



PULSATOR LURES (PTY) LTD

PAIA MANUAL

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

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1.LIST OF ACRONYMS AND ABBREVIATIONS

CEO	Chief Executive Officer
DIO	Deputy Information Officer
IO	Information Officer
Minister	Minister Of Justice AND Correctional Services
PAIA	Promotion of Access to Information Act No.2 of 2000(as Amended)
POPIA	Protection of Personal Information Act No.4 Of 2013
Regulator	Information Regulator
Republic	Republic of South Africa

2. INTRODUCTION

The Promotion of Access to Information Act No.2 of 2000 (PAIA) is a south African law that give effect to the constitutional right of access to information held by both public and private bodies. It allows individual to request Information to exercise or protect their rights, promoting transparency and accountability within the country's democratic processes.

3. PURPOSE OF PAIA MANUAL

This manual can be used by members of the public to –

- 3.1. Check the categories of records held by Pulsator Lures (Pty) Ltd which are available without a person having to submit a formal PAIA request.
- 3.2. Understand how to make a request for access to a record Pulsator Lures (Pty) Ltd.
- 3.3. Know the description of the records of Pulsator Lures (Pty) Ltd which are available in accordance with any other legislation.
- 3.4. Access all the relevant contact details of the Information Officer, Deputy Information Officer and Administrator who will assist the public with the records they intend to access.
- 3.5. Know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it.
- 3.6. Know if Pulsator Lures (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.
- 3.7. Know the recipients or categories of recipients to whom the personal information may be supplied.
- 3.8. Know if Pulsator Lures (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
- 3.9. Know whether Pulsator Lures (Pty) Ltd appropriate security measures have to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

4. CONTACT DETAILS FOR ACCESS TO INFORMATION OF PULSATOR LURES (PTY) LTD

INFORMATION OFFICER	
Name	Rolande Petro-Nell Swemmer
Telephone	0826976423
Email	Lande@pulsatorlures.co.za

4.2 Access to information general contacts

Email	Matt@pulsatorlures.com
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HEAD OFFICE	
Physical Address	77 Woodford Grove, Unit 2, Morningside, Durban, 4001
Postal Address	77 Woodford Grove, Unit 2, Morningside, Durban, 4001
Telephone	0826976423
Email	Lande@pulsatorlures.co.za
Website	www.pulsatorlures.com

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

- 5.1. 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 POPIA.
- 5.2. The Guide is available in each of the official languages and in braille.
- 5.3. The aforesaid Guide contains the description of
 - 5.3.1 The objects of PAIA and POPIA;
 - 5.3.2. The postal and street address, phone and fax number and, if available, electronic mail address of-
 - 5.3.2.1. The Information Officer of every public body, and
 - 5.3.2.2. The Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA²;
 - 5.3.3. The manner and form of a request for-
 - 5.3.3.1. access to a record of a public body contemplated in section 113; and
 - 5.3.3.2. access to a record of a private body contemplated in section 504;
 - 5.3.4. The assistance available from the IO of a public body in terms of PAIA and POPIA;
 - 5.3.5. The assistance available from the Regulator in terms of PAIA and POPIA;
 - 5.3.6. 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

1 Section 17(1) of PAIA- *For the purposes of PAIA, each public body must, subject to legislation governing the employment of personnel of the public body concerned, designate such number of persons as deputy information officers as are necessary to render the public body as accessible as reasonably possible for requesters of its records.*

2 Section 56(a) of POPIA- *Each public and private body must make provision, in the manner prescribed in section 17 of the Promotion of Access to Information Act, with the necessary changes, for the designation of such a number of persons, if any, as*

deputy information officers as is necessary to perform the duties and responsibilities as set out in section 55(1) of POPIA.

3 Section 11(1) of PAIA- *A requester must be given access to a record of a public body if that requester complies with all the procedural requirements in PAIA relating to a request for access to that record; and access to that record is not refused in terms of*

any ground for refusal contemplated in Chapter 4 of this Part.

4 Section 50(1) of PAIA- *A requester must be given access to any record of a private body if*

a)

that record is required for the exercise or protection of any rights;

b) that person complies with the procedural requirements in PAIA relating to a request for access to that record; and

c) access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part

- 5.3.6.1. An internal appeal;
- 5.3.6.2. A complaint to the Regulator; and
- 5.3.6.3. 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 regulator or a decision of the head of a private body.
- 5.3.7. 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;
- 5.3.8. The provisions of sections 15⁷ and 52⁸ providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
- 5.3.9. The notices issued in terms of sections 22⁹ and 54¹⁰ regarding fees to be paid in relation to requests for access; and
- 5.3.10. The regulations made in terms of section 92¹¹.

