OV ELECTRONICS CC

REGISTRATION NUMBER – 1997/017806/23

PAIA MANUAL

This manual was prepared in terms of section 51 of the Promotion of Access to Information Act 2 of 2000 (as amended)

DATE OF COMPILATION: 14/04/2021
DATE OF REVISION: 05/08/2024

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1. BACKROUND TO THE PROMOTION OF ACCESS TO INFORMATION ACT

1.1. The Promotion of Access to Information Act, No 2 of 2000 (*"the Act"*) was enacted of 3 February 2000, giving 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. Where a request is made in terms of the Act, the body to whom the request is made is obliged to release the information, except where the Act expressly provides that the information may or must not be released.

1.2. Section 51 of PAIA obliges private bodies to compile a manual to enable a person to obtain access to information held by such private body and stipulates the minimum requirements that the manual has to comply with.

1.3. When a request is made under the Act, the body to which the request is made required to comply with the applicable legal and/or regulatory requirements and provide the information, unless the Act specifically states that the information may or may not be released. The Act outlines the appropriate course of action to be taken when obtaining information from a Public or Private Body.

2. DEFINITIONS, ACRONYMS AND ABBREVIATIONS

2.1. **"CEO"** means, Chief Executive Officer;

2.2. **"Client"** means, any natural or juristic person that received or receives services from OV Electronics CC;

2.3. **"Constitution"** means, the Constitution of the Republic of South Africa, 1996;

2.4. **"Deputy Information Officer"** means the designated individual in the public or private Body who is responsible for assisting the Information Officer with the PAIA requests;

2.5. **"DIO"** means, Deputy Information Officer;

2.6. **"Guide"** means the guide on how to use PAIA by any person who wishes to exercise any right contemplated in Promotion of Access to Information Act 2 of 2000 and the Protection of Personal Information Act 04 of 2013, as contemplated in section 10 of PAIA;

2.7. **"Head"** in relation to the firm means, Chief Executive Officer (CEO) or equivalent officer of the juristic person or any person duly authorised by that officer.

2.8. **"OI"** means, Information Officer;

2.9. **"Information Officer"** in relation to, a private body – means the head of a private body as contemplated in section 1, of the Promotion of Access to Information Act;

2.10. **"Information Regulator"** means the Information Regulator established in terms of section 29 of the Protection of Personal Information Act, 2013;

2.11. **"Manual"** means, this PAIA manual published in terms of Section51 of the Act;

2.12. **"Minister"** means, the Minister of Justice and Correctional Services;

2.13. **"PAIA"** means the Promotion of Access to Information Act No. 2 of 2000 (as Amended);

2.14. **"Person"** means a natural person or a juristic person;

2.15. **"Personal Information"** means the information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to –

a. 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 person;

b. Information relating to the education or the medical, financial, criminal or employment history of the person;

c. Any identifying number, symbol, email address, physical address, telephone number, location information, online identifier, or other particular assignment to the person;

d. The biometric information of the person;

e. The personal opinions; views or preferences of the person;

f. Correspondence sent by the person is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;

g. The views or opinions of another individual about the person; and

h. The name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person.

2.16. **"Personnel"** means, any person who works for, or provides services to or on behalf of OV Electronics CC and receives remuneration and any other person who assists in carrying out or conducting the business of OV Electronics CC. This includes, without limitation, directors, all permanent and temporary employees.

2.17. **"POPIA"** means, Protection of Personal Information Act No.4 of 2013;

2.18. **"Private body"** means –

a. A natural person who carries or has carried on any trade, business or profession, but only is such capacity;

b. A partnership which carries or has carried on any trade, business or profession; or

c. Any former or existing juristic person, but excludes a public body;

2.19. **"Processing"** means, any operation or activity or any set of operations. Whether or not by automatic means, concerning personal information, including –

a. The collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;

b. Dissemination by means of transmission, distribution or making available in any other form; or

c. Merging, linking, as well as restriction, degradation, erasure or destruction of information;

2.20. **"Record"** of, or in relation to, a public or private body, means any recorded information –

a. regardless of form or medium;

b. in the possession or under the control of that public or private body, respectively; and

c. whether or not it was created by that public or private body, respectively;

2.21. **"Regulator"** means, Information Regulator;

2.22. **"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;

2.23. **"Responsible party"** means a public or private body or any other person which, alone or in conjunction with others, determines the purpose of and means of processing personal information;

2.24. **"SAHRC"** means the South African Human Rights Commission; Unless a contrary intention clearly appears, words signifying:

- The singular includes the other genders and vice versa; and
- Any one gender includes the other genders and vice versa; and
- Natural persons include juristic persons.

