



EASTERN CAPE UMBRELLA FIRE PROTECTION ASSOCIATION

PAIA MANUAL

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

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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	“Regulator”	Information Regulator; and
1.8	“Republic”	Republic of South Africa

2. PURPOSE OF 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 request access to a record of the body, by describing 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

3.1 Information Officer:

Name: ANELISEKA MANGXILA
Tel: 043 683 2031
Email: aneliseka@ecufpa.co.za

3.2 Deputy Information Officer:

Name: HEIN NIEMAND
Tel: 043 683 2031
Email: hein@ecufpa.co.za

3.3 Access to information general contact:

Email: aneliseka@ecufpa.co.za

3.4 Head Office:

Postal Address: P O BOX 973, STUTTERHEIM, 4930
Physical Address: 441 SPRIGG STREET, STUTTERHEIM, 4930
Telephone: 043 683 2031
Email: aneliseka@ecufpa.co.za

4. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

4.1 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.

4.2 The Guide is available in each of the official languages and in braille.

4.3 The aforesaid Guide contains the description of:

4.3.1 the objects of PAIA and POPIA;

4.3.2 the postal and street address, phone and fax number and, if available, electronic mail address of:

4.3.2.1 the Information Officer of every public body, and

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

4.3.3 the manner and form of a request for:

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

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.

- 4.3.3.2 access to a record of a private body contemplated in section 50⁴;
- 4.3.4 the assistance available from the IO of a public body in terms of PAIA and POPIA;
- 4.3.5 the assistance available from the Regulator in terms of PAIA and POPIA;
- 4.3.6 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:
 - 4.3.6.1 an internal appeal;
 - 4.3.6.2 a complaint to the Regulator; and
 - 4.3.6.3 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;
- 4.3.7 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;
- 4.3.8 the provisions of sections 15⁷ and 52⁸ providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
- 4.3.9 the notices issued in terms of sections 22⁹ and 54¹⁰ regarding fees to be paid in relation to requests for access; and
- 4.3.10 the regulations made in terms of section 92¹¹.
- 4.4 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.
- 4.5 The Guide can also be obtained:
 - 4.5.1 upon request to the Information Officer;
 - 4.5.2 from the website of the Regulator (<https://www.justice.gov.za/inforeg/>).

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 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.

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."

4.6 A copy of the Guide is also available in the following two official languages, for public inspection during normal office hours:

4.6.1 English and;

4.6.2 Afrikaans.

5. CATEGORIES OF RECORDS AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

Records of a public nature, typically disclosed on our website, may be accessed without the need to submit a formal application.

6. DESCRIPTION OF THE RECORDS AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION

Although we have used our best endeavours to supply a list of applicable legislation, this list may be incomplete. Whenever it comes to our attention that existing or new legislation allows a Requester access on a basis other than as set out in PAIA, we shall update the list accordingly.

- Administration of Estates Act, No.66 of 1965;
- Attorneys Act, No. 53 of 1979;
- Basic Conditions of Employment Act, No. 75 of 1997;
- Companies Act, No. 61 of 1973 (repealed, save for chapter 14);
- Companies Act, No. 71 of 2008;
- Compensation for Occupational Injuries and Diseases Act, No. 130 of 1993;
- Competition Act, No. 89 of 1998;
- Consumer Protection Act, No. 68 of 2008;
- Copyright Act, No. 98 of 1978;
- Currency and Exchanges Act, No. 9 of 1933;
- Credit Agreements Act, No. 75 of 1980 (repealed);
- Debt Collectors Act, No. 114 of 1998;
- Electronic Communications and Transactions Act, No. 25 of 2002;
- Employment Equity Act, No. 55 of 1998;
- Financial Intelligence Centre Act, No. 38 of 2001;
- Income Tax Act, No. 58 of 1962 (Section 75) (repealed);
- Labour Relations Act, No. 66 of 1995;
- Medical Schemes Act, No. 131 of 1998;
- National Credit Act, No. 34 of 2005;
- Occupational Health and Safety Act, No. 85 of 1993;
- Pension Funds Act, No. 24 of 1956;
- Protection of Personal Information Act, No.4 of 2013;
- Stamp Duties Act, No. 77 of 1968 (repealed);
- Skills Development Act, No. 97 of 1998;
- Skills Development Levies Act, No. 9 of 1999;
- Tax on Retirement Funds Act; No. 38 of 1996;
- Trade Marks Act, No. 194 of 1993;
- Trust Property Control Act, No. 57 of 1988;
- Unemployment Insurance Act, No. 63 of 2001;
- Unemployment Insurance Contributions Act, No. 4 of 2002;
- Value Added Tax Act, No. 89 of 1991.

7. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY MAY HOLD RECORDS AND CATERGORIES OF RECORDS HELD ON EACH SUBJECT

SUBJECTS ON WHICH THE BODY MAY HOLD RECORDS	CATEGORIES OF RECORDS
Companies Act and Trust Property Control Act Records	<ul style="list-style-type: none"> • Documents of Incorporation; • Memorandum of Incorporation; • Trust Deeds; • Minutes of Trustees, Board of Directors meetings and General Meetings; • Written Resolutions; • Records relating to the appointment of trustees/directors/auditors/company secretary/public officer and other officers; • Share Register and Statutory Registers; and • Other Statutory Records.
Financial Records	<ul style="list-style-type: none"> • Annual Financial Statements; • Tax Returns; • Accounting Records; • Banking Records; • Bank Statements; • Paid Cheques; • Electronic Banking Records; • Asset Register; • Rental Agreements; and • Invoices.
Income Tax Records	<ul style="list-style-type: none"> • 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; • Regional Services Levies; • Skills Development Levies; • UIF; and • Workmen's Compensation.

Personnel Documents and Records	<ul style="list-style-type: none"> • Employment contracts; • Employment policies and procedures; • Employment Equity Plan; • Medical Aid records; • Pension Fund records; • Internal evaluations and disciplinary records; • Salary records; • Disciplinary codes; • Leave records; • Training records and manuals; • Operating manuals; • Personal records provided by personnel;
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SUBJECTS ON WHICH THE BODY MAY HOLD RECORDS	CATEGORIES OF RECORDS
Personnel Documents and Records	<ul style="list-style-type: none"> • Other statutory records; and • Related correspondence.
Other	<ul style="list-style-type: none"> • Administration • Information Technology • Insurance • Intellectual Property • Movable and Immovable Property • Operations • Third Parties • Medical and Health information

8. PROCESSING OF PERSONAL INFORMATION

8.1 Purpose of Processing Personal Information

PURPOSE OF THE PROCESSING OF PERSONAL INFORMATION	TYPE OF PROCESSING
To provide services in accordance with the terms agreed to.	<ul style="list-style-type: none"> • Collection; • Recording; • Organization; • Structuring; • Storage; • Adaptation or alteration; • Retrieval; • Consultation; • Use; • Disclosure by transmission; • Dissemination or otherwise making available; • Alignment or combination; • Restriction; • Erasure or destruction.
To undertake activities related to the provision of services and transactions, including: <ul style="list-style-type: none"> • to fulfil foreign and domestic legal, regulatory and compliance requirements and comply with any applicable treaty or agreement with or between foreign and domestic governments applicable. • to verify the identity of client/customer representatives who contact EASTERN CAPE UMBRELLA FIRE PROTECTION ASSOCIATION or may be contacted by EASTERN CAPE UMBRELLA FIRE PROTECTION ASSOCIATION. • for risk assessment, information security management, statistical, trend analysis and planning purposes. • to monitor and record calls and electronic communications with the client/customer for quality, training, investigation and fraud prevention purposes. • for crime detection, prevention, investigation and prosecution. • to enforce or defend EASTERN CAPE UMBRELLA FIRE PROTECTION ASSOCIATION's rights, and • to manage EASTERN CAPE UMBRELLA FIRE PROTECTION ASSOCIATION's relationship with the client/customer. 	
The purposes related to any authorised disclosure made in terms of agreement, law or regulation.	
Any additional purposes expressly authorised by the client/customer; and	
Any additional purposes as may be notified to the client/customer or data subjects in any notice provided by EASTERN CAPE UMBRELLA FIRE PROTECTION ASSOCIATION.	

8.2 Description of the categories of Data Subjects and the information or categories of information relating thereto

The type of personal information processed will depend on the purpose for which it is collected.

We will disclose why the personal information is being collected and will process the personal information for that purpose only. Below is a listing of the personal information that may be processed by EASTERN CAPE UMBRELLA FIRE PROTECTION ASSOCIATION, including the category of data subject that it belongs to. The information provided under this section refers to broad categories of information. This list is not exhaustive.

CATEGORIES OF DATA SUBJECTS	DATA SUBJECTS	PERSONAL INFORMATION THAT MAY BE PROCESSED
<p>Client:</p> <ul style="list-style-type: none"> • Corporate Client Profile information: <ul style="list-style-type: none"> – Account details; – Payment information; – Corporate structure; – Risk rating; – Other information including to the extent the categories of information relating to individuals or representatives of clients e.g., shareholders, directors, etc. as required. • Individual Client Profile information: <ul style="list-style-type: none"> – Name and surname; – Contact details; – Company E-Mail Address; – Company Telephone Number; – Home Postal Address; – Home Telephone Number; – Personal Cellular Number; – Personal E-Mail Address; – Regulatory identifiers e.g., tax identification number; – Account information (Bank Account Currency Code, Bank Account ID, Bank Account Name, Bank Account Number, Bank Account Type, Bank account balance); – Transaction details and branch details; – “know-your client” data; – Photographs; – Other identification and verification data as contained in images of ID card, passport and other ID documents; – Images of Client signatures. 	<ul style="list-style-type: none"> • Natural Persons • Juristic Persons • Foreign persons / entities 	<p>Personal data relating to a Data Subject received by or on behalf of EASTERN CAPE UMBRELLA FIRE PROTECTION ASSOCIATION from the client / customer (to the extent that these amount to personal data under POPIA) may include:</p> <ul style="list-style-type: none"> – Names; – Contact details; – Identification and verification information; – Nationality and residency information; – Taxpayer-identification numbers, voiceprints; – Bank account and transactional information (where legally permissible). <p>Natural persons:</p> <ul style="list-style-type: none"> – Names; – Contact details; – Physical and postal addresses; – Date of birth; – ID number; – Tax-related information; – Nationality; – Gender; – Confidential correspondence. <p>Juristic persons/entities:</p> <ul style="list-style-type: none"> – Names of contact persons; – Name of legal entity; – Physical and postal address; – Contact details; – Financial information; – Registration number; – Founding documents; – Tax-related information; – Authorised signatories; – Beneficiaries; – Ultimate beneficial owners.

