

MANUAL IN TERMS OF SECTION 51 OF THE PROMOTION TO ACCESS TO INFORMATION ACT 2/2000 ("THE ACT")

RANDGRO INVESTMENTS CC CC t/a REMAX RANDGRO REGISTRATION NUMBER: 1986/005880/23

OFFICES:

45 LAKEFIELD AVENUE, LAKEFIELD, BENONI, 1500

OFFICE TELEPHONE:

011 306 6600

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1. BACKGROUND TO THE PROMOTION OF ACCESS TO INFORMATION ACT

- 1.1 The Promotion of Access to Information Act, No 2 of 2000 ("the Act") was enacted on 3 February 2000, giving effect to the constitutional right in terms of section 32 of the Bill of Rights contained in the Constitution of the Republic of South Africa 108 of 1996 ('the Constitution") of access to any information held by the state or any information that is held by another person and that is required for the exercise or protection of any rights.
- 1.2 In terms of Section 51 of the Act, all Private Bodies are required to compile an Information Manual.
- 1.3 Where a request is made in terms of the Act, the body to whom the request is made is obliged to release the information, subject to applicable legislative and/or regulatory requirements except where the Act expressly provides that the information may or must not be released.
- 1.4 The Act sets out the relevant procedures to be adopted when such an information request is received by REMAX RANDGRO.
- 1.5 This PAIA Manual is intended to ensure that REMAX RANDGRO complies with the Act and to foster a culture of transparency and accountability within REMAX RANDGRO by giving effect to the right to information.

- 1.6 Section 9 of the Act recognizes that the right to access information cannot be unlimited and should be subject to justifiable limitations, including but not only:
 - 1.6.1 limitations aimed at the reasonable protection of privacy (refer the POPIA Data Privacy Policy at their Benoni office);
 - 1.6.2 commercial confidentiality; and
 - 1.6.3 effective and efficient governance and in a manner which balances that right with other rights.
- 1.7 In addition, this PAIA Manual complies with the requirements set out in Section 10 of the Act and recognizes that, upon commencement of the Protection of Personal Information Act 4 of 2013, the appointed Information Regulator will be responsible to regulate compliance with the Act.

2. OVERVIEW OF THE SERVICE OFFERED BY REMAX RANDGRO

2.1

REMAX RANDGRO is a real estate business which operates in the East Rand area and specialises in the sale and rental of residential properties.

3. CONTACT DETAILS (Section 51 (1) (a))

Managing Member

MARIKA GROVE

Email address: marika.grove@remax-randgro.co.za

Postal Address:45 Lakefield Avenue, Lakefield, Benoni, 1500Street Address:45 Lakefield Avenue, Lakefield, Benoni, 1501

Information Officer:

LILIAN JOOSTE

Email address: <u>lilian@remax-randgro.co.za</u>

Postal Address:45 Lakefield Avenue, Lakefield, Benoni, 1500Street Address:45 Lakefield Avenue, Lakefield, Benoni, 1501

Communications Officer:

LILIAN JOOSTE

Email address: <u>lilian@remax-randgro.co.za</u>

Postal Address:45 Lakefield Avenue, Lakefield, Benoni, 1500Street Address:45 Lakefield Avenue, Lakefield, Benoni, 1501

This PAIA Manual of REMAX RANDGRO is available to view at its premises: 45 LAKEFIELD AVENUE, LAKEFIELD, BENONI, 1501 and in compliance with the Act, is available from its website together with Forms 2 and 3.

4. INFORMATION OFFICER

The Act prescribes the appointment of an Information Officer where such Information Officer is responsible, inter alia, to assess requests for access to information. Unless otherwise stipulated, the Information Officer appointed in terms of that Act herein will also be the appointed Information Officer as referred to in the Protection of Personal Information Act 4 of 2013. The Information Officer therefore oversees the functions and responsibilities as required in terms of both this Act as well as the duties and responsibilities in terms of Section 55 of POPIA 2013.

