Document No: MP_HR_Legal_PAIA_Manual_Final_August2025	Promotion of Access to Information and Protection of Personal Information Manual Rev. 2 [in accordance with section 51 of the Promotion of Access to Information Act No. 2 of 2000 (as amended) and the Protection of Personal Information Act, 4 of 2013]
Applicable areas of business: Maxtec Peripherals (Pty) Ltd	Responsible Division: Human Resources

Approval	Name and Job Title:	Approved Date:
Prepared by:	Jean-Michel Pretorious (External Counsel) / Visha Gokaldas (Human Governance) / Steven Turner (Chief Legal Officer)	2025-08-22
Approved by:	Visha Gokaldas (Human Governance)	2025-08-22
Signed by:	Visha Gokaldas (Director & Information Officer)	2025-08-22

Policy Statement

It is the Company's policy to conduct its operations in compliance with all legal and regulatory requirements. This Manual regulates access to information and records owned, held by or otherwise under the control of the Company and the release of any such information or records of the Company directors, officers, employees, customers, agents or anyone acting on its behalf or authority. This Manual should be read in conjunction with, and is aimed at ensuring compliance with, the PAIA and POPIA, and the Company's policies relating to meeting regulatory requirements.

CONTENTS

1. **LIST OF DEFINED TERMS**

1.1. The following terms are frequently used throughout this Manual, and when so used, should be interpreted in accordance with the meaning ascribed there to as follows:

1.1.1. **"Company"** means Maxtec Peripherals Proprietary Limited, a private and limited liability company duly registered in accordance with the Companies Act, 71 of 2008, under registration number 1988/001326/07;

1.1.2. **"Constitution"** means The Constitution of the Republic of South Africa, 1996;

1.1.3. **"Data Subject"** means a person or persons as defined in section 1 of POPIA, including persons (including juristic persons) whose personal information is processed by the Company;

1.1.4. **"DIO"** means Deputy Information Officer;

1.1.5. **"Guide"** means the guide published by the Regulator on how to use a PAIA and POPIA manual;

1.1.6. **"IO"** means Information Officer;

1.1.7. **"Manual"** means this Manual prepared in accordance with section 51 of PAIA and to address the requirements of POPIA;

1.1.8. **"MD"** means the Company's Managing Director;

1.1.9. **"Minister"** means Minister of Justice and Correctional Services or any similar designation as determined by the President of the Republic;

1.1.10. **"PAIA"** means the Promotion of Access to Information Act, 2 of 2000 (as amended);

1.1.11. **"Personal Information"** means information as set out in section 1 of POPIA, relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person including, but not limited to:

1.1.11.1. Information relating to the 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;

1.1.11.2. Information relating to the education or the medical, financial, criminal or employment history of the person;

1.1.11.3. Any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;

1.1.11.4. The blood type or any other biometric information of the person;

1.1.11.5. The personal opinions, views or preferences of the person;

1.1.11.6. 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;

1.1.11.7. The views or opinions of another individual about the person; and

1.1.11.8. 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;

1.1.12. **"POPIA"** means the Protection of Personal Information Act, 4 of 2013 (as amended);

1.1.13. **"Regulator"** means the Information Regulator established in terms of section 39 of POPIA;

1.1.14. **"Republic"** means the Republic of South Africa;

1.1.15. **"Requester"** means any person who makes a request for information pursuant to this Manual; and

1.1.16. **"SARS"** means the South African Revenue Service.

2. INTRODUCTION

2.1. The Company's Manual is published in terms of Section 51 of PAIA and sections 23-25 of POPIA.

2.2. PAIA seeks to give effect to the constitutional right of access to information as contained in section 32 of the Constitution and to advance the values of transparency and accountability and establishes certain statutory rights of Requesters to access records of a private body if:

2.2.1. The record is required for the exercise or protection of any rights;

2.2.2. That Requester complies with all the procedural requirements; and

2.2.3. Access is not refused in terms of any ground referred to in PAIA.

2.3. A person that is entitled to exercise a right or who needs information for the protection of any right, is entitled to access that information, subject to certain restraints.

2.4. Section 51 of PAIA creates a legal right to access records (as defined in section 1 of PAIA) of a private body (both natural and juristic), however this right may be negated in circumstances as set out under Part 3, Chapter 4 of PAIA.

