# MANEX AND POWER MARINE (PTY) LTD

## Promotion of Access to Information Manual

Compiled as a private body in terms of Section 51 of the Promotion of Access to Information Act 2 of 2000 (“PAIA”)

# POPIA - Request Forms

This Manual also includes information on the submission of objections to the processing of personal information and requests to delete or destroy personal information or records thereof in terms of the Protection of Personal Information 4 of 2013 (“POPIA”).

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## 1. INTRODUCTION

1.1. Manex and Power Marine (Pty) Ltd ("Manex") is a private company incorporated in accordance with the company laws of South Africa and subsidiary of Cullinan Holdings Limited ("Cullinan"). Manex has determined the manner in which information is to be requested under PAIA and POPIA. This PAIA Manual applies to records held by Manex.

1.2. Cullinan comprises the following business units and subsidiaries:

| | | |
|---|---|---|
| **Travel & Tourism** | | |
| Thompsons Holidays | Pentravel | Thompsons Corporate Travel |
| Island Light Holidays | Thompsons Corporate Travel | Zambian Touring Company (Pty) Ltd |
| SAA Holidays | Thompsons Leisure Travel | Thompsons Indaba Safaris (KZN) (Pty) Ltd |
| Gateway Africa (Pty) Ltd | Planet Africa Travel | Springbok Atlas Charter (South Africa) |
| Thompsons Africa | Hylton Ross Tours (Pty) Ltd | Springbok Atlas Charter (Namibia) |
| Planet Africa Tours | Ikapa Luxury Tours | Eastgate Safaris |
| Ikapa Destination Management Company | Kasane Fish Farms (Pty) Ltd t/a Chobezi Tours | Thompsons Group and Incentives |
| Springbok Atlas Touring and Safaris | Grosvenor Tours | Underneath Trading (Pty) Ltd t/a Thompsons Zimbabwe |
| **Corporate Services** | | |
| Cullinan Corporate and IT Services | Cullinan Properties Ltd | |
| **Financial Services** | | |
| Glacier Enterprises (Pty) Ltd | Cullinan Financial Services | |
| **Marine & Boating** | | |
| Central Boating (Pty) Ltd | Manex Power and Marine (Pty Ltd | |

1.3. This Manual applies only to Manex Power and Marine (Pty) Ltd ("Manex")

## 2. DEFINITIONS AND INTERPRETATION

2.1. Unless otherwise expressly stated, or the context otherwise requires, the words and expressions listed below shall, when used in this Manual or in any schedules hereto, bear the meanings ascribed to them below and cognate expressions bear corresponding meanings:

2.1.1. "**Board**" means the Board of Directors of Manex serving from time to time;

2.1.2. "**Directors**" means those persons appointed as executive or non-executive Directors to the Board according to Manex's memorandum of incorporation and the ruling policies and procedures applicable to Manex from time to time;

2.1.3. "**Manex**" means Manex Power and Marine (Pty) Ltd with registration number 2018/275300/07;

2.1.4. "**PAIA**" means the Promotion of Access to Information Act 2 of 2000;

2.1.5. "**Personal Information**" means personal information as defined in POPIA;

2.1.6. "**POPIA**" means the Protection of Personal Information Act 4 of 2013;

2.1.7. "**Records**" means any recorded information—

(a) regardless of form or medium, including any of the following:

(i) writing on any material;

(ii) information produced, recorded or stored by means of any tape-recorder, computer equipment, whether hardware or software or both, or other device, and any material subsequently derived from information so produced, recorded or stored;

(iii) label, marking or other writing that identifies or describes anything of which it forms part, or to which it is attached by any means;

(iv) book, map, plan, graph or drawing;

(v) photograph, film, negative, tape or other device in which one or more visual images are embodied to be capable, with or without the aid of some other equipment, of being reproduced;

2.1.8. "**this Manual**" means this PAIA Manual.

2.2. In this Manual:

2.2.1. table of contents and paragraph headings are for purposes of reference only and shall not be used in interpretation;

2.2.2. unless the context clearly indicates a contrary intention, any word connoting any gender includes the other genders, and the singular includes the plural and vice versa;

2.2.3. When a number of days are prescribed such number shall exclude the first and include the last day unless the last day is not a business day, in which case the last day shall be the next succeeding business day.

