

PAIA MANUAL

CEE BEE DEBT MANAGEMENT SERVICES (PTY) LTD

Registration Number: 2000/023720/07

Prepared in accordance with Section 51 of the Promotion of Access to Information Act, No 2 of 2000 (the "PAIA") and the Protection of Personal Information Act, No 4 of 2013 ("POPIA")

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1. INTRODUCTION

- 1.1. In terms of Section 51 of Promotion of Access to Information Act, No. 2 of 2000 (“PAIA”), all private entities are required to compile a PAIA Manual (“Manual”) that provides information on both the types and categories of records held by a private company.
- 1.2. In addition, the Protection of Personal Information Act 4 of 2013 (“POPIA”) amends PAIA in a number of ways. One of the keys ways in which POPIA changes PAIA relates to the role of the South African Human Rights Commission (“SAHRC”). Under POPIA the function of the SAHRC in terms of PAIA will be transferred to the Information Regulator once fully established, to monitor both POPIA and PAIA, and to handle complaints relating to access to information and the protection of personal information upon commencement of POPIA.
- 1.3. This Manual provides and outlines types of records held by CEEBEE Debt Management Services and explains how requestors may submit requests to these records in terms of PAIA.

2. PURPOSE OF THE INFORMATION MANUAL

- 2.1. The purpose of PAIA is to promote the right of access to information, to foster a culture of transparency and accountability in South Africa. Furthermore, PAIA is aimed at encouraging an open democracy where individuals from all walks of life are empowered to engage with the government and participate in decisions which affect their lives.
- 2.2. The right of access to information is a unique right as it enables the realisation of other human rights: this is one of the most important ways in which PAIA can be used. PAIA and POPIA gives effect to everyone’s constitutional right of access to information held by private sector or public bodies, that is required for the exercise and or protection of the requesters right.

3. COMPANY CONTACT DETAILS – SECTION 51(1)(a)

Directors:	Mr. Douglas Brake – Managing Director
	Mrs. Charleen Brake – Founding Director
	Ms. Alvina Barnett – Financial Director
Information officer:	Mr Douglas Brake DouglasBrake@ceebee.co.za
Deputy Information Officer:	Mrs Simone Porter legal5@ceebee.co.za
Postal Address:	P.O. Box 9180, CINDA PARK 1463
Street Address:	226 Rondebult Road, Libradene, Boksburg, 1459

Telephone Number: 011 913 2447

Fax Number: 011 913 3998

Email: info@ceebee.co.za

4. THE ACT – SECTION 51(1)(b)

- 4.1 The ACT grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.
- 4.2 Requests in terms of the ACT shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariffs are dealt with in paragraphs 6 and 7 of the Act.
- 4.3 Requesters are referred to the Guide in terms of Section 10 which has been compiled by the South African Human Rights Commission, which will contain information for the purposes of exercising Constitutional Rights. The Guide is available from the SAHRC. The contact details of the Commission are:
- | | |
|-------------------|--|
| Postal Address: | Private Bag 2700, Houghton, 2041 |
| Telephone Number: | +27-11-877 3600 |
| Fax Number: | +27-11-403 0625 |
| Website: | www.sahrc.org.za |

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

<u>No</u>	<u>Ref</u>	<u>Act</u>
1	No 61 of 1973	Companies Act
2	No 55 of 1998	Employment Equity Act
3	No 95 of 1967	Income Tax Act
4	No 66 of 1995	Labour Relations Act
5	No 89 of 1991	Value Added Tax Act
6	No 75 of 1997	Basic Conditions of Employment Act
7	No 25 of 2002	Electronic Communications and Transactions Act
8	No 2 of 2000	Promotion of Access of Information Act
9	No 30 of 1996	Unemployment Insurance Act
10	No 114 of 1998	Debt Collectors Act
11	No 85 of 1993	Occupational Health and Safety Act
12	No 4 of 2013	Protection of Personal Information Act
13	No. 97 of 1998	The Skills Development Act
14	No. 9 of 1999	The Skills Development Levies Act
15	No. 130 of 1993	Compensation of Occupational Injuries & Diseases Act
16	No. 25 of 2002	Electronic communications & Transactions Act

6. SCHEDULE OF RECORDS HELD BY CEEBEE – SECTION 51(1)(d)

CEEBEE Debt Management maintains records on the following categories however, please note that recording a category in this Manual does not imply that a request for access to such records would be granted. All requests for access will be evaluated on a case by case basis in accordance with the provisions of PAIA and/or POPIA.