2.5. POPIA seeks to give effect to the constitutional right to privacy as contained in section 14 of the Bill of Rights and to safeguard Personal Information by regulating the manner in which it may be processed by private bodies. POPIA provides that Data Subjects have the right to have their Personal Information processed in accordance with the conditions for the lawful processing of Personal Information, which are set out in POPIA.

2.6. In addition, in compliance with POPIA, a responsible party who processes personal information must notify a Data Subject of the manner in which the Data Subject can access their personal information held by the Company.

3. PURPOSE OF MANUAL

3.1. This Manual serves as the Company's information Manual and provides reference to the records held by the Company as well as the Personal Information processed by the Company from time to time.

3.2. This PAIA Manual is useful for the public to:

3.2.1. Check the categories of records held by the Company which are available without a person having to submit a formal PAIA request;

3.2.2. Have a sufficient understanding of how to make a request for access to a record of the Company, by providing a description of the subjects on which the Company holds records, and the categories of records held on each Data Subject;

3.2.3. Know the description of the records of the Company which are available in accordance with any other legislation;

3.2.4. Access all the relevant contact details of the IO and DIO (where applicable) who will assist the public with the records they seek to access;

3.2.5. Know the description of the guide on how to use PAIA, as updated by the Regulator, and how to obtain access to it;

3.2.6. Know if the Company will process Personal Information, the purpose of processing Personal Information and the description of the categories of Data Subjects and of the information or categories of information relating thereto;

3.2.7. Know the description of the categories of Data Subjects and of the information or categories of information relating thereto;

3.2.8. Know the recipients or categories of recipients to whom the Personal Information may be supplied;

3.2.9. Know if the Company 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 processed; and

3.2.10. Know whether the Company has appropriate security measures to ensure the confidentiality, integrity and availability of the Personal Information which is to be processed.

3.3. The Company makes no representation and gives no undertaking or warranty that any record(s) provided to a Requester is complete or accurate, or that such record is fit for any purpose. All users of such records shall use such records entirely at their own risk, and the Company shall not be liable for any loss, expense, liability, or claims, howsoever arising, resulting from the use of this Manual or of any record provided by the Company or any error therein.

3.4. A Requester's request for information pursuant to this Manual may be declined in such instance that the information requested relates to Personal Information, is confidential, private and/or privileged.

4. CONTACT DETAILS FOR ACCESS TO INFORMATION

4.1. Particulars required in terms of section 51(1)(a) of PAIA:

Company Name	Maxtec Peripherals Proprietary Limited
Registration Number	1988/001326/07
Information Officer	Visha Gokaldas (a director of the Company)
Deputy Information Officer	Phumelele Mngomezulu
Street Address	Monte Circle Office Park, Building A, Ground Floor, Montecasino Boulevard, Sandton 2191

Maxtec Peripherals (Pty) Ltd
Monte Circle Office Park, Building A
Ground Floor, Montecasino Boulevard, Sandton
Tel +27(11) 8036635 | Support 0860 maxtec
PO Box 69938, Bryanston, 2021, South Africa
Company Reg No.1988/001326/07 | Vat No. 4840119921
Directors: C.Nel | M.Nel | P.Pillay | V.Gokaldas | D.Stevinson

Postal Address	PO Box 69938, Bryanston, 2021, South Africa
Telephone	011 803 6635
Website	www.maxtec.co.za
E mail	hr@maxtec.co.za

4.2. Data Subjects are permitted access to their own Personal Information records.

4.3. To access Personal Information records, Data Subjects are to contact the Company using the above details.

4.4. Please note that there may be reproduction costs associated with retrieval of Personal Information records. You will be informed if such costs apply to your request. Please follow the request procedure outlined in paragraph 8 below to access your own Personal Information records.

4.5. In order to request other records that are not classified as your own Personal Information or call data records, please contact the Company using the contact details outlined above. Please follow the request procedure outlined in paragraph 8 below.

4.6. A copy of the Manual is available:

4.6.1. the Company's website at www.maxtec.co.za;

4.6.2. the Company's physical address for public inspection during normal business hours at no charge; and

4.6.3. To any person upon request and upon the payment of the prescribed amount.

4.7. A fee for a copy of the Manual may be payable per A4-size photocopy made in line with the prescribed fee outlined in paragraph 15 below.

4.8. The Company will regularly update this Manual, and the updated Manual will be published on the Company's website.

5. DESCRIPTION OF THE PAIA GUIDE DEVELOPED BY THE REGULATOR

5.1. The Regulator has, in terms of section 10(1) of PAIA, updated and made available the revised Guide on how to use PAIA, 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 those languages and formats published by the Regulator.

