

# Manual Of Uhambo Procurement and Distribution CC (Private Body)

Prepared and compiled on 2023-10-19 in accordance with Section 51 of the Promotion of Access to Information Act, No 2 of 2000 (as amended) in respect of Uhambo Procurement and Distribution CC.

**Registration number:** 2008/205536/23

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## **1. INTRODUCTION**

Uhambo Procurement and Distribution is a proud supplier of quality PPE and safety solutions. Founded in 2008, "Uhambo" of Xhosa, Zulu and Ndebele origin meaning "Journey". The vision is to create a forward-thinking, empowered company built on proven foundations – an unwavering commitment to quality, good value for money, long-term customer relationships, ethical business practice and a genuine desire to meet the needs of our clients, stakeholders and staff.

## **2. THE ACT**

The Promotion of Access to Information Act, No 2 of 2000 ("The Act" or "PAIA") was enacted on 3 February 2000, giving effect to the right of access to any information held by Government, as well as any information held by another person who is required for the exercising or protection of any rights. This right is entrenched in the Bill of Rights in the Constitution of South Africa. Where a request is made in terms of The Act, the body to which the request is made is not obliged to release the information, except where The Act expressly provides that the information may or must be released. The Act sets out the requisite procedural issues attached to such request.

## **3. PURPOSE OF THE MANUAL**

**In order to promote effective governance of private bodies, it is necessary to ensure that everyone is empowered and educated to understand their rights in terms of The Act in order for them to exercise their rights in relation to public and private bodies.**

Section 9 of The Act, however, recognizes that such right to access to information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to:

- Limitations aimed at the reasonable protection of privacy;
- Commercial confidentiality; and
- Effective, efficient and good governance

And in a manner that balances that right with any other rights, including such rights contained in the Bill of Rights in the Constitution.

This PAIA Manual assist you to-

- 3.1 check the categories of records held by Uhambo Procurement and Distribution CC which are available without a person having to submit a formal PAIA request;
- 3.2 have a sufficient understanding of how to make a request for access to a record of Uhambo Procurement and Distribution CC, by providing a description of the subjects on which Uhambo Procurement and Distribution CC holds records and the categories of records held on each subject;
- 3.3 know the description of the records of Uhambo Procurement and Distribution CC which are available in accordance with any other legislation;
- 3.4 access all the relevant contact details of the Information Officer and Deputy Information Officer(s) who will assist you with the records you intend to access;
- 3.5 know the description of the guide on how to use PAIA, as updated by the Information Regulator, and how to obtain access to it;
- 3.6 know if Uhambo Procurement and Distribution CC processes personal information and the purpose of processing of personal information;
- 3.7 know the description of the categories of data subjects and the information or categories of information relating thereto;
- 3.8 know the recipients or categories of recipients to whom the personal information may be supplied;
- 3.9 know if Uhambo Procurement and Distribution CC plans 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
- 3.10 know whether Uhambo Procurement and Distribution CC has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

#### **4. CONTACT DETAILS:**

Information Officer:  
ROGER MICHAEL ALWAR

Postal Address:

P.O. Box 6295  
Tygervalley  
7536

Physical Address:

163 Uys Krige Drive

SARU House

Tygerberg Park,

Plattekloof

7536

Telephone No:

+27 21 930 8167 / 021 914 9514

E-mail:

[info@uhambopd.co.za](mailto:info@uhambopd.co.za)

Deputy Information Officer:

VANESSA KOUDESI FAVSTINI ALWAR

#### **GENERAL INFORMATION:**

Name of Private Body:

## **Uhambo Procurement and Distribution CC**

Registration No:  
2008/205536/23

Postal Address:  
P.O. Box 6295  
Tygervalley  
7536

Physical Address (or principal place of business):  
163 Uys Krige Drive  
SARU House  
Tygerberg Park,  
Platteklouf  
7536

Telephone No:  
+27 21 930 8167 / 021 914 9514

E-mail:  
[info@uhambopd.co.za](mailto:info@uhambopd.co.za)