2.25. **"Third Party"** in relation to a request for access to a record of a private body, means any person (including but not limited to, a public body) other than the requester, but for the purposes of section 34 and 63, the reference to 'person' in paragraphs (a) and (b) must be construed as a reference to 'natural person'

2.26. **"The Act"** means the Promotion of Access to Information Act 2 of 2000 as amended, and includes any regulation made and in force in terms of section 92.

3. OV ELECTRONICS CC

OV Electronics CC nature of business is income from electronic installations based in Bredell and is registered with the Companies Intellectual and Property Commission("CIPC") in accordance with the laws of South Africa.

4. PURPOSE OF PAIA MANUAL

4.1. This PAIA Manual is intended to ensure OV Electronics CC complies with the Act and to foster a culture of transparency and accountability within OV Electronics CC by giving effect to the right to information that is required for the exercise or protection of any right and to actively promote a society in which people of South Africa gave effective access to information to enable them to exercise and protect their rights.

4.2. In order to promote effective governance of private bodies, it is necessary to ensure that everyone is empowered and educated to understand their rights in terms of the Act in order for them to exercise their rights in relation to public and private bodies.

4.3. Section 9 of the Act however recognises that such right to access to information cannot be unlimited and should be subject to justifiable limitations, 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.

4.4. This PAIA manual has been drafted in accordance with the generic manual for Financial Services Industry, which has been submitted to the Human Rights Commission by the Compliance Institute of South Africa, of which this body is a member.

4.5. In addition, this PAIA manual complies with the requirements of Section 10 of the Act and recognises that upon commencement of the Protection of Personal Information Act 4 of 2013, that the appointed Information Regulator will be responsible to regulate compliance with the Act and its Regulations by Public and Private Bodies.

4.6. Wherever reference is made to "*Private Body*" in this manual, it will refer to OV Electronics CC a private body within the meaning of the Act, for whom this manual is drafted.

This PAIA Manual is useful for the public to-

4.6.1. establish the nature of the records which may already be available, without the need to submit a formal PAIA request;

4.6.2. 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;

4.6.3. know the description of the records of the body which are available in accordance with any other legislation;

4.6.4. 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;

4.6.5. know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;

4.6.6. 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;

4.6.7. know the description of the categories of data subjects and of the information or categories of information relating thereto;

4.6.8. know the recipients or categories of recipients to whom the personal information may be supplied;

4.6.9. 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

4.6.10. know whether the body has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

5. CONTACT DETAILS OF THE CHIEF EXECUTIVE OFFICER (SECTION 51(1)(A))

Chief Executive Officer:	Olof Vorster
Registered Address:	Plot 448a, Killarney Road, Bredell, 1619
Registered Postal Address:	PO Box 12443, Aston Manor, 1630
Telephone Number:	011 979 5242
Website:	www.ovelecronics.co.za

6. THE INFORMATION OFFICER (SECTION 51(1)(B))

6.1. The Act prescribes the appointment of an Information Officer for Public Bodies where such Information Officer to, inter alia, assess requests for access to information. The Head of a Private Body fulfils such a function in terms of Section 51. OV Electronics CC has opted to appoint an Information Officer to assess request for access to information as well as to oversee its required functions in terms of the Act.

6.2. The Information Officer appointed in terms of the Act also refers to the Information Officer as referred to in the Protection of Personal Information Act 4 of 2013. The Information Officer oversees the functions and responsibilities as required for in terms of both this Act as well as the duties and responsibilities in terms of Section 55 of the Protection of Personal Information Act 4 of 2013 after registering with the Information Regulator.

6.3. The information officer may appoint, where it is deemed necessary, Deputy Information Officers, as allowed in terms of Section 17 of the Act as well as Section 56 of the Protection of Personal Information Act 4 of 2013. This is in order to render OV Electronics CC as accessible as reasonably possible for request of its records and to ensure fulfilment of its obligations and responsibilities as prescribed in terms of Section 55 of the Protection of Personal Information Act 4 of 2013. All requests for information in terms of the Act must be addressed to the Information Officer in writing.

