



# MANUAL

*Drafted and Published Pursuant to  
Section 17 of the Protection of Personal Information Act, 4 of 2013  
read with  
Section 51 of the Promotion of Access to Information Act, 2 of 2000  
(as amended)*



## 1. INTERPRETATION

In this document, clause headings are for convenience and shall not be used in its interpretation unless the context clearly indicates a contrary intention:

- 1.1 an expression which denotes any gender includes the other genders; a natural person includes an artificial or juristic person and vice versa; the singular includes the plural and vice versa;
- 1.2 the following expressions shall bear the meanings assigned to them below and cognate expressions bear corresponding meanings:
  - 1.2.1 "company" means Batela Trading (Pty) Ltd;
  - 1.2.2 "this document" means this document together with any and all annexures, as amended from time to time;
  - 1.2.3 "head of the company" means the information officer as defined in 1.2.4 below;
  - 1.2.4 "information officer" means the person duly authorised by the head of the company and appointed by the company to facilitate or assist the head of the company with any request in terms of PAIA;
  - 1.2.5 "PAIA" means the Promotion of Access to Information Act, 2 of 2000, as amended from time to time including the regulations promulgated in terms of PAIA;
  - 1.2.6 "POPI Act" means the Protection of Personal Information Act, 4 of 2013, as amended from time to time include the regulations promulgated in terms of the POPI Act;
- 1.3 any reference to any statute, regulation or other legislation shall be a reference to that statute, regulation, or other legislation as at the signature date, and as amended or substituted from time to time;
- 1.4 if any provision in a definition is a substantive provision conferring a right or imposing an obligation on any party then, notwithstanding that it is only in a definition, effect shall be given to that provision as if it were a substantive provision in the body of this document;



- 1.5 where any term is defined within a particular clause other than this, that term shall bear the meaning ascribed to it in that clause wherever it is used in this document;
- 1.6 where any number of days is to be calculated from a particular day, such number shall be calculated as excluding such particular day and commencing on the next day. If the last day of such number so calculated falls on a day which is not a business day, the last day shall be deemed to be the next succeeding day which is a business day;
- 1.7 any reference to days (other than a reference to business days), months or years shall be a reference to calendar days, months, or years, as the case may be;
- 1.8 the use of the word "including" followed by a specific example/s shall not be construed as limiting the meaning of the general wording preceding it and the *eiusdem generis* rule shall not be applied in the interpretation of such general wording or such specific example/s;
- 1.9 insofar as there is a conflict in the interpretation of or application of this document and PAIA, PAIA shall prevail;
- 1.10 this document does not purport to be exhaustive of or comprehensively deal with every procedure provided for in the POPI Act or PAIA. A requester is advised to familiarise his/her/itself with the provisions of the POPI Act and PAIA before lodging any request with the company.

## 2. OBJECTIVE

To facilitate the requests for access to records of the company as provided for in the POPI Act and PAIA.

## 3. CONTACT DETAILS<sup>1</sup>

Company Registration No.: 2013/231569/07

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<sup>1</sup> Section 51(1)(a)(i) of PAIA.



Postal & Street Address: 7 Drome Road, Formain, Lyndhurst, Gauteng, 2090

Telephone Number: 082 929 4943

Fax Number: 086 218 2928

Website: [www.batela.co.za](http://www.batela.co.za)

Email: [info@batela.co.za](mailto:info@batela.co.za)

Information Officer: Cherilyn Nielsen

Email address: [Cherilyn@batela.co.za](mailto:Cherilyn@batela.co.za)

Telephone Number: 082 929 4943

#### 4. THE GUIDE PRESCRIBED BY SECTION 10 OF PAIA<sup>2</sup>

##### 4.1 Description

Pursuant to section 10 of PAIA, the South African Human Rights Commission has published the guide as is prescribed by section 10 of PAIA. The guide contains the necessary information to assist anyone who wishes to exercise any right under PAIA.

##### 4.2 How to Access the Guide

The guide is available at the offices of the South African Human Rights Commission.<sup>3</sup>

The PAIA Unit at the South African Human Rights Commission

The Research & Documentation Department

Private Bag X2700

Houghton

2014

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<sup>2</sup> Section 51(1)(b)(i) of PAIA.

