

PAIA MANUAL

**Prepared in terms of section 51 of the
Promotion of Access to Information Act
2 of 2000 (as amended)**

DATE OF REVISION:

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1. LIST OF ACRONYMS AND ABBREVIATIONS

- 1.1 “**CEO**” Chief Executive Officer
- 1.2 “**DIO**” Deputy Information Officer;
- 1.3 “**IO**” Information Officer;
- 1.4 “**Minister**” Minister of Justice and Correctional Services;
- 1.5 “**PAIA**” Promotion of Access to Information Act No. 2 of 2000(as Amended);
- 1.6 “**POPIA**” Protection of Personal Information Act No.4 of 2013;
- 1.7 “**Regulator**” Information Regulator; and
- 1.8 “**Republic**” Republic of South Africa

2. PURPOSE OF PAIA MANUAL

This PAIA Manual is useful for the public to-

- 2.1 Check the categories of records held by VSC Fitment Centre (Pty) Ltd which are available without a person having to submit a formal PAIA request;
- 2.2 Have a sufficient understanding of how to make a request for access to a record of VSC Fitment Centre (Pty) Ltd, by providing a description of the subjects on which VSC Fitment Centre (Pty) Ltd holds records and the categories of records held on each subject;
- 2.3 Know the description of the records of VSC Fitment Centre (Pty) Ltd which are available in accordance with any other legislation;
- 2.4 Access all the relevant contact details of the Information Officer and Deputy Information Officer who will assist the public with the records they intend to access;
- 2.5 Know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- 2.6 Know if VSC Fitment Centre (Pty) Ltd will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;

- 2.7 Know the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.8 Know the recipients or categories of recipients to whom the personal information may be supplied;
- 2.9 Know if VSC Fitment Centre (Pty) Ltd has planned 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
- 2.10 Know whether VSC Fitment Centre (Pty) Ltd has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

3. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF VSC FITMENT CENTRE (PTY) LTD

3.1. Chief Executive Officer

Name: Aletta (Adéle) dos Santos
Tel: 021-5106170
Email: vsc@vscallsolutions.co.za
Fax number: None

3.2. Information Officer

Name: Aletta (Adéle) dos Santos
Tel: 021-5106170
Email: vsc@vscallsolutions.co.za
Fax number: None

3.3. Deputy Information Officer

Name: None
Tel: None
Email: None

3.4 Access to information general contact:

Name: Aletta (Adéle) dos Santos
Tel: 021-5106170
Email: vsc@vscallsolutions.co.za

3.4 VSC Fitment Centre (Pty) Ltd Head Office

Postal Address: 35 Section Street, Paarden Island,
7405

Physical Address: 35 Section Street, Paarden
Island,7405

Telephone: 021-5106170

Email: vsc@vscallsolutions.co.za

Website: www.vehiclesolutionscellular.co.za

4. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

4.1. 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 OPIA.

4.2. The Guide is available in each of the official languages and in braille.

4.3. The aforesaid Guide contains the description of

4.3.1. the objects of PAIA and POPIA;

4.3.2. The postal and street address, phone and fax number and, if available, electronic mail address of-

4.3.2.1. the Information Officer of every public body, and

4.3.2.2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA²;

4.3.3. The manner and form of a request for-

4.3.3.1. access to a record of a public body contemplated section 11³;
and

- 4.3.3.2. access to a record of a private body contemplated in section 50⁴;
- 4.3.4. The assistance available from the IO of a public body in terms of PAIA and POPIA;
- 4.3.5. The assistance available from the Regulator in terms of PAIA and POPIA;
- 4.3.6. 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-
 - 4.3.6.1. an internal appeal;
 - 4.3.6.2. a complaint to the Information Regulator; and
 - 4.3.6.3. 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 Information Regulator or a decision of the head of a private body;
- 4.3.7. The provisions of sections 14⁵ and 51⁶ requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
- 4.3.8. The provisions of sections 15⁷ and 52⁸ providing for the voluntary Disclosure of categories of records by a public body and private body, respectively;
- 4.3.9. The notices issued in terms of sections 22⁹ and 540¹⁰ regarding fees to be paid in relation to requests for access; and
- 4.3.10. The regulations made in terms of section 92¹¹.
- 4.4. 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 Information Regulator, during normal working hours.
- 4.5. The Guide can also be obtained from the website of the Information Regulator <https://inforegulator.org.za/paia-guidelines/> Any queries related to the Guide must be directed to the Information Regulator's office.

