

PROBLAST BS (PTY) LIMITED

ACCESS TO INFORMATION MANUAL

CREATED IN TERMS OF SECTION 51 OF THE
PROMOTION OF ACCESS TO INFORMATION ACT, No. 2 of 2000 (“PAIA”)


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1. INTRODUCTION

The Promotion of Access to Information Act, No. 2 of 2000 (“PAIA”) gives effect to the constitutional right of access to any information held by any private or public body that is required for the exercise or protection of any rights. PAIA prescribes the procedures to be complied with regarding such a request. Section 9 of PAIA recognises that the right to access information is subject to certain justifiable limitations, for instance limitations aimed at, but not limited to the reasonable protection of privacy; commercial confidentiality; and effective, efficient and good governance.

In addition, the recently enacted Protection of Personal Information Act, No. 4 of 2013 (“POPIA”) promotes and provides for the protection of personal information processed by public and private bodies. Moreover, POPIA amended certain provisions of PAIA, balancing the need for access to information *against* the need to ensure the protection of personal information. Accordingly, the purpose of this PAIA Manual is to inform a person on how to obtain access to records held by PROBLAST HOLD CO(PTY) LTD and its subsidiary companies, thereby giving effect to Section 51 of PAIA.

2. SCOPE AND APPLICABILITY

This manual applies to PROBLAST HOLD CO (PTY) LTD, Company Registration No: 2018/488955/07 and its subsidiaries herein after referred to as the ProBlast Group (the “P B Group”). The PB Group comprises of the following entities:

- Maxigear (Pty) Ltd
- Frag Shared Services (Pty) Ltd
- ProCapture (Pty) Ltd
- Problast BS (Pty) Ltd

The PAIA manual is available at the PB Group premises situated at Unit 4, 30 Alexandra Road, Queens Office Park, Centurion, South Africa and is also available on the ProBlast BS website <https://www.problastbs.co.za>

3. PURPOSE OF THE PAIA MANUAL

The purpose of this PAIA Manual is to provide a description of those records held by and on behalf of the PB Group; to outline the procedures to be followed as well as the applicable fees when requesting access to any of these records in the exercise of the right of access to information, with a view of enabling requesters to obtain records which they are entitled to in a quick, easy and accessible manner.

Section 9 of PAIA recognises that the right to access information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to:

- the reasonable protection of privacy; commercial confidentiality; effective and efficient governance;
- and in a manner which balances that right with any other rights, including those rights as enshrined in the Bill of Rights of the Constitution.

This PAIA Manual complies with the requirements of the guide mentioned in Section 10 of PAIA and recognises that upon commencement of POPIA, that the appointed Information Regulator will be responsible for regulating compliance with PAIA and its accompanying regulations applicable to private and public bodies.

4. CONTACT DETAILS OF THE PB GROUP INFORMATION OFFICER

Responsibility for the administration of, and compliance with, PAIA and POPIA has been delegated to the PB Group Information Officer.

Requests pursuant to the provisions of PAIA and/or POPIA must be directed to the Information Officer, as follows:

- Head / Managing Director: Mr. S. Coetzer
- Designated Information Officer: Ms. S. Hall
- Postal address: P.O. Box 32584, Kyalami, 1684
- Street address: Unit 4,30 Alexandra Road, Queens Office Park, Centurion, South Africa
- Telephone number: (010) 786 4851
- E-mail address: privacy@problastbs.co.za
- Website address: www.problastbs.co.za

5. INFORMATION REGULATOR

Should you require further guidance on how to access information under PAIA, you may contact the office of the Information Regulator to ascertain more information. An official guide has been compiled which contains information to assist those persons wishing to exercise their right of access to information in terms of PAIA as well as POPIA. These guidelines will be made available by the Information Regulator. The office of the Information Regulator may be contacted as follows:

- Postal address: P.O. Box 31533, Braamfontein, 2017
- Street address: JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001
- E-mail address: PAIAComplaints@infoeregulator.org.za
POPIAComplaints@infoeregulator.org.za
- Website address: <https://infoeregulator.org.za/paia-guidelines/>

