

**OUTSOURCED
COMPLIANCE SERVICES
(PTY) LTD**



PAIA MANUAL

CONTENTS

PREAMBLE.....	2
DEFINITIONS & ABBREVIATIONS.....	3
CONTACT INFORMATION.....	5
THE PAIA GUIDE	5
SCHEDULE OF RECORDS.....	7
LEGISLATIVE RECORDS	8
SUBJECTS AND CATEGORIES OF RECORDS.....	9
PURPOSE OF PROCESSING PERSONAL INFORMATION	10
DATA SUBJECTS AND PERSONAL INFORMATION WHICH MAY BE PROCESSED	11
RECIPIENTS TO WHOM PERSONAL INFORMATION MAY BE SUPPLIED	12
TRANSBORDER FLOW OF PERSONAL INFORMATION	12
SECURITY MEASURES	12
PROCEDURE FOR REQUESTING INFORMATION IN TERMS OF PAIA	13
REFUSAL TO GRANT ACCESS	14
RECORDS THAT CANNOT BE FOUND OR DO NOT EXIST	14
AVAILABILITY OF THE MANUAL	14
UPDATING OF THE MANUAL.....	15
ANNEXURE A.....	16

DATE OF ISSUE/UPDATE	Created: 30 December 2021	Version	2
	Last reviewed and/or updated: 19 October 2023		
POLICY OWNER	Director		
APPROVED BY	Director		

PREAMBLE

The Promotion of Access to Information Act 2 of 2000 (“the Act”) gives effect to the constitutional right of access to any information in records held by public or private bodies that is required for the exercise of protection of any rights.

Where a request is made in terms of the Act, Outsourced Compliance Services (Pty) Limited, hereinafter referred to as “OCS” is obliged to release the information, except where the Act expressly provides that the information may or must not be released.

This manual informs requesters of procedural and other requirements which a request must meet as prescribed by the Act. It is important to note that the Act recognises certain limitations to the right of access to information, including, but not limited to, limitations aimed at the reasonable protection of privacy, commercial confidentiality, and effective, efficient and good governance, and in a manner which balances that right with any other rights, including such rights contained in the Bill of Rights in the Constitution.

The manual can be utilised to:

- Check the categories of records held by OCS which are available without an individual having to submit a formal PAIA request;
- Have a sufficient understanding of how to make a request for access to a record held by OCS, by providing a description of the subjects on which OCS holds records and the categories of records held on each subject;
- Know the description of the records of OCS which are available in accordance with any other legislation;
- Access all the relevant contact details of the Information Officer who will assist an individual with the records they intend to access;
- Know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- Know whether OCS will process personal information, the purpose of processing personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;
- Know the description of the categories of data subjects and of the information or categories of information relating thereto;

- Know the recipients or categories of recipients to whom the personal information may be supplied;
- Know whether OCS 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
- Know whether OCS has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

DEFINITIONS & ABBREVIATIONS

“CEO” means Chief Executive Officer;

“Data Subject or Individual/ Client” means the person to whom personal information relates;

“DIO” means Deputy Information Officer;

“Head” of or in relation to a private body means -

- in the case of a natural person, that natural person or any person duly authorised by that natural person;
- in the case of a partnership, any partner of the partnership or any person duly authorised by the partnership;
- in the case of a juristic person
 - o the chief executive officer or equivalent officer of the juristic person or any, person duly authorised by that officer; or
 - o the person who is acting as such or any person duly authorised by such acting person;

“IO” means Information Officer;

“Personal Information” means information about an identifiable individual, including, but not limited to-

- information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the individual;
- information relating to the education or the medical, criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved;

- any identifying number, symbol or other particular assigned to the individual;
- the address, fingerprints or blood type of the individual;
- the personal opinions, views or preferences of the individual, except where they are about another individual or about a proposal for a grant, an award or a prize to be made to another individual;
- correspondence sent by the individual that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
- the views or opinions of another individual about the individual;
- the views or opinions of another individual about a proposal for a grant, an award or a prize to be made to the individual, but excluding the name of the other individual where it appears with the views or opinions of the other individual; and
- the name of the individual where it appears with other personal information relating to the individual or where the disclosure of the name itself would reveal information about the individual, but excludes information about an individual who has been dead for more than 20 years;

“PAIA” means the Promotion of Access to Information Act 2 of 2000 (as amended);

“POPIA” means Protection of Personal Information Act 4 of 2013;