LILIAN JOOSTE

Email address: <u>lilian@remax-randgro.co.za</u>

Postal Address:45 Lakefield Avenue, Lakefield, Benoni, 1500Street Address:45 Lakefield Avenue, Lakefield, Benoni, 1501

5. THE ACT AND SECTION 10 GUIDE

- 5.1 The South African Human Rights Commission has compiled the Guide as required in terms of Section 10 of the Act.
- 5.2 Requestors are referred to the Guide in terms of Section 10 which will contain information for the purposes of exercising their 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

5.3 Requests in terms of the ACT 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 the Act.

6. REQUEST PROCEDURES AND FACILITATION

6.1 <u>Procedural requirements:</u>

- 6.1.1 The requester must comply with all the procedural requirements contained in the Act relating to the request for access to a record.
- 6.1.2 The requester must complete the prescribed form enclosed hereto and submit same as well as payment of the required fee/s and a deposit if applicable to the Information Officer at the postal or physical address, fax number or electronic mail address as noted in clause 5 above;
- 6.1.3 The prescribed form must be completed with sufficient information to enable the Information Officer to identify:
 - 6.1.3.1 The record/records requested;
 - 6.1.3.2 The identity of the requester;
 - 6.1.3.3 The rights based on which the requester is requesting the information or copies of documents.
- 6.1.4 Which form of access is required and supply the postal or physical address to which the information or copies are to be sent and/or the fax number or electronic mail address of the requester;
- 6.1.5 REMAX RANDGRO will process the request within a period of 30 (thirty) business days from the date of receipt of the request unless the requester has stated special reasons acceptable to the Information Officer for the information to be delivered sooner;

- 6.1.6 The Information Officer shall advise the requester whether access is granted or denied in respect of the request and such notice shall be in writing.
- 6.1.7 Unless the requester requests reasons for a decision, the Information Officer shall not be obliged to supply such reasons;
- 6.1.8 The above request should be made by the requester him/herself but in the event that the request is made on behalf of someone else, then proof of the authorization must accompany the initial request to the Information Officer;
- 6.1.9 The required fees must be paid before any further processing can take place;
- 6.1.10 The Information Officer's response may be delayed if it is found that information required from the requester is outstanding on the request and will remain delayed until the required information is provided. The prescribed time periods will not commence until the requester has furnished all the necessary and required information.

6.2 <u>Refusal of Access to Records</u>

- 6.2.1 The main grounds on which REMAX RANDGRO may refuse a request for information relate to:
 - 6.2.1.1 The mandatory protection of privacy of a third party who is a natural or deceased person, or a juristic person as precluded by the POPIA 4 of 2013;
 - 6.2.1.2 The mandatory protection of the commercial information of a third party if the records contain trade secrets, financial/commercial/scientific or technical information which may cause harm to such third party if disclosed;
 - 6.2.1.3 The mandatory protection of confidential information it if is protected in terms of an agreement;
 - 6.2.1.4 The mandatory protection of records which would be regarded as privileged in legal proceedings.
- 6.2.2 The commercial activities of REMAX RANDGRO;
- 6.2.3 Customer information of REMAX RANDGRO;
- 6.2.4 Financial and Customer information where harm may be caused to the company;
- 6.2.5 Information which, if disclosed, may put REMAX RANDGRO at a disadvantage;
- 6.2.6 Any software or hardware or any computer program to which REMAX RANDGRO has copyright;
- 6.2.7 Requests which are clearly frivolous or vexatious and which divert from usual resources;
- 6.2.8 Each request for information will be assessed by REMAX RANDGRO's Information Officer on its own merits and in accordance with reasonable and applicable legal principles.
- 6.3 Lost records
 - 6.3.1 If a requested record cannot be found or if the record does not exist, the Information Officer shall make an affidavit or other acceptable declaration to such effect notifying the requester that it is not possible to give access to the request.
- 6.4 Additional to the Act, the <u>www.sahrc.org.za</u> website provides guidance and details to request information or lodge an appeal.

