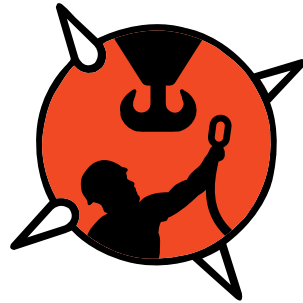




INDUSTRIAL RIGGING

SOLUTIONS

PROMOTION OF ACCESS TO INFORMATION MANUAL

Industrial Rigging Solutions Pty (Ltd)
2023 / 921266 / 07

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

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1. LIST OF ACRONYMS AND ABBREVIATIONS

Term	Meaning
Access fee	Fee prescribed for the purposes of reproduction & preparation of record for disclosure.
CEO	Chief Executive Officer.
DIO	Deputy Information Officer.
Guide	A PDF on how to use PAIA in an easily comprehensible form and manner, to assist any person who wishes to exercise a right contemplated in PAIA or POPIA. The Guide is updated and made available by the Information Regulator has, in terms of section 10(1) of PAIA.
Industrial Rigging	Industrial Rigging Solutions Pty (Ltd).
IO	Information Officer.
Minister	Minister of Justice and Correctional Services.
PAIA / the Act	Promotion of Access to Information Act 2 of 2000, as amended.
POPIA	Protection of Personal Information Act 4 of 2013.
Private Body	A natural or juristic person who carries on any trade, business or profession.
Public Body	(a) Any department of state or administration in the national or provincial sphere of government or any municipality in the local sphere of government; or (b) Any other functionary or institution when— (i) exercising a power or performing a duty in terms of the Constitution or a provincial constitution; or (ii) exercising a public power or performing a public function in terms of any Legislation.
Regulator	The Information Regulator (South Africa).
Republic	Republic of South Africa.
Requester	Any person or entity making a request for access to a record or personal information under the control of a public or private body.

2. PURPOSE OF THIS PAIA MANUAL

This PAIA Manual is compiled in terms of section 51 of the Promotion of Access to Information Act 2 of 2000 ("PAIA"), read together with the Protection of Personal Information Act 4 of 2013 ("POPIA"). It is useful for members of the public to –

- know of the Guide on PAIA, as updated by the Regulator, and how to obtain access to it;
- check the categories of records held by Industrial Rigging which are available without a person having to submit a formal PAIA request;
- understand how to make a request for access to a record of Industrial Rigging;
- know the description of the categories & subjects on which Industrial Rigging holds records;
- know the description of the records of Industrial Rigging which are available in accordance with any other legislation;
- know whether Industrial Rigging processes personal information, the purpose of such processing, and the categories of data subjects and information concerned;
- know the recipients or categories of recipients to whom personal information may be supplied;
- know whether Industrial Rigging has planned to transfer personal information outside the Republic and whom;
- know whether Industrial Rigging has appropriate security measures to protect the confidentiality, integrity and availability of personal information processed; and
- access the relevant contact details of the Information Officer and Deputy Information Officer who will assist the public with records they intend to access.

3. INTRODUCTION

Industrial Rigging Solutions is a private company incorporated under the laws of South Africa. Its main business is the provision of specialised rigging and lifting services to various industries.

This organisation falls within the definition of a “private body” as defined in PAIA and this Manual has been compiled in accordance with section 51(1) of the Act to fulfil that requirement.

In terms of PAIA, where a request for access to a record is made, there is an obligation to provide the record unless the Act expressly provides that access may be refused. Section 9 of the Act recognises that access to information may be limited, generally where release would pose a threat to the protection of privacy, commercial confidentiality, or the effective, efficient and good governance of the Republic.

This Manual sets out the records held by Industrial Rigging and the process to be followed to access those records. All requests for access to information (other than information already publicly available) must be addressed to the Information Officer named in section 4 of this Manual.

4. CONTACT DETAILS – AS PER SECTION 51(1)(a) OF THE ACT

4.1 Information Officer

	Detail
Name	Jaco van Niekerk
Position	Appointed Director
Physical Address	Cnr. Riesling & Shiraz Street Saxenburg Park 1 Blackheath 7580 Cape Town South Africa
Postal Address	Cnr. Riesling & Shiraz Street Saxenburg Park 1 Blackheath 7580 Cape Town South Africa
Email	Via contact form on www.i-rigging.com

4.2 Deputy Information Officer

	Detail
Name	G. Tolken

4.3 General Access to Information Contacts

	Detail
Name of business	Industrial Rigging Solutions Pty (Ltd)
Registration number	2023 / 921266 / 07
Physical address	Cnr. Riesling & Shiraz Street Saxenburg Park 1 Blackheath 7580 Cape Town South Africa
Postal address	Cnr. Riesling & Shiraz Street Saxenburg Park 1 Blackheath 7580 Cape Town South Africa
Website	www.i-rigging.com

5. HOW TO OBTAIN ACCESS TO THE GUIDE – AS PER SECTION 51(1)(b) OF THE ACT

The Information Regulator has, in terms of section 10(1) of PAIA, updated and made available a Guide on how to use PAIA (“Guide”), in an easily comprehensible form and manner, to assist any person who wishes to exercise a right contemplated in PAIA or POPIA.