Access to the records mentioned below can be requested from the **Deputy Information Officer, Simone Porter** at legal5@ceebec.co.za.

6.1. RECORDS AVAILABLE WITHOUT HAVING TO REQUEST ACCESS IN TERMS OF THE ACT

RECORD	SUBJECT	AVAILABILITY
PAIA record	PAIA Manual	Automatically available

6.2 RECORDS SUBJECT TO REQUEST IN TERMS OF THE ACT

RECORD	SUBJECT	AVAILABILITY
Companies Act Records	<ol style="list-style-type: none"> 1. Documents of Incorporation 2. Memorandum and Articles of Association / Memorandum of Incorporation 3. Minutes of Directors meetings 2. Share Certificates 3. Company Registration Documents 	Request in terms of PAIA
Financial Records	<ol style="list-style-type: none"> 1. Annual Financial Statements 2. Financial and Tax Records (Company and employees) 3. Accounting Records 4. Banking Records 5. Invoices 	Request in terms of PAIA
Income Tax Records	<ol style="list-style-type: none"> 1. PAYE Records 2. Documents issued to employees for Income Tax purpose 3. Records of payments made to SARS on behalf of employees 4. All other statutory documentation related to: <ol style="list-style-type: none"> a. VAT b. UIF c. Worksmen Compensation d. Skills Development Levy 	Request in terms of PAIA
Personal Documents and Records	<ol style="list-style-type: none"> 1. Employment Contracts 2. Employment Equity Plan 3. Medical Aid Records 4. Pension Fund Records 5. Disciplinary Records 6. Salary Records 7. Disciplinary code 8. Leave Records 9. Training Records 10. Training Manuals 	Request in terms of PAIA
Contractual Records	<ol style="list-style-type: none"> 1. Written contracts 	Request in terms of PAIA

7. FORM OF REQUEST- SECTION 51(1)(e)

To facilitate the processing of your request:

- 7.1 The requester must comply with all the requirements contained in PAIA in relation to the records requested and must complete the prescribed form C below and submit same as well as payment of the fee set out in clause 8.5 below (if applicable) to the Deputy Information Officer as noted in clause 3 above.
- 7.2. All the pertinent sections must be completed fully with sufficient information to enable the Deputy Information Officer to identify the record/s and identify the requestor. The prescribed period in clause 7.4 will not commence until all the necessary information is received to the satisfaction of the Deputy Information Officer.
- 7.3. The requestor must indicate the right to which the requestor is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.
- 7.4. CEEBEE Debt Management will process the request within 30 (thirty) days, where after the requestor will be notified in writing whether access is granted or denied. The period of 30 (thirty) days may be extended by not more than 30 (thirty) days, if the request is for a large quantity of information or the information cannot be reasonably obtained within 30 (thirty) days. The deputy information officer will notify the requester in writing should an extension be necessary.
- 7.5 The requester will be informed in writing whether access to the records have been granted or denied. If the requestor requires a reason for the decision the request must be expressed in the prescribed form, the requestor must further state what particulars of the reasoning the requestor requires.
- 7.6 The main grounds for CEEBEE Debt Management Services to refuse a request for information relate to the:
 - 7.6.1. mandatory protection of the privacy of a third party who is a natural person, which would involve the unreasonable disclosure of personal information of that natural person;
 - 7.6.2. mandatory protection of the commercial information of a third party, if the record contains:
 - a. trade secrets of that third party;
 - b. financial, commercial, scientific or technical information disclosed which could likely cause harm to the financial or commercial interests of that third party; and
 - c. information disclosed in confidence by a third party to CEEBEE Debt Management Services where the disclosed could put that third party at a disadvantage in negotiations or commercial competition.
 - 7.6.3. mandatory protection of confidential information of third parties if it is protected in terms of any agreement;
 - 7.6.4. mandatory protection of the safety of individuals and the protection of property;
 - 7.6.5. mandatory protection of records which would be regarded as privileged in legal proceedings;
 - 7.6.6. the commercial activities of CEEBEE Debt Management Services, which may include:
 - a. trade secrets of CEEBEE Debt Management Services;
 - b. financial, commercial or technical information which disclosure could likely cause harm

- to the financial or commercial interests of CEEBEE Debt Management Services;
- c. information which, if disclosed could put CEEBEE Debt Management Services at a disadvantage in negotiations or commercial competition; and
- d. a computer program which is owned by CEEBEE Debt Management Services, and which is protected by copyright.

