



# **PAIA MANUAL 2021**

**DATE OF COMPILATION: 29/09/2021**  
**DATE OF REVISION: 28/10/2021**



## LIST OF ACRONYMS AND ABBREVIATIONS

<b>“DIO”</b>	Deputy Information Officer;
<b>“Guide”</b>	Guide on how to use the Promotion of Access to Information Act No.2 of 2000 as amended
<b>“IO“</b>	Information Officer;
<b>“Manual”</b>	Promotion of Access to Information Act Manual;
<b>“Minister”</b>	Minister of Justice and Correctional Services;
<b>“NAMC”</b>	National Agricultural Marketing Council
<b>“PAIA”</b>	Promotion of Access to Information Act No.2 of 2000 as amended;
<b>“POPIA”</b>	Protection of Personal Information Act No.4 of 2013;
<b>“Regulator”</b>	Information Regulator;;
<b>“Republic”</b>	Republic of South Africa;
<b>“SA Olive”</b>	The South African Olive Industry Association NPC

### 1. INTRODUCTION

- 1.1 The South African Olive Industry Association (“SA Olive”) Promotion of Access to Information Act Manual (“Manual”) is published in terms of Section 51 of the Promotion of Access to Information Act, No. 2 of 2000 (“PAIA”) and section 23 -25 of the Protection of Personal Information Act No.4 of 2013 (“POPIA”).
- 1.2 PAIA gives effect to the provisions of Section 32 of the Constitution, which provides for the right of access to information. This is information held by the State but also information held by any another person. A person that is entitled to exercise a right or who needs information for the protection of any right, is entitled to access that information, subject to certain restraints.
- 1.3 Section 51 of PAIA creates a legal right to access records (as defined in section 1 of PAIA) of a private body (both natural and juristic), however this right may be negated in circumstances as set out under Chapter 4 of Part 3 of PAIA. In addition, in compliance with POPIA a responsible party who processes personal information must notify the person to whom personal information relates (“Data Subject”) of the manner in which the Data Subject can access their personal information held by the responsible.

## 2. PURPOSE OF PAIA MANUAL

- 2.1. The purpose of this Manual is to facilitate requests for access to records of SA Olive.
- 2.2. A person requesting access to records (“the Requester”) from SA Olive is advised to familiarise themselves with the provisions of PAIA before making any requests to SA Olive in terms of PAIA.
- 2.3. Where this Manual does not deal with a procedure provided for in PAIA, the Requester or any other interested party is to look at the Act for guidance in relation thereto.
- 2.4. SA Olive makes no representation and gives no undertaking or warranty that any record provided by it to a Requester is complete or accurate, or that such record is fit for any purpose. All users of such records shall use such records entirely at their own risk, and SA Olive shall not be liable for any loss, expense, liability or claims, howsoever arising, resulting from the use of this Manual or of any record provided by SA Olive or any error therein.
- 2.5. All users and Requesters irrevocably agree to submit to the law of the Republic of South Africa and to the exclusive jurisdiction of the Courts of South Africa in respect of any dispute arising out of the use of this Manual or any records provided by SA Olive.

## 3. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF SA OLIVE

### 3.1. Chief Information Officer

Name: Vittoria Jooste (Executive Director)  
Tel: 021 2018506 / 083 3890565  
Email: [manager@saolive.co.za](mailto:manager@saolive.co.za)

### 3.2. Deputy Information Officer

Name: Arend Hofmeyr (Non-Executive Director)  
Tel: 021 8652157 / 082 3334167  
Email: [arend.hofmeyr@gmail.com](mailto:arend.hofmeyr@gmail.com)

### 3.3 Access to information general contacts

Email: [info@saolive.co.za](mailto:info@saolive.co.za)

**3.4 Head Office**

Postal Address: PO BOX 4, ELSENBURG 7607  
 Physical Address: 4A, THE COURTYARD  
 KLEIN JOOSTENBERG FARM  
 R304 MULDERSVLEI 7607  
 Telephone: 021 201 8506  
 Email: [info@saolive.co.za](mailto:info@saolive.co.za)  
 Website: [www.saolive.co.za](http://www.saolive.co.za)

**4. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE**

- 4.1. The Regulator has, in terms of section 10(1) of PAIA, as amended, updated and made available the revised Guide on how to use Promotion of Access to Information Act No.2 of 2000 as amended (“Guide”).
- 4.2. The Guide may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.
- 4.3. The Guide may be requested from SA Olive using [Form 01](#) (attached hereto as Annex A).
- 4.4. The Guide may be requested from the Regulator using [Form 01](#) (attached hereto as Annex B).

**5. CATEGORIES OF RECORDS OF SA OLIVE WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS**

Category of Records	Types of Records	Available on Website
Accredited Laboratories	Business names and contact details	X
Award Winners	Business names and contact details	X
CTC Scheme Participants	Business names and contact details	X
Registered Nurseries	Business names and contact details	X

**6. RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION**

The following legislation creates the obligation for SA Olive to keep certain records:

- Basic conditions of Employment No. 75 of 1997
- Broad Based Black Economic Empowerment Act No. 53 of 2003
- Companies Act No. 71 of 2008
- Consumer Protection Act No. 68 of 2008
- Copyright Act No.98 of 1978
- Electronic Communication and Transaction Act No. 25 of 2002
- Employment Equity Act No. 55 of 1998
- Income Tax Act No. 95 of 1967
- Insolvency Act No. 24 of 1936
- Labour Relations Act No. 66 of 1955
- Marketing of Agricultural Products Act No. 47 of 1996
- National Credit Act No. 34 of 2005
- Occupational Health and Safety Act No. 85 of 1993
- Skills Development Act No. 97 of 1998
- Unemployment Insurance Act No. 63 of 2001
- Value Added Tax Act No. 89 of 1991

Such records will be made available to only those individuals/entities authorised to request access to such records in terms of the particular legislation. Any other persons must follow the request for access of records procedure as outlined in this Manual.

