

Manual of
Steel & Pipes For Africa East Rand (Pty)Ltd
(Private Body)

Prepared and compiled on 2023-10-12 in accordance with Section 51 of the Promotion of Access to Information Act, No 2 of 2000 (as amended) in respect of Steel & Pipes For Africa East Rand (Pty)Ltd.

Registration number: 2002/012050/07

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1. INTRODUCTION

Steel & Pipes for Africa East Rand (Pty) Ltd specialises in structural tubing (square, round and rectangular), lipped channels, purlins, roofing, mild steel flats, angles, channels, columns, beams, reinforcing, sheets, and plates.

We also carry a large range of related hardware for the steel industry.

Our objective is to ensure that our customers receive prime material at competitive prices, together with excellent service.

2. THE ACT

The Promotion of Access to Information Act, No 2 of 2000 ("The Act" or "PAIA") was enacted on 3 February 2000, giving effect to the right of access to any information held by Government, as well as any information held by another person who is required for the exercising or protection of any rights. This right is entrenched in the Bill of Rights in the Constitution of South Africa. Where a request is made in terms of The Act, the body to which the request is made is not obliged to release the information, except where The Act expressly provides that the information may or must be released. The Act sets out the requisite procedural issues attached to such request.

3. PURPOSE OF THE MANUAL

In order to promote effective governance of private bodies, it is necessary to ensure that everyone is empowered and educated to understand their rights in terms of The Act in order for them to exercise their rights in relation to public and private bodies.

Section 9 of The Act, however, recognizes that such right to access to information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to:

- Limitations aimed at the reasonable protection of privacy;
- Commercial confidentiality; and
- Effective, efficient, and good governance

And in a manner that balances that right with any other rights, including such rights contained in the Bill of Rights in the Constitution.

This PAIA Manual assist you to-

- 3.1 check the categories of records held by Steel & Pipes For Africa East Rand (Pty) Ltd which are available without a person having to submit a formal PAIA request;
- 3.2 have a sufficient understanding of how to make a request for access to a record of Steel & Pipes For Africa East Rand (Pty) Ltd, by providing a description of the subjects on which Steel & Pipes For Africa East Rand (Pty) Ltd holds records and the categories of records held on each subject;
- 3.3 know the description of the records of Steel & Pipes For Africa East Rand (Pty) Ltd which are available in accordance with any other legislation;
- 3.4 access all the relevant contact details of the Information Officer and Deputy Information Officer(s) who will assist you with the records you intend to access;

- 3.5 know the description of the guide on how to use PAIA, as updated by the Information Regulator, and how to obtain access to it;
- 3.6 know if Steel & Pipes For Africa East Rand (Pty) Ltd processes personal information and the purpose of processing of personal information;
- 3.7 know the description of the categories of data subjects and the information or categories of information relating thereto;
- 3.8 know the recipients or categories of recipients to whom the personal information may be supplied;
- 3.9 know if Steel & Pipes For Africa East Rand (Pty) Ltd plans 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
- 3.10 know whether Steel & Pipes For Africa East Rand (Pty) Ltd has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

4. CONTACT DETAILS:

Information Officer:
Neil Leslie Bartie

Postal Address:
P.O. Box 5736
Boksburg North
1461

Physical Address:
124 Springs Road West
Vulcania
Brakpan &

14B Atlas Road
Anderbolt
Boksburg

Telephone No:
011 736-9700
011 918-1644

E-mail:
brakpan@spaeast.co.za & boksburg@spaeast.co.za

Deputy Information Officer:
Tracy Kennedy

GENERAL INFORMATION:

Name of Private Body:

Steel & Pipes For Africa East Rand (Pty) Ltd

Registration No:

2002/012050/07

Postal Address:

P.O. Box 5736
Boksburg North
1461

Physical Address (or principal place of business):

124 Springs Road West
Vulcania
Brakpan

&

14B Atlas Road
Anderbolt
Boksburg

Telephone No:

011 736-9700

011 918-1644

E-mail:

brakpan@spaeast.co.za

boksburg@spaeast.co.za

Website:

www.steelpipe.co.za

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

- 5.1. The Regulator has, in terms of Section 10(1) of PAIA, as amended, updated, and made available the revised Guide on how to use PAIA (“Guide”), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.
- 5.2. The Guide is available in each of the official languages and in braille.
- 5.3. The aforesaid Guide contains the description of-
 - 5.3.1.** the objects of PAIA and POPIA.
 - 5.3.2.** the postal and street address, phone, and fax number and, if available, electronic mail address of-
 - 5.3.2.1 the Information Officer of every public body, and
 - 5.3.2.2 every Deputy Information Officer of every public and private body designated in terms of Section 17(1) of PAIA and Section 56 of POPIA;
 - 5.3.3** the manner and form of a request for-
 - 5.3.3.1 access to a record of a public body contemplated in Section 11 of PAIA; and
 - 5.3.3.2 access to a record of a private body contemplated in Section 50 of PAIA;
 - 5.3.4** the assistance available from the Information Officer of a public body in terms of PAIA and POPIA;
 - 5.3.5** the assistance available from the Information Regulator in terms of PAIA and POPIA;
 - 5.3.6** all remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging-
 - 5.3.6.1 an internal appeal;
 - 5.3.6.2 a complaint to the Regulator; and
 - 5.3.6.3 an application with a court against a decision by the information officer of a public body, a decision on internal appeal or a decision by the Regulator or a decision of the head of a private body;
 - 5.3.7** the provisions of Sections 14 and 51 of PAIA requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
 - 5.3.8** the provisions of Sections 15 and 52 of PAIA providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
 - 5.3.9** the notices issued in terms of Sections 22 and 54 of PAIA regarding fees to be paid in relation to requests for access; and
 - 5.3.10** the regulations made in terms of Section 92 of PAIA.

5.4 Members of the public can inspect or make copies of the Guide from the offices of the public and private bodies, including the office of the Regulator, during normal working hours.

5.5 The Guide can also be obtained-

5.5.1 upon request to the Information Officer;

5.5.2 from the website of the Information Regulator (<https://info regulator.org.za/>).

5.6 A copy of the Guide is also available in two official languages, for public inspection during normal office hours.

6. RECORDS AUTOMATICALLY AVAILABLE TO THE PUBLIC

Category of records	Types of the Record	Availability
Product information	Information relating to our service, service offering and products	Freely available
Public facing policies and notices	Privacy Notice, Cookie Policy, Terms and Conditions, PAIA Manual	Freely available

7. RECORDS OF THE PRIVATE BODY

This clause serves as a reference to the records that Steel & Pipes For Africa East Rand (Pty) Ltd holds in order to facilitate a request in terms of The Act.

It is recorded that the accessibility of the documents listed herein below, may be subject to the grounds of refusal set out here in after.

Subjects on which the body holds records	Categories of records
These include, but are not limited to the below:	
Human Resources	<ul style="list-style-type: none">- HR policies and procedures;- Employees records
Operational documents and records	<ul style="list-style-type: none">- Policies regarding business plan or activities;- Written service specification;- Customer data base and relevant information;- Company profile;- Sales records
Manual and Guide	Information Regulator's Manual and Guide on how to use PAIA
Financial records	<p><u>General</u></p> <ul style="list-style-type: none">- VAT records;- Tax records;- PAYE records;- UIF records;- SDL records;- Management accounts and audited financial statements; <p><u>Operating systems</u></p> <ul style="list-style-type: none">- Tax invoices;- Quotes;- weekly/monthly/quarterly/annual statements;- Debit notes;- Credit notes <p><u>Bank Account records</u></p>

8. RECORDS REQUIRED IN TERMS OF LEGISLATION

Records are kept in accordance with legislation applicable to Steel & Pipes For Africa East Rand (Pty) Ltd, which includes but is not limited to, the following –

Basic Conditions of Employment Act No. 75 of 1997;
Broad-Based Black Economic Empowerment Act No. 53 of 2003; Companies Act No. 71 of 2008;
Compensation of Occupational Injuries and Diseases Act No. 130 of 1993; Copyright Act No. 98 of 1978;
Customs and Exercise Act No. 91 of 1964; Cybercrimes Act No. 19 of 2020;
Electronic Communications and Transaction Act No. 25 of 2002; Employment Equity Act No. 55 of 1998;
Financial Intelligence Centre Act No 38 of 2001; Identification Act No. 68 of 1997;
Income Tax Act No. 58 of 1962;
Labour Relations Act No. 66 of 1995;
National Credit Act No. 34 of 2005;
Occupational Health and Safety Act No. 85 of 1993;
Prevention of Organised Crime Act No. 121 of 1998;
Promotion of Access to Information Act No. 2 of 2000;
Protection of Personal Information Act No. 4 of 2013;
Revenue laws Second Amendment Act. No. 61 of 2008;
Skills Development Levies Act No. 9 of 1999;
Taxation Laws Amendment Act No. 7 of 2010;
Unemployment Contributions Act No. 63 of 2001; Unemployment Insurance Act No. 30 of 1966;
Value Added Tax Act No. 89 of 1991.

Although we have used our best endeavours to supply a list of applicable legislations, it is possible that this list may be incomplete. Whenever it comes to our attention that existing or new legislation allows access on a basis other than as set out in PAIA, we will update the list accordingly. If a requester believes that a right of access to a record exists in terms of other legislation listed above or any other legislation, the Requester is required to indicate what legislative right the request is based on.

