



PAIA MANUAL

of

South African Container Depots (Pty) Ltd T/A Bidvest SACD

(Registration no: 1999 / 000645 / 07)

This Manual is prepared in terms of Section 51 of the Promotion of Access to Information Act No 2 of 2000 ("PAIA") as amended by the Protection of Personal Information Act, No 4 of 2013 ("POPIA")

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1. DEFINITIONS

“Bidvest”	means The Bidvest Group Limited (registration number 1946/021180/06), a listed company incorporated in South Africa with subsidiaries and associates and is our ultimate holding company.
“Bidvest Freight”	means The Bidvest Group Limited’s Freight division, of which South African Container Depots (Pty) Ltd T/A Bidvest SACD is one of the businesses making up this division.
“Bidvest SACD”, “Company”, “we”, “us” and “our”	means South African Container Depots (Pty) Ltd T/A Bidvest SACD (registration number 1999 / 000645 / 07), a private company incorporated in South Africa as set out in section 5 below.
“Data Subject”	means the person to whom the personal information relates.
“Manual”	means this PAIA manual, together with all appendices hereto.
“PAIA”	means the of Promotion of Access to Information Act, No 2 of 2000.
“POPIA”	means the Protection of Personal Information Act, No 4 of 2013.
“Processing”	means any operation or activity, whether or not by automatic means, concerning personal information including collection, receipt, storage, alteration, erasure, as further defined in POPIA.
“Record”	means any recorded information, regardless of form or medium which includes writing, label, marking, hardware, software, book, image (as further defined in POPIA).
“Regulator”	means the Information Regulator as established in terms of section 39 of POPIA.
“Requester”	means any person making a Request for Access to a Record held by Bidvest SACD.
“Request for Access”	means a Request for Access to a record as further defined in terms of section1 of PAIA.

2. INTRODUCTION TO PAIA AND POPIA

PAIA:

The Promotion of Access to Information Act, 2000 ("PAIA") commenced on 9 March 2001, which among other things:

- seeks to give effect to a person's Constitutional right of access to information (subject to certain limitations) and sets out the procedural process to follow to exercise or protect this right.
- obliges private and public bodies to compile a PAIA Manual, which sets out how a person who believes he/she has a right to access certain information may go about requesting such information.

Where a person is desirous of obtaining information from Bidvest SACD a private or public body in terms of PAIA, such request must be made in the format as prescribed by PAIA Bidvest SACD by following the laid out procedure and using the prescribed forms, as described in the private or public entity's PAIA manual.

Upon receipt of the Request for Access, the body receiving the request must decide if it is able to provide the requested information to the Requester in accordance with the provisions of PAIA.

POPIA:

The Protection of Personal Information Act, 2013 ("POPIA") commenced on 1 July 2020 and gives effect to:

- a person's right to privacy, including the right to data privacy, and in accordance with this objective, describes and prescribes a series of conditions which must be met when personal information is processed, which conditions establish the minimum requirements for the Processing of personal information.
- amends certain provisions of PAIA, balancing the need for access to information against the need to ensure the protection of personal information.

3. PURPOSE OF THE PAIA MANUAL

The purpose of this PAIA Manual is to understand:

- the categories of Records that are **automatically** available without a person having to submit a Request for Access.
- a **description** of the Records which are available per **other legislation**.
 - the procedure that a Requester is to follow making a Request for Access, the forms to complete and the way a Request for Access will be facilitated by Bidvest SACD.
 - how Bidvest SACD processes personal information, as well as the categories of information and Data Subjects and the recipients to whom personal information may be supplied, as well as security measures employed.

4. THE INFORMATION REGULATOR’S PAIA GUIDE

The Regulator has compiled an official PAIA Guide which sets out clearly how to exercise any right contemplated in PAIA or POPIA.

The Regulator’s Guide is available for download in each of the official languages and in braille at the following link on the Regulator’s website).

<https://info regulator.org.za/paia-guidelines/> The Guide is also available directly from the Regulator at the details below or upon request from the Information Officer.

Should you have any queries, or require a copy of the Guide, contact the Regulator directly:

Address:	The Information Regulator (South Africa) JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001 P.O. Box 31533, Braamfontein, Johannesburg, 2017
Telephone Number:	+27 (0)10 023 5207 / 010 023 5241/42
E-mail Address:	Complaints email: PAIAcomplaints@info regulator.org.za General enquiries: enquiries@info regulator.org.za
Website	https://info regulator.org.za/

NOTE: Copies of the Regulators PAIA Guide are available in at least 2 of the official languages, for public inspection, during normal office hours at the reception of the primary place of business of Bidvest SACD physical address set out in section 6 below.

