

PROMOTION OF ACCESS TO INFORMATION MANUAL

E A AUTO T/A ELMAR AUTO

2009/033027/23

Prepared in terms of the requirements of the  
PROMOTION OF ACCESS TO INFORMATION ACT

No. 2 of 2000

## 2. BUSINESS AND CONTRACT DETAILS

Name of Business: E A AUTO MODIMOLLE CC T/A Elmar Auto

Head of Business: Mr Eugene Mckenzie

Position: Director and Key Individual

Postal Address: P.O. Box 462 Modimolle 0510 Limpopo

Physical Address: 89 Thabo Mbeki Modimolle 0510 Limpopo

Phone Number: 0147174325 0828947145

Email Address: [eugene@elmarauto.co.za](mailto:eugene@elmarauto.co.za)

Website:

## 3. SECTION 51 (1) OF PROMOTION OF ACCESS TO INFORMATION ACT (THE ACT)

The Act grants requester access to records of a private body, if records are required for the exercise or protection of any rights. A public body must always act in the public's interest.

Requests in terms of act must be made accordance with the prescribe procedures, at the rates provided. Forms and tariff are dealt in regulations 6 and of the ACT

Requesters are referred to THE guide which, in terms Section 10 as amended , has been compiled by information Regulator established in terms of section 39 of the Protection of Personal information Act 2013, and which contains info for the purposes of exercising Constitutional Rights.

A "Request for copy of the Guide (form 1) is available at:

<https://>

## 1. INTRODUCTION

The Promotion of Access to information Act 2 of 2000 ("PAIA" or "the Act") gives effect to the Constitutional right of access to any information held by the state or information held by another person and that is required for the exercise or protection of any rights. The protection of personal info has amended the PAIA and requires private bodies to disclose certain info through the PAIA Manual.

Section 51(1) of the act, the Protection of Personal information Act of 2013, requires a private body to compile a manual that contain information as specified and require by both PAIA and POPI.

In this context, a private body is defined as a natural person, a partnership or any former or existing juristic person (e.g. any company, close corporation or business trust) who carries or carried on any trade business or profession.

There is an obligation to provide information requested except where information may not be released as in section 9 of the act that recognises that access to info can be limited. Limitation relate to circumstances where such release would pose a threat to the protection of privacy, commercial confidentiality, and the exercising of efficient governance.

This manual provides a reference to the records and the process that needs to be adopted to access such records.

All requests for access to info must be addressed to HEAD OF Business named in section 2 of this Manual.

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#### 4 RECORDS THAT ARE HELD AT THE OFFICES OF THE BUSINESS

List of records held at the office of the Business

##### **Administration**

Correspondence

Founding Documents

Licences Categories

Shareholder Register

##### **Human Resources**

Employment Contracts

Personnel Guidelines, Policies and Procedure

Skills Requirements

Training Records

##### **Operations**

Client and Customer Registry

Contracts

##### **Finances**

Annual Finance Statements

Asset Register

Financial Transactions

Internal Audits

Tax Records

##### **Information Technology**

It Policies and Procedures

## **5. Purpose of processing info**

Historical record keeping research for fulfilling business growth

Keep accounts and records

Monitoring and maintaining clients, suppliers, service providers, employees and members

Staff administration

Verify info giving to us

## **Personal Information processed**

Natural Persons

In file Names, Physical address, id number, email address, phone no

Juristic Persons

Names contact persons, name legal Entity, Registration no, physical and postal address, financial info, Authorised signatories

## **Possible Recipients of Personal Information**

Auditors

Educators and examining bodies

Regulatory government bodies

Ombudsman

## **Information security Measures**

Acceptable control of information

Ensure that appropriate security privacy and confidentiality obligations are observe of all parties doing business with.

Monitoring access and usage of private information

Secure communications

Training of staff members

## 6. INFORMATION REQUEST PROCEDURE

Requester must use prescribed form to make the request for access to record.  
Prescribe form available from Head of business named above and on website.  
The request must be made to business address or electronic email address of the Business.

The requester must give enough info on the form for Head of Business to identify what info is needed and to identify Requester.

The requester must identify the right to be protected and must provide explanation why requested record is required for the exercise or protection of that right.

If requester asked on behalf of another person the requester must submit proof of Capacity in which he is making the request to satisfied Head of Business to info.

The prescribed request fee must be attached.

We will respond in 30 days after received the request to indicate if your request has been granted or denied.

Access will be granted only if criteria are fulfilled.

The record is request for the protection or exercise of any right

The requester complies with procedures

## 7. DENIAL OF ACCESS

Access to records may be refused:

Protection of commercial information concerning any third party ex trade secrets.

Unreasonable disclosure concerning any natural person.

Protection of financial, commercial, scientific or technical information that may harm the financial or commercial interest of any third party.

Disclosure that will lead to breach of a duty of confidence of a third party.

Disclosure that will jeopardize safety or life of third party.

Disclosure that will prejudice the safety of a person with witness protection.

Disclosure that would prejudice the security of property or means of transport.

Disclosure that would prejudice or impair the protection of the public.

Disclosure that are privileged from production in legal proceedings unless privilege has been waived.

Disclosure of details of any Computer program.

Disclosure of any info that can harm E A AUTO MODIMOLLE T/A Elmar Auto commercially of financially.

If Access to records are denied our response will include:  
Adequate reasons for refusal.

## **FEES**

Applicable fees is prescribe in terms of act  
There are to fees payable in terms of the ACT

### **Request Fee**

Non - refundable fee f R50 (excluding VAT) payable on submission of any request for access to any record. This does not apply if the request is for personal records of the requestor.

### **Access Fee**

Access fee payable prior to be permitted access to records in the required form.  
The Fees is prescribed in term of part III of Annexure A as identified in Government notice 187 Regulation 11.

## **MANUAL AVAILABILITY**

A copy of Manual may be obtained from Head of Business referred to in section 2 hereof

Any Transmission costs or postage required in respect of hard copies of the Manual will be for account of the requester.