<sup>3</sup> <https://www.justice.gov.za/paia/dojcd-paia-manual.pdf>



Telephone Number: 011 877 3600

Website: [www.sahrc.org.za](http://www.sahrc.org.za)

Email: [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)

## 5. RECORDS HELD BY THE COMPANY IN TERMS OF OTHER LEGISLATION<sup>4</sup>

5.1 The following records are not automatically available without a request in terms of PAIA:

5.1.1 all statutory returns, namely VAT, workmen's compensation, UIF; regional services levies; and skills development levies.

5.1.2 documents concerning compliance by the company, insofar as it may be necessary, with legal obligations in terms of the Occupational Health and Safety Act, 85 of 1993 and any other applicable environmental legislation.

## 6. RECORDS THAT ARE AUTOMATICALLY AVAILABLE TO EITHER EMPLOYEES ONLY OR THE GENERAL PUBLIC AND EMPLOYEES<sup>5</sup>

6.1 The following records are automatically available to all employees of the company and need not be requested in accordance with the procedure outlined in paragraph 8 below:

6.1.1 personnel records are available to the employee whose file it is;

6.1.2 records of disciplinary hearings and related matters are available to the employee concerned;

6.1.3 the company's policies and procedures manual;

6.1.4 the company's document format manual.

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<sup>4</sup> Section 51(1)(b)(iii) of PAIA.

<sup>5</sup> Section 51(1)(b)(ii) of PAIA.



6.2 The following records are automatically available to the general public and all employees and need not be requested in accordance with the procedure outlined in paragraph 8 below:

6.2.1 the company's employment equity plan;

6.2.2 the company's skills development plan.

## 7. OTHER TYPES OF RECORDS HELD BY THE COMPANY

These records are not automatically available without a request in terms of PAIA. A request in terms of this section is subject to section 63(1) of PAIA, which provides that the head of a company must refuse a request for access to a record of the company if the disclosure of the record would involve the unreasonable disclosure of personal information about a third party including a deceased individual.

7.1 Human Resources department

7.1.1 Personnel information, together with information on potential candidates, including personal information, employment history and health records that the company may hold from time to time.

7.1.2 Training and development information.

7.1.3 General files containing information on employee benefits and employee recruitment and selection information.

7.2 Project management

7.2.1 Building plans.

7.2.2 Information generally related to projects conducted by the company from time to time.

7.3 Information technology

7.3.1 Usage statistics

7.3.2 Equipment details



- 7.3.3 Costings of hardware and software
- 7.4 Catering
  - 7.4.1 Function records and related costings
  - 7.4.2 Stock sheets
  - 7.4.3 List of suppliers
- 7.5 Companies department
  - Company secretarial records
- 7.6 Finance/Accounts department
  - 7.6.1 Financial records
  - 7.6.2 A list of the company's creditors and debtors
  - 7.6.3 Salary information
  - 7.6.4 Bank account information
  - 7.6.5 Fixed assets register
- 7.7 Marketing department
  - 7.7.1 Company brochures and publications
  - 7.7.2 Documents relating to public relation events
  - 7.7.3 Company media releases
- 7.8 Support services
  - 7.8.1 Delivery and collection sheets
  - 7.8.2 List of suppliers
  - 7.8.3 Data relating to security measures in place



## 8. PROCESS OF REQUESTING INFORMATION NOT AUTOMATICALLY AVAILABLE

- 8.1 A request shall be made on the prescribed form. The form is downloadable at the following link: [https://www.justice.gov.za/forms/paia/J752\\_paia\\_Form%20C.pdf](https://www.justice.gov.za/forms/paia/J752_paia_Form%20C.pdf) The form is also available on the websites of the South African Human Rights Commissioner, and that of the Department of Justice and Constitutional Development.
- 8.2 The prescribed form shall be submitted to the information officer at her address, telefax number or e-mail address.
- 8.3 The same procedure as set out in 8.1 and 8.2 applies if the requester is requesting information on behalf of another person or on behalf of a permanent employee of the company.
- 8.4 The information officer, as soon as reasonably possible and within thirty days after the request has been received, shall decide whether or not to grant the request.
- 8.5 The requester will be notified of the decision of the information officer in the manner indicated by the requester.
- 8.6 If the request is granted, the requester shall be informed by the information officer in the manner indicated by the requester in the prescribed form.
- 8.7 Notwithstanding the foregoing, the company will advise the requester in the manner stipulated by the requester in the prescribed form of:
- 8.7.1 the access fee to be paid for the information (in accordance with paragraph 9);
- 8.7.2 the format in which access will be given; and
- 8.7.3 the fact that the requester may lodge an appeal with a court of competent jurisdiction against the access fee charged or the format in which access is to be granted.





