

PAIA and POPIA Manual

ifm electronic (Pty) LTD

Version 1

Prepared in accordance with Section 51 of the Promotion of Access to Information Act, 2000, and to address requirements of the Protection of Personal Information Act, 2013.

June 2021

This manual applies to ifm electronic (Pty) LTD
Registration number: 2008/005606/07
ifm electronic

Registered office
112 Sovereign Drive,
Route 21 Corporate Park
Centurion,
0157
South Africa



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1. INTRODUCTION

The Promotion of Access to Information Act, 2000 (the “Act”) provides third parties the right to approach private bodies to request information held by them, which is required in the exercise and/or protection of any rights. On request, the private body is obliged to release such information unless the Act expressly states that the records containing such information may not be released. This manual informs requestors of procedures and other requirements which a request must meet as prescribed by the Act and the Company ifm electronic (Pty) LTD.

1.1 NATURE OF BUSINESS

Manufacture and supply of industrial automation and instrumentation products, directly to industries or businesses within sub-Saharan Africa.

1.2 INFORMATION OFFICER

Information Officer: A.J.Skelton

Deputy Information Officer: S.Hattingh

Physical Address: 112 Sovereign Drive, Route 21 Corporate Park Centurion, 0157, South Africa

Telephone Number: 012 450 0400

Facsimile Number: 012 450 0412

Email address: info.za@ifm.com



2. HUMAN RIGHTS COMMISSION GUIDE TO PAIA

Section 10 of the Promotion of Access to Information Act, 2000 stipulates that the *South African Human Rights Commission* must compile a guide on how to use PAIA. The guide contains information which may be reasonably required by a person who wishes to exercise any right contemplated in the Act. This guide is available from the *South African Human Rights Commission*.

Please direct any queries to:

The South African Human Rights Commission: PAIA Unit	Telephone: 011-877 3600
The Research and Documentation Department Private Bag 2700 Houghton 2041	Fax: 011-403 0668 Website: www.sahrc.org.za E-mail: PAIA@sahrc.org.za

3. ACCESS TO RECORDS HELD BY THE COMPANY

Request for access to personal information held by the Company is permitted only upon meeting access requirements as stipulated by ifm electronic (Pty) LTD. According to the PAIA Act, two requesters are distinguished:

Personal Requester

A personal requester is a requester who is seeking access to a record containing personal information about the requester. Subject to the provisions of the Act and applicable law, ifm electronic (Pty) LTD will provide the requested information, or give access to any record about the requester's personal information. A prescribed fee of *fifty Rands (R50)* for reproduction of the information requested will be charged by ifm electronic (Pty) LTD.

Other Requester

This requester (other than a personal requester) is entitled to request access to information pertaining to third parties. However, the ifm electronic (Pty) LTD is not obliged to grant access prior to the requester fulfilling the requirements for access in terms of the Act. A prescribed fee of *fifty Rands (R50)* for reproduction of the information requested will be charged by ifm electronic (Pty) LTD.

3.1 VOLUNTARY DISCLOSURE NOTICE

The Information Officer may, voluntarily or on a periodic basis create a list of information that is readily available without a formal request.



3.2 REQUEST PROCEDURE

A requester must comply with all the procedural requirements contained in the Act relating to a request for access to personal information held by ifm electronic (Pty) LTD. A requester must complete the prescribed form available on the SAHRC website www.sahrc.org.za and submit same, as well as payment of a request fee, to the Information Officer at the postal or physical address, fax number or email address stated herein.

The prescribed form must be filled in with enough information, particularity as stated below – including but not limited to – to enable the Information Officer to identify:

- The record or records requested;
- The identity of the requester;
- What form of access is required; and
- The postal address and/or email address of the requester.

ifm electronic (Pty) LTD will process a request within a period of 30 business days, unless the requestor has stated particular reasons which would satisfy the Information Officer that circumstances dictate that this period not be complied with. The 30 business day period within which the Company has to decide whether to grant or refuse a request, may be extended for a further period of not more than 30 business days if the request is for a large quantity of information, or the request requires a search for information archived or held at another office of ifm electronic (Pty) LTD and the information cannot reasonably be obtained within the original 30 business day period.

ifm electronic (Pty) LTD will, within 30 business days of receipt of a request, decide whether to grant or decline a request and give written notice with reasons (if required) to that effect. Fees for accessing records might become applicable as per regulations found on www.sahrc.org.za

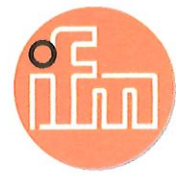
If a request is made on behalf of another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the Information Officer.

If an individual is unable to complete the prescribed form due to illiteracy or disability, such a person may make the request orally to the Information Officer.

