



This manual has been prepared in accordance with section 51 of the Promotion of Access to Information Act, 2000 (“the Act”) and to address requirements of the Protection of Personal Information Act, 2013 (“POPIA”).

This manual applies to:

BRIGHTWATER TRADE AND INVEST 67 (PTY) LTD t/a RIP CURL

(registration number 2011/003977/07)

(“the Company”)

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1. Introduction

PAIA gives effect to the constitutional right to access any information held by the state and any right held by any other person and that is required for the exercise of any rights.

The Protection of Personal Information Act 4 of 2013, was enacted to give effect to the constitutional right to privacy by protecting Personal Information and regulating the free flow and processing of Personal Information.

The purpose of this Manual is to foster a culture of transparency and accountability within the Company, its employees, and its Stakeholders, Customers, and Third Parties; to promote a culture of effective access to information and to enable all stakeholders to fully exercise and protect their rights.

Furthermore, this Manual aims to give effect to the right to privacy in relation to the protection of Personal Information.

Both PAIA and POPI recognize that the right of access to information and privacy respectively are subject to the limitation's clause set out in terms of section 36 of the Constitution.

2. Administration of the Act

This PAIA Manual of **BRIGHTWATER TRADE AND INVEST 67 (PTY) LTD t/a RIP CURL:**

- a) is available for viewing at the Company's premises in Durban at 232 Mathews Meyiwa Road, Greyville, Berea, as well as on the Company's website, www.ripcurl.co.za

- b) for the purposes of PAIA, details the processes to be followed by a Requestor and the manner in which a Request for Access shall be facilitated.

- c) for the purposes of POPI, amongst other legislative requirements which the Company is subject to, details the purpose for which the Personal Information may be processed, a description of the categories of Data Subjects for whom the Company processes Personal Information relating to such Data Subjects and the recipients to whom Personal Information may be supplied.

Contact details of the Information / Deputy Information Officer

The Information Officer and/ or Deputy Information Officer is responsible for dealing with all requests made in terms of the Act.

Name: Tracy Wardell

Registered address: 232 Mathews Meyiwa Road, Greyville, Berea, Durban, 4001

Postal address: P.O. Box 47773, Greyville, Durban

Telephone number: (031) 312 8968

Email address: tracy@ripcurl.co.za

3. **Guide for Requesters on how to use the Act**

The South African Human Rights Commission (“SAHRC”) has compiled a guide, in terms of section 10 of the Act, to facilitate the ease of use of the Act.

The guide is available in all South African official languages free of charge and any person may request a copy of the guide.

This guide is available from the SAHRC, the contact details are as follows: -

Physical address: Braampark Forum 3
33 Hoofd Street
Braamfontein
South Africa

Postal address: Private Bag X2700
Houghton
2041

Phone: (011) 877 3600

Fax: (011) 403 0625

Email: section51.paia@sahrc.org.za

Website: www.sahrc.org.za

4. **Record Subjects and categories available in terms of the Act**

The Company maintains the following categories of records and related subject matter. The status of the record’s availability, the purpose for its processing and the relevant Data Subject category to who the record related, are set out below: -

Category	Record	Availability	Purpose	Data Subject
Public Affairs	Public Product Information	Freely Available	Convey Public Information	Organisation
	Public Corporate Records	Freely Available	Convey Public Information	Organisation
	Media Releases	Freely Available	Convey Public Information	Organisation
Regulatory and Administrative	Permits, Licenses or Authorities	Freely Available	Statutory Requirement	Organisation
	Complaints Policy	Freely Available	Statutory Requirement	Organisation
	Memorandum of Incorporation	PAIA Request	Statutory Requirement	Organisation
	Register of Directors, Officers, and Shareholding	PAIA Request	Statutory Requirement	Organisation
	Internal Correspondence (e-mails/memos)	PAIA Request	Internal Communications	Employees
	Insurance Policies held by the Company	PAIA Request	Risk Management	Organisation
	Returns Policy	Freely Available	Risk Management	Organisation