5. COMPANY OVERVIEW AND SCOPE OF MANUAL

Bidvest S.A.C.D. is a private sector company forming part of the Bidvest Freight division which is owned by The Bidvest Group Limited whose shares are listed on the Johannesburg Stock Exchange. If you would like to find out more about the Bidvest Group visit <https://www.bidvest.co.za/about.php>

To find out more about the Bidvest Freight division visit:
<https://www.bidvest.co.za/bidvest-industrial-freight.php>

The information is updated at year end annually on 30 June.

The annexure of Bidvest Group Limited's interest in subsidiaries and associates can be found at pages 123 - 131 at the following link: <https://www.bidvest-reports.co.za/integrated-reports/2023/pdf/bidvest-audited-consolidated-afs-2023.pdf>

The divisions, subsidiaries and associate companies in Bidvest including Bidvest S.A.C.D. operate in a decentralized manner, while being accountable to the Bidvest Group holding company.

South African Container Depots (Pty) Ltd t/a Bidvest S.A.C.D. is a proud member of Bidvest Group and as industry leaders we are committed to offering our clients reliable, flexible and innovative solutions. Bidvest S.A.C.D. has strategically located facilities in Cape Town, Durban and Johannesburg, we are able to offer our clients fully integrated, end-to-end supply chain and import and export services. Our customers have access to the 100,000 square metres of warehousing space.

Providing end-to-end supply chain services, our services also include road, rail, sea and air freight transportation logistics, as well as documentation, electronic information, container management and supply chain management. We handle cargo and containers and have the capacity to transport empty and full containers and cargo of every size, shape and description around South Africa.

This Manual applies to Bidvest S.A.C.D.

6. BIDVEST S.A.C.D. - CONTACT DETAILS

Managing Director	LUVUYOLWETHU PUMLA HOBO
Physical Address	30 BREEDE ROAD, NEW PIER 2, BAYHEAD, DURBAN
Postal Address	P.O BOX 979, DURBAN
Telephone Number/Head Office Facsimile Number	031 466 8200
Email Address	POPI@SACD.CO.ZA

The contact details of our Information Officer are as follows:

Chief Information Officer	LUVUYOLWETHU PUMLA HOBO
Deputy Information Officer	TRISHA GOVENDER, THABANE NCUBE, KEVIN MCKENZIE CHARLESTON
Physical Address	30 BREEDE ROAD, NEW PIER 2, BAYHEAD, DURBAN

Postal Address	P.O BOX 979, DURBAN
Internet Address	WWW.SACD.CO.ZA
Telephone Number	031 466 8200
Facsimile Number	
Email Address	LHOBO@SACD.CO.ZA

A copy of this PAIA Manual is available for inspection, during normal office hours at the reception of the above physical address.

7. RECORDS AUTOMATICALLY AVAILABLE

NAME OF INFORMATION	WEB PAGE	AVAILABLE AT RECEPTION
The Company information	WWW.SACD.CO.ZA	
The Divisional Information for Freight Division of Bidvest, under which umbrella _____ falls	https://www.bidvest.co.za/bidvest-industrial-freight.php	
The Bidvest Group Information	https://www.bidvest.co.za/divisional-information.php	
The Bidvest Group Integrated Report	https://www.bidvest-reports.co.za/integrated-reports/2023/pdf/bidvest-audited-consolidated-afs-2023.pdf	
The Bidvest Directory	https://www.bidvest.co.za/	
Company Services /Marketing Information	https://www.bidvest.co.za	
Business Policies	https://www.sacd.co.za/Services	
B-BEE Certificate	https://www.sacd.co.za/Resources	
News	https://www.sacd.co.za/Resources	
Accreditations	https://www.sacd.co.za/About	

Standard Trading Conditions	https://www.sacd.co.za/Resources	
Data Protection Policy and Website Privacy Statement	https://www.bidvest.co.za/data-protection.php https://secure.sacd.co.za/secure/PrivacyPolicyStatement.aspx	
Website Privacy Notice	https://www.sacd.co.za/Resources	
Code of Ethics	https://www.sacd.co.za/Resources	

The following Information is freely and automatically available for download via the BIDVEST SACD website and need not be formally requested in terms of this Manual.

Bidvest SACD maintains Records on the categories and subject matters listed below which are not automatically available. A Requester is required to make a Request for Access to these Records by completing a Request for Access form using Form 2 under APPENDIX A.

All Requests for Access will be evaluated on a case-by-case basis in accordance with the provisions of PAIA.

Please note that many of the Records held by **Bidvest SACD** are those of third parties, such as clients and employees, and requests for Access to these Records will be carefully considered.

