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PAIA MANUAL

Prepared in terms of section 51 of the Promotion of Access to Information Act 2 of 2000 (as amended)

DATE OF COMPILATION: 05/02/2022

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1. INTRODUCTION

1.1 African Chapter Tours (Pty) Ltd ("ACT") Promotion of Access to Information Manual ("Manual") is published in terms of Section 51 of the Promotion of Access to Information Act, No. 2 of 2000 ("PAIA") and section 23 - 25 of the Protection of Personal Information Act No.4 of 2014 ("POPIA"). This PAIA Manual provides an outline of the type of records it holds and explains how to submit requests for access to these records in terms of PAIA.

1.2 PAIA gives effect to the provisions of Section 32 of the Constitution, which provides for the right of access to information. This is information held by the State but also information held by any another person. 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 restrictions.

1.3 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), where a request is made in terms of the PAIA, the body to whom the request is made is obliged to release the information, subject to applicable legislative and/or regulatory requirements, except where PAIA expressly provides that the information may or must not be released.

1.4 ACT is fully committed to the implementation of a PAIA Policy, positively and proactively to ensure that information under its control is available and accessible, thus give effect to the letter and spirit of the fundamental right of access to information and of the applicable constitutional principles.

1. COMPANY OVERVIEW

1.1 ACT, operating within the Travel & Tourism industry and regarded as a private body in terms of PAIA.

2. CONTACT DETAILS FOR ACCESS TO INFORMATION OF ACT

2.1 Chief Information Officer

Name ; M Alves

Contact ; +27(0)82 903 6910

Email ; info@africanchapter.co.za

Website: www.africanchapter.co.za

2.2 The Information Officer (Section 51(1)(b)

The Information Officer is responsible to, inter alia, assess requests for access to information. The Head of private body fulfils such function in terms of Section 51 of the Act. African Chapter Tours (Pty) Ltd has opted to appoint an Information Officer to

assess requests for access to information as well as to oversee its required functions in terms of the Act.

The Information Officer appointed in terms of the Act also refers to the Information Officer as referred to in the Protection of Personal Information Act 4 of 2013 ("POPI Act"). The Information Officer oversees the functions and responsibilities as required in terms of both this Act as well as the duties and responsibilities in terms of Section 55 of the POPI Act after registering with the Information Regulator.

The Information Officer may appoint, where deemed necessary, Deputy Information Officers, as allowed in terms of Section 17 of the Act as well as Section 56 of the POPI Act. All requests for information in terms of the Act must be addressed to the Information Officer. www.africanchapter.co.za

3. GUIDE OF MANUALS IN THE REPUBLIC OF SOUTH AFRICA IN TERMS OF SECTION 10

The South African Human Rights Commission (as provided for in section 10 of PAIA) has published a "*Guide on How to Use the Promotion of Access to Information Act 2 of 200*". This Guide will assist persons in using and understanding PAIA. The Guide can be accessed via the South African Human Rights website (www.sahrc.orga.za).

4. THE LATEST NOTICE IN TERMS OF SECTION 52(2)

At the time of publication of this PAIA Manual no notice has been published on the categories of records that are automatically available without a person having to request access in terms of PAIA.

5. RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION (SECTION 52(1)(d))

Where applicable to its operations, ACT also retains records and documents in terms of the legislation listed below. Unless disclosure is prohibited in terms of legislation, regulations, contractual agreement or otherwise, records that are required to be made available in terms of these acts shall be made available for inspection by interested parties in terms of the requirements and conditions of the relevant Act. A request to access information must be done in accordance with the prescriptions of the Act.