7.7 If a requestor has requested the records on another individual's behalf, the requestor must submit proof of the capacity the requestor submits the request in, to the satisfaction of the deputy information officer.

8. REMEDIES SHOULD A REQUEST BE REFUSED

- 8.1 CEEBEE Debt Management Services does not have an internal appeal procedure in light of a denial of a request, decisions made by the Information Officer is final;
- 8.2 The requestor may in accordance with Sections 56(3)(c) and 78 of PAIA, apply to a court for relief within 180 days of notification of the decision for appropriate relief.

9. PRESCRIBED FEES – SECTION 51(1)(f)

The following applies to requests (other than personal requests):

- 9.1 A requestor is required to pay the prescribed fees (R50.00) before a request will be processed. It is important to note that people who are requesting access to their personal information are exempt from paying a fee. Furthermore, people who earn less than R14 712.00 per annum (if single) and R27 192.00 per annum (if married or have a life partner), are also exempt from paying the requested fees.
- 9.2 If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted). The requestor must request the banking details of CEEBEE from the Deputy Information Officer to make payment;
- 9.3 A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit;
- 9.4 Records may be withheld until the fees have been paid.
- 9.5 The fee structure is as follows:

a) Copy per A4 page	R1.10
b) Printing per A4 page	R0.75
c) Copy on a CD	R70.00
d) Transcription of visual images per A4 page	R40.00
e) Copy of a visual image	R60.00
f) Transcription of an audio recording per A4 page	R20.00
g) Copy of an audio recording	R30.00

h) Search and preparation of the record for disclosure	R30.00 per hour or part thereof, excluding the first hour, reasonably required for the search and preparation
i) Actual postage fee	

10. POPI

10.1 PURPOSE OF PROCESSING INFORMATION

CEEBEE Debt Management Services process information for the following purposes:

- 10.1.1 to provide services to its Clients in accordance with terms agreed to by the Clients;
- 10.1.2 to carry out actions for the conclusion or performance of a contract;
- 10.1.3 to comply with obligations imposed by law;
- 10.1.4 to pursue the legitimate interests of the Clients.

The above list is non-exhaustive

10.2 CATEGORIES OF DATA SUBJECTS AND INFORMATION

CEEBEE Debt Management Services process personal information relating to the following categories of data subjects and information:

10.2.1 Categories of data subjects:

- 10.2.1.1 Personnel / employees;
- 10.2.1.2 Contractors;
- 10.2.1.3 Clients;
- 10.2.1.4 Debtors;
- 10.2.1.5 Service providers;
- 10.2.1.6 Suppliers;

The above list is non-exhaustive.

10.2.2 Categories of Information

In respect of natural persons may include:

- 10.2.2.1 name and surname,
- 10.2.2.2 identifying number (identity or passport number),
- 10.2.2.3 date of birth,
- 10.2.2.4 citizenship,
- 10.2.2.5 age,
- 10.2.2.6 gender,

- 10.2.2.7 race,
- 10.2.2.8 telephone number(s),
- 10.2.2.9 email address(es),
- 10.2.2.10 physical and postal addresses,
- 10.2.2.11 income tax number,
- 10.2.2.12 banking information,
- 10.2.2.13 disability information,
- 10.2.2.14 employment details and history,
- 10.2.2.15 background checks,
- 10.2.2.16 CVs,
- 10.2.2.17 education history,
- 10.2.2.18 remuneration and benefit information,
- 10.2.2.19 details related to employee performance and disciplinary procedures.

In respect of juristic persons may include:

- 10.2.2.20 name,
- 10.2.2.21 registration number,
- 10.2.2.22 tax information,
- 10.2.2.23 contact details,
- 10.2.2.24 physical and postal addresses,
- 10.2.2.25 FICA documentation,
- 10.2.2.26 payment details (including bank accounts),
- 10.2.2.27 invoices and contractual agreements.

The above lists are non-exhaustive.

10.3 CATEGORIES OF RECIPIENTS TO WHOM THE PERSONAL INFORMATION MAY BE SUPPLIED

The categories of recipients to whom CEEBEE Debt Management Services may supply the personal information will depend on the nature of the information. In general, such categories of recipients would include:

- 10.3.1 CEEBEE Debt Management Services representatives Service providers;
- 10.3.2 Auditing and accounting bodies (internal and external);
- 10.3.3 Relevant authorities, government departments, statutory bodies or regulators;
- 10.3.4 A court, administrative or judicial forum, arbitration or statutory commission.

The above list is non-exhaustive.