Subjects of Records	Categories of Records
Statutory Company Information	<ul style="list-style-type: none"> ○ Incorporation documents ○ Memorandum of Incorporation ○ Minute books, Resolutions ○ Registers of directors and officers ○ Share registers and other statutory registers ○ Statutory returns to relevant authorities ○ Statutory Records ○ Records relating to appointment of directors, auditors, company secretary, public officer and other officers.
Financial and Accounting Records	<ul style="list-style-type: none"> ○ Annual Financial Statements ○ Accounting Records (inclusive of books of account) ○ Administrative Records ○ Banking Records ○ Internal and external audit reports ○ Rental agreements ○ Invoices ○ Supporting schedules and documentation to books of account ○ Lease agreements ○ Asset registers ○ Sale Agreements ○ Intellectual Property records

Tax Records	<ul style="list-style-type: none"> ○ Customs and Excise Records ○ Income tax returns and other documentation ○ PAYE Records ○ Regional services council Records ○ Skills Development Levies Records ○ Stamp Duties Records ○ UIF and Workmen’s compensation ○ Value Added Tax Records
Legal Records	<ul style="list-style-type: none"> ○ Documentation pertaining to litigation or arbitration ○ General agreements and contracts ○ Licenses, permits and authorizations
Insurance Records	<ul style="list-style-type: none"> ○ Claims Records ○ Details of insurance coverage, limits, and insurers ○ Insurance policies
Employee Records	<ul style="list-style-type: none"> ○ Agreements with trade unions ○ Arbitration awards ○ Attendance registers ○ Casual employee Records ○ CCMA Records ○ Code of conduct ○ Company tax submissions in respect of employees ○ Confidentiality agreements ○ Disciplinary Records and internal evaluations ○ Employee personal details ○ Employment conditions and policies ○ Employment contracts ○ Employment equity plan ○ Internal correspondence ○ Internal Records, policies, and procedures ○ Leave Records ○ Operating manuals ○ Medical aid Records ○ Personnel Records provided by personnel ○ Records of strikes, lockouts or protest action ○ Remuneration and benefits Records ○ Restraint of trade agreements ○ Retirement and Pension fund Records ○ Service Records ○ Training schedules and material
Customer Records and Credit Services	<ul style="list-style-type: none"> ○ Customer contracts ○ Credit application forms ○ Customer Records ○ Debtors with collection agents ○ Records of customer details and payment performance listed with credit bureaus

	<ul style="list-style-type: none"> ○ Sales Records ○ Terms and conditions of sale ○ Transaction Records ○ Cargo Records
Supplier /Third Party Records	<ul style="list-style-type: none"> ○ Code of Conduct ○ Supplier contracts ○ Terms and conditions for dealing with suppliers ○ Transactional Records and supporting information ○ Transnet Records ○ Customs Records
Health and Safety	<ul style="list-style-type: none"> ○ Medical and Disability Records ○ Incident Reports

8. RECORDS KEPT IN TERMS OTHER LEGISLATION

BIDVEST SACD is subject to certain legislation that requires it to keep certain Records.

The legislation may be consulted to establish whether the Requester has a right of access to a Record other than in terms of the procedure set out in PAIA.

The following legislation is included and can be consulted, but is not an exhaustive list. Please note that in many cases the Acts are amended. The Government website provides ancillary legislation and clarification of amendments at <https://www.gov.za/documents/acts>:

- Appropriation Act 2008 No. 9 of 2008
- Basic Conditions of Employment Act No. 75 of 1997
- Bills of Exchange Act No. 34 of 1964
- Broad Based Black Economic Empowerment Act No. 53 of 2003
- Carriage of Goods by Sea Act No. 1 of 1986
- Carriage by Air Act No. 17 of 1946
- Civil Aviation Act No. 13 of 2009
- 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
- Consumer Affairs (Unfair Business Practices) Act No. 71 of 1988
- Consumer Protection Act No. 68 of 2008
- Constitution of the Republic of South Africa No. 108 of 1996
- Copyright Act No. 98 of 1978
- Counterfeit Goods Act No. 37 of 1997
- Criminal Law (Forensic Procedures) Amendment Act No. 37 of 2013
- Criminal Procedure Act No. 91 of 1977
- Currency and Exchanges Act No. 9 of 1933 (and Exchange Control Regulations)
- Customs and Excise Act No. 91 of 1964
- Debt Collectors Act No. 114 of 1998

