

VERSION 5 DATE 16 December 2021

PAIA AND POPI MANUAL

This manual was prepared in accordance with Section 51 of the Promotion of Access to Information Act No 2 of 2000 (“*PAIA*”), as amended from time to time, and to address the requirements of the Protection of Personal Information Act No 4 of 2013 (“*POPI*”), as amended from time to time

RAILWAY FURNISHERS (PTY) LTD

(REG NO : 1961/021488/07)

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VERSION HISTORY				
VERSION	APPROVED BY	REVISION DATE	DESCRIPTION OF CHANGE	AUTHOR
5	J Shankman obo Board of Directors	16/12/2021	Full revision, update Information Officer and Information Regulator details	N S Norval
4	J Shankman obo Board of Directors	24/03/2021	Add version history	N S Norval
3	J Shankman obo Board of Directors	14/08/2020	None – compliance review	N S Norval
2	J Shankman obo Board of Directors	09/03/2019	Para 8 reference to POPI staff training	N S Norval
1	Jeff Shankman obo Board of Directors	27/10/2015	None – First Draft	N S Norval

PREPARED BY	N S Norval	TITLE	External FAIS Compliance Officer	DATE	16/12/2021
APPROVED BY	J Shankman obo Board of Directors	TITLE	Director	DATE	16/12/2021

A. INTRODUCTION TO RAILWAY FURNISHER'S (PTY) LTD (“*THE COMPANY*”)

The Company conducts business as a furniture and appliance retailer. It is an authorised Financial Services Provider with FSP licence number 46186 in terms of the Financial Advisory and Intermediary Services Act.

B. PARTICULARS IN TERMS OF THE SECTION 51 MANUAL

1. LIST OF ACRONYMS AND ABBREVIATIONS

1.1	“Minister”	Minister of Justice and Correctional Services
1.2	“PAIA”	Promotion of Access to Information Act No. 2 of 2000 as amended
1.3	“POPI”	Protection of Personal Information Act No. 4 of 2013 as amended
1.4	“Regulator”	Information Regulator

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 of 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 *THE COMPANY*

3.1. Chief Information Officer

Name: ANTOINETTE JOUBERT
Tel: (012) 327-3530
Email: antoinette@railfurn.co.za
Fax number: (012) 327-3540

3.2. Deputy Information Officer

Name: DEON MOTTO-ROS
Tel: (012) 327-3530
Email: deon@railfurn.co.za
Fax number: (012) 327-3540

3.3 Access to information general contact

Email: info@railway.co.za

3.4 National or Head Office

Postal Address: P O Box 19733, Pretoria West, 0117

Physical Address: 387 Maltzen Street, Pretoria West, 0117

Telephone: (012) 327-3530

Email: info@railfurn.co.za

Website: www.railway.co.za

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, updated 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 POPI.

4.2. The Guide is available in each of the official languages and in braille.

4.3. The aforesaid Guide contains the description of-

4.3.1. the objects of PAIA and POPI;

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 POPI²;

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

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 POPI- *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 POPI.*

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.*

- 4.3.3.2. access to a record of a private body contemplated in section 50⁴;
- 4.3.4. the assistance available from the Regulator in terms of PAIA and POPI;
- 4.3.5. 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 POPI, including the manner of lodging-
- 4.3.5.1. an internal appeal;
- 4.3.5.2. a complaint to the Regulator; and
- 4.3.5.3. an application with 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;
- 4.3.6. 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;
- 4.3.7. the provisions of sections 15⁷ and 52⁸ providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
- 4.3.8. the notices issued in terms of sections 22⁹ and 54¹⁰ regarding fees to be paid in relation to requests for access; and
- 4.3.9. the regulations made in terms of section 92¹¹.

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;

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/infoereg/>).

4.6 A copy of the Guide is also available in the following official languages, for public inspection during normal office hours-

4.6.1 English

4.6.2 Afrikaans

4.6.3 isiNdebele

4.6.4 isiXhosa

4.6.5 isiZulu

4.6.6 Siswati

4.6.7 Sepedi

4.6.8 Sesotho

4.6.9 Setswana

4.6.10 Tshivenda

4.6.11 Xitsonga

5. CATEGORIES OF RECORDS HELD BY *THE COMPANY* (AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS)

Category	Records	Available on Website	Freely available upon request
Public Affairs	Product Information		X
Public Affairs	Public Corporate Records		X
Public Affairs	Organisational Structure		X
Public Affairs	Media Releases		X

(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.”

