



PAIA and POPIA Manual

This manual was prepared in accordance with section 51 of the Promotion of Access to Information Act, 2000 and to address requirements of the Protection of Personal Information Act, 2013.

This manual applies to

Pegasus Steel Products (Pty) Ltd.
Registration number: 2007/010587/07
And its associated companies
(Hereinafter Pegasus Steel)





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1. Background to the Promotion of Access to Information Act, 2000

- 1.1 The Promotion of Access to Information Act, No. 2 of 2000 (the “Act”) was enacted on 3 February 2000, giving effect to the constitutional right in terms of section 32 of the Bill of Rights contained in the Constitution of the Republic of South Africa 108 of 1996 (the “Constitution) of access to any information held by the state and any information that is held by another person that is required for the exercise or protection of any rights.
- 1.2 In terms of section 51 of the Act, all Private Bodies are required to compile an Information Manual (“PAIA Manual”).
- 1.3 Where a request is made in terms of the Act, the body to whom the request is made is obliged to release the information, subject to applicable legislative and / or regulatory requirements, except where the Act expressly provides that the information may be adopted when requesting information from a public or private body.

2. Pegasus Steel Products (Pty) Ltd

- 2.1 Pegasus Steel is a one-stop 24-hour steel working service centre processing more than 1250 tons of steel per month and specialising in CNC laser cutting, high-definition plasma cutting, CNC bending, CNC oxy-fuel cutting, CNC punching, guillotine cutting, saw cutting, rolling and fabrication.
- 2.2 This PAIA Manual of Pegasus Steel is available at its office: Evergreen Road, Tunney Ext 7, Elandsfontein, Gauteng, 1429, as well as on its website, <https://www.pegasussteel.co.za/contact-us/>.

3. Purpose of the PAIA Manual

- 3.1 The purpose of PAIA is to promote the right to access to information, to foster a culture of transparency and accountability within Pegasus Steel by giving the right to information that is required for the exercise or protection of any right and to actively promote a society in which the people of South Africa have effective access to information to enable them to exercise and protect their rights.
- 3.2 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 relation to public and private bodies.
- 3.3 Section 9 of the Act recognises that the right to access information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to:
 - 3.3.1 Limitations aimed at the reasonable protection of privacy;
 - 3.3.2 Commercial confidentiality; and
 - 3.3.3 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.

- 3.4. This PAIA Manual complies with the requirements of guide mentioned in 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 private and public bodies.

4. Contact Details of the Managing Director [Section 51(1)(a)]

Managing Director:	Alex Russell
Registered Address:	Evergreen Road, Tunney Ext 7, Elandsfontein, Gauteng, 1429
Postal Address:	PO Box 17358, Sunward Park, Boksburg, 1470
Telephone Number:	+27 87 310 2863
Website:	https://www.pegasussteel.co.za/contact-us/

5. The Information Officer [Section 51(1)(b)]

- 5.1. In terms of the PAIA and the Protection of Personal Information Act 4 of 20 (“**POPIA**”), Alex Russell is the Information Officer of Pegasus Steel. However, it is recommended that the Deputy Information Officer be used as a contact person for purposes of this Manual.
- 5.2. Jana Nicholas has been duly appointed by the Information Officer, to act as Deputy Information Officer and is the person to whom requests for access to information must be made in terms of PAIA.

Contact Details of the Deputy Information Officer

Information Officer:	Jana Nicholas
Physical Address:	Evergreen Road, Tunney Ext 7, Elandsfontein, Gauteng, 1429
Telephone Number:	+27 87 310 2863
Email:	informationofficer@pegasussteel.co.za

6. The Section 10 Guide on how to use PAIA (Section 51(1) (b))

- 6.1. The ACT grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.
- 6.2. Requests in terms of the ACT shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in paragraphs 6 and 7 of the Act.
- 6.3. The South African Human Rights Commission ("**SAHRC**") has published a guide as prescribed by Section 10 of PAIA. This guide will be available from the SAHRC until 30 June 2021, in each official language, at the offices of the SAHRC and on its website, listed below. Please direct any queries regarding this guide to:

Contact body:	The South African Human Rights Commission
Postal Address:	PAIA Unit - The Research and Documentation Department Private Bag 2700, Houghton, 2041
Telephone Number:	+27 11 877 3600
E-Mail:	PAIA@sahrc.org.za

From 1 July 2021 onwards, the above guide, as updated by the Information Regulator, will be available at the offices of the Information Regulator and on its website as prescribed by Section 10 of PAIA and in accordance with POPIA.

