

PSN INCORPORATED

ACCESS TO INFORMATION MANUAL

In terms of –

The Promotion of Access to Information Act 2 of 2000

and

The Protection of Personal Information Act 4 of 2013

October 2021

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MANUAL IN TERMS OF THE PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000 AND THE PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013

Please read this manual carefully before requesting information from us. No information will be provided if the requirements and processes set out herein are not adhered to.

1. Introduction

- 1.1. Thank you for reading this manual, which we make available to you in accordance with section 51 of Promotion of Access to Information Act 2 of 2000, as amended from time to time ("**PAIA**") and regulation 4(1)(d) of the Protection of Personal Information Act 4 of 2013 ("**POPIA**") Regulations (the/this "**Manual**").
- 1.2. A copy of this Manual is available at –
 - 1.2.1. our website: www.psn.co.za;
 - 1.2.2. our office, as detailed in paragraph 2.1 below, and you will be required to give us at least 7 (seven) days prior written notice of your intention to come in and view this; and
 - 1.2.3. the offices of the Commission, as described in paragraph 3.2 below.
- 1.3. A copy of this Manual may be requested and obtained from our Deputy Information Officer in writing and at a prescribed fee.
- 1.4. We are PSN Incorporated, registration number 1992/004629/21, a personal liability company incorporated in accordance with the company laws of the Republic of South Africa, ("**we**" or "**us**").
- 1.5. This Manual contains the procedures and relevant legislative provisions applicable to all access to information requests submitted to us.
- 1.6. Prior to any access to information requests being granted, the requester (any person, including, but not limited to, a public body or an official thereof, making a request for access to a record of that private body; and includes a person acting on behalf of such a person) must comply with all relevant requirements in PAIA and to the extent applicable, POPIA (the "**Requester**").

2. **Company Details**

2.1. ***Company Contact Details***

Company Name	PSN Incorporated
Head of Company	Mr Lourens Swart
Postal Address	Private Bag X041, Vanderbijlpark, 1900
Street Address	Junxion Building, cnr Frikkie Meyer Boulevard & Sullivan Street, Vanderbijlpark
Telephone Number	+27 (0)16 932 9101
Fax Number	+27 (0)16 932 9129
Email Address	lswart@psn.co.za
Website	www.psn.co.za

2.2. ***Company Information Officer Details***

Name of Information Officer	Mr Lourens Swart
Postal Address	Private Bag X041, Vanderbijlpark, 1900
Street Address	Junxion Building, cnr Frikkie Meyer Boulevard & Sullivan Street, Vanderbijlpark
Telephone Number	+27 (0)16 932 9101
Fax Number	+27 (0)16 932 9129
Email Address	lswart@psn.co.za

2.3. ***Company Deputy Information Officer Details***

Name of Deputy Information Officer	Dr Nico Herbst
Postal Address	Private Bag X041, Vanderbijlpark, 1900
Street Address	Junxion Building, cnr Frikkie Meyer Boulevard & Sullivan Street, Vanderbijlpark
Telephone Number	+27 (0)16 932 9101
Fax Number	+27 (0)16 932 9129
Email Address	nherbst@psn.co.za

3. **The South African Human Rights Commission**

- 3.1. The South African Human Rights Commission (the "Commission") has compiled a guide in terms of section 10 of the South African Human Rights Commission Act 40 of 2013 (the "**Act**"). This guide contains information which will assist any person who wishes to exercise any of their rights in terms of the Act and PAIA.
- 3.2. The contact details of the Commission are as follows:

Postal Address	Private Bag 2700, Houghton, 2041
Telephone Number	+27 (0)11 877 3600
Fax Number	+27 (0)11 403 0625
Website	www.sahrc.org.za

4. **Applicable Legislation**

In compliance with section 51(1)(c) of PAIA, a list of legislation applicable to us is attached as Annexure A hereto.

5. **Schedule of Records**

- 5.1. In compliance with section 51(1)(d) of PAIA, a list of records kept by us is attached as Annexure B hereto.
- 5.2. Please note that the table in Annexure B indicates the availability of such records, these may either be available freely to the public or will be made available the Requester, subject to a successful request in terms of the relevant PAIA or POPIA sections.