3.3 RIGHTS TO BE EXERCISED

A requester must state that he or she requires the information to exercise or protect a right, and clearly state what the nature of the right is so to be exercised or protected. The requester must also provide an explanation of why the requested record is required for the exercise or protection of that right.

Section 32 of the Constitution of South Africa, *Access to Information*, states that everyone has the right of access to any information held by the State, as well as any information that is held by another person, which is required for the exercise or protection of any rights, as stipulated by the Bill of rights (subject to Section 36, Limitation of Rights).



According to the Protection of Personal Information Act 4 of 2013, a data subject has – including but not limited to – the following rights:

- To determine whether a responsible party holds personal information of that data subject and to request access to his, her or its personal information;
- To request, where necessary, the correction, destruction or deletion of his, her or its personal information;
- To object, on reasonable grounds relating to his, her or its particular situation to the processing of his, her or its personal information);
- To submit a complaint to the Regulator regarding the alleged interference with the protection of the personal information of any data subject or to submit a complaint to the Regulator in respect of a determination of an adjudicator and
- To institute civil proceedings regarding the alleged interference with the protection of his, her or its personal information.

4. SCHEDULE OF RECORDS HELD BY THE COMPANY

These are the categories of records held by ifm electronic (Pty) LTD (including but not limited to);

4.1 COMPANIES ACT RECORDS

- Memorandum of Incorporation
- Minutes of Board of Directors meetings
- Records relating to the appointment of directors/auditors

4.2 PERSONNEL DOCUMENTS AND RECORDS

- CV's on application for positions within the company
- Employment contracts
- Employment Equity Plan/BEE
- Disciplinary documentation
- Salary documentation
- Leave documentation

4.3 FINANCIAL RECORDS

- Accounting Records
- Asset Register
- Bank Statements
- Electronic banking record
- Invoices
- Rental Agreements
- Tax Returns

4.4 TAX RECORDS

- PAYE Records
- Documents issued to employees for income tax purposes
- Records of payments made to SARS on behalf of employees
- VAT
- Skills Development Levies
- UIF



4.5 BUSINESS OPERATIONS RECORDS

- CRM Data Base
- Customer quotations
- Account facilitation documentation
- Customer contracts
- Customer contacts

All records need to be requested in terms of PAIA

5. REMEDIES AVAILABLE IF REQUEST FOR INFORMATION IS REFUSED

5.1 INTERNAL REMEDIES

ifm electronic (Pty) LTD internal procedures and remedies does not have any internal appeal procedures. As such, the decision made by the Information Officer pertaining to a request is final, and requestors will have to exercise such external remedies at their disposal if a request is refused, and the requestor is not satisfied with the response provided by the Information Officer.

5.2 EXTERNAL REMEDIES

In the event that a requestor is unsatisfied with the Information Officer's refusal to disclose information, he/she may within 30 days of notification of the decision, apply to a court for relief. Likewise, in the event that a third party (other requestor) is unsatisfied with the Information Officer's decision to grant a request for information, he/she may within 30 days of notification of the decision, apply to a court for relief.

6. APPLICABLE LEGISLATION

Information of ifm electronic (Pty) LTD and other legal entities in which the Company (ifm electronic (Pty) LTD) has a direct controlling interest or an indirect controlling interest through its other location offices may be kept by or on behalf of the Company in accordance with the following (including but not limited to) legislation, as well as with other legislation that may apply to the Company and/or its location offices from time to time:

Reference to the above-mentioned legislation shall include subsequent amendments and secondary legislation to such legislation.

Basic Conditions of Employment Act 75 of 1997

Broad-based Black Economic Empowerment Act 53 of 2003

Companies Act 71 of 2008

Compensation for Occupational Injuries and Diseases Act 130 of 1993

Copyright Act 98 of 1978

Electronic Communications and Transactions Act 36 of 2005



Employment Equity Act 55 of 1998

Income Tax Act 58 of 1962

Labour Relations Act 66 of 1995

Occupational Health and Safety Act 85 of 1993

Protection of Personal Information Act, 4 of 2013

Skills Development Act 9 of 1997

Skills Development Levy Act 9 of 1999

Unemployment Insurance Act 63 of 2001

Unemployment Insurance Contributions Act 63 of 2001

Value Added Tax Act 89 of 1991

7. AVAILABILITY OF THE MANUAL

This manual is available for inspection (at no fee), on reasonable prior notice and during office hours, at the office of the company.

112 Sovereign Drive,
Route 21 Corporate Park,
Centurion,
0157,
South Africa
And on the website www.ifm.com/za

8. APPROVAL

This manual was signed and approved on behalf of ifm electronic (Pty) LTD on 23 June 2021.

A.J.Skelton