- Disaster Management Act No. 57 Of 2002
- Electronic Communication and Transactions Act No. 25 of 2002
- Employment Equity Act No. 55 of 1998
- Financial Intelligence Centre Act No. 38 of 2001 (FICA)
- Firearms Control Act No. 60 of 2000
- Hazardous Substances Act No. 15 of 1973
- Income Tax Act No. 58 of 1962
- Insolvency Act No. 24 of 1936
- Immigration Act No. 13 of 2002
- Income Tax Act No.58 of 1962
- King IV Code on Corporate Governance
- Labour Relations Act No. 66 of 1995
- Medical Schemes Act No. 131 of 1998
- National Credit Act No. 34 of 2005
- National Environmental Management Act No. 107 of 1998 (NEMA)
- National Environment Management: Air Quality Act No. 39 of 2004
- National Environmental Management: Biodiversity Act No. 10 of 2004
- National Environmental Management: Waste Act No. 59 of 2008
- National Ports Act No. 12 of 2005
- National Building Regulations and Building Standards Act No. 103 of 1977 (NBRBSA)
- National Energy Regulator Act No. 40 of 2008 (NERA)
- National Railway Safety Regulator Act No. 16 of 2002 (NRSRA)
- National Road Traffic Act No. 93 of 1996
- Occupational Health and Safety Act No. 85 of 1993
- Perishable Products Export Control Act No. 9 of 1983
- Pension Funds Act No. 24 of 1956
- Prescription Act No. 68 of 1969
- Prevention of Organized Crime Act No. 121 of 1998
- Prevention and Combating of Corrupt Activities Act No. 12 of 2004
- Protected Disclosures Act No. 26 of 2000
- Protection of Constitutional Democracy against Terrorist and Related Activities Act No. 33 Of 2004
- Promotion of Equality and Prevention of Unfair Discrimination Act No. 4 of 2000
- Protection of Personal Information Act No 4. of 2013
- Revenue Laws Act No. 19. of 2022 (Rates Act)
- Regulation of Interception of Communications and Provision of Communication-related Information Act No. 70 of 2002
- Road Transportation Act No. 74 of 1977
- Sea Transport Documents Act No. 65 of 2000
- Securities Transfer Tax Act No. 25 of 2007
- Skills Development Levies Act No. 9 of 1999
- Skills Development Act No. 97 of 1998
- South African Revenue Services Act No. 34 of 1997
- Standards Act No. 8 of 2008

- Tax Administration Act No. 28 of 2011
- Trademarks Act No. 194 of 1993
- Unemployment 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

9. INFORMATION RELATED TO PERSONAL INFORMATION

In terms of the Protection of Personal Information Act, 4 of 2013 (POPIA), **Bidvest SACD** is required to provide you with a description of personal information that is processed, the reason therefore and with whom it may be shared.

The type of personal information that we process will depend on the purpose for which it is collected. We will disclose the reason the personal information is being collected and will process the personal information in accordance with that purpose.

For further information related to the purpose visit the Internal and External Processing Notice on our website at <https://secure.sacd.co.za/secure/PrivacyPolicyStatement.aspx> as well as to the Bidvest Group Data Protection Policy on the Bidvest Group website. Where applicable references in the Bidvest Group Data Protection Policy are to be construed as references to BIDVEST SACD with the necessary modifications. <https://www.bidvest.co.za/data-protection.php>

We process and hold the following information and Records relating to the following broad categories of data subjects or persons:

- Clients - Natural persons: names; contact details; physical and postal addresses; date of birth; ID number; tax related information; nationality; gender; confidential correspondence.
- Clients – Juristic persons / entities / business partners: names of contact persons; name of legal entity; physical and postal address and contact details; financial information; registration number; founding documents; tax related information; authorised signatories; beneficiaries; ultimate beneficial owners.
- Clients – Foreign persons / entities: names; contact details; physical and postal, financial information addresses; date of birth; passport number tax related information; nationality; gender; confidential correspondence; registration number; founding documents; tax related information; authorised signatories, beneficiaries, ultimate beneficial owners.
- Contracted Service Providers/Suppliers/franchisors/franchisees - Names of contact persons; name of legal entity; physical and postal address and contact details; financial information; registration number; founding documents; tax related information; authorised signatories, beneficiaries, banking information.
- Intermediaries/Advisor/Banks/Insurers /Agents; Names of contact persons; name of legal entity; physical and postal address and contact details; financial information; registration number; founding documents; tax related information; authorised signatories, beneficiaries, ultimate beneficial owners.
- Employees / Directors /Potential Employees/Learners/Interns/Shareholders /Volunteers /Employees' family members/Temporary employees - gender, pregnancy; marital status; race, age, language,

education information; financial information; employment history; ID number; next of kin; children's name, gender, age, school, grades; physical and postal address; contact details; opinions, criminal behaviour and/or criminal Records; well-being; trade union membership; external commercial interests; medical information; health Records; images; demographics.