10.4.1 INFORMATION SECURITY MEASURES

Personal information stored electronically is protected as follows:

- 10.4.1.1 All company computers are password protected;
- 10.4.2.1 All information is saved on the server which can only be accessed by CEEBEE Debt Management Services employees;

10.4.3.1 CEEBEE Debt Management Services runs SonicWall which is a perimeter-based Firewall.

10.4.4.1 All devices has an Antivirus installed called AV defender and it is configured to provide endpoint protection. These security featured databases are all updated hourly

10.4.5.1 CEEBEE Debt Management Services runs Office 365. Cyberattacks are constantly evolving. The Office365 threat management features, help safeguard our organization against these attacks by providing insights and tools to help detect and respond to threats like phishing, malware, malicious links, and more.

Personal information that is stored physically is protected as follows:

10.4.6.1 Where physical records of the data exist, such records will be stored in a secured area where only authorised employees will have access to the information as to avoid a breach of the personal information.

10.4.6.2 Confidential information is stored in a secured area that can be locked and only accessed by when authorised by the Directors and HR manager.

10.5 OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION BY A DATA SUBJECT

A data subject may at any time object to the processing of his / her / its personal information (as contemplated in Section 11(3)(a) of the POPI Act) in the prescribed form attached to this manual, unless legislation provides for such processing.

10.6 REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION

A Data Subject may request that his / her / its personal information be corrected or deleted (as contemplated in Section 24 of the POPI Act) in the prescribed form attached as to this manual.

CEEBEE Debt Management Services will respond by taking into account all relevant legislation.

D. Particulars of record

- (a) 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.
- (b) If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

1. Description of record or relevant part of the record:

.....
.....
.....
.....

2. Reference number, if available:

.....
.....
.....
.....

3. Any further particulars of record:

.....
.....
.....
.....

E. Fees

- (a) A request for access to a record, other than a record containing personal information about yourself, will be processed only after a request fee has been paid.
- (b) You will be notified of the amount required to be paid as the request fee.
- (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 for exemption from payment of fees:

.....
.....
.....
.....
.....

F. Form of access to record

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 below, state your disability and indicate in which form the record is required.

Disability:	Form in which record is required:
Mark the appropriate box with an X .	
NOTES:	
(a) Compliance with your request for access in the specified form may depend on the form in which the record is available.	
(b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.	
(c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.	

1. If the record is in written or printed form:					
	copy of record*		inspection of record		
2. If record consists of visual images - (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):					
	view the images		copy of the images*		transcription of the images*
3. If record consists of recorded words or information which can be reproduced in sound:					
	listen to the soundtrack (audio cassette)		transcription of soundtrack* (written or printed document)		
4. If record is held on computer or in an electronic or machine-readable form:					
	printed copy of record*		printed copy of information derived from the record*		copy in computer readable form* (stiffy or compact disc)

*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.	YES	NO
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G. Particulars of right to be exercised or protected

If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

1. Indicate which right is to be exercised or protected:

.....

.....

.....

2. Explain why the record requested is required for the exercise or protection of the aforementioned right:

.....

.....

.....

H. Notice of decision regarding request for access

You will be notified in writing whether your request has been approved / denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

.....

Signed at this day..... ofyear

.....
SIGNATURE OF REQUESTER /
PERSON ON WHOSE BEHALF REQUEST IS MADE

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, 2017
[Regulation 2(1)]

Note:

1. Affidavits or other documentary evidence in support of the objection must 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.

Reference Number....

A	DETAILS OF DATA SUBJECT	
Name and surname of data subject:		
Residential, postal or business address:		
	Code ()	
Contact number(s):		
Fax number:		
E-mail address:		
B	DETAILS OF RESPONSIBLE PARTY	
Name and surname of responsible party (if the responsible party is a Natural person):		
Residential, postal or business address:		
	Code ()	
Contact number(s):		
Fax number:		
E-mail address:		
Name of public or private body (if the responsible party is not a natural person):		
Business address:		
	Code ()	

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 THE 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/E-mail 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/ E-mail address:	
C	INFORMATION TO BE CORRECTED/DELETED/ DESTROYED/ DESTROYED
D	REASONS FOR *CORRECTION OR DELETION OF THE PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(a) WHICH IS IN POSSESSION OR UNDER THE CONTROL OF THE RESPONSIBLE PARTY ; and or 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. <i>(Please provide detailed reasons for the request)</i>

Signed at this day of20.....

.....
Signature of data subject/ designated person