

## PAIA and POPIA Manual

This manual was prepared in accordance with section 51 of the Promotion of Access to Information Act, 2000 and to address requirements of the Protection of Personal Information Act, 2013.

<b>FURNLOCK AND SLIDE (PTY)(LTD) Promotion of Access to Information Policy in terms of the Promotion of Access to Information Act, 2000</b>	
Organisations	Furnlock and Slide (Pty) Ltd Hereinafter referred to as "the company"
Policy operational Date	1 July 2021
Date Approved	

<b>Background, Purpose and Key Risks Identified</b>	
Background to the Promotion of Access to Information Act	<ol style="list-style-type: none"> <li>1 The Promotion of Access to Information Act, No. 2 of 2000 (the “Act”) was enacted on 3 February 2000, giving effect to the constitutional right in terms of section 32 of the Bill of Rights contained in the Constitution of the Republic of South Africa 108 of 1996 (the “Constitution”) 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.</li> <li>2 In terms of section 51 of the Act, all Private Bodies are required to compile an Information Manual (“PAIA Manual”).</li> <li>3 Where a request is made in terms of the Act, the body to whom the request is made is obliged to release the information, subject to applicable legislative and / or regulatory requirements, except where the Act expressly provides that the information may be adopted when requesting information from a public or private body</li> </ol>
Purpose of this PAIA Manual	<ol style="list-style-type: none"> <li>1. The purpose of PAIA is to promote the right of access to information, to foster a culture of transparency and accountability by giving the right to information that is required for the exercise or protection of any right and to actively promote a society in which the people of South Africa have effective access to information to enable them to exercise and protect their rights.</li> <li>2. To promote effective governance of private bodies, it is necessary to ensure that everyone is empowered and educated to understand their rights in relation to public and private bodies.</li> <li>3. Section 9 of the Act recognises that the right to access information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to:               <ol style="list-style-type: none"> <li>3.1 Limitations aimed at the reasonable protection of privacy;</li> <li>3.2 Commercial confidentiality; and</li> <li>3.3 Effective, efficient and good governance;</li> </ol>               And in a manner which balances that right with any other rights including the rights contained in the bill of rights in the Constitution             </li> </ol>
Key risks	<p>Furnlock has identified the following potential key risks, which this policy is designed to address:</p> <ul style="list-style-type: none"> <li>• Breach of confidentiality (information being given out inappropriately) and accordingly noncompliance with the Act</li> <li>• Breach of security by allowing unauthorised access</li> <li>• Breach of the Act by failing to implement necessary processes and procedures to enhance and give effect to the rights enshrined by PAIA or in a manner that is impermissible in terms of POPIA</li> </ul>

## **1. Contact Details of Head of Organisation and Information officer**

This PAIA Manual complies with the requirements of the guide mentioned in section 10 of the Act and recognises that upon commencement of the Protection of Personal Information Act 4 of 2013, that the appointed Information Regulator will be responsible to regulate compliance with the Act and its regulations by private and public bodies.

### **1.1 Contact Details of the Head of the Organisation in terms of Section 51(1)(a) of the Act**

**Chief Executive Officer: Rodney Bastard**  
**Registered Address: 32 15<sup>th</sup> Street,**  
**Eastgate Gardens, Marlboro**  
**Postal Address: PO Box 3170 Dainfern**  
**2055**  
**Telephone Number: 011 444 3997**  
**Website: [www.furnlock.co.za](http://www.furnlock.co.za)**  
**Email: [info@furnlock.co.za](mailto:info@furnlock.co.za)**

### **1.2 Contact Details of the Information Officer**

**Information Officer: Sandra Fenton**  
**Registered Address: 32 15<sup>th</sup> Street,**  
**Eastgate Gardens, Marlboro**  
**Postal Address: PO Box 3170**  
**Dainfern 2055**  
**Telephone Number: 082 564 9607**  
**Website: [www.furnlock.co.za](http://www.furnlock.co.za)**  
**Email: [sandra@furnlock.co.za](mailto:sandra@furnlock.co.za)**

- 1.2.1 The Act prescribes the appointment of an Information Officer for private bodies where such Information Officer is responsible to, inter alia, assess request for access to information.
- 1.2.2 The head of a private body fulfils such a function in terms of section 51. Furnlock has opted to appoint an Information Officer to assess such a request for access to information as well as to oversee its required functions in terms of the Act.
- 1.2.3 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.
- 1.2.4 The Information Officer oversees the functions and responsibilities as required for in terms of both this Act as well as the duties and responsibilities in terms of section 55 of the Protection of Personal Information Act 4 of 2013 after registering with the Information Regulator.
- 1.2.5 The Information Officer may appoint, where it is deemed necessary, Deputy Information Officers, as allowed in terms of section 17 of the Act as well as section 56 of the Protection of Personal Information Act 4 of 2013. This is in order to render Furnlock as accessible as reasonably possible for requesters of its records and to ensure fulfilment of its obligations and responsibilities as prescribed in terms of section 55 of the Protection of Personal Information Act 4 of 2013.
- 1.2.6 All requests for information in terms of this Act must be addressed to the Information Officer detailed below:

**Information Officer: Sandra Fenton**  
**Physical Address: 32 15<sup>th</sup> Street,**  
**Eastgate Gardens, Marlboro**  
**Telephone Number: 082 564 9607**  
**Email: sandra@furnlock.co.za**

- 2. Guide of Information in terms of Section 51(1)(b) of the Act**
- 2.1 The Act grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.
- 2.2 Requests in terms of the Act shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in paragraphs 11 and 12 of this Manual.
- 2.3 Requesters are referred to the Guide in terms of Section 10 which has been compiled by the South African Human Rights Commission, which will contain information for the purposes of exercising Constitutional Rights. It describes –
- 2.3.1 what the objects of the Act are
- 2.3.2 the process that needs to be followed in order to request a record
- 2.3.3 the fees that may be payable for accessing a record
- 2.3.4 how to get copies of the Guide at no charge
- 2.3.5 how to get access to the manual of a private body
- 2.3.6 the assistance that is available from the Commission and all the remedies available in law to a requester.
- 2.4 The Guide is available from the Information Regulator here [https://inforegulator.org.za/wp-content/uploads/2020/07/PAIA-Guide-English\\_20210905.pdf](https://inforegulator.org.za/wp-content/uploads/2020/07/PAIA-Guide-English_20210905.pdf)



PAIA-Guide-English\_2  
0210905 (1).pdf

<b>Contact body:</b>	<b>The Information Regulator</b>
<b>Physical Address:</b>	JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001.
<b>Postal Address:</b>	P.O Box 31533, Braamfontein, Johannesburg, 2017
<b>Telephone Number:</b>	010 023 5200
<b>E-Mail:</b>	<a href="mailto:enquiries@inforegulator.org.za">enquiries@inforegulator.org.za</a> <a href="mailto:PAIAComplaints@inforegulator.org.za">PAIAComplaints@inforegulator.org.za</a>
<b>Web Site:</b>	<a href="https://inforegulator.org.za">https://inforegulator.org.za</a>

**3. The Latest Notice in Terms of Section 52(2) (if any) in terms of Section 51(1)(c)**

No notice has been published on the categories of records that are automatically available without a person having to request access in terms of Section 52(2) of PAIA.

- 4. Access to Records Held by Furnlock**
- 4.1 Prerequisites for Access by Personal/Other Requester
- 4.1.1 Records held by Furnlock may be accessed by requests only once the prerequisite requirements for access have been met.
- 4.1.2 A requester is any person making a request for access to a record of Furnlock. There are two types of requesters:

- a. Personal Requester
  - i) A personal requester is a requester who is seeking access to a record containing personal information about the requester.

b. Other Requester

- i. This requester (other than a personal requester) is entitled to request access to information on third parties.
- ii. In considering such a request, Furnlock will adhere to the provisions of the Act.
- iii. Section 71 requires that the Information Officer take all reasonable steps to inform a third party to whom the requested record relates of the request, informing him/her that he/she may make a written or oral representation to the Information Officer why the request should be refused or, where required, give written consent for the disclosure of the Information.

- 4.2 Furnlock is not obliged to voluntarily grant access to such records. The requester must fulfil the prerequisite requirements, in accordance with the requirements of the Act and as stipulated in Chapter 5; Part 3, including the payment of a request and access fee.

**5. Subjects and Categories of Records Available only on Request to Access in Terms of the Act (Section 51(1)(e))**

**5.1 Records held by Furnlock**

- 5.1.1 For the purposes of this clause, "Personnel" refers to any person who works for, or provides services to, or on behalf of Furnlock and receives or is entitled to receive remuneration and any other person who assist in carrying out or conducting the business of Furnlock. This includes, without limitation, directors (executive and non-executive), all permanent, temporary and part-time staff, as well as contract workers.