- Website end-users/Application end-users: names, electronic identification data: IP address; log-in data, cookies, electronic localization data; cell phone details, GPS data, social media.
- Persons who interact with us physically or enter sites, offices, yards, restricted areas, parking areas, and all facilities of the Company, or who move, handle or store cargo by engaging with us directly or through subcontractors, or interact via websites / email / correspondence and who provide their personal information.

Categories of recipients of personal information

We may share personal Information to these recipients:

- Management.
- Employees and temporary employees/learnerships/internships/job applicants/agents/bursary applicants/directors.
- Bidvest Group entities.
- Business partners.
- Advertisers, auditors and agents.
- Customers and clients.
- Medical Service Providers, insurance companies, pensions and provident funds, wellness, or health providers; banks.
- Contractors / vendors / suppliers / service providers / operators / franchisors / franchisees.
- Third party service providers.
- Cyber third parties service providers / Users / Third parties with whom Bidvest conducts business.
- Statutory oversight bodies, regulators or judicial commissions of enquiry making a request for personal information, enforcement agencies; organs of state or public bodies who we engage with to discharge legal and public duties and/or trading obligations including SARS, National treasury, Department of Labour and the financial sector conduct authorities and other regulatory bodies.
- Publicly owned companies in the transport and marine sectors such as but not limited to Transnet Port Authority, South African Maritime Safety Authority (SAMSA) and the Railway Safety Regulator (RSR).
- Courts, administrative or judicial forum, arbitration, statutory commission, or ombudsman making a request for personal information or discovery in terms of the applicable rules.
- Anyone making a successful Request for Access in terms of PAIA or POPIA.
- Subject to the provisions of POPIA and other relevant legislation, Bidvest may share information about a client's creditworthiness with any credit bureau or credit providers industry association or other association for an industry in which Bidvest operates.

We may from time to time disclose personal information to third party service providers, such as shipping lines or cloud service providers. personal information to comply with strict confidentiality and data security conditions.

Personal information may also be disclosed where we have a legal duty or a legal right to do so.

Cross border flows of personal information

The Company may from time to time have to disclose a Data Subject's personal information to other parties, including organs of state, other departments, product or third-party service providers, regulators and or governmental officials, overseas service providers and or agents such as foreign customs authorities, shipping lines or cloud service providers. Where personal information and related data is transferred to a country which is situated outside the borders of South Africa, the Data Subject's personal information will only be transferred to those countries which have similar data privacy laws in place or where the recipient of the personal information is bound contractually to a no lesser set of obligations than those imposed by POPIA and our confidentiality and security requirements.

Security measures

Considering the nature, scope, context, and purpose of Processing, the Company ensures implementation of appropriate technical and organizational measures designed to ensure the confidentiality, integrity and security of personal information against unlawful access and against accidental loss, destruction or damage as prescribed by POPIA.

The security measures implemented to secure against unauthorized processing or access may include (note: this is not an exhaustive list):

- Firewalls; authentication software; intrusion detection systems; unique user profiles; encryption;
- Anti - Virus and anti-malware software and update protocols;
- Logistical and physical access control; alarms systems; biometric access barriers; video monitoring;
- Secure setup of hardware and software making up our information technology infrastructure; and
- Outsourced service providers who are contracted to implement security controls.
- Cyber security incident response plan

Objection (Section 11(3)(a) of POPIA):

POPIA provides that a Data Subject may object to the Processing of personal information, on reasonable grounds relating to his/her situation, unless legislation provides for such Processing.

The Data Subject must complete the prescribed form attached hereto as *APPENDIX C - Objection to the Processing of personal information [which is per Regulation 2]* and submit this to the Information Officer at the postal or physical address or electronic mail addresses set out above.

Rectification (Section 24 of POPIA):

A Data Subject may request correction/deletion of personal information that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading, or obtained unlawfully; or to destroy/delete a Record that **Bidvest SACD** is no longer authorised to retain. Form to be used: *APPENDIX D – Request for correction or deletion of Personal Information or destroying or deletion of Record of personal information [this is per Regulation 3]*.

10. REQUEST PROCEDURE

This section provides the Requester with the procedures to facilitate a Request for Access to a Record held by **Bidvest SACD**. Note that a Request for Access to information can be refused if the Request for Access application does not comply with the procedural requirements of the PAIA Act. A Request for

Access that does not comply will be returned to a Requester for completion as per the required formalities.

Furthermore, the successful completion and submission of a Request for Access on the prescribed FORM does not automatically allow the Requester access to the Record.

A Requester will only be entitled to access a Record where the Requester has satisfied the Information Officer that the Record is required to exercise or protect a right.

All communications and notifications will be confirmed in writing.

Note:

If it is suspected that the Requester has obtained access to the Company's records through the submission of materially false or misleading information, legal proceedings may be instituted against such Requester.