Website:  
<http://www.uhambopd.co.za/>

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

- 5.1. 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.
- 5.2. The Guide is available in each of the official languages and in braille.
- 5.3. The aforesaid Guide contains the description of-
  - 5.3.1. the objects of PAIA and POPIA;
  - 5.3.2. the postal and street address, phone and fax number and, if available, electronic mail address of-
    - 5.3.2.1 the Information Officer of every public body, and
    - 5.3.2.2 every Deputy Information Officer of every public and private body designated in terms of Section 17(1) of PAIA and Section 56 of POPIA;
  - 5.3.3 the manner and form of a request for-
    - 5.3.3.1 access to a record of a public body contemplated in Section 11 of PAIA; and
    - 5.3.3.2 access to a record of a private body contemplated in Section 50 of PAIA;
  - 5.3.4 the assistance available from the Information Officer of a public body in terms of PAIA and POPIA;
  - 5.3.5 the assistance available from the Information Regulator in terms of PAIA and POPIA;

- 5.3.6 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-
  - 5.3.6.1 an internal appeal;
  - 5.3.6.2 a complaint to the Regulator; and
  - 5.3.6.3 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;
- 5.3.7 the provisions of Sections 14 and 51 of PAIA requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
- 5.3.8 the provisions of Sections 15 and 52 of PAIA providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
- 5.3.9 the notices issued in terms of Sections 22 and 54 of PAIA regarding fees to be paid in relation to requests for access; and
- 5.3.10 the regulations made in terms of Section 92 of PAIA.
- 5.4 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.
- 5.5 The Guide can also be obtained-
  - 5.5.1 upon request to the Information Officer;
  - 5.5.2 from the website of the Information Regulator (<https://inforegulator.org.za/>).
- 5.6 A copy of the Guide is also available in two official languages, for public inspection during normal office hours.



## **6. RECORDS AUTOMATICALLY AVAILABLE TO THE PUBLIC**

A section 52(2) notice regarding the categories of records, which are available without a person having to request access in terms of the Act, has to date not been published.

## 7. RECORDS OF THE PRIVATE BODY

This clause serves as a reference to the records that Uhambo Procurement and Distribution CC holds in order to facilitate a request in terms of The Act.

It is recorded that the accessibility of the documents listed herein below, may be subject to the grounds of refusal set out hereinafter.

| <b>SUBJECTS ON WHICH RECORDS ARE HOLD</b> | <b>CATEGORIES OF RECORDS</b>  |
|---|---|
| Human Resources                           | HR Policies & Procedures;<br>Employee Records:<br>Attendance Registers: Monthly; F/nightly; Casual Labour<br>Leave Records: Holiday; Sick & Special Leave<br>Employment Contracts<br>Disciplinary Hearings              |
| Operational Records                       | Customer files (Quotes, Invoices & Jobs);<br>Contain building plans; contact details; quotations & job-specific;<br>Job sheets;<br>Credit notes;<br>Credit applications;<br>Written specifications;<br>Client data base |
| General                                   | VAT Record<br><br>PAYE records<br><br>UIF records<br><br>SDL records<br><br>Management Accounts & financial statements  |

## 8. RECORDS REQUIRED IN TERMS OF LEGISLATION

Records are kept in accordance with legislation applicable to Uhambo Procurement and Distribution CC, which includes but is not limited to, the following –

| <b>Applicable Legislation</b>  |
|--|
| Companies Act 71 of 2008   |
| Promotion of Access to Information Act 2 of 2000                     |
| Basic Conditions of Employment Act 1997                              |
| Protection of personal information Act, 2013                         |
| Electronic Communications and Transactions Act 36 of 2005            |
| Compensation for Occupational Injuries and Diseases Act, 130 of 1993 |
| Constitution of the Republic of South Africa, 108 of 1996            |
| Consumer Protection Act, 68 of 2008                                  |
| Value Added Tax Act, 89 of 1991                                      |
| Income Tax Act, 58 of 1962   |
| Unemployment Insurance Act, 63 of 2001                               |
| Copyright Act, No 98 of 1978   |
| Employment Equity Act, No 55 of 1998                                 |
| Financial Intelligence Centre Act, No 38 of 2001                     |
| Labour Relations Act, No 66 of 1995                                  |
| Auditing Professions Act, No 26 of 2005                              |
| Occupational Health & Safety Act, No 85 of 1993                      |

Reference to the above-mentioned legislation shall include subsequent amendments and secondary legislation to such legislation.