5 Section 14(1) of PAIA- The information officer of a public body must, in at least three official languages, make available a manual containing information listed in paragraph 4 above.

6 Section 51(1) of PAIA- The head of a private body must make available a manual containing the description of the information listed in paragraph 4 above.

7 Section 15(1) of PAIA- The information officer of a public body, must make available in the prescribed manner a description of the categories of records of the public body that are automatically available without a person having to request access

8 Section 52(1) of PAIA- The head of a private body may, on a voluntary basis, make available in the prescribed manner a description of the categories of records of the private body that are automatically available without a person having to request access

9 Section 22(1) of PAIA- The information officer of a public body to whom a request for access is made, must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

10 Section 54(1) of PAIA- The head of a private body to whom a request for access is made must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

11 Section 92(1) of PAIA provides that – “The Minister may, by notice in the Gazette, make regulations regarding-

- (a) any matter which is required or permitted by this Act to be prescribed;*
- (b) any matter relating to the fees contemplated in sections 22 and 54;*
- (c) any notice required by this Act;*
- (d) uniform criteria to be applied by the information officer of a public body when deciding which categories of records are to be made available in terms of section 15; and*
- (e) any administrative or procedural matter necessary to give effect to the provisions of this Act.”*

5.4. 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 Regulator, during normal working hours.

5.5. The Guide can also be obtained-

- 5.5.1. upon request to the Information Officer;
- 5.5.2. from the website of the Regulator (<https://www.justice.gov.za/inforeg/>).

6. CATEGORIES OF RECORDS OF PULSATOR LURES (PTY) LTD WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS BY COMPLETING FORM 2 'REQUEST FOR ACCESS TO RECORD'

Category of records	Types of the Record	Available on Website	Available upon request
Companies Act Records	Where applicable: • Documents of Incorporation; • Index of names of directors; • Memorandum; • Minutes of meetings of the Board of Directors; • Register of debenture-holders; • Register of directors' shareholdings; • Share Certificates; • Share register and other stator registers and/ or records and / or documents; • Special resolutions/ resolutions passed at General and Class meetings;		X
Financial Records	Where Applicable: • Account Records; • Annual Financial Statements; • Asset Registers; • Bank Statements; • Banking Details and bank accounts; • Debtors/ Creditors statements and Invoices; • General ledgers and subsidiary ledgers; • General reconciliation; • Invoices; • Policies and procedures; • Rental agreements; and • Tax Returns;		X

Income Tax Records	Where applicable: • PAYE Records; • Documents issued to employees for income tax purposes; • Records of payments made to SARS on behalf of employees; • All other statutory compliances; • Vat; • Skills Development Levies' • UIF; • Workmen's Compensation;		X
Personal Documents and Records	Where applicable: • Address lists; • Disciplinary code and records; • Employee benefits arrangements rules and records; • Employment contracts; • Employment Equity Plan; • Forms and applications; • Leave Records; • Medical Aid Records; • Payroll Reports/ Wage Register; • Safety, Health and Environmental Records; • Salary Records; • Standard Letters and notices; • Training Manuals; • Training Records; • Workplace and Union Agreements and Records;		X

**7. DESCRIPTION OF THE RECORDS OF PULSATOR LURES (PTY) LTD WHICH ARE
AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION**

Category of Records	Applicable Legislation
Companies Act Record	Companies Act 71 of 2008
PAIA Manual	Promotion of Access to Information Act 2 of 2000
Income Tax Records	- Income Tax Act 58 of 1962 - Value Added Tax Act 89 of 1991 - Skills Development Levy Act 9 of 1999 - Skills Development Act 97 of 1998 - Unemployment Insurance Act 30 of 1966 - Unemployment Insurance Contributions Act 4 of 2002
Financial Records	- Financial Services Board Act 97 of 1990 - Financial Institutions (Protection of Funds) Act 25 of 2001 - Financial Intelligence Centre Act 38 of 2001 - Inspection of Financial Institutions Act 80 of 1998
Personnel Documents and Records	- Basic Conditions of Employment Act 57 of 1997 - Companies Act 71 of 2008 - Employment Equity Act 55 of 1998 - Labour Relations Act 66 of 1995

	• Protected Disclosures Act 26 of 200 • Protection of Constitutional Democracy against Terrorist and Related Activities Act 33 of 2004 • Securities Transfer Tax Act Administration Act 26 of 2007 • Trademarks Act 194 of 1993 • Trust Property Control Act 57 of 1988 • Broad-based Black Economic Empowerment Act 53 of 2003 • Collective Investment Schemes Control Act 45 of 2002 • Compensation for Occupational Injuries and Diseases Act 130 of 1993 • Currencies and Exchange Act 9 of 1993 • Electronic Communications and Transactions Act 25 of 2002 • Occupational Health and Safety Act 85 of 1993 • Regulation of Interception of Communications and Provision of Communication related Information Act 70 of 2002 • Prevention of Organised Crime Act 121 of 1998 • Prevention and Combating of Corruption Activities Act 12 of 2004
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**8. DESCRIPTION OF THE SUBJECTS ON WHICH PULSATOR LURES (PTY) LTD
HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT
BY PULSATOR LURES (PTY) LTD**

