
PAIA MANUAL

Prepared in accordance with section 51 of the Promotion of Access to Information Act, No. 2 of 2000 (“PAIA”) (as amended) and in compliance with the requirements of the Protection of Personal Information Act, No.4 2013 (“POPIA”).

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1. INTRODUCTION

- 1.1. The Promotion of Access to Information Act, No. 2 of 2000 (the “Act”), as amended, gives effect to section 32 of the Constitution of the Republic of South Africa 108 of 1996 (the “Constitution”) which gives the right to access to any information held by the state and/or another person, that is required for the exercise or protection of any right.
- 1.2. Where a request is made in terms of the Act, the body to whom the request is made must consider whether to release the information, giving due consideration to applicable legislative and/or regulatory requirements, except where the Act expressly states that the records containing such information may not be released.
- 1.3. This manual, which is compiled in accordance with section 51 of the Act and complies with the requirements of the Protection of Personal Information Act, No. 4 of 2013 (“POPIA”), is intended to inform a requestor of information, about the procedure for requesting information from the holder. This manual further incorporates the requirements of the POPIA and sets out the framework for our company’s compliance with the same.
- 1.4. Where reference is made to the “processing” of personal information, this will include any activity in which information is worked with, from the time that it is collected, up to the time that it is destroyed, regardless of whether it is worked with manually, or by automated systems.

2. KARO MANUFACTURING (PTY) LTD AND CONTACT DETAILS

- 2.1 Karo Manufacturing (Pty) Ltd: registration number 1999/025025/07 Our range of services includes the manufacture and supply of ergonomic furniture and gaming seating.

- 2.2. Our contact details are as follows:

Physical Address:

3 Platinum Rd
Spartan ext 16
Kempton Park
1619
Gauteng

Postal Address:

P O Box 877
Edenvale
1610

Contact details

Tel: 011 392 6803

Email: info@karo.co.za

Website: www.karo.co.za

3. INFORMATION OFFICER

3.1. The Head of Karo Manufacturing (Pty) Ltd, Mr Achim Roetger is the appointed Information Officer of Karo Manufacturing (Pty) Ltd. His contact details are:

Physical Address:

3 Platinum Rd
Spartan ext 16
Kempton Park
1619
Gauteng

Postal Address:

P O Box 877
Edenvale
1610

Telephone: 0824973094

Email: achim@karo.co.za

3.2. The Information Officer shall oversee the functions and responsibilities as required in terms of the Act and section 55 of POPIA, after registration with the Information Regulator.

3.3. All requests for information must be addressed to the Information Officer.

4. GUIDE OF SA HUMAN RIGHTS COMMISSION (SECTION 51(1)(b))

4.1. The Act grants a requester access to records of a private body, if the record 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.

4.2. Requests in terms of the Act shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariffs are dealt with in paragraphs 6 and 7 of the Act.

4.3. Requesters are referred to the Guide in terms of Section 10 which has been compiled by the South African Human Rights Commission, which will contain information to exercise Constitutional Rights. The Guide is available from the SAHRC.

4.4. Enquiries in this regards should be directed to:

Postal Address: Private Bag 2700, Houghton, 2041

Telephone Number: +27-11-877 3600

Fax Number: +27-11-403 0625

Website: www.sahrc.org.za

Email: PAIA@sahrc.org.za

5. THE LATEST NOTICE IN TERMS OF SECTION 52(2) (IF ANY)

No notice has been published on the categories of records that are automatically available without a person having to request access in terms of Section 52(2) of PAIA.

6. RECORDS AVAILABLE ON REQUEST

6.1. Karo Manufacturing (Pty) Ltd holds the following records which may be available only on request in terms of section 51(1)(e):

Records	Subject
COMPANY Registration Records	Documents of Incorporation; Memorandum of Incorporation; Details of COMPANY owner

Financial Records	Accounting Records; Annual Financial Reports; Annual Financial Statements Asset Registers; Bank Statements; Banking details and bank accounts; Banking Records; Debtors / Creditors statements and invoices; General ledgers and subsidiary ledgers; General reconciliation; Invoices; Policies and procedures; Rental Agreements; and Tax Returns
Income Tax Records	PAYE Records;
IT Records	Computer / mobile device usage policy documentation; Disaster recovery plans; Hardware asset registers; Information security policies/standards/procedures; Information technology systems and user manuals Information usage policy documentation; Project implementation plans; Software licensing; and System documentation and manuals.

6.2. For the purposes of the above clause 6.1., “Personnel” refers to any person who works for, or provides services to, or on behalf of Karo Manufacturing (Pty) Ltd and receives or is entitled to receive remuneration and any other person who assist in carrying out or conducting the business of Karo Manufacturing (Pty) Ltd. This includes, without limitation, directors (executive and non-executive), all permanent, temporary, and part-time staff, as well as contract workers.

