



PAIA MANUAL
ACT LOGISTICS (PTY) LTD

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Prepared in accordance with Section 51 of the Promotion of Access to Information Act, 2000 for ACT Logistics (Pty) Ltd.

This Manual applies to ACT Logistics (Pty) Ltd.

1. Applicability and availability of this Manual

- 1.1 The Promotion of Access to Information Act, No 2 of 2000 ("the Act") gives effect to the constitutional right of access to any information in records held by public or private bodies that is required for the exercise or protection of any rights. The Act sets out the procedural requirements attached to requests for information, the requirements which requests must meet as well as the grounds for refusing requests. This Manual informs requesters of procedural and other requirements which a request must meet.
- 1.2 The Act also recognizes that the right to access information must be balanced with other rights and should be subject to limitations including, but not limited to, limitations aimed at the reasonable protection of privacy and commercial confidentiality.
- 1.3 This Manual is available for inspection, free of charge, at ACT Logistics's offices (see details below).

2. ACT Logistics (Pty) Ltd.'s Contact Details and Information Officer

INFORMATION OFFICER	Cheryl O'Reilly
POSTAL ADDRESS	PO Box 2719, Cape Town, 8000
PHYSICAL ADDRESS	50a Junction Road Tygerberg Industrial Park Parow 7493
TELEPHONE NUMBER	021 951 2009
FAX NUMBER	021 951 2013
WEBSITE	www.act-logistics.co.za
E-MAIL ADDRESS OF INFORMATION OFFICER	Cheryl@act-logistics.co.za

3. South African Human Rights Commission Guide

The South Africa Human Rights Commission (SAHRC) is required, in terms of the Act, to compile a guide containing information that may reasonably be required by a person who wishes to exercise any right contemplated in the Act. The guide can be obtained from the SAHRC. Enquiries should be directed to:

The South African Human Rights Commission
 Tel: 011 484 8300
 Fax: 011 484 7149
 Website: www.sahrc.org.za

4. ACT LOGISTICS RECORDS

Access to the documents listed below may be subject to the grounds of refusal set out in this Manual:

4.1 Personnel Records

Personnel refers to any person who works for or provides services to or on behalf of ACT Logistics and who receives or is entitled to receive remuneration, and any other person who assists in carrying out or conducting ACT Logistics business and includes, without limitation, directors (executive and non-executive), all permanent, temporary and part-time staff as well as contract workers. Personnel records include:

- 4.1.1 personal records (provided by personnel themselves);
- 4.1.2 records provide by a third party relating to personnel;

- 4.1.3 conditions of employment and other personnel-related contractual and quasi-legal records;
- 4.1.4 internal evaluation records and other internal records;
- 4.1.5 correspondence relating to personnel; and training schedules and material.

4.2 Customer Records

A customer refers to any natural or juristic entity that receives services from ACT Logistics. Customer records include:

- 4.2.1 records pertaining to services provided by ACT Logistics including, without limitation, online services.
- 4.2.2 records provided by a customer to a third party acting for or on behalf of ACT Logistics;
- 4.2.3 records provided by a third party;
- 4.2.4 records generated or within ACT Logistics relating to its customers, including transactional data.

4.3 Private Body Records

- 4.3.1 financial records;
- 4.3.2 operational records;
- 4.3.3 databases;
- 4.3.4 information technology systems and documents;
- 4.3.5 marketing records;
- 4.3.6 vehicle records;
- 4.3.7 internal correspondence;
- 4.3.8 statutory records,
- 4.3.9 product records,
- 4.3.10 internal policies and procedures.

4.4 Other Party Records

5.4.1 Personnel, customer or private body records which are held by another party on ACT Logistics' behalf, as opposed to the records held by ACT Logistics itself.

5.4.2 Records held by ACT Logistics pertaining to other parties, including without limitation, financial records, correspondence, contractual records, and records about ACT Logistics' agents, suppliers, service providers.