Subjects on which the body holds records	Categories of records
Sales	• Customers Details; • Credit Application information; • Information and records provided by a third party;
Procurement Department	• Standard Terms & Conditions for supply of services and products; • Contractor, client, and supplier agreements; • Lists of suppliers, products, services, and distribution; and policies and procedures.
Marketing	• Advertising and promotional material
Risk Management and Audit	• Audit report; • Risk management frameworks; and • Risk management Plans
IT Department	• Computer/ mobile devices usage policy documentation; • Disaster recovery plans; • Hardware asset registers; • Information security policies/ standards/ procedures; • Information technology systems and user manuals; • Information usage policy documentation; • Project implementation plans; • Software licensing; and • System documentation and manuals
Strategic Documents, Plans, Proposals	• Annual Reports, Strategic Plan, Annual Performance Plan.
Human Resources	• HR policies and procedures • Advertised posts • Employees records

9. Processing Personal Information

Pulsator Lures (Pty) Ltd, in compliance with the Protection of Personal Information Act (POPIA) is legally obliged to ensure protection of their clients' personal information.

"Personal information" is defined as any information relating to an identifiable living natural person or existing juristic person (a "data subject"). A data subject can be identified, directly or indirectly, by reference to an identifier such as a name, an identification number, location data, an online identifier, or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural, or social identity of that natural person.

POPIA further defines "special personal information" as data relating to a data subject's race, ethnicity, politics, religion, trade union membership, biometrics, health, sex life, or information relating to the criminal behavior of the data subject as far as it relates to the alleged commission of an offense.

Pulsator Lures (Pty) Ltd protects personal information and takes all necessary steps to ensure and safeguard the personal information for the period for which it is necessary to keep such information and for the purpose for which personal information shall be processed. Pulsator Lures (Pty) Ltd protect personal information of its employees, customers, and suppliers.

9.1 Purpose of Processing Personal Information

Our customers personal information may only be processed for specific purposes a set out herein.

Consumers	Communicating (including direct marketing) with consumers by email, SMS, letter, telephone, or any other way in which the company wishes to inform clients of their products and services.
	Make or assist in making any credit decisions about consumers.
	Operate and manage consumers' accounts and manage any application, agreement or correspondence consumers may have with the company.
	Performing duties in terms of any agreement with consumers
	To inform consumers as individuals and to identify, develop or improve products that may be of interest to consumers.
	Conduct market research, business, and statistical analysis
	Any other required purpose relating to the company's business
	Recovering any debt consumers may owe to the company complying with the company's regulatory and other obligations, performing any administrative and operational purposes including the testing of systems.

Employees	Contact details
	Employment history
	References
	Vetting information
	Financial information including banking details
	IT information
	General matters Relating to employees; pension and medical aid
	Any other required purpose relating to the employment or employment relationship
Suppliers	Verifying information and performing checks
	Purposes related to the agreement or business relationship or agreement or business relationship between the parties.
	Payment of invoices
	Complying with the company's regulatory and other obligations.
	Any other required purpose relating to the company's business.

9.2 Description of the categories of Data Subjects and of the information or categories of information relating thereto

Categories of Data Subjects	Personal Information that may be processed
Employees	Name & contact details
	Leave Records
	Identity documents, including passports, employment history and references
	Banking and financial details
	Details of payment to third parties (deductions from salary)
	Employment contracts, employment equity plans
	Medical Aid record
	Pension Fund Records
	Remuneration Salary Records
	Performance Appraisals

Consumers or Prospective Consumers	Postal and/ or street address
	Title and name
	Contact numbers and email addresses
	Ethnic group
	Emp history
	Age
	Gender
	Marital status
	Nationality
	Language
	Financial information
	Identity or passport number
Suppliers	Name and contact details
	Identity and / or company information and directors' information
	Banking and Financial Information
	Information about their products or services
	Other information not the company's business operations.