- 8.8 After access is granted, actual access to the record requested will be given as soon as reasonably possible.
- 8.9 If the request for access is refused, the head of the company shall advise the requester in writing of the refusal. The notice of refusal shall state:
- 8.9.1 adequate reasons for the refusal;
- 8.9.2 that the requester may lodge an appeal with a court of competent jurisdiction against the refusal of the request (including the period) for lodging such an appeal.
- 8.10 Upon the refusal by the head of the company, the deposit paid by the requester will be refunded.
- 8.11 If the information officer fails to respond within thirty days after a request has been received, it is deemed, in terms of section 58 read together with section 56(1) of PAIA, that the head of the company has refused the request.
- 8.12 The head of the company may decide to extend the period of thirty days ("original period") for another period of not more than thirty days if:
- 8.12.1 the request is for a large number of records;
- 8.12.2 the search for the records is to be conducted at premises not situated in the same town or city as the head office of the company;
- 8.12.3 consultation among divisions or departments, as the case may be, of the company is required;
- 8.12.4 the requester consents to such an extension in writing; and
- 8.12.5 the parties agree in any other manner to such an extension.
- 8.13 Should the company require an extension of time, the requester shall be informed in the manner stipulated in the prescribed form of the reasons for the extension.
- 8.14 The requester may lodge an appeal with a court of competent jurisdiction against any extension or against any procedure set out in this section.



## 9. FEES PAYABLE

9.1 The fees for reproduction of a record as referred to in section 52(3) are as follows:

9.1.1 for every photocopy of an A4 size page or part thereof R 1.10

9.1.2 for every printed copy of an A4-size page or part thereof R 0.75

9.1.3 for a copy of a compact disc R 70.00

9.1.4 for a transcript of visual images for an A4 size page or part thereof R 40.00

9.1.5 for a copy of visual images R 60.00

9.1.6 for a transcript of an audio record, for an A4-size page or part thereof R 20.00

9.1.7 for a copy of an audio record R 30.00

9.2 The request fee payable by a requester, other than a personal requester, is R 50.00

9.3 If the head of the company is of the opinion that six hours will be exceeded to search, reproduce and/or prepare the information requested, an upfront deposit is payable equal to R 30.00 for each hour or part thereof, exceeding the six hours.

## 10. INFORMATION OR RECORDS NOT FOUND

10.1 If all reasonable steps have been taken to find a record, and such a record cannot be found or if the records do not exist, then the head of the company shall notify the requester, by way of an affidavit or affirmation, that it is not possible to give access to the requested record.

10.2 The affidavit or affirmation shall provide a full account of all the steps taken to find the record or to determine the existence thereof, including details of all communications by the head of the company with every person who conducted the search.



- 10.3 The notice, as set out above, shall be regarded as a decision to refuse a request for access to the record concerned for the purposes of PAIA.
- 10.4 If the record in question should later be found, the requester shall be given access to the record in the manner stipulated by the requester in the prescribed form unless access is refused by the head of the company.
- 10.5 The attention of the requester is drawn to the provisions of Chapter 4 of Part 3 of PAIA in terms of which the company may refuse, on certain specified grounds, to provide information to a requester.
11. INFORMATION REQUESTED ABOUT A THIRD PARTY
- 11.1 Section 71 of PAIA makes provision for a request for information or records about a third party.
- 11.2 In considering such a request, the company will adhere to the provisions of sections 71 to 73 of PAIA.
- 11.3 The attention of the requester is drawn to the provisions of Chapter 5 of Part 3 of PAIA in terms of which the company is obliged, in certain circumstances, to advise third parties of requests lodged in respect of information applicable to or concerning such third parties. In addition, the provisions of Chapter 2 of Part 4 of PAIA entitle third parties to dispute the decisions of the head of the company by referring the matter to court.
12. ADDITIONAL INFORMATION PURSUANT TO THE POPI ACT
- 12.1 Section 52 of POPIA has been amended to include certain information in this manual, pursuant to the POPI Act coming into operation. Before the purpose of the processing is addressed, it must be mentioned that the company:
- 12.2.1 uses personal data from you when you visit the company website, make use of the company's services, or are employed by the company. To learn more about this, please read the privacy policy published on the company website [www.irisai.co.za](http://www.irisai.co.za)



12.2.2 the company processes the following information about you:

- 12.2.2.1 Personal identification information (name, job title, email address and/or telephone number/s);
- 12.2.2.2 Information pertaining to the organizational structure of your company, if applicable.