## 3. CONTACT DETAILS AND INFORMATION OFFICER [Sec 51(1)(a)]

3.1. All queries and requests concerning Manex may be addressed to our Information Officer below.

| | |
|---|---|
| **Name of Body** | Manex Power and Marine (Pty) Ltd |
| **Nature of Business** | (1) Private Body in terms of section 51 of PAIA.<br>(2) Public company incorporated in terms of the Companies Act 71 of 2008 |
| **Registration Number** | 2018/275300/07 |
| **Physical Address** | 9 Paarden Eiland Road, Paarden Eiland, Cape Town, 7420 |
| **Postal Address** | PO Box 173, Paarden Eiland, Cape Town, 7405 |
| **Telephone Number** | +27 (0)11 511 7292 |
| **Facsimile Number** | +27 (0)11 510 1487 |
| **Executive Head of Body** | Gary Sindler |
| **Designated Information Officer** | Gary Sindler |
| **E-mail Address** | gary.sindler@manex.co.za |
| **Website** | www.manex.co.za |

## 4. SECTION 10 GUIDE ON HOW TO USE THE ACT [Sec 51(1)(b)]

4.1. In terms of Section 10 of PAIA, the Human Rights Commission has compiled, in each official language, a guide to PAIA to assist people exercising their rights under PAIA.

4.2. The guide is available from the Human Rights Commission. To receive a copy of the guide please direct any queries to:

**The Human Rights Commission**

| | |
|---|---|
| **Postal address:** | Private Bag 2700, Houghton, 2041 |
| **Physical address:** | Braampark Forum 3, 33 Hoofd Street, Braamfontein, Johannesburg |
| **Telephone:** | +27 11 484 8300 |
| **Facsimile:** | +27 11 484 0582 |
| **Website:** | www.sahrc.org.za |
| **Email:** | section51.paia@sahrc.org.za |

## 5. AUTOMATICALLY AVAILABLE INFORMATION

5.1 No notice has been submitted by the company to the Minister of Justice and Constitutional Development regarding the categories of records, which are available without a person having to request access in terms of Section 52(2) of PAIA. However, the information on the website of the business is automatically available without having to request access in terms of PAIA.

## 6. CATEGORIES OF RECORDS AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS IN TERMS OF PAIA

6.1. This is limited to any information that is already available to the public, including but not limited to any information held by the Companies and Intellectual Property Commission, the Deeds Offices, and on the internet.

## 7. RECORDS MAINTAINED PER OTHER LEGISLATION [Sec 51(1)(d)]

7.1. Where applicable to our operations, information is also kept and maintained per the following legislation, including but not limited to:

7.1.1. Basic Conditions of Employment Act No.75 of 1997
7.1.2. Board Based Black Economic Empowerment Act No. 53 of 2003
7.1.3. Compensation for Occupational Injuries and Diseases Act No. 130 of 1993
7.1.4. Collective Investment Schemes Control Act No. 45 of 2002
7.1.5. Companies Act No. 71 of 2008
7.1.6. Consumer Protection Act No. 68 of 2008
7.1.7. Copyright Act No. 98 of 1987
7.1.8. Deeds Registries Act No. 47 of 1937
7.1.9. Electronic Communications and Transactions Act No. 25 of 2002
7.1.10. Employment Equity Act No. 55 of 1998
7.1.11. Financial Intelligence Centre Act No. 38 of 2001
7.1.12. Financial Markets Act No. 19 of 2012
7.1.13. Immigration Act No. 13 of 2002
7.1.14. Income Tax Act No. 58 of 1962
7.1.15. Labour Relations Act No. 66 of 1995
7.1.16. Long Term Insurance Act No. 52 of 1998
7.1.17. Medical Schemes Act No. 131 of 1998
7.1.18. National Credit Act No. 34 of 2005
7.1.19. Occupational Health and Safety Act No. 85 of 1993
7.1.20. Patents Act No. 57 of 1987
7.1.21. Pension Funds Act No. 24 of 1956

7.1.22. Promotion of Access to Information Act No.2 of 2000
7.1.23. Promotion of Equality and Prevention of Unfair Discrimination Act No. 4 of 2000
7.1.24. Protected Disclosures Act No. 26 of 2000
7.1.25. Protection of Personal Information Act No.4 of 2013
7.1.26. Regulation of Interception of Communications and Provisions of Communication Related Information Act No. 70 of 2002
7.1.27. Safety at Sports and Recreational Events Act No. 2 of 2010
7.1.28. Short Term Insurance Act No. 53 of 1998
7.1.29. Skills Development Levies Act No. 9 of 1999
7.1.30. South African Revenue Services Act No. 34 of 1997
7.1.31. South African Reserve Bank Act No. 90 of 1989
7.1.32. Unemployment Insurance Act No. 63 of 2001
7.1.33. Value Added Tax Act No. 89 of 1991.
7.1.34. Customs and Excise Act No. 94 of 1994
7.1.35. International Trade Administration Act No. 71 of 2002
7.1.36. Explosives Act No. 57 of 2003
7.1.37. Disaster Risk Management Act No. 57 of 2003
7.1.38. Promotion to Administrative Justice Act No 3 of 2000