“Private Body” means-

- a natural person who carries or has carried on any trade, business or profession, but only in such capacity;
- a partnership which carries or has carried on any trade, business or profession; or
- any former or existing juristic person, but excludes a public body;

“Regulator” means the Information Regulator;

“Republic” means the Republic of South Africa;

“Request For Access” in relation to a private body means a request for access to a record of a private body in terms of section 50 of PAIA;

“requester” in relation to a private body, means-

- any person, including but not limited to, a public body or an official thereof, making a request for access to a record of that private body;

CONTACT INFORMATION

Any questions relating to OCS's PAIA Manual or how to request access to information held by OCS may be addressed to the contact details below:

Information Officer

Name: Johan van Zyl
Tel: 011 568 0925
Email: info@outsourcedcompliance.co.za
Website: <http://www.outsourcedcompliance.co.za/>
Physical Address: JHB: Unit A30, Innovation Worx, c/o 16th and Scale End Road, Halfway House, Midrand, Johannesburg, 1685
CT: The Launch Pad, 180 Lancaster Road, Gordon's Bay, Western Cape, South Africa, 7140

THE PAIA GUIDE

The Regulator has, in terms of section 10(1) of PAIA, 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.

The Guide is available in each of the official languages and in braille. The Guide can be obtained-

- upon request to the Information Officer;
- from the website of the Regulator (<https://www.justice.gov.za/infoereg/>).

A copy of the Guide is also available in English & Afrikaans, for public inspection during normal office hours at OCS.

The Guide contains the description of-

- The objects of PAIA and POPIA;
- The postal and street address, phone and fax number and, if available, electronic mail address of-
 - o the Information Officer of every public body, and
 - o every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA and section 56 of POPIA;
- The manner and form of a request for-
 - o access to a record of a private body contemplated in section 50;

- The assistance available from the IO of a public body in terms of PAIA and POPIA;
- The assistance available from the Regulator in terms of PAIA and POPIA;
- 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-
 - o an internal appeal;
 - o a complaint to the Regulator; and
 - o 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;
- The provisions of sections 14 and 51 requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
- The provisions of sections 15 and 52 providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
- The notices issued in terms of sections 22 and 54 regarding fees to be paid in relation to requests for access; and
- 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.

SCHEDULE OF RECORDS

RECORDS	SUBJECT	AVAILABILITY
Personnel Records	<ul style="list-style-type: none"> - Training records - Personnel records - Records provided by a third party relating to personnel - Conditions of employment and other employee contractual related records - Internal and correspondence records 	Request in terms of PAIA
OCS's Company Records	<ul style="list-style-type: none"> - Financial and auditing records - Internal correspondence - Shareholder records - Incorporation records - Compliance records - Internal policies and procedures - Databases - Information technology - Securities and equities - Invoices and proof of payments 	Request in terms of PAIA
Client Records	<ul style="list-style-type: none"> - Financial records - Correspondence - Service level agreements - Records provided and/ or generated by a client to an intermediary - Third party records - Transactional records - Compliance Reports 	Request in terms of PAIA
Other Records	<ul style="list-style-type: none"> - Supplier records - Attorney records - Personnel, client, or private body records which are held by other parties 	Request in terms of PAIA

	- Security related information	
--	--------------------------------	--

LEGISLATIVE RECORDS

LEGISLATION	RECORDS
Basic Conditions of Employment Act 75 of 1997 Employment Equity Act 55 of 1998 Labour Relations Act 66 of 1995 Skills Development Act 9 of 1999 Income Tax Act 58 of 1962 Value Added Tax Act 89 of 1991	<ul style="list-style-type: none"> - Employment Equity Plan (if applicable) - Medical Aid records - Disciplinary records - Salary records - SETA records - Disciplinary code - Leave records - Training records - Training Manuals - PAYE Records - Documents issued to employees for income tax purposes - Records of payments made to SARS on behalf of employees - VAT - Regional Services Levies - Skills Development Levies - UIF - Workmen's Compensation
Companies Act 61 of 1973	<ul style="list-style-type: none"> - Documents of incorporation - Memorandum and Articles of Association - Minutes of Board of Directors meetings - Records relating to the appointment of directors/auditor/ secretary/public officer and other officers - Share Register and other statutory registers - Director Information

Financial Advisory and Intermediary Services Act 37 of 2002	- Compliance Reports
Promotion Of Access To Information Act 2 of 2000 Protection of Personal Information Act 4 of 2013	- PAIA Manual - POPI Policy

