

# POPIA MANUAL & POPIA COMPLIANCE MANAGEMENT FRAMEWORK

This manual was prepared in accordance with section 51 of the Promotion of Access to Information Act, 2000 (“PAIA”) to address requirements of the Protection of Personal Information Act, 2013 (“POPIA”).

This manual applies to

**INTELLIGENT SAFE TECHNOLOGIES (PTY) LTD**  
(Registration No: 2016/189796/07)  
(hereinafter referred to as “the Company”)

Version control	Date	Author/Reviewer	Comment
1.0	01 February 2023	Jacques Viljoen Attorneys (B Schoeman)	Finalised for publication, effective from 6 February 2023

## 1. INTRODUCTION

### 1.1.1 Purpose of this Manual

1.1.2 Under the Promotion of Access to Information Act 2000 (“PAIA”), IST is required to grant individuals access to records held by IST if that record is required by the individual to exercise or protect any legal right that individual enjoys under the law.

1.1.3 Additionally, under the Protection of Personal Information 2013 (“POPIA”), The Company is required to be open and transparent about how The Company handles personal information and allow individuals to access and correct their personal information.

1.1.4 The purpose of this Manual is to set out the information which The Company is legally required to disclose under PAIA and POPIA, and to explain how you can exercise your statutory rights under PAIA and POPIA with respect to records and personal information handled by The Company.

## 2. STATUS AND SCOPE OF THIS MANUAL

This Manual (version 1.0) was last updated on 01 February 2023 and will become effective on 04 February 2023. This Manual may be revised from time to time to reflect changes in laws and regulations, or changes in The Company's business operations.

## 3. THE COMPANY

3.1 Intelligent Safe Technologies (Pty) Ltd is a private company with limited liability duly registered in terms of South African company laws with registration no: 2016/189796/07 and with its registered address at Unit S14/S15 Spearhead business park, Montague Drive, Montague Gardens, Cape Town, 7441.

3.2 The Company conducts the business of a private security and safe technology company specialising in smart safes.

## 4. RIGHTS OF THE DATA SUBJECT IN TERMS OF PAIA

4.1 PAIA gives 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; and to provide for matters connected therewith.

4.2 Records that the Company makes available under PAIA is described clause 6 of this Manual.

4.3 A Data subject that wishes to make a request for information shall follow the procedure set out in clause 8 & 9 of this Manual.

4.4 Any request contemplated in clause 4.3 above shall be subject to the applicable charges set out in clause 11.

4.5 the South African Human Rights Commission (“SAHRC”) produced detailed guidance to be followed by any person wishing to enforce the rights under PAIA and can be accessed on the SAHRC's website: [www.sahrc.org.za](http://www.sahrc.org.za).

## 5. AVAILABILITY OF THIS MANUAL

5.1 A copy of this manual is available to the public for inspection on the Company's website and or registered offices as listed above or on request from the Designated Contact Person.

5.2 The Designated Information Officer is responsible for the administration of and compliance with PAIA in a fair and objective manner. The Information Officer is:

5.2.1 Name: Louis Du Toit  
Tel no: +27823856111  
E-Mail: [louis@intelligentsafe.co.za](mailto:louis@intelligentsafe.co.za)  
Address: Unit S14/S15 Spearhead business park, Montague Drive, Montague Gardens, Cape Town, 7441

## 6. ACCESS TO RECORDS

6.1 PAIA grants a person access to the records of a private body, if such record is required for the exercise or protection of any rights. If a public body lodges a request for access, the public body must be acting in the public interest.

6.2 Requests in terms of PAIA shall be made in accordance with the prescribed procedures and at the rates provided. The forms and tariff are dealt with in paragraphs 6 and 7 of PAIA.

6.3 Persons seeking access to the records of the Company are referred to the Guide in terms of Section 10 of PAIA which has been compiled by and is available at the SAHRC with the following contact details:

6.3.1 Postal Address: Private Bag 2700, Houghton, 2041  
Tel No: +27 11 877 3600  
Website: [www.sahrc.org.za](http://www.sahrc.org.za)

## 7. RECORDS ACCESSIBLE IN TERMS OF OTHER LEGISLATION

7.1 It is possible that this list may be incomplete. The Company shall, whenever it comes to its attention that existing or new legislation allows a person access to records on a basis other than as set out in PAIA, the Company shall update the list accordingly. If a person believes that a right of access to a record exists in terms of other legislation listed above or any other legislation, such a person is required to indicate what legislative right the request is based on allowing the Information Officer the opportunity of considering the request in light thereof.