- 6.3. Access to the records stipulated in clause 6.1 above may be subject to the grounds of refusal set out in this manual. Amongst others, records deemed confidential on the part of a third party, will require permission from the third party concerned, in addition to normal requirements, before the granting of access may be considered.

7. RECORDS AVAILABLE WITHOUT A REQUEST

- 7.1. The following records are available on payment of the prescribed fees for copies without completing the prescribed form in terms of the Act.

- a. Record of a public nature
- b. Records disclosed on www.karo.co.za
- c. Non-confidential reports
- d. Statutory records such as those maintained at the CIPC
- e. Other Non-confidential records such as newsletters, brochures, and similar.

- 7.2. Requests for such records must be directed to the Information Officer.

- 7.3. An appointment to view such records will have to be made with the Information Officer.

8. RECORDS AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION

- 8.1. Karo Manufacturing (Pty) Ltd retains records and documents in terms of other legislation listed below.

- 8.2. Unless disclosure is prohibited in terms of legislation, regulations, contractual agreement, or otherwise, records that are required to be made available in terms of these acts shall be made available for inspection by interested parties in terms of the requirements and conditions of the Act; the below-mentioned legislation and applicable internal policies and procedures, should such interested parties be entitled to such information.

- 8.3. A request to access must be done in accordance with the prescriptions of the Act. a.
- Basic Conditions of Employment Act, No 75 of 1997;
 - b. Broad-Based Black Economic Empowerment Act, No 75 of 1997;
 - c. Companies Act, No 71 of 2008;
 - d. Compensation for Occupational Injuries & Diseases Act, 130 of 1993;
 - e. Competition Act, No.71 of 2008;
 - f. Constitution of the Republic of South Africa 2008;
 - g. Copyright Act, No 98 of 1978;
 - h. Electronic Communications Act, No 36 of 2005;
 - i. Electronic Communications and Transactions Act, No 25 of 2002;
 - j. Employment Equity Act, No 55 of 1998;
 - k. Financial Intelligence Centre Act, No 38 of 2001;
 - l. Health Professions Act, No 56 of 1974;
 - m. Identification Act, No. 68 of 1997;
 - n. Income Tax Act, No 58 of 1962;
 - o. Intellectual Property Laws Amendment Act, No 38 of 1997;
 - p. Labour Relations Act, No 66 of 1995;
 - q. Medical Schemes Act, No 131 of 1998;
 - r. National Health Act, No 61 of 2003;
 - s. Occupational Health & Safety Act, No 85 of 1993;
 - t. Pension Funds Act, No 24 of 1956;
 - u. Prescription Act, No 68 of 1969;
 - v. Prevention of Organised Crime Act, No 121 of 1998;
 - w. Promotion of Access to Information Act, No 2 of 2000;
 - x. Protection of Personal Information Act, No. 4 of 2013;
 - y. Regulation of Interception of Communications and Provision of Communication-Related Information Act 70 of 2002
 - z. Unemployment Insurance Act, No 30 of 1996 aa.
- Value Added Tax Act, No 89 of 1991

Whilst every care was taken to provide a comprehensive list of applicable legislation, this list may be incomplete. To this end, this list shall be updated accordingly as and when Karo Manufacturing (Pty) Ltd receives new information to this effect. If a Requester believes that a right of access to a record exists in terms of other legislation not listed above, the Requester is required to indicate what legislative right the request is based on, to allow the

Information Officer the opportunity to consider the request in light thereof.

- 8.4. The accessibility of documents and records requested as a result of other legislation, may be subject to the grounds of refusal, set out in this Manual.

9. REQUEST FOR ACCESS TO INFORMATION

- 9.1. The requester must comply with all the procedural requirements contained herein relating to the request for access to information access to information.
- 9.2. The requester must complete the prescribed form available in the appendix and submit same, with payment and/or proof of payment as well as payment of the requested fee and/or a deposit (if applicable) to the Information Officer.
- 9.3. The prescribed form must be filled in with sufficient information to enable the Information Officer to identify:
- a. the information or records requested;
 - b. the identity of the requester;
 - c. the form of access required;
 - d. the postal address or fax number of the requester in the Republic; or
 - e. if the requester wishes to be informed of the decision in a different manner (in addition to written), the manner and particulars thereof; and
 - f. the right which the requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.
- 9.4. Karo Manufacturing (Pty) Ltd will process the request within 30 (thirty) days, unless the requester has stated special reasons to the satisfaction of the Information Officer, that circumstances dictate urgency.
- 9.5. The requester shall be advised whether access is granted or denied in writing.
- 9.6. In addition, the Information Officer will include the reason for the decision.
- 9.7. Should a request be made on behalf of another person, then the requester must submit proof of the capacity in they are acting to the satisfaction of the Information Officer (section 53(2)(f)).