No	Act
1	Basic Conditions of Employment Act No. 75 of 1997
2	Companies Act no. 71 of 2008
3	Compensation of Occupational Injuries and Diseases Act No. 130 of 1993
4	Competition Act No.98 of 1978
5	Constitution of the Republic of South Africa 2008

6	Consumer Protection Act No. 68 of 2008
7	Electronic Communications Act No.36 of 2005
8	Employment Equity Act No. 55 of 1998
9	Income Tax Act No. 58 of 1962
10	Labour Relations Act no.66 of 1995
11	Occupational Health and Safety Act No.85 of 1993
12	Promotion of Access to Information Act No. 2 of 2000
13	Protection of Personal Information Act No. 4 of 2013
14	Skills Development Act No. 97 of 1998
15	Unemployment Contributions Act 63 of 2001
16	Unemployment Insurance Act No. 30 of 1996
17	Value Added Tax Act 89 of 1991

6. DESCRIPTION OF SUBJECTS ON WHICH RECORDS AND CATEGORIES OF RECORDS ARE HELD IN TERMS OF SECTION 51(1)(e)

ACT holds and maintains record on the following categories of information. Please note that by recording a category or subject matter below in this manual does not necessarily constitute that a request for access to any records would be honoured. All requests for access will be evaluated on a "case by case" basis in accordance with the provisions of the Act.

Company Records	Memorandum of Incorporation (automatically available from CIPC)
	Directors' Names (automatically available from CIPC)
	Memorandum and Articles of Association (automatically available CIPC)
	Company Registrar Documents
	Shareholders Agreements
	• Share Certificates
	• Board Meetings: Attendance Register
	  ○ Resolutions
	  ○ Minute Books
	• Delegation of Authorities
	• Legal Compliance Records
	  ○ Policies
	• General Correspondence
	• Other Statutory Information

Financial Records	• Financial Statements
	• Corporate Tax Records
	  ○ Other documents related to taxation of the company
	  ○ Tax Returns
	• Accounting Records
	  ○ Journals, Ledgers and Balance Sheets

	○ Income Statements ○ Trial Balance Statements ○ Cash Flow Statements • Banking Records ○ Banking Statements • Asset Register • Invoices ○ Debtors and Creditors ○ Credit/Debit Notes • Salary Information ○ PAYE Records ○ IRP5 Records ○ UIF Payments ○ SDL Payments • Insurance Policies • Detail of Auditors ○ Auditors' Reports • Rental Agreements • General Correspondence
Human Resource Records	• Employee's Personal Information ○ Employee Contracts ○ Remuneration Information and Employee Benefits ○ Employees' Travel Records ○ Leave Records ○ Disciplinary and Grievance Records ○ Performance Evaluations ○ Job Profiles ○ Remuneration ○ Medical Aid • Human Resource Policies and Procedures ○ Training Records ○ Training Manuals • Employment Equity Plan and Reports • General Correspondence
Customer Records	• Contact Details of Individuals Representing a Corporate Customer • Communications with Customers • Customer Liaison, Complaints and Queries • Debt and Debtor Information ○ Transactional Information • General Correspondence
Marketing Records	• New product & business development Information • Advertising • General Correspondence
Operational Records	• Service Orders ○ Installation and Maintenance of Products and Service Records ○ Proof of Delivery ○ Proof of Installation ○ Contact Information of Clients

Information Technology Records	• Hardware Records
	• Operating Systems
	• Software Packages
	• Internal Systems Support and Programming / Development
	• Capacity and Utilisation of Current Systems
	  ○ Agreements
	  ○ Licenses Agreements
	• Review Records
	• General Correspondence

Legal and regulatory Reports	• Contracts/Agreements
	  ○ Customer Agreements
	  ○ Non-Disclosure Agreements
	  ○ Supplier/service Provider Contracts
	  ○ Independent Contractors/Agent Agreements
	• Lease Agreements
	• Litigation Records
	• Regulatory Records
	• Administration of Legislation
	• Annual Report and License Fees
	• General Correspondence

Insurance Records	• Electronic Communication and Transactions Records • Record of the Personal Information and the specific purpose for which succh personal information was collected
Immovable and Movable Property Records	• Agreements for the Lease of Movable Property • Agreements for the Lease or Sale of Land and/or other Immovable Property • General Correspondence

7. THIRD-PARTY DISCLOSURES

ACT might, in the ordinary course of business, have to disclose personal information of Customers to third parties, such as Contractors, Service providers and Software developers, Agents, and other licensed electronic communications operators (who are also responsible parties as defined in the legislation). ACT commits to only disclose personal information to third parties where it is necessary to ensure continued quality provisioning of its products and / or services to its customers. ACT shall also contractually ensure that such third parties undertake to deploy and manage satisfactory safeguards pertinent to the lawful processing and protection of such personal information.