4.6 A copy of the Guide is also available from VSC Fitment Centre (Pty) Ltd offices in two official languages for public inspection during normal office hours, as well as on the website. - English and Afrikaans.

[\(https://vehiclesolutionscellular.co.za/paia-guide-english/\)](https://vehiclesolutionscellular.co.za/paia-guide-english/)

[\(https-vehiclesolutionscellular-co-za-paia-guide-afrikaans/\)](https-vehiclesolutionscellular-co-za-paia-guide-afrikaans/)

5. CATEGORIES OF RECORDS OF THE VSC FITMENT CENTRE (PTY) LTD WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

The following are categories of records held by VSC Fitment Centre (Pty) Ltd which are available without a person having to request access by completing Form 2, types of the records and how the records can be accessed. These are mostly records that maybe available on the website and a person may download or request telephonically or by sending an email

Category of Records	Types of the Record	Available on Website
Website	Product Information	X
	Product guides	X
	Terms and Conditions	X
	Privacy Policy	X
	PAIA Manual	X

6. RECORDS OF VSC FITMENT CENTRE (PTY) LTD WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION

Certain of VSC Fitment Centre (Pty) Ltd records are available in terms of legislation other than PAIA. Records maintained by VSC Fitment Centre (Pty) Ltd in terms of other legislation includes but are not limited to:

Category of Records	Applicable Legislation
Information relating to personnel	Basic Conditions of Employment Act No 75 of 1997
	Labour Relations Act No 66 of 1995 Employment Equity Act No 55 of 1998
	Compensation for Occupational Injuries and Diseases Act No 130 of 1993
	Occupational Health and Safety Act No 85 of 1993
	Unemployment Insurance Act No 63 of 2001
	Skills Development Act No 97 of 1998

	Skills Development Levies Act No 9 of 1999
	South African Qualifications Authority
Information relating to company reporting, licensing requirements, compliance and related record as far as it is allowed	Companies Act No 71 of 2008
	Broad Based Black Economic Empowerment Act No 53 of 2003
	Income Tax Act No 58 of 1962
	Value Added Tax Act No 89 of 1991
	Trade Marks Act 194 of 1993
	Consumer Protection Act No 68 of 2008
	Electronic Communications Act No 36 of 2005
	Financial Advisory and Intermediary Services Act No 37 of 2002
	Financial Intelligence Centre Act No 38 of 2001
	National Credit Act No 34 of 2005
	Prevention and Combating of Corrupt Activities Act No 12 of 2004
	Protection of Personal Information Act 4 of 2013
	Promotion of Access to Information Act 2 of 2000

7 DESCRIPTION OF THE SUBJECTS ABOUT WHICH VSC FITMENT CENTRE (PTY) LTD HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY VSC FITMENT CENTRE (PTY) LTD

Below is a list of the subjects on which VSC Fitment Centre (Pty) Ltd holds records and the categories into which these fall. The process in terms of which such records may be requested from the VSC Fitment Centre (Pty) Ltd is set out in Annexure 1 of this Manual.

This information being listed in this Part 7 does not mean that the information will automatically be made available to the Requester in terms of Form 2 (<https://vehiclesolutionscellular.co.za/wp-content/uploads/2023/04/InfoRegSA-PAIA-Form02-Reg7.pdf>). VSC Fitment Centre (Pty) Ltd may in terms of PAIA, refuse a request for information should any of the grounds of refusal set out in PAIA exist.

Category of Records	Description of records held
	Accounting records
	Asset registers
	Banking records
	Computer software details
	Correspondence
	Disaster recovery procedures
Finance and administration	Financial statements
	Invoices
	Management accounts
	Procurement policies
	Statutory Books of Account
	Tax records
	VAT records
	Vouchers

	Disciplinary reports
	Employment contracts
	Employment Equity records
	Health and safety records
Human Resources and Training	Leave records
	PAYE records and returns
	Payroll information
	Policies and procedures
	Staff records

	Training records
	UIF returns
	Personal information
Operations	Policy documents
	Master contracts
Sales and Marketing	Advertising campaign details
Clients (including potential clients)	Personal information
	Location information
Suppliers and contractors	Personal information
	Contracts
General	Company secretarial records
	Contracts and agreements
	Insurance records
	Service level agreements
	Statutory records
	Vehicle registration documents

8. PROCESSING OF PERSONAL INFORMATION

8.1 Purpose of Processing Personal Information

VSC Fitment Centre (Pty) Ltd will only process personal information in accordance with its privacy policy which is available on VSC Fitment Centre (Pty) Ltd website:

<https://vehiclesolutionscellular.co.za/website-privacy-policy/>

8.2 Description of the categories of Data Subjects and of the information Or categories of information relating thereto

This section specifies the categories of data subjects in respect of whom VSC Fitment Centre (Pty) Ltd processes personal information and the nature or categories of the personal information being processed. The inclusion of any subjects of records should not be taken as an indication that the records in those categories will be made available under PAIA, as certain grounds for refusal may be applied.