Reference to the above-mentioned legislation shall include subsequent amendments and secondary legislation to such legislation.

## **9. PROCESSING OF PERSONAL INFORMATION**

### **9.1 Purpose of Processing Personal Information**

Employees:

Employment and employment/labour related purposes

Customers:

To effectively provide a service and for the sale of goods;  
Financial records and credit applications

Suppliers:

Application for credit, purchases and collection/delivery of products.

**9.2 Description of the categories of Data Subjects and of the information or categories of information relating thereto**

| <b>Categories of Data Subjects</b> | <b>Personal Information that may be processed</b>  |
|------------------------------------|--|
| Customers / Clients                | name, address, contact details, 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, bank details, contact details, CVs, Identity documents, qualifications, gender and race             |

**9.3 The recipients or categories of recipients to whom the personal information may be supplied**

| <b>Category of personal information</b> | <b>Recipients or Categories of Recipients to whom the personal information may be supplied</b> |
|---|--|
| Employees personal information          | SEESA  |
|   |  |
|   |  |

#### **9.4 Planned transborder flows of personal information**

N/A

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

Personal information treated as strictly confidential;

We take appropriate technical and organisational measures to ensure that your personal information is kept secure and is protected against unauthorised or unlawful processing, accidental loss, destruction or damage, alteration, disclosure or access;

We promptly notify you if we become aware of any unauthorised use, disclosure or processing of your personal information;

We will not retain your personal information longer than the period for which it was originally required, unless we are required by law to do so, or you consent to us retaining such information for a longer period.

The premises are access controlled;

All PCs/ Laptops are password protected and protected by an Anti-virus.

## **10. REQUEST PROCEDURE FOR OBTAINING INFORMATION**

### **Access to records held by Uhambo Procurement and Distribution CC**

Records held by Uhambo Procurement and Distribution CC may be accessed by request only once the prerequisites for access have been met.

The requester must fulfil the prerequisites for access in terms of The Act, including the payment of a requested access fee.

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

The requester must complete the prescribed Form 2 (Annexure B) and submit same as well as payment of a request fee and a deposit, if applicable, to the Information Officer at the postal or physical address, fax number or electronic mail address as stated herein.

The prescribed form must be filled in with enough particulars to at least enable the Information Officer to identify –

- The record or records requested;
- The identity of the requester,
- Which form of access is required, if the request is granted;
- The postal address or fax number or email address of the requester.

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

Uhambo Procurement and Distribution CC will process the request within 30 days, unless the requester has stated a special reason that would satisfy the Information Officer that circumstances dictate that the above time periods are not complied with.

The requester shall be informed whether access has been granted or denied in the form of Form 3 (Annexure C). If, in addition, the requester requires the reason for the decision in any other manner, they must state the manner and the particulars so required.

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.



If an individual is unable to complete the prescribed Form because of illiteracy or disability, such a person may make the request orally.

## **11. FEES**

When the Information Officer receives the request, such Officer shall, by notice, require the requester to pay the prescribed request fee (if any), before any further processing of the request.

If the search for the record has been made in the preparation of the record for disclosure, including arrangements to make it available in the requested form, and it requires more than the hours prescribed in the regulation 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.

The Information Officer shall withhold a record until the requester has paid the Fees as indicated.

A requester, whose request for access to a record has been granted, must pay an access 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 requested form.

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.

The fees applicable to a request for information are set out in Annexure A hereto.

The requester must pay the prescribed fee before any further processing can take place.

