

CEDS CAREERS (PTY) LTD

t/a Career Consortium Afrika

("Career Co")

REGISTRATION NUMBER: 2003/02/4097/07

POPI AND PAIA MANUAL

Block C, Regent Hill Office Park, Cnr Turley and Leslie Road,

Lonehill, 2062

**This manual was created in terms of Section 51 of The Promotion
of Access to information Act (PAIA) and the Protection of
Personal Information Act (POPI).**

DATE OF COMPILATION: JUNE 2021

1. INTRODUCTION

1.1. The Promotion of Access to Information Act, 2000 (the "Act") gives third parties the right to approach private bodies and the government to request information held by them, which is required in the exercise and/or protection of any rights. On request, the private body or government is obliged to release such information unless the Act expressly states that the records containing such information may or must not be released. This manual provides an outline of the type of records and the personal information the Company holds and facilitates the requests for access to records of the company as provided for in PAIA.

1.2. This manual is available at the Career Co offices and on The Company website.

2. COMPANY INFORMATION:

2.1. CEDS Careers (Pty) Ltd t/a Career Consortium Afrika ('The Company') conducts business as a Permanent Recruitment Agency

2.2. Company details in terms of Section 51 of The Act

2.2.1. Full name	:	CEDS Careers (Pty) Ltd
2.2.2. Registration No.	:	2013/043162/07
2.2.3. Postal Address	:	Block C, Regent Hill Office Park Cnr Turley and Leslie Road Lonehill 2062
2.2.4. Physical Address	:	As above
2.2.5. Telephone	:	0861542278
2.2.6. Website	:	www.careerco.co.za
2.2.7. Email	:	business@careerco.co.za

2.3. Contact details of the Information officer/request liaison officer

2.3.1. Full Name	:	Dolores Schwartz
2.3.2. Designation	:	Head: Business Operations
2.3.3. Telephone	:	0861542278
2.3.4. Email Address	:	business@careerco.co.za

3. THE SOUTH AFRICAN HUMAN RIGHTS COMMISSION (“SAHRC”) GUIDE

3.1. The SAHRC has compiled a guide, as contemplated in section 10 of PAIA, containing information to assist any person who wishes to exercise any right in terms of The Act. This guide is available from the SAHRC.

3.1.1. The contact details for the SAHRC are –

Postal address	:	Private Bag X2700 Houghton 2041
Telephone	:	+27 11 877 3600
Telefax	:	+27 11 403 0668
Email	:	paia@sahrc.org.za

3.2. Requests in terms of The Act shall be made in accordance with the prescribed procedures, at the rate provided. The forms and tariff are dealt with in this manual.

4. APPLICABLE LEGISLATION

The Companies Act	Act No. 61 of 1973
The Copyright Act	Act No. 98 of 1978
The Employment Equity Act	Act No. 55 of 1998
The Income Tax Act	Act No. 95 of 1967
The Labour Relations Act	Act No. 66 of 1995
Value Added Tax Act	Act No. 89 of 1991
The Basic Conditions of Employment Act	Act No. 75 of 1997
The Unemployment Insurance Act	Act No. 30 of 1996
The Occupational Health and Safety Act	Act No. 85 of 1993
The Compensation for Occupational injuries and Diseases Act	Act No. 130 of 1993
The Broad Based Black Economic Empowerment Act	Act No. 53 of 2003
The Protected Disclosures Act	Act No. 26 of 2000
The Electronic Communications and Transactions Act	Act No. 25 of 2002
The Promotion of Access to Information Act	Act No. 2 of 2000
The Protection of Personal Information Act	Act No. 4 of 2013

5. RECORDS THAT ARE AUTOMATICALLY AVAILABLE TO EITHER EMPLOYEES ONLY OR THE GENERAL PUBLIC AND EMPLOYEES

5.1. The following records are automatically available to the employees and need not be requested in accordance with the procedure outlined in this manual:

5.1.1. Personnel records are to the employee whose file it is;

5.1.2. Records of disciplinary hearings and related matters are available to the employee concerned,

5.1.3. The company's policies and procedures manual.

5.2. The following records are automatically available to the public and all employees and need not be requested in accordance with the procedure outlined in this manual:

5.2.1. Records lodged in terms of Government requirements with various statutory bodies, including the Registrar of Companies.