Completion of the Prescribed Form (Section 53 of PAIA)

For Bidvest to respond to requests promptly, the FORM 2 – APPENDIX A (as per Regulation 7) should be completed, taking due cognizance of the following *Instructions on the Completion of FORMS*:

- The FORM must be completed the English language.
- Type or print in BLOCK LETTERS and answer every question.
- If a question does not apply, state “N/A” or “NIL” in response to that question.
- If there is nothing to disclose in reply to a particular question state “NIL” in response to that question.
- In the event of insufficient space in which to answer a question, additional information may be provided on an additional folio, to be attached to the FORM.
- When using an additional folio, precede each answer thereon with the title applicable to that question.
- A legal form of identity which is certified, must be attached to authenticate identity of the Requester.
- THIRD PARTY REQUESTER: In the event of third-party Requester, the person must attach the to the FORM, a certified legal form of identity of the person on whose behalf the request is lodged together with the proof of the capacity in which the third party is acting. In addition, a certified copy of the identity document or other legal form of identity of the third party.
- Sufficient information must be provided to enable identification of the Record requested.
- The manner and form of access must be indicated.
- EXEMPTION: The only exemption to a Requester complying with the procedures herein is in instances when the Requester is not capable of completing the FORM due to illiteracy, disability, or a language barrier. In such an instance the Request for Access may be made orally to the Information Officer. The Information Officer will complete the FORM on behalf of the Requester and provide a copy thereof to the Requester.

FEES PRESCRIBED

Upon receipt of a Request for Access, together with the Request Fee, the Information Officer (per Section 54 of PAIA) will consider the request and will provide the Requester with its decision as per the Notice in the form of FORM 3 - attached as APPENDIX B - *Outcome of Request and Fees Payable*.

- If the Request for Access is successful, an Access Fee may be payable, depending on the type

of information requested, as described hereunder and Appendix B1.

There are two categories of fees payable:

- **The Request Fee:** Currently R140 (excl VAT) (per Paia Regulation) and may change from time to time. *The request fee is an administration fee that is payable on submission of the Request for Access and must be paid before the Request for Access is considered (unless the request is to access the Requester's personal information in which event there is no fee*). The request fee is not refundable if the Request for Access has been granted. It is refundable if the Request for Access is denied.*
- **The Access Fee:** The access fee is payable prior to the Requester gaining access to the Records in the required form. The access fee is intended to reimburse Bidvest for the costs involved in reproduction of documents, searching and preparing the Record requested and for any time reasonably required (in excess of the prescribed hours) to search and prepare the Record. The current Access Fees are set out in APPENDIX B1 and may change from time to time as set out in the Regulations.

Should the preparation of the required Record take more than 6 (six) hours, a deposit (which is 1/3 (one-third)) of the Access Fee is payable before the request will be processed by Bidvest.

Bidvest may withhold a Record until the Requester has paid the applicable fees (if any).

A written estimate/quote will be provided by the Information Officer to the Requester, before providing the services.

Payment details can be obtained from the Information Officer and payment must be made by electronic funds transfer. Proof of payment must be provided.

SEE APPENDIX B1 – FEES IN RESPECT OF PRIVATE BODIES.

13 . TIMELINES FOR CONSIDERATION OF A REQUEST FOR ACCESS

Upon receipt of a Request for Access, the Information Officer will consult with all relevant Personnel in the Company involved or associated with the Record.

Requests will be processed within 30 (thirty) days, unless the request contains considerations that are of such a nature that an extension of the time limit is needed required.

Should an extension be required, the initial 30 (thirty) days may be extended for a further period of no more than 30 (thirty) days, d. A Requester will be notified of the reasons explaining why the extension is necessary.

The following circumstances may affect the 30 days (section 57 of PAIA):

- the FORM is not compliant. The 30-day period will only commence upon full compliance.
- the 30-day period may be extended, with the Requesters permission or in the sole discretion of the Information Officer, for a period of not more than 30- days, in the event of the following:
 - the Request for Access is for a large volume of Records, or it requires a search through a large volume of Records;

- if the Records are stored off-site and or not kept at the offices of the company or in the same city or town as the head office;
 - consultation with third parties is necessary and such cannot be completed within a 30-day period;
 - if the Record to which access is requested holds information about a third party.
- **THIRD PARTIES:** Should the Request for Access affect a third party, then such third party must first be informed within 21 (twenty-one) days of receipt of the Request for Access. The third party would then have a further 21 (twenty-one) days to make representations and/or submissions about the granting of access to the Record. In the event the request is denied by the third party, Bidvest cannot be held responsible.

Decision on Request:

If no extension period or access fee deposit is needed the Requester will be notified by the Information Officer within the required period of the decision on their Request for Access.