## 12. GROUNDS FOR REFUSAL OF ACCESS TO INFORMATION

The main grounds for Uhambo Procurement and Distribution CC to refuse a request for information relates to the:

- Mandatory protection of the privacy of a third party that is a natural person that would involve the unreasonable disclosure of personal information of that natural person;
- Mandatory protection of the commercial information of a third party, if the record contains:
  - o Trade secrets of that third party;
  - o Financial, commercial, scientific or technical information, disclosure of which could likely cause harm to the financial or commercial interests of that third party;
  - o Information disclosed in confidence by a third party to the Private Body, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition;
- Mandatory protection of confidential information of third parties if it is protected in terms of any agreement;
- Mandatory protection of confidential information of the protection of property;
- Mandatory protection of records that would be regarded as privileged in legal proceedings;
- The commercial activities of Uhambo Procurement and Distribution CC which may include:
  - o Trade secrets of Uhambo Procurement and Distribution CC
  - o Financial, commercial, scientific or technical information, disclosure which could likely cause harm to the financial or commercial interest of Uhambo Procurement and Distribution CC ;
  - o Information which, if disclosed could put Uhambo Procurement and Distribution CC at a disadvantage in negotiations or commercial competition;
  - o A computer program, owned by Uhambo Procurement and Distribution CC and protected by copyright.
- The research information of Uhambo Procurement and Distribution CC or a third party, if its disclosure would reveal the identity of Uhambo Procurement and Distribution CC, the researcher or the subject matter of the research and would place the research at a serious disadvantage;

Requests for information that are clearly frivolous or vexatious, or which would involve an unreasonable diversion of resources shall be refused.

### **13. DECISION**

Uhambo Procurement and Distribution CC will within 30 days of receipt of the request, decide whether to grant or decline the request and give notice with reasons (if required) to that effect.

The requester shall be informed whether access has been granted or denied in the form of Form 3 (Annexure C). If, in addition, the requester requires the reason for the decision in any other manner, they must state the manner and the particulars so required.

The 30 day period within which Uhambo Procurement and Distribution CC has to decide whether to grant or refuse the request, may be extended for further period of not more than 30 days if the request is for a large amount of information, or the request requires a search for information held at another office of Uhambo Procurement and Distribution CC and the information cannot reasonably be obtained within the original 30 day period. Uhambo Procurement and Distribution CC will notify the requester in writing should an extension be sought.

#### **AVAILABILITY OF THE MANUAL**

The manual of Uhambo Procurement and Distribution CC is available at the premises of Uhambo Procurement and Distribution CC as well as on the website of Uhambo Procurement and Distribution CC.

Signed by: 

Date: 31/10/2023

### ANNEXURE A:

The table below sets out the fees applicable to any request for a record of information held by

| <b>Item</b> | <b>Description</b>   | <b>Amount</b>  |
|-------------|--|--|
| 1.          | The request fee payable by every requester   | R 140.00   |
| 2.          | Photocopy/printed black & white copy of A4-size page   | R 2.00 per page or part thereof  |
| 3.          | Printed copy of A4-size page   | R 2.00 per page or part thereof  |
| 4.          | For a copy of computer-readable form on:<br>(i) Flash drive (to be provided by the requester)<br>(ii) Compact Disk:<br>a. If provided by requester<br>b. If provided to the requester                  | R 40.00<br>R 40.00<br>R 60.00  |
| 5.          | For a transcription of visual images per A4-size page  | Service to be outsourced.  |
| 6.          | For a copy of visual images  | Will depend on quotation from service provider.                          |
| 7.          | Transcription of an audio record, per A4-size page   | R 24.00  |
| 8.          | For a copy of audio recording on:<br>(i) Flash drive (to be provided by the requester)<br>(ii) Compact Disk:<br>a. If provided by requester<br>b. If provided to the requester                         | R 40.00<br>R 40.00<br>R 60.00  |
| 9.          | To search for and prepare the record for disclosure, for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation.<br>Not to exceed a total cost of | R 145.00<br>R 435.00   |
| 10.         | Deposit: If search exceeds 6 hours   | One third of the amount per request calculated in terms of items 2 to 8. |
| 11.         | Postage, email or any other electronic transfer  | Actual expense, if any.  |