Information Officer:	Olof Vorster
Deputy Information Officer:	Chantal Vorster
Registered Address:	Plot 448a, Killarney Road, Bredell, 1619
Registered Postal Address:	PO Box 12443, Aston Manor, 1630
Telephone Number:	011 979 5242
Website:	www.ovelectronics.co.za
General Email Address:	chantal@ovelectronics.co.za

7. GUIDE OF THE SOUTH AFRICAN HUMAN RIGHTS COMMISSION (SECTION51(1)(b))

The South African Human Rights Commission ("SAHRC") is mandated under PAIA to promote the right of access to information, monitor the implementation of PAIA, make recommendation to strengthen PAIA and to report annually to Parliament. The SAHRC has compiled a guide, as required by Section 10 of the Act, containing such information as may reasonably be required by a person who wishes to exercise any rights contemplated in the Act and accordingly it:

- Contains information on understanding and how to use the Act;
- Includes the objectives of the Act, Particulars of every Public and Private Body, the manner and form of requests and the contents of the Regulations promulgated under the Act;
- Will be updated and published every two years.

The guide is available in all the official languages of the Republic of South Africa on the SAHRC website, http://www.sahrc.org.za/.

Any enquiries regarding the above guide and its contents should be directed to;

The South African Human Rights Commission

PAIA Unit (the Research and Documentation Department)

Postel address: Private Bag 2700, Houghton, 2041

Telephone: +27 11 484-8300

Website: www.sahrc.org.za

Email: PAIA@sahrc.org.za

8. RECORDS AVAILABLE ONLY ON REQUEST TO ACCESS IN TERMS OF THE ACT (SECTION 51(1)(D))

The Categories of information that OV Electronics CC holds, are mentioned in this section. The records pertaining to the following subject and categories are classified and grouped according to records relating to the following subjects and categories:

Category of Records	Applicable Legislation
Personnel Records	- Personnel Records provided by personnel; - Records provided by a third party relating to personnel; - Conditions of employment and other personnel-related contractual and quasi-legal records; - Internal evaluation records and other internal records; - Correspondence relating to personnel; - Training Schedules and material.
Client related data	- Records provided by a client to a third party for acting on behalf of OV Electronics CC; Records provided by a third party; Records generated by or within OV Electronics CC relating to its clients, including transactional records;
Private Body Records	- Financial Records; Operational Records; Databases; Information Technology; Marketing Records.
Internal Correspondence	- Statutory records; Internal Policies and Procedures.
Other Party Records	- Personnel, client or private body records which are held by another party, as opposed to the records held by OV Electronics CC; - Records held by OV Electronics CC pertaining to other parties, including without limitation, financial records, correspondence, contractual records, records provided by the other party, and records third parties have provided about clients. - OV Electronics CC may possess records pertaining to other parties, including without limitation clients, subsidiary/holding/sister companies, joint venture companies and service providers. Alternatively, such other parties may possess records that can be said to belong to OV Electronics CC.

Note that the accessibility of the records may be subject to the grounds of refusal set out in this PAIA Manual Amongst others, records deemed confidential on the part of a third party, will necessitate permission from the third party concerned, in addition to normal requirements, before OV Electronics CC will consider access.

9. CATEGORIES OF RECORDS OF OV ELECTRONICS CC WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

No notice has been submitted by the practice to the Minister of Justice and Constitutional Development regarding the categories of records, which are available without a person having to request access in terms of Section 52(2) of PAIA.

However, the information on the website of the business is automatically available without having to request access in terms of PAIA. Other non-confidential records, such as statutory records maintained by the Companies Intellectual and Property Commission ("CIPC"), may also be accessed without the need to submit a formal application, however, please note that an appointment to view such records will still have to be made with the Information Officer.

10. DESCRIPTION OF THE RECORDS OF OV ELECTRONICS CC WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION

Where applicable to its operation, OV Electronics CC also retains records and documents in terms of the legislation list 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 partied in terms of the requirements and conditions of the Act.

The below mentioned legislation, and applicable internal policies and procedures, should such interested parties be entitles to such information.