The Guide is available in each of the official languages and in braille, and contains a description of, among other things:

- the objectives of PAIA and POPIA;
- the contact details of information officers and deputy information officers of public and private bodies;
- the manner and form of a request for access to records of a public and private body, respectively;
- the assistance available from an information officer of public body or the Regulator;
- the remedies available in law, including internal appeals, complaints to the Regulator, and applications to court;
- the requirement on public and private bodies to compile a section 14 or 51 manual;
- the voluntary disclosure of categories of records under sections 15 and 52;
- the fee notices issued under sections 22 and 54;
- and the regulations made under section 92.

The Guide may be obtained –

- for inspection during normal business hours at the premises of Industrial Rigging;
- from the website of the Information Regulator (<https://info regulator.org.za>); or
- for inspection during normal office hours at the offices of the Information Regulator, Woodmead North Office Park, 54 Maxwell Dr, Sandton, 2191, South Africa.

Contact details of the Information Regulator:

Field	Detail
Physical Address	Woodmead North Office Park, 54 Maxwell Dr, Sandton, 2191, South Africa
Postal Address	P.O. Box 31533, Braamfontein, Johannesburg, 2017
Telephone	010 023 5200
Email	enquiries@info regulator.org.za
Website	https://info regulator.org.za

6. APPLICABLE LEGISLATION – SECTION 51(1)(c)

Industrial Rigging is required to hold records in terms of, among others, the following legislation:

Legislation
Companies Act 71 of 2008
Income Tax Act 58 of 1962
Basic Conditions of Employment Act 75 of 1997
Labour Relations Act 66 of 1995
Occupational Health and Safety Act 85 of 1993
Compensation for Occupational Injuries and Diseases Act 130 of 1993
Unemployment Insurance Act 63 of 2001 / Unemployment Insurance Contributions Act 4 of 2002
Skills Development Act 97 of 1998 / Skills Development Levies Act 9 of 1999
Electronic Communications and Transactions Act 25 of 2002
Protection of Personal Information Act 4 of 2013
Promotion of Access to Information Act 2 of 2000

7. CATEGORIES OF RECORDS HELD

7.1 Records automatically available (no PAIA request required)

Category of Record	Type of Record	Available on Website
Company information	General company services profile	Yes
PAIA Manual	This Manual	Yes

7.2 Subjects and categories on which Industrial Rigging holds records (PAIA request required)

Subject	Categories of Records
Administration	Founding & shareholding documents, statutory returns, attendance registers, general correspondence
Human Resources	Employee records, employment contracts, personnel policies and procedures, training records, health and safety records, performance appraisals
Operations	Information relating to Work-In-Progress, operational policies and procedures, training records, equipment records, client records, supplier records, general correspondence
Finance	Annual financial statements, tax records, insurance information, purchase and order information, contracts

8. PROCESSING OF PERSONAL INFORMATION

8.1 Purpose of Processing Personal Information

Industrial Rigging processes personal information for the purpose of –

- fulfilling statutory obligations in terms of applicable legislation;
- keeping of accounts and records;
- monitoring, maintaining and managing contractual obligations to customers, clients, suppliers, service providers, employees, directors and other third parties;
- obtaining information necessary to provide contractually agreed services to customers and clients;
- staff administration; and
- verifying information provided to Industrial Rigging.

8.2 Categories of Data Subjects and Personal Information Processed

Categories of Data Subjects	Personal Information That May Be Processed
Clients and their employees, representatives, agents and contractors	<i>Natural persons:</i> Names / Contact details / Physical or postal address / Identity number. <i>Juristic Persons:</i> Names of contact persons / Name of Legal Entity / Registration Number / Physical and Postal address and contact details / Financial information / Tax related information / Authorised signatories, beneficiaries, ultimate beneficial owners / BBBEE information.
Suppliers and service providers and their representatives	<i>Natural persons:</i> Names / Contact details / Physical or postal address / Identity number. <i>Juristic Persons:</i> Names of contact persons / Name of Legal Entity / Registration Number / Physical and Postal address and contact details / Financial information / Tax related information / Authorised signatories, beneficiaries, ultimate beneficial owners / BBBEE information / Trade information.
Existing and former employees (including contractors and casual employees); other stakeholders	Names, physical and postal addresses, date of birth, ID number, tax related information, medical information, nationality, email address, telephone number.

8.3 Recipients / Categories of Recipients to Whom Personal Information May Be Supplied

Category of Personal Information	Recipients or Categories of Recipients
Identity numbers and names, for verification or criminal checks	South African Police Service; verification agencies; claims investigators.
Qualifications, for verification	South African Qualifications Authority; regulatory, statutory and government bodies.
Financial and payment information	Auditors, banks and other financial institutions; regulatory, statutory and government bodies.
Employee and contractor information	Regulatory, statutory and government bodies (e.g. SARS, Department of Labour).