SUBJECTS AND CATEGORIES OF RECORDS

SUBJECT	CATEGORY OF RECORD
Human Resources	- HR Policies and Procedures - Employees records - Skills Development and Training
Operational Policies, Plans, Procedures or Frameworks	- Evacuation procedures - Management - Procurement Plans - Funds - Suppliers - Risk Management - Audit - IT - Finance Management - Marketing - Branding Records
Corporate Governance	- Organisational and Business Plans - Memorandum of Understanding - Regulator's Policies and Procedures - Occupational Health and Safety Plan - Loss Control Register
Information Technology	- Incidents and Service Requests - Systems Maintenance Check lists - Service Level Agreements - Network maintenance

	<ul style="list-style-type: none"> - Internal Documents - Confidential communication
Finances	<ul style="list-style-type: none"> - Financial Accounting - Financial Reporting - Management Accounting - Statements - Budgets - Reports - Audit Records, - Revenue Statements - Reports and Returns

PURPOSE OF PROCESSING PERSONAL INFORMATION

OCS needs to collect and process personal or other information for the purposes of:

- Confirming and verifying an individual's identity;
- For the detection and prevention of fraud, crime, money laundering or other malpractice;
- Verifying qualifications;
- Verifying bank account details;
- For audit and record keeping purposes;
- Inform an individual of services;
- To comply with legal and regulatory requirements;
- To share information with service providers with whom OCS has a business agreement to process such information on OCS's behalf or to those who render services to OCS.
- To comply with auditing and record-keeping requirements.

DATA SUBJECTS AND PERSONAL INFORMATION WHICH MAY BE PROCESSED

CATEGORY OF DATA SUBJECTS/INDIVIDUALS	PERSONAL INFORMATION WHICH MAY BE PROCESSED INCLUDES, BUT IS NOT LIMITED TO
Natural Persons	<ul style="list-style-type: none"> - Names and surname - Contact details (telephone number, email address etc.) - Physical, postal and/or business address - Unique Identifiers/ Identity Number, banking details, marital status, gender, age, language etc. - Qualifications - Financial information - Criminal record - Disability - Tax related information
Juristic Persons	<ul style="list-style-type: none"> - Names of contact persons - Name of Legal Entity - Registration Number - FSP number - Physical and Postal address - Contact details (telephone number, email address etc.) - Name of directors and shareholders - Financial Information - Tax related information - Authorised signatories

RECIPIENTS TO WHOM PERSONAL INFORMATION MAY BE SUPPLIED

CATEGORY OF PERSONAL INFORMATION	SERVICES	TO WHOM THE PERSONAL INFORMATION MAY BE SUPPLIED
Unique Identifiers, Identity Number, Names and Surnames, Credit History, Financial Information, Banking Information, Age, Gender etc.	- To render necessary services	- South African Police Services - Third Party providers with the necessary service level agreements in place for the rendering of necessary services - Employees
Qualifications	- Qualification Verification	- South African Qualifications Authority - Third Party providers with the necessary service level agreements in place for the rendering of necessary services - Employees

TRANSBORDER FLOW OF PERSONAL INFORMATION

OCS will ensure that anyone to whom it passes personal information is subject to a law, binding corporate rules or binding agreement which provides an adequate level of protection, and the third party agrees to treat that personal information with the same level of protection as OCS is obliged under privacy laws.

SECURITY MEASURES

OCS strives to ensure the security, integrity and privacy of personal information submitted. OCS will review and update its security measures in accordance with future legislation and technological advances. Unfortunately, no data transmission over the Internet can be guaranteed to be totally secure, however, OCS will endeavour to take all reasonable steps to protect the personal information, which an individual submits to OCS or to OCS online products and services.

In instances where OCS contracts with third parties, OCS will impose the appropriate security, privacy, and confidentiality obligations to ensure that personal information is kept secure. OCS employees are obliged to respect the confidentiality of any personal information held by OCS. All employees are required to sign an employment contract which includes a confidentiality clause. OCS will always set the highest standards to ensure the integrity of systems and will on an ongoing basis, continue to review security controls and related processes in order to ensure that any personal information remains secure.

Measures taken by OCS include, but is not limited to –

- Access Control
- Data Encryption
- Monitoring and Reporting capabilities
- Data Backups
- Anti-virus and Anti-malware Solutions
- Awareness and Vigilance

PROCEDURE FOR REQUESTING INFORMATION IN TERMS OF PAIA

“**personal requester**” means a person seeking information about him/her/itself.

