personal information being processed are depicted in **Table 4**.

Table 4

Data Subject Type	Processing Purpose	Personal Information Category	Recipients of Personal Information
Providers of goods & services	Invoicing and Payments Lawful basis: S11 – To conclude or perform a contract to which the data subject is party. Retention Period: Until tax or other legal retention period expires	<ul style="list-style-type: none"> • Cell phone number • Confidential Correspondence • Email address • Location information • Name, together with other identifying information 	<ul style="list-style-type: none"> • Financial Service Provider • Marketing Service Provider • Consulting Service Provider • Software Partner • Statutory Bodies
Prospective Employees	Employee recruitment Lawful basis: S11 – We have the data subjects consent. Retention Period: Until no longer needed for purposes of proof	<ul style="list-style-type: none"> • Physical address • Telephone number • Financial & banking details 	
Prospective Customers	Customer sales, service and support Lawful basis: S15 – The information is available in or derived from a public record. Retention Period: Until consent withdrawn	<ul style="list-style-type: none"> • Physical and Postal Address • Contact Details and Email Address • Education history • Employment history 	

Data Subject Type	Processing Purpose	Personal Information Category	Recipients of Personal Information
Consultants	Customer sales, service and support Lawful basis: S11 – To conclude or perform a contract to which the data subject is party. Retention Period: Upon conclusion of the service, event or promotion.	<ul style="list-style-type: none"> • Remuneration details • Personal opinions, views or preferences • Driver’s license details • Proof of qualification • Company Name • Online identifier • Company Name and Registration Number 	
Customers	Lawful basis: S11 – To conclude or perform a contract to which the data subject is party. Retention Period: Until tax or other legal retention period expires		

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

The person or category of persons to whom PCS may disseminate personal information is depicted in **Table 4**.

10.4. Correction of Personal Information

A data subject may request PCS to correct or delete personal information about them, if that information is inaccurate, irrelevant, excessive, out of date, incomplete, misleading, or obtained unlawfully or destroy or delete a record of personal information about a data subject that PCS have, and where PCS are no longer authorised to retain such a record.

On receipt of this request, and after PCS have verified the identity of the data subject, we will provide the data subject with a record of the data subjects

personal information that PCS have. After evaluation we will then do the following:

- 10.4.1. correct the information
- 10.4.2. destroy or delete the information
- 10.4.3. provide the data subject, to his or her satisfaction, with credible evidence in support of the information or
- 10.4.4. where agreement cannot be reached between PCS and the data subject, and if the data subject so requests, take such steps as are reasonable in the circumstances, to attach to the information in such a manner that it will always be read with the information, an indication that a correction of the information has been requested but has not been made.

In the case where the data subject still doesn't agree with PCS, the data subject has a right to refer the matter to the Information Regulator, refer paragraph 4.1 for the details of the Information Regulator.

10.5. Planned transborder flows of personal information

PCS does not intend to transfer Personal Information outside of South Africa. If Personal Information is transferred offshore, PCS will only transfer such Personal Information to other countries who have similar privacy and data protection laws as those in South Africa, as required by section 72 of POPIA

10.6. General description of Information Security Measures to be implemented by the PCS to ensure the confidentiality, integrity and availability of the information

PCS is committed to ensuring that personal and sensitive information is secure. In order to prevent unauthorised access or disclosure to any Personal Information, PCS has put in place suitable physical, electronic and managerial practices to safeguard and secure the information it collects.

PCS makes use of secure data transmission and storage technologies to reasonably protect personal and sensitive Information from unauthorised disclosure and to maintain the integrity of your personal and sensitive Information. PCS takes all reasonable technical and organisational measures to ensure the security of personal and sensitive information.

PCS have information security practices in place and have implemented security measures to cover the following areas:

Physical – Personal and sensitive information processed with the necessary physical measures in place including, but not limited to, password protection and user access limitations.

Logical – Only people that must have access to information/data to perform their tasks have that access. Strong passwords are used to access information/data that is classified as restricted/confidential

Operational – Anti-malware and anti-virus solutions are used; backups are made on a regular basis.

Employees – Prospective Employees have been screened before appointment. Employees are also trained in relation to policies and procedures as and when required

Consultants – Consultants are screened and sign non-disclosure agreements with PCS and are required to have suitable IT security safeguards in place.

11. INFORMATION WE HOLD TO COMPLY WITH THE LAW

Where applicable to its operations, PCS also retains records and documents in terms of the legislation described below. Unless disclosure is prohibited in terms of legislation, regulations, contractual agreement or otherwise, records that are required to be made available in terms of these acts shall be made available for inspection by interested parties in terms of the requirements and conditions of the specific Act; the below mentioned legislation and applicable internal policies and procedures, should such interested parties be entitled to such information. A person can request access by completing Form 2 as per the PAIA regulations (27 August 2021) (Refer to Form 2). See also Section 8 herein.

It is further recorded that the accessibility of documents and records may be subject to the grounds of refusal set out in paragraph 6 of this Manual.

PCS hold information in accordance with the following legislation:

- 11.1. Basic Conditions of Employment Act, 75 of 1997
- 11.2. Broad – Based Black Economic Empowerment Act, 53 of 2003
- 11.3. Companies Act, 71 of 2008

- 11.4. Compensation for Occupational Injuries and Diseases Act, 130 of 1993
- 11.5. Constitution of the Republic of South Africa 1996
- 11.6. Consumer Protection Act, 68 of 2008
- 11.7. Copyright Act, 98 of 1978
- 11.8. Electronic Communications and Transactions Act, 25 of 2002
- 11.9. Employment Equity Act, 55 of 1998
- 11.10. Income Tax Act, 58 of 1962
- 11.11. Labour Relations Act ,66 of 1995
- 11.12. Intellectual Property Laws Amendment Act, 38 of 1997 as amended
- 11.13. National Credit Act, 34 of 2005
- 11.14. Occupational Health and Safety Act, 85 of 1993
- 11.15. Promotion of Access to Information Act,2 of 2000
- 11.16. Protection of Personal Information Act, 4 of 2013
- 11.17. Skills Development Act, 97 of 1998
- 11.18. Skills Development Levies Act, 9 of 1999
- 11.19. Unemployment Insurance Act, 63 of 2001
- 11.20. Unemployment Insurance Contributions Act, 4 of 2002
- 11.21. Value Added Tax Act, 89 of 1991.

12. HOW MUCH WILL IT COST YOU

- 12.1. Section 52(3) of PAIA states that fees payable for access to records are to be prescribed.
- 12.2. Refer to Form 3 for the fees schedule in respect of private body's that was published in the PAIA regulation dated 27 August.

13. AVAILABILITY OF THE MANUAL

- 13.1. A copy of the Manual is available-
 - 13.1.1. on the PCS website www.phacetcs.co.za
 - 13.1.2. PCS head office for public inspection during normal business hours;

13.1.3. to any person upon request and upon the payment of a reasonable prescribed fee; and

13.1.4. to the Information Regulator upon request. 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.

14. UPDATING OF THE MANUAL

The head of a Phacet Consulting Services will on a regular basis update this manual.

Issued by

Vernette Nieuwenhuys

Managing Director