CATEGORIES OF DATA SUBJECTS	DATA SUBJECTS	PERSONAL INFORMATION THAT MAY BE PROCESSED
		Foreign persons / entities: <ul style="list-style-type: none"> - Names; - Contact details; - Physical and postal, financial information addresses; - Date of birth; - Passport number - Tax related information; - Nationality; - Gender; - Confidential correspondence; - Registration number; - Founding documents.
Service Providers		<ul style="list-style-type: none"> - Bank Account; - Bank Account ID; - Bank Account Name; - Bank Account Number; - Bank Account Type; - Beneficiary address, - Transaction details; - Payment narrative.
Intermediary / Advisor		<ul style="list-style-type: none"> - Names of contact persons; - The name of legal entity; - Physical and postal address and contact details; - Financial information; - Registration number; - Founding documents; - Tax-related information; - Authorised signatories, beneficiaries, ultimate beneficial owners.
Employees / Management / Potential Personnel / Volunteers / Employees' family members / Temporary Staff		<ul style="list-style-type: none"> - Name and Surname; - Contact details (address/ telephone number/ email address); - Gender; - Pregnancy; - Marital status; - Race; - Age; - Language; - Education information; - Financial information; - Employment history; - ID number;

CATEGORIES OF DATA SUBJECTS	DATA SUBJECTS	PERSONAL INFORMATION THAT MAY BE PROCESSED
		<ul style="list-style-type: none"> - Next of kin; - Children’s name, gender, age, school, grades; - Physical and postal address; - Contact details; - Opinions, criminal behaviour and/or criminal records; - Well-being; - Trade union membership; - External commercial interests; - Medical information.
Website end-users / Application end-users		<p>Contact details and electronic identification data:</p> <ul style="list-style-type: none"> - IP address; - Log-in data; - Cookies; - Electronic localization data; - Cell phone details; - GPS data.

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

We may supply personal information to the following potential recipients which sharing is related to the purpose or reason why we are using the personal information:

- Management and Employees (including Temporary Staff);
- Contractors, Service Providers or Business Partners;
- Operators;
- Stakeholders and Shareholders;
- Law Enforcement Agencies and Regulators; and
- Other recipients

8.4 Planned transborder flows of personal information

We may disclose personal information we process to any of our overseas subsidiaries, associate entities or third-party service providers, with whom we engage in business or whose services or products we elect to use, including cloud services hosted in international jurisdictions. Personal information may also be disclosed where we have a legal duty or a legal right to do so.

When making authorized disclosures or transfers of personal information in terms of section 72 of POPIA, Personal Data may be disclosed to recipients located in countries which do not offer a level of protection for those data as high as the level of protection as South Africa.

When sharing personal information with Operators or Recipients cross border, we will in this regard, endeavour to enter into written agreements to ensure that such other parties comply with the provisions of POPIA and our confidentiality and privacy requirements.

8.5 General description of Information Security Measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information

EASTERN CAPE UMBRELLA FIRE PROTECTION ASSOCIATION employs appropriate, reasonable technical and organisational measures to prevent loss of, damage to, or unauthorised destruction of personal information and unlawful access to or processing of personal information. These measures include:

- Firewalls;
- Virus protection software and update protocols;
- Logical and physical access control;
- Secure setup of hardware and software making up our information technology infrastructure; and
- Outsourced service providers who are contracted to implement security controls.

9. AVAILABILITY OF THE MANUAL

A copy of the Manual is available:


- on our website, if any;
- head office of EASTERN CAPE UMBRELLA FIRE PROTECTION ASSOCIATION 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 B of the Regulations, shall be payable per each A4-size photocopy made.

10. UPDATING OF THE MANUAL

EASTERN CAPE UMBRELLA FIRE PROTECTION ASSOCIATION will on a regular basis update this manual.

Issued by



ANELISEKA MANGXILA INFORMATION OFFICER

