



**KOMPLIANCE (PROPRIETARY) LIMITED**  
**PAIA/POPIA Manual**  
**July 2023**

## PAIA Manual July 2023

### 1. Introduction

KOMPLIANCE (PTY) LTD (the “Company”) conducts business as a specialist Net Zero advisor to individuals, corporations, NGOs, and local and national governments. This Promotion of Access to Information Manual (the “Manual”) provides an outline of the type of records and the personal information it holds and explains how to submit requests for access to these records in terms of the Promotion of Access to Information Act 2 of 2000 (the “PAIA Act”). In addition, it explains how to access, or object to, personal information held by the Company, or request correction of personal information, in terms of paragraphs 23 and 24 of the Protection of Personal Information Act 4 of 2013 (the “POPI Act”). The PAIA and POPI Acts give effect to everyone’s constitutional right of access to information held by the private sector or public bodies if the record or personal information 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. Requests shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in section 6.

## 2. Availability of this PAIA Manual

This manual is published on the Company website at <https://kompliance.co.za> or a copy can be requested from the Chief Legal Officer (see contact details in section 3).

Availability of guides to the PAIA and POPI Acts Guides to the PAIA and POPI Acts can be obtained, and queries directed to:

The Information Regulator

JD House

27 Stiemens Street

Braamfontein,

Johannesburg

2001.

[Phone: 010 023 5200](tel:0100235200)

[Email: enquiries@inforegulator.org.za](mailto:enquiries@inforegulator.org.za)

Complaints may be addressed to

[PAIAComplaints@inforegulator.org.za](mailto:PAIAComplaints@inforegulator.org.za)

[POPIAComplaints@inforegulator.org.za](mailto:POPIAComplaints@inforegulator.org.za)

### 3. Company contacts.

Company contacts details in terms of PAIA section 51:

PostNet Suite 120  
Private Bag 9924  
Sandton  
2146

151 5<sup>th</sup> Street  
Sandown  
Sandton  
2031  
Gauteng  
South Africa

Telephone number: +27 (0)87 821 3026

Web: <https://kompliance.co.za>

Email: [compliance@kompliance.co.za](mailto:compliance@kompliance.co.za)

Duly authorised person: Information Officer

Head of the organisation: Dr Michael Cooper – Chief Executive Officer

Information Officer: Herman Stoop – Chief Legal Officer

#### 4. Company records

Company records availability		
Departmental records	Subject	Classification No.
Marketing Department	Current Product Information	1,4
	Public Corporate Records	1
	Launches and Events Records	4,5
	Media Releases	1
	Journalist records	4,5
	Environmental Policy	1
	Marketing and Future Product Strategies	12
	Customer Information and Database	4,5,12
	Customer Records	4
	HSE Department	Environmental Records
Health and Safety Records		4,5,9
HR Division	Employee Records	4,5,9
	Employment Contracts	4,5
	Personnel Guidelines	
	Policies and Procedures	12
	Employee Medical Records	4,5,8
	Employee Disability Insurance Records	4,5
	Employee Pension and Provident Fund Records	4,5
	Payroll Records	4,5
	Recruitment Records	4,5
Financial Division	Audited Financial Statements	12
	Tax Records (Company & Employees)	4,12
	Asset Register	12
	Supplier Records	4,5
	Management Accounts	12
	Fleet Insurance Records	4,5
Legal Services/Compliance	General Contract Documentation	6,12
	Company Guidelines, Policies and Procedures	12
	Intellectual Property Records	3
	Employee, customer and supplier information	10
	Immovable Property Records	12
	Statutory Records	12
Facilities Management	Physical Security Records	4,5
	Electronic Access & Identity Management	4,5
Risk Control Centre	Complaints and Investigations Records	4,5

No.	Disclosure	Requirement(s)
1	May be Disclosed	Public Access Document
2	May not be Disclosed	Request after commencement of criminal or civil proceedings [s7]
3	May be Disclosed	Subject to copyright
4	Limited Disclosure	Personal Information that belongs to the requester
5	May not be Disclosed	Unreasonable disclosure of personal information or of Natural person [s63(1)] or Juristic Person [POPI]
6	May not be Disclosed	6 Likely to harm the commercial or financial interests of third party [s64(a)(b)]
7	May not be Disclosed	Likely to harm the Company or third party in contract or other negotiations [s64(c)]
8	May not be Disclosed	Would breach a duty of confidence owed to a third party in terms of an Agreement [s65]
9	May not be Disclosed	Likely to compromise the safety of individuals or protection of property [s66]
10	May not be Disclosed	Legally privileged document [s67]
11	May not be Refused	Environmental testing / investigation which reveals public safety / environmental risks [s64(2); s68(2)]
12	May not be Disclosed	Commercial information of Private Body [s68]
13	May not be Disclosed	Likely to prejudice research and development information of the Company or a third party [s69]
14	May not be Refused	Disclosure in public interest [s70]

## 5. Processing of personal information

KOMPLIANCE (PTY) LTD takes the privacy and protection of personal information very seriously and will only process personal information in accordance with the current South African privacy. Accordingly, the relevant personal information privacy principles relating to the processing thereof (including, but not limited to, the collection, handling, transfer, sharing, correction, storage, archiving, and deletion) will be applied to any personal information processed.

a. The purpose of the processing of personal information by KOMPLIANCE (PTY) LTD:

We process personal information for a variety of purposes, including but not limited to the following:

- To provide or manage any information and/or services requested by data subjects.
- To help us identify data subjects when they contact.
- To maintain customer records.
- For recruitment purposes.
- For employment purposes.
- For apprenticeship purposes.
- For travel purposes.
- For general administration, financial, and tax purposes.
- For legal or contractual purposes.
- For health and safety purposes.
- To monitor access, secure, and manage our premises and facilities.
- To transact with our suppliers and business partners.
- To help us improve the quality of our services.
- To help us detect and prevent fraud and money laundering.
- To help us recover debts.
- To carry out analysis and customer profiling, and
- To identify other products and services that might be of interest to data subjects and to inform them about our products and services.

b. Categories of data subjects and personal information processed by KOMPLIANCE (PTY) LTD:

The categories of data subjects and personal information processed include the following:

- Customers and potential customers.
- Customer personal information.
- Customer contracts.
- Customer location information.
- Suppliers.
- Supplier personal information.
- Personal information of supplier representatives.

- Employees.
- Employee personal information.
- Employee medical information.
- Employee disability information.
- Employee Pension and Provident Fund Information.
- Employee contracts.
- Employee performance records.
- Payroll records.
- Electronic access records.
- Physical access records.
- Surveillance records.
- Health and safety records.
- Training records.
- Employment history.
- Time and attendance records.
- Job applicants.
- Curriculum vitae and application forms.
- Criminal checks.
- Background checks.
- Children.
- Child's medical information.
- Child's information acquired for processing travel documents.
- Visitors' Physical access records.
- Electronic access records and scans.
- Surveillance records.

c. Recipients or categories of recipients with whom personal information is shared:

We may share the personal information of our data subjects for any of the purposes outlined in Section 5(a) with the following:

- Our other Group Companies in South Africa and other countries.
- Our authorised Group representatives.
- Our business partners; and
- Our service providers and agents who perform services on our behalf.

We do not share the personal information of our data subjects with any third parties, except if:

- We are obliged to provide such information for legal or regulatory purposes.
- We are required to do so for purposes of existing or future legal proceedings.
- We are selling one or more of our businesses to someone to whom we may transfer our rights under any customer agreement we have with you.
- We are involved in the prevention of fraud, loss, bribery, or corruption.
- They perform services and process personal information on our behalf.
- This is required to provide or manage any information and/or services to data subjects; or

- Needed to help us improve the quality of our services. We will send our data subjects notifications or communications if we are obliged by law, or in terms of our contractual relationship with them. We will only disclose personal information to government authorities if we are required to do so by law. Our employees, authorised Group representatives, our agencies, and our suppliers, are required to adhere to data privacy and confidentiality principles and to attend data privacy training.

d. Information security measures to protect personal information:

Reasonable technical and organisational measures have been implemented for the protection of personal information processed by KOMPLIANCE (PTY) LTD and its operators. In terms of the POPI Act, operators are third parties that process personal information on behalf of. We continuously implement and monitor technical and organisational security measures to protect the personal information we hold, against unauthorised access, as well as accidental or wilful manipulation, loss, or destruction. We will take steps to ensure that operators who process personal information on behalf of KOMPLIANCE (PTY) LTD apply adequate safeguards as outlined above.

e. Trans-border flows of personal information

We will only transfer personal information across South African borders if the relevant business transactions or situation requires trans-border processing and will do so only in accordance with South African legislative requirements; or if the data subject consents to transfer of their personal information to third parties in foreign countries. We will take steps to ensure that operators are bound by laws, binding corporate rules, or binding agreements that provide an adequate level of protection and uphold principles for reasonable and lawful processing of personal information, in terms of the POPI Act. We will take steps to ensure that operators that process personal information in jurisdictions outside of South Africa, apply adequate safeguards as outlined in Section 4.4.

f. Personal information received from third parties:

When we receive personal information from a third party on behalf of a data subject, we require confirmation that they have written consent from the data subject that they are aware of the contents of this PAIA manual and the KOMPLIANCE (PTY) LTD Privacy Policy, and do not have any objection to our processing their information in accordance with this policy.

## 6. Prescribed request forms and fees

### a. Form of request

To facilitate the processing of your request, kindly:

- i. Use the prescribed form on the Company website.
- ii. Address your request to the Legal Services and Compliance Department.
- iii. Provide enough detail to enable the Company to identify:
  - a. The record(s) requested.
  - b. The requestor (and, if an agent is lodging the request, proof of capacity).
  - c. The South African postal address, email address or fax number of the requestor.
  - d. The form of access required.
  - e. If the requester wishes to be informed of the decision in any manner (in addition to written) the particular manner thereof.
  - f. The right which the requestor is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.

### b. Prescribed fees

The following applies to requests (other than personal requests):

- i. A requestor is required to pay the prescribed fees (R50.00) before a request will be processed.
- ii. If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one-third of the access fee which would be payable if the request were granted).
- iii. A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit.
- iv. Records may be withheld until the fees have been paid.
- v. The detailed Fee Structure is available from the Company, at the following address: [compliance@kompliance.co.za](mailto:compliance@kompliance.co.za).

### c. Access to prescribed forms and fees

Prescribed forms and fees can be requested from the Legal Services and Compliance Director (see contact details in section 2).

## 7. Remedies

The company does not have internal appeal procedures regarding PAIA and POPI Act requests. As such, the decision made by the duly authorised persons in section 2, is final. If a request is denied, the requestor is entitled to apply to a court with appropriate jurisdiction, or the Information Regulator (once established), for relief.

