



MANUAL

DESCRIPTION: PROMOTION OF ACCESS TO INFORMATION MANUAL (PAIA)

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Approval

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1. INTRODUCTION

The purpose of The Promotion of Access to Information Act, No. 2 of 2000 (PAIA) and The Promotion of Access to Information Amendment Act 31 of 2019 is to promote the right of access to information, to foster a culture of transparency and accountability in South Africa, and to encourage an open democracy where individuals from all walks of life are empowered to engage with government and participate in decisions which affect their lives.

In accordance with PAIA this manual has been compiled to offer guidance for external parties to request access to information, the company is obliged to release information except where the act expressly provides information that may not be released. This manual and the procedures around it have been created in line with the requisite set of requirements set out by the Act.

2. OUR DETAILS

Organisation Name	The Document Warehouse (Pty) Ltd
Registration Number	1999/010656/07
Postal Address	PO Box 38663, Booyens, 2016
Physical Address	5 Krag Street, Selby, Johannesburg
Phone Number	+27 11 298 0700
Website	https://thedocumentwarehouse.com/
Information Officer	James McAlpine
Information Officer Email	jhb.io@tdw.co.za
Information Officer Phone Number	+27 11 298 0756

3. RECORDS WHICH WE MAKE AUTOMATICALLY AVAILABLE

- Companies and Intellectual Properties Commission (CIPC) in accordance with the requirement set out in section 25 of the Companies Act of 2008
- Brochures, newsletters and pamphlets published by the Company, which are available on the Company's website

4. LEGISLATIVE RECORDS

- Consumer Protection Act 68 of 2008
- National Credit Act 34 of 2005
- Financial Advisory and Intermediary Services Act No. 37 of 2002
- Companies Act No. 61 of 1973
- Copyright Act No. 98 of 1978
- Employment Equity Act No. 55 of 1998
- Income Tax Act No. 95 of 1967
- Labour Relations Act No. 66 of 1995
- Basic Conditions of Employment Act No. 75 of 1997
- Electronic Communications and Transactions Act No. 25 of 2002

- Unemployment Insurance Act No. 30 of 1996
- Skills Development Act No. 97 of 1998
- Skills Development Levies Act No. 9 of 1999
- Unemployment Insurance Contributions Act No. 4 of 2002
- Broad-Based Black Economic Empowerment Act 53 of 2003
- Compensation for Occupational Injuries and Diseases Act 130 of 1993
- Occupational Health and safety Act 85 of 1993
- Protection of Personal Information Act No. 4 of 2013
- Tax Administration Act No. 28 of 2011
- Value-Added Tax Act No. 89 of 1991

5. RECORDS AVAILABLE ONLY ON REQUEST TO ACCESS IN TERMS OF THE ACT

Business records

- Operational records
- Databases
- Internal correspondence
- Product records
- Documents of incorporation

Financial records

- Financial statements
- Tax returns
- Other documents relating to tax
- Accounting records
- Auditor reports
- Banking records
- Bank statements
- Electronic banking records
- Asset register
- Invoices
- Financial agreements
- Related agreements
- General correspondence

Income tax records

- PAYE Records
- Corporate tax records
- Documents issued to employees for income tax purposes
- Records of payments made to SARS

- VAT records
- Skills Development Levies
- UIF
- Workmen's Compensation

Human resources records

- SETA records
- Occupational Health and Safety records
- Register of employees
- Employee personal information
- Employee employment contracts
- Employment policies and procedures
- Employment Equity Plan
- Health and safety records
- Medical aid records
- Provident fund records
- Salaries or wages of employees
- Leave records
- Disciplinary records
- Disciplinary codes
- Training records
- Operating manuals
- Personal records provided by personnel
- Other statutory records
- Related correspondence

Agreements or contracts

- Standard agreements
- Contracts concluded with customers
- NDAs
- Office management contracts
- Bond agreements
- Rental agreements
- Supplier or service contracts
- Regulatory Documents

Customer information

- Customer details
- Contact details of individuals within customers
- Communications with customers

- Sales records
- Transactional information
- Marketing records
- Customer contracts
- Compliant information
- Legal documentation

Regulatory documents

- Permits
- Licences
- Authorities

6. ACCESS REQUEST PROCEDURE

To begin the process for a request of a record fill in Annexure A, and send it to our Information Officer. The process can also begin on our website through PAIA enquiry page. The submitting of a form does not allow the applicant automatic access to the record that is being requested. Ensure that along with a filled in Annexure A or webform that the relevant request fees (Proof of payment) are sent to the information officer via email or to our physical address (Section 2 “Our Details”). Annexure A or the webform will need to be filled in sufficiently with all relevant information in order for the request to be processed. If Annexure A or the webform is not filled in sufficiently or is not used the request may: be rejected, refused if there isn't enough information or it may be delayed.

The Annexure A needs to be:

- Completed in full
- Proof of identification will be needed in the form of a recently certified copy of an identification document.
- A picture of you holding the certified copy of the identification document.
- Proof of capacity in which they are requesting information.
- Complete the form in legible hand writing

7. FEES

As the law prescribes a requestor must pay an initial request fee which must be paid before the request can be processed. Payment details can be requested from the information officer via the details provided in section 2 “Our Details”. Proof of payment must be supplied in order for access to be granted and can be made through a direct deposit. This does not apply to any persons requesting their own personal information as this would be dealt with in terms of Protection of Personal Information Act No. 4 of 2013 (“POPIA”), if this is the case, please see our website for our POPIA policy to know our guidelines around access to personal information. The deposit will only be refunded if the request for access has been denied.