7.2 Records are kept in accordance with the following legislation (this list is not exhaustive):

Companies Act 71 of 2008  
Basic Conditions of Employment Act 75 of 1997  
Occupational Health and Safety Act 85 of 1993  
Compensation for Occupational Injuries and Diseases Act 130 of 1993  
Employment Equity Act 55 of 1998  
Income Tax Act 58 of 1962  
Labour Relations Act 66 of 1995  
Unemployment Insurance Act 30 of 1966  
Unemployment Contributions Act 4 of 2002  
Value Added Tax Act 58 of 1962  
Promotion of Access to Information Act 2 of 2000  
Protection of Personal Information Act 4 of 2013  
Consumer Protection Act 68 of 2008  
Financial Intelligence Centre Act 38 of 2001  
Prevention of Organised Crime Act 121 of 1998  
Protection of Constitutional Democracy against Terrorist and Related Activities Act 33 of 2004

7.2.1 The Company holds records on the following subjects:  
(insert the various types of records that the Company holds, i.e. Personal information, Biometrics)  
A person is not automatically allowed access to such records and access to thereto may be refused in accordance with Section 62 of PAIA.

## 8. REQUESTS MADE IN TERMS OF PAIA

8.1 Records held by the Company may be accessed on request, and subject to fulfilment of the access requirements.

8.2 PAIA distinguishes between the following two categories of persons requesting records:

8.2.1 Personal Requester, being a person seeking access to a record containing personal information about the requester and the Company will, subject to the provisions of PAIA and other legislation, allow access to any record pertaining to the requester's personal information. The Company shall charge the prescribed fee for reproduction of the requested information; and

8.2.2 Other Requester, being a person other than a Personal Requester, is, subject to the provisions of PAIA and any other legislation, entitled to access information pertaining to third parties. However, the Company is not obliged to grant access to the Other Requester prior to fulfilling the requirements of PAIA. The Company shall charge the prescribed fee for reproduction of the information requested.

## 9. PROCESSING OF REQUESTS

9.1 A requester must complete the request form and make payment of the request fee and submit both the form and the proof of payment, if applicable, to the Information Officer at the physical address, or electronic mail address as stated herein.

9.2 The request form must be filled in with enough information to at least enable the information officer to identify:

- 9.2.1 The record or records requested;
- 9.2.2 The identity of the requester;
- 9.2.3 The form of access required;
- 9.2.4 The postal address, fax number or email address of the requester.

9.3 A requester must state that he or she requires the information to exercise or protect a right, and clearly state what the nature of the right is, so to be exercised or protected.

9.4 The Company shall process a request within 30 days, unless the requestor has stated special reasons to the satisfaction of the Information Officer that justifies a deviation from this period

9.5 The requester shall be informed in writing whether access has been granted or denied. If, in addition, the requester requires the reasons for the decision in any other manner, it must be sufficiently indicated.

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

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

## 10. GROUNDS FOR REFUSAL OF ACCESS TO RECORDS IN TERMS OF PAIA

The Company may refuse a request for personal information in the event that a request is made for access to:

10.1 Personal Information, the disclosure of which would be unreasonable with regard to protection of the privacy of a third party who is a natural person, including a deceased person;

10.2 Commercial information of a third party where the records contain:

- 10.2.1 Trade secrets of that third party;
- 10.2.2 Financial, commercial, scientific, or technical information of the third party, the disclosure of which could likely cause harm to the financial or commercial interests of that third party; and/or
- 10.2.3 Information disclosed in confidence by a third party to the Company the disclosure of which could put that third party at a disadvantage in contractual or other negotiations or prejudice the third party in commercial competition.

10.3 Confidential information third parties protected in terms of any agreement.

10.4 Any records which related to the protection of the safety of individuals or the protection of property.

10.5 Privileged documents.

10.6 Research or information of the Company or a third party if such disclosure would place the researcher or the researcher at a serious disadvantage.