5. REQUEST PROCEDURE

If a requester wishes to make a request for access to a record to ACT Logistics, he/she must make a written request to the information officer, whose contact information is listed in section 2 of this manual.

Requestor wishing to make request must use form "A" inside the manual and must provide the following information:

Enable the information officer to identify:

- a) The records requested, including a description of the records, a reference number (if any) and any further particulars on the record;
- b) The identity of the requestor;
- c) The form of access required, if the request is granted;
- d) The postal address, email address or fax number of the requestor.
- e) Language he/she wishes to obtain the information in.

The requestor must:

- state that the record is required in order to exercise or protect a right; and
- provide details of the nature of the right to be exercised or protected.

The form of access required by the requestor, that is if the;

- a) Record is in written or printed form, whether the requestor wishes to make a copy of the record or inspect the record;

- b) Record is a visual image, which may be photographs, slides, video recordings, computer generated images or sketches, whether the requestor wishes to view the images, copy the images or obtain a transcription of the images.
- c) Record is recorded words or information which can be produced by sound, whether the requestor wishes to listen or obtain a written or printed transcription of the soundtrack.
- d) Record is held on a computer or in an electronic or machine readable form, whether requestor wished to obtain a printed copy of information derived from the record or copy in computer readable forms.

- 5.1 Subject to ACT Logistics' rights relating to extensions in terms of the Act, it will process the request within 30 (thirty) days of receipt unless the requestor has submitted special reasons, to ACT Logistics' s reasonable satisfaction, in support of a request that the above time periods be dispensed with.
- 5.2 ACT Logistics will give the requestor written notice of its decision, including reasons if the request is declined.
- 5.3 The said 30 day period may be extended for a further period of not more than 30 (thirty) days if the request is for a large number of records, or the request requires a search for the information which cannot reasonably be obtained within the original 30 day period. The Information Officer will notify the requestor in writing should an extension be sought.
- 5.4 If a request is made on behalf of another person, the requestor must submit proof of the capacity in which the requester is making the request, to the reasonable satisfaction of ACT Logistics.
- 5.5 If an individual is unable to submit the request in the prescribed form because of illiteracy or disability, such a person may make the request orally.
- 5.6 The requester must pay the prescribed fee, and deposit where applicable, before the request will be considered.

6. ACCESS TO RECORDS

- 6.1 The requestor will only be given access to a record(s) held by ACT Logistics if;
 - 6.1.1 the record is required for the exercise or protection of a right;
 - 6.1.2 the requestor has complied with all procedural requirements relating to a request for access to a particular record including making the request in the prescribed format; and
 - 6.1.3 access to that record is not refused in terms of any ground for refusal.

7. TRANSFER OF A REQUEST FOR ACCESS TO A RECORD

The Information Officer or Deputy information Officer may transfer a request where:

- record is not under control of company;
- subject matter of record is more closely connected with function or another body; or
- record contains commercial information in which another body has a greater interest.

Transfer or request must be made within 14 days of request being received, and requestor must be notified. Reasons for transfer and the period within which the request will be addressed.

8. FEES PAYABLE

Fees are listed in section (1) of this manual. Requestor may lodge appeal to the court against tender or payment of request fee.

9. PROCEDURE WHERE RECORD CAN NOT BE FOUND

If record cannot be found, the information officer or a deputy information officer must, by way of affidavit or affirmation, notify the requestor that it is not possible to give access to record.

10. DEFERRAL OF ACCESS TO A RECORD

Where a record is not yet available.

11. DENIAL OF ACCESS TO A RECORD

If access is not granted to a record, the notice must include;

- Adequate reasons for refusal;
- Exclude, from reasons, any reference to content of record;
- State that requestor may lodge an internal appeal with department of application with court against the refusal;
- And the procedure to lodge an internal appeal or application.

