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PAIA MANUAL


TROUPANT PUBLISHERS (PTY) LIMITED

("Troupant Publishers ")

THE PROMOTION OF ACCESS TO INFORMATION MANUAL

("Manual")

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1. PREAMBLE

This Manual constitutes Troupant Publishers (Pty) Ltd PAIA manual.

This Manual is compiled in accordance with section 51 of PAIA as amended by the Protection of Personal Information Act, 2013 ("**POPIA**"), which gives effect to everyone's Constitutional right to privacy and largely commenced on 1 July 2020.

2. ABOUT TROUPANT PUBLISHERS

Troupant Publishers specialises in vocational learning and teaching materials aimed at preparing learners for the workplace or supporting those in employment to progress.

3. CONTACT DETAILS

Information Officer:


Antoinette Scheepers
 258 Beyers Naude Drive,
 Blackheath, 2195
 Tel: 011 478 6020
 Email: antoinette@troupant.co.za

4. INFORMATION REGULATOR'S GUIDE

An official Guide has been compiled which contains information to assist a person wishing to exercise a right of access to information in terms of PAIA and POPIA. This Guide is made available by the Information Regulator (established in terms of POPIA). Copies of the updated Guide are available from Information Regulator in the manner prescribed. Any enquiries regarding the Guide should be directed to:

Address:	JD House, 27 Siemens Street, Braamfontein, Johannesburg, 2001 P.O Box 31533, Braamfontein, Johannesburg, 2017
Telephone Number:	+27 (0) 10 023 5207

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E-mail Address:	Complaints email: complaints.IR@justice.gov.za General enquiries email: inforeg@justice.gov.za .
Website:	https://www.justice.gov.za/inforeg/

5. OBJECTIVES OF THIS MANUAL

The objectives of this Manual are:

- to provide a list of all records held by the legal entity;
- to set out the requirements with regard to who may request information in terms of PAIA as well as the grounds on which a request may be denied;
- to define the manner and form in which a request for information must be submitted; and
- to comply with the additional requirements imposed by POPIA.


6. ENTRY POINT FOR REQUESTS

PAIA provides that a person may only make a request for information, if the information is required for the exercise or protection of a legitimate right.

Information will therefore not be furnished unless a person provides sufficient particulars to enable Troupant Publishers to identify the right that the requester is seeking to protect as well as an explanation as to why the requested information is required for the exercise or protection of that right. The exercise of a data subject's rights is subject to justifiable limitations, including the reasonable protection of privacy, commercial confidentiality and effective, efficient and good governance. PAIA and the request procedure contained in this Manual may not be used for access to a record for criminal or civil proceedings, nor should information be requested after the commencement of such proceedings.

The Information Officer has been delegated with the task of receiving and co-ordinating all requests for access to records in terms of PAIA, in order to ensure proper compliance with PAIA and POPIA.

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The Information Officer will facilitate liaison with the internal legal team on all of these requests.

All requests in terms of PAIA and this Manual must be addressed to the Information Officer using the details in paragraph 3 above.

7. RECORDS HELD BY TROUPANT PUBLISHERS

Personnel Information:

These records include employment contracts of all Troupant Publishers employees, employment policies and remuneration details.

Business records of Troupant Publishers :

These records include:

- (a) Financial records;
- (b) Minutes of meetings
- (c) Strategic plans and other operational policies;


8. AUTOMATICALLY AVAILABLE INFORMATION

Information that is obtainable via Troupant Publishers website about Troupant Publishers is automatically available and need not be formally requested in terms of this Manual.

9. DISCLOSURES ON REQUEST

Human resources	Troupant Publishers staff manual
Financial management	Budgets Financial statements

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Financial management	Budgets Financial statements
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10. INFORMATION AVAILABLE IN TERMS OF POPIA

10.1. Categories of personal information collected by Troupant Publishers


Troupant Publishers may collect information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to:

- information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person;
- information relating to the education or the medical, financial, criminal or employment history of the person;
- any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;
- correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
- the views or opinions of another individual about the person; and
- the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person;

10.2. The purpose of processing personal information

In terms of POPIA, personal information must be processed for a specified purpose. The purpose for which personal information is processed by Troupant Publishers will depend on the nature of the personal information and the particular data subject. This purpose is ordinarily disclosed, explicitly or implicitly, at the time the personal information is collected.