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 IO of every public body, and

5.3.2.2. Every DIO 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; and

5.3.3.2. Access to a record of a private body contemplated in section 50;

5.3.4. The assistance available from the io of a public body in terms of PAIA and POPIA;

5.3.5. The assistance available from the Regulator in terms of PAIA and POPIA;

5.3.6. All remedies 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:

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 IO 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 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 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 regarding fees to be paid in relation to requests for access; and

5.3.10. The regulations made in terms of section 92.

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 IO;

5.5.2. From the website of the Regulator (https://inforegulator.org.za/).

5.6. A copy of the Guide is also available in those languages and formats published by the Regulator from time to time.

5.7. Regulator details:

5.7.1. Physical Address: Woodmead North Office Park, 54 Maxwell Dr, Woodmead, Johannesburg, 2191;

5.7.2. Postal Address: P.O. Box 31533, Braamfontein, Johannesburg, 2017;

5.7.3. E-mail: enquiries@inforegulator.org.za;

5.7.4. Website: https://inforegulator.org.za/; and

5.7.5. Tel: 010 023 5200.

6. CATEGORIES OF RECORDS HELD BY THE COMPANY

6.1. The categories of information listed in this Manual are not exhaustive but are merely meant to give a broad indication of the information subject and categories held by the Company, without specification.

6.2. A category may therefore contain sub-categories and sub-sets of information, which are not specifically listed.

6.3. Categories of records automatically available:

6.3.1. The following categories of information are automatically available without having to request access to these records:

Description of category of records automatically available	Manner of access to records
Product Information	Soft copy/website
Media Releases, Published events	Website/Soft copy

6.4. Categories of records that are not readily available:

6.4.1. Each request for information will be dealt with on a case-by-case basis and the mere fact that a record is listed below does not mean that access to that record will be granted. Please note that the below list is not exhaustive.

Subject	**Categories of Records**
Management/Governance	Board/Governance committee reports and meeting minutes
	Strategic Plan, Annual Performance Plan.
	Legal records not in the public domain
	Organizational structure and positions
	Internal Policies, Standards and Procedures
Human Resources	Employee and non-employee records (employment contracts, performance, payroll and remuneration, disciplinary, training, job application details, education, employee onboarding records.
Customer	Contract/vendor agreements
	Credit information
	Customer profile records
	Billing
	Partner Rewards
Customer Interactions	Customer complaints, requests, and enquiries

Accounting	Records relating to the account holders (customer transactions, invoices, payment information, contracts, authentication records)
Facility	Authentication, Physical and Digital Access control records
Supply Chain Management	Third party onboarding records
	Responses to tenders and contract records
	Records of agreements/contracts, Service level agreements (SLA's), Invoice records
Corporate Social Investment	Funding applications and related records

6.5. Description of the records which are available in accordance with any other legislation:

6.5.1. The following legislation (as amended and supplemented from time to time) requires the Company to keep certain records:

6.5.1.1. Basic Conditions of Employment Act, 75 of 1997;

6.5.1.2. Broad Based Black Economic Empowerment Act, 53 of 2003;

6.5.1.3. Companies Act, 71 of 2008;

6.5.1.4. Compensation for Occupational Injuries and Disease Act, 130 of 1993;

6.5.1.5. Consumer Protection Act, 68 of 2008;

6.5.1.6. Customs and Excise Act, 91 of 196;

6.5.1.7. Electronic Communication and Transaction Act, 25 of 2002;

6.5.1.8. Employment Equity Act, 55 of 1998;

6.5.1.9. Income Tax Act, 95 of 1967;

6.5.1.10. Labour Relations Act, 66 of 1955;

6.5.1.11. National Credit Act, 34 of 2005;

6.5.1.12. Occupational Health and Safety Act, 85 of 1993;

6.5.1.13. Skills Development Act, 97 of 1998;

6.5.1.14. Unemployment Insurance Act, 63 of 2001; and

6.5.1.15. Value Added Tax Act, 89 of 1991.

6.6. Subjects on which the Company holds records and categories of records held on each subject :

6.6.1. Companies Act, 71 of 2008, records:

6.6.1.1. Codes of conduct;

6.6.1.2. Documents of incorporation;

6.6.1.3. Legal compliance records;

6.6.1.4. Memorandum of incorporation;

6.6.1.5. Minutes of board of directors' meetings;

6.6.1.6. Minutes of shareholders' meetings;

6.6.1.7. Policies; and

6.6.1.8. Records relating to the appointment of directors/auditors/secretary/public officers and other officers.

6.6.2. Financial records:

6.6.2.1. Accounting records;

6.6.2.2. Annual financial statements;

6.6.2.3. Asset register;

6.6.2.4. Audit' report (where an audit is required);

6.6.2.5. Bank payments and transfers;

6.6.2.6. Bank statements;

6.6.2.7. Banking records;

6.6.2.8. Detail of auditors (where an audit is required);

6.6.2.9. Electronic banking records;

6.6.2.10. Invoices; and

6.6.2.11. Tax returns.

6.6.3. Income Tax Act, 95 of 1967 and Value Added Tax Act, 89 of 1991, records:

6.6.3.1. Documents issued to employees for income tax purposes;

6.6.3.2. EMP submissions;

6.6.3.3. PAYE records;

6.6.3.4. Records of payments made to SARS on behalf of employees;

6.6.3.5. Skills development levies returns;

6.6.3.6. Tax clearance certificates;

6.6.3.7. Unemployment insurance fund returns;

6.6.3.8. Value added tax returns; and

6.6.3.9. Workman's compensation.

6.6.4. Personnel documents and records:

6.6.4.1. Attendance registers for employees;

6.6.4.2. Contacts – telephone-and-cell numbers, addresses and electronic mail addresses;

6.6.4.3. Disciplinary code;

6.6.4.4. Disciplinary records;

6.6.4.5. Employment contracts;

6.6.4.6. Leave records;

6.6.4.7. Records containing all employees' names and designation;

6.6.4.8. Salary records;

6.6.4.9. Training manuals; and

6.6.4.10. Training records.

6.6.5. Client records:

6.6.5.1. Clearing instructions;

6.6.5.2. Contracts;

6.6.5.3. Contacts – telephone-and-cell numbers, addresses and electronic mail addresses;

6.6.5.4. Correspondence;

6.6.5.5. Invoices;

6.6.5.6. Service agreements; and

6.6.5.7. Statements.

6.6.6. Supplier records:

6.6.6.1. Contacts – telephone-and-cell numbers, addresses and electronic mail addresses;

6.6.6.2. Description of services supplied and/or products delivered;

6.6.6.3. Payment history, which shows the supplier trading history;

6.6.6.4. Quantity or volume of the goods; and

6.6.6.5. Suppliers' names.

6.6.7. Electronic communication and transactions records:

6.6.7.1. Record of Personal Information and the specific purpose for which the Personal Information was collected.

6.6.8. Insurance records:

6.6.8.1. Professional indemnity insurance (where applicable); and

6.6.8.2. Business insurance.

6.6.9. Immovable and movable property records:

6.6.9.1. Agreements for the lease of immovable property; and

6.6.9.2. Other agreements for the purchase, ordinary sale, conditional sale, or hire of assets.

6.6.10. Third party records:

6.6.10.1. Records held by the Company pertaining to third parties, including, but not limited to financial records, correspondence, contracts, records supplied to the Company by third parties and records third parties have provided about any contractors and/or suppliers;

6.6.10.2. Records held by the Company pertaining to contractors, joint venture companies, special purpose vehicle companies and service providers;

6.6.10.3. In cases where information requested by the Requester may adversely or otherwise impact a third party, the IO is obliged to comply with the requirements as set out in terms of PAIA (especially sections 71 to 73 of PAIA).

7. PROCESSING OF PERSONAL INFORMATION

7.1. Note: Please consult the Company's Privacy Policy on www.maxtec.co.za for more detailed information on how the Company processes Personal Information of Data Subjects.

7.2. The Company will process Personal Information of Data Subjects based on:

7.2.1. The performance of the contract with a Data Subject or to conclude the contract and to take action on their requests –

7.2.1.1. For example, in installing software and hardware for clients, the Company may process Personal Information such as internet search history, cyber security related information and how its customer's security infrastructure is set up;

7.2.2. The Company's legitimate business interests, for example, fraud prevention, prevention of tax evasion and financial crime, maintaining the security of its network and services, direct marketing, and the improvement of services;

7.2.3. Compliance with a mandatory legal obligation, including for example:

7.2.3.1. Accounting and tax requirements, which are subject to strict internal policies, procedures and a Data Subject's right to restrict usage of their Personal Information, which control the scope of legal assistance to be provided;