	Terms and Conditions	Freely Available	Risk Management	Organisation
Human Resources	Employment Applications	PAIA Request	Internal referencing	Employees
	Employment Contracts	PAIA Request	Contractual Agreement	Employees
	Personal Information of Employees	PAIA Request	Internal Referencing	Employees
	Disciplinary Records	PAIA Request	Statutory Requirement	Employees
	Performance Management Records	PAIA Request	Internal Referencing	Employees
	Salary Records	PAIA Request	Internal Referencing	Employees
	PAYE Records	PAIA Request	Statutory Requirement	Employees
	Disciplinary Code	PAIA Request	Statutory Requirement	Organisation
	Leave Records	PAIA Request	Internal referencing	Employees
Financial	Financial Statements	PAIA Request	Internal Referencing	Organisation
	Financial and Tax Records	PAIA Request	Statutory Requirement	Organisation

	Asset Register	PAIA Request	Internal Referencing	Organisation
	Management Accounts and Reports	PAIA Request	Internal Referencing	Organisation
	Vouchers, Cash Books and Ledgers	PAIA Request	Internal Referencing	Organisation
	Banking Records and Statements	PAIA Request	Internal Referencing	Organisation
	Electronic Banking Records	PAIA Request	Internal Referencing	Organisation
Marketing	Market Information	PAIA Request	Internal Referencing	Organisation
	Product Brochures	PAIA Request	Internal Referencing	Organisation
	Advertisements	PAIA Request	Internal Referencing	Organisation
	Product / Sales Records	PAIA Request	Internal Referencing	Organisation
Client Customer	Database	PAIA Request	Internal Referencing	Customers
	Agreements	PAIA Request	Internal Referencing	Customers
	Files	PAIA Request	Internal Referencing	Customers

	Instructions	PAIA Request	Internal Communications	Customers
	Correspondence	PAIA Request	External Communications	Customers
Third Party	Rental Agreements	PAIA Request	Contractual Agreement	Third Party
	Non-disclosure Agreements	PAIA Request	Risk Management	Third Party
	Letters of Intent	PAIA Request	Contractual Agreement	Third Party
	Supplier Contracts	PAIA Request	Contractual Agreement	Third Party

5. Records available in accordance with other legislation

- Basic Conditions of Employment Act No.75 of 1997
(including Sectoral Determination 9: Wholesale and Retail Sector)
- Board Based Black Economic Empowerment Act, No 53 of 2003
- Companies Act No. 71 of 2008
- Compensation for Occupational Injuries and Diseases Act, No 130 of 1993
- Competition Act No. 89 of 1998
- Constitution of the Republic of South Africa No 108 of 1996
- Consumer Protection Act No 68 of 2008
- Copyright Act No. 98 of 1978
- Counterfeit Goods Act No 37 of 1997

- Currency and Exchanges Act No. 9 of 1933 (and Exchange Control Regulations)
- Customs and Excise Act No. 91 of 1964
- Debt Collectors Act No. 114 of 1998
- Designs Act No 195 of 1993
- Electronic Communication and Transactions Act No. 25 of 2002
- Employment Equity Act No. 55 of 1998
- Employment Tax incentive Act No. 26 of 2013
- Financial Advisory and Intermediary Services Act No 37 of 2002
- Financial Intelligence Centre Act No. 38 of 2001
- Financial Markets Act No. 19 of 2012
- Financial Services Board Act No. 97 of 1990
- Income Tax Act No. 58 of 1962
- International Trade Administration Act No. 71 of 2002
- King 3 Code on Corporate Governance
- Labour Relations Act No. 66 of 1995
- Lotteries Act No. 57 of 1997
- Magistrates Court Act No. 32 of 1944 (Garnishee and Administration orders)
- Medical Schemes Act No. 131 of 1998
- Merchandise Marks Act No. 17 of 1941
- National Building Regulations and Building Standards Act No. 103 of 1977
- National Credit Act No 34 of 2005
- National Environmental Management Act No 107 of 1998