## 8. SUBJECT AND CATEGORIES OF RECORDS HELD BY MANEX: SECTION 51(1)(e)

8.1. Manex maintains the following categories of records and related subject matter. The status of the record's availability, the purpose for its processing and the relevant data subject category to who the record relates are set out below. Access to these records may be protected by professional privilege, confidentiality, privacy grounds and/or other reasonable grounds of refusal as set out in this Manual.

| Category | Record | Availability | Purpose | Data Subject | |
|---|---|---|---|---|---|
| **Human Resources** | Employment applications | PAIA Request | Internal Referencing | Employees | |
| | Employment Contracts | PAIA Request | Contractual Agreement | | |
| | Employee information of (take-on forms) | PAIA Request | Contractual Agreement | | |
| | Employment Equity Reports and Skills Plan | PAIA Request | Statutory Requirement | Organisation | |
| | Medical Aid Records | PAIA Request | Internal Referencing | Employees | |

| | | | | | |
|---|---|---|---|---|---|
| | Pension / Provident Fund Records | PAIA Request | Internal Referencing | | |
| | Disciplinary and CCMA Records | PAIA Request | Statutory Requirement | | |
| | Performance Management Records | PAIA Request | Internal Referencing | | |
| | Payroll and Salary Records | PAIA Request | Internal Referencing | | |
| | Employee Benefit Records | PAIA Request | Internal Referencing | | |
| | PAYE Records | PAIA Request | Statutory Requirement | | |
| | SETA Records | PAIA Request | Statutory Requirement | | |
| | Disciplinary Code | PAIA Request | Statutory Requirement | Organisation | |
| | Leave Records | PAIA Request | Internal Referencing | Employees | |
| | Training Records | PAIA Request | Internal Referencing | | |
| | Loan and Bursary Agreements | PAIA Request | Internal Referencing | | |
| | Recruitment and other HR policies | PAIA Request | Internal Referencing | | |
| | | | | | |
| **Financial Information** | Annual financial returns | PAIA Request | Statutory Requirement | Organisation | |
| | Management Accounts and Reports | PAIA Request | Statutory Requirement | | |
| | Asset register | PAIA Request | Internal Referencing | | |
| | Tax returns | PAIA Request | Statutory Requirement | | |
| | Accounting records and Annual Reports | PAIA Request | Statutory Requirement | | |
| | Bank statements and reconciliations | PAIA Request | Internal Referencing | | |
| | Cheques paid | PAIA Request | Internal Referencing | | |
| | Invoices | PAIA Request | Internal Referencing | | |

| | | | | | |
|---|---|---|---|---|---|
| | PAYE records | PAIA Request | Statutory Requirement | Employees | |
| | IRP5 records | PAIA Request | Statutory Requirement | | |
| | UIF contribution records | PAIA Request | Statutory Requirement | | |
| | Records of payments to SARS on behalf of employees | PAIA Request | Statutory Requirement | | |
| | | | | | |
| **Regulatory & Administrative** | Permits, Licenses or Authorities | Freely Available | Statutory Requirement | Organisation | |
| | FICA and other legislative policies and plans | PAIA Request | Statutory Requirement | | |
| | Memorandum of Incorporation | Freely Available | Statutory Requirement | | |
| | Meeting minutes | PAIA Request | Statutory Requirement | | |
| | Register of Board of Directors | PAIA Request | Statutory Requirement | | |
| | Share Register | PAIA Request | Statutory Requirement | Shareholders / Organisation | |
| | Internal correspondence (e-mails/memos) | PAIA Request | Internal Communications | Employees | |
| | Insurance Policies | PAIA Request | Risk Management | Organisation | |
| | Policies, Procedures and codes of conduct | PAIA Request | Internal Referencing | | |
| | Records about fixed and movable assets | PAIA Request | Internal Referencing | | |
| | Training records | PAIA Request | Statutory Requirement | Organisation | |
| | Further records required to be kept in terms of the Companies Act 71 of 2008 | PAIA Request | Statutory Requirement | Organisation | |
| | Record of Processing Activities in terms of POPIA. | PAIA Request | Statutory Requirement | Organisation | |
| | | | | | |
| **Sales and Marketing** | Customer lists | PAIA Request | Legitimate interest | Customer | |
| | Customer agreements | PAIA Request | Statutory Requirement | | |