7.2.3.2. Personal Information collected pursuant to legislation such as the Financial Intelligence Centre Act, 38 of 2001 (FICA), the Regulation of Interception of Communications and Provisions of Communication-related Information Act 70 of 2002 (RICA), the Electronic Communications and Transactions Act, 2002 (ECTA), the Electronic Communications Act, 2005 (ECA), the Consumer Protection Act, 2008 (CPA), the Promotion of Access to Information Act, 2000 (PAIA), and the Cybercrimes Act, 2020;

7.2.4. A Data Subject's consent, in such instance that the Company does not rely on another legal basis where such Processing is required –

7.2.4.1. A Data Subject's consent may be withdrawn at any time, subject to the Data Subject notifying the Company that their consent is withdrawn using the contact details in paragraph 4.1 above.

7.3. The purpose for which Personal Information is processed by the Company will depend on the nature of the services or products being provided to a Data Subject. Below are some purposes for Processing Personal Information:

7.3.1. To provide Data Subjects with the Company's product and services;

7.3.2. To bill Data Subjects for using the Company's products and services;

7.3.3. To contact Data Subjects if the billing information they provided to the Company is about to expire or the Company is not able to take payment;

7.3.4. To respond to any questions or concerns about the Company's products or services;

7.3.5. For employment purposes;

7.3.6. Managing third party relationships;

7.3.7. Marketing and tailoring service to Data Subjects;

7.3.8. To contact Data Subjects with customer service messages usually in the form of electronic mails to keep customers updated with current information about products and services they have taken -

7.3.9. To update customers on the Company's terms and conditions;

7.3.10. To deliver advertising to Data Subjects;

7.3.11. To perform credit checks, fraud prevention and security;

7.3.12. To manage visits by different stakeholders to any the Company premises; and

7.3.13. For research and analytics.

7.4. The Company holds information and records relating to the following Data Subjects, which list is non-exhaustive:

7.4.1. Employees/personnel of the Company;

7.4.2. Clients/customers of the Company;

7.4.3. Any third party and/or supplier with whom the Company conducts its business;

7.4.4. Contractors of the Company;

7.4.5. Partners, vendors and agents; and

7.4.6. Requesters in terms of PAIA and POPIA.

7.5. The categories of Personal Information that the Company may process of a Data Subject defined above include the following:

7.5.1. Full names, address, phone and/or mobile number, date of birth, gender, and electronic mail address;

7.5.2. Account information - such as dates of payment owed or received or account numbers;

7.5.3. Credential information – the Company may collect passwords, hints and similar security information used for authentication and access to accounts and services;

7.5.4. Preferences for particular products, services and lifestyle activities;

7.5.5. Photographs and images - when attending any of the Company's events or functions or accessing premises with surveillance cameras; and/or

7.5.6. Information obtained from other sources, such as credit agencies, suppliers of cyber security products, or fraud-prevention agencies.

7.6. The Company may supply information or records of information on the following categories of recipients:

7.6.1. The Company's employees, as part of executing its business functions;

7.6.2. Statutory oversight bodies, regulators (such as the Regulator), law enforcement agencies or judicial commissions of enquiry making a request for information;

7.6.3. Any court, administrative or judicial forum, arbitration, statutory commission, or ombudsman making a request for data or discovery in terms of the applicable rules;

7.6.4. SARS, or another similar authority;

7.6.5. Anyone making a successful application for access in terms of PAIA and POPIA, to the extent that such access is permitted in terms of PAIA and POPIA;

7.6.6. Debt collection agencies or other debt-recovery organisations;

7.6.7. Any third party and/or supplier with whom the company conducts its business;

7.6.8. Contractors of the Company;

7.6.9. Partners and agents;

7.6.10. The Financial Intelligence Centre;

7.6.11. Third parties that the Company uses to provide Data Subjects with marketing and advertisements; and

7.6.12. Companies in the Company convergence group.

7.7. The Company may transfer Personal Information of Data Subjects to the Company's inter-related group companies and/or authorised third parties beyond the borders of the Republic to achieve a defined purpose, including the achievement of its business functions.

