

# PAIA Policy

## 1. LIST OF ACRONYMS AND ABBREVIATIONS

- |     |                    |  |
|-----|--------------------|--|
| 1.1 | <b>“CEO”</b>       | Chief Executive Officer  |
| 1.2 | <b>“DIO”</b>       | Deputy Information Officer;  |
| 1.3 | <b>“IO“</b>        | Information Officer;   |
| 1.4 | <b>“Minister”</b>  | Minister of Justice and Correctional Services;                     |
| 1.5 | <b>“PAIA”</b>      | Promotion of Access to Information Act No. 2 of 2000( as Amended); |
| 1.6 | <b>“POPIA”</b>     | Protection of Personal Information Act No.4 of 2013;               |
| 1.7 | <b>“Regulator”</b> | Information Regulator; and   |
| 1.8 | <b>“Republic”</b>  | Republic of South Africa   |

## 2. PURPOSE OF PAIA POLICY

This PAIA Policy has been prepared in terms of section 51 of the Promotion of Access to Information Act 2 of 2000 (as amended) and is useful for the public to-

- 2.1 check the categories of records held by a body which are available without a person having to submit a formal PAIA request;

- 2.2 have a sufficient understanding of how to make a request for access to a record of the body, by providing a description of the subjects on which the body holds records and the categories of records held on each subject;
- 2.3 know the description of the records of the body which are available in accordance with any other legislation;
- 2.4 access all the relevant contact details of the Information Officer and Deputy Information Officer who will assist the public with the records they intend to access;
- 2.5 know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- 2.6 know if the body will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.7 know the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.8 know the recipients or categories of recipients to whom the personal information may be supplied;
- 2.9 know if the body has planned to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied; and
- 2.10 know whether the body has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

### 3. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF THE RED PINE CAPITAL (PTY) LTD

#### 3.1. Chief Information Officer

Name: Jacques Louis Pretorius  
Tel: +27(0) 21527 0080  
Email: [j.pretorius@redpine-capital.com](mailto:j.pretorius@redpine-capital.com)

#### 3.2. Deputy Information Officer *(NB: if more than one Deputy Information Officer is designated, please provide the details of every Deputy Information Officer of the body designated in terms of section 17 (1) of PAIA.*

Name: Jacques Louis Pretorius  
Tel: +27(0) 21527 0080  
Email: [j.pretorius@redpine-capital.com](mailto:j.pretorius@redpine-capital.com)

#### 3.3 Access to information general contacts

Email: [info@trade245.com](mailto:info@trade245.com)

#### 3.4 National or Head Office

Postal Address: Floor 9 Atrium On 5th Street, Sandton, Gauteng, 2196

Physical Address: Floor 9 Atrium On 5th Street, Sandton, Gauteng, 2196

Telephone: +27(0) 87 828 8245

Email: [info@trade245.com](mailto:info@trade245.com)

Website: [www.trade245.com](http://www.trade245.com)



#### 4. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

- 4.1. The Regulator has, in terms of section 10(1) of PAIA, as amended, updated and made available the revised Guide on how to use PAIA (“Guide”), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.
- 4.2. The Guide is available in each of the official languages and in braille.
- 4.3.
- 4.4. The aforesaid Guide contains the description of-
  - 4.4.1. the objects of PAIA and POPIA;
  - 4.4.2. the postal and street address, phone and fax number and, if available, electronic mail address of-
    - 4.4.2.1. the Information Officer of every public body, and
    - 4.4.2.2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA<sup>1</sup> and section 56 of POPIA<sup>2</sup>;
  - 4.4.3. the manner and form of a request for-
    - 4.4.3.1. access to a record of a public body contemplated in section 11<sup>3</sup>; and

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<sup>1</sup> Section 17(1) of PAIA- *For the purposes of PAIA, each public body must, subject to legislation governing the employment of personnel of the public body concerned, designate such number of persons as deputy information officers as are necessary to render the public body as accessible as reasonably possible for requesters of its records.*

<sup>2</sup> Section 56(a) of POPIA- *Each public and private body must make provision, in the manner prescribed in section 17 of the Promotion of Access to Information Act, with the necessary changes, for the designation of such a number of persons, if any, as deputy information officers as is necessary to perform the duties and responsibilities as set out in section 55(1) of POPIA.*

<sup>3</sup> Section 11(1) of PAIA- *A requester must be given access to a record of a public body if that requester complies with all the procedural requirements in PAIA relating to a request for access to that record; and access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*