6. RECORDS THAT ARE HELD BY THE COMPANY IN TERMS OF OTHER LEGISLATION AS CONTEMPLATED IN SECTION 51 (D) OF THE ACT

The following records are not automatically available without a request in terms of the Act:

6.1 All statutory returns:-

6.1.1 VAT;

6.1.2 Workmen's compensation;

6.1.3 UIF;

6.1.4 Skill development Levies.

6.2 Documents concerning compliance of the company's legal obligations.

7. OTHER TYPES OF RECORDS HELD BY THE COMPANY AS CONTEMPLATED IN SECTION 51(1)(C)

These records are not automatically available without a request in terms of the Act. A request in terms of this section is subject to section 63(1) of the Act, which provides that the head of a company must refuse a request for access to a record of the company if the disclosure of the record would involve the unreasonable disclosure of personal information about a third party including a deceased individual.

7.1 Human Resources department

7.1.1 Personnel information including personal information, employment history and health records that the company may hold from time to time.

7.1.2 Training and development information

7.1.3 General files containing information on employee benefits and employee recruitment and selection information

7.2 Project management

- 7.2.1 Information generally related to projects conducted by the company from time to time

7.3 Information technology

- 7.3.1 Usage statistics

7.4 Finance/Accounts department

- 7.4.1 Financial records
- 7.4.2 A list of the company's creditors and debtors.
- 7.4.3 Salary information
- 7.4.4 Bank account information
- 7.4.5 Fixed assets register

8. PROCESS OF REQUESTING INFORMATION NOT AUTOMATICALLY AVAILABLE

- 8.1. A request shall be made on the prescribed form. A copy of the form is attached marked Annexure 'A' (the prescribed form.) the form is also available on the website of the SAHRC, or the website of Justice and constitutional Development at www.doj.co.za
- 8.2. The prescribed form shall be submitted to the request liaison officer at his/her address or email address, who shall hand it to the head of the company.
- 8.3. The same procedure as set out above shall apply if the requester is requesting information on behalf of another person or on behalf of a permanent employee of the company.
- 8.4. As soon as reasonably possible and within thirty days after the request is received, the head of the company shall make a decision regarding the approval of the request.
- 8.5. The requester will be notified of the decision of the head of the company or the request liaison officer in the manner indicated by the requester.
- 8.6. If the request is granted, the requester shall be informed by the request liaison officer in the manner indicated by the requester in the prescribed form
- 8.7. Notwithstanding the foregoing, the company will advise the requester in the manner stipulated by the requester in the prescribed form of-
 - 8.7.1. The access fee to be paid;
 - 8.7.2. the format in which access will be given; and
 - 8.7.3. The fact that the requester may lodge an appeal with a court of competent jurisdiction against the access fee charged or the format in which access is to be granted.
- 8.8 Should the request for access be refused, the requester shall be advised, in writing, of the reason for the refusal and of their right to appeal the refusal.

8.9 Should the request for access be refused, the requester shall receive a refund of the deposit paid.

8.10 Should the requester not receive a response within thirty days after the request was sent, it is deemed that the request liaison officer has refused the request.

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

9. PRESCRIBED FEES AND FORMS

9.1. The fees for reproductions of a record as referred to in section 52(3) are as follows –

9.1.1. For every photocopy of an A4 size page or part thereof	R1,10
9.1.2. For every printed copy of an A4-size page or part thereof	R0,75
9.1.3. For a copy of a compact disc	R70,00
9.1.4. For a transcript of visual images for an A4 size page	R40,00
9.1.5. For copy of visual images	R60,00
9.1.6. For a transcript of an audio record, per A4 size page	R20,00
9.1.7. For a copy of an audio record	R30,00

9.2. The request fee payable by a requester, other than a personal requester is R50,00.

9.3. If the request liaison officer is of the opinion that six hours will be exceeded to search, reproduce and/or prepare the information requested, a deposit is payable equal to one-third of an amount of R30,00 for each hour or part thereof, exceeding the six hours.