7.8. The Company may engage in the cross-border transfer of Personal Information where:

7.8.1. The recipient is subject to existing legislation in their country;

7.8.2. The recipient has concluded a binding agreement that provides an adequate level of protection for the Personal Information that is substantially similar to the data protection laws applicable to the Republic;

7.8.3. The Data Subject has consented to such cross-border transfer;

7.8.4. The transfer is necessary for the conclusion and/or performance of a contract between the Company and the Data Subject;

7.8.5. The transfer is necessary for the conclusion or performance of a contract concluded between the Company and a Data Subject;

7.8.6. The transfer is to the benefit of the Data Subject and must take place in circumstances under which it is not reasonably possible to obtain the Data Subject's consent and if it were reasonably possible to obtain such consent, the Data Subject would be likely to give it.

7.9. The processing of Personal Information in a foreign jurisdiction may be subject to the laws of the country in which it is held, and may be subject to disclosure to the Governments, courts of law, enforcement or regulatory agencies of such other country, pursuant to the laws of such country. The Company will ensure the adequate protection of a Data Subject's Personal Information where such disclosures are required.

7.10. The Company is committed to continuously implementing security safeguards to protect Personal Information. For this reason, the Company has specialised security teams that constantly review and improve its measures to secure the integrity and confidentiality of Personal Information by taking appropriate, reasonable technical and organisational measures to protect it from unauthorised or unlawful access, accidental loss, damage, disclosure or destruction. This includes next generation firewalls, multi-step verification access, encryption methods, and role-based, zero trust access.

7.11. If the Company has an agreement with another organisation to provide services on its behalf, the Company will take reasonable steps to ensure that they have appropriate security measures in place that are substantially similar to the security measures implemented by the Company. These organisations will not be entitled to use Personal Information for their own purposes. If necessary, the security teams will conduct an audit on them to ensure they meet the Company's security requirements.

7.12. The Company shall, on an on-going basis, review its security controls and related processes to ensure that the Personal Information of Data Subjects is secure and retained only insofar as is required by law or needed for record-keeping purposes.

8. REQUEST PROCEDURE

8.1. A request for access to a record must be made in a prescribed Form 2 (which form is available on the Regulator's website - https://inforegulator.org.za/) to the Company at its address, fax number, or electronic email address outlined in paragraph 4.1 above. The form is available on request from the IO or DIO or from the website on www.maxtec.co.za.

8.2. The Requester must provide sufficient information for identification purposes. Therefore, proof of identity is required to authenticate the Requester such as a certified copy of their identity document, driver's license or passport.

8.3. If the request is made on behalf of another person, the Requester must provide proof of the capacity in which they are making the request and authorisation to make such request.

8.4. A request which does not comply with the formalities contained in this Manual (including Forms not completed correctly) will be referred back to the Requester with advice on the necessary steps for compliance.

8.5. Note: Information will not be furnished unless a Requestor clearly provides sufficient particulars to enable the Company to identify the right the Requester seeks to protect as well as an explanation of why the requested information is required for the exercise or protect that right.

9. PROCEDURE TO BE FOLLOWED BY THE COMPANY AFTER RECEIPT

9.1. The following procedure will be followed by the Company after receipt of the request for access:

9.1.1. Once a request is made in the prescribed Form 2, the Company will send an acknowledgment of receipt;

9.1.2. The Requester will receive notice from the Company to pay a request fee of equal to the prescribed amount;

9.1.3. The prescribed fee must be paid before the request is processed;

9.1.4. Payment of this fee should be made as directed by the Company;

9.1.5. If the request is granted, then the Requester might be required to pay a further access fee for the search, reproduction and preparation of the record as well as for the time that has exceeded the prescribed hours to search and to prepare the record for disclosure. This includes Personal Information requests, where applicable.

10. GUIDANCE FOR COMPLETING THE REQUEST FORM

10.1. The Requester can contact the Company using the details outlined in paragraph 4.1 above for guidance on how to complete Form 2, and the documents that need to be submitted or applicable fees.

10.2. An oral request for access to a record(s) may be made as a result of the illiteracy or disability of the Requester. The IO or DIO will assist the Requester to complete the prescribed form on behalf of such Requester and provide them with a copy of the completed form.

11. RESPONSE TIME

11.1. All requests complying with the requirements set out above will be processed and a written notice of the decision provided to the Requester within 30 calendar days after receiving the completed Form 2. In case of a request being refused, the notification will include the reasons for the refusal.

11.2. The Company may request an extension of the 30 calendar day notice period for a further period not exceeding an additional 30 calendar days due to the nature of the request and the amount of time required to gather the requested information.