6. DESCRIPTION OF RECORDS HELD BY THE PB GROUP

6.1. Records held by the PB Group in accordance with legislation and applicable to our operations are as follows:

- Arbitration Act No. 42 of 1965
- Basic Conditions of Employment Act, No. 75 of 1997
- Broad-Based Black Economic Empowerment Act, No. 53 of 2008
- Companies Act, No. 71 of 2008 (as amended)
- Compensation for Occupational Injuries and Diseases Act, No. 130 of 1993
- Competition Act, No. 89 of 1998 as amended
- Conservation of Agricultural Resources Act No. 43 of 1983
- Constitution of the Republic of South Africa 2008;
- Consumer Protection Act, No. 68 of 2008
- Copyright Act, No. 98 of 1978
- Currency and Exchanges Act, No. 9 of 1933
- Customs and Excise Act, No. 91 of 1964
- Cybercrimes Act 19 of 2020
- Deeds Registries Act No. 47 of 1937
- Designs Act No. 195 of 1993
- Drugs and Drug Trafficking Act No. 140 of 1992
- Electronics Communications Act, No. 36 of 2005, as amended by Electronic Communications Amendment Act No. 1 of 2014
- Electronic Communications and Transactions Act, No. 25 of 2002
- Employment Equity Act, No. 55 of 1998
- Environment Conservation Act No.73 of 1989
- Environmental Laws Rationalisation Act No. 51 of 1997
- Explosives Act No. 26 of 1956
- Explosives Act No. 15 of 2003
- Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act No. 36 of 1947
- Financial Advisory and Intermediary Services Act, No. 37 of 2002
- Financial Markets Act, No. 19 of 2012
- Financial Intelligence Centre Act No. 38 of 2001
- Firearms Control Act No. 60 of 2000
- Fire Brigade Services Act No. 99 of 1987
- Hazardous Substances Act 15 of 1973
- Health Professions Act No. 56 of 1974
- Income Tax Act, No. 95 of 1967
- Labour Relations Act, No. 66 of 1995
- Medical Schemes Act No. 131 of 1998
- Medicines and related Substances Control Act No. 101 of 1965
- Mine Health and Safety Act, No. 29 of 1996
- Mineral Petroleum Resources Development Amendment Act, No. 49 of 2008
- Mines and Works Act No. 27 of 1956
- National Credit Act No. 34 of 2005
- National Environmental Management Act, No. 107 of 1998

- National Environmental Management: Air Quality Act No. 39 of 2004
- National Environmental Management: Biodiversity Act No. 10 of 2004
- National Environmental Management: Protected Areas Act No. 57 of 2003
- National Environmental Management: Waste Act, 2008
- National Heritage Resources Act No. 25 of 1999
- National Key Points Act No. 102 of 1980
- National Railway Safety Regulator Act No. 16 of 2002
- National Road Traffic Act No. 93 of 1996
- National Veld and Forest Fire Act No. 101 of 1998
- National Water Act, No. 36 of 1998, as amended by the National Water Amendment Act, 45 of 1999 and 27 of 2014
- Non-proliferation of Weapons of Mass Destruction Act No. 87 of 1993
- Occupational Health and Safety Act, No. 85 of 1993
- Patents Act, No. 57 of 1987
- Pension Funds Act No. 24 of 1956
- Petroleum Products Act No. 120 of 1977
- Prevention and Combating of Corrupt Activities Act, No. 12 of 2004
- Precious Metals Act No. 37 of 2005
- Private Security Industry Regulation Act No 56 of 2001
- Promotion of Access to Information Act, No. 2 of 2000
- Protection of Personal Information Act, No. 4 of 2013
- Promotion of Equality and Prevention of Unfair Discrimination Act, No. 4 of 2000
- Protected Disclosures Act, No. 26 of 2000
- Protection of Constitutional Democracy against Terrorist and related Activities Act, No. 33 of 2004
- Regulation of Interception of Communications and Provision of Communication Related Information Act, No. 70 of 2002
- Road Transportation Act No. 74 of 1977
- Securities Services Act No. 36 of 2004
- Securities Transfer Tax Act, No. 25 of 2007
- Security by means of Movable Property Act No. 57 of 1993
- Short-Term Insurance Act No. 53 of 1998
- South African Reserve Bank Act, No. 90 of 1989
- Skills Development Act, No. 97 of 1998
- Skills Development Levies Act, No. 9 of 1999
- Standards Act No. 8 of 2008
- Tax Administration Act, No. 28 of 2011
- Tobacco Products Control Act No. 83 of 1993
- Trademarks Act, No. 194 of 1993
- Trade Metrology Act No. 77 of 1973
- Transfer Duty Act No. 40 of 1949
- Trust Property Control Act No. 57 of 1988
- Unemployment Insurance Contributions Act, No. 4 of 2002
- Unemployment Insurance Act, No. 63 of 2001
- Value Added Tax Act, No. 89 of 1991
- Water Services Act No. 108 of 1997

Note the above list is not exhaustive and may be amended and/or updated from time to time as the business evolves.

Unless disclosure is prohibited in terms of legislation, regulations, contractual obligations or otherwise, records that are required to be made available in terms of the above statutes shall be made available for inspection to interested parties in terms of the requirements and conditions determined by the prevailing laws and agreements.

