



PAIA MANUAL

(SOUTH AFRICA)

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

Abbreviation	Description
CEO	Chief Executive Officer
Confidentiality	Preserving authorized restrictions on information access and disclosure, including means for protecting personal privacy and proprietary information.
Data Subject	Means the person to whom personal information relates. This primarily means customers, employees and operators/suppliers, other persons and third parties.
DIO	Deputy Information Officer
Guide	The guide on how to use PAIA by any person who wishes to exercise any right contemplated in Promotion of Access to Information Act 2 of 2000 (PAIA) and the Protection of Personal Information Act 04 of 2013, as contemplated in section 10 of PAIA.
IO	Information Officer
Minister	Minister of Justice and Correctional Services
PAIA	Promotion of Access to Information Act No. 2 of 2000 (as Amended)
Personal data / information (PI)	<p>Information relating to an identifiable, living, natural person, and where applicable and identifiable, existing juristic person, including but not limited to</p> <ul style="list-style-type: none"> a) information relating to race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language, and birth of the person. b) information relating to the education or the medical, financial, criminal or employment history of the person. c) any identifying number, symbol, email address, physical address, telephone number, location information, online

	<p>identifier or other particular assignment to the person.</p> <p>d) the biometric information of the person, including identifiable video imagery of a person, and fingerprint data retained for access control purposes.</p> <p>e) correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence.</p> <p>f) the views or opinions of another individual about the person.</p> <p>g) the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person.</p> <p>h) information relating to call data records which is a data record produced by telecommunications equipment that documents the details of a telephone call or other telecommunications transaction that passes through the mobile network.</p>
POPIA	Protection of Personal Information Act No.4 of 2013
Private body	A natural person who carries or has carried on any trade, business or profession, but only in such capacity; a partnership which carries or has carried on any trade, business or profession; or any former or existing juristic person; or a political party but excludes a public body.
Public body	Any department of state or administration in the national or provincial sphere of government or any municipality in the local sphere of government; or any other functionary or institution when exercising a power or performing a duty in terms of the Constitution or a provincial constitution; or exercising a public power or performing a public function in terms of any legislation.
Record	In relation to, a public or private body, means any recorded information -regardless of form or medium in the possession or

	under the control of that public or private body, respectively whether or not it was created by that public or private body, respectively.
Regulator	Information Regulator of South Africa; Information Regulator established in terms of section 39 of the Protection of Personal Information Act, 2013.
Republic	Republic of South Africa
Responsible Party	Means a public or private body or any other person which, alone or in conjunction with others, determines the purpose of and means for processing Personal Information.
Requester	Means a person or legal persons seeking access to information.
SAHRC	South African Human Rights Council
Special Personal Information(SPI)	Special personal information includes information concerning a child and personal information concerning the religious or philosophical beliefs, race or ethnic origin, trade union membership, political opinions, health, DNA, sexual life or criminal behaviour of a data subject.
The Act	Means the Promotion of Access to Information Act 2 of 2000 as amended, and includes any regulation made and in force in terms of section 92.
Third Parties	Means any natural or juristic person other than the Requester or, such party acting on behalf of the Requester or, Imperial itself.

2. INTRODUCTION

The Promotion of Access to Information Act, No. 2 of 2000 was enacted on 3 February 2000, giving effect to the constitutional right in terms of section 32 of the Bill of Rights contained in the Constitution of the Republic of South Africa 108 of 1996 of access to any information held by the state and any information that is held by another person and that is required for the exercise or protection of any rights. In terms of section 51 of the Act, all Private Bodies are required to compile an Information Manual ("PAIA Manual").

The purpose of PAIA is to promote the right of access to information, to foster a culture of transparency and accountability by giving the right to information that is required for the exercise or protection of any right and to actively promote a society in which the people of South Africa have effective access to information to enable them to exercise and protect their rights.

This right is extended in POPIA as it grants Data Subjects the right to request access to information or records, in accordance with the provisions of PAIA from any Responsible Party.