11.3. The Company will make the extension request prior to the expiry of the 30 calendar day period and provide reasons for the extension.

12. GRANTING OR REFUSAL OF A REQUEST

12.1. If a Data Subject's request for access is granted, the Company will advise the Requester of:

12.1.1. The prescribed reproduction fees for accessing the information or documentation;

12.1.2. A deposit fee and balance outstanding (if any);

12.1.3. The form in which access will be given; and

12.1.4. The right to lodge an application to a relevant court or complaint to the Regulator against the access fee to be paid or the form of access to be granted, within 180 calendar days of the Company notifying the requester of its decision.

12.2. If the request for access is refused, the Company will advise the Requester about the reasons for refusal of access and may advise the Requester that they may lodge an application to court or a complaint to the Regulator against the refusal of the request.

12.3. Chapter 4 of the PAIA stipulates the following grounds for refusing requests for information:

12.3.1. Protection of the privacy of a third party who is a natural person;

12.3.2. Protection of commercial information of a third party;

12.3.3. Protection of certain confidential information of a third party;

12.3.4. Protection of the safety of individuals and protection of property;

12.3.5. Protection of records privileged from production in legal proceedings;

12.3.6. Commercial information on the private body;

12.3.7. Where the information requested is private, privileged or proprietary to a third party; and

12.3.8. Protection of research information of a third party and of the private body.

12.4. These grounds of refusal are also endorsed in section 23(4)(a) of POPIA. If a request for access to Personal Information is made and part of that information may or must be refused in terms of PAIA, every other part will be disclosed.

13. RECORDS THAT CANNOT BE LOCATED OR DO NOT EXIST

13.1. The Company will provide a response in the form of an affidavit or affirmation. This also applies where the requested records do not exist.

14. ANNUAL REPORT IN TERMS OF SECTION 32 OF PAIA

14.1. The IO will submit an updated report annually on the regulator website.

15. PRESCRIBED FEES

15.1. There are two basic types of fees applicable in terms of PAIA – “request” and “access” fees:

15.1.1. A request fee, which will be a standard fee;

15.1.2. An access fee, which must be calculated by taking into account reproduction costs, search time, identification and preparation time and cost, as well as postal (delivery) costs.

15.2. When the request is received by the IO, the IO must by notice require the Requester, other than a Personal Information Requester, to pay the prescribed request fee (if any), before further processing of the request.

15.3. If the time required to search the requested record, prepare the record for disclosure and make any arrangements to make the record available to the Requestor requires more than six (6) hours, the IO or DIO shall notify the Requester, who will be required to pay the access fee payable as a deposit.

15.4. The IO or DIO shall be entitled to withhold a record until the Requester has paid the required fee and/or a

Maxtec Peripherals (Pty) Ltd
Monte Circle Office Park, Building A
Ground Floor, Montecasino Boulevard, Sandton
Tel +27(11) 8036635 | Support 0860 maxtec
PO Box 69938, Bryanston, 2021, South Africa
Company Reg No.1988/001326/07 | Vat No. 4840119921
Directors: C.Nel | M.Nel | P.Pillay | V.Gokaldas | D.Stevinson

deposit for the fee (as required in paragraph 15.3).

15.5. A Requester whose request for access to a record has been granted is required to pay an access fee for the reproduction, the search and preparation and for any time reasonably required in excess of six (6) hours to search for and prepare the record for disclosure, including making arrangements to make it available to the Requester in the required form.

15.6. If a deposit has been paid in respect of a request for access that is refused, then the IO or DIO must repay the deposit to the Requester within a reasonable period after access has been refused.

15.7. The prescribed forms and fees payable in respect of access to records are available on the website of the Regulator at https://inforegulator.org.za/.

16. LODGING OF COMPLAINTS

16.1. PAIA and POPIA makes provision for the lodging of a complaint to the Regulator by any person who:

- 16.1.1. Alleges that a decision relative to a request for access to records was not in compliance with PAIA or POPIA for refusing access;
- 16.1.2. Is aggrieved by a decision regarding the fees prescribed in this Manual and/or the regulations;
- 16.1.3. Is aggrieved by the extension of the period within which the request must be dealt;
- 16.1.4. Is aggrieved by the Company refusing access in the form requested by the requester.

16.2. The complainant may also apply to a court with appropriate jurisdiction.

16.3. A complaint to the Regulator must be in the prescribed manner and form as published on the website of the Regulator and lodged within 180 calendar days of the decision from the Company.