6.2. Categories of records held by the PB Group and subsidiary companies:

6.2.1. Company Records

- Memorandum of Incorporation
- Directors' Names
- Other Documents of Incorporation
- Minutes of Board of Directors' meetings
- Proxy Forms
- Written Resolutions
- Records relating to appointment of company directors, auditors, secretary, public officers, and/or other officers
- Share Register, Share Certificates and other Statutory Registers
- Debt Securities, Share Incentives Schemes or Trusts
- Shareholders' Agreements
- Other statutory records

6.2.2. Financial Records

- Accounting Records
- Asset Register
- Bank Accounts
- Banking Records Financial Statements
- Financial Agreements
- Invoices
- Insurance Policies
- Rental Agreements
- Finance Policies and Procedures

6.2.3. Income Tax Records

- Customs Records
- Tax Returns
- VAT Records
- PAYE Records

- Documents issued to employees for income tax purposes
- Records of payments made to SARS on behalf of employees
- Regional Services levies
- Skills Development levies
- UIF
- Workmen's Compensation

6.2.4. Personnel Records

- List of Employees
- Employee Personal Information
- Employment Contracts
- Employment Equity Plan
- Medical Scheme Records
- Pension / Provident Fund Records
- Salaries of Employees
- Leave Records
- Internal Evaluations and Performance Reviews
- Disciplinary Codes and Records
- Training Records
- Personal Records provided by personnel
- Other Statutory Records
- Employment Policies and Procedures

6.2.5. Agreements and Contracts

- Standard Agreements
- Merchant Agreements
- Customer Contracts
- Third Party Contracts
- Non-Disclosure Agreements
- Memorandum of Understanding
- Office Management Contracts
- Supplier Contracts
- Tender Contracts
- Software Agreements

6.2.6. Customer and Merchant Records

- Customer details
- Merchant details

- Communications and/or correspondence with customers and merchants
- Transactional Information
- Marketing Records and Promotional Materials

6.2.7. Information Technology

- Computer / Mobile Device documentation
- Disaster Recovery Plans
- Hardware Asset Registers
- Information Security Policies, Standards and Procedures
- Information Technology Systems and User Manuals
- Information Usage Policy
- Project Implementation Plans
- Software Licensing
- System Documentation and Manuals

6.2.8. Regulatory Permissions and Risk Management

- Permits
- Licences
- Local Authority Approvals
- Disaster Recovery Framework
- Health and Safety protocols
- Inquiries, inspections, examinations by authorities
- Risk Management Framework and Systems
- Policies and Procedures

Note that the above list is not exhaustive and may be amended from time to time.

Accessibility to the above records may be subject to the grounds of refusal as set out in this PAIA Manual. Furthermore, records deemed confidential on the part of a third party, will necessitate permission from the third party concerned, in addition to normal requirements, prior to the PB Group considering access.

Records of a public nature, such as those disclosed on the PB Group or subsidiary websites as well as in its annual reports, may be accessed without the need to submit a formal application.

Other non-confidential records, such as statutory records maintained at the CIPC may also be accessed without the need to submit a formal application. Please schedule appointment to view such records with the Information Officer.

7. GROUNDS FOR REFUSAL

We will evaluate and consider all duly completed access requests received by the PB Group in terms of the regulatory provisions of PAIA and POPIA.

Publication of this PAIA Manual does not give rise to any rights to access information records, save for the regulatory provisions set out in PAIA and POPIA.

We reserve the right to refuse you access to certain records in terms of PAIA and POPIA in order to protect:

- the privacy of another person;
- the commercial information of another company or third party;
- the confidential information of another person;
- the copyright, intellectual property or trade secrets of the PB Group and/or any of its subsidiary companies;
- the safety and security of property and/or individuals;
- those records deemed privileged in terms of legal proceedings;
- research information; and/or
- refuse requests to access information that are patently frivolous or vexatious, and/or involve an unreasonable diversion of resources.

On receipt of a duly completed access request form, we will endeavour to notify you in writing within 30 days as to whether your request has been approved or declined. If we cannot find any requested record and/or where it is determined that no such record exists, we shall formally notify you that it is not possible to provide access to that particular record.

8. ACCESS REQUEST PROCEDURE

A requester requiring access to information held by the PB Group must complete the prescribed form, enclosed herewith as **Annexure A** and submit same to the Information Officer as per the contact details stated in **paragraph 4** above as well as pay the applicable request fees.