12.2 The purpose of the processing<sup>6</sup>

The company processes the information referred to above, to:

- 12.2.1 assist you with a query or request.
  - 12.2.2 contact you in response to a request for more information on our services.
  - 12.2.3 present to you on a particular service that you have expressed a genuine interest in.
  - 12.2.4 run a proof of concept as a means to demonstrate the effectiveness of our services, where you have requested us to do so.
  - 12.2.5 process the agreement concluded with you and provide you with the services required.
  - 12.2.6 conduct a credit check through an accredited credit bureau, where you intend to conclude a contract with the company.
- 12.3 A description of the categories of data subjects and of the information or categories of information relating thereto

Categories of Data Subjects	Information Relating Thereto
Employees	Please refer to para 7.1, 7.3.1, 7.6.3 ,7.6.4, 7.8.1 & 7.8.3 above

<sup>6</sup> As defined in section 1 of the POPI Act.



Suppliers	Please refer to para 7.3.3, 7.4, 7.6.2, 7.6.4, 7.7.2, 7.7.3 & 7.8 above
Customers	Please refer to para 7.6.2, 7.8.1 & 7.8.3 above
Potential Job Candidates	Please refer to para 7.1.1 & 7.8.3 above
Consultants	Please refer to para 7.2, 7.3, 7.4, 7.6.2, 7.6.4, 7.8.1, 7.8.2 & 7.8.3 above
Visitors	Please refer to para 7.8.3 above
Prospective Customers	Please refer to para 7.8.1 & 7.8.3 above
Contractors	Please refer to para 7.2, 7.3, 7.4, 7.6.2, 7.6.4, 7.8.1, 7.8.2 & 7.8.3 above

12.4 The recipients or categories of recipients to whom the personal information may be supplied

Categories of Recipients	Information Supplied to Recipients
Human Resources	Please refer to para 7.1 above
Project Management	Please refer to para 7.2 above
Information Technology	Please refer to para 7.3 above
Catering Department	Please refer to para 7.4 above
Companies Department	Please refer to para 7.5 above
Finance/Accounts Department	Please refer to para 7.6 above
Marketing Department	Please refer to para 7.7 above
Support Services	Please refer to para 7.8 above

12.5 Planned transborder flows of personal information

12.5.1 As a rule, information pertaining to a data subject will not be transferred out of South Africa.

12.5.2 However, where the company services a customer residing in another country, data may be transferred between that country and South Africa. The company will before it transfers information across the South African borders, ensure that the recipient thereof agrees to be bound by the POPI



Act under and in terms of binding agreements that provide an adequate level of protection and uphold the principles for the reasonable and lawful processing of such personal information.

12.6 A general description allowing a preliminary assessment of the suitability of the information security measures to be implemented by the responsible party to ensure that confidentiality, integrity, and availability of the information which is to be processed.

12.6.1 The company has implemented far-reaching security measures with the assistance of operator Iris AI (Pty) Ltd. These include, but are not limited to:

12.6.1.1 Physical Security

12.6.1.2 Server security

12.6.1.3 Restrictions on Access

12.6.1.4 Security by design

12.6.1.5 Security objectives established

12.6.1.6 Guidelines published on how to achieve these objectives

12.6.1.7 Adoption of an overall security management strategy

12.6.1.8 Policies on key security mechanisms implemented in both everyday work and server security.

12.6.2 The totality of Iris AI's security measures can be found on its website [www.irisai.co.za](http://www.irisai.co.za), or a copy thereof requested from our Information Officer. Our company's Security Measures are available on the company website [www.batela.co.za](http://www.batela.co.za). Similarly, a copy can be requested from our Information Officer.

### 13. UPDATING OF MANUAL

The company may update this manual every six months or at such intervals as may be necessary.



Any revision will be published on the company's website. Accordingly, you are advised to visit and re-read this manual on a regular basis.