| | | | | | |
|---|---|---|---|---|---|
| | Customer records | PAIA Request | Contractual Agreement | | |
| | Customer instructions | PAIA Request | Statutory Requirement | | |
| | Customer correspondence | PAIA Request | Statutory Requirement | | |
| | Sales / Subscriptions / Transactions concluded by customers. | PAIA Request | Statutory Requirement | | |
| | Statements of account | PAIA Request | Statutory Requirement | | |
| | | | | | |
| **Operations** | Archival Admin documentation | PAIA Request | Statutory Requirement | Organisation | |
| | Vehicle registration documents | PAIA Request | Statutory Requirement | | |
| | Rental agreements | PAIA Request | Contractual Agreement | Third-Party | |
| | Contracts and legal agreements | PAIA Request | Contractual Agreement / legitimate interest | | |
| | Joint venture agreements | PAIA Request | Contractual Agreement | | |
| | Non-disclosure agreements | PAIA Request | Risk Management / legitimate interest | | |
| | Letters of Intent | PAIA Request | Contractual Agreement | | |
| | Service Level Agreements | PAIA Request | Contractual Agreement | | |
| | | | | | |
| **Information technology** | Hardware | PAIA Request | Risk Management / legitimate interest | Organisation / Suppliers | |
| | Software packages and licenses | PAIA Request | Contractual Agreement | Organisation / Suppliers | |
| | IT policies and operating procedures | PAIA Request | Risk Management / legitimate interest | Organisation | |
| | | | | | |
| **Corporate Travel** | Travel agent invoices, foreign exchange orders, vehicle and travel insurance declarations | PAIA Request | Contractual Agreement | Employee / Third Party | |
| | Corporate agreements with airlines, hotels, vehicle rental companies | PAIA Request | Contractual Agreement | | |

| | | | | | |
|---|---|---|---|---|---|
| | Cell phone contracts | PAIA Request | Contractual Agreement | | |

## 9. ACCESS REQUEST PROCEDURES

9.1. **Request for Official Information**

9.1.1. Requests for Manex's official information should be addressed in writing to the Information Officer of Manex at an address in paragraph 3 above.

9.1.2. Requests should be made using the prescribed PAIA **Form 2 (InfoRegSA-PAIA-Form2)** attached hereto and include the reason why the information is sought. The form is also available from the website of the Human Rights Commission, or the website of the Department of Justice and Constitutional Development at www.doj.gov.za.

9.1.3. If a request is refused, the applicant will be told the reason for the refusal.

9.1.4. A request must be answered within thirty (30) days after the request has been received.

9.1.5. A requestor may ask that the request be treated as urgent, but reasons should be provided for seeking urgency.

9.1.6. The time limit for answering requests can be extended in some cases, but the applicant will be advised of the refusal and the reasons for it. For example, an extension may be required where:

9.1.6.1. the request is for a large number of records;

9.1.6.2. the search for the records is to be conducted at premises not situated in the same town or city as the head office of Manex;

9.1.6.3. consultation among divisions or departments, as the case may be, of Manex is required;

9.1.6.4. the parties agree in any manner to such an extension.

9.1.6.5. Most requests will be answered without a charge but should Manex incur any costs in retrieving the information or have to make photocopies, a nominal fee will be charged which fee will be determined by the Board.

9.1.7. Manex will endeavour to provide the information in the form requested, unless to do so will impair efficient administration, be contrary to a legal duty or prejudice the interests that are protected by withholding for example:

9.1.7.1. reasonable opportunity to inspect the document;

9.1.7.2. provide a copy of the document;

9.1.7.3. making arrangements for the person to hear or view any relevant sounds or images;

9.1.7.4. transcript, excerpt, summary or oral information concerning words recorded or in a document; or

9.1.7.5. provide with deletions or alterations as are necessary to protect the interests protected by withholding grounds.

9.1.8. If the head of Manex or the Information Officer fails to respond within thirty days after a request has been received, the request is deemed to be refused in terms of section 58 read together with section 56(1) of PAIA.

9.1.9. The requester may lodge an appeal with a court of competent jurisdiction against any extension or any procedure set out in this section.

## 10. PRESCRIBED FEES: SECTION 51(1)(f)

10.1. The requestor must pay the non-refundable, prescribed request fee of R50.00 (Fifty Rand) to be submitted together with the completed **Form 2 (InfoRegSA-PAIA-Form2)** to Manex. Should the request for access to information be approved, further fees will be payable per the provisions of PAIA and these fees will be made known to the requester by the Information Officer. An itemised fee structure can be obtained on the SAHRC website, https://www.sahrc.org.za, and a copy thereof is attached hereto.