- 5.1.2 This clause serves as a reference to the categories of information that Furnlock holds. The information is classified and grouped according to records relating to the following subjects and categories:

Subject	Category
Companies Act Records	<ul style="list-style-type: none"><li>■ All trust deeds;</li><li>■ Documents of Incorporation;</li><li>■ Index of names of Directors; Memorandum of Incorporation; Minutes of meetings of the Board of Directors;</li><li>■ Minutes of meetings of Shareholders;</li><li>■ Proxy forms;</li><li>■ Register of debenture-holders; Register of directors' shareholdings;</li><li>■ Share certificates;</li><li>■ Share Register and other statutory registers and/or records and/or documents;</li><li>■ Special resolutions/Resolutions passed at General and Class meetings;</li><li>■ Records relating to the appointment of:<ul style="list-style-type: none"><li>■ Auditors;</li><li>■ Directors;</li><li>■ Prescribed Officer.</li><li>■ Public Officer; and</li><li>■ Secretary</li></ul></li></ul>
Financial Records	<ul style="list-style-type: none"><li>■ Accounting Records;</li><li>■ Annual Financial Reports;</li><li>■ Annual Financial Statements</li><li>■ Asset Registers;</li><li>■ Bank Statements;</li><li>■ Banking details and bank accounts;</li></ul>
Personnel Records	<ul style="list-style-type: none"><li>■ Personal records provided by employee;</li><li>■ Records provided by a third party relating to employees;</li><li>■ Conditions of employment and other personnel-related contractual and quasi legal records;</li><li>■ Internal evaluation records and other internal records;</li><li>■ Correspondence relating to personnel;</li><li>■ Industrial training records and material;</li><li>■ Employment equity plan.</li></ul>
Client Related Records	<ul style="list-style-type: none"><li>■ Records provided by a client of Furnlock</li><li>■ Records provided to a third party</li><li>■ Records generated by Furnlock including transactional records</li></ul>

5.2 Note that the accessibility of the records may be subject to the grounds of refusal set out in this PAIA manual. Amongst other, records deemed confidential on the part of a third party, will necessitate permission from the third party concerned, in addition to normal requirements, before Furnlock will consider access.

**6. Records Available without a Request to Access in terms of the Act**

6.1 Records of a public nature, typically those disclosed on the Furnlock website and in its various annual reports, may be accessed without the need to submit a formal application.

6.2 Other non-confidential records, such as statutory records maintained at CIPC, may also be accessed without the need to submit a formal application, however, please note that an appointment to view such records will still have to be made with the Information Officer.

**7. Description of the Records of the Body Which are Available in Accordance with any other Legislation in terms of Section 51(1) (d)**

7.1 Where applicable to its operations, Furnlock also retains records and documents in terms of the legislation set out in **Annexure A**

7.2 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 Act; the below mentioned legislation and applicable internal policies and procedures, should such interested parties be entitled to such information. A request to access must be done in accordance with the prescriptions of the Act.

7.3 If a requester believes that a right of access to a record exists in terms of other legislation listed above or any other legislation, the requester is required to indicate what legislative right the request is based on, to allow the Information Officer the opportunity of considering the request in light thereof.

**8. Detail to Facilitate a Request for Access to a Record of Furnlock (Section 51(1)(e))**

8.1 The requester must comply with all the procedural requirements contained in the Act relating to the request for access to a record.

8.2 The requester must complete the prescribed form, and submit same as well as payment of a request fee and a deposit (if applicable) to the Information Officer or the Deputy Information Officer at the postal or physical address, or electronic mail address as noted herein.

8.3 The prescribed form must be filled in with sufficient information to enable the Information Officer to identify:  
a. the record or records requested; and  
b. the identity of the requester.

8.4 The requester should indicate which form of access is required and specify a postal address or email address of the requester in the Republic;

8.5 The requester must state that he/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. The requester must clearly specify why the record is necessary to exercise or protect such a right (section 53(2)(d)).

8.6 Furnlock will process the request within 30 (thirty) days, unless the requester has stated special reasons to the satisfaction of the Information Officer that circumstances dictate that the above time periods not be complied with.

- 8.7 The 30 (thirty) day period within which Furnlock has to decide whether to grant or refuse the request, may be extended for a further period of not more than (30) thirty days if the request is for a large number of information, or the request requires a search for information held at another office of Furnlock and the information cannot reasonably be obtained within the original 30 (thirty) day period.
- 8.8 The requester shall be advised whether access is granted or denied in writing. If, in addition, the requester requires the reasons for the decision in any other manner, the requester will be obliged to state which manner and the particulars required.
- 8.9 If a request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of the Information Officer (section 53(2)(f)).
- 8.10 If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally.
- 8.11 The requester must pay the prescribed fee, before any further processing can take place.
- 8.12 All information as noted herein should be provided and failing which the process will be delayed until the required information is provided. The prescribed time periods will not commence until the requester has furnished all the necessary and required information.
- 8.13 The Information Officer shall sever a record, if possible, and grant only access to that portion requested and which is not prohibited from being disclosed.