Category of Records	Applicable Legislation
Basic Conditions of Employment	Basie Conditions of Employment Act No. 75 of 1997
BBEEE	Broad-Based Black Economic Empowerment Act, 2003
Business Act	Business Act No. 71 of 1991
Close Corporations Act	Close Corporations Act
Companies Act	Companies Act No. 71 of 2008
Customs and Excise Act	Customs and Excise Act No. 91 of 1964
Electronic communications	Electronic Communications Act No 36 of 2005; Electronic Communications and Transaction Act No 25 of 2002.
Employment Equity	Employment Equity Act No 55 of 1998
Identification	Identification Act 68 of 1997
Income Tax	Income Tax Act No. 58 of 1962
Intellectual Property	Intellectual Property Laws Amendment Act 38 of 1997
Labour Relations	Labour Relations Act No. 18 of 1969
PAIA	Promotion of Access to Information Act No. 2 of 2000
POPIA	Protection of Personal Information Act No. 4 of 2013
Skills Development	Skills Development Levies Act No. 9 of 1999
Taxation Laws	Taxation Laws Amendment Act No. 7 of 2010
Unemployment Insurance	Unemployment Insurance Act No. 30 of 1966
Value Added Tax	Value Added Tax Act 89 of 1991

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

If a requestor believes that a right of access in terms of other legislation listed above or any other legislation, the requestor is required to indicate what legislative right the request is based on, to allow the Information Officer the opportunity of considering the request in light thereof.

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

11.1. 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.

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

11.3. The aforesaid Guide contains the description of-

11.3.1. the objects of PAIA and POPIA;

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

11.3.2.1. the Information Officer of every public body, and

11.3.2.2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA[1] and section 56 of POPIA[2];

11.3.3. the manner and form of a request for-

11.3.3.1. access to a record of a public body contemplated in section 11[3]; and

11.3.3.2. access to a record of a private body contemplated in section 50[4];

11.3.4. the assistance available from the IO of a public body in terms of PAIA and POPIA;

11.3.5. the assistance available from the Regulator in terms of PAIA and POPIA;

11.3.6. 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-

11.3.6.1. an internal appeal;

11.3.6.2. a complaint to the Regulator; and

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[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.

11.3.6.3. 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;

11.3.7. the provisions of sections 14[5] and 51[6] requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;

11.3.8. the provisions of sections 15[7] and 52[8] providing for the voluntary disclosure of categories of records by a public body and private body, respectively;

11.3.9. the notices issued in terms of sections 22[9] and 54[10] regarding fees to be paid in relation to requests for access; and

11.3.10. the regulations made in terms of section 92[11].

11.4. 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.

11.5. The Guide can also be obtained-

11.5.1. upon request to the Information Officer;

11.5.2. from the website of the Regulator (https://www.justice.gov.za/inforeg/).

11.6. A copy of the Guide is available in the following official language, for public inspection during normal office hours-

11.6.1. English

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[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."

12. DESCRIPTION OF THE SUBJECTS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY OV ELECTRONICS CC

Subjects on which the body holds records	Categories of records
Accounting and Financial Records	- Financial Records and Reports; Audit Record and Reports; Accounting Records; Annual Financial Statements; Management Accounts; Debtors Records; Creditors Records; Banking Records; General Ledgers; Subsidiary Ledgers; Banking details and bank accounts; Customer and supplier statements and invoices; Cash books; Petty cash books; Fixed asset register; Income Tax Returns and assessments;
Information Technology	- Client database; Hardware; Internet and telephone lines; Software Licenses;
Personnel Records	- Employee information records; Employee contracts; Qualifications and Curriculum Vitae; Leave records; IRP5 and IT3b Certificates; Salary and wage registers; Salary slips and wage records; Records relating to increases; UIF, PAYE, and SDL returns; Workmen's Compensations documents; Training records
Statutory Records	- Last Will and Testaments; Trust Deeds; Letter of Authorities; Certificate of Incorporation; Memorandum of Incorporation; Certificate to commence business; Founding statements and amendments; Register of directors; Register of shareholders; Share certificates; Director's and Shareholder's resolutions; ID copies of directors, members, trustees and trust beneficiaries; Proof of addresses of directors and members; Rental Agreements; Shareholders Agreements; Supplier Contracts; SARS Power of attorneys; SARS Registered representative;

13. PROCESSING OF PERSONAL INFORMATION

13.1. PURPOSE OF PROCESSING PERSONAL INFORMATION

OV Electronics CC is required, in the normal exercise of its functions and obligations as a business entity, to process the personal information of data subjects from time to time for the purposes of on-boarding clients, records management, employment and other related matters.