7 PRESCRIBED FEES

- 7.1 The Act refers to two types of fees, namely the request fee which is a form of administration fee payable by all requesters except personal requesters and the access fee which is payable by all requesters, in the event that the request is granted. This fee includes the costs of obtaining and preparing a record for delivery to the requester. A summary of all PAIA fees is set out in Clause 7.5 and Clause 7.6. Prescribed Form C which is also available from the SAHRC's website at <u>www.sahrc.org.za</u>.
- 7.2 The following applies to requests (other than personal requests):
 - 7.2.1 A requestor is required to pay the prescribed request fees (R50.00, as specified by the SAHRC) before a request will be processed;
 - 7.2.2 If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted);
 - 7.2.3 A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit;
 - 7.2.4 Records may be withheld until the fees have been paid.
- 7.3 If the search for the record has been made and the preparation of the record for disclosure together with arrangements to make the record available, requires more than the hours prescribed in the regulations for this purpose, the Information Officer shall notify the requester to pay, as a deposit, the prescribed portion of the fee.
- 7.4 If a request is declined, any deposit paid by the requester must be refunded to such requester.

7.5 <u>REPRODUCTION FEES</u>

Information in an A4 size page photocopy or part thereof	R2.00
A printed copy of an A4 size page or part thereof	R2.00
A copy in computer readable format – Stiffy	
disk, Compact disk, USB flash drive	R70.00
A transcription of visual images, in an A4 size page or part thereof	R40.00
A copy of a visual image	R60.00
A transcription of an audio record for an A4 size page or part thereof	R20.00
A copy of audio record	R30.00

7.6 ACCESS FEES

Information in an A4 size page photocopy or part thereof	R2.00
A printed copy of an A4 size page or part thereof	R2.00
A copy in computer readable format – Stiffy	
disk, Compact disk, USB flash drive	R70.00
A transcription of visual images, in an A4 size page or part thereof	R40.00
A copy of a visual image	R60.00
A search for a record that must be disclosed:	
**** per hour or part of an hour reasonable required for such search	R30.00
A copy of audio record	R30.00

7.7 BANK ACCOUNT DETAILS FOR PURPOSES OF PAYMENT/S:

ACCOUNT NAME	
BANKING INSTITUTION	
ACCOUNT NUMBER	
BANK BRANCH	
PAYMENT REFERENCE	

8 INFORMATION AUTOMATICALLY AVAILABLE

8.1

- The following records are automatically available to all agents and employees and need not be requested in accordance with the procedure outlined in paragraph 6:
- 8.1.1 Personnel records particular to the employee whose file it is;
- 8.1.2 Records of disciplinary hearings and related matters are available to the employee concerned;
- 8.1.3 REMAX RANDGRO's policies and procedures manuals;

INFORMATION AVAILABLE IN TERMS OF THE ACT ON APPLICATION

- 9.1 Requestors are not automatically allowed access to these records listed as proprietary or confidential hereunder and access to them may or must be refused by the firm in accordance with sections 62 to 69 of The Act. These records are not automatically available without a request in terms of the Act.
- 9.2 A request in terms of this section is subject to section 63(1) of the Act, which provides that the firm may refuse a request for access to a record of the company if the disclosure of the record would involve the unreasonable disclosure of personal information about a third party including a deceased individual.

TYPE OF RECORDS	DETAILED EXAMPLES	CLASSIFICATION	
BUSINESS ACCOUNTING RECORDS	 Annual financial statements and working papers General ledger Bank statements, cheque books, cheques Customer and supplier statements and invoices Deposit slips Cash books and petty cash books Fixed asset register Tax returns and assessments VAT returns 	PROPRIETARY	