Reference to the above-mentioned legislation shall include subsequent amendments and secondary legislation to such legislation.

9. PROCESSING OF PERSONAL INFORMATION

9.1 Purpose of Processing Personal Information

We may process personal information for various reasons, including but not limited to the following:

- To gather contract information;
- To maintain customer records;
- For employment purposes;
- For general administration;
- For legal, contractual, financial and/or tax purposes
- To manage information, products and/or services requested by data subjects;
- Health and safety purposes;
- For the detection and prevention of fraud, crime, money laundering or other malpractice;
- To conduct market or customer satisfaction research or for statistical analysis;
- For audit and record keeping purposes;

- In connection with legal proceedings.

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

Categories of Data Subjects	Personal Information that may be processed
Customers / Clients / Suppliers / Service providers	These include, but are not limited to the following: <ul style="list-style-type: none"> - Full Name and Surname; - Identity number; - Company name; - Company registration number; - VAT number; - Banking details; - Contact details; - Physical, postal and e-mail address; - Medical Aid details
Employees	These include, but are not limited to the following: <ul style="list-style-type: none"> - Full Name and surname; - Identity number; - Email address; - Contact details; - Gender; - Nationality; - Driver's license details; - Marital status; - Next of kin details; - Dependents information; - Banking details; - Physical and postal address; - Educational Information; - Medical Information; - Psychometric tests; - PAYE Information; - UIF Information;

9.3 The recipients or categories of recipients to whom the personal information may be supplied

Category of Personal Information	Recipients or Categories of Recipients to whom the personal information may be supplied
Identity number and names, for criminal checks	South African Police Service
Qualifications, for qualification verifications	South African Qualifications Authority
Credit and payment history, for credit information	Credit Bureaus
Financial information, for Financial Accounting purposes	Operators

9.4 Planned transborder flows of personal information

We do not transfer information to any country outside of the Republic of South Africa.

However, should it become necessary to transfer personal information to another country for any lawful purposes, we will ensure that anyone to whom it pass personal information is subject to a law, binding corporate rules or binding agreement which provides an adequate level of protection and the third party agrees to treat that personal information with the same level of protection as we are obliged under POPIA.

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

Our security policies and procedures cover, amongst others, but not limited to:

- Physical security;
- Computer and network security;
- Access to personal information;
- Security in contracting out activities or functions;
- Retention and disposal of information;
- Acceptable usage of personal information;
- Governance and regulatory issues;
- Monitoring access and usage of personal information;
- Investigating and reacting to security incidents;

When we contract with third parties, we impose appropriate security, privacy and confidentiality obligations on them to ensure that personal information that we remain responsible for, is kept secure.

We will ensure that anyone to whom we pass your personal information agrees to treat your information with the same level of protection as we are obliged to.

10. REQUEST PROCEDURE FOR OBTAINING INFORMATION

Access to records held by Steel & Pipes For Africa East Rand (Pty) Ltd

Records held by Steel & Pipes For Africa East Rand (Pty) Ltd may be accessed by request only once the prerequisites for access have been met.

The requester must fulfil the prerequisites for access in terms of The Act, including the payment of a requested access fee.

The requester must comply with all the procedural requirements contained in The Act relating to the request for access to a record.

The requester must complete the prescribed Form 2 (Annexure B) and submit same as well as payment of a request fee and a deposit, if applicable, to the Information Officer at the postal or physical address, fax number or electronic mail address as stated herein.

The prescribed form must be filled in with enough particulars to at least enable the Information Officer to identify –

- The record or records requested;
- The identity of the requester,
- Which form of access is required, if the request is granted;
- The postal address or fax number or email address of the requester.

The requester must state that they require the information in order to exercise or protect a right, and clearly state what the nature of the right to be exercised or protected is. In addition, the requester must clearly specify why the record is necessary to exercise or protect such a right.

Steel & Pipes For Africa East Rand (Pty) Ltd will process the request within 30 days, unless the requester has stated a special reason that would satisfy the Information Officer that circumstances dictate that the above time periods are not complied with.

The requester shall be informed whether access has been granted or denied in the form of Form 3 (Annexure C). If, in addition, the requester requires the reason for the decision in any other manner, they must state the manner and the particulars so required.

If a request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request, to the reasonable satisfaction of the Information Officer.

If an individual is unable to complete the prescribed Form because of illiteracy or disability, such a person may make the request orally.

11. FEES

When the Information Officer receives the request, such Officer shall, by notice, require the requester to pay the prescribed request fee (if any), before any further processing of the request.