10. PROCESSING OF PERSONAL INFORMATION

10.1. Conditions of Processing

Chapter 3 of POPI provides for the minimum Conditions for Lawful Processing of Personal Information by a Responsible Party. These conditions may not be derogated from unless specific exclusions apply as outlined in POPI. Below is a description of the eight Conditions for Lawful Processing as contained in POPI:

10.1.1. Accountability - the Responsible Party has an obligation to ensure that there is compliance with POPI in respect of the Processing of Personal Information.

10.1.2. Processing limitation - Personal Information must be collected directly from a Data Subject to the extent applicable; must only be processed with the consent of the Data Subject and must only be used for the purposes for which it was obtained.

10.1.3. Purpose specification - Personal Information must only be processed for the specific purpose for which it was obtained and must not be retained for any longer than it is needed to achieve such purpose.

- 10.1.4. Further processing limitation - further processing of Personal Information must be compatible with the initial purpose for which the information was collected.
- 10.1.5. Information quality - the Responsible Party must ensure that Personal Information held is accurate and updated regularly and that the integrity of the information is maintained by appropriate security measures.
- 10.1.6. Openness - there must be transparency between the Data Subject and the Responsible Party.
- 10.1.7. Security safeguards - a Responsible Party must take reasonable steps to ensure that adequate safeguards are in place to ensure that Personal Information is being processed responsibly and is not unlawfully accessed.
- 10.1.8. Data Subject participation - the Data Subject must be made aware that their information is being processed and must have provided their informed consent to such processing.

10.2. Purpose of Processing

The Company uses the Personal Information under its care in the following ways:

- 10.2.1 Administration of business
- 10.2.2 Rendering services in terms of agreements with clients
- 10.2.3 Staff administration
- 10.2.4 Keeping of accounts and records

10.3 Categories of Data Subjects and their Personal Information

The Company may possess records relating to suppliers, shareholders, contractors service providers, staff and clients.

Entity Type	Personal Information Processed
Clients: Natural Persons	Names; contact details; physical and postal addresses; date of birth; ID number; Tax related information; nationality; gender; confidential correspondence
Clients – Juristic Persons / Entities	Names of contact persons; Name of Legal Entity; Physical and Postal address, contact details; Financial information; Registration Number; Founding documents; Tax related information; authorized signatories

	beneficiaries, ultimate beneficial owners
Contracted Service Providers	Names of contact persons; Name of Legal Entity; Physical and Postal address and contact details; Financial information; Registration Number; Founding documents; Tax related information; authorised signatories, beneficiaries, ultimate beneficial owners
Employees / Directors	Name, Gender, Pregnancy; Marital Status; Colour, Age, Language, Tax related information; Education information; Financial Information; Employment History; ID number; Physical and Postal address; Contact details; Opinions, Criminal behaviour; Well-being;

10.4 Categories of Recipients for Processing the Personal Information

The Company may supply the Personal Information to service providers who render the following services:

- 10.4.1 Capturing and organising of data;
- 10.4.2 Storing of data;
- 10.4.3 Sending of emails and other correspondence to clients
- 10.4.4 Conducting due diligence checks;
- 10.4.5 Employee internal administration

10.5 Actual or Planned Transborder Flows of Personal Information

The Company has no planned Transborder Flows of Personal Information

10.6 General Description of Information Security Measures

The Company employs up to date technologic and other measures to ensure the confidentiality, integrity, availability, and security of personal information under its care. Measures include:

- 10.6.1 Firewalls
- 10.6.2 Virus protection software and update protocols
- 10.6.3 Secure setup of hardware and software making up the IT infrastructure;

10.7 Objection to the Processing of Personal Information by a Data Subject

Section 11 (3) of POPI and regulation 2 of the POPI Regulations provides that a Data Subject may, at any time object to the Processing of his/her/its Personal Information subject to exceptions. In order to raise this objection a data subject should contact the Information officer of the Company.