- National Environmental Management Waste Act No 59 of 2008
- Occupational Health and Safety Act No 85 of 1993
- Patents Act No 57 of 1978
- Prevention of Organised Crime Act No. 121 of 1998
- Prevention and Combating of Corrupt Activities No. 12 of 2004
- Promotion of Equality and Prevention of Unfair Discrimination Act, No 4 of 2000
- Protected Disclosures Act No. 26 of 2000
- Protection of Business Act No. 99 of 1978
- Protection of Personal Information Act No. 4 of 2013
- Regulation of Interception of Communications and Provision of Communication-related Information Act No 70 of 2002
- Securities Transfer Tax Act No 25 of 2007
- South African Qualifications Authority Act No. 58 of 1995
- South African Revenue Services Act No 34 of 1997
- Takeover Regulation Panel Guidelines, Practice Notes and Regulations
- Trademarks Act No. 194 of 1993
- Unemployment Insurance Act No. 63 of 2001
- Unemployment Insurance Contributions Act No. 4 of 2002
- Value Added Tax Act No. 89 of 1991.

6. Access request procedure

The information contained in this cause is to provide requesters with sufficient guidelines and procedures to facilitate a request for access to records held by the Company.

A Requester must complete the prescribed Request for Access Form, attached as Appendix A, and submit the completed Request for Access Form as well as payment of a request fee (where applicable) and a deposit (where applicable), to the Deputy Information Officer, at the physical or e-mail address stated in paragraph 2 above. Please refer to Appendix B for a full breakdown of fees payable. Personal Requesters will not be charged a request fee.

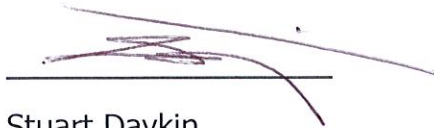
Please be aware that an application for access to information may be refused in the event that the application does not comply with the procedural requirements contained in section 53 of the Act. In addition, the successful completion and submission of an Access Request Form does not automatically allow the requester access to the requested record.

Once the request has been processed, the Deputy Information Officer will inform the Requester of the outcome of the request and any additional fees that may fall due.

Please be advised that PAIA provides a number of grounds on which a request for access to information must be refused. For example, where:

- The privacy and interests of other individuals are protected
- Where such records are already otherwise publicly available
- Instances where public interests are not served

- The mandatory protection of commercial information of a third party
- The mandatory protection of certain confidential information of a third party



Stuart Daykin

Chief Executive Officer

Brightwater Trade and Invest 67 (Pty) Ltd T/A Rip Curl

APPENDIX A – ACCESS REQUEST FORM

When completing the Form below, please:

- indicate the identity of the person seeking access to the information
- provide sufficient particulars to enable the Deputy Information Officer to identify the information requested
- specify the format in which the information is required
- indicate the contact details of the person requiring the information
- indicate the right to be exercised and/or to be protected, and specify the reasons why the information required will enable the person to protect and/or exercise the right
- where the person requesting the information wishes to be informed of the decision of the request in a particular manner, state the manner and particulars to be so informed
- if the request for information is made on behalf of another person, submit proof that the person submitting the request, has obtained the necessary authorisation to do so

A. Particulars of Private Body

The Head:

Brightwater Trade and Invest 67 (Pty) Ltd T/A Rip Curl

Name: Tracy Wardell

Registered

address: 232 Mathews Meyiwa Road, Greyville, Berea, Durban, 4001

Postal

address: P.O. Box 47773, Greyville, Durban

Telephone number: (031) 312 8968

Email address: tracy@ripcurl.co.za

B. Particulars of Requester

- i. The particulars of the Requester must be recorded below
- ii. Furnish an address and/or fax number in the Republic to which information must be sent
- iii. Proof of the capacity in which the request is made, if applicable, must be attached

Full names and Surname:

Identity number:

Postal address:

Fax number:

E-mail address:

Capacity:

C. Particulars of person on whose behalf the request is made

This section must be completed <i>ONLY</i> if a request for information is made on behalf of another person
Full names and surname:
Identity number:
D. Particulars of record
<ul style="list-style-type: none">i. Provide full particulars of the record to which access is requested, including the reference number if it is knownii. if the space provided is inadequate, please continue on a separate page and attach it to this Form. Please sign any additional pages.
Description of record:
Reference number:
Any further particulars:
E. Fees
<ul style="list-style-type: none">i. 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 paidii. You will be notified of the amount required to be paid as the request feeiii. The fee payable depends on the form in which access is required and the reasonable time required to search and prepare a recordiv. If you qualify for an exemption of payment of any fee, please state the reason therefor
Reason for exemption:

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 hereunder, please state your disability and indicate which form the record is required	
Disability:	
Form in which required:	
Mark the appropriate box with an "X"	
<ul style="list-style-type: none"> i. Your indication as to the required form of access depends on the form in which the record is available ii. Access in the form requested may be refused in certain circumstances. In such cases you will be informed and access will be granted in another form iii. 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:	
<ul style="list-style-type: none"> • Copy of record 	
<ul style="list-style-type: none"> • Inspection of record 	
2. If record consists of visual images:	
<ul style="list-style-type: none"> • View images 	
<ul style="list-style-type: none"> • Copy images 	
<ul style="list-style-type: none"> • Transcription of images 	
3. If the record consists of recorded words or information which can be reproduced in sound:	
<ul style="list-style-type: none"> • Listen to soundtrack 	
<ul style="list-style-type: none"> • Transcription of soundtrack 	

4. If the record is held on a computer or electronic or machine-readable form:	
• Printed copy	
• Copy in computer readable form	
Please indicate the preferred method of delivery	
• By hand	
• E-mail	
• Post	
• Fax	
G. Particulars of right to be exercised or protected	
If the space provided is inadequate, please continue on a separate page and attach it to this Form. Please sign any additional pages.	
Indicate which rights to be exercised or protected:	
Explain why the record requested is required for the exercise or protection of the aforementioned right:	
H. Notice of decision regarding the request	
You will be notified in writing whether your request has been approved or denied. If you wish to be informed thereof in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request	
How would you like to be informed of the decision regarding your request for access to the record:	

I. Signature

Signed at:

Date:

Signature of Requester / person on whose behalf the request is made:

Deputy Information Officer signature:

Date:

APPENDIX B – PRESCRIBED FEES

The following applies to requests (other than personal requests):

- A requester is required to pay a preliminary request fee before a request will be processed
- If the preparation of the record requested requires more than the prescribed hours (six), an additional deposit shall be paid (of not more than one third of the access fee which would be payable if the request was granted)
- A requestor may lodge an application with a court against the render / payment of the request fee and/or deposit
- Records may be withheld until the fees have been paid
- The fee structure is also available on the South African Human Rights Commission's website at www.sahrc.org.za

No.	Description	Fee
1.	The fee for a copy of the manual as contemplated in regulation 9(2)(c), for every photocopy of an A4-size page or part thereof	R 1.10
2.	The fees for reproduction referred to in regulation 11(1) are:	
	a) For every photocopy of an A4-size page or part thereof	R 1.10
	b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic readable form	R 0.75
	c) For a copy in a computer-readable form on stiffer disc	R 7.50
	d) For a copy in a computer-readable form on a compact disc	R 70.00

	e) For a transcription of visual images, for an A4-size page or part thereof	R 40.00
	f) For a copy of a visual image	R 60.00
	g) For a transcription of an audio record	R 20.00
	h) For a copy of an audio record	R 30.00
3.	The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2)	R 50.00
4.	The request fee payable by a requester, other than a personal requester, referred to in regulation 11(3)	
	a) For every photocopy of an A4-size page or part thereof	R 1.10
	b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic readable form	R 0.75
	c) For a copy in a computer-readable form on stiffer disc	R 7.50
	d) For a copy in a computer-readable form on a compact disc	R 70.00
	e) For a transcription of visual images, for an A4-size page or part thereof	R 40.00
	f) For a copy of a visual image	R 60.00
	g) For a transcription of an audio record	R 20.00
	h) For a copy of an audio record	R 30.00
5.	The actual postage fee is payable when a copy of a record must be posted to a requester	
6.	For the purpose of section 54(2) of the Act, the following applies:	
	a) 6 (six) hours as the hours to be exceeded before a deposit is payable	

b) 1/3 (one third) of the access fee is payable as a deposit by the requester