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In general, personal information is processed for purposes of dealing with complaints under the CPA, procurement purposes, records management, security, employment and related matters.

10.3. A description of the categories of data subjects

Troupant Publishers holds information and records on the following categories of data subjects:

- Employees / personnel of Troupant Publishers ;
- Any third party with whom Troupant Publishers conducts business;
- Contractors of Troupant Publishers ;
- Suppliers of Troupant Publishers .

(This list of categories of data subjects is non-exhaustive.)

10.4. The recipients or categories of recipients to whom the personal information may be supplied


Depending on the nature of the personal information, Troupant Publishers may supply information or records to the following categories of recipients:

- Statutory oversight bodies, regulators or judicial commissions of enquiry making a request for personal information;
- Any court, administrative or judicial forum, arbitration, statutory commission, or ombudsman making a request for personal information or discovery in terms of the applicable rules;
- South African Revenue Services, or another similar authority;
- Anyone making a successful application for access in terms of PAIA or POPIA; and

10.5. Planned transborder flows of personal information

If a data subject visits Troupant Publisher’s website from a country other than South Africa, the various communications will necessarily result in the transfer of information across international boundaries.

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Troupant Publishers may need to transfer a data subject's information to service providers in countries outside South Africa, in which case it will fully comply with applicable data protection legislation.

These countries may not have data-protection laws which are similar to those of South Africa.

10.6. A general description of information security measures to be implemented by Troupant Publishers

Troupant Publishers takes extensive information security measures to ensure the confidentiality, integrity and availability of personal information in our possession. Troupant Publishers takes appropriate technical and organisational measures designed to ensure that personal information remains confidential and secure against unauthorised or unlawful processing and against accidental loss, destruction or damage.


11. CATEGORIES OF RECORDS AVAILABLE UPON REQUEST

Troupant Publishers maintains records on the categories and subject matters listed below. Please note that recording a category or subject matter in this Manual does not imply that a request for access to such records would be granted. All requests for access will be evaluated on a case-by-case basis in accordance with the provisions of PAIA.

Please note further that many of the records held by Troupant Publishers are those of third parties, such as clients and employees, and Troupant Publishers takes the protection of third-party confidential information very seriously. For further information on the grounds of refusal of access to a record please see paragraph 12.5 below. Requests for access to these records will be considered very carefully. Please ensure that requests for such records are carefully motivated.


Category of records	Records
<p>Internal records</p> <p>The records listed pertain to Troupant Publishers own affairs</p>	<ul style="list-style-type: none"> • Financial records; • Internal correspondence; • Service records; • Internal policies and procedures;

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Category of records	Records
	<ul style="list-style-type: none"> • Minutes of meetings.
Category of records	Records
<p>Personnel records</p> <p>For the purposes of this section, “personnel” means any person who works for or provides services to or on behalf of Troupant Publishers and receives or is entitled to receive any remuneration and any other person who assists in carrying out or conducting the business of Troupant Publishers. This includes partners, directors, all permanent, temporary and part-time staff as well as consultants and contract workers.</p>	<ul style="list-style-type: none"> • Any personal records provided to us by our personnel; • Any records a third party has provided to us about any of their personnel; • Conditions of employment and other personnel-related contractual and quasi legal records; • Employment policies and procedures; • Internal evaluation and disciplinary records; and • Other internal records and correspondence.
<p>Client-related records</p>	<ul style="list-style-type: none"> • Contracts with the client and between the client and other persons;
<p>Other third-party records</p> <p>Records are kept in respect of other parties, including, without limitation, joint ventures and consortia to which Troupant Publishers is a party, contractors and sub-contractors, suppliers, service providers, and providers of information regarding general market conditions. In addition, such other parties may possess</p>	<ul style="list-style-type: none"> • Personnel, client, or Troupant Publishers records which are held by another party as opposed to being held by Troupant Publishers ; and • Records held by Troupant Publishers pertaining to other parties, including financial records, correspondence, contractual records, records provided by the other party, and records third parties

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Category of records	Records
records which can be said to belong to Troupant Publishers .	have provided about the contractors or suppliers.
Other records	<ul style="list-style-type: none"> • Information relating to Troupant Publishers ; and • Research information belonging to Troupant Publishers or carried out on behalf of a third party.