## 9. **Refusal of Access to Records**

### Grounds to Refuse Access:

- 9.1 A private body such as Furnlock is entitled to refuse a request for information in the following instances, which shall not be deemed as exhaustive:
- 9.1.1 mandatory protection of the privacy of a third party who is a natural person or a deceased person (section 63) or a juristic person, as included in the Protection of Personal Information Act 4 of 2013, where access requires the processing of personal information in contravention of any of the provisions of the Protection of Personal Information Act 4 of 2013;
- 9.1.2 mandatory protection of personal information and for disclosure of any personal information to, in addition to any other legislative, regulatory or contractual agreements, comply with the provisions of the Protection of Personal Information Act 4 of 2013;
- 9.1.3 mandatory protection of the commercial information of a third party (section 64) if the record contains:
- ii. trade secrets of the third party;
  - iii. financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party;
  - iv. information disclosed in confidence by a third party to Furnlock, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition.
  - v. mandatory protection of confidential information of third parties (section 65) if it is protected in terms of any agreement;
- 9.1.4 mandatory protection of the safety of individuals and the protection of property (section 66);
- 9.1.5 mandatory protection of records which would be regarded as privileged in legal proceedings (section 67).



- 9.1.6 The commercial activities (section 68) of a private body, such as Furnlock, which may include:
- a. trade secrets of Furnlock;
  - b. financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of Furnlock;
  - c. information which, if disclosed could put Furnlock at a
  - d. disadvantage in negotiations or commercial competition;
  - e. a computer program which is owned by Furnlock, and which is protected by copyright;
  - f. the research information (section 69) of Furnlock or a third party, if its disclosure would disclose the identity of Furnlock, the researcher or the subject matter of the research and would place the research at a serious disadvantage.
- 9.2 Requests for information that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources shall be refused.
- 9.3 All requests for information will be assessed on their own merits and in accordance with the applicable legal principles and legislation.
- 9.4 If a requested record cannot be found or if the record does not exist, the Information Officer shall, by way of an affidavit or affirmation, notify the requester that it is not possible to give access to the requested record. Such a notice will be regarded as a decision to refuse a request for access to the record concerned for the purpose of the Act. If the record 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 the Information Officer refuses access to such record.

## **10. Remedies Available When Furnlock Refuses a Request**

- 10.1 **Internal Processes:** Furnlock does not have an internal appeal procedure. The decision made by the Information Officer is final. Requesters will have the right to exercise such external remedies at their disposal if the request for information is refused, and the requestor is not satisfied with the answer supplied by the Information Officer.
- 10.2 **External Remedies**
- 10.2.1 A requestor that is dissatisfied with the Information Officer's refusal to disclose information, may within 30 (thirty) days of notification of the decision, may apply to a Court for relief.
- 10.2.2 A third party dissatisfied with the Information Officer's decision to grant a request for information, may within 30 (thirty) days of notification of the decision, apply to a Court for relief.

## **11. Prescribed Fees (Section 51 (1) (f))**

### **Fees Provided by the Act**

- 11.1 The Act provides for two types of fees, namely:
- i. A request fee, which is a form of administration fee to be paid by all requesters except personal requesters, before the request is considered and is not refundable; and
  - ii. An access fee, which is paid by all requesters in the event that a request for access is granted. This fee is inclusive of costs involved by the private body in obtaining and preparing a record for delivery to the requester.
- 11.2 When the request is received by the Information Officer, such officer shall by notice require the requester, other than a personal requester, to pay the prescribed request fee, before further processing of the request (section 54(1)).
- 11.3 If the search for the record has been made and the preparation of the record for disclosure, including arrangement to make it available in the requested form, requires

more than the hours prescribed in the regulations for this purpose, the Information Officer shall notify the requester to pay as a deposit the prescribed portion of the access fee which would be payable if the request is granted.

- 11.4 The Information Officer shall withhold a record until the requester has paid the fees as indicated below.
- 11.5 A requester whose request for access to a record has been granted, must pay an access fee that is calculated to include, where applicable, the request fee, the process fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure including making arrangements to make it available in the request form.
- 11.6 If a deposit has been paid in respect of a request for access, which is refused, then the Information Officer concerned must repay the deposit to the requester.

## 12. **Reproduction Fee**

- 12.1 Where Furnlock has voluntarily provided the Minister with a list of categories of records that will automatically be made available to any person requesting access thereto, the only charge that may be levied for obtaining such records, will be a fee for reproduction of the record in question

### **Reproduction of Information Fees**

	<b>Fees to be Charged (excl. VAT)</b>
For every photocopy of an A-4 size page photocopy or part thereof	R 1,10
For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form	R 0,75
A copy in computer-readable format, for example:	R 70,00
Compact disc	
Stiff disc	R 7,50
A transcription of visual images, in an A4-size page or part thereof	R 40,00
A copy of visual images	R 60,00
A transcription of an audio record for an A4-size page or part thereof	R 20,00
A copy of an audio record	R 30,00

## 12.2 **Request Fees**

- 12.2.1 Where a requester submits a request for access to information held by an institution on a person other than the requester himself/herself, a request fee in the amount of R 50,00 (excl. VAT) is payable up-front before the institution will further process the request received. Furnlock shall abide by this process.

