

BLACK MAMBA FOODS PAIA MANUAL

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

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 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.
- 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 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 OF THEBLACK MAMBA FOODS

3.1. Chief Information Officer

Name: CEO- Claudia Castellanos
Tel: +27 (73) 200-1791
Email: Claudia@blackmambachilli.com

3.2. Access to information general contacts

Email: info@blackmambachilli.com

3.3 National or Head Office

Postal Address: PO BOX D86 The Gables, Mantegna, Eswatini, H100

Physical Address: 8 Avenue Beauvais, Bel Ombre, Cape Town 7806

Telephone: +27 (73) 200-1791

Email: info@blackmambachilli.com

Website: www.blackmambachilli.com

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, 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 may be made available in each of the official languages.
- 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
 - 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 from 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/>).

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.*

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.”*

5. **CATEGORIES OF RECORDS OF BLACK MAMBA FOODS WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS**

Category of records	Types of the Record	Available
Public Affairs and Website	<ul style="list-style-type: none"> • Public Product Information • Public Corporate Records • Media Releases • Publications • Newsletters 	x

6. **DESCRIPTION OF THE RECORDS OF BLACK MAMBA FOODS WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION**

Category of Records	Applicable Legislation
Memorandum of incorporation	Companies Act 71 of 2008
PAIA Manual	Promotion of Access to Information Act 2 of 2000
Other:	<p>6.1 Basic Conditions of Employment Act 75 of 1997.</p> <p>6.2 Broad-Based Black Economic Empowerment Act 53 of 2003.</p> <p>6.3 Compensation for Occupational Injuries and Diseases Act 130 of 1993.</p> <p>6.4 Electronic Communications and Transactions Act 25 of 2002.</p> <p>6.5 Employment Equity Act 55 of 1998.</p> <p>6.6 Financial Intelligence Centre Act 38 of 2001.</p> <p>6.7 Financial Advisory and Intermediary Services Act 37 Of 2002; 7.8. Income Tax Act 58 of 1962.</p> <p>6.8 Labour Relations Act 66 of 1995.</p> <p>6.9 Occupational Health and Safety Act 85 of 1993.</p> <p>6.10 Pension Funds Act 24 of 1956.</p> <p>6.11 Promotion of Access to Information Act 2 of 2000.</p> <p>6.12 Protection of Personal Information Act 4 of 2013.</p> <p>6.13 Unemployment Insurance Contributions Act 4 of 2002.</p> <p>6.14 Unemployment Insurance Act 30 of 1996; and</p> <p>6.15 Value Added Tax Act 89 of 1991.</p>

7. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY BLACK MAMBA FOODS

Records	Subject
Company Secretarial	<ul style="list-style-type: none"> • Company documents including the memorandum of incorporation. • Registers and minute books • Statutory returns • Powers of attorney • Share certificates
Company Authorization and License	<ul style="list-style-type: none"> • CIPC Registration • Employer Registration • VAT Registration • Taxpayer Registration

Records	Subject
Financial	<ul style="list-style-type: none"> • Financial Statements • Financial and Tax Records (Company & Employees) • Asset Register • Management Accounts • Bank statements • Debtors/Creditors statements and invoices
Legal Services	<ul style="list-style-type: none"> • Agreements with customers, suppliers, service providers and other parties.
Movable and immovable property	<ul style="list-style-type: none"> • Title deeds • Lease agreements • Credit sale agreements • Ordinary sale agreements
Marketing	<ul style="list-style-type: none"> • Market Information • Public Customer Information • Product Brochures • Owner Manuals • Product Sales Records
	<ul style="list-style-type: none"> • Field Records • Marketing Strategies • Copies of advertisements and advertising register
	<ul style="list-style-type: none"> • Customer Database
	<ul style="list-style-type: none"> • Company performance Records
Intellectual Property	<ul style="list-style-type: none"> • Trademarks, patents, designs, Templates, Seminar content, Online course material, Compliance Monitoring Plans, Articles, Opinions, know-how, and licensing agreements for same
Strategic Documents, Plans, Proposals	<ul style="list-style-type: none"> • Annual Reports • Strategic Plan • Annual Performance Plan

