

SECTION 51 MANUAL

PROMOTION OF ACCESS TO INFORMATION

FOR



SIGNMAN CC

(Registration No.: 1989/008690/23)

(hereinafter referred to as "SIGNMAN")

Last Updated: July 2021

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MANUAL IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT, NO 2 OF 2000 (the “Act/PAIA”)

1 INTRODUCTION

SIGNMAN has been operating since 1975 as a specialist in the design, manufacturing and installation of signs of a variety of nature and size, and is a household name in the signage industry nationally. The client base of SIGNMAN is diverse, and include but are not limited to, the retail and banking sectors. Part of the showcase of signage offered by SIGNMAN is SmartPole, a unique modular sign system offering a wide range of outdoor solutions in a compact design.

2 CONTACT DETAILS (Section 51(1)(a)(i) of the Act)

Name of body:	Signman CC
Information Officer:	Desmond Gobey
Designation:	Managing Member
Deputy Information Officer:	Mart-Marie van Heerden
Designation:	Operations Manager
Members:	D.S. Gobey
Address:	32 Stevens Road, Stafford, Johannesburg, 2000
Postal Address:	Postnet Suite 096, Private Bag X10010, Edenvale, 16010
Telephone:	011-493 0146
Fax:	n/a
E-mail:	des@signman.co.za; mart@signman.co.za
Website address:	www.signman.co.za

3 GUIDE IN TERMS OF SECTION 10 OF THE ACT (Section 51(1)(b)(i) of the Act)

- 3.1 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.
- 3.2 Requests in terms of the Act shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in Regulations 6 and 7 of the Act in respect of public bodies and Regulations 10 and 11 of the Act in respect of private bodies.

- 3.3 Requesters are referred to the Guide in terms of Section 10 of the Act which has been compiled by the South African Human Rights Commission (SAHRC), which contain information for the purposes of exercising any right contemplated in the Act and the Protection of Personal Information Act, No 4 of 2013 (“POPIA”). The Guide is available from the Information Regulator.

The contact details of the Information Regulator are:

Telephone number: 010 023 5200

Email address: inforeq@justice.gov.za

Postal Address: ,PO Box 31533, Braamfontein, Johannesburg, 2017

Website: <https://www.justice.gov.za/inforeq/contact.html>

4 NOTICE/S IN TERMS OF SECTION 52(2) OF THE ACT (Section 51(1)(b)(ii) of the Act)

At this stage no notice(s) has/have been published on the categories of records that are automatically available without a person having to request access in terms of the Act, and as and when notices are published, if applicable, such notices shall be deemed to be incorporated in this manual.

5 INFORMATION/DOCUMENTS AVAILABLE IN ACCORDANCE WITH LEGISLATION (Section 51(1)(b)(iii) of the Act)

SIGNMAN retains records and documents in terms of the legislation listed below. Unless disclosure is prohibited in terms of legislation, regulations and contractual documents, records which are to be made available in terms of PAIA and/or POPIA shall be made available for inspection by interested parties in terms of the requirements and conditions of PAIA. Whilst SIGNMAN maintains records relating to the undermentioned legislation, it does not imply that a request for access to such records will be granted. All requests for access will be evaluated on a case by case basis in accordance with the provisions of PAIA and/or POPIA.

No	Reference	Act
1	No 71 of 2008	Companies Act
2	No 89 of 1998	Competition Act
3	No 58 of 1962	Income Tax Act
4	No 89 of 1991	Value Added Tax Act
5	No 38 of 2001	Financial Intelligence Centre Act
6	No 66 of 1995	Labour Relations Act
7	No 55 of 1998	Employment Equity Act
8	No 24 of 1956	Pension Funds Act
9	No 75 of 1997	Basic Conditions of Employment Act
10	No 63 of 2001	Unemployment Insurance Act
11	No 9 of 1999	Skills Development Levies Act
12	No 130 of 1993	Compensation for Occupational Injuries & Diseases Act
13	No 85 of 1993	Occupational Health & Safety Act
14	No 2 of 2000	Promotion of Access of Information Act
15	No 4 of 2013	Protection of Personal Information Act

