

## **PAIA MANUAL**

**Section 51: Access to Information Manual in terms of the Promotion of Access to Information Act, no 2 of 2000 and incorporates relevant provisions of the Protection of Personal Information Act, act 4 of 2003**

DOCUMENT :	Section 51/ Access to Information Manual CG-544-001		
REVISION :	1	DATE :	23 <sup>rd</sup> November 2020
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## GUIDE IN TERMS OF SECTION 10 OF THE ACT

A guide has been compiled in terms of Section 10 of Promotion of Access to Information Act (PAIA) by the Human Rights Commission. It contains information required by a person wishing to exercise any right, contemplated by PAIA. It is available in all of the official languages. The guide is available from the SAHRC and their contact details are:

Postal Address: Private Bag 2700, Houghton, 2041  
 Telephone Number: +27 (011) 877 3803  
 Fax number: +27 (011) 403 0625  
 Website: [www.sahrc.org.za](http://www.sahrc.org.za)

## Information required under Section 51 (1) (a) of Act (Contact Details of Company)

Postal Address: P.O. Box 8359, Elandsfontein, 1406.  
 Physical Address: Eastwood office Park, 11 B Riley Road,  
 Bedfordview, 2007  
 Tel. No: +27 (011) 036 8000  
 Fax. No: +27 (011) 450 1291  
 E-Mail address: [gianni@wetback.co.za](mailto:gianni@wetback.co.za)  
 Website: [www.wetback.co.za](http://www.wetback.co.za)  
 Person designated/duly authorised: Mr Gianni D. Anić  
 Information protection officer: Mr Rickus Zaayman

## The latest Notice in terms of section 52(2) (if any):

At this stage no notice(s) has/have been published on the categories of records that are automatically available with a person having to request access in terms of PAIA.

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## **Records available in terms of other legislations: Section 51 (1) (d)**

Promotion of Access to information Act, 2000.

## **Subjects and Categories of records held by Wetback Contracts (Pty) Ltd: Section 51 (1)(e)**

### **Companies Act 71 of 2008 Records**

- Documents of Incorporation
- Memorandum of Incorporation
- Minutes of Board of Directors Meetings
- Records relating to the appointment of directors/auditors/secretary/public officer and other officers.
- Share Register and other Statutory Registers.

### **Financial Records**

- Annual Financial Statements
- Annual Tax Returns
- Accounting Records
- Bank Statements
- Paid Cheques
- Asset Register
- Rental Agreements
- Invoices

### **Income Tax Records**

- PAYE Records
- Documents issued to employees for Income Tax Purposes
- Records of payment made to SARS on behalf of employees
- VAT Records
- Skills Development Levies
- UIF
- Workman's Compensation



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### Personal Documents and Records

- Employment Contracts
- Employment Equity Plan
- Pension Fund Records
- Disciplinary Records
- SETA Records
- Salary Records
- Disciplinary Code
- Leave Records
- Training Records
- Training Manuals

### How to make a request for Access according to [Section 51(e)]

The requester must complete Form C, (<http://www.paiabuilder.com/FormC.pdf>) and submit this form together with a request fee, to the head of the private body.

This form must be submitted to the head of the private body at their address, fax number, or electronic mail address.

### The form must provide:

- Sufficient particulars to enable the head of the private body to identify the record/s requested and to identify the requester;
- Indicate which form of access is required;
- Specify a postal address or fax number of the requester in the Republic;
- Identify the right that the requester is seeking to exercise or protect;
- Provide an explanation of why the requested record is required for the exercise or protection of that right.

If in addition to the written reply, the requester wishes to be informed of the decision on the request in any other matter, to state that manner and the necessary particulars to be informed in another manner, if the request is made on behalf of another person to submit proof of the

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capacity in which the requester is making the request, to the reasonable satisfaction of the head of the private body.

### **Protection of Personal Information**

Wetback Contracts (Pty) Ltd.'s mission is to strive to maintain the highest level of care and diligence to ensure compliance with the Protection of Personal Information Act 4 of 2013. Wetback Contracts (Pty) Ltd, by acting as a custodian and collator of personal information, apply all applicable laws and legislation in a consistent manner to achieve a higher-level requirement that personal information be processed lawfully and in a reasonable manner that does not infringe on the privacy of the data subject. Wetback Contracts (Pty) Ltd has appointed an Information Protection Officer, an employee within the organisation, to encourage and ensure compliance, accountability and responsibility in terms of relevant legislation.

In order to ensure that Wetback Contracts (Pty) Ltd complies with the objectives set out above, the company undertakes a spirit of continuous learning and implements the Protection of Personal Information Procedure. Therefore, the Information Protection Officer will continuously strive to stay updated on all legislative updates and educate all new and current employees accordingly. Furthermore, the Information Protection Officer will continually audit the safety and integrity of data stored and processed.

### **Request for access to personal information**

Section 22 of the Protection of Personal Information Act, states that a Data subject may request a responsible party to confirm that they are holding personal information about the Data subject and may obtain a description of the information and details about who has had access to it. Where such a request is received, the matter must be referred to the Information Protection Officer who will ensure that the correct procedures are adopted.

Section 23 of the Protection of Personal Information Act, provides for a right to request correction of personal information held by a responsible party if it is inaccurate, incomplete, misleading, out of date, and obtained unlawfully, irrelevant or excessive. Where such a request is received, the matter must be referred to the Information Protection Officer who will ensure that the correct procedures are adopted.

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**Prescribed fee according to [Section 54]**

A requester is required to pay the prescribed fee of (R50.00) before the request will be processed;

If the preparation of the records requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted);

A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit.

Records may be withheld until the fees have been paid.

The fee structure is available on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at [www.sahrc.org.za](http://www.sahrc.org.za), or the website of THE DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT (under regulations) at <http://www.doj.gov.za/>

Thus done and signed at **Bedfordview** on this **23<sup>rd</sup>** day of **November 2020**.

  
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**Gianni D. Amic**  
Managing Director