



PAIA MANUAL

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

**DATE OF COMPILATION: 13/06/2025
DATE OF REVISION: 13/06/2025**

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1. LIST OF ACRONYMS AND ABBREVIATIONS

“CEO” Chief Executive Officer

“IO” Information Officer.

“PAIA” Promotion of Access to Information Act No. 2 of 2000(as Amended.

“POPIA” Protection of Personal Information Act No.4 of 2013.

“Regulator” Information Regulator; and

“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 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

3.1. Chief Information Officer

Name: Denis Bensch
Tel: +27 (0) 10 020 4488
Email: denisb@eldir.net

3.2. Access to information general contacts

Website: <https://eldir.net/>

3.3. National or Head Office

Physical Address: Sablehouse, 500 Makou str, Monument Park, Pretoria, Gauteng

Telephone: +27 (0) 10 020 4488

Website: <https://eldir.net/>

GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

3.4. 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 POPIA.

3.5. The Guide is available in each of the official languages and in Braille. 3.6. The aforesaid Guide contains the description of-

3.6.1. the objects of PAIA and POPIA.

3.6.2. the postal and street address, phone and, electronic mail address of-

3.6.2.1. the Information Officer of every public body, and

3.6.2.2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA².

3.6.3. the manner and form of a request for-

3.6.3.1. access to a record of a public body contemplated in section 11³; and

3.6.3.2. access to a record of a private body contemplated in section 50⁴.

3.6.4. the assistance available from the IO of a public body in terms of PAIA and POPIA.

3.6.5. the assistance available from the Regulator in terms of PAIA and POPIA.

3.6.6. 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-

3.6.6.1. an internal appeal.

3.6.6.2. a complaint to the Regulator; and

3.6.6.3. 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.

3.6.7. 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.

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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.*

3.6.8. the provisions of sections 15⁷ and 52⁸ providing for the voluntary disclosure of categories of records by a public body and private body, respectively.

3.6.9. the notices issued in terms of sections 22⁹ and 54¹⁰ regarding fees to be paid in relation to requests for access; and the regulations made in terms of section 92¹¹.

3.7. 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.

3.8. The Guide can also be obtained-

3.8.1. upon request to the Information Officer.

3.8.2. from the website of the Regulator (<https://www.justice.gov.za/infoereg/>).

3.8.3. A copy of the Guide is also available in the English, for public inspection during normal office hours-

4. CATEGORIES OF RECORDS WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

Category of records	Types of the Record	Available on Website	Available upon request
Product and Services Information	Product information, training information, terms and conditions, Services Offered as available on the website,	X	X
Public facing Policies and notices	Privacy Policy, Cookie Policy, Terms and Conditions.	X	X

4.1. RECORDS 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

1. 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.
2. 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.
3. 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
4. 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
5. 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.
6. 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.
7. 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.
 - a any matter relating to the fees contemplated in sections 22 and 54.
 - b any notice required by this Act.

- c 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
- d any administrative or procedural matter necessary to give effect to the provisions of this Act."

4.2 RECORDS OF THE SUBJECT ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT

Subjects on which the body holds records	Categories of records
Strategic Documents, Plans, Proposals	Annual Reports, Strategic Annual Plan, Performance Plan.
Human Resources	<ul style="list-style-type: none"> - HR policies and procedures - Advertised posts - Employees records

5. PROCESSING OF PERSONAL INFORMATION

5.1 Purpose of Processing Personal Information

The purpose for which the entities Process Personal information include but is not limited to:

- 8.1.1 Fulfilment of legal obligations
- 8.1.2 Employee Administration and Management
- 8.1.3 Transacting with customers and suppliers
- 8.1.4 General administration
- 8.1.5 Records Maintenance
- 8.1.6 Financial Management and Obligations
- 8.1.7 Facilities and Fleet Management
- 8.1.8 Product Development

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

The categories of data subjects in respect of whom the body processes personal information and the nature or categories of the personal information being processed.

Categories of Data Subjects	Personal Information that may be processed
Customers / Clients	name, address, registration numbers or identity numbers, employment status and bank details
Service Providers	names, registration number, vat numbers, address, trade secrets and bank details
Employees	address, qualifications, gender and race

Contractors	address, qualifications, gender and race
Prospective Recruits	address, qualifications, gender and race

5.3 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
Credit and payment history, for credit information	Credit Bureaus

5.4 Planned transborder flows of personal information

Our security policy, data retention and processor policies are Available on request only. It is regarded as restricted due to our service and product offerings.

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

Our security policy, data retention and processor policies are Available on request only. It is regarded as restricted due to our service and product offerings.

6. AVAILABILITY OF THE MANUAL

6.1. A copy of the Manual is available as follows:

6.1.1. on <https://eldir.net/>

6.1.2. head office of the company for public inspection during normal business hours.

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

6.1.4. To the Information Regulator upon request.

6.2. fee for a copy of the Manual, as contemplated in annexure B of the Regulations, shall be payable per each A4-size photocopy made.

7. UPDATING OF THE MANUAL

This manual will be updated from time to time and republished with version control as and when required by law.

Issued by

Denis Bensch

Information officer