If the search for the record has been made in the preparation of the record for disclosure, including arrangements to make it available in the requested form, and it requires more than the hours prescribed in the regulation for this purpose, the Information Officer shall notify the requester to pay as a deposit the prescribed portion of the access fee which would be payable if the request is granted.

The Information Officer shall withhold a record until the requester has paid the Fees as indicated.

A requester, whose request for access to a record has been granted, must pay an access fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure, including making arrangements to make it available in the requested form.

If a deposit has been paid in respect of a request for access, which is refused, then the Information Officer concerned must repay the deposit to the requester.

The fees applicable to a request for information are set out in Annexure A hereto.

The requester must pay the prescribed fee before any further processing can take place.

12. GROUNDS FOR REFUSAL OF ACCESS TO INFORMATION

The main grounds for Steel & Pipes For Africa East Rand (Pty) Ltd to refuse a request for information relates to the:

- Mandatory protection of the privacy of a third party that is a natural person that would involve the unreasonable disclosure of personal information of that natural person;
- Mandatory protection of the commercial information of a third party, if the record contains:
 - o Trade secrets of that third party;
 - o Financial, commercial, scientific or technical information, disclosure of which could likely cause harm to the financial or commercial interests of that third party;
 - o Information disclosed in confidence by a third party to the Private Body, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition;
- Mandatory protection of confidential information of third parties if it is protected in terms of any agreement;
- Mandatory protection of confidential information of the protection of property;
- Mandatory protection of records that would be regarded as privileged in legal proceedings;
- The commercial activities of Steel & Pipes For Africa East Rand (Pty) Ltd which may include:
 - o Trade secrets of Steel & Pipes For Africa East Rand (Pty) Ltd
 - o Financial, commercial, scientific or technical information, disclosure which could likely cause harm to the financial or commercial interest of Steel & Pipes For Africa East Rand (Pty) Ltd ;
 - o Information which, if disclosed could put Steel & Pipes For Africa East Rand (Pty) Ltd at a disadvantage in negotiations or commercial competition;
 - o A computer program, owned by Steel & Pipes For Africa East Rand (Pty) Ltd and protected by copyright.
- The research information of Steel & Pipes For Africa East Rand (Pty) Ltd or a third party, if its disclosure would reveal the identity of Steel & Pipes For Africa East Rand (Pty) Ltd, the researcher or the subject matter of the research and would place the research at a serious disadvantage;

Requests for information that are clearly frivolous or vexatious, or which would involve an unreasonable diversion of resources shall be refused.

13. DECISION

Steel & Pipes For Africa East Rand (Pty) Ltd will within 30 days of receipt of the request, decide whether to grant or decline the request and give notice with reasons (if required) to that effect.

The requester shall be informed whether access has been granted or denied in the form of Form 3 (Annexure C). If, in addition, the requester requires the reason for the decision in any other manner, they must state the manner and the particulars so required.

The 30 day period within which Steel & Pipes For Africa East Rand (Pty) Ltd has to decide whether to grant or refuse the request, may be extended for further period of not more than 30 days if the request is for a large amount of information, or the request requires a search for information held at another office of Steel & Pipes For Africa East Rand (Pty) Ltd and the information cannot reasonably be obtained within the original 30 day period. Steel & Pipes For Africa East Rand (Pty) Ltd will notify the requester in writing should an extension be sought.

AVAILABILITY OF THE MANUAL

The manual of Steel & Pipes For Africa East Rand (Pty) Ltd is available at the premises of Steel & Pipes For Africa East Rand (Pty) Ltd as well as on the website of Steel & Pipes For Africa East Rand (Pty) Ltd.

Signed by: NL Bartie

Date: 12th October 2023

ANNEXURE A:

The table below sets out the fees applicable to any request for a record of information held by

Item	Description	Amount
1.	The request fee payable by every requester	R 140.00
2.	Photocopy/printed black & white copy of A4-size page	R 2.00 per page or part thereof
3.	Printed copy of A4-size page	R 2.00 per page or part thereof
4.	For a copy of computer-readable form on: (i) Flash drive (to be provided by the requestor) (ii) Compact Disk: a. If provided by requester b. If provided to the requester	R 40.00 R 40.00 R 60.00
5.	For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on quotation
6.	For a copy of visual images	from service provider.
7.	Transcription of an audio record, per A4-size page	R 24.00
8.	For a copy of audio recording on: (i) Flash drive (to be provided by the requestor) (ii) Compact Disk: a. If provided by requester b. If provided to the requester	R 40.00 R 40.00 R 60.00
9.	To search for and prepare the record for disclosure, for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation. Not to exceed a total cost of	R 145.00 R 435.00
10.	Deposit: If search exceeds 6 hours	One third of the amount per request calculated in terms of items 2 to 8.
11.	Postage, email or any other electronic transfer	Actual expense, if any.