## 12.3 **Access Fees**

- 12.3.1 An access fee is payable in all instances where a request for access to information is granted, except in those instances where payment of an access fee is specially excluded in terms of the Act or an exclusion is determined by the Minister in terms of section 54(8).

### Access of Information Fees

	<b>Fees to be Charged (excl. VAT)</b>
For every photocopy of an A-4 size page photocopy or part thereof	R 1,10
For every printed copy of an A4-size page or part thereof	R 0,75
A copy in computer-readable format, for example:	R 7,50
Stiffy disc	R 70,00
Compact disc	
A transcription of visual images, in an A4-size page or part thereof	R 40,00
A copy of visual images	R 60,00
A transcription of an audio record for an A4-size page or part thereof	R 20,00
A copy of an audio record	R 30,00*
*Per hour or part of an hour reasonably required for such search.	

- 12.3.2 The applicable access fees which will be payable shall be determined by the Information officer with reference to the applicable legislation from time to time.
- 12.3.3 Where Furnlock receives a request for access to information held on a person other than the requester himself/herself and the Information Officer upon receipt of the request is of the opinion that the preparation of the required record of disclosure will take more than 6 (six) hours, a deposit is payable by the requester.
- 12.3.4 The amount of the deposit is equal to 1/3 (one third) of the amount of the applicable access fee.
- 12.3.5 Where a copy of the record needs to be posted the actual postal fee is payable in addition to the applicable fees.

### 12.4 Collection Fees

- 12.4.1 The initial "request fee" of R 50,00 should be deposited into the bank account as nominated by the Information officer from time to time and a copy of the deposit slip, application form and other correspondence / documents, forwarded to the Information Officer via email.
- 12.4.2 The officer will collect the initial "request fee" of applications received directly by the Information Officer via email.
- 12.4.3 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.

### 13. Protection of Personal Information that is Processed by Furnlock

- 13.1 Chapter 3 of POPIA 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 POPIA.
- 13.2 Furnlock needs Personal Information relating to both individual and juristic persons in order to carry out its business and organisational functions. The manner in which this information is Processed and the purpose for which it is Processed is determined by Furnlock. Furnlock is accordingly a Responsible Party for the purposes of POPIA and will ensure that the Personal Information of a Data Subject:
- 13.2.1 is processed lawfully, fairly and transparently. This includes the provision of appropriate information to Data Subjects when their data is collected by Furnlock, in the form of privacy or data collection notices. Furnlock must also have a legal basis (which may include, for example, consent) to process Personal Information;
- 13.2.2 is processed only for the purposes for which it was collected;
- 13.2.3 will not be processed for a secondary purpose unless that processing is compatible with the original purpose.
- 13.2.4 is adequate, relevant and not excessive for the purposes for which it was collected;
- 13.2.5 is accurate and kept up to date;
- 13.2.6 will not be kept for longer than necessary;

- 13.2.7 is processed in accordance with integrity and confidentiality principles; this includes physical and organisational measures to ensure that Personal Information, in both physical and electronic form, are subject to an appropriate level of security when stored, used and communicated by Furnlock, in order to protect against access and acquisition by unauthorised persons and accidental loss, destruction or damage;
- 13.2.8 is processed in accordance with the rights of Data Subjects, where applicable. Data Subjects have the right to:
- a) be notified that their Personal Information is being collected by Furnlock. The Data Subject also has the right to be notified in the event of a data breach;
  - b) know whether Furnlock holds Personal Information about them, and to access that information. Any request for information must be handled in accordance with the provisions of this Manual;
  - c) request the correction or deletion of inaccurate, irrelevant, excessive, out of date, incomplete, misleading or unlawfully obtained personal information;
  - d) object to Furnlock's use of their Personal Information and request the deletion of such Personal Information (deletion would be subject to Furnlock's record keeping requirements);
  - e) object to the processing of Personal Information for purposes of direct marketing by means of unsolicited electronic communications; and
  - f) object to the Information Regulator regarding an alleged infringement of any of the rights protected under POPI and to institute civil proceedings regarding the alleged non-compliance with the protection of his, her or its personal information.

### 13.3 ***Purpose of the Processing of Personal Information by the Company***

As outlined above, Personal Information may only be processed for a specific purpose. The purposes for which Furnlock processes or will process Personal Information is set out in Part 1 of **Appendix B**.