			Γ
		Lease or instalment sale agreements	
		Budgets and business plans	
		Insurance records	
		Auditor's reports	
		Internal auditors' reports	
		Compiler's reports	
		Accounting officer's reports	
		Reviewer's reports	
		Inventory records (including stock take)	
		Systems documentation	
		Management reviews	
		Capital expenditure	
		Record of assets	
		Record of liabilities	
		Record of loans to related parties	
		Record of liabilities and obligations	
		Record of property held	
		Record of property heid	
		Record of expenses	
CREDIT AGREEMENTS		Credit Provider's documents	PROPRIETARY
FIXED PROPERTY		Leases	PROPRIETARY
		Mortgage bonds or other encumbrances	
		Title deeds	
INFORMATION TECHNOLOGY AND		Hardware	PROPRIETARY
SYSTEMS		Internet	
		Software packages	
		Telephone exchange equipment	
		Telephone lines, leased lines and data lines	
PROFESSIONAL AND OTHER INSURANCE		Claim records	PROPRIETARY
I KOLESSIONAL AND OTTER INSURANCE		Details of coverage, limits and insurers	
		Insurance policies	
LEGAL AGREEMENTS		Contracts with clients	
		Contracts with employees	
		Contracts with external service providers	
		Contracts with suppliers with shareholders, officers	
		or managing members	
	_	Disciplinger une source	
PERSONELL RECORDS (HUMAN RESOURCES)		Disciplinary records Employee information records	
RESOURCES)		Employee remuneration	
		Employee applications	
		Employee date of birth	
		Employment contracts	
		IRP5 and IT3 certificates	
		Letters of employment	
		Leave applications	
		Maternity leave policy	
		Payroll	
		Particulars of each employee	
		Personnel file	
		Recruitment and appointments	
		Salary and wage registers/records	
		Tax returns of agents and employees	
		Training and development	
		LIE PAYE and SDL rations	
		UIF, PAYE and SDL returns	

	F	Recruitment and appointments	
MARKETING		Newsletters Service and product information Client onboarding details Marketing agreements Debt Acknowledgement nvoices, Credit notes, C-notes	PROPRIETARY
INTELLECTUAL PROPERTY		emplates Digital and physical publications nternal and External Compliance Policies	CONFIDENTIAL
STATURORY COMPANY RECORDS		Annual Statutory Returns Certificate of Change of Name Certificate of Incorporation Certificate to Commence Business Dividend register Managing Members' attendance register Memorandum and Articles of Association Notice and minutes of shareholders' meetings Minutes of Managing Members' meetings Proxy documents Resolutions Shareholders' agreements Shareholders' register	PROPRIETARY
ΤΑΧ		ncome tax returns Provisional tax returns Tax assessments /AT documents	PROPRIETARY
THIRD PARTIES	o III o III o III o III c o III c o III c c c c c c	Section 71 of PAIA makes provision for a request or information or records about a third party. In considering such a request, THE BUSINESS will adhere to the provisions of sections 71 to 74 of he Act. In certain circumstances, THE BUSINESS will be obliged to advise third parties of requests lodged in respect of information applicable to or concerning such third parties. In addition, the provisions of Chapter 2 of Part 4 of PAIA entitle third parties to dispute the decisions of the head of the company or the equest liaison officer by referring the matter to he High Court.	CONFIDENTIAL

10 INFORMATION REQUESTED ABOUT A THIRD PARTY

- 10.1 Section 71 of the Act makes provision for a request for information or records about a third party.
- 10.2 In considering such a request, the firm will adhere to the provisions of sections 71 to 74 of the Act.
- 10.3 The attention of the requester is drawn to the provisions of Chapter 5 of Part 3 of the Act in terms of which the firm is obliged, in certain circumstances, to advise third parties of requests lodged in respect of information applicable to or concerning such third parties.

10.4 In addition, the provisions of Chapter 2 of Part 4 of the Act entitle third parties to dispute the decisions of the firm by referring the matter to the High Court.

11 UPDATING OF MANUAL

- 11.1 REMAX RANDGRO may update this manual annually or at such intervals as may be necessary.
- 11.2 PAIA Manual of REMAX RANDGRO is available to view at its premises 45 Lakefield Avenue, Lakefield, Benoni, 1500 together with Forms 2 and 3.

12 SIGNATURES

This PAIA Manual of REMAX RANDGRO is approved and signed by the Information Officer on this 30 day of JUNE 2025 at BENONI.