If the Request for Access to a Record is successful, the Requester will be notified of the following:

- The amount of the access fee payable upon gaining access to the Record (if any);
- An indication of the form in which the access will be granted;

If the Request for Access to a Record is not successful, the Requester will be notified and given adequate reasons for the refusal (refer to the Grounds for Refusal below).

The Information Officer will in addition inform the Requester of their right to lodge a complaint with the Regulator or an application with a court against the decision.

14. GROUNDS FOR REFUSAL OF ACCESS AND PROTECTION OF INFORMATION

There are various grounds upon which a Request for Access to a Record may be refused. These grounds are set out in Chapter 4 of Part 3 of PAIA and include:

- the protection of personal information of a third person (who is a natural person) from unreasonable disclosure;
 - the protection of commercial information of a third party (for example: trade secrets; financial, commercial, scientific, or technical information that may harm the commercial or financial interests of a third party);
 - if disclosure would result in the breach of a duty of confidence owed to a third party;
 - if disclosure would jeopardise the safety of an individual or prejudice or impair certain property rights of a third person;
 - if the Record was produced during legal proceedings, unless that legal privilege has been waived;
 - if the Record contains trade secrets, financial or sensitive information or any information that would put us at a disadvantage in negotiations or prejudice it in commercial competition; and/or
 - if the Record contains information about research being carried out or about to be carried out on behalf of a third party or by the Company.
- if all reasonable steps have been taken by **Bidvest SACD** to find the Record requested by the Requester

and the same cannot be found for reasons justifiable as per section 55 of PAIA, the Information Officer shall provide an affidavit or affirmation to the Requester advising that it is not possible to give access to the Record requested. The affidavit or affirmation will comply with all the requirements provided for in terms of section 55(2) of PAIA. In the event the Record is found subsequently, Bidvest undertakes to contact the Requester to gain access to the same, after the payment of the applicable access fee.

If the Request for Access to information affects a third party, then such third party must first be informed within 21 (twenty-one) days of receipt of the Request for Access. The third party would then have a further 21 (twenty-one) days to make representations and/or submissions regarding the granting of access to the Record. In the event the request is denied by the third party, **Bidvest SACD** cannot be held responsible.

15. REMEDIES AVAILABLE TO A REQUESTER

If the Information Officer decides to grant a Requester access to the relevant Record, such access must be granted within 30 (thirty) days of being informed of the decision.

If you are aggrieved by the decision of the Information Officer, in terms of section 77A of PAIA you may lay a complaint with the Information Regulator within 180 (one hundred and eighty) days of being informed of the decision in the prescribed manner and form, for which refer contact details under section 4 above.

You may also make an application to a court for relief in terms of section 78 of PAIA.

APPENDICES – (FORMS)

APPENDIX A	Request for Access to Record
APPENDIX B	Outcome of Request and Fees Payable
APPENDIX B1	Fees of Private Bodies
APPENDIX C	Objection Form (POPIA)
APPENDIX D	Rectification (POPIA)

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APPENDIX A

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 (when made on behalf of another person)				
Postal Address				
Street Address				
E-mail Address				
Contact Numbers	Tel. (B):		Facsimile:	

	Cellular:			
Full names of person on whose behalf request is made (if applicable)				
Identity Number				
Postal Address				
Street Address				
E-mail Address				
Contact Numbers	Tel. (B):		Facsimile:	
	Cellular:			
PARTICULARS OF RECORD REQUESTED				
<p><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></p>				
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 (including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)	
Written or printed transcription of virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)	
Transcription of soundtrack (written or printed document)	
Copy of record on flash drive (including virtual images and soundtracks)	
Copy of record on compact disc drive (including virtual images and soundtracks)	
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 (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)	
Postal services to postal address	
Postal services to street address	

Courier service to street address	
Facsimile of information in written or printed format (including transcriptions)	
E-mail of information (including soundtracks if possible)	
Cloud share/file transfer	
Preferred language (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)	

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) A request fee must be paid before the request will be considered. b) You will be notified of the amount of the access fee to be paid. c) 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. d) If you qualify for exemption of the payment of any fee, please state the reason for exemption.	
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

APPENDIX B

FORM 3 OUTCOME OF REQUEST AND OF FEES PAYABLE

[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 (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) 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.	
--	--

OR

2. You requested:

Printed copies of the information (including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)	
Written or printed transcription of virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)	
Transcription of soundtrack (written or printed document)	
Copy of information on flash drive (including virtual images and soundtracks)	
Copy of information on compact disc drive(including virtual images and soundtracks)	
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 (including transcriptions)	
E-mail of information (including soundtracks if possible)	
Cloud share/file transfer	

Preferred language: (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)	
---	--