10.2. Access to information, if approved, will only be provided once all the prescribed fees have been paid.

10.3. In terms of POPIA, a data subject has the right to request Manex to confirm, free of charge, whether or not it holds personal information about the data subject.

## 11. REASONS FOR REFUSAL

11.1. Manex may neither confirm nor deny the existence or non-existence of the information requested to protect an interest identified as a conclusive reason to withhold information or to protect trade secrets or the commercial position of the person who supplied the information or is the subject of the information.

11.2. Manex may also refuse to provide information if:

11.2.1. the making available of the information would be contrary to the provisions of specific legislation;

11.2.2. the information requested is or will soon be publicly available;

11.2.3. the document alleged to contain the information requested does not exist or cannot be found;

11.2.4. the information requested is not held and the person dealing with the request has no grounds for believing that the information is either held or more closely connected with the functions of Manex;

11.2.5. the request is frivolous or vexatious or that the information requested is trivial;

11.2.6. the information contains protected copyright;

11.2.7. disclosure of the information would involve the unreasonable disclosure of personal information or special personal information in terms of POPIA (privacy); and/or

11.2.8. the information is confidential or protected by privilege.

## 12. GOOD REASONS FOR WITHHOLDING INFORMATION

12.1. Information may be withheld where:

12.1.1. the giving might prejudice the security and shareholder or customer relations of Manex;

12.1.2. the giving of the information might endanger an employee or shareholder or customer's safety;

12.1.3. to protect the privacy of natural persons who may be third parties, employees or shareholders or customers;

12.1.4. to protect trade secrets or the commercial position of Manex or the person who supplied or who is the subject of the information;

12.1.5. to protect the confidential information which, if released, would prejudice the supply of such similar information or damage the public interest;

12.1.6. to protect the substantial economic interests of Manex; or

12.1.7. where information is protected by legal or litigation privilege.

***NOTE:*** *It is important to note that access is not automatic. An application for access to information can be refused at the reasonable discretion of the Information Officer, including but not limited to the reasons in this Manual and if the application does not comply with the procedural requirements. If it is reasonably suspected that the requester has obtained access to the records through the*

*submission of materially false or misleading information, legal proceedings may be instituted against such requester.*

## 13. INFORMATION OR RECORDS NOT FOUND

13.1. If all reasonable steps have been taken to find a record, and such a record cannot be found or if the records do not exist, then the head of Manex or the request liaison officer shall notify the requester, by way of an affidavit or affirmation, that it is not possible to give access to the requested record. This notice shall be considered as a deemed refusal for purposes of PAIA.

13.2. The affidavit or affirmation shall provide a full account of all the steps taken to find the record or to determine its existence.

13.3. If the record in question should later be found, the requester shall be given access to the record in the manner stipulated by the requester in the prescribed form unless access is refused.

## 14. INFORMATION REQUESTED ABOUT A THIRD PARTY

14.1. Section 71 of PAIA makes provision for a request for information or records about a third party.

14.2. When considering such requests, Manex will adhere to the provisions of sections 71 to 74 of PAIA.

14.3. In certain circumstances, Manex may be obliged in terms of PAIA to advise third parties of such requests lodged, and the relevant third party(ies) may be entitled to dispute the decision by the Information Officer by referring the matter to a competent court of law.

## 15. RECORD OF PROCESSING ACTIVITIES

15.1. Following POPIA, we maintain a detailed record of our processing activities as part of our internal data register.

## 16. CATEGORIES OF DATA SUBJECTS

16.1. Manex holds information and records on the following categories of data subjects:

- Employees of Manex;
- Family members of employees, including children where permitted;

- Customers (including potential and previous customers) of Manex;
- Suppliers and service providers of Manex;
- Shareholders and directors of Manex;
- Visitors.

16.2. In terms of POPIA, Personal Information must be processed for a specified purpose. The purpose for which Personal Information is processed by Manex will depend on the nature of the Personal Information and the particular data subject. Manex maintains separate privacy notices that incorporate the purposes for processing. These notices are made available on Manex's website or directly to the data subject. However, our typical purposes are summarised below and are non-exhaustive.

**Purpose of processing**

16.2.1. **Employee's Personal Information**

Manex processes its employees' (including prospective, existing and previous) Personal Information for business administration purposes. For example, training, payroll and leave management. Employee Personal Information is also processed to the extent required by legislation. For example, Manex discloses its employees' financial information to the Commissioner for the South African Revenue Service, in terms of the Income Tax Act 58 of 1962 and certain special personal information in terms of the Employment Equity Act 55 of 1998.