13.2. DESCRIPTION OF THE CATEGORIES OF DATA SUBJECTS AND OF THE INFORMATION OR CATEGORIES OF INFORMATION RELATING THERETO

Categories of Data Subjects	Personal Information that may be processed
Clients	- Name; Physical and postal address; Identity number; Registration numbers; Banking details
Service Providers	- Names; Company registration number; Registered VAT number; Physical and/or Postal address; Banking details
Employees	- Gender; Marital Status, Race; Nationality; Age; Disability; Culture; Language; Employment History; Identity number; Physical and/or postal address; Qualifications;

13.3. THE RECIPIENTS OR CATEGORIES OF RECIPIENTS TO WHOM THE PERSONAL INFORMATION MAY BE SUPPLIED

Category of personal information	Recipients or Categories of Recipients to whom the personal information may be supplied
Identity number, full names and surname, physical and postal address, contact information, for appointments and resignations	- Regulators or Judicial Commissions; Courts, Ombudsman; Companies Intellectual and Property Commission; Master of the High Court; South African Qualifications Authority; South African Revenue Services

13.4. PLANNED TRANSBORDER FLOWS OF PERSONAL INFORMATION

Not Applicable

13.5. GENERAL DESCRIPTION OF INFORMATION SECURITY MEASURES TO BE IMPLEMENTED BY THE RESPONSIBLE PARTY TO ENSURE THE CONFIDENTIALITY, INTEGRITY AND AVAILABILITY OF THE INFORMATION

General Description of Information Security	Information Security Measures Implemented
Physical Security	- Biometric access
Cyber Security	- Anti-virus programs - Firewalls - Password Control

14. GROUNDS OF REFUSAL OF ACCESS TO RECORS

The main grounds of OV Electronics CC to refuse a request for information relates to the -

14.1. mandatory protection of the privacy of a third party who is a natural person, which would involve the unreasonable disclosure of personal information of the natural person;

14.2. mandatory protection of the commercial information of a third party, if the record contains -

14.2.1. trade secrets of that third part;

14.2.2. financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party;

14.2.3. information disclosed in confidence by a third party to OV Electronics CC, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition;

14.3. mandatory protection of confidential information of third parties if it is protected in terms of any agreement;

14.4. mandatory protection of the safety of individuals and the protection of property:

14.5. mandatory protection of records which would be regarded as privileged in legal proceedings;

14.5.1. the commercial activities of OV Electronics CC, which may include –

14.5.2. trade secrets of OV Electronics CC;

14.5.3. financial, commercial, scientific or technical information which disclosure of could likely cause harm to the financial or commercial interests of OV Electronics CC;

14.5.4. information which, if disclosed could put OV Electronics CC at a disadvantage in negotiations or commercial competition;

14.5.5. a computer program which is owned by OV Electronics CC, and which is protected by copyright.

14.6. the research information of or a third party, if its disclosure would disclose the identity of OV Electronics CC, the researcher or the subject matter of the research and would place the research at a serious disadvantage;

14.7. Requests for information that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resource.

15. REMEDIES AVAILABLE WHEN A PRIVATE BODY REFUSES A REQUEST FOR INFORMATION

15.1. INTERNAL REMEDIES

OV Electronics CC does not have an internal appeal procedure. As such, the decision made by the information officer is final, and requesters will have to exercise such external remedies at their disposal if the request for information is refused, and the requester is not satisfied with the answer supplied by the information officer.

15.2. EXTERNAL REMEDIES

A requester that is dissatisfied with an information officer's refusal to disclose information, may within 30 days of notification of the decision, apply to relevant Court for relief.

Likewise, a third party dissatisfied with an information officer's decision to grant a request for information, may within 30 days of notification of the decision, apply to a Court for relief. For purposes of the Act, the Courts that have jurisdiction over these applications are the Constitutional Court, the High Court or another court of similar status.

16. REQUEST PROCEDURE

16.1. The requester must comply with all the procedural requirements contained in the act relating to the request for access to a record.

16.2. The requester must complete the prescribed form enclosed herewith in **Appendix 1**, and submit same as well as payment of a request fee and a deposit, if applicable to the Information Officer at the postal or physical address, fax number or electronic mail address as stated in 2.1 and 2.2 above.