6. **Requesting Access to Information Not Publicly Available**

The Requester must comply with the following when submitting a request for information that is not generally available to the public:

- 6.1. All the procedural requirements as set out in section 53 of PAIA.
- 6.2. Complete and submit the prescribed Request for Access form, attached as Annexure C hereto. This form should be accompanied by payment of a request fee (if applicable) and a deposit (if applicable). Submission must be made to the Information Officer as set out in clause 2.2 above.
- 6.3. Provide sufficient details to enable us to identify the –

- 6.3.1. requested record(s);
- 6.3.2. Requester (and proof of capacity to request the record(s) on behalf of someone else);
- 6.3.3. postal address or fax number of the Requester in the Republic;
- 6.3.4. right which the requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.
- 6.4. If the Requester wishes to be informed of the decision in any manner (in addition to written), the manner and particulars thereof should also be provided to us.

7. Grounds for Refusal of Access to Certain Records

- 7.1. In terms of Part 3, Chapter 4 of PAIA there are a number of grounds that warrant the refusal to release certain records. Such instances include mandatory protection of –
 - 7.1.1. privacy of a third party who is a natural person;
 - 7.1.2. commercial information of a third party;
 - 7.1.3. certain confidential information of a third party;
 - 7.1.4. information relating to the safety of individuals, and protection of property;
 - 7.1.5. records privileged from production in legal proceedings;
 - 7.1.6. commercial information of a private body; and
 - 7.1.7. research information of third parties and private bodies.
- 7.2. Requests for records which are clearly frivolous, vexatious or involve an unreasonable diversion of resources may also be refused.

8. Decision to Grant or Deny Access

- 8.1. Our Information Officer will deliberate and decide on the request of the Requester within 30 (thirty) days of receipt of the request for access.
- 8.2. In cases where the request for access is for a large number of records or the request requires a search at more than one of our offices the period may be extended for a further period of up to 30 (thirty) days.
- 8.3. We will make use of the information provided in Annexure C hereto to inform the relevant Requester of such an extension in writing.

9. Remedies for Refusal of Access to Information Request

9.1. *Internal Appeal*

The decision of the Information Officer or Deputy Information Officer is final in terms of our internal procedures for access to information. The external remedies set out below remain available to the Requester, however there is no internal appeal procedure.

9.2. *External Appeal*

The Requester may in terms of sections 56(3)(c) and 78 of PAIA apply to a court within 180 days of notification of the decision for appropriate relief.

10. Fees

10.1. *Request Fee*

The Request Fee is a standard fee, which is payable before the request of the Requester will be processed.

10.2. *Deposit*

In the event that the preparation of the records requested exceeds 6 (six) hours, a deposit is payable equal to not more than one third of the access fees (which would be payable if the request were to be granted).

10.3. *Payment of Fees*

Records successfully requested will only be released to the Requester once all fees have been paid in full.

10.4. *Fee Structure*

The fee structure is available on the website of the Commission at www.sahrc.org.za.

11. Protection and Processing of Personal Information

11.1. Please take note that this Manual is subject to and should be read with our Privacy Policy, which is available at www.psn.co.za.

11.2. We respect your right to privacy, as contained in section 14 of the Constitution of the Republic of South Africa 108 of 1996, and which forms the cornerstone of POPIA. In order for us to assist you, it may be necessary for you to share some of your Personal Information with us from time to time.

- 11.3. We will take all reasonable steps to protect the Personal Information of any Data Subject which is in our possession. For the purposes of this section, "*Data Subject*", "*Personal Information*", "*Processing*" and "*Responsible Party*" will be understood in accordance with the definition provided in POPIA. Any such Personal Information that you may share with us, and the reasons why such information is required, will depend on the nature and scope of your relationship with us.
- 11.4. Annexure D attached hereto sets out the types of Personal Information that we Process as well as the purpose for which such Personal Information is Processed.
- 11.5. As a Responsible Party, we undertake to comply with the relevant provisions of POPIA in relation to the Processing of Personal Information.
- 11.6. In particular, we undertake and are committed to comply with the 8 (eight) conditions for the lawful Processing of Personal Information contained in Chapter 3 of POPIA, namely:
- 11.6.1. Accountability.
 - 11.6.2. Processing limitation.
 - 11.6.3. Purpose specification.
 - 11.6.4. Further processing limitation.
 - 11.6.5. Information quality.
 - 11.6.6. Openness.
 - 11.6.7. Security safeguards.
 - 11.6.8. Data subject participation.
- 11.7. Personal Information will be Processed by us, our representatives, our affiliates and their representatives.
- 11.8. Should the cross-border flow of Personal Information be necessary in the course of business and the purpose for which the Personal Information is Processed, it will only take place if all the conditions as set out in section 72 of POPIA are complied with.
- 11.9. Annexure E attached hereto sets out a description of the security measures to be implemented to ensure protection of Personal Information.