6. CATEGORIES OF RECORDS HELD BY *THE COMPANY* (LIMITED AVAILABILITY IN ACCORDANCE WITH PAIA AND POPI REQUEST)

Category	Records	Limited availability (request in terms of PAIA and POPI)
Financial / Operational	Personnel Documents and Records	X
Financial / Operational	Annual Financial Statements	X
Financial / Operational	Tax Returns	X
Financial / Operational	Accounting Records	X
Financial / Operational	Banking Records	X
Financial / Operational	Statutory Records	X
Financial / Operational	Tax Compliance Records	X
Financial / Operational	Policies and Procedures	X
Financial / Operational	Minutes of Meetings	X
Marketing	Product Marketing Material	X
Marketing	Customer Database	X

7. PROCESSING OF PERSONAL INFORMATION

7.1 Purpose of Processing Personal Information

The Company uses the Personal Information under its care in the following ways :

- Rendering service according to instructions given by clients / customers
- Staff administration
- Keeping of accounts and records
- Complying with tax laws
- Sending clients / customers industry updates and invitations
- Improving services to clients / customers

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

Categories of Data Subjects	Personal Information that may be processed
Customers / Clients : Natural Persons	Names; contact details; physical and postal addresses; date of birth; ID number; tax-related information; financial information; nationality; gender; confidential correspondence
Customers / Clients : Juristic Persons	Names of contact persons; name of entity; physical and postal address and contact details; financial information; registration number; founding / corporate documents; tax-related information; Personal Information in respect of authorised signatories, beneficiaries, and/or ultimate beneficial owners; confidential correspondence
Customers / Clients : Foreign Persons	Names; contact details; physical and postal addresses; date of birth; passport number; tax-related information; financial information; nationality; gender; confidential correspondence
Contracted / Service Providers	Names of contact persons; name of entity; physical and postal address and contact details; financial information; registration number; founding / corporate documents; tax-related information; Personal Information in respect of authorised signatories, beneficiaries, and/or ultimate beneficial owners; confidential correspondence
Employees / Members	Gender; pregnancy; marital status; colour / race; age; language; education information; tax-related information; financial information; religion; employment history; ID number; physical and postal address and contact details; opinions and beliefs, criminal history; health; well-being; disabilities; trade union-related information; political persuasion; biometric information; confidential correspondence

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

The Company may supply the Personal Information to service providers who render the following services :

- Capturing and organising of data
- Storing of data
- Sending emails and other correspondence to clients / customers
- Conducting due diligence checks

7.4 Planned transborder flows of personal information

The Company has no planned transborder flows of Personal Information.

7.5 General description of Information Security Measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information

The Company employs up-to-date technology to ensure the confidentiality, integrity and availability of the Personal Information under its care. Measures include :

- Firewalls
- Virus protection software and update protocols
- Logical and physical access control
- Secure setup of hardware and software making up the IT infrastructure
- Outsourced service providers who process Personal Information on behalf of *the Company* are contracted to implement security controls.

8. APPLICABLE LEGISLATION

Records of *the Company's* and other legal entities in which *the Company* has a direct controlling interest or an indirect controlling interest through its subsidiaries) may be kept by or on behalf of *the Company* in accordance with the following legislation (some of which legislation may not be applicable to *the Company*), as well as with other legislation that may apply to *the Company* and/or its subsidiaries from time to time :

Basic Conditions of Employment Act No 57 of 1997

Broad-based Black Economic Empowerment Act No 53 of 2003

Collective Investment Schemes Control Act No 45 of 2002

Companies Act No 71 of 2008
Compensation for Occupational Injuries and Diseases Act No 130 of 1993
Copyright Act No 98 of 1978
Currencies and Exchanges Act No 9 of 1993
Electronic Communications and Transactions Act No 25 of 2002
Employment Equity Act No 55 of 1998
Financial Advisory and Intermediary Services Act No 37 of 2002
Financial Intelligence Centre Act No 38 of 2001
Financial Institutions (Protection of Funds) Act No 28 of 2001
Financial Markets Act No 19 of 2012
Financial Services Board Act No 97 of 1990
Income Tax Act No 58 of 1962
Inspection of Financial Institutions Act No 80 of 1998
Labour Relations Act No 66 of 1995
Long-Term Insurance Act No 52 of 1998
Occupational Health and Safety Act No 85 of 1993
Pension Funds Act No 24 of 1956
Regulation of Interception of Communications and Provision of Communication-Related Information Act No 70 of 2002
Prevention of Organised Crime Act No 121 of 1998
Prevention and Combating of Corrupt Activities Act No 12 of 2004
Promotion of Access to Information Act No 2 of 2000
Protected Disclosures Act No 26 of 2000
Protection of Constitutional Democracy against Terrorist and Related Activities Act No 33 of 2004
Protection of Personal Information Act No 4 of 2013
Short-Term Insurance Act No 53 of 1998
Skills Development Act No 97 of 1998
Skills Development Levy Act No 9 of 1999
Securities Transfer Tax Act No 25 of 2007
Securities Transfer Tax Administration Act No 26 of 2007
Trade Marks Act No 194 of 1993
Trust Property Control Act No 57 of 1988
Unemployment Insurance Act No 63 of 2001
Unemployment Insurance Contributions Act No 4 of 2002
Value Added Tax Act No 89 of 1991

9. AVAILABILITY OF THE MANUAL

9.1 A copy of the Manual is available -

9.1.1 on *the Company's* website, if any;

- 9.1.2 at the head office of *the Company* 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 *the Company* will on a regular basis update this manual.

Signed : _____ DIRECTOR _____ DIRECTOR

PROMOTION OF ACCESS TO INFORMATION MANUAL
ADOPTED BY BOARD
16 December 2021 (date)