Categories of Data Subjects	Personal Information that may be Processed
Clients	Name and surname
	Identity number
	Address
	Contact Information
	Banking Details
	Company Registration number
	Vat numbers
Service Providers	Name of the business
	Company Registration Numbers
	Vat numbers
	Address
	Bank Details
	Names and surnames
	Identity number
Employees	Address
	Gender
	Race
	Contact information
	Banking details
	Company registration number
	Sick leave records
	Qualifications
	Credit records and payment history
	Criminal records
Suppliers and contractors	Name of the business
	Company Registration Numbers
	Vat number
	Address
	Banking Details
	Financial information
	Authorised contracts

8.3 The recipients or categories of recipients to whom the personal Information may be supplied

Category of information	Category of information Recipients or categories of recipients to whom the personal information may be supplied
Identity number and names for criminal checks	South African Police Service (SAPS)
Qualifications verification	South African Qualifications Authority (SAQA), Regulatory bodies
Credit and payment history for credit information	Credit Bureaus
Name, address, registration numbers or identity numbers, employment status and bank details	Third party contractors
Name, address, registration numbers or identity numbers, employment status and bank details, business information, statutory reports, and business returns	Regulatory and industry bodies (Motor Industry Ombudsman of South Africa, Motor Industry Bargaining Council)

8.4 Planned transborder flows of personal information

VSC Fitment Centre (Pty) Ltd will only transfer personal information across South African borders to foreign countries, if necessary to comply with legislation, the transfer is necessary for the conclusion or performance of a contract of which data subjects may be parties, protects the legitimate interest of the data subject, or is necessary for VSC Fitment Centre (Pty) Ltd to pursue its legitimate interests, or that of a third party to which the data is supplied.

Before transferring personal information across a South African border to a foreign country VSC Fitment Centre (Pty) Ltd s will take steps to ensure that recipients of transborder personal information are bound by laws or agreements that provide an adequate level of protection and uphold principles for reasonable and lawful processing of personal information, in terms of POPIA. If VSC Fitment Centre (Pty) Ltd relies on the legitimate interest of a data subject, prior to transferring personal information cross border, it will conduct a legitimate interest assessment. These measures are over and above the standard data protection policies that is implemented across the Microsoft platform.

In addition to this, the VSC Fitment Centre (Pty) Ltd uses an Application infrastructure which is cloud-based, and which is hosted in United States. The necessary security protocols, agreements and systems are in place.

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

VSC Fitment Centre (Pty) Ltd complies with POPIA in protecting the integrity and confidentiality of personal information. In doing so it has due regard to generally accepted information security practices and procedures.

9. AVAILABILITY OF THE MANUAL

9.1 The manual is available –

9.1.1 for inspection at the Paarden Island offices of VSC Fitment Centre (Pty) Ltd free of charge;

9.1.2 on VSC Fitment Centre (Pty) Ltd's website:

<https://vehiclesolutionscellular.co.za/vsc-fitment-centre-pty-ltd-paia-manual/>

9.1.3 to any person upon request and upon the payment of a reasonable prescribed fee; and

9.1.4 to the Information Regulator upon request.

9.2 A fee for a copy of the Manual, as contemplated in annexure B of the Regulations shall be payable per each A4- size photocopy.

10 PRESCRIBED FEES AND FORMS

10.1 Any other request under PAIA must be made on the required forms and upon payment of prescribed fees (please see Annexure's 1 - 3 in this regard). <https://vehiclesolutionscellular.co.za/wp-content/uploads/2023/04/InfoRegSA-PAIA-Form02-Reg7.pdf>

10.2 The prescribed forms and fees for requests to private bodies are also available on the websites of the Information Regulator: <https://inforegulator.org.za/paia-forms/>.

11 GROUNDS FOR REFUSAL OF A REQUEST

11.1 PAIA recognises that the right to any information may be limited to the extent that such limitations are reasonable and justifiable in an open and democratic society based on human dignity, equality and freedom as contemplated in Section 36 of the Constitution; and therefore, VSC Fitment Centre (Pty) Ltd's may refuse to grant a requester access to records in certain circumstances.