- 11.10. Should any Data Subject object to the Processing of their Personal Information, they may lodge such objection by completing the form attached as Annexure F hereto and email the completed form to the Deputy Information Officer.
- 11.11. Should any Data Subject wish to request that we destroy Personal Information in our possession, they may complete the form attached as Annexure G hereto and email the completed form to the Deputy Information Officer. In the event that such a request is lodged, Data Subjects should take note of the fact that we may not be able to continue our relationship with you if we cannot Process your Personal Information. Of course, should any law require us to not destroy your Personal Information, a request of this nature cannot be complied with.
- 11.12. We have a comprehensive data management framework in place in order to comply with POPIA and ensure that the best efforts are employed to ensure the protection of Personal Information Processed by us. We employ up to date technology to ensure the confidentiality, integrity and availability of the Personal Information under our care.

No.	Name of Statute
1.	Basic Conditions of Employment Act 75 of 1997
2.	Broad Based Black Economic Empowerment Act 53 of 2003
3.	Companies Act 71 of 2008
4.	Compensation for Occupational Injuries and Diseases Act 130 of 1993
5.	Consumer Protection Act 68 of 2008
6.	Electronic Communications and Transactions Act 25 of 2002
7.	Employment Equity Act 55 of 1998
8.	Financial Intelligence Centre Act 38 of 2001
9.	Income Tax Act 95 of 1967
10.	Labour Relations Act 66 of 1995
11.	Legal Practice Act 28 of 2014
12.	Pension Funds Act 24 of 1956
13.	Prevention of Organised Crime Act 121 of 1998
14.	Promotion of Access of Information Act 2 of 2000
15.	Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000
16.	Protection of Personal Information Act 4 of 2013
17.	Skills Development Levies Act 9 of 1999
18.	Unemployment Insurance Act 63 of 2001
19.	Unemployment Insurance Contributions Act 4 of 2002
20.	Value-Added Tax Act 89 of 1991

Please note:

Whilst all reasonable endeavours have been made to provide a complete list of applicable legislation, it is possible that the above list may be incomplete. Wherever it comes to our attention that existing or new legislation allows a Requester access on a basis other than that set out in PAIA, the above list will be updated.

The inclusion of any subject or category of records should not be taken as an indication that records falling within those subjects and/or categories will be made available under PAIA. In particular, certain grounds of refusal as set out in PAIA may be applicable to a request for such records.

The following categories of records are held by us:

- Statutory company information.
- Financial and tax records.
- Banking details.
- Employment records.
- Intellectual property.
- Permits and licences.
- Insurance records.
- Immovable and movable property.
- Information technology.
- Specific agreements relating to our business activities.
- Policy documents.
- Miscellaneous agreements.
- Internal and external correspondence.
- Information relating to legal proceedings.
- Records pertaining to our clients.

FORM 2
REQUEST FOR ACCESS TO RECORD
 [Regulation 7]

NOTE:

1. Proof of identity must be attached by the requester.
2. If requests made on behalf of another person, proof of such authorisation, must be attached to this form.

TO: The Information Officer

(Address)

Email Address: Fax number:

Mark with an "X"

Request is made in my own name

Request is made on behalf of another person

PERSONAL INFORMATION			
Full Names			
Identity Number			
Capacity in which request is made (<i>when made on behalf of another person</i>)			
Postal Address			
Street Address			
E-mail Address			
Contact Numbers	Tel. (B):		Facsimile:
	Cellular:		
Full names of person on whose behalf request is made (<i>if applicable</i>):			
Identity Number			

Postal Address			
Street Address			
E-mail Address			
Contact Numbers	Tel (B)		Facsimile
	Cellular		
PARTICULARS OF RECORD REQUESTED			
<i>Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)</i>			
Description of record or relevant part of the record			
Reference number, if available			
Any further particulars of record			
TYPE OF RECORD <i>(Mark the applicable box with an "X")</i>			
Record is in written or printed form			
Record comprises virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>			
Record consists of recorded words or information which can be reproduced in sound			

Record is held on a computer or in an electronic, or machine-readable form	
FORM OF ACCESS <i>(Mark the applicable box with an "X")</i>	
Printed copy of record <i>(including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)</i>	
Written or printed transcription of virtual images <i>(this includes photographs, slides, videorecordings, computer-generated images, sketches, etc.)</i>	
Transcription of soundtrack <i>(written or printed document)</i>	
Copy of record on flash drive <i>(including virtual images and soundtracks)</i>	
Copy of record on compact disc drive <i>(including virtual images and soundtracks)</i>	
Copy of record saved on cloud storage server	

MANNER OF ACCESS <i>(Mark the applicable box with an "X")</i>	
Personal inspection of record at registered address of public/private body <i>(including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)</i>	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format <i>(including transcriptions)</i>	
E-mail of information <i>(including soundtracks if possible)</i>	
Cloud share/file transfer	
Preferred language <i>(Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available)</i>	

PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED

If the provided space is inadequate, please continue on a separate page and attach it to this Form. Therequester must sign all the additional pages.