3. PURPOSE OF PAIA MANUAL

This manual can be used by members of the public to –

- 3.1 establish the nature of the records which may already be available at Imperial, without the need for submitting a formal PAIA request;
- 3.2 have an understanding of how to make a request for access to a record of Imperial;
- 3.3 access all the relevant contact details of the persons who will assist the public with the records they intend to access;
- 3.4 know all the remedies available from Imperial regarding request for access to the records, before approaching the Courts;
- 3.5 outline the description of the guide on how to use PAIA, as updated by Imperial and how to obtain access to it;
- 3.6 understand if Imperial will process personal information, the purpose of processing of personal information, the description of the categories of data subjects and of the information or categories of information relating thereto;
- 3.7 know if Imperial 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
- 3.8 know whether Imperial has appropriate security measures to ensure the confidentiality, integrity and availability of the information which is to be processed.

4. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION

The Imperial Information Officer will deal with all requests relating to any of the Entities. All requests of this Manual should be directed to:

4.1 Designated Information Officer

Name: Jeetesh Ravjee
Tel: +27 11 372 6500
Email: information_officer@imperiallogistics.com

4.2 Deputy Information Officer

Name: Synthil Chetty
Tel: +27 11 372 6500
Email: information_officer@imperiallogistics.com

4.3 Access to General contacts

Email : information_officer@imperiallogistics.com

Website: www.imperiallogistics.com

5. IMPERIAL HEAD OFFICE

Alternatively, the PAIA Manual can be obtained from the Imperial Privacy Office at the following address:

Attention : Jeetesh Ravjee

Imperial Place
79 Boeing Road East
Bedfordview
2007

6. INTRODUCTION OF ENTITIES

Imperial, a DP World Company, is an African focused provider of integrated market access and logistics solutions. With a focus on the following key industries - healthcare, consumer, automotive, chemicals, industrial and commodities - we take our clients' and principals' products to some of the fastest growing and most challenging markets in the world. As a leading global logistics provider, we seek out and leverage new technology to deliver innovative, end-to-end solutions. Through our significant African footprint and international expertise, and with the support of our 25,000 people, Imperial's purpose is to connect Africa and the world - and to improve people's lives with access to quality products and services. Imperial became a wholly owned business of DP World in March 2022.

The entities that are relevant for this PAIA manual are -

- Imperial Market Access; and
- Imperial Logistics Africa,

where these entities have a presence within South Africa.

6.1 Particulars in Terms of the Section 51 Manual

This Manual has been compiled in accordance with the Promotion of Access to Information Act 2 of 2000 ("the Act") and applies to all the South African identified entities within Imperial.

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

7.1 The Regulator has, in terms of section 10(1) of PAIA, as amended, updated the PAIA Guide, as initially compiled by the SAHRC.

7.2 The purpose of the aforesaid Guide is to provide information that is needed by any person who wishes to exercise any right contemplated in PAIA and POPIA.

7.3 This Guide will specifically assist a person, also called a data subject, on how to access his/her or its personal information in terms of section 23 of POPIA. The aforesaid Guide contains the description of –

7.3.1 The postal and street address, phone and fax number and, if available, electronic mail address of –

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

7.3.2 The manner and form of a request for –

- access to a record of a public body contemplated in section 11³ of PAIA; and
- access to a record of a private body contemplated in section 50⁴ of PAIA;

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;

- 7.4 The assistance available from the Information Officer of a public body in terms of PAIA and POPIA;
- 7.5 The assistance available from the Regulator in terms of PAIA and POPIA;
- 7.6 All remedies available in law 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
- an internal appeal;
 - a complaint to the Regulator; and
 - an application to 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;
- 7.7 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;
- 7.8 The provisions of sections 15⁷ and 52⁸ of PAIA providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
- 7.9 The notices issued in terms of sections 22⁹ and 54¹⁰ of PAIA regarding fees to be paid in relation to requests for access; and the regulations made in terms of section 92¹¹ of PAIA.