12. REQUEST PROCEDURE

12.1. Completion of the prescribed form

Any request for access to a record from a public body in terms of PAIA must substantially correspond with the form included in Appendix A hereto.

A request for access to information which does not comply with the formalities as prescribed by PAIA will be returned to you.


POPIA provides that a data subject may, upon proof of identity, request Troupant Publishers to confirm, free of charge, all the information it holds about the data subject and may request access to such information, including information about the identity of third parties who have or have had access to such information.

POPIA also provides that where the data subject is required to pay a fee for services provided to him/her, Troupant Publishers must provide the data subject with a written estimate of the payable amount before providing the service and may require that the data subject pays a deposit for all or part of the fee.

Grounds for refusal of the data subject's request are set out in PAIA and are discussed below.

POPIA provides that a data subject may object, at any time, to the processing of personal information by Troupant Publishers, on reasonable grounds relating to his/her particular situation, unless legislation provides for such processing. The data subject must complete the prescribed form attached hereto as Appendix C and

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submit it to the Information Officer at the postal or physical address, facsimile number or electronic mail address set out above.

A data subject may also request Troupant Publishers to correct or delete personal information about the data subject in its possession or under its control that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading or obtained unlawfully; or destroy or delete a record of personal information about the data subject that Troupant Publishers is no longer authorised to retain records in terms of POPIA's retention and restriction of records provisions.

A data subject that wishes to request a correction or deletion of personal information or the destruction or deletion of a record of personal information must submit a request to the Information Officer at the postal or physical address, facsimile number or electronic mail address set out above on the form attached hereto as Appendix D.

12.2. Proof of identity

Proof of identity is required to authenticate your identity and the request. You will, in addition to this prescribed form, be required to submit acceptable proof of identity such as a certified copy of your identity document or other legal forms of identity.

12.3. Payment of the prescribed fees

There are two categories of fees which are payable:


- **The request fee:** R50
- **The access fee:** This is calculated by taking into account reproduction costs, search and preparation costs, as well as postal costs. These fees are set out in Appendix B.

Section 54 of PAIA entitles Troupant Publishers to levy a charge or to request a fee to enable it to recover the cost of processing a request and providing access to records. The fees that may be charged are set out in Regulation 9(2)(c) promulgated under PAIA.

Where a decision to grant a request has been taken, the record will not be disclosed until the necessary fees have been paid in full.

12.4. Timelines for consideration of a request for access

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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.

Should an extension be required, you will be notified, together with reasons explaining why the extension is necessary.

12.5. 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 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 Troupant Publishers 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 Troupant Publishers .

Section 70 of PAIA contains an overriding provision. Disclosure of a record is compulsory if it would reveal (i) a substantial contravention of, or failure to comply with the law; or (ii) there is an imminent and serious public safety or environmental risk; and (iii) the public interest in the disclosure of the record in question clearly outweighs the harm contemplated by its disclosure.

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. The third

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party would then have a further 21 (twenty one) days to make representations and/or submissions regarding the granting of access to the record.

13. REMEDIES AVAILABLE TO A REQUESTER ON REFUSAL OF ACCESS

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

There is no internal appeal procedure that may be followed after a request to access information has been refused. The decision made by the Information Officer is final. In the event that you are not satisfied with the outcome of the request, you are entitled to apply to the Information Regulator or a court of competent jurisdiction to take the matter further.

Where a third party is affected by the request for access and the Information Officer has decided to grant you access to the record, the third party has 30 (thirty) days in which to appeal the decision in a court of competent jurisdiction. If no appeal has been lodged by the third party within 30 (thirty) days, you must be granted access to the record.