16.2.2. **Customers' Personal Information**

Manex processes customer (including potential and previous customers) related records as an integral part of its commercial services. For example, Manex processes customer-related records during the customer application process, and for Manex to perform its obligations in terms of its relevant customer service level agreement. Manex may also process Personal Information provided to it by credit bureaus or industry regulatory bodies where permitted by law.

16.2.3. **Suppliers' and service providers' Personal Information**

Manex processes supplier and service provider related Personal Information to perform its obligations in terms of its relevant service level agreements, including to make payment, and to comply with its legal obligations in terms of the Financial Intelligence Centre Act 38 of 2001 and Companies Act 71 of 2008, among others.

## 17. RECIPIENTS TO WHOM PERSONAL INFORMATION MAY BE SUPPLIED

17.1. Manex may share the Personal Information of its data subjects, where legally justified to do so, for any of the purposes outlined in its privacy notices, with the following parties (among others):

17.1.1. Other companies forming part of the Cullinan Holdings Ltd group listed in paragraph 1.2 of this Manual.

17.1.2. Manex's service providers, operators (suppliers and third parties) that perform services on its behalf.

17.1.3. Manex does not share Personal Information with any third parties, except if:

- it is obliged to provide such information for legal or regulatory purposes;
- it is required to do so for purposes of existing or future legal proceedings;
- it is 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;
- it is involved in the prevention of fraud, loss, bribery or corruption;
- the third party performs services and processes Personal Information on Manex's behalf as its operator;
- this is required to provide or manage any information, products and/or services to data subjects;
- or this is needed to help Manex improve the quality of its products and services.

17.2. Manex will send its data subjects appropriate notifications or communications of its processing if it is obliged to do so by law, or in terms of its contractual relationship with such data subjects.

17.3. Manex will only disclose Personal Information to government authorities if it is required to do so by law.

17.4. Manex's employees and suppliers are required to adhere to legislation relating to privacy and confidentiality principles, and to complete privacy training.

## 18. CROSS-BORDER FLOW OF INFORMATION

18.1. Manex will only transfer Personal Information outside of South Africa if the relevant transactions or situation requires cross-border processing. It will only do so in accordance with South African legislative requirements, or if the data subject consents to the transfer of their Personal Information to third parties in foreign countries.

18.2. Manex will also take steps to ensure that operators (suppliers and third parties) in foreign countries are bound by laws, binding corporate rules or binding agreements that provide an adequate level of protection of Personal Information in terms of POPIA, unless otherwise permitted by Section 72(1) of POPIA.

## 19. OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION

19.1. You may, at any time object to the Processing of your Personal Information in the prescribed form attached as Annexure 3 to this Manual. However, Manex may be lawfully entitled to continue processing your personal information in the limited circumstances permitted by POPIA, including where such processing is required by law, protects a legitimate interest or is required to perform our obligations in terms of a contract with you.

## 20. REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION

20.1. Subject to the exceptions already stated in 19.1 above, you may request for your Personal Information to be corrected/deleted in the prescribed form attached to this Manual as Annexure 4.

## 21. GENERAL DESCRIPTION OF INFORMATION SECURITY MEASURES

21.1. Manex uses technical and organisational measures detailed in its data protection policies to ensure the confidentiality, integrity and protection of the Personal Information under its control.

21.2. These measures include, among others:

21.2.1. physical access control;

21.2.2. firewalls;

21.2.3. secure networks;

21.2.4. virus protection software and update protocols;

21.2.5. backup protocols;

21.2.6. organisational measures and training; and

21.2.7. any outsourced service providers who process personal information on behalf of Manex are contracted to implement appropriate security controls.

## 22. DESCRIPTION OF REMEDIES AVAILABLE IN RESPECT OF AN ACT OR FAILURE TO ACT BY MANEX

22.1. If Manex refuses a request for information in terms of PAIA, the requester may, within 60 days, in the prescribed form and against payment of the prescribed appeal fee, lodge an internal appeal against the decision of the Information Officer in accordance with the provisions of section 75 of PAIA.

## 23. AVAILABILITY OF THIS MANUAL

23.1. This Manual is available for inspection at the offices of Manex at no cost. A copy of this Manual may be made available on Manex's website.