In order to enable ourselves to provide a timely response to requests for access, all requesters should take note of the following when completing the Access Request Form:

- the Access Request Form must be completed in full;
- a full description of the records requested must be provided;
- Proof of Identity to authenticate the identity of the requester must be provided;

- the requester must state that they require the information in order to exercise or protect a right;
- the requester must clearly state the nature of the right to be exercised or protected; and
- they must specify why the record is necessary to exercise or protect such a right.

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.

On receipt of a duly completed access request form, we will endeavour to notify you in writing within 30 days as to whether your request has been approved or declined. If we cannot find any requested record and/or where it is determined that no such record exists, we shall formally notify you that it is not possible to provide access to that particular record.

9. ACCESS REQUEST FEES

We must be in receipt of the applicable fees in full prior to any information and records being processed and handed over to you. The Information Officer shall withhold the information and/or records until the requester has paid all outstanding fees in full.

PAIA provides for two types of fees, namely:

- *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
- *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.

The schedule of fees payable is enclosed herewith in **Annexure B**.

10. COMPLAINTS TO THE INFORMATION REGULATOR

The requester may submit a complaint in writing to the Information Regulator, within 180 days of the decision, alleging that the decision was not in compliance with the provisions of PAIA. The Information Regulator will investigate the complaint and reach a decision which may include a decision to investigate, to take no further action or to refer the complaint to the Enforcement Committee established in terms of POPIA. The Information Regulator may serve an enforcement notice confirming, amending or setting aside the impugned decision, which must be accompanied by reasons.

11. APPLICATION TO COURT

An application to court may be brought in the ordinary course of business. For purposes of PAIA, any reference to an application to court includes an application to a Magistrates' Court.

12. THE PROTECTION OF PERSONAL INFORMATION

The PB Group and its subsidiaries endeavour to process personal information lawfully and for specific purposes as set out below. In the first instance, we process personal information for the following categories of people:

- Customers
- Merchants
- Third Parties
- Suppliers, Vendors or Service Providers
- Prospects or Leads
- Employees
- Contractors, Agents or Intermediaries
- Debtors and Creditors
- Directors and Shareholders

We process personal information to:

- provide our goods or supply our services;
- better understand our data subjects' needs when doing so;
- keep our data subject records up to date;
- manage employees;
- manage supplier contracts;
- manage merchant relationships;
- manage customers in general;
- market to customers;
- enforce outstanding debts;
- market goods and services to prospects;
- run promotional competitions and offers;
- process customer requests or complaints; and to
- process personal information of employees.

We process many different categories of personal information, including:

- contact details, i.e. telephone numbers; physical, postal and email addresses;
- personal details, i.e. names and dates of birth;
- biometrics;

- demographic details;
- GPS co-ordinates;
- contract information;
- account numbers;
- background and/or supporting information;
- financial information, i.e. banking and/or payment details;
- transactional information;
- market intelligence information;
- browsing habits via our websites visited; and
- any other information not specified herein for the purposes of administration and business operations.

We provide the following contracted people and/or third parties personal information that we process during the ordinary course of business to fulfil our legal obligations to our customer and/or merchant base:

- contractors, vendors, or suppliers;
- agents, distributors, retailers and/or other resellers;
- operators, other responsible parties, or co-responsible parties; and
- other contracted third-party vendors to assist with maintaining our product offerings and services.

We endeavour to take all practical and reasonable measures to protect and secure personal data from damage, loss or theft, misuse through unauthorised access or disclosure, as well as unlawful processing and/or destruction. Furthermore, we take appropriate steps to maintain personal information in an accurate, complete and up-to-date format as per its intended use.

13. PUBLISHED DATE

This PAIA Manual is made available in terms of Regulation Number R.187 of 15 February 2002 and available to view at our premises and website.

Last updated: 02 December 2024

ANNEXURE A: PAIA - FORM 2 : REQUEST FOR ACCESS

<https://inforegulator.org.za/wp-content/uploads/2020/07/InfoRegSA-PAIA-Form02-Reg7.pdf>

[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		

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	

TYPE OF RECORD
(Mark the applicable box with an "X")

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 <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>	

PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED	
<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:	

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

<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

ANNEXURE B: PAIA - FORM 3 : OUTCOME OF REQUEST

<https://inforegulator.org.za/wp-content/uploads/2020/07/Form-3-PAIA.pdf>

[Regulation 8] Note:

1. 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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OR

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: <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>	

Kindly note that your request has been:

Approved

Denied, for the following reasons:

--

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		
TOTAL:			

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

Yes

No

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

Name of Bank: _____ Account number: _____

Account holder: _____ Type of account: _____

Reference Nr: _____ Address for proof of payment: _____

Signed at _____ this _____ day of _____ 20__

Information officer