10.8 Request for correction or deletion of Personal Information

Section 24 of POPI and regulation 3 of the POPI Regulations provides that a Data Subject may request for their Personal Information to be corrected/deleted. In order to process this request a data subject should contact the Information officer of the Company

11. UPDATING OF THE MANUAL

The company may update this manual annually or at such intervals as may be necessary.

ANNEXURE A

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY

(Section 53 (1) of the Promotion of Access to
Information Act, 2000(Act No. 2 of 2000))

[Regulation 10]

FOR DEPARTMENTAL USE

REFERENCE NUMBER : _____
REQUEST RECEIVED BY : _____
DATE : _____
Request fee (if any) : R _____
Deposit fee (if any) : R _____
Access fee : R _____

A. PARTICULAR OF PRIVATE BODY

The Information Officer/Deputy Information Officer:

B. PARTICULARS OF THE PERSON REQUESTING ACCESS TO THE RECORD

- (a) *The particulars of the person who requests access to the record must be given below.*
(b) *The address and/or fax number in the Republic to which the information is to be sent, must be given.*
(c) *Proof of the capacity in which the request is made, if applicable, must be attached.*

Full name and surname : _____
Identity number : _____
Postal Address : _____

Telephone number : _____
Fax number : _____
E-mail Address : _____

Capacity in which request is made, when on behalf of another person:

C. PARTICULARS OF PERSON ON WHOSE BEHALF REQUEST IS MADE

This section must be completed ONLY if a request for information is made on behalf of another person.

Full name and surname : _____
Identity number : _____

D. PARTICULARS OF RECORD

- (a) *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.*
- (b) *If the provided space is inadequate please continue on a separate folio and attach it to this form. **The requester must sign all the additional folios.***

1. Description of the record or relevant part of the record:

2. Reference number, if available:

3. Any further particulars of the record:

E. FEES

- (a) *A request for access to a record other than a record containing personal information about yourself, will be processed only after a **request fee** has been paid.*
- (b) *You will be notified of the amount required to be paid as the request fee.*
- (c) *The **fee payable for the 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.*
- (d) *If you qualify for the exemption of the payment of any fee, please state the reason for exemption.*

Reason for the exemption from payment of fees

F. FORM OF ACCESS TO RECORD

If you are prevented by disability to read, view of or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.

Disability:	Form in which record is required:

Mark the appropriate box with an **X**.

NOTES:

- (a) Compliance with your request for access in the specified form may depend on the form in which the record is available.
- (b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.
- (c) The fee payable for the access to the record, if any, will be determined partly by the form in which access is requested.

1. If the record is in written or printed form:

<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record
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2. If the record consists of visual images-

(this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):

<input type="checkbox"/>	view the images	<input type="checkbox"/>	copy of the images*	<input type="checkbox"/>	transcription of the images*
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3. If record consists of recorded words or information which can be reproduced in sound:

<input type="checkbox"/>	listen to the soundtrack (audio cassette)	<input type="checkbox"/>	transcription of soundtrack* (written or printed document)
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4. If record is held on computer or in an electronic or machine-readable form:

<input type="checkbox"/>	printed copy of record*	<input type="checkbox"/>	printed copy of information derived from the record*	<input type="checkbox"/>	copy in computer readable form* (stiffy or compact disc)
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*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you?	YES	NO
Postage is payable.		

G. PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED

If the provided space is inadequate, please continue a separate folio and attached it to this form. The requester must sign all additional folios.

1. Indicate which right is to be exercised or protected:

2. Explain why the record requested is required for the exercise or protection of the
aforementioned right:

H. NOTICE OF DECISION REGARDING REQUEST FOR ACCESS

You will be notified in writing whether your request has been approved/denied. If you wish to be informed thereof in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

Signed at _____ on the _____ day of _____.

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