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

Category of personal information	Recipients or Categories of Recipients to whom the personal information may be supplied
Identity number and names, for criminal checks	South African Police Services
Qualifications, for qualification verifications	South African Qualifications Authority
Credit and payment history, for credit information	Credit Bureaus

- Any firm, organization or person that the company uses to collect payments and recover debts or to provide a service on its behalf;
- Any firm, Organization or person that provides the company with products or services;
- Any payment system the company uses;
- Regulatory government authorities or ombudsmen, or other authorities, including taxes authorities, where the company has a duty to share information;
- Third parties to whom payments are made on behalf of employees;
- Financial institutions for whom payments are received on behalf of customers;
- Any other operator not specified; and
- Employees, contractors and temporary staff and agents

9.4 Planned transborder flows of personal information

Cross border transfer of personal information

Personal information may be transmitted transborder to the company's suppliers in other countries, and personal information may be stored in data services hosted outside South Africa, which may not have adequate data protection laws. The company will endeavour to ensure that its dealers and suppliers have adequate protection of personal information and that the consent of the clients or customers are always obtained except where it is for the benefit of the customer and there is no reasonable possibility to obtain such consent.

Cross border flow of personal information

The POPIA Act provides that personal information may only be transferred out of the Republic of South Africa if:

- The recipient country can offer such data and adequate level of protection, i.e. its data privacy laws must be substantially similar to that contained within the POPIA Act; or
- The consumer consents to the transfer of their personal data; or
- The transfer is necessary for the performance of a contractual obligation between the customers and the company; or
- The transfer is necessary for the performance of a contractual obligation between the company and a third party, in the interest of the client or customer; or
- The transfer is for the benefit of the customer, and it is not reasonably possible to obtain consent from the customer who would likely provide such consent;
- The company may retain personal information collected from their customers for the period in which there is an ongoing legitimate business to maintain such personal information or to comply with applicable, legal, tax or accounting requirements.

9.5 Security Measures of Pulsator Lures (Pty) Ltd to ensure the confidentiality, integrity and availability of the information

- The company shall ensure the integrity and confidentiality of all personal information in its possession by taking responsible steps to identify all reasonably foreseeable risks to information security and to establish and maintain appropriate safeguards against such risks.
- The company uses a range of physical, electronic and procedural safeguards to do so. The company updates these safeguards from time to time in order to address new and emerging security threats.
- The company trains people on privacy matters as appropriate and seeks to limit access to personal information to those employees who need to know that information.
- The company implements appropriate security measures to protect all personal information that is in the company's possession against accidental or unlawful destruction, loss, alteration, unauthorised disclosure, unauthorised access.
- Where there are reasonable grounds to believe that personal information in the company's possession has been accessed or required by any unauthorised person, the company will notify the relevant regulator and the customer, unless a public body responsible for detection, prevention or investigation of offences or the relevant regulator informs the company that notifying the customer would impede a criminal investigation.

Objection to the processing of personal information

The customer has a right to the following related to the personal information kept by the company:

- Enquire what personal information the company has on record;
- Request access to the personal information that is held by the company;
- Ask the company to update, correct or delete any out of date or incorrect personal information on record;
- Unsubscribe from any direct marketing communications that may be sent to the customers;
- Object to the processing of any personal information in the company's possession;

Direct marketing

All direct marketing communication shall contain the company and/or the company's details and an address or method for the customer to opt out of receiving further marketing communication.

Direct marketing - Direct marketing by electronic means to existing customers is only permitted if the customer's details were obtained in the context of a sale and service and for the purpose of marketing the same or similar product. The customer must be given the opportunity to opt out of receiving direct marketing on each occasion of their direct marketing;

Consent - the company may send electronic direct marketing communication to the customers who have consented to receiving it. The company may only approach the customer for consent once;

Record keeping - the company shall keep records of dates of consent, wording of the consent, who obtained the consent, proof of opportunity to opt out on each marketing contact and record of opt-outs.

Destruction of documents

- The documents may be destroyed. Personal information documents may be destroyed after the termination of the retention periods specified herein or as determined by the company from time to time.
- Each Department is responsible for attending to the destruction of its documents and electronic records, which must be done on a regular basis.
- Files must be checked in order to make sure that they may be destroyed and also to ascertain if there are important original documents in the file.
- Original documents must be returned to the holder thereof, failing which, they should be retained by the company pending such return.
- Deletion of electronic records must be done in consultation with the ID Department to ensure that the deletion information is incapable of being reconstructed and/or removed.

10. AVAILABILITY OF THE MANUAL

10.1. A copy of the Manual is available-

10.1.1. On www.pulsatorlures.com website

10.1.2. At the Head office of Pulsator Lures (Pty) Ltd for public inspection during normal business hours;

10.1.3. To any person upon request and upon the payment of a reasonable prescribed fee; and

10.1.4. To the Information Regulator upon request.

11. UPDATING OF THE PAIA MANUAL

The head of Pulsator Lures (Pty) Ltd will review the PAIA Manual periodically and update the PAIA Manual if required.

Issued by



Rolande Petro-Nell Swemmer

Director