DEFINITIONS

- 1. In this document, clause headings are for convenience and shall not be used in its interpretation unless the context clearly indicates a contrary intention
 - 1.1 an expression which denotes
 - 1.2 any gender includes the other genders;
 - 1.3 a natural person includes an artificial or juristic person and vice versa;
 - 1.4 the singular includes the plural and vice versa;
 - 1.5 the following expressions shall bear the meanings assigned to them below and cognate expressions bear corresponding meanings –
 - 1.6 "this document" this document together with all of its annexures, as amended from time to time;
 - 1.7 "the company" REMAX RANDGRO;
 - 1.8 "the Act" Promotion of Access to Information Act No. 2 of 2000 and any reference to any statute, regulation or other legislation shall be a reference to that statute, regulation or other legislation as at the signature date, and as amended or substituted from time to time;
- if any provision in a definition is a substantive provision conferring a right or imposing an obligation on any party then, notwithstanding that it is only in a definition, effect shall be given to that provision as if it were a substantive provision in the body of this document;
- 3. where any term is defined within a particular clause other than this, that term shall bear the meaning ascribed to it in that clause wherever it is used in this document;
- 4. where any number of days is to be calculated from a particular day, such number shall be calculated as excluding such particular day and commencing on the next day. If the last day of such number so calculated falls on a day which is not a business day, the last day shall be deemed to be the next succeeding day which is a business day;
- 5. any reference to days (other than a reference to business days), months or years shall be a reference to calendar days, months or years, as the case may be;
- 6. the use of the word "including" followed by a specific example/s shall not be construed as limiting the meaning of the general wording preceding it and the *eiusdem generis* rule shall not be applied in the interpretation of such general wording or such specific example/s;

- 7. insofar as there is a conflict in the interpretation of or application of this document and the Act, the Act shall prevail;
- 8. this document does not purport to be exhaustive of or comprehensively deal with every procedure provided for in the Act. A requester is advised to familiarise his/her/itself with the provisions of the Act before lodging any request with the company.
- 9. PAIA gives a **requester** the right to lodge a request for information with the Information Officer of a **private body**.
- 10. A **private body** is defined as follows in PAIA:
 - 10.1 a natural person who carries or has carried on any trade, business or profession, but only in such capacity
 - 10.2 a partnership which carries or has carried on any trade, business or profession; or
 - 10.3 any former or existing juristic person
- 11. PAIA defines the **head of a private body** as: "the chief executive officer or equivalent officer of the juristic person or any person duly authorized by that office...."

12. A **requester** means:

- 12.1 any person, including, but not limited to, a public body or an official thereof, making a request for access to a record of that private body; or
- 12.2 a person acting on behalf of the person contemplated in subparagraph 2.13.1.

ADDENDUM A: FORM 2

Also available from the SAHRC's website at <u>www.sahrc.org.za</u>.

R	QUEST FOR ACCESS TO [Regulation 7]	RECORD
	t <mark>be</mark> attached by the requester. behalf of another person, proof of such aut	horisation, must be attached to this
TO: The Information	Officer	
(Addre:	,	
E-mail address:		
Fax number: Mark with an "X"		
Request is mad	in my own name Request is PERSONAL INFORMATION	made on behalf of another person.
Full Names		
Identity Number		
Capacity in which request is made (when made on behalf of another person)		
Postal Address		
Street Address		
E-mail Address		
	Tel. (B):	csimile:
Contact Numbers	Cellular:	
Full names of person on whose behalf request is made (if applicable):		
Identity Number		
Postal Address		

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And Contract of Contracts				
E-mail Address				
Contact Numbers	Tel. (B)	F	acsimile	
	Cellular			
Provide full particulars that is known to you, to continue on a separate	of the record to which enable the record to	be located. (If the pr	I, including the refere ovided space is inade	quate, please
Description of record or relevant part of the record:				
Reference number, if available				
Any further particulars of record				
-	the second se	E OF RECORD plicable box with an	ראי	111
Record is in written or p	rinted form			
Record comprises virt computer-generated im		ides photographs, s	olides, video recordin	gs,
Record consists of reco		on which can be see	advand in sound	52.05
VECOLO COLLERED OF LECO	rueu wurus or inionnal	ou which can be rep	ouuceu in sound	