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;

7.10 Members of the public can inspect or make copies, during normal working hours, from the Information Regulator. The Guide can also be obtained -

- from the Government Gazette;
- upon request from the Regulator, by the information officer on a form which corresponds substantially with Form 1 of Annexure A to the Regulations;
- upon request from the Regulator, by any person, other than an information officer referred to above, on a form that corresponds substantially with Form 1 of Annexure A to the PAIA Regulations. The fees in relation to a copy of the Guide as provided for in item 1 of Annexure B may apply to the aforesaid person.
- from the website of the Regulator <https://www.justice.gov.za/inforeg/>

7.11 Any request for a Guide from the Regulator must be made in writing, by completing FORM 1 on the Information Regulator website.

8. ENQUIRIES REGARDING THE GUIDE

The Information Regulator

JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001

Complaints email: PAIAComplaints@inforegulator.org.za ; PAIA.IR@justice.gov.za

Postal address: P.O Box 31533, Braamfontein, Johannesburg, 2017

Website: www.justice.gov.za

enquiries@inforegulator.org.za

9. CATEGORIES OF RECORDS HELD BY IMPERIAL

9.1 Records held by Imperial are generated through each of its divisions under both PAIA and POPIA .

9.2 Each division and Operating Company of Imperial generates substantive records which relate specifically to the division and operational records in the course of organisational operations.

(b) any matter relating to the fees contemplated in sections 22 and 54;

(c) any notice required by this Act;

(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.”

- 9.3 The categories of records generated in Imperial are classified in the manner listed below –
- according to the file plan for correspondence, files on strategic support;
 - core functions, and operational processes of Imperial; and
 - the Records Control Schedule for other records including publications and audio-visual records and the electronic information systems of Imperial.
- 9.4 Certain records of Imperial are acquired in the course of work of Imperial and in certain instances records are received from public and private bodies in accordance with PAIA and POPIA.
- 9.5 Imperial reserves the right to transfer requests for records to relevant bodies where these bodies were the primary holders or generators of the information requested, or where Imperial no longer has possession of such records.
- 9.6 Imperial also reserves the right to create new categories of records where this is necessary. This Manual will be updated to reflect changes in categories of records accordingly.

10. DESCRIPTION OF THE SUBJECTS ON WHICH IMPERIAL HOLDS RECORDS AND CATEGORIES OF RECORDS HELD

- 10.1 Imperial holds records, which are available from Imperial and may be requested by way of the PAIA request process prescribed. Such records usually do have information which can reasonably be said to be of a confidential nature.
- 10.2 Some records and information can be formally requested in terms of PAIA or downloaded from the above-mentioned website in 4.3.

11. CATEGORIES OF RECORDS THAT MAY BE SUBJECT TO GROUNDS FOR REFUSAL

- 11.1 The records listed in the categories below may be formally requested, but access to parts of these records or the whole record may be refused on legal grounds.
- 11.2 Imperial further reserves the right to refuse access to records where the processing of the record will result in a substantial and unreasonable diversion of its resources.
- 11.3 Access will also be refused where requests are clearly frivolous and / or vexatious.
- 11.4 However, the Information Officer or Deputy Information Officer(s) of Imperial

may grant a request for access to a record if -

- the disclosure of the record would reveal evidence of a substantial contravention of, or failure to comply with the law;
- and the public interest in the disclosure of the record clearly outweighs the harm contemplated in any of the grounds for refusal of access to records.

12. RECORDS WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

Category of records	Types of the Record	Available on Website
Investor Relations Information,Campaigns	Any promotional material for public viewing (brochures, press releases and publications)	X
Forms	PAIA Request for access to records Forms;	X
Policies, guidelines	PAIA Manual; Privacy Policy on Website; Code of Ethics and Conduct;	X
Strategic documents (plans and reports)	Organisational Profile (Overview, Objectives, Functions, Annual Reports,Integrated reports)	X

13. PROCEDURE TO REQUEST ACCESS TO INFORMATION

13.1 Part 3, Chapter 3 of PAIA prescribes the procedure to be followed in making a request for access to information held by Imperial. Section 23(1) of POPIA¹² also provides the procedure to access personal information. Manner of access to personal information in terms of section 23 of POPIA should be in accordance with section 53 of PAIA.