From 1 July 2021, please direct any queries regarding this guide to:

Contact body:	Information Regulator
Physical Address:	JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001
Postal Address:	P.O. Box 31533, Braamfontein, Johannesburg, 2017
Telephone Number:	+27 10 023 5200
Website:	www.justice.gov.za/inforeg/
E-Mail (complaints):	complaints.IR@justice.gov.za
E-Mail (general enquiries):	inforeg@justice.gov.za



7. The Latest Notice in Terms of Section 52(2) (if any) [Section 51(1)(c)]

No notice has been published on the categories of records that are automatically available without a person having to request access in terms of Section 52(2) of PAIA.

8. Subjects and Categories of Records Available only on Request to Access in Terms of the Act (Section 51(1) (e))

8.1. Records held by Pegasus Steel

For the purposes of this clause 8.1, "Personnel" refers to any person who works for, or provides services to, or on behalf of Pegasus Steel and receives or is entitled to receive remuneration and any other person who assist in carrying out or conducting the business of Pegasus Steel. This includes, without limitation, directors (executive and non-executive), all permanent, temporary and part-time staff, as well as contract workers.

This clause serves as a reference to the categories of information that Pegasus Steel holds. The information is classified and grouped according to records relating to the following subjects and categories:

Subject	Category
Companies Act Records	Documents of Incorporation; Index of names of Directors; Memorandum of Incorporation; Minutes of meetings of the Board of Directors; Minutes of meetings of Shareholders; Proxy forms; Register of directors' shareholdings; Share certificates; Share Register and other statutory registers and/or records and/or documents; Special resolutions/Resolutions passed at General and Class meetings; Records relating to the appointment of: Auditors; Directors; Prescribed Officer.

	Public Officer; and Secretary
Financial Records	Accounting Records; Annual Financial Reports; Annual Financial Statements Asset Registers; Bank Statements; Banking details and bank accounts; Banking Records; Debtors / Creditors statements and invoices; General ledgers and subsidiary ledgers; General reconciliation; Invoices; Paid Cheques; Policies and procedures; Rental Agreements; and Tax Returns
Income Tax Records	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 Workmen's Compensation
Personnel Documents and Records	Accident books and records; Address Lists; Disciplinary Code and Records; Employee benefits arrangements rules and records; Employment Contracts; Employment Equity Plan; Forms and Applications; Grievance Procedures; Leave Records; Medical Aid Records; Payroll reports/ Wage register; Pension Fund Records; Safety, Health and Environmental records;

	Salary Records; SETA records Standard letters and notices Training Manuals; Training Records; Workplace and Union agreements and records.
Procurement Department	Standard Terms and Conditions for supply of services and products; Contractor, client and supplier agreements; Lists of suppliers, products, services and distribution; and Policies and Procedures.
Sales Department	Customer details Credit application information Information and records provided by a third party
Marketing Department	Advertising and promotional material
Risk Management and Audit	Audit reports; Risk management frameworks; and Risk management plans.
Safety, Health and Environment	Complete Safety, Health and Environment Risk Assessment Environmental Managements Plans Inquiries, inspections, examinations by environmental authorities
IT Department	Computer / mobile device usage policy documentation; Disaster recovery plans; Hardware asset registers; Information security policies/standards/procedures; Information technology systems and user manuals Information usage policy documentation; Project implementation plans; Software licensing; and System documentation and manuals.
Corporate Social Responsibility (CSR)	CSR schedule of projects/record of organisations that receive funding; Reports, books, publications and general information related to CSR spend; Records and contracts of agreement with funded organisations.



8.2. Note that the accessibility of the records may be subject to the grounds of refusal set out in this PAIA manual. Amongst other, records deemed confidential on the part of a third party, will necessitate permission from the third party concerned, in addition to normal requirements, before Pegasus Steel will consider access.