**FORM 2**

**REQUEST FOR ACCESS TO RECORD**

[Regulation 7]

**NOTE:**

*1.Proof of identity must be attached by the requester.*

*2.If requests made on behalf of another person, proof of such authorisation, must be attached to this form.*

**TO: The Information Officer**

Address: Manex Power and Marine (Pty) Ltd
9 Paarden Eiland Road, Paarden Eiland, Cape Town, South Africa, 7405

E-mail address: manex@manex.co.za

*Mark with an "X"*

☐ Request is made in my own name ☐ Request is made on behalf of another person

| **PERSONAL INFORMATION** | | |
|---|---|---|
| Full Names | | |
| Identity Number | | |
| Capacity in which request is made *(when made on behalf of another person)* | | |
| Postal Address | | |
| Street Address | | |
| E-mail Address | | |
| Contact Numbers | Tel. (B): | Facsimile: |
| Cellular: | | |
| Full names of person on whose behalf request is made *(if applicable):* | | |
| Identity Number | | |
| Postal Address | | |

| | | | |
|---|---|---|---|
| Street Address | | | |
| E-mail Address | | | |
| Contact Numbers | Tel. (B) | Facsimile | |
| Cellular | | | |

**PARTICULARS OF RECORD REQUESTED**

***Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.* (*If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)***

| |
|---|
| Description of record or relevant part of the record: |
| Reference number, if available |
| Any further particulars of record |

**TYPE OF RECORD**

***(Mark the applicable box with an "X")***

| | |
|---|---|
| Record is in written or printed form | |
| Record comprises virtual images *(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)* | |
| Record consists of recorded words or information which can be reproduced in sound | |
| Record is held on a computer or in an electronic, or machine-readable form | |

| **FORM OF ACCESS**<br>***(Mark the applicable box with an "X")*** | |
|---|---|
| Printed copy of record *(including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)* | |
| Written or printed transcription of virtual images *(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)* | |
| Transcription of soundtrack *(written or printed document)* | |
| Copy of record on flash drive *(including virtual images and soundtracks)* | |
| Copy of record on compact disc drive*(including virtual images and soundtracks)* | |
| Copy of record saved on cloud storage server | |

| **MANNER OF ACCESS**<br>***(Mark the applicable box with an "X")*** | |
|---|---|
| Personal inspection of record at registered address of public/private body *(including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)* | |
| Postal services to postal address | |
| Postal services to street address | |
| Courier service to street address | |
| Facsimile of information in written or printed format *(including transcriptions)* | |
| E-mail of information *(including soundtracks if possible)* | |
| Cloud share/file transfer | |
| Preferred language<br>*(Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available)* | |

| **PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED**<br>*If the provided space is inadequate, please continue on a separate page and attach it to this Form. The requester must sign all the additional pages.* |
|---|
| Indicate which right is to be exercised or protected |

| | |
|---|---|
| Explain why the record requested is required for the exercise or protection of the aforementioned right: | |

| FEES | |
|---|---|
| *a) A request fee must be paid before the request will be considered.*<br>*b) You will be notified of the amount of the access fee to be paid.*<br>*c) The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.*<br>*d) If you qualify for exemption of the payment of any fee, please state the reason for exemption* | |
| Reason | |

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

| Postal address | Facsimile | Electronic communication *(Please specify)* |
|---|---|---|
| | | |

Signed at _____ this _____ day of _____ 20 _____

_____

***Signature of Requester / person on whose behalf request is made***

---

*FOR OFFICIAL USE*

| | |
|---|---|
| *Reference number:* | |
| *Request received by: (State Rank, Name And Surname of Information Officer)* | |
| *Date received:* | |
| *Access fees:* | |
| *Deposit (if any):* | |

_____

***Signature of Information Officer***

**Annexure 2**



## PART III
## FEES IN RESPECT OF PRIVATE BODIES

1. The fee for a copy of the manual as contemplated in regulation 9(2)(c) is R1,10 for every photocopy of an A4-size page or part thereof.

2. The fees for reproduction referred to in regulation 11(1) are as follows:

| | | | R |
|---|---|---|---|
| (a) | | For every photocopy of an A4-size page or part thereof | 1,10 |
| (b) | | For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form | 0,75 |
| (c) | | For a copy in a computer-readable form on - | |
| | (i) | stiffy disc | 7,50 |
| | (ii) | compact disc | 70,00 |
| (d) | (i) | For a transcription of visual images, for an A4-size page or part thereof | 40,00 |
| | (ii) | For a copy of visual images | 60,00 |
| (e) | (i) | For a transcription of an audio record, for an A4-size page or part thereof | 20,00 |
| | (ii) | For a copy of an audio record | 30,00 |