### 13.4 ***Categories of Data Subjects and Personal Information/special Personal Information relating thereto***

As per section 1 of POPI, a Data Subject may either be a natural or a juristic person. Part 2 of Appendix B sets out the various categories of Data Subjects that Furnlock Processes Personal Information on and the types of Personal Information relating thereto.

### 13.5 ***Recipients of Personal Information***

Part 3 of Appendix B outlines the recipients to whom Furnlock may provide a Data Subjects Personal Information to.

### 13.6 ***Cross-border flows of Personal Information***

13.6.1 Section 72 of POPIA provides that Personal Information may only be transferred out of the Republic of South Africa if the:

- a. recipient country can offer such data an "adequate level" of protection. This means that its data privacy laws must be substantially similar to the Conditions for Lawful Processing as contained in POPI; or
- b. Data Subject consents to the transfer of their Personal Information; or
- c. transfer is necessary for the performance of a contractual obligation between the Data Subject and the Responsible Party; or
- d. transfer is necessary for the performance of a contractual obligation between the Responsible Party and a third party, in the interests of the Data Subject; or

- e. the transfer is for the benefit of the Data Subject, and it is not reasonably practicable to obtain the consent of the Data Subject, and if it were, the Data Subject, would in all likelihood provide such consent.

13.6.2 Part 4 of Appendix B sets out the planned cross-border transfers of Personal Information and the condition from above that applies thereto.

**13.7 Information security measures to be implemented by Furnlock**

13.7.1 Part 5 of Appendix B sets out the reasonable, appropriate, technical and organisational measures to be implemented by Furnlock in order to ensure that Personal Information is protected from loss, damage, unauthorised access, processing, destruction or manipulation. An assessment of the suitability of the information security measures implemented or to be implemented by Furnlock must be conducted in order to ensure that the Personal Information that is processed by Furnlock is safeguarded and Processed in accordance with the Conditions for Lawful Processing.

**13.8 Objection to the Processing of Personal Information by a Data Subject**

13.8.1 Section 11 (3) of POPI and regulation 2 of the POPIA Regulations provides that a Data Subject may, at any time object to the Processing of his/her/its Personal Information in the prescribed form attached to this manual as Appendix C subject to exceptions contained in POPIA.

**13.9 Request for correction or deletion of Personal Information**

13.9.1 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 the prescribed form attached as Appendix D to this Manual.

**14. Availability and Updating of this PAIA Manual**

15.1. This PAIA Manual is made available in terms of Regulation Number R187 of 15 February 2002. Furnlock will update this PAIA Manual at such intervals as may be deemed necessary.

15.2. This PAIA Manual of Furnlock is available to view at its premises and on its website.

Annexure A

- a. Auditing Professions Act, No 26 of 2005;
- b. Basic Conditions of Employment Act, No 75 of 1997;
- c. Broad- Based Black Economic Empowerment Act, No 75 of 1997;
- d. Business Act, No 71 of 1991;
- e. Companies Act, No 71 of 2008;
- f. Compensation for Occupational Injuries & Diseases Act, 130 of 1993;
- g. Competition Act, No.71 of 2008;
- h. Constitution of the Republic of South Africa 2008;
- i. Copyright Act, No 98 of 1978;
- j. Customs & Excise Act, 91 of 1964;
- k. Electronic Communications Act, No 36 of 2005;
- l. Electronic Communications and Transactions Act, No 25 of 2002;
- m. Employment Equity Act, No 55 of 1998;
- n. Financial Intelligence Centre Act, No 38 of 2001;
- o. Identification Act, No. 68 of 1997;
- p. Income Tax Act, No 58 of 1962;
- q. Intellectual Property Laws Amendment Act, No 38 of 1997;
- r. Labour Relations Act, No 66 of 1995;
- s. Long Term Insurance Act, No 52 of 1998;
- t. Occupational Health & Safety Act, No 85 of 1993;
- u. Pension Funds Act, No 24 of 1956;
- v. Prescription Act, No 68 of 1969;
- w. Prevention of Organised Crime Act, No 121 of 1998;
- x. Promotion of Access to Information Act, No 2 of 2000;
- y. Protection of Personal Information Act, No. 4 of 2013;
- z. Regulation of Interception of Communications and Provision of
- aa. Revenue laws Second Amendment Act. No 61 of 2008;
- bb. Skills Development Levies Act No. 9 of 1999;
- ee. Unemployment Insurance Contributions Act 4 of 2002;
- ff. Unemployment Insurance Act No. 30 of 1966;
- gg. Value Added Tax Act 89 of 1991.
- ii. Communication-Related Information Act 70 of 2002
- ll. Protection of Personal Information Act
- mm. National Road Transport Act

