

COMPLETE PET SUPPLIES CC

2001/081185/23

MANUAL

in terms of

Section 51 of

The Promotion of Access to Information Act

2/2000

(the "ACT")

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1. INTRODUCTION

Complete Pet Supplies Close Corporation (hereafter “CPS”) is a Kempton Park-based pet food wholesaler. The Promotion of Access to Information Act, 2 of 2000 (hereafter “PAIA”) was enacted on 3 February 2000. The purpose of PAIA is to give effect to the constitutional right of access to information held by any private or public body that is required for the exercise or protection of any rights. Where a request is made in terms of PAIA, the body to which the request is made is obliged to release the information, except where PAIA or other legislation expressly provides that the information may or must not be released. As a private body defined in PAIA, CPS is required to compile a manual to provide a reference as to the records held and the process which needs to be followed to access such records.

2. COMPANY CONTACT DETAILS

Directors: Mr. Theunis Lochner (Managing)
Office Manager/MD: Mr. Theunis Lochner
Postal Address: Unit 3 No 15 Foreman Street, Spartan Ext 7, Sebenza Link, Gauteng, 1610
Street Address: Unit 3 No 15 Foreman Street, Spartan Ext 7, Sebenza Link, Gauteng, 1610
Telephone Number: (011) 392 5216
Email: popi@genvetsupplies.co.za

3. THE PROMOTION OF ACCESS TO INFORMATION ACT (PAIA)

- 3.1. PAIA grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.
- 3.2. Requests in terms of PAIA shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in paragraphs 6 and 7 of PAIA.
- 3.3. Requesters are referred to the Guide in terms of Section 10 which has been compiled by the South African Human Rights Commission, which will contain information for the purposes of exercising Constitutional Rights. The Guide is available from the SAHRC. The contact details of the Commission are:

Postal Address: Private Bag 2700, Houghton, 2041
Telephone Number: +27-11-877 3600
Fax Number: +27-11-403 0625
Website: www.sahrc.org.za

4. LEGISLATION IN TERMS OF WHICH RECORDS ARE HELD BY CPS

The Minister of Justice is entitled to publish a list of records submitted by CPS to which the public may have access without the necessity of formally applying for access to such records. The list of records that are freely and voluntarily available and which need not be requested in terms of this Act will be submitted on a periodic basis to the Minister of Justice.

The relevant legislation for CPS and in connection of which records will be freely available to the public are tabled below:

No	Ref	Act
1	No 69 of 1984	Close Corporations Act
2	No 61 of 1973	Companies Act
3	No 51 of 1977	Criminal Procedures Act
4	No 25 of 2002	Electronic Communications and Transactions
5	2008	High Court Rules of Court
6	No 95 of 1967	Income Tax Act
7	No 24 of 1936	Insolvency Act
8	No 27 of 1943	Insurance Act
9	No 32 of 1944	Magistrates' Courts Act
10	No 2 of 2000	Promotion of Access to Information Act
11	No 4 of 2013	Protection of Personal Information Act
12	No 70 of 2002	Regulation of Interception of Communications and Provision of Communication-related information Act
13	No 107 of 1985	Rules Board for Courts of Law Act
14	No 61 of 1984	Small Claims Courts Act
15	No 10 of 2013	Superior Courts Act

5. SCHEDULE OF RECORDS

This clause is aimed at serving as a reference to the records that CPS holds in order to facilitate a request for access to these records in terms of the Act. All information held by CPS is classified and grouped according to records relating to the following subjects and categories:

Category	Description	Availability
Personnel records	<ul style="list-style-type: none">▪ Personal records provided by employees of CPS▪ Records provided by individuals other than employees▪ Conditions of employment and other employee-related contractual and quasi-legal records▪ Internal evaluation records and other internal records▪ Correspondence relating to personnel▪ Training schedules and material	Not available
Customer client records	<ul style="list-style-type: none">▪ Records provided by a customer/client to CPS▪ Records provided by a customer to a third party acting for or on behalf of CPS▪ Records provided by third parties to CPS▪ Records generated by or within CPS relating to its customers/clients, including transactional records	Request in terms of PAIA
Records related to CPS	<ul style="list-style-type: none">▪ Financial records▪ Operational records▪ Databases▪ Information Technology▪ Marketing records▪ Internal correspondence▪ Product related records▪ Statistical records▪ Product records▪ Statutory records▪ Internal Policies and Procedures▪ Records held by Officials of CPS	Not available

6. FORM OF REQUEST

To facilitate the processing of your request, kindly:

- 6.1. Use the prescribed form, available on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at https://www.justice.gov.za/forms/paia/J752_paia_Form C.pdf
- 6.2. Address your request to the Head of the Company (CEO).
- 6.3. Provide sufficient details to enable the Company to identify:

- (a) The record(s) requested;
- (b) The requester (and if an agent is lodging the request, proof of capacity);
- (c) The form of access required;
 - (i) The postal address or fax number of the requester in the Republic;
 - (ii) If the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof;
- (d) The right which the requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.

7. PRESCRIBED FEES

- 7.1. PAIA provides for two types of fees namely:
 - (a) A request fee, which will be a standard fee; and
 - (b) An access fee, which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs.
- 7.2. When the request is received by CPS, it will by notice require the requester, other than a personal requester, to pay the prescribed request fee (if any) before further processing of the request.
- 7.3. If the search for the record has been made and the preparation of the record for disclosure, including arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, CPS will notify the requester to pay as a deposit the prescribed portion of the access fee which would be payable if the request is granted.
- 7.4. CPS will withhold a record until the requester has paid the fees as prescribed.
- 7.5. A requester whose request for access to a record has been granted, must pay an access fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure including making arrangements to make it available in the request form.
- 7.6. If a deposit has been paid in respect of a request for access, which is refused, then CPS must repay the deposit to the requester.

8. DECISION

- 8.1. CPS will, within 30 days of receipt of the request, decide whether to grant or decline the request and give notice with reasons (if required) to that effect.
- 8.2. The 30-day period within which CPS has to decide whether to grant or refuse the request, may be extended for a further period of not more than 30 days if the request is for a large number of information, or the request requires a search for information and the information cannot reasonably be obtained within the original 30 day-period. CPS will notify the requester in writing should an extension be sought.
- 8.3. Should CPS decline access to the information requested, the requester may lodge an internal appeal to the board of management of CPS.

9. GROUNDS TO REFUSE A REQUEST

- 9.1. The main grounds for CPS to refuse a request for information relates to the -
 - (a) mandatory protection of the privacy of a third party who is a natural person, who would involve the unreasonable disclosure of personal information of that natural person;
 - (b) mandatory protection of the commercial information of a third party, if the record contains:
 - (i) trade secrets of that third party;
 - (ii) financial, commercial, scientific, or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party;
 - (iii) information disclosed in confidence by a third party to CPS, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition;
 - (c) mandatory protection of confidential information of third parties if it is protected in terms of any agreement;
 - (d) mandatory protection of the safety of individuals and the protection of property;

- (e) mandatory protection of records which would be regarded as privileged in legal proceedings; and
 - (f) the financial activities of CPS.
- 9.2. Requests for information that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources, will be refused.
- 9.3. Should, after a diligent search, the record requested not be found, CPS will by way of affidavit give notification that it is not possible to give access to that record.

10. AVAILABILITY OF THE MANUAL

A copy of this manual is available for inspection free of charge at CPS's registered office and on the CPS website. Copies are also available from the SAHRC.