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	R2.00		
Printed copy	R2.00		
For a copy in a computer-readable form on:			
(i) Flash drive	R40.00		
• To be provided by requester			
(ii) Compact disc	R40.00		
• If provided by requester	R60.00		
• If provided to the requester			
For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on quotation from 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 requester			
(ii) Compact disc	R40.00		
• If provided by requester	R60.00		
• If provided to the requester			
Postage, e-mail or any other electronic transfer:	Actual costs		
TOTAL:			

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

Yes

 No

Hours of search		Amount of deposit (calculated on one third of total amount per request)	
-----------------	--	--	--

The amount must be paid into the following Bank account:

Name of Bank:

Name of account holder:

Type of account:

Account number:

Branch Code:

Reference Nr:

Submit proof of payment to:

Signed at _____ this _____ day of _____ 20 _____

Signature Information officer

APPENDIX B 1

FEES

In respect of Private Bodies

Item	Description	Amount
1.	The request fee payable by every Requester	R140.00
2.	Photocopy / printed black & white copy of A4 size page	R2.00 per page or part thereof
3.	Printed copy of A4 size page	R2.00 per page or part thereof
4.	For a copy in a computer-readable form on: - (iii) Flash drive (to be provided by Requester) (iv) Compact disc <ul style="list-style-type: none"> • If provided by Requester • If provided to the Requester 	R40.00 R40.00 R60.00
5.	For a transcription of visual images per A4 size page	Service to be outsourced. Will depend on quotation from service provider.
6.	Copy of visual images	
7.	Transcription of an audio record, per A4 size page	R24.00
8.	Copy of an audio record on: (v) Flash drive (to be provided by Requester) (vi) Compact Disk <ul style="list-style-type: none"> • If provided by Requester • If provided to the Requester 	R40.00 R40.00 R60.00
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. To not exceed a total cost of: -	R145.00 R435.00
10.	Deposit: If search exceeds 6 hours	One third of amount per request calculated in terms of items 2 to 8.
11.	Postage, e-mail or any other electronic transfer	Actual expense, if any.

APPENDIX C

OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION IN TERMS OF SECTION 11(3) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)

REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018
[Regulation 2]

Note:

1. Affidavits or other documentary evidence as applicable in support of the objection may be attached.
2. If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.
3. Complete as is applicable.

A	DETAILS OF DATA SUBJECT
Name(s) and surname / registered name of data subject:	
Unique Identifier / Identity Number:	
Residential, postal or business address:	<hr/> <hr/> <hr/> <hr/> Code (_____)
Contact number(s):	
Fax number / E-mail address:	
B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname / Registered name of responsible party:	
Residential, postal or business address:	<hr/> <hr/> <hr/> <hr/> Code (_____)
Contact number(s):	
Fax number / E-mail address:	
C	REASONS FOR OBJECTION IN TERMS OF SECTION 11(1)(d) TO (f) <i>(Please provide detailed reasons for the objection)</i>

Signed at on this day of 20

.....
Signature of data subject / designated person

**APPENDIX D
RECTIFICATION**

REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION OR DESTROYING OR DELETION OF RECORD OF PERSONAL INFORMATION IN TERMS OF SECTION 24(1) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)

**REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018
[Regulation 3]**

Note:

1. Affidavits or other documentary evidence as applicable in support of the objection may be attached.
2. If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.
3. Complete as is applicable.

Mark the appropriate box with an “x”.

Request for:

- Correction or deletion of the personal information about the data subject which is in possession or under the control of the responsible party.**
- Destroying or deletion of a record of personal information about the data subject which is in possession or under the control of the responsible party and who is no longer authorised to retain the record of information.**

A	DETAILS OF DATA SUBJECT
Name(s) and surname / registered name of data subject:	
Unique Identifier / Identity Number:	
Residential, postal or business address:	<hr/> <hr/> <hr/> <hr/> Code (_____)
Contact number(s):	
Fax number / E-mail address:	
B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname / Registered name of responsible party:	
Residential, postal or business address:	<hr/> <hr/> <hr/> <hr/> Code (_____)
Contact number(s):	
Fax number / E-mail address:	
C	INFORMATION TO BE CORRECTED / DELETED / DESTROYED

D	REASONS FOR *CORRECTIONS OR DELETION OF THE PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(a) WHICH IS IN POSSESSION OR UNDER THE CONTROL OF THE RESPONSIBLE PARTY; and or REASONS FOR *DESTRUCTION OR DELETION OF A RECORD OF PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)b) WHICH THE RESPONSIBLE PARTY IS NO LONGER AUTHORISED TO RETAIN <i>(Please provide detailed reasons for the request)</i>

Signed at on this day of 20.....

.....
Signature of data subject / designated person