10.7 Records, which requests are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources.

10.8 Records subject to attorney / client confidentiality.

10.9 Confidential information relating to minors; and

10.1 Confidential information determined as such by a court order.

## 11. CHARGES APPLICABLE TO A PAIA/POPIA REQUEST

11.1 There are two types of fees which are payable under PAIA, namely Request Fee, and Access Fee.

11.2 The Request Fee is payable upon making a request to access records/personal information, and R 57.00 (inclusive of VAT) is charged for each request.

11.3 The Request fee is not applicable in the event of:

- 11.3.1 a private individual requesting access to his or her own records/personal information;
- 11.3.2 the requester being single person earning less than R 14 812 per annum; or
- 11.3.3 a married requester earning less than R 27 192 per annum.

11.4 Access Fee is payable in respect of records/personal information which are produced in response to your request. Access Fee is payable by everyone who makes a request. The rate of Access Fees are as follows:

Type of activity involved in producing the record or personal information	Rate (inc. VAT)
For every photocopy of an A4-size page or part thereof	R1.25
For every printed copy of an A4-size page or part thereof. Held on a computer or in electronic or machine-readable form.	R0.86
For a copy in a computer-readable form on stiffer disk	R8.55
For a copy in a computer-readable form on CD.	R79.80
For a transcription of visual images, for an A4-size page or part thereof.	R45.60
For a copy of visual images.	R68.40
For a transcription of an audio record, for an A4-size page or part thereof.	R22.80
For a copy of an audio record.	R34.20
Each hour or part of an hour (excluding the first hour) reasonably required to search for and prepare the record/personal information for disclosure.	R34.20
For posting the record/personal information.	Actual postage incurred

## 12. PURPOSE OF PROCESSING PERSONAL INFORMATION

The Company processes the personal information of the Data Subject in order to provide security solutions and to enable certain of the data subjects access to certain levels of security clearance.

## 13. CATEGORIES OF DATA SUBJECTS AND OF THE INFORMATION OR CATEGORIES OF INFORMATION RELATING THERETO

13.1 Personal information collected for the above purpose shall be destroyed as soon as a client of the Company ceases to be a client of the Company.

13.2 Personal information of employees of a client of the Company shall be destroyed in accordance with clause 13.1 above or at such time as the employee ceases to be employed by the client.

Categories of Data Subjects	Personal Information that may be processed
Customers / Clients	name, address, registration numbers or identity numbers, employment status and bank details biometric information, trade secrets
Service Providers	names, registration number, vat numbers, address, trade secrets and bank details
Employees	address, qualifications, gender and race

## 14. PLANNED TRANS-BORDER FLOWS OF PERSONAL INFORMATION

Personal Information may be transmitted trans-border to The Company's suppliers in other countries, and Personal Information may be stored in data servers hosted outside South Africa, which may not have adequate data protection laws. The Company will endeavour to ensure that its service providers will make all reasonable efforts to secure said data and Personal Information. The Receiving Party may use the Confidential Information exclusively in relation to the Purpose.

## 15. ASSESSMENT OF SECURITY MEASURES TO PROTECT PERSONAL INFORMATION

15.1 The Company undertakes to institute and maintain the data protection measures to accomplish the following objectives outlined below. The details given are to be interpreted as examples of how to achieve an adequate data protection level for each objective. The Company may use alternative measures and adapt to technological security development, as needed, provided that the objectives are achieved:

15.1.1 Access Control of Persons

15.1.2 Data Media Control

15.1.3 Data Memory Control

15.1.4 User Control

15.1.5 Access Control to Data

15.1.6 Transmission Control

15.1.7 Transport Control

15.1.8 Organisation Control

15.2 The Company is able to ensure the above by implementing the following:

15.2.1 Staff awareness program

15.2.2 Policies

15.2.3 Procedure Guidelines

15.2.4 Technical Security Measures

15.2.5 Organisational Security Measures

This manual is binding on all employees of the Company and all such employees agree to abide by its provisions and to protect the personal information of the clients, its employees in accordance with POPIA.

Signed on 6 February 2023.  
Intelligent Safe Technologies CEO