6 DOCUMENTS / INFORMATION HELD BY THE COMPANY IN TERMS OF THE ACT (Section 51(1)(b)(iv) of the Act)

The following records are kept which may or may not be made available, as indicated:

6.1 Confidential Records: The following records are treated as confidential and may not be made available:

6.1.1 All financial records, including but not limited to Audited Financial Statements; Management Accounts; Asset Registers; Financial and Tax Records;

6.1.2 All Board related records, including but not limited to minutes of meetings, resolutions, board packs, presentations;

6.1.3 All member related records, including but not limited to minutes of meetings, resolutions, board packs, presentations;

- 6.1.4 All documents which are of a strategic nature, including but not limited to patents, business plans, designs, formulars;
 - 6.1.5 Project contracts, including but not limited to purchase orders, commercial terms and conditions, technical specifications.
- 6.2 **Non-confidential Records:** The following records may be made available on request in terms of the Act:
- 6.2.1 Marketing information, including product brochures and owner manuals;
 - 6.2.2 Customer information, including product brochures and owner manuals;
 - 6.2.3 Site Records;
 - 6.2.4 Product Sales Records;
 - 6.2.5 Performance Records.
- 6.3 **Public Records:** The following records are in the public domain and freely available on request:
- 6.3.1 Corporate records published on the company website, such as BBBEE Certificates; Letters of Good Standing;
 - 6.3.2 Product information;
 - 6.3.3 Health and safety records.

7 **FORM OF REQUEST**

To facilitate the processing of an information request

- 7.1 Use the prescribed form provided for in the Regulations to the Act.

7.2 Address a request to the Information Officer.

7.3 Provide sufficient details to enable the Information Officer to identify:

- a) The record/s requested;
- b) The requester;
- c) If the request is made on behalf of a person, submit proof of the capacity in which the requester is making the request, to the reasonable satisfaction of the Information Officer;
- d) The form of access required;
- e) The postal address, fax number, email address and telephone number of the requester in South Africa;
- f) If the requester wishes to be informed of the decision in any other manner (in addition to written), to state that manner and the necessary particulars to be so informed;
- g) The right which the requester is seeking to exercise or protect and provide an explanation of why the requested record is required for the exercise or protection of that right.

8 PURPOSE OF PROCESSING PERSONAL INFORMATION (Section 51(1)(c)(i) of the Act)

8.1 Personal information will only be used for the purpose for which it was collected and as may be agreed, which may include but is not limited to:

8.1.1 Providing services to clients and to carry out the transactions requested;

8.1.2 Conducting credit reference searches or verification;

8.1.3 Confirming, verifying and updating client, contractor and service provider details;

8.1.4 Detection and prevention of fraud, crime, money laundering or other

malpractices;

8.1.5 Conducting market or customer satisfaction research;

8.1.6 Audit and record keeping purposes;

8.1.7 In connection with legal proceedings;

8.1.8 Providing SIGNMAN requested services to clients, and to maintain and constantly improve the relationship;

8.1.9 Providing communication in respect of SIGNMAN and regulatory matters which may affect clients; and

8.1.10 In connection with and to comply with legal and regulatory requirements or when it is otherwise required by law.

**9 CATEGORIES OF DATA SUBJECTS AND PERSONAL INFORMATION/
SPECIAL PERSONAL INFORMATION RELATING THERETO (Section
51(1)(c)(ii) of the Act)**

SIGNMAN maintains records on the following categories and subject matters. The recordal of a category or subject matter does not imply that a request for access to such records will be granted. All requests for access will be evaluated on a case by case basis in accordance with the provisions of PAIA and/or POPIA.