¹² Section 23(1) of POPIA provides that a data subject, having provided adequate proof of identity, has the right to -

a) request a responsible party to confirm, free of charge, whether or not the responsible party holds personal information about the data subject; and

b) request from a responsible party the record or a description of the personal information about the data subject held by the responsible party, including information about the identity of all third parties, or categories of third parties, who have, or have had, access to the information

- 13.2 A requester or data subject must use the prescribed form, FORM 2, when requesting access to a record or personal information.
- 13.3 A requester is any person making a request for access to a record of Imperial and in this regard, PAIA distinguishes between two types of requesters for access to information, i.e. Personal Requester, (data subject) and Other Requester.
- 13.4 A data subject is a requester who, having provided adequate proof of identity, is seeking access to a record containing personal information about the data subject. Subject to the provisions of PAIA and POPIA, Imperial will provide the requested information, or give access to any record with regard to the data subject's personal information within a reasonable time, (at a prescribed fee, if any) in a reasonable manner and format and in a form that is generally understandable. The prescribed fee for reproduction of the personal information requested will be charged by Imperial;
- 13.5 A person falling in the category of Other Requester is entitled to request access to information pertaining to third parties. However, Imperial is not obliged to grant access prior to the requester fulfilling the requirements for access to information in terms of PAIA and POPIA.
- 13.6 Form 2 must be addressed and submitted to the Information Officer by hand, post, per fax or e-mail, which details are set out above in paragraph 4.3.
- 13.7 The requester must provide sufficient information of the record(s) requested in order for the Information Officer or Deputy Information Officer, if any, to identify the record(s). The prescribed form must be filled in with enough particularity to at least enable the Information Officer to identify:
- the identity of the requester;
 - particulars of record requested;
 - type of record;
 - form of access; and
 - manner of access.
- 13.8 Some additional important points to remember when completing the request form:
- 13.8.1 each section of the form contains instructions that should be followed to improve the likelihood of the request being granted with minimal delay being

- experienced;
- 13.8.2 if records are requested on behalf of another person, please provide a copy of the mandate authorising you to act on behalf of another person;
- 13.8.3 a detailed description of the records being requested must be provided to enable the Information Officer or Deputy Information Officer to identify it accurately.
- 13.9 The requester must indicate, as per section 53(2)(b) of PAIA , the form of access that is required.
- 13.10 The requester must indicate whether the requested record(s) is preferred in any particular language.
- 13.11 The requester should indicate the manner in which he/she wishes to be informed of the decision on the request and the necessary particulars to be informed accordingly.
- 13.12 If you want to obtain access to any of the records listed in this manual, you should follow the procedure as set out below.
- 13.13 Fill in the application form contained in this manual and send it to us via hand delivery, postal service, or email.
- Hand in your completed application form, and a non-refundable request fee of R140.00 + VAT at our office. If you are an employee or ex-employee requesting access to your personnel record, then you do not have to pay the request fee.
 - If you cannot visit our office in person, you can post the form and fee to us, or you can contact us to make alternative payment arrangements.

14. OUR RESPONSE

We will consider your request and let you know our decision, in writing, not more than 90 days after we receive your request.

Note: we will not charge fees to an employee or ex-employee requesting access to his/her personnel record.

- If your request is for access to your Personal Information in terms of Section 23 of the Protection of Personal Information Act, we will give you a written estimate of the fee before providing the access. We may require you to pay a deposit for all or part of the fee.
- You may not have access to the record you want, for reasons which we will

state in our reply. If you have paid a deposit, we will refund it (but not the request fee).

- If we have searched for the record and cannot find it, we will give you an affidavit explaining what steps we took to try and find the record. Should the missing record later come to light, we will notify you.
- If we may or must refuse to give you access to part of the requested Personal Information, we will give you access to every other part.

