



Address: 3 Tottum Ave, Durbanville, Cape Town, 7550

Postal Address: PO Box 1420, Durbanville, 7551

PAIA POLICY

Promotion of Access to

Information Act, 2000

The reference, in this document, to any information in addition to that specifically required in terms of Section 51 of PAIA does not create any right or entitlement (contractual or otherwise) to receive such information, other than in terms of PAIA.



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1 INTRODUCTION

- 1.1 In terms of the Promotion of Access to Information Act, of 2000 (PAIA) everyone has the right to request and given access to any record held by a private body (Part 3, Section 50)
- 1.2 In order to give effect to these rights, Gwirio is under a duty to provide a manual for access to information to any person. This manual must outline channels available to log a request.
- 1.3 Each request will be subjected to the stipulated rights and limitations with requirements as set out by PAIA.
- 1.4 It is important to note that Gwirio (Pty) Ltd is also a Data Subject as per POPIA, 4 of 2013 and as such, any information provided during a request will be subject to POPIA.

PRIVACY NOTICE AND INFORMED CONSENT NOTICE

CONSENT TO PROCESS PERSONAL INFORMATION IN TERMS OF THE PROTECTION OF INFORMATION ACT, 4 OF 2013 (POPIA) (EMAIL, WEBSITE AND SOCIAL MEDIA PRIVACY NOTICE)

The Protection of Personal Information Act, 4 of 2013 (POPIA) gives effect to the constitutional right to data privacy in terms of Section 14 of the Bill of Rights of the Constitution.

PROMOTION OF ACCESS TO INFORMATION

The Promotion of Access to Information Act, 2000, gives effect to the constitutional right of access to any information held by the State and any information that is held by another person and that is required for the exercise or protection of any rights; and to provide for matters connected therewith.



2 COMPANY INFORMATION

- 2.1 Company name:
- Gwirio (Pty) Ltd.

- 2.2 Registration number:
- 2015/121926/07

3 CONTACT DETAILS: SECTION 51(1) (A) OF PAIA

- 3.1 Postal Address:
- P O Box 1420, Durbanville, 7551

- 3.2 Street Address:
- 3 Tottum ave, Durbanville, Western Cape

- 3.3 Head of GWIRIO:
- Mr. D G Roux

- 3.4 Designated Information Official:
- Mr D G Roux

- 3.5 E- Mail address:
- PAIA@gwirio.com or Info@gwirio.com

4 DESCRIPTION OF GUIDE REFERRED TO IN SECTION 10: SECTION 51(1)(B)

- 4.1.1 A guide has been compiled in terms of Section 10 of PAIA. It contains information required by a person wishing to exercise any right, contemplated by PAIA.



4.1.2 The Guide is available for inspection, *inter alia*, at the office of the Human Rights Commission at 29 Princess of Wales Terrace, cnr York and St. Andrews Street, Parktown, and on its website at www.sahrc.org.za.

4.2 THE LATEST NOTICE IN TERMS OF SECTION 52(2) (IF ANY):

4.2.1 At this stage no notice(s) has/have been published on the categories of records that are automatically available without a person having to request access in terms of PAIA.

5 RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION: SECTION 51(1)(d)

5.1 Records available in terms of other legislation are as follows:

- Labour Relations Act, 66 of 1995;
- Employment Equity Act, 55 of 1998;
- Basic Conditions of Employment Act, 75 of 1997;
- Compensation for 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.

6 SUBJECTS AND CATEGORIES OF RECORDS HELD BY GWIRIO: SECTION 51(1)(E)

6.1 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.



6.2 FINANCIAL RECORDS

- Annual Financial Statements;
- Tax Returns;
- Accounting Records;
- Banking Records
- Bank Statements;
- Electronic banking records
- Asset Register;
- Rental Agreements;

6.3 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.

6.4 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.



7 Process on how to make a request for access under section 51(e) of PAIA.

- 7.1 For registered users of Gwirio, requests for access to records held by Gwirio can be made via our Data Subject portal (ds.gwirio.com) or,
- 7.2 Requests for access to records held by Gwirio must be made on the request form that is available from the SAHRC website (www.sahrc.org.za) or the Department of Justice and Constitutional Development (www.doj.gov.za).
- 7.3 The requester must complete the required information and submit this together with a request fee, to the Designated Information Official of Gwirio.
- 7.4 The form must be submitted at the above postal address, or electronic mail address
- 7.5 The form must:
 - 7.5.1 provide sufficient particulars to enable the Gwirio Information Official to identify the record/s requested and to identify the requester;
 - 7.5.2 indicate which form of access is required;
 - 7.5.3 specify a postal address or email address of the requester in the Republic,
 - 7.5.4 identify the right that the requester is seeking to exercise or protect;
 - 7.5.5 provide an explanation of why the requested record is required for the exercise or protection of that right;
 - 7.5.6 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;
 - 7.5.7 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 Gwirio.
- 7.6 If a requestor does not use the required documentation, or provide sufficient information, the request may be rejected for lack of procedural compliance or delayed.
- 7.7 The Designated Information Official 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 request fee.

- 7.8 The Designated Information Official will evaluate and consider the request in terms of the provisions of PAIA and will make a decision on the request and notify the requester in the required form.
- 7.9 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.

8 REVISION OF POLICIES

- 8.1 Gwirio reserve the right to and may from time to time update this PAIA Notice. Any such revision will be published as an amended version on the Gwirio website.
- 8.2 Following this, any change to this Policy will be posted as an updated version and readers are advised to visit and re-read this policy on a regular basis.