14. AVAILABILITY OF THIS MANUAL

Copies of this Manual are available for inspection, free of charge, at the registered offices of Troupant Publishers at 2nd Floor, Blackheath Mews, 258 Beyers Naude Drive, Blackheath, 2195

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D. Particulars of record

- (a) 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.
- (b) If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

1. Description of record or relevant part of the record:

.....
.....
.....
.....

2. Reference number, if available:

.....
.....
.....
.....

3. Any further particulars of record:

.....
.....
.....
.....

E. Fees

- (a) A request for access to a record, other than a record containing personal information about yourself, will be processed only after a request fee has been paid.
- (b) You will be notified of the amount required to be paid as the request fee.
- (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 for exemption from payment of fees:

.....
.....
.....
.....

F. Form of access to record

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 below, state your disability and indicate in which form the record is required.

Disability: Form in which record is required: Mark the appropriate box with an X . NOTES: (a) Compliance with your request for access in the specified form may depend on the form in which the record is available. (b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form. (c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

1. If the record is in written or printed form:					
	copy of record*		inspection of record		
2. If record consists of visual images - (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):					
	view the images		copy of the images*		transcription of the images*
3. If record consists of recorded words or information which can be reproduced in sound:					
	listen to the soundtrack (audio cassette)		transcription of soundtrack* (written or printed document)		
4. If record is held on computer or in an electronic or machine-readable form:					
	printed copy of record*		printed copy of information derived from the record*		copy in computer readable form* (stiffy or compact disc)

*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.	YES	NO
--	-----	----

G. Particulars of right to be exercised or protected

If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

1. Indicate which right is to be exercised or protected:

2. Explain why the record requested is required for the exercise or protection of the aforementioned right:

.....
.....
.....

H. Notice of decision regarding request for access

You will be notified in writing whether your request has been approved / denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

.....

Signed at this day..... ofyear

.....
SIGNATURE OF REQUESTER /
PERSON ON WHOSE BEHALF REQUEST IS
MADE

Appendix B

FEES IN RESPECT OF PRIVATE BODIES

1. The "request fee" payable by a requester, other than a personal requester, referred to in section 54(1) of the Act, is R50
2. The "fees for reproduction" referred to in section 52(3) and "access fees" payable by a requester referred to in section 54(7), unless exempted under section 54(8) of the Act, are as follows:
 - (a) for every photocopy of an A4-size page or part thereof - R1 - R10
 - (b) for every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form - R0 - R75
 - (c) for a copy in a computer-readable form on:
 - (i) stiffy disc - R7 - R50
 - (ii) compact disc - R70
 - (d)
 - (i) for a transcription of visual images, for an A4-size page or part thereof - R40;
 - (ii) for a copy of visual images - R60
 - (e)
 - (i) for transcription of an audio record, for an A4-size page or part thereof - R20;
 - (ii) for a copy of an audio record - R30
 - (f) To search for the record for disclosure, R30 for each hour or part of an hour reasonably required for such search.

The actual postal fee is payable when a copy of a record must be posted to a requester
Exemptions from paying "access fees"

Person or persons exempted from paying access fees:-

- (i) A single person whose annual income does not exceed R14,712.00; or
- (ii) Married persons or a person and his/her life partner whose annual income does not exceed R27,192.00

Appendix C

**FORM 1 OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION
IN TERMS OF SECTION 11(3) OF POPIA**

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:	
	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:	
	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 this day of20.....

.....

Signature of data subject/designated person

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 request 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 THE DATA SUBJECT
Name(s) and surname / registered name of data subject:	
Unique identifier/ Identity Number:	
Residential, postal or business address:	
	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:	
	Code ()
Contact number(s):	
Fax number/ E-mail address:	
C	INFORMATION TO BE CORRECTED/DELETED/ DESTROYED/ DESTROYED
D	<p>REASONS FOR *CORRECTION 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</p> <p>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.</p> <p><i>(Please provide detailed reasons for the request)</i></p>

Signed at this day of20.....

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