15. OUR RIGHT TO REFUSE ACCESS TO INFORMATION

We have the right to refuse to give you access to our records if any of the following grounds apply:

- the record would unreasonably disclose Personal Information about a natural person, including a deceased individual (unless that third party or a representative of the deceased gives written permission for access);
- the record contains (a) trade secrets, or (b) financial, commercial, scientific or technical information, or (c) information about research by a third party, which could put that third party at a disadvantage in a negotiation or prejudice him in competition (unless that third party gives written permission for access);
- access would put us in breach of a duty of confidentiality and non disclosure which we owe to a third party (unless that third party gives written permission for access);
- access could reasonably be expected to (a) endanger someone's life or physical safety, or (b) prejudice or impair the security of a building, structure, system, means of transport or other property;
- the record is privileged from being produced as evidence in legal proceedings (unless the person protected by the privilege has waived that protection); or
- if the request is for access to your Personal Information, and you could not provide adequate proof of identity to us.

16. PROCESSING OF PERSONAL INFORMATION

16.1 Purpose of Processing (This list is not exhaustive)

The Entities use the Personal Information under their care in the following ways:

- Performing business operations
- Staff administration

- Keeping of accounts and records
- Complying with tax laws
- When obliged to provide such information for legal or regulatory purposes
- When required to do so for purposes of existing or future legal proceedings
- When selling one or more of its businesses or part of its businesses to a third party to whom it may transfer its rights under any agreement it may have with data subjects
- When involved in the prevention of fraud, loss, bribery or corruption
- When a third party performs services and processes personal information on the group’s behalf as its operator
- To assess the suitability of job applicants for employment

17. CATEGORIES OF DATA SUBJECTS AND PERSONAL INFORMATION COLLECTED

Imperial may possess records pertaining to contractors, suppliers, subsidiary/holding/sister companies, joint venture companies, and service providers, staff and clients.

Data Subjects	Type of Personal Information Held
Clients - Legal Entities	Full names of contact persons Name of Legal Entity Physical and Postal address and contact details of the client Registration Number VAT number
Clients: Natural Persons	Contact details Identity number Race Date of birth Full names Gender Nationality Physical and postal addresses
Service Providers	Contact Details Full name and Registration number of the entity Physical and Postal addresses

	VAT number
Suppliers	Information of supplier representatives Supplier contact details
Shareholders	Shareholder information
Visitors	Physical access records
Employees	Date of birth and ID number Employee contracts Full names and contact details Medical information/disability information Nationality Physical and postal addresses Race and language

18. THE RECIPIENTS TO WHOM PERSONAL INFORMATION MAY BE SUPPLIED

18.1 Imperial may supply the personal information of data subject to the Employees of Imperial, as part of executing its statutory mandate.

18.2 Imperial may, without limitation, supply the personal information of a data subject to third parties who render the following services –

- Capturing and organising of personal information;
- Storing of personal information;
- Conducting due diligence checks;
- Conducting criminal checks;
- Conducting qualification verifications;
- Forensic investigation and any other investigation;
- Auditing;
- Administration of the Provident, Pension Funds and medical aids; and
- ICT Infrastructure
- Cloud-based services such as data storage, network, email and security services;
- Cloud-based applications such as Human Resource or Marketing solutions;
- Third-party organizations providing legal services;

- Third-party organizations engaged for common commercial purpose, such as service provision, joint ventures, or collective bid responses;
- Credit reference entities, used in the normal course of business; and
- Government organizations such as South African Revenue Services, as required for legal purposes.

18.3 Imperial may also supply the personal information of data subjects to any person whom a complaint has been lodged against;

- any regulatory authority or tribunal, in respect of any matter or part thereof, that falls under their jurisdiction;
- law enforcement agencies, such as the National Prosecuting Authority or South African Police Service, for criminal investigation; and
- to Courts, in respect of any matter taken on judicial review.