9. Records Available without a Request to Access in terms of the Act

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

9.2. Other non-confidential records, such as statutory records maintained at 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 Deputy Information Officer.

10. Description of the Records of the Body Which are Available in Accordance with any other Legislation (Section 51(1) (d))

10.1. Where applicable to its operations, Pegasus Steel also retains records and documents in terms of the legislation 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 parties 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 entitled to such information. A request to access must be done in accordance with the prescriptions of the Act.

10.2 A requester may request information which is available in terms of the following legislation, provided that the requester complies with the requirements set out in such legislation, this Manual and PAIA.

No:	Reference:	Act:
1	No 75 of 1997	Basic Conditions of Employment Act
2	No 53 of 2003	Broad Based Black Economic Empowerment Act
3	No 71 of 2008	Companies Act
4	No 130 of 1993	Compensation for Occupational Injuries and Diseases Act
5	No 89 of 1998	Competition Act
6	No 68 of 2008	Consumer Protection Act
7	No 61 of 1964	Customs and Excise Act
8	No 25 of 2002	Electronic Communications and Transactions Act
9	No 55 of 1998	Employment Equity Act
10	No 38 of 2001	Financial Intelligence Centre Act
11	No 15 of 1973	Hazardous Substances Act
12	No 58 of 1962	Income Tax Act
13	No 66 of 1995	Labour Relations Act
14	No 56 of 1981	Manpower Training Act
15	No 34 of 2005	National Credit Act
16	No 85 of 1993	Occupational Health & Safety Act
17	No 24 of 1956	Pension Funds Act
18	No 12 of 2004	Prevention and Combating of Corrupt Activities Act
19	No 52 of 2002	Promotion of Equality and Prevention of Unfair Discrimination Act
20	No 4 of 2013	Protection of Personal Information Act
21	No 97 of 1998	Skills Development Act
22	No 9 of 1999	Skills Development Levies Act
23	No 30 of 1996	Unemployment Insurance Act
24	No 4 of 2002	Unemployment Insurance Contributions Act
25	No 89 of 1991	Value Added Tax Act

** Although we have used our best endeavours to supply a list of applicable legislation, it is possible that 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. If a Requester believes that a right of access to a record exists in terms of other legislation listed above or any other legislation, the Requester 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. Detail to Facilitate a Request for Access to a Record of Pegasus Steel (Section 51(1) (e))

11.1 Prescribed form

11.1.1 A request for information must be made in the prescribed form, a copy of which is attached as Annexe A, and must be addressed to the Deputy Information Officers and must be submitted with the prescribed fee (see paragraph 11.3).

11.1.2 The prescribed request form is available from a Deputy Information Officer and from the South African Human Commission (if the request is before 1 July 2021) or the Information Regulator (if the request is after 1 July 2021), whose contact details are set out in 6 above.

11.2 Manner of request

11.2.1 The request must be made to the address, facsimile number or email address of any of the Deputy Information Officers set out in paragraph 5 above.

11.2.2 The requester must provide enough detail on the request form to enable the Deputy Information Officer to identify the record and the requester. The requester should also indicate if it requires notice of the decisions of the Deputy Information Officer in any manner, other than in writing.

11.2.3 The requester must identify the right that is sought to be exercised or to be protected and provide an explanation of why the requested record is required for the exercise or protection of that right.

11.2.4 If a request is made on behalf of another person, the requester must submit proof of the capacity in which the requester is making the request to the satisfaction of the Deputy Information Officer.

11.3 Fees

- 11.3.1 A requester who seeks access to a record containing personal information must pay the required request fee.
- 11.3.2 The Deputy Information Officer must by notice, require the requester to pay the prescribed fee, if any, before further processing the request.
- 11.3.3 The requester may lodge an application to the high court relating to the payment of the request fee.
- 11.3.4 After the Deputy Information Officer has decided on the request, the requester must be notified in the required form.
- 11.3.5 If the request is granted, a further access fee must be paid for the search, reproduction, preparation and for any time, in excess of the prescribed hours, required to search and prepare for the record disclosure.
- 11.3.6 The prescribed fees are available from the Deputy Information Officer and from the South African Human Commission (if the request is before 1 July 2021) or the Information Regulator (if the request is after 1 July 2021), whose contact details are set out in paragraph 6 above.