8.4 Trans-border / Cross-Border Flows of Personal Information

Industrial Rigging may from time to time need to share personal information with third parties in other countries (for example, cloud service providers). Any such transfer will only be made where the recipient is subject to a law, binding corporate rules, or a binding agreement that provides an adequate level of protection, substantially similar to the conditions for lawful processing set out in POPIA, and where the transfer is necessary for the performance of a contract or pre-contractual measures.

8.5 General Description of Information Security Measures

Up-to-date technology and organisational measures are employed to ensure the confidentiality, integrity and retrievability of personal information under the care of Industrial Rigging including, but not limited to –

- access control to personal information at the physical premises;
- computer and network security, including firewalls, update protocols, anti-virus and anti-malware protection;
- training of staff members on information security and data protection;
- internal access & data management policies;
- secure retention and disposal of information;
- monitoring of access to and usage of personal information;
- procedures to report and respond to security incidents or breaches; and
- governance and regulatory compliance.

9. PROCEDURE TO REQUEST ACCESS TO RECORDS

9.1 Steps to Consider Before Submitting a Request

- Confirm you are entitled to make a request under section 50 of PAIA (the record must be required for the exercise or protection of a right).
- Confirm that the information you require exists in the form of a record.
- Confirm that the record is, or should be, in the possession or under the control of Industrial Rigging.

9.2 Procedure for Requesting Records

- The requester must use the prescribed form (Form 2) from the website of the Information Regulator (<https://inforegulator.org.za>).
- The request must be made to the Information Officer, at the address or email address of Industrial Rigging set out in section 4.
- The requester must provide sufficient detail to enable the Information Officer to identify the record and the requester and must indicate the form of access required.
- The requester must identify the right sought to be exercised or protected and explain why the record is required for that purpose.
- Where a request is made on behalf of another person, the requester must submit proof of authority to make the request.
- The prescribed request fee (see section 10) must accompany the request.
- A decision on the request will be provided within 30 days of receipt of the request, indicating whether access has been granted or refused.

9.3 Duties of the Information Officer

- Assist a requester, where a request is incomplete or incorrectly completed, to complete the request properly.
- Respond to a request within 30 days of receipt; an extension of up to a further 30 days may be requested once.
- Decide whether to grant or refuse access and communicate that decision, in writing, to the requester.
- Where a request is refused, state the reasons for refusal and the requester's right to lodge an internal appeal, a complaint with the Regulator, or an application to court.

9.4 Grounds on Which Access May Be Refused

Access to a record may be refused on one or more of the grounds set out in Chapter 4 of Part 3 of PAIA, including where disclosure would –

- unreasonably disclose personal information concerning a third party who is a natural person;
- disclose commercial information of a third party in a manner that could harm that party's commercial or financial interests;
- breach a duty of confidence owed to a third party;
- jeopardise the safety or life of an individual;
- prejudice or impair the security of property, means of transport, or the safety of the public;
- prejudice or impair the protection of a person under a witness protection scheme;

- be privileged from production in legal proceedings, unless that privilege has been waived;
- disclose the contents of a computer programme;
- place Industrial Rigging at a disadvantage in contractual or other negotiations, or prejudice it in commercial competition; or
- disclose trade secrets, or financial, commercial, scientific or technical information, the disclosure of which would be likely to harm the commercial or financial interests of Industrial Rigging.

Where access is refused, the response will include adequate reasons for the refusal, together with notice of the requester's right to lodge an internal appeal, a complaint with the Regulator, or an application to court, and the applicable time periods for doing so.

10. REQUEST AND ACCESS FEES

The applicable fees are prescribed in the regulations made under PAIA. There are two categories of fees payable:

10.1 Request Fee

A non-refundable request fee of R57.00 (inclusive of VAT) is payable on submission of a request for access to a record. No request fee is payable where the request is for the requester's own personal records.

10.2 Access Fee

Where a request is granted, an access fee may be payable prior to access being granted, calculated in accordance with Part III of Annexure A to the PAIA Regulations (Government Notice 187), and covering reproduction, search and preparation time in excess of the prescribed hours.

The current fee schedule is available from the website of the Information Regulator.

11. RECORDS THAT CANNOT BE FOUND OR DO NOT EXIST

Where all reasonable steps have been taken to locate a requested record and there are reasonable grounds to believe that the record is in the possession of Industrial Rigging but cannot be found, or that the record does not exist, the Information Officer will notify the requester by way of affidavit or affirmation, in accordance with section 23 of PAIA. Should the record subsequently be located, access will be granted unless a ground for refusal applies.

12. AVAILABILITY OF THE MANUAL

A copy of this Manual is available –

- on www.i-rigging.com;
- at the premises of Industrial Rigging for inspection during normal business hours;
- to any person, upon request and upon payment of a reasonable prescribed fee; and
- to the Information Regulator, upon request.

A fee for a paper copy of the Manual is payable per A4-size page, as contemplated in Annexure B of the PAIA Regulations. Any transmission or postage costs for a hard copy of the Manual will be for the account of the requester.

13. UPDATING OF THE MANUAL

The Information Officer of Industrial Rigging will review and, where necessary, update this Manual on a regular basis.

Issued by:

Jaco van Niekerk

Information Officer