3. The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2) is R50,00.

4. The access fees payable by a requester referred to in regulation 11(3) are as follows:

| | | R |
|---|---|---|
| (1)(a) | For every photocopy of an A4-size page or part thereof | 1,10 |
| (b) | For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form | 0,75 |
| (c) | For a copy in a computer-readable form on - | |

| | | | |
|---|---|---|---|
| | (i) | stiffy disc | 7,50 |
| | (ii) | compact disc | 70,00 |
| (d) | (i) | For a transcription of visual images, for an A4-size page or part thereof | 40,00 |
| | (ii) | For a copy of visual images | 60,00 |
| (e) | (i) | For a transcription of an audio record, for an A4-size page or part thereof | 20,00 |
| | (ii) | For a copy of an audio record | 30,00 |

(f) To search for and prepare the record for disclosure, R30,00 for each hour or part of an hour reasonably required for such search and preparation.

(2) For purposes of section 54(2) of the Act, the following applies:

(a) Six hours as the hours to be exceeded before a deposit is payable; and

(b) one third of the access fee is payable as a deposit by the requester.

(3) The actual postage is payable when a copy of a record must be posted to a requester.

**Annexure 3**

Version 3 - 020626

**FORM 1**

**OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION IN TERMS OF SECTION 11(3) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)**

**REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION,**

**2021** [Regulation

2]

*Note:*

1. *If the space provided for in this Form is inadequate, submit information as an Annexure to this Form.*
2. *Complete as is applicable.*

| **A** | **DETAILS OF DATA SUBJECT** |
|---|---|
| Name(s) and surname/ registered name of data subject: | |
| Postal or business address: | |
| | |
| | |
| | Code ( ) |
| Contact number(s): | |
| Fax number / E-mail address: | |
| **B** | **DETAILS OF RESPONSIBLE PARTY** |
| Name(s) and surname/ Registered name of responsible party: | |
| Postal or business address: | |
| | |
| | |
| | |
| | Code ( ) |
| Contact number(s): | |
| Fax number/ E-mail address: | |
| **C** | **REASONS FOR OBJECTION IN TERMS OF SECTION 11(3)(a)** *(Please provide detailed reasons for the objection)* |

| |
|---|
| |
| |
| |
| |
| |

Signed at ..... this ..... day of .....20……...
.....

*Signature of data subject/designated person*

| |
|---|
| |
| |
| |
| |
| |
| |
| |

Signed at ..... this ..... day of .....20……..

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

**FORM 2**

**REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION OR DESTROYING OR DELETION OF RECORD OF PERSONAL INFORMATION IN TERMS OF SECTION 24(1) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)**

**REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2021**

[Regulation 3]

*Note:*

1. *Affidavits or other documentary evidence as applicable in support of the request may be attached.*
2. *If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.*
3. *Complete as is applicable.*

Mark the appropriate box with an "x".

**Request for:**

☐ a) Correction or deletion of personal ☐ information about the data subject which is in possession or under the control of the responsible party.

*Please select applicable reasons for the selected request:*

(a) Inaccurate ☐

(b) Irrelevant ☐

(c) Excessive ☐

(d) Out of Date ☐

(e) Incomplete ☐

(f) Misleading ☐

(g) Obtained unlawfully ☐

b) Destruction ☐ or deletion ☐ of a record of personal information about the data subject which is in the possession or under the control of the responsible party who is no longer authorised to retain the record of information.

| A | DETAILS OF THE DATA SUBJECT |
|---|---|
| Name(s) and surname / registered name of data subject: | |
| Postal or business address: | |
| | |
| | |
| | Code ( ) |
| Contact number(s): | |
| Fax number/E-mail address: | |
| **B** | **DETAILS OF RESPONSIBLE PARTY** |
| Name(s) and surname / registered name of responsible party: | |
| Postal or business address: | |
| | |
| | |
| | Code ( ) |
| Contact number(s): | |
| Fax number/ E-mail address: | |
| **C** | **PERSONAL INFORMATION TO BE CORRECTED/DESTROYED/DELETED**<br><br>*(Please specify the personal information required to be corrected / destroyed / deleted)* |
| | |
| | |
| | |
| | |
| | |
| | |
| **D** | **EXPLANATION FOR THE SELECTED REASON FOR A REQUEST**<br><br>*(Please provide detail explanation for the selected reasons for the request for correction or deletion of personal information which is in possession or under the control of the responsible party* |
| | |
| | |
| | |
| | |

| |
|---|
| |

Signed at ..... this ..... day of .....20……...

.....

*Signature of data subject/ designated person*