“**other requester**” means a person seeking information about third parties.

To request access to records held by OCS the requester must do the following:

- Use the prescribed request Form 2 as provided for by the Information Regulator which can be found at <https://www.inforegulator.org.za/docs/forms/InfoRegSA-PAIA-Form02-Reg7.pdf>
- Submit the request form to the attention of the Information Officer at the electronic email address as provided for in this manual.
- Provide sufficient details to enable OCS to identify:
 - o The record(s) requested
 - o The requester (an agent is lodging a request - proof of capacity)
 - o The form of access required
 - o The postal address, fax number or email address of the requester in the Republic

- If the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof
 - The right which the requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.
- To process the request, the requester must pay the prescribed fees as provided for in Annexure A of this manual. (Upon receipt of the Request form, the Information Officer will inform the requester of the fee due and payable).
 - OCS will process the request within 30 days unless the Information Officer is satisfied as to why the request should be processed in a shorter period
 - Note that OCS will only process requests if the access requirements have been met.
 - An individual who because of illiteracy or a disability is unable to make a request for access to a record held by OCS, may make that request orally.

Note that in this instance OCS is under no obligation to voluntarily grant access.

REFUSAL TO GRANT ACCESS

The grounds for refusal of access to records include but are not limited to:

- Mandatory protection of privacy of third party who is natural person
- Mandatory protection of research information of third party, and protection of research information of private body
- Mandatory protection of records privileged from production in legal proceedings
- Mandatory protection of safety of individuals, and protection of property
- Mandatory protection of commercial information of a third party
- Mandatory protection of certain confidential information, and protection of certain other confidential information, of a third party

RECORDS THAT CANNOT BE FOUND OR DO NOT EXIST

Requesters have the right to receive a response in the form of an affidavit where records cannot reasonably be located, or do not exist but to which a requester would have had access had the records been available.

AVAILABILITY OF THE MANUAL

A copy of the Manual is available-

- The head office of the OCS for public inspection during normal business hours;
- To any person upon request and upon the payment of a reasonable prescribed fee; and
- To the Information Regulator upon request.

A fee for a copy of the Manual, as contemplated in annexure A of the Regulations, shall be payable per each A4-size photocopy made.

UPDATING OF THE MANUAL

OCS will on a regular basis update this manual and will update in line with any regulatory and/ or legislative changes.

ISSUED BY



Johan van Zyl

Director | Information Officer

ANNEXURE A

DESCRIPTION	AMOUNT
The request fee payable by every requester	R140.00
Photocopy/printed black & white copy of A4-size page	R2.00 per page or part thereof
Printed copy of A4-size page	R2.00 per page or part thereof
For a copy in a computer-readable form on:	
- Flash drive (to be provided by requestor)	R40.00
- Compact disc	
o If provided by requestor	R40.00
o If provided to the requestor	R60.00
For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on quotation from Service provider
Copy of visual images	Service to be outsourced. Will depend on quotation from Service provider
Transcription of an audio record, per A4-size page	R24.00
Copy of an audio record on:	
- Flash drive (to be provided by requestor)	R40.00
- Compact disc	
o If provided by requestor	R40.00
o If provided to the requestor	R60.00
To search for and prepare the record for disclosure for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation. Will not exceed a total cost of	R435.00
Postage, e-mail or any other electronic transfer	Actual cost, if any

FORM 2

REQUEST FOR ACCESS TO RECORD

[Regulation 7]

NOTE:

1. Proof of identity must be attached by the requester.
2. If requests made on behalf of another person, proof of such authorisation, must be attached to this form.

TO: The Information Officer

(Address)

E-mail address:

Fax number:

Mark with an "X"

Request is made in my own name

Request is made on behalf of another person.