8. CROSS-BORDER TRANSFERS

ACT does not generally do cross border information transfers. However, should such an event arise that cross border transfer of personal information is necessary and / or unavoidable, ACT shall ensure that the data protection and privacy laws of such countries to which personal information is transferred are like the legislation of the

Republic of South Africa and that the recipients of the personal information commit to the same standards and / or requirements of data protection committed to by ACT.

9. TURN AROUND TIMES FOR ATTENDING TO REQUESTS

ACT will within 30 (thirty) working days of receipt of the request, decide whether to grant or decline the request and give notice with reasons (if applicable) to that effect. The 30 (thirty) working days' period within which ACT must decide whether to grant or refuse the request for a further period of not more than 30 (thirty) working days, if the request is for various information or documentation, or the request requires a search for information and the information cannot reasonably be obtained within the original 30 (thirty) working day period and should an extension be required same will be communicated to the requester.

10. APPLICABLE FEES (SECTION 51(1)(F)

There are two basic types of fees applicable in terms of PAIA – "request" and "access" fees.

10.1 REQUEST FEE

The request fee is an administration fee that is payable on submission of the request for access to a record and must be paid before the request is considered (unless the request is to access the requester's personal information in which event there is no applicable fee). The request fee is not refundable if the request for access has been granted however it is refundable if the request for access has been denied by ACT.
The request fee is currently statutorily set at R50-00 (fifty rand) for a private body and is subject to change as announced in terms of PAIA.
In line with section 23(1)(a) of POPIA, a Data Subject (i.e. personal requester) has a right to request ACT to confirm, free of charge, whether or not personal information about the Data Subject is held.

10.2 ACCESS FEE

The access fee is payable, prior to the Requester gaining access to the records in the required form. The access fee is intended to reimburse ACT for any costs involved in the reproduction, search and preparation of the records requested and for any reasonable time required, (more than the prescribed hours) to search and prepare the records.

Should the preparation of the required record(s) take more than 6 (six) hours, a deposit (of 1/3 (one third)) of the access fee is payable before the request will be processed as a deposit. ACT may withhold a record until the requester has paid the applicable fees (if any).

In accordance with Section 23(3) of POPIA, ACT may charge an access fee to the data subject to enable ACT to respond to the request. In such instances ACT must provide the data subject with a written estimate of the fee before offering the services. The fee structure is available on the website of the South Africa Human Rights Commission at www.sahrc.org.za.

11. PAYMENT OF FEES

The initial request fee must be deposited into the bank account below and a copy of the deposit slip, application form and other correspondence/documents must be forwarded to the Information Officer via email. All fees must be deposited into the African Chapter Tours (Pty) Ltd bank account. All fees are subject to change as allowed for in the Act and consequently, such escalations may not always be immediately available at the time of the request being made. Requesters shall be informed of any changes in the fees prior to making a payment.

12. AVAILABILITY OF THE MANUAL

The Manual is available for inspection, free of charge, at the property of ACT, as set out in page 2 of this manual, as well as on ACT website at www.africanchapter.co.za

13. UPDATING OF THE MANUAL

The information officer of ACT will on a regular basis or as required update this manual to ensure transparency in our communications and privacy policies are adhered to.

14. APPROVAL OF THIS PAIA MANUAL

This PAIA Manual of ACT is approved and signed by the Managing Director and Information Officer of ACT, on this 1st day of March 2022.

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Approved by M. Alves (Managing Director)

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Date