**Request Access to Records**

[https://www.justice.gov.za/forms/paia/J752\\_paia\\_Form%20C.pdf](https://www.justice.gov.za/forms/paia/J752_paia_Form%20C.pdf)



J752\_paia\_Form C  
(3).pdf

## PURPOSE FOR PROCESSING OF PERSONAL INFORMATION

### **Appendix B: Part 1 - Processing of Personal Information in Accordance with POPI**

- a. Performing duties in terms of any agreement with clients of Furnlock
- b. Make, or assist in making, business decisions about Furnlock clients
- c. Operate and manage any application, agreement or correspondence customers or clients may have with Furnlock
- d. Communicating (including direct marketing) with customers by email, SMS, letter, telephone or in any other way about Furnlock's products and services, unless indicated otherwise
- e. Carrying out market research, business and statistical analysis
- f. Performing other administrative and operational purposes including the testing of systems
- g. Recovering any debt customers may owe Furnlock
- h. Complying with Furnlock's regulatory and other obligations
- i. Any other reasonably required purpose relating to the carrying out of the business activities of Furnlock

#### **For prospective customers:**

- a. Verifying and updating information
- b. Pre-scoring
- c. Direct marketing
- d. Any other reasonably required purpose relating to the processing of a prospect's personal information reasonably related to the Furnlock's business.

#### **For employees:**

- i. The same purposes as for consumers (above – where applicable)
- ii. Verification of applicant employees' information during recruitment process
- iii. General matters relating to employees, amongst others:
- iv. Pension
- v. Medical aid
- vi. Payroll
- vii. Disciplinary action
- viii. Training
- ix. Any other reasonably required purpose relating to the management of the contract of employment and performance or possible employment relationship.

#### **For vendors /suppliers /other businesses:**

- a. Verifying information and performing checks;
- b. Purposes relating to the agreement or business relationship or possible agreement or business relationships between the parties;
- c. Payment of invoices;
- d. Complying with the Furnlock's regulatory and other obligations; and
- e. Any other reasonably required purpose relating to the carrying out of the business activities of Furnlock.



**Appendix B: Part 2 - Categories of Data Subjects and Categories of Personal Information relating thereto**

**Employees**

- a. Name and contact details
- b. Identity number and identity documents including passports
- c. Employment history and references
- d. Banking and financial details
- e. Details of payments to third parties (deductions from salary)
- f. Employment contracts
- g. Employment equity plans
- h. Medical aid records
- i. Pension Fund records
- j. Remuneration/salary records
- k. Performance appraisals
- l. Disciplinary records
- m. Leave records
- n. Training records

**Clients // Customers**

- a. Postal and/or street address
- b. title and name
- c. contact numbers and/or e-mail address
- d. ethnic group
- e. financial information
- f. identity or passport number of directors

**Vendors /suppliers /other businesses:**

- a. Name and contact details
- b. Identity and/or company information and directors'
- c. Banking and financial information
- d. Information about products or services
- e. Other information not specified, reasonably required to be processed for business operations

### **Appendix B: Part 3 - Recipients of Personal Information**

1. Any firm, organisation or person that the Furnlock uses to collect payments and recover debts or to provide a service on its behalf;
2. Any firm, organisation or person that/who provides the Furnlock with products or services;
3. Any payment system the Furnlock uses;
4. Regulatory and governmental authorities or ombudsmen, or other authorities, including tax authorities, where Furnlock has a duty to share information;
5. Third parties to whom payments are made on behalf of employees;
6. Financial institutions from whom payments are received on behalf of data subjects;
7. Any other operator not specified;
8. Employees, contractors and temporary staff; and
9. Agents.

### **Appendix B: Part 4 – Cross border transfers of Personal Information**

Personal Information may be transmitted transborder to Furnlock's suppliers in other countries, and Personal Information may be stored in data servers hosted outside South Africa. Furnlock will endeavour to ensure that its dealers and suppliers will make all reasonable efforts to secure said data and Personal Information in accordance with the provisions of the Protection of Personal Information Act, 2013.

### **Appendix B: Part 5 – Description of information security measures**

Furnlock 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. Furnlock may use alternative measures and adapt to technological security development, as needed, provided that the objectives are achieved.

#### **1. Access Control of Persons**

Furnlock shall implement suitable measures in order to prevent unauthorized persons from gaining access to the data processing equipment where the data are processed.

#### **2. Data Media Control**

Furnlock undertakes to implement suitable measures to prevent the unauthorized manipulation of media, including reading, copying, alteration or removal of the data media used by Furnlock and containing personal data of Customers.

#### **3. Data Memory Control**

Furnlock undertakes to implement suitable measures to prevent unauthorized input into data memory and the unauthorised reading, alteration or deletion of stored data.

#### **4. User Control**

Furnlock shall implement suitable measures to prevent its data processing systems from being used by unauthorised persons by means of data transmission equipment.

#### **5. Access Control to Data**

Furnlock represents that the persons entitled to use Furnlock's data processing system are only able to access the data within the scope and to the extent covered by their respective access permissions (authorisation).

#### **6. Transmission Control**

Furnlock shall be obliged to enable the verification and tracing of the locations / destinations to which the personal information is transferred by utilization of Furnlock's data communication equipment / devices.

#### **7. Transport Control**

Furnlock shall implement suitable measures to prevent Personal Information from being read, copied, altered or deleted by unauthorized persons during the transmission thereof or during the transport of the data media.

#### **8. Organisation Control**

Furnlock shall maintain its internal organisation in a manner that meets the requirements of this Manual.

**Appendix C: Objection to the Processing of Personal Information in terms of Section 11(3) of the Protection of Personal Information Act, 2013  
Regulations Relating to The Protection of Personal Information, 2018**

**Note:**

1 Affidavits or other documentary evidence as applicable in support of the objection 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 **A**

**DETAILS OF DATA SUBJECT**

Name(s) and surname/ registered name of data subject:

Unique Identifier/ Identity Number

Residential, postal or business address:

Contact number(s):

Fax number / E-mail address:

**B**

**DETAILS OF RESPONSIBLE PARTY**

Name(s) and surname/ registered name of data subject:

Residential, postal or business address:

Contact number(s):

Fax number / E-mail address:

**C**

**REASONS FOR OBJECTION IN TERMS  
OF SECTION 11(1)(d) to (f) (Please  
provide detailed reasons for the  
objection)**

**Appendix D: 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  
Regulations Relating to the Protection of Personal Information, 2018**

[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:

- Correction or deletion of the personal information about the data subject which is in possession or under the control of the responsible party.
- Destroying or deletion of a record of personal information about the data subject which is in possession or under the control of the responsible party and who is no longer authorised to retain the record of information

**A** **Details of Data Subject**

Name(s) and surname/ registered name of data subject:

Unique Identifier/ Identity Number

Residential, postal or business address:

Contact number(s):

Fax number / E-mail address:

**B** **DETAILS OF RESPONSIBLE PARTY**

Name(s) and surname/ registered name of data subject:

Residential, postal or business address:

Contact number(s):

# 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)

E-mail address: \_\_\_\_\_

Fax number: \_\_\_\_\_

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 <i>(when made on behalf of another person)</i>			
Postal Address			
Street Address			
E-mail Address			
Contact Numbers	Tel. (B):		Facsimile:
	Cellular:		
Full names of person on whose behalf request is made <i>(if applicable):</i>			
Identity Number			
Postal Address			

Street Address			
E-mail Address			
Contact Numbers	Tel. (B)		Facsimile
	Cellular		
<b>PARTICULARS OF RECORD REQUESTED</b>			
<p><i>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.)</i></p>			
Description of record or relevant part of the record:			
Reference number, if available			
Any further particulars of record			
<b>TYPE OF RECORD</b> <i>(Mark the applicable box with an "X")</i>			
Record is in written or printed form			
Record comprises virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>			
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**  
*(Mark the applicable box with an "X")*

Printed copy of record <i>(including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)</i>	
Written or printed transcription of virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>	
Transcription of soundtrack <i>(written or printed document)</i>	
Copy of record on flash drive <i>(including virtual images and soundtracks)</i>	
Copy of record on compact disc drive <i>(including virtual images and soundtracks)</i>	
Copy of record saved on cloud storage server	

**MANNER OF ACCESS**  
*(Mark the applicable box with an "X")*

Personal inspection of record at registered address of public/private body <i>(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)</i>	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format <i>(including transcriptions)</i>	
E-mail of information <i>(including soundtracks if possible)</i>	
Cloud share/file transfer	
Preferred language <i>(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)</i>	

**PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED**

*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:	

<b>FEES</b>	
a)	<i>A request fee must be paid before the request will be considered.</i>
b)	<i>You will be notified of the amount of the access fee to be paid.</i>
c)	<i>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.</i>
d)	<i>If you qualify for exemption of the payment of any fee, please state the reason for exemption</i>
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 <i>(Please specify)</i>

Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

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

-----  
**FOR OFFICIAL USE**

Reference number:	
Request received by: <i>(State Rank, Name And Surname of Information Officer)</i>	
Date received:	
Access fees:	
Deposit (if any):	

\_\_\_\_\_  
**Signature of Information Officer**