16.3. The prescribed form must be filled in with enough particularity to at least enable the Information Officer to identify –

16.3.1. The record or records requested;

16.3.2. The identity of the requester,

16.3.3. Which form of access is required, if the request is granted;

16.3.4. The postal address or fax number of the requester.

16.4. the requester must state that he/she requires the information in order to exercise or protect a right, and clearly state what the nature of the right is so to be exercised or protected. In addition, the requester must clearly specify why the record is necessary to exercise or protect such a right.

16.5. The requester must state that he/she requires the information in order to exercise or protect a right, and clearly state what the nature of the right is so to be exercised or protected. In addition, the requester must clearly specify why the record is necessary to exercise or protect such a right.

16.6. OV Electronics CC will process the request within 30 days, unless the requester has stated special reasons which would satisfy the Information Officer that circumstances dictate that the above time periods not be complied with.

16.7. The requester shall be informed whether access granted or denied. If, in addition, the requester requires the reasons for the decision in any other manner, he/she must state the manner and the particulars so required.

16.8. If a request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of the information officer.

16.9. If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally.

16.10. The requester must pay the prescribed fee, before any further processing can take place.

17. ACCESS TO RECORDS HELD BY OV ELECTRONICS CC

17.1. Records held by OV Electronics CC may be accessed by requests only once the prerequisite requirements for access have been met.

17.2. A requester is any person making a request for access to a record of OV Electronics CC, there are two types of requesters:

17.2.1. PERSONAL REQUESTER

17.2.1.1. A personal requester is a requester who is seeking access to a record containing personal information about the requester.

17.2.1.2. OV Electronics CC will voluntarily provide the requested information or give access to any record with regard to the requester's personal information. The prescribed fee for reproduction of the information requested will be charged.

17.2.2. OTHER REQUESTER

17.2.2.1. This requester (other than a personal requester) is entitled to request access to information on third parties. However, OV Electronics CC is not obliged to voluntarily grant access. The requester must fulfil the prerequisite requirements for access in terms of the Act, including the payment of a request and access fee.

18. FEES

18.1. The Act provides for two types of fees, namely:

18.1.1. A request fee, which will be a standard fee; and

18.1.2. An access fee, which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs.

18.2. When the request is received by the Information Officer, such officer shall by notice require the requester, other than a personal requester, to pay the prescribed request fee (if any), before any further processing of the request.

18.3. If the search for the record has been made and the preparation of the record for disclosure, including arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, the information officer shall notify the requester to pay as a deposit the prescribed portion of the Access fee which would be payable if the request is granted.

18.4. The information officer shall withhold a record until the requester has paid the fees as indicated in **Appendix 2.**

18.5. A requestor, whose request for access to a record has been granted, must pay an access fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure including making arrangements to make it available in the request form.

18.6. If a deposit has been paid in respect of a request for access, which is refused, then the information officer concerned must repay the deposit to the requester.

19. DECISION

19.1. OV Electronics CC will, within 30 days of receipt of the request, decide whether to grant or decline the request and give notice with reasons (if required) to that effect.

19.2. The 30-day period with which OV Electronics CC has to decide whether to grant or refuse the request, may be extended for a further period of not more than thirty days if the request is for a large amount of information, or the request requires a search for information held at another office of OV Electronics CC and the information cannot reasonably be obtained within the original 30-day period. OV Electronics CC will notify the requester in writing should an extension be sought.

20. AVAILABILITY OF THE MANUAL

This manual is made available in terms of Regulation Number R. 187 of 15 February 2002.A copy of the Manual is available-

20.1. on www.ovelectronics.co.za;

20.2. head office of OV Electronics CC for public inspection during normal business hours;

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

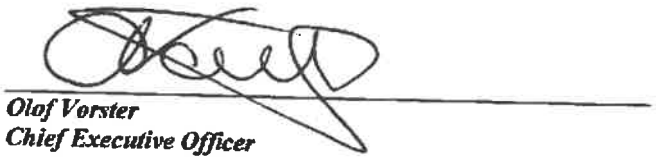
20.4. to the Information Regulator upon request.

20.5. 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.

21. UPDATING OF THE MANUAL

The head of OV Electronics CC will on a regular basis update this manual.

Issued by



Olof Vorster
Chief Executive Officer