19. CROSS-BORDER FLOWS OF PERSONAL INFORMATION

19.1 The entities will only transfer personal information across South African borders if the relevant transactions or situation requires cross-border processing. It will only do so in accordance with South African legislative requirements, and ensure that the information is protected in the same way as if it was being used in South Africa.

19.2 The entities will take steps to ensure that operators (suppliers and third parties) in foreign countries are bound by laws or binding agreements and contracts that provide an adequate level of protection of personal information and uphold principles for reasonable and lawful processing of personal information, in terms of POPIA.

19.3 Any transfer of cross border shall be with the data subject's consent, however should it not be reasonably practicable to obtain the data subject's consent, Imperial shall transfer the personal information if –

- it will be for the data subject's benefit; and
- the data subject would have given consent should it have been reasonably practicable to obtain such consent.

20. GENERAL DESCRIPTION OF INFORMATION SECURITY MEASURES

The Entities employ the latest technology to ensure the confidentiality, integrity and availability of its information assets which include the Personal Information

under its care.

These measures include:

- Boundary firewalls and Internet gateways;
- Secure configuration of all devices and software which make up the IT infrastructure;
- Both logical and physical access controls;
- Anti virus and Anti-malware Solutions
- Encryption
- Network Access control
- Data Leakage Prevention
- Patch management to keep software up to date
- Robust Monitoring, Auditing and Reporting capabilities
- Data Backups
- Awareness and Vigilance
- Agreements are concluded with Operators to implement security controls.

21. AVAILABILITY OF THE MANUAL

21.1 A copy of the Manual is available-

- on www.imperiallogistics.com ;
- head office of Imperial Logistics for public inspection during normal business hours;
- to any person upon request and upon the payment of a reasonable prescribed fee; and
- to the Information Regulator upon request.

21.2 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.

22. RECORDS THAT CANNOT BE FOUND OR DO NOT EXIST

22.1 Requesters have the right to receive a response in the form of an affidavit or affirmation where records cannot reasonably be located.

22.2 Requesters also have the right to receive a response in the form of an affidavit

or affirmation where requested records do not exist.

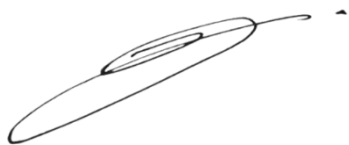
23. DISPOSAL OF RECORDS

- 23.1 Imperial reserves the right to lawfully dispose/retain certain records in terms of relevant legislation.
- 23.2 Requesters will be advised whether a particular record has been disposed of where this is relevant to the records requested.
- 23.3 In accordance with section 24(1) of **POPIA**, Imperial may, upon receipt of the request from a data subject –
- correct or delete personal information about the data subject in its possession or under its control that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading or obtained unlawfully; or
 - destroy or delete a record of personal information about the data subject that the Imperial is no longer authorised to retain in terms of section 14 of POPIA³².

24. UPDATING OF THE MANUAL

The designated Information Officer of Imperial Logistics will, if necessary, update and publish this manual.

Issued by



Jeetesh Ravjee

Designated Information Officer

25. PROMOTION OF ACCESS TO INFORMATION ACT FEES

25.1 Fees Payable

Refer to Form 3 on our website or below for outcome decisions as well as fees payable.

NB Banking details for any payments will be provided on receipt of request for any charges that may be incurred.



Form-3-PAIA.pdf

26. REQUEST FOR ACCESS TO RECORD- FORM 2

Refer to Form 2 on our website or below for any requests for access to records.



InfoRegSA-PAIA-Form
02-Reg7.pdf

27. RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION (THIS IS NOT AN EXHAUSTIVE LIST)

All records kept and made available in terms of legislation applicable to any of the Entities listed in this Manual, as it applies to the specific environment in which the Entities operate, are available in accordance with the said legislation.