Records	Subject
Administration and Information Technology	<ul style="list-style-type: none"> • Intranet • Correspondence with internal and external parties • BLACK MAMBA FOODS systems documentation and manuals
Operations	<ul style="list-style-type: none"> • Policies and Procedures • Industry authorization and compliance records • Industry exemption records • Disaster recovery and implementation plans
Human Resources	<ul style="list-style-type: none"> • Policies and procedures • Employee information • Employment contracts • Training Records • Workplace and union agreements records • Benefit arrangements rules and records
Compliance Delivery	<ul style="list-style-type: none"> • CRM records • Compliance Reports • Correspondence with regulators and customers • Implementation records
Website	<ul style="list-style-type: none"> • Company profile • Areas of Service and Expertise • News and Publications • Coverage • Client Portal

8. SUMMARY OF PROCESSING OF PERSONAL INFORMATION

8.1 Purpose of Processing Personal Information

BLACK MAMBA FOODS will only process personal information in line with the BLACK MAMBA FOODS Privacy Policy, which is available on the BLACK MAMBA FOODS website.

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

This section specifies the categories of data subjects in respect of whom BLACK MAMBA FOODS processes personal information and the nature or categories of the personal information being processed. The inclusion of any subject of records should not be taken as an indication that the records in those categories will be made available under PAIA, as certain grounds for refusal may be applied.

Categories of Data Subjects	Personal Information that may be processed
Customers / Clients	Name of customer/client, Firm code of client as per CRM, Name and surname of Compliance Officer linked to that client/FSP. Name, Last name, Identity number, Address, Qualifications, Gender, Race, Contact information. Business address, Banking details of business, Registration number of business.
Service Providers	Names, registration number, vat numbers, address, trade secrets and bank details
Employees	Names, Last name, Identity number, Address, Banking details, Qualifications, gender, and Race, Contact information
Third party contractors	Name, Last name, Identity number, Login usernames Address, Qualifications, Gender, Race, Contact information. Business address, Banking details of business, Registration number of businesses
IT Infrastructure	Name, Last name, Identity number, Login usernames Address, Qualifications, Gender, Race, Contact information. employees.
Marketing	Name, Last Name, Business name
Front Office	Name, Last name, Personal E-mail address, home facsimile number, Home postal address, home telephone number.
Corporate customers	Name, Last name, Business e-mail address, Professional license numbers, Other confidential and proprietary

Categories of Data Subjects	Personal Information that may be processed
Customers and Clients	Company or client information subject, Identity number, Address, Qualifications, Gender, Race, Contact information. Business address, Banking details of business, Registration number of businesses.
Finance	Name, Last name, Identity number, ID type, Gender, Personal mobile number, Name of Account holder, Account type, Name of Bank, Account number, Branch code.

8.3 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 and names, for criminal checks	South African Police Services
Qualifications, for qualification verifications	South African Qualifications Authority Regulatory bodies
Credit and payment history, for credit information	Credit Bureaus
Name, address, registration numbers or identity numbers, employment status and bank details	Third party contractors
Name, address, registration numbers or Identity numbers, Employment status, Bank details, Business information, Trading information, Statutory reports, Business reports.	Regulatory bodies

9. AVAILABILITY OF THE MANUAL

9.1 A copy of the Manual is available-

9.1.1 On www.BlackMambaFoods.co.za.

9.1.2 At the head office of Black Mamba Foods for public inspection during normal business hours.

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

9.1.4 to the Information Regulator upon request.

9.2 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

The head of Black Mamba Foods will on a regular basis update this manual.

Issued by Claudia Castellanos CEO of Black Mamba Foods (Pty) Ltd