If the request is accepted the fees around the search, reproduction and preparation of the material will be calculated based of the fees in Annexure B.

8. NOTIFICATION

The Company will, within 30 days of receipt of the request, decide whether to grant or decline the request and give notice with reasons to that effect.

The 30-day period within which the Company is to decide whether to grant or refuse the request may be extended for a further period of not more than 30 days if:

- the request is for a large volume of information which cannot be retrieved in the 30-day period.
- the request requires a search for records in, or collection thereof from, an office or warehouse in other regions of the country.
- cannot be reasonably completed within the original period.
- consultation among divisions of the Company or with another private body is necessary.

If the period is extended, the Information Officer will within 30 days after the request is received notify the requestor of

- The period of the extension.
- The reasons for the extension, including the provisions of this Act relied upon.

9. GROUNDS FOR REFUSAL

The main grounds for the Company to refuse a request for information relates to the:

- the privacy of a third party who is a natural person, which would involve the unreasonable disclosure of personal information of that natural person:
- Mandatory protection of the commercial information of a third party, if the record contains
 - Trade secrets of that third party.
 - Financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party.
 - Information disclosed in confidence by a third party to the Company, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition.
 - Mandatory protection of confidential information of third parties if it is protected in terms of any agreement.
 - Mandatory protection of the safety of individuals and the protection of property.

- Mandatory protection of records which would be regarded as privileged in legal proceedings.
- The commercial activities of the Company, which may include:
 - Trade secrets of the Company.
 - Financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of the Company.
- Requests for information that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources shall be refused.

10. REMEDIES IF REFUSED ACCESS

If The Document Warehouse deny your request for access, you may apply to a court with appropriate jurisdiction, or lay a complaint with the information regulator. For necessary relief within 180 calendar days of us notifying you of our decision.

11. AVAILABILITY OF THIS MANUAL

This manual is available for inspection on our website:

<https://thedocumentwarehouse.com/> . It is available to the general public, upon request, during office hours and free of charge at our offices.

ANNEXURE A: ACCESS REQUEST FORMS

Section 53(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 Of 2000)

[Regulation 10]

1. PARTICULARS OF ENHANCE/PRIVATE BODY

Physical Address:	5 Krag Street, Selby, Johannesburg
Postal Address:	PO Box 38663, Booyens, 2016
Phone Number:	+27 11 298 0756
Email Address:	info@tdw.co.za

2. PARTICULARS OF PERSON REQUESTING ACCESS TO THE RECORD

Full Name and Surname:	
Identity Number:	
Postal Address:	
Telephone Number:	
E-mail Address:	
Capacity in which the request is made, if the request is made on behalf of another person:	

3. PARTICULARS OF THE PERSON WHO REQUESTS ACCESS TO THE RECORD I.E., LEGAL ENTITY

Name of entity:	
Registration no.:	
Postal address:	
Telephone Number:	
E-mail address:	

4. PARTICULARS OF PERSON ON WHOSE BEHALF REQUEST IS MADE

Names and Surnames:	
Identity number:	

5. PARTICULARS OF RECORD

Description of record or relevant part of the record:	
Reference no.:	
Any Further Particulars of Record:	

6. FEES

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.

You will be notified of the amount required to be paid as the request fee.

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.

If you qualify for exemption of the payment of any fee, please state the reason for exemption.

Reason for exemption from payment of fees:	
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7. 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 :	
Form in which the record is required :	

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 to the record, if any, will be determined partly by the form in which access is requested.

If record is in written or printed form:

Copy of Record	
Inspection of Record	

If record consists of visual images:

View the Images	
Copy of Images	
Transcription of Images	

If the record consists of recorded information which can be reproduced in sound:

Listen to the soundtrack	
Transcription of soundtrack	
Copy in computer readable form	

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	

8. 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 requestor must sign all the additional folios.

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:	

9. 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?	
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Signed at this day of 20

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Signature of Requestor/

Person on whose behalf the
request is made

ANNEXURE B: FEES

Number	Description	Amount
1.	Initial request fee	R100.00
2.	Photocopy/copy/printed copy for every A4 page	R4.85
3.	For a copy on a flash drive (provided by the requestor)	R30.00
4.	For a copy on a compact disc (CD) (provided by the requestor)	R30.00
5.	Transcription of visual images, for an A4-size page or part of the page	R60.00
6.	For a copy of visual images	R70.00
7.	For a transcription of an audio record, per A4-size page	R30.00
8.	For each hour or part of an hour reasonably required to search for, and prepare the record for disclosure	R75.00
9.	Deposit: if the search exceeds 6 hours	½ of the total amount as calculated using the fees above
10.	Postage, email or any other electronic transfer	At expense
11.	Appeal Fees	R75.00

Private bodies registered under the Value-Added Tax Act, 1991 (Act 89 of 1991), as vendors may add value-added tax to all fees prescribed in this annexure.