Indicate which right is to be exercised or protected	
Explain why the record requested is required for the exercise or protection of the aforementioned right	

FEES

- a) *A request fee must be paid before the request will be considered.*
- b) *You will be notified of the amount of the access fee to be paid.*
- c) *The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.*
- d) *If you qualify for exemption of the payment of any fee, please state the reason for exemption*

Reason	

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

Postal address	Facsimile	Electronic communication <i>(Please specify)</i>

Signed at _____ this _____ day of 20____.

Signature of Requester / Person on whose behalf request is made

FOR OFFICIAL USE

<i>Reference number:</i>	
<i>Request received by: (State Rank, Name and Surname of Information Officer)</i>	
<i>Date received:</i>	
<i>Access fees:</i>	
<i>Deposit (if any):</i>	

Signature of Information Officer

Data Subjects	Personal Information Processed
<p>Clients:</p> <p>Corporate Clients</p> <p>Individual Clients</p>	<p>Various categories of general and special Personal Information, as the context and relevant circumstances may require.</p> <p>Various categories of general and special Personal Information, as the context and relevant circumstances may require.</p>
<p>Suppliers:</p>	<p>Various categories of general and special Personal Information, as the context and relevant circumstances may require.</p>
<p>Personnel:</p>	<p>Various categories of general and special Personal Information, as the context and relevant circumstances may require.</p>

We undertake to put in place, monitor and maintain reasonable technical (electronic) and organisational (physical) security measures in order to safeguard all Personal Information Processed by us and to ensure the integrity and confidentiality of such information.

FORM 1
OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION IN TERMS OF SECTION 11(3) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)
REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018
 [Regulation 2]

Note:

1. *Affidavits or other documentary evidence as applicable in support of the objection may be attached.*
2. *If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.*
3. *Complete as is applicable.*

A	DETAILS OF DATA SUBJECT
Name(s) and surname / registered name of data subject	
Unique Identifier / Identity Number	
Residential, postal or business address	
	Code ()
Contact number(s)	
Fax number / Email address	
B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname / Registered name of responsible party	
Residential, postal or business address	
	Code ()
Contact number(s)	
Fax number / Email address	

C	REASONS FOR OBJECTION IN TERMS OF SECTION 11(1)(d) TO (f) <i>(Please provide detailed reasons for the objection)</i>

Signed at this day of 20

.....
Signature of data subject / designation person

FORM 2
REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION OR
DESTROYING OR DELETION OF RECORD OF PERSONAL INFORMATION IN TERMS OF
SECTION 24(1) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4
OF 2013)
REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018
 [Regulation 3]

Note:

1. Affidavits or other documentary evidence as applicable in support of the request may be attached.
2. If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.
3. Complete as is applicable.

Mark the appropriate box with an "x".

Request for:

Correction or deletion of the personal information about the data subject which is in possession or under the control of the responsible party.

Destroying or deletion of a record of personal information about the data subject which is in possession or under the control of the responsible party and who is no longer authorised to retain the record of information.

A	DETAILS OF DATA SUBJECT
Name(s) and surname / registered name of data subject	
Unique Identifier / Identity Number	
Residential, postal or business address	
	Code ()
Contact number(s)	
Fax number / Email address	

B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname / Registered name of responsible party	
Residential, postal or business address	
	Code ()
Contact number(s)	
Fax number / Email address	
C	INFORMATION TO BE CORRECTED/DELETED/DESTRUCTED/DESTROYED
D	<p>REASONS FOR *CORRECTION OR DELETION OF THE PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(a) WHICH IS IN THE POSSESSION OR UNDER THE CONTROL OF THE RESPONSIBLE PARTY; and or</p> <p>REASONS FOR *DESTRUCTION OR DELETION OF A RECORD OF PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(b) WHICH THE RESPONSIBLE PARTY IS NO LONGER AUTHORISED TO RETAIN.</p> <p><i>(Please provide detailed reasons for the request)</i></p>

Signed at this day of 20

.....
Signature of data subject / designation person