11.4 Circumstances under which a request for access to information will be refused

- 11.4.1 Access to a record of information will be refused based on the grounds of refusal as set out in PAIA, which shall include the following:
 - 11.4.1.1 mandatory protection of privacy of a third party who is a natural person;
 - 11.4.1.2 mandatory protection of commercial information of a third party;
 - 11.4.1.3 mandatory protection of certain confidential information and protection of certain other confidential information of a third party;
 - 11.4.1.4 mandatory protection of the safety of individuals and the protection of property;
 - 11.4.1.5 mandatory protection of police dockets in bail proceedings and protection of law enforcement and legal proceedings;

- 11.4.1.6 mandatory protection of records privileged from production in legal proceedings;
- 11.4.1.7 defence, security and international relations of the Republic;
- 11.4.1.8 economic interests and financial welfare of the Republic and commercial activities of public bodies;
- 11.4.1.9 mandatory protection of research information of a third party and protection of research information of a public body;
- 11.4.1.10 operations of public bodies; and
- 11.4.1.11 manifestly frivolous or vexatious requests or substantial and unreasonable diversion of resources.

12. Availability of this Manual

This Manual is available for inspection at:

- 12.1 Pegasus Steel's website, accessible at <https://www.pegasussteel.co.za/contact-us/>.
- 12.2 Pegasus Steel's principal place of business set out in paragraph 2 above, during normal business hours;
- 12.3 the SAHRC until 1 July 2021 (see contact details in paragraph 6 above); and
- 12.4 the Information Regulator from 1 July 2021 onwards (see contacts details in paragraph 6 above).

13. Prescribed fees and forms in respect of private bodies

The prescribed forms and fees for requests to private bodies, are available on the website of the Department of Justice and Constitutional Development, www.justice.org.za.

14. Changes to this Manual

This Manual may be amended and updated from time to time, provided that if we do so, we will ensure that such changes are carried out subject to and published in accordance with PAIA and POPIA.

Appendix 1: Access Request Form



J752

REPUBLIC OF SOUTH AFRICA
FORM C
REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY
(Section 53(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))
[Regulation 10]

A. Particulars of private body The Head:

B. Particulars of person requesting access to the record

(a) The particulars of the person who requests access to the record must be given below.



- (b) The address and/or fax number in the Republic to which the information is to be sent must be given.
- (c) Proof of the capacity in which the request is made, if applicable, must be attached.

Full names and surname:													
Identity number:													
Postal address:													
Telephone number:	()												
E-mail address:													

Capacity in which request is made, when made on behalf of another person:

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C. Particulars of person on whose behalf request is made

This section must be completed ONLY if a request for information is made on behalf of another person

Full names and surname:													
Identity number:													

D. Particulars of record

- (a) 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.
- (b) If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.



1. Description of record or relevant part of the record:

2. Reference number, if available:

3. Any further particulars of record:

E. Fees

- (a) 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.
 - (b) You will be notified of the amount required to be paid as the request fee.



- (c) 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.
- (d) If you qualify for exemption of the payment of any fee, please state the reason for exemption.

Reason for exemption from payment of fees:

F. 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 below, state your disability and indicate in which form the record is required.

Disability:		Form in which record is required:	
Mark the appropriate box with an X.			

NOTES:

- (a) Compliance with your request for access 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.

1. If the record is in written or printed form:

	copy of record*		inspection of record		
2. If record consists of visual images - (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):					
	view the images		copy of the images*		transcription of the images*
3. If record consists of recorded words or information which can be reproduced in sound:					
	listen to the soundtrack (audio cassette)		transcription of soundtrack* (written or printed document)		
4. 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* (stiffy or compact disc)

*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.	Yes	No
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G. 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 requester must sign all the additional folios.

1. Indicate which right is to be exercised or protected:



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

H. 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?

Signed at this day of year.....
.....

Signature of Requester /

Person on Whose Behalf Request is Made