PERSONAL INFORMATION			
Full Names			
Identity Number			
Capacity in which request is made <i>(when made on behalf of another person)</i>			
Postal Address			
Street Address			
E-mail Address			
Contact Numbers	Tel. (B):		Facsimile: <input type="text"/>
	Cellular:		
Full names of person on whose behalf request is made <i>(if applicable):</i>			
Identity Number			
Postal Address			

Street Address			
E-mail Address			
Contact Numbers	Tel. (B)		Facsimile
	Cellular		
PARTICULARS OF RECORD REQUESTED			
<p><i>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 page and attach it to this form. All additional pages must be signed.)</i></p>			
Description of record or relevant part of the record:			
Reference number, if available			
Any further particulars of record			
TYPE OF RECORD <i>(Mark the applicable box with an "X")</i>			
Record is in written or printed form			
Record comprises virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>			
Record consists of recorded words or information which can be reproduced in sound			
Record is held on a computer or in an electronic, or machine-readable form			

FORM OF ACCESS
(Mark the applicable box with an "X")

Printed copy of record (including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)	
Written or printed transcription of virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)	
Transcription of soundtrack (written or printed document)	
Copy of record on flash drive (including virtual images and soundtracks)	
Copy of record on compact disc drive (including virtual images and soundtracks)	
Copy of record saved on cloud storage server	

MANNER OF ACCESS
(Mark the applicable box with an "X")

Personal inspection of record at registered address of public/private body (including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format (including transcriptions)	
E-mail of information (including soundtracks if possible)	
Cloud share/file transfer	
Preferred language (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)	

PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED

If the provided space is inadequate, please continue on a separate page and attach it to this Form. The requester must sign all the additional pages.

Indicate which right is to be exercised or protected	

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

FEEES	
a)	<i>A request fee must be paid before the request will be considered.</i>
b)	<i>You will be notified of the amount of the access fee to be paid.</i>
c)	<i>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.</i>
d)	<i>If you qualify for exemption of the payment of any fee, please state the reason for exemption</i>
Reason	

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

Postal address	Facsimile	Electronic communication <i>(Please specify)</i>

Signed at _____ this _____ day of _____ 20 _____

Signature of Requester / person on whose behalf request is made

FOR OFFICIAL USE

Reference number:	
Request received by: <i>(State Rank, Name And Surname of Information Officer)</i>	
Date received:	
Access fees:	
Deposit (if any):	

Signature of Information Officer

FORM 3
OUTCOME OF REQUEST AND OF FEES PAYABLE
 [Regulation 8]

Note:

1. If your request is granted the—
 - (a) amount of the deposit, (if any), is payable before your request is processed; and
 - (b) requested record/portion of the record will only be released once proof of full payment is received.
2. Please use the reference number hereunder in all future correspondence.

Reference number: _____

TO: _____

Your request dated _____, refers.

1. You requested:

Personal inspection of information at registered address of public/private body (<i>including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form</i>) is free of charge. You are required to make an appointment for the inspection of the information and to bring this Form with you. If you then require any form of reproduction of the information, you will be liable for the fees prescribed in Annexure B.	
---	--

OR

2. You requested:

Printed copies of the information (<i>including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form</i>)	
Written or printed transcription of virtual images (<i>this includes photographs, slides, video recordings, computer-generated images, sketches, etc</i>)	
Transcription of soundtrack (<i>written or printed document</i>)	
Copy of information on flash drive (<i>including virtual images and soundtracks</i>)	
Copy of information on compact disc drive (<i>including virtual images and soundtracks</i>)	
Copy of record saved on cloud storage server	

3. To be submitted:

Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format (<i>including transcriptions</i>)	
E-mail of information (<i>including soundtracks if possible</i>)	
Cloud share/file transfer	
Preferred language: (<i>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</i>)	

Kindly note that your request has been:

Approved

Denied, for the following reasons:

--

4. Fees payable with regards to your request:

Item	Cost per A4-size page or part thereof/item	Number of pages/items	Total
Photocopy			
Printed copy			
For a copy in a computer-readable form on:			
(i) Flash drive	R40.00		
• To be provided by requestor			
(ii) Compact disc	R40.00		
• If provided by requestor			
• If provided to the requestor	R60.00		
For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on the quotation of the service provider		
Copy of visual images			
Transcription of an audio record, per A4-size	R24.00		
Copy of an audio record			
(i) Flash drive	R40.00		
• To be provided by requestor			
(ii) Compact disc	R40.00		
• If provided by requestor			
• If provided to the requestor	R60.00		
Postage, e-mail or any other electronic transfer:	Actual costs		
TOTAL:			

5. Deposit payable (if search exceeds six hours):

Yes

No

Hours of search	Amount of deposit (calculated on one third of total amount per request)

The amount must be paid into the following Bank account:

Name of Bank: _____
 Name of account holder: _____
 Type of account: _____
 Account number: _____
 Branch Code: _____
 Reference Nr: _____
 Submit proof of payment to: _____

Signed at _____ this _____ day of _____ 20 _____

 Information officer