FORM OF ACCESS

(Mark the applicable box with an "X")

Printed copy of record (including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)

Written or printed transcription of virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)

Transcription of soundtrack (written or printed document)

Copy of record on flash drive (including virtual images and soundtracks)

Copy of record on compact disc drive(including virtual images and soundtracks)

Copy of record saved on cloud storage server

MANNER OF ACCESS

(Mark the applicable box with an "X")

Personal inspection of record at registered address of public/private body (including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)

Postal services to postal address

Postal services to street address

Courier service to street address

Facsimile of information in written or printed format (including transcriptions)

E-mail of information (including soundtracks if possible)

Cloud share/file transfer

Preferred language

(Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available)

PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED

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

Indicate which right is to be exercised or		
protected		

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

	FEES			
a) b) c) d)	A request fee must be paid before the request will be considered. You will be notified of the amount of the access fee to be paid. 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. If you qualify for exemption of the payment of any fee, please state the reason for exemption			
Reas	on			

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

Postal address	Facsimile	Electronic communication (Please specify)		
Signed at	this	day of	20	_

Signature of Requester / person on whose behalf request is made

FOR OFFICIAL USE

Reference number:	
Request received by: (State Rank, Name And Surname of Information Officer)	
Date received:	
Access fees:	
Deposit (if any):	

Signature of Information Officer

ADDENDUM B: FORM 3

Also available from the SAHRC's website at <u>www.sahrc.org.za</u>.

FORM 3 OUTCOME OF REQUEST AND OF FEES PAYABLE

[Regulation 8]

Note:

- 1. If your request is granted the-
 - (a) amount of the deposit, (if any), is payable before your request is processed; and
 - (b) requested record/portion of the record will only be released once proof of full payment is received.

Reference number:

2. Please use the reference number hereunder in all future correspondence.

0:		 	
			_
			-

Your request dated _____, refers.

You requested:

Personal inspection of information at registered address of public/private body (including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form) is free of charge. You are required to make an appointment for the inspection of the information and to bring this Form with you. If you then require any form of reproduction of the information, you will be liable for the fees prescribed in Annexure B.

You requested:

OR

2
C (C
8 8

3. To be submitted:

Postal services to postal address	8 8
Postal services to street address	8
Courier service to street address	
Facsimile of information in written or printed format (including transcriptions)	5 8
E-mail of information (including soundtracks if possible)	8 8
Cloud share/file transfer	
Preferred language:	4 - A
(Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available)	

Kindly note that your request has been:

Approved

Denied, for the following reasons:

4. Fees payable with regards to your request:

Item	Cost per A4-size page or part thereof/item	Number of pages/items	Total
Photocopy		1 2	
Printed copy			
For a copy in a computer-readable form on: (i) Flash drive • To be provided by requestor (ii) Compact disc • If provided by requestor • If provided to the requestor	R40.00 R40.00 R60.00		
For a transcription of visual images per A4-size page	Service to be outsourced. Will		
Copy of visual images	depend on the quotation of the service provider		
Transcription of an audio record, per A4-size	R24.00	1	
Copy of an audio record (i) Flash drive • To be provided by requestor (ii) Compact disc • If provided by requestor • If provided to the requestor	R40.00 R40.00 R60.00		
Postage, e-mail or any other electronic transfer:	Actual costs		
TOTAL:			

5. Deposit payable (if search exceeds six hours):

Yes	No		
Hours of search	Amount of deposit (calculated on one third of total amount per request)		

The amount must be paid into the following Bank account:

Name of Bank: Name of account holder: Type of account: Account number: Branch Code: Reference Nr: Submit proof of payment to:			
Signed at	this	day of	20
Information officer			