Category of Records	Applicable Legislation
This Act requires employers to keep records of information containing the personal details of all its employees, working times and remuneration package.	Basic Conditions of Employment Act, 75 of 1997
This Act requires all company documents and records to be kept in a written format. Companies are also expected to maintain memorandum of incorporation and a record of their directors.	Companies Act 71 of 2008
Employers are expected to keep a register, employee record or reproduction of same relating of wages, time worked, payment for piece work and overtime.	Compensation for Occupational Injuries and Diseases Act, 130 of 1993
This Act applies to all transactions in South Africa and is aimed at promoting and protecting the economic interests of consumers. The Act however does not deal with consumer personal information nor impose obligations on businesses in respect of treatment and/or protection of such information.	Consumer Protection Act, 68 of 2008
The copyright law of South Africa governs copyright,	Copyright Act, 98 of 1978

the right to control the use and distribution of artistic and creative works, in the Republic of South Africa.	
To provide for the levying of customs and excise duties and a surcharge; for a fuel levy, for a Road Accident Fund levy, for an air passenger tax and an environmental levy.	Customs and Excise Act, 91 of 1964
This Act requires that information emanating from electronic transactions only be collected, collated, processed and disclosed with customer's consent.	Electronic Communications and Transactions Act, 25 of 2002
This Act requires employers to maintain records relating to the workforce, employment equity plans and other relevant records.	Employment Equity Act, 55 of 1998
This Act consolidate the law relating to the taxation of incomes and donations.	Income Tax Act, 58 of 1962
This Act requires employers to keep records of disciplinary transgressions against employees, actions taken and reasons for the action.	Labour Relations Act 66 of 1995
This Act requires employers to keep records relating to the health and safety of persons in the workplace.	Occupational Health and Safety Act, 85 of 1993
Every fund is expected to maintain books of account and other records as may be necessary for the purpose of the fund. All the money and assets belonging to the fund may be kept in the name of the pension fund by other institutions subject to conditions determined by the Minister.	Pension Funds Act No. 24 of 1956
PAIA Manual; to give effect to the constitutional right of access to any information held by the State and any information that is held by another person and that is required for the exercise or protection of any rights.	Promotion of Access to Information Act 2 of 2000
To regulate the interception of certain communications, the monitoring of certain signals and radio frequency spectrums and the provision of certain communication-related information.	Regulation of Interception of Communications and Provision of Communication-Related Information Act, 70 of 2002
This Act provides for the strengthening of measures to prevent and combat corruption and corrupt activities. To this end companies are expected to keep records relating to any offer of improper gratification relating to the procurement or execution of contracts or employment relationship.	Prevention and Combating of Corrupt Activities Act No. 12 of 2004

<p>This Act requires, amongst other things, that employers who commence with learnership programmes to enter into learnership agreements with the learner. To comply with this requirement Employers are expected to keep records of all learnership agreements.</p>	<p>Skills Development Act 97 of 1998</p>
<p>Every employer is expected to make payments towards the skills development levy at a rate of 1% of the leviabale amount. Records detailing payments made by the Employer are expected to be kept.</p>	<p>Skills Development Levies Act 9 of 1999</p>
<p>The Constitution of South Africa is the supreme law of the Republic of South Africa. It provides the legal foundation for the existence of the republic, it sets out the rights and duties of its citizens, and defines the structure of the Government.</p>	<p>The Constitution of the Republic of South Africa, 1996</p>
<p>To create offences which have a bearing on cybercrime.</p>	<p>The Cybercrimes Act, 19 of 2020</p>
<p>This Act provides for the imposition and collection of contributions for the benefit of the Unemployment Insurance Fund. An employer is expected to keep records relating to payment of contributions to the Unemployment Insurance Fund relating to: illness, maternity and for dependents.</p>	<p>Unemployment Contributions Act 4 of 2002</p>
<p>An employer is expected to keep records relating to payment of contributions to the Unemployment Insurance Fund relating to: illness, maternity and for dependents. The Act does however, subject to the provisions of the PAIA, prohibits the disclosure of information obtained in the performance of functions under the Act.</p>	<p>Unemployment Insurance Act 63 of 2001</p>
<p>Every employer is expected to provide for taxation in respect of the supply of goods and services and the importation of goods.</p>	<p>Value Added Tax Act, 89 of 1991</p>