Categories of individuals and juristic entities	Categories of personal information held	Availability
Employees	Identity numbers, contact details, physical and postal address, date of birth, age, marital status, race, disability information, medical records, employment history, criminal/background checks, fingerprints, CVs, education history, bank details, income tax reference number, remuneration and benefit information (including but not limited to medical aid, pension/provident fund information), details related to employee performance, disciplinary action, payroll records, electronic access records, physical access records, CCTV records, health and safety records, training records, time and	Not automatically available.

	attendance records.	
New job applicants	Name, surname, address, contact details, identity numbers, email address, telephone number, details of qualifications, skills, experience and employment history, remuneration, benefits.	Not automatically available
Suppliers/service providers	Entity name, registration number, income tax number, tax information, contact details of representative persons, FICA documentation, BBBEE certificates, financial information, contractual documents.	Not automatically available
Website visitors	Name, email address, company name, job title and telephone number	Not automatically available
Visitors	Physical address, records, electronic access reports, scans and CCTV records, contact details	Not automatically available
Children	Name, address and contact details, birth certificate, age, child's medical information	Not automatically available

10 RECIPIENTS OF PERSONAL INFORMATION TO WHOM THE PERSONAL INFORMATION MAY BE SUPPLIED (Section 51(1)(c)(iii) of the Act)

- 10.1 Subsidiaries within the group of companies to which SIGNMAN may belong, and as contemplated in section 3 of the Companies Act, No. 71 of 2008;
- 10.2 Authorities to whom SIGNMAN are obliged to provide such information for legal or regulatory purposes;
- 10.3 Authorised third parties for purposes of existing or future legal proceedings;
- 10.4 Third party/ies to whom SIGNMAN considers to sell part of the whole of its business or shareholding within SIGNMAN, subject to the procurement of written non-disclosure agreements with such third party/ies;
- 10.5 Authorities required by law for purposes of the prevention of fraud, loss, bribery or corruption;
- 10.6 Third parties for the purpose of performing services and processing of personal information on behalf of SIGNMAN.

SIGNMAN will send its data subjects notifications or communications if it is obliged by law to do so or in terms of contractual relationships, where disclosure of their personal information is required. Disclosure of personal information to governmental

authorities will only be effected if so required by law or a court order.

11 PLANNED TRANSBORDER FLOW OF PERSONAL INFORMATION (Section 51(1)(c)(iv) of the Act)

SIGNMAN may from time to time transfer personal information to another country for the purposes of rendering services to employees or clients, and will take the necessary steps to ensure that service providers and third party operators are bound by laws, binding corporate rules or contractual agreements which provide an adequate level of protection and uphold principles of reasonable and lawful processing of personal information in terms of POPIA.

12 DESCRIPTION OF INFORMATION SECURITY MEASURES (Section 51(1)(c)(v) of the Act)

SIGNMAN takes the security of data seriously, and accordingly, reasonable technical and organisational measures are implemented to protect personal information. SIGNMAN has internal policies and controls in place to ensure that data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by its employees in the proper performance of their duties. SIGNMAN will take steps to ensure that third party providers who may process personal information on behalf of SIGNMAN apply adequate safeguards as required in terms of POPIA.

13 OTHER INFORMATION (Section 51(1)(a)(ii) of the Act)

13.1 The Minister of Justice and Constitutional Development has published regulations in terms of Section 92 of the Act, as can be obtained from the guidance document referred to in paragraph 3 above. The following applies to requests (other than personal requests):

13.1.1 A requester is required to pay the prescribed fees before a request will be processed; If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted);

13.1.2 A requester may lodge an application with a court against the tender/payment of the request fee and/or deposit;

13.1.3 Records may be withheld until the fees have been paid;

13.1.4 The fee structure is contained in the Regulations to the Act;

13.1.5 A requester must request the banking details of SIGNMAN from the Information Officer to make payment.

14 AVAILABILITY OF THE MANUAL (Section 51(3) of the Act)

14.1 This manual is available for inspection during normal business hours at the offices of SIGNMAN and appears on the website of SIGNMAN, and shall be made available on request to the Information Regulator.

14.2 Copies of the manual may be obtained, subject to the prescribed fees, at the offices of SIGNMAN.

15 REMEDIES

SIGNMAN does not have an internal appeal process regarding PAIA and POPI requests. As such, the decision made by the Information Officer shall be final. If a request is denied, the requester shall be entitled to exercise his/her/its rights entitled to in law.

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