- 9.8. Should an individual be unable to complete the prescribed form, owing to illiteracy or disability, such a person may make the request orally.
- 9.9. The requester must pay the prescribed fee before the request can be processed.
- 9.10. All information listed in Par 9.3 should be provided, failing which, the process will be delayed until the required information is provided.
- 9.11. The prescribed time periods will not commence until the requester has furnished all the required information and paid the prescribed fee.
- 9.12. The Information Officer shall partition information, if possible, and only grant the requester, access to the requested portion..

10. REFUSAL OF ACCESS TO RECORDS

- 10.1. Karo Manufacturing (Pty) Ltd is entitled to refuse a request for information in terms of the Act.
- 10.2. Access to information may be subject to the grounds of refusal.
- 10.3. Amongst others, records deemed confidential on the part of a third party, will require permission from the third party concerned, in addition to normal requirements, before the granting of access may be considered.
- 10.4. The main grounds for Karo Manufacturing (Pty) Ltd to refuse a request for information are:
 - a. mandatory prohibition on the processing of special personal information, if the records are classified as special personal information in terms of section 26 of POPIA;
 - b. mandatory protection of the privacy of a third party who is a natural person or a deceased person (section 63) or a juristic person, as included in POPIA, which would involve the unreasonable disclosure of personal information of that natural or juristic person;
 - c. mandatory protection of personal information and for disclosure of any personal information to, in addition to any other legislative, regulatory or contractual agreements, comply with the provisions of POPIA;
 - d. mandatory protection of the commercial information of a third party (section 64) if the

record contains:

- i. trade secrets of the third party;
 - ii. financial, commercial, scientific, or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party;
 - iii. information disclosed in confidence by a third party to Karo Manufacturing (Pty) Ltd if the disclosure could put that third party at a disadvantage in negotiations or commercial competition;
- e. mandatory protection of confidential information of third parties (section 65) if it is protected in terms of any agreement;
- f. mandatory protection of the safety of individuals and the protection of property (section 66);
- g. mandatory protection of records that would be regarded as privileged in legal proceedings (section 67).
- h. the commercial activities (section 68) of a private body, such as Karo Manufacturing (Pty) Ltd which may include:
- i. trade secrets of Karo Manufacturing (Pty) Ltd
 - ii. financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of Karo Manufacturing (Pty) Ltd
 - iii. the information which, if disclosed could put Karo Manufacturing (Pty) Ltd at a disadvantage in negotiations or commercial competition;
 - iv. a computer program which is owned by Karo Manufacturing (Pty) Ltd and which is protected by copyright;
 - v. research information (section 69) of Karo Manufacturing (Pty) Ltd or a third party, if its disclosure would disclose the identity of Karo Manufacturing (Pty) Ltd the researcher, or the subject matter of the research and would place the research at a serious disadvantage.

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

10.6. All requests for information will be assessed on their own merits and in accordance with the applicable legal principles and legislation.

10.7. If a requested record cannot be found or if the record does not exist, the Information Officer shall, by way of an affidavit or affirmation, notify the requester that it is not possible to

give access to the requested record.

10.8. Such notice will be regarded as a decision to refuse a request for access to the record concerned for the purpose of the Act.

10.9. If the record should later be found, the requester shall be given access to the record in the manner stipulated by the requester in the prescribed form, unless the Information Officer refuses access to such record.

11. PRESCRIBED FEES (SECTION 51 (1) (f))

11.1. The Act provides for two types of fees, namely:

a. A request fee, which is a form of an administration fee to be paid by all requesters except personal requesters, before the request is considered and is not refundable; and

b. An access fee, which is paid by all requesters if 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.

11.2. When a request is received by the Information Officer, he/she shall by notice require the requester, other than a personal requester, to pay the prescribed request fee, before processing of the request.

11.3. If the search for the information has been made and the preparation of the record for disclosure, including an arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations 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.

11.4. If the preparation of the record requested requires more than the prescribed hours 6 (six), a deposit of a third of the payable access fee shall be paid.

11.5. The Information Officer shall withhold a record until the requester has paid the requested fees.

- 11.6. A requester whose request for access to information has been granted must pay an access fee that is calculated to include, where applicable, the request fee, the processing fee for reproduction, search, and preparation, and for any time reasonably required over the prescribed hours to search for and prepare the record for disclosure including making arrangements to make it available in the request form.
- 11.7. If a deposit has been paid in respect of a request for access, which is refused, then the Information Officer will repay the deposit to the requester.
- 11.8. Where Karo Manufacturing (Pty) Ltd has voluntarily provided the Minister with a list of categories of records that will automatically be made available to any person requesting access thereto, the only charge that may be levied for obtaining such records, will be a fee for the reproduction of the record in question.
- 11.9. Where a requester submits a request for access to information about a person other than the requester himself/herself, a request fee in the amount of R50,00 is payable up-front before the institution will further process the request received.
- 11.10. An access fee is payable where a request for access to information is granted, except in those instances where payment of an access fee is specially excluded in terms of the Act or exclusion is determined by the Minister in terms of section 54(8).
- 11.11. The Fee Schedule is as follows:

FEE TYPE	DESCRIPTION	FEE
Request Fee		
	Fees for Requesting Records (Excluding exempt people in terms of the Act)	R50
Access Fee		
	Information in an A-4 size page photocopy or part thereof	R1.10

	A printed copy of an A4-size page or part thereof	R0.75
	A copy in computer-readable format, for example: Compact disc	R70.00
	A transcription of visual images, in an A4-size page or part thereof	R40.00
	A copy of visual images	R60.00
	A transcription of an audio record for an A4-size page or part thereof	R20.00
	A copy of an audio record	R30.00
	Search and preparation of the record for disclosure. Excluding the first hour reasonable required for the search and preparation	R30 per hour
	Postage Fee	Actual Fee Incurred

12. DECISION

12.1. Karo Manufacturing (Pty) Ltd will, within 30 (thirty) days of receipt of the request, decide whether to grant or decline the request and give written notice with reasons to that effect.

12.2. The 30 (thirty) day period within which Karo Manufacturing (Pty) Ltd must decide whether to grant or refuse the request, may be extended for a further period of not more than (30) thirty days if the request is for a large amount of information, or the request requires a search for information held at another location and the information cannot reasonably be obtained within the original 30 (thirty) day period.

12.3. Karo Manufacturing (Pty) Ltd will notify the requester in writing should an extension be sought.

13. REMEDIES FOR REFUSAL OF A REQUEST

13.1. Internal Remedies

- a. Karo Manufacturing (Pty) Ltd does not have internal appeal procedures as the decision made by the Information Officer is final.

- b. A requester will need to exercise external remedies should the request for information be refused, and they are not satisfied with the decision by the Information Officer.

13.2. External Remedies

- a. A requestor and/or third party that is dissatisfied with the Information Officer's refusal to disclose information, may within 30 (thirty) days of receipt of notification of the decision apply to the High Court with jurisdiction, for relief.

- 13.3. For purposes of the Act, the Courts that have jurisdiction over these applications are the Constitutional Court, the High Court, and a Magistrate's Court designated by the Minister of Justice and Constitutional Development.

14. ACCESS TO RECORDS

- 14.3. Records held by Karo Manufacturing (Pty) Ltd may be accessed by request only, once the prerequisite requirements for access have been met.

- 4.3. A requester is any person requesting access to information. There are two types of requester:

- a. Personal Requester

- i. A personal requester is a requester who is seeking access to information containing personal information about the requester.
- ii. Karo Manufacturing (Pty) Ltd will voluntarily provide the requested information or give access to any record concerning the requester's personal information. The prescribed fee for the reproduction of the information requested will be charged (if applicable).

- b. Other Requester

- i. This requester is entitled to request access to information on third parties.
- ii. In considering such a request, the Information Officer will take all reasonable steps to inform the third party to whom the requested record relates of the request.

- iii. The Information officer will inform the third party that he/she may make a written or oral representation stating why the request should be refused or, where required, give written consent for the disclosure of the Information.
- iv. The requester must fulfil the prerequisite requirements, including the payment of a request and access fee.

15. AVAILABILITY AND UPDATING OF THIS MANUAL

15.1 This Manual is made available in terms of Regulation Number R.187 of 15 February 2002. Karo Manufacturing (Pty) Ltd will update this Manual at such intervals as may be deemed necessary.

15.2. This Manual of Karo Manufacturing (Pty) Ltd is available to view at its premises and on its website on www.karo.co.za

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

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: <input type="text"/>
	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			
<i>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.)</i>			
Description of record or relevant part of the record:			
Reference number, if available			
Any further particulars of record			
TYPE OF RECORD <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			

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
(Mark the applicable box with an "X")

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

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.

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:	

FEEES	
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 <i>(Please specify)</i>

Signed at _____ this _____ day of _____ 20 _____

Signature of Requester / person on whose behalf request is made

FOR OFFICIAL USE

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

Signature of Information Officer



REGISTRATION CERTIFICATE

Registration Number: 0019788/2023-2024-IRRT/PR

This is to certify that **Achim Roetger** has been registered as the **Information Officer** with the Information Regulator by **Karo Manufacturing (Pty) Ltd**, in terms of section 55(2) of the Protection of Personal Information Act 4 of 2013 on the **18 October 2023**.


Chief Executive Officer
INFORMATION REGULATOR

NB: Please note that it is your responsibility to ensure that the particulars of an Information Officer and/or Deputy Information Officer(s) are correct and updated on an annual basis or as when it becomes necessary.