- 4.4.3.2. access to a record of a private body contemplated in section 50<sup>4</sup>;
- 4.4.4. the assistance available from the IO of a public body in terms of PAIA and POPIA;
- 4.4.5. the assistance available from the Regulator in terms of PAIA and POPIA;
- 4.4.6. all remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging-
  - 4.4.6.1. an internal appeal;
  - 4.4.6.2. a complaint to the Regulator; and
  - 4.4.6.3. an application with a court against a decision by the information officer of a public body, a decision on internal appeal or a decision by the Regulator or a decision of the head of a private body;
- 4.4.7. the provisions of sections 14<sup>5</sup> and 51<sup>6</sup> requiring a public body and private body, respectively, to compile a policy, and how to obtain access to a policy;

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<sup>4</sup> Section 50(1) of PAIA- A requester must be given access to any record of a private body if-

- a) that record is required for the exercise or protection of any rights;
- b) that person complies with the procedural requirements in PAIA relating to a request for access to that record; and
- c) access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.

<sup>5</sup> Section 14(1) of PAIA- The information officer of a public body must, in at least three official languages, make available a policy containing information listed in paragraph 4 above.

<sup>6</sup> Section 51(1) of PAIA- The head of a private body must make available a policy containing the description of the information listed in paragraph 4 above.

- 4.4.8. the provisions of sections 15<sup>7</sup> and 52<sup>8</sup> providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
  - 4.4.9. the notices issued in terms of sections 22<sup>9</sup> and 54<sup>10</sup> regarding fees to be paid in relation to requests for access; and
  - 4.4.10. the regulations made in terms of section 92<sup>11</sup>.
- 4.5. Members of the public can inspect or make copies of the Guide from the offices of the public and private bodies, including the office of the Regulator, during normal working hours.
- 4.6. The Guide can also be obtained-
- 4.6.1. upon request to the Information Officer;
  - 4.6.2. from the website of the Regulator (<https://www.justice.gov.za/inforeg/>).

## **5. CATEGORIES OF RECORDS OF RED PINE CAPITAL (PTY) LTD WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS**

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<sup>7</sup> Section 15(1) of PAIA- The information officer of a public body, must make available in the prescribed manner a description of the categories of records of the public body that are automatically available without a person having to request access

<sup>8</sup> Section 52(1) of PAIA- The head of a private body may, on a voluntary basis, make available in the prescribed manner a description of the categories of records of the private body that are automatically available without a person having to request access

<sup>9</sup> Section 22(1) of PAIA- The information officer of a public body to whom a request for access is made, must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

<sup>10</sup> Section 54(1) of PAIA- The head of a private body to whom a request for access is made must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

<sup>11</sup> Section 92(1) of PAIA provides that –“The Minister may, by notice in the Gazette, make regulations regarding-

- (a) any matter which is required or permitted by this Act to be prescribed;
- (b) any matter relating to the fees contemplated in sections 22 and 54;
- (c) any notice required by this Act;
- (d) uniform criteria to be applied by the information officer of a public body when deciding which categories of records are to be made available in terms of section 15; and
- (e) any administrative or procedural matter necessary to give effect to the provisions of this Act.”

*NB: Please specify the categories of records held by the body which are available without a person having to request access by completing Form C, types of the records and how the records can be accessed. These are mostly records that maybe available on the website and a person may download or request telephonically or by sending an email or a letter.*

*Below is an example of the table that can be used.*

Category of records	Types of the Record	Available on Website	Available upon request
		X	X

**6. DESCRIPTION OF THE RECORDS OF RED PINE CAPITAL (PTY) LTD WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION**

*NB: Please specify all the records which are created and available in accordance with any of the South African legislation. Below is an example of the table that can be used in describing the records and applicable legislation.*

Category of Records	Applicable Legislation
Memorandum of incorporation	Companies Act 71 of 2008
PAIA Policy	Promotion of Access to Information Act 2 of 2000

**7. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY THE RED PINE CAPITAL (PTY) LTD**

**NB:** Describe the subjects (i.e. Finance, SCM or HR), in respect of which the body holds records and the categories of records held on each subject. Below is an example of the table that can be used. .

<b>Subjects on which the body holds records</b>	<b>Categories of records</b>
Strategic Documents, Plans, Proposals	Annual Reports, Strategic Plan, Annual Performance Plan.
Human Resources	<ul style="list-style-type: none"> <li>- HR policies and procedures</li> <li>- Advertised posts</li> <li>- Employees records</li> </ul>

## 8. PROCESSING OF PERSONAL INFORMATION

### 8.1 Purpose of Processing Personal Information

*NB: Describe the purpose or reasons for processing personal information in your organisation.*

### 8.2 Description of the categories of Data Subjects and of the information or categories of information relating thereto

*NB: Specify the categories of data subjects in respect of whom the body processes personal information and the nature or categories of the personal information being processed.*

*Below is the template that can be used to set out the categories of data subjects and the description of the nature or categories of the personal information to be processed. Note that the nature or categories of the personal information is dependent on the purpose of the body in performing its functions or services. .*



Categories of Data Subjects	Personal Information that may be processed
Customers / Clients	name, address, registration numbers or identity numbers, employment status and bank details
Service Providers	names, registration number, vat numbers, address, trade secrets and bank details
Employees	address, qualifications, gender and race

### 8.3 The recipients or categories of recipients to whom the personal information may be supplied

***NB:** Specify the person or category of persons to whom the body may disseminate personal information. Below is an example of the category of personal information which may be disseminated and the recipient or category of recipients of the personal information.*

Category of personal information	Recipients or Categories of Recipients to whom the personal information may be supplied
Identity number and names, for criminal checks	South African Police Services
Qualifications, for qualification verifications	South African Qualifications Authority
Credit and payment history, for credit information	Credit Bureaus

### 8.4 Planned transborder flows of personal information

*NB: Indicate if the body has planned transborder flows of personal information. For example, some personal information may be stored in the cloud outside the Republic. Please specify the country in which personal information will be stored and categories of personal information.*

**8.5 General description of Information Security Measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information**

*NB: Specify the nature of the security safeguards to be implemented or under implementation to ensure the confidentiality and integrity of the personal information under the care of the body. This may, for example, include Data Encryption; Anti-virus and Anti-malware Solutions.*

**9. AVAILABILITY OF THE POLICY**

9.1 A copy of the Policy is available-

9.1.1 on [www.trade245.com](http://www.trade245.com), if any;

9.1.2 head office of Red Pine Capital (Pty) Ltd for public inspection during normal business hours;

9.1.3 to any person upon request and upon the payment of a reasonable prescribed fee; and

9.1.4 to the Information Regulator upon request.

9.2 A fee for a copy of the Policy, as contemplated in annexure B of the Regulations, shall be payable per each A4-size photocopy made.

## **10. UPDATING OF THE POLICY**

The head of Red Pine Capital (Pty) Ltd will on a regular basis update this Policy.

**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  
person.

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		

**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	
<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	

<b>FORM OF ACCESS</b> <i>(Mark the applicable box with an "X")</i>	
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	

<b>MANNER OF ACCESS</b> <i>(Mark the applicable box with an "X")</i>	
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>	

<b>PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED</b>	
<i>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.</i>	
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 (Please specify)

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

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

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**FOR OFFICIAL USE**

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

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



# FORM 3

## OUTCOME OF REQUEST AND OF FEES PAYABLE

### [Regulation 8]

Note:

If your request is granted the—

- (a) amount of the deposit, (if any), is payable before your request is processed; and
- (b) requested record/portion of the record will only be released once proof of full payment is received.

2. Please use the reference number hereunder in all future correspondence.

Reference number: \_\_\_\_\_

TO: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Your request dated \_\_\_\_\_, refers.

**1. You requested:**

Personal inspection of information 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> ) is free of charge. You are required to make an appointment for the inspection of the information and to bring this Form with you. If you then require any form of reproduction of the information, you will be liable for the fees prescribed in Annexure B.	
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R

**2. You requested:**

Printed copies of the information ( <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 information on flash drive ( <i>including virtual images and soundtracks</i> )	
Copy of information on compact disc drive ( <i>including virtual images and soundtracks</i> )	
Copy of record saved on cloud storage server	

**3. To be submitted:**

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: (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)	
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Kindly note that your request has been:

Approved

Denied, for the following reasons:

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**4. Fees payable with regards to your request:**

Item	Cost per A4-size page or part thereof/item	Number of pages/items	Total
Photocopy			
Printed copy			
For a copy in a computer-readable form on:			
(i) Flash drive	R40.00		
• To be provided by requestor			
(ii) Compact disc	R40.00		
• If provided by requestor			
• If provided to the requestor	R60.00		
For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on the quotation of the service provider		
Copy of visual images			
Transcription of an audio record, per A4-size	R24.00		
Copy of an audio record			
(i) Flash drive	R40.00		
• To be provided by requestor			
(ii) Compact disc	R40.00		
• If provided by requestor			
• If provided to the requestor	R60.00		
Postage, e-mail or any other electronic transfer:	Actual costs		
<b>TOTAL:</b>			

**5. Deposit payable (if search exceeds six hours):**

Yes

No

Hours of search		Amount of deposit (calculated on one third of total amount per request)	
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The amount must be paid into the following Bank account:

Name of Bank: \_\_\_\_\_

Name of account holder: \_\_\_\_\_

Type of account: \_\_\_\_\_  
Account number: \_\_\_\_\_  
Branch Code: \_\_\_\_\_  
Reference Nr: \_\_\_\_\_  
Submit proof of payment to: \_\_\_\_\_

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

\_\_\_\_\_  
*Information officer*