**7. SUBJECTS AND CATEGORIES OF RECORDS HELD BY SA OLIVE**

A description of the subjects on which SA Olive holds records and the categories of the records held by each subject can be found below.

<b>Subjects on which SA Olive holds records</b>	<b>Categories of records</b>
Companies Act Records	Documents of Incorporation; Memorandum of Incorporation; Minutes of Board of Directors Meetings; AGM Minutes; Appointment of directors/auditors/secretary and other officers; Codes of Conduct; Policies; B-BBEE Affidavits; Legal Compliance Records

Subjects on which SA Olive holds records	Categories of records
Finance and Accounting	Accounting Records; Annual Financial Statements; Asset Registers; Auditors' Report; Detail of Auditors; Electronic Banking Records; Bank Statements; Invoices; Rental Agreements; Tax Returns
Income Tax Records	Documents issued to employees; PAYE Records; Records of payments made to SARS on behalf of employees; VAT Clearance Certificates All other statutory compliances: - Value Added Tax - Skills Development Levies - Unemployment Insurance Fund
Personnel Records	Personal information such as name, contact details, work experience, educational history, race, gender; Employment Contracts; Correspondence; Attendance Registers; Disciplinary Records; Employment Equity Records; Leave Records; Salary Records; SETA Records
NAMC Records	Annual Questionnaires; Annual Reports; Statutory Levy Applications
Strategic Documents	Industry Development Plan; Production information
R&D Records	Research programmes; Researchers names and contact details; Progress reports
Supplier Records	Company and contact details of relevant individuals; Description of goods or services; Service agreements; Invoices; Receipts
Members Records	Personal information such as name, contact details; Company contact details; Application forms; Statutory returns; Correspondence; Website login profiles; Invoices; Receipts
Training and Development	Delegates personal information such as names, contact details, attendance records, feedback forms; Training Manuals; Training Records; Trainers profiles
Competitions and Events	Attendees personal information such as name and contact details; Entry forms, results; Production information

Subjects on which SA Olive holds records	Categories of records
Insurance Records	General Insurance; Directors and Officers Insurance
Electronic Communication and Transactions Records	Records pertaining to of the specific purpose of the communications or transactions

## 8. PROCESSING OF PERSONAL INFORMATION

### 8.1 Categories of Data Subjects and Personal Information relating thereto

Categories of Data Subjects	Personal Information that may be processed
Members	Juristic persons: Company or close corporation identity/registration number and name, business logo, personal/business email addresses, physical and postal address, VAT registration number, telephone number and location information.  Natural persons: Identity number, full name, email addresses, physical and postal address, VAT registration number, telephone number and location information.
Employees	Identity number, full name, email addresses, physical and postal address, telephone number, education records, banking details, private and confidential correspondence.
Service Providers	Company or close corporation identity/registration number and name, business logo, personal/business email addresses, physical and postal address, VAT registration number, telephone number and location information, banking details.

### 8.2 Purpose of Processing Personal Information

#### 8.2.1 Personal information pertaining to members of SA Olive

SA Olive requires the information collected from its members to provide them with the support and services they require. SA Olive processes the information necessary to accomplish this. SA Olive may make some of this information available



to operators to ensure that the services are provided to the very best of SA Olive's abilities and to the highest standards. All operators will sign documentation confirming that personal information received from SA Olive is to be used solely to the purpose for which it is given to them. Such operators are prohibited from further processing the personal information given to them and will confirm that they have systems in place that make sure that they comply with the requirements of POPIA.

#### **8.2.2 Personal information pertaining to employees of SA Olive**

SA Olive is committed to good governance and compliance. No personal information in respect of any employees will be used for any other reason besides what it is provided for. Any staff database kept by SA Olive will be for the purpose of managing the employment relationship between SA Olive and its employees only. No personal information pertaining to any employee will be provided to any third person unless in accordance with POPIA, any relevant Labour Law legislation or with the express consent of the employee.

#### **8.2.3 Personal information pertaining to service providers of SA Olive**

SA Olive requires the information collected from third party service providers that are both natural and juristic persons in order to do business with them. SA Olive takes its compliance obligations very seriously and requires the information to be processed in order to conclude agreements regarding the relationship between SA Olive and its service providers, many of whom may be operators as defined in the POPIA. SA Olive may make this information available to other operators to ensure that their services are provided to the highest standards for its customers. All operators will sign documentation confirming that personal information received from SA Olive is to be used solely to the purpose for which it is given to them. Such operators are prohibited from further processing the personal information given to them and will confirm that they have systems in place that make sure that they are compliant with the requirements of POPIA.

### **8.3 Provision of personal information to recipients other than operators**

SA Olive will not