11.2 Subject to Section 70 of PAIA, VSC Fitment Centre (Pty) Ltd's may refuse a request for access to records as contemplated by PAIA if the information contained in the record relates to:

11.2.1 Protection of privacy of a third party, including a deceased individual, if that third party is a natural person, which would involve the unreasonable disclosure of personal information of that natural person (Section 63(1) of PAIA);

11.2.2 Protection of commercial information of a third party as defined in PAIA if the record contains:

11.2.2.1 trade secrets of that third party;

11.2.2.2 financial, commercial scientific or technical information other than trade secrets of a third party, the disclosure of which would be likely to cause harm to the commercial or financial interests of that third party; and

11.2.2.3 information disclosed in confidence to VSC Fitment Centre (Pty) Ltd by a third party, the disclosure of which could put that third party at a disadvantage in contractual or other negotiations or would prejudice that third party in commercial competition (Section 64 of PAIA).

11.2.3 Protection of confidential information if the disclosures would constitute a breach of duty or confidence to a third party in terms of an agreement (section 65 PAIA);

11.2.4 Protection of safety of individuals and protection of property (Section 66 of PAIA);

11.2.5 Protection of records which would be regarded as privileged in legal proceedings or subject to legal privilege in any other respect, unless the person so entitled to privilege waives the privilege (Section 67 of PAIA)

11.2.6 Protection of commercial activities of VSC Fitment Centre (Pty) Ltd, which includes:

11.2.6.1 trade secrets of VSC Fitment Centre (Pty) Ltd;

11.2.6.2 financial, commercial scientific or technical information, disclosure of which could cause harm to the financial or commercial interests of VSC Fitment Centre (Pty) Ltd;

11.2.6.3 information, which if disclosed, could put VSC Fitment Centre (Pty) Ltd at a disadvantage in negotiations or commercial competition; and

11.2.6.4 a computer programme owned by VSC Fitment Centre (Pty) Ltd, and which is protected by copyright (Section 68 of PAIA).

11.2.7 The research information of VSC Fitment Centre (Pty) Ltd or a third party on behalf of VSC Fitment Centre (Pty) if the disclosure would expose the third party, VSC Fitment Centre (Pty) Ltd, the researcher or the subject matter of the research to serious disadvantage (Section 69 of PAIA)

12 UPDATING THE MANUAL

This Manual may be amended and updated from time to time, provided that if VSC Fitment Centre (Pty) Ltd does so, it will ensure that such changes are carried out subject to and published in accordance with PAIA and POPIA

ANNEXURE 1 - PAIA PROCESS

1. The requester must use the prescribed form (see Prescribed Form 2 – see attached Annexure 2) (<https://vehiclesolutionscellular.co.za/wp-content/uploads/2023/04/InfoRegSA-PAIA-Form02-Reg7.pdf>) to make the request for access to a record. This must be made to the Information Officer. This request must be made to the address or electronic mail address of the Information Officer.

2. The requester must provide sufficient detail on the request form to enable the Information Officer to identify the record and the requester. The requester should also indicate which form of access is required. The requester should also indicate if he or she wishes to be informed in any other manner and state the necessary particulars to be so informed.
3. The requester must identify the right that he or she is seeking to exercise or protect and provide an explanation as to why the requested record is required for the exercise or protection of that right.
4. If a request is made on behalf of a person, the requester must submit proof of the capacity in which the requester is making the request to the satisfaction of the Information Officer.
5. VSC Fitment Centre Pty) Ltd will review the application and all documents and notify the requester of the applicable fees. (see Form 3 – Annexure 3) <https://vehiclesolutionscellular.co.za/wp-content/uploads/2023/04/Form-3-PAIA.pdf> A personal requester does not pay such fee.
6. The requester may lodge an application to court against the tender or payment of the request fee.
7. Upon receipt of payment and applicable forms VSC Fitment Centre Pty) Ltd will make a decision on the request and notify the requester in the required form, within 30 days of a decision to grant or deny a request.
8. If the request is granted VSC Fitment Centre Pty) Ltd will calculate a further access and reproduction fee which is payable prior to providing the information requested, for any time that had exceeded the prescribed hours to search and prepare the record for disclosure.
9. Once the requester accepts all costs, VSC Fitment Centre Pty) Ltd will proceed with the preparation and arranging information.
10. VSC Fitment Centre Pty) Ltd will notify the requested of estimated timelines and expected delivery date.
11. The requester will receive the information in the format requested in the application form.

**Issued by
Adéle dos Santos
Chief Executive Officer)**