12. MANDATORY REFUSAL OF REQUEST FOR ACCESS TO ROAD

Information officer or deputy information officer must refuse access to a record where a request for access to information would involve the disclosure of:

- Personal information about a third party;
- Trade secrets of a third party;
- Financial, commercial, scientific or technical information, other than trade secrets, if the disclosure of the information is likely to cause harm to the commercial or financial interest of a third party;
- Information which is a computer program owned by a private body;
- Information which could be a breach of duty of a confidence owed to a third party;
- Information which could reasonably be expected to endanger the life or physical safety of an individual;
- Access to a record is prohibited in terms of criminal procedure act, 1977 (act no 5.1 of 1977);
- Information supplied in confidence by a third party, the disclosure of which could reasonably be expected to put the third party at a disadvantage in contractual or other negotiations or prejudice the third party in commercial competition;
- Privileged information in legal proceedings unless the affected person has waived the privilege, the affected person must consent in writing to release information;
- Research information being carried out on behalf of a third party, the disclosure which would likely expose the third party, person carrying out the research or subject matter of the research to serious disadvantage.

13. DISCRETIONARY REFUSAL OF REQUEST FOR ACCESS TO RECORD

Where a request for access to information would involve:

- Information supplied in confidence to a third party, whereby such disclosure could reasonably be expected to prejudice the supply of similar information or information from the same source and it is in the public interest that similar information from the same source should continue to be supplied.
- Information which would likely impair:
 - Security of building, structure or system, which may be a computer system, means of transport or any other property.
 - Methods, systems, plan or procedure of an individual in a witness protection scheme, the safety of the public or the security of property.
- A record containing the methods, techniques or guidelines for the prevention, detection, curtailment or investigation of a contravention or possible contravention of law or prosecution contravention or possible contravention of law or prosecution of an alleged offender;
- Record of the prosecution of an alleged offender where disclosure could result in a miscarriage of justice or impede the prosecution.
- Disclosure could be reasonably expected to:
 - Prejudice the investigation of a contravention or possible contravention of the law.
 - Reveal or enable person to identify confidential source of information related to the enforcement or administration of the law.
 - Result in intimidation or coercion of a witness or a person who may be called as a witness in a criminal or other proceedings to enforce law.
 - A contravention of the law.
 - Prejudice fairness of trial or impartiality of a adjudication.
- Information which:
 - Contains trade secrets or company;
 - Contains financial, commercial, scientific or technical information, other than trade secrets. Which may harm the financial or commercial interests of company or any other body.

- Puts a private body at a disadvantage in contractual or other relations or prejudice a private body in commercial competition.
- Is a computer program, copyright act, 1978.
- Contains an opinion, advice, recommendation or report on anybody or account of discussion deliberation or minutes of meeting which could frustrate the deliberative deliberation or minutes of meeting which could ruin the success of a policy.

SECTION 1

FEES IN RESPECT OF REQUEST FOR INFORMATION

The Act provide for two types of fees, namely:

- A request fee, being a standard fee; and
- An access fee, which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs.

When a request is received by ACT Logistics it will, by written notice, require the requestor, other than a personal requestor, to pay the prescribed request fee (if any), before further processing the request.

If the search for the record has been made and the preparation of the record for disclosure would require more than the hours prescribed for this purpose.

The Fee for a copy of the manual as contemplated in regulation 9(2) © is R 1.10 for every photocopy of an A4size page or part thereof.

Fees in respect to reproduction of manual

Every A4 photocopy or part thereof	R 1.10
Every A4 printed copy or part thereof	R 0.75

The request fee payable by a requester, other than a personal requester referred to n regulation 11 (2) is R 50.00.

Fees in respect to access of manual

Every A4 photocopy of part thereof	R 1.10
Every A4 Printed copy or part thereof	R 0.75

Prescribed request fee for access to information before processing of request and duration before access be made available.

For purposes of section 54 (2) of the act the following applies:

Six hours is the hours to be exceeded before a deposit is payable.

One third of the access fee is payable as a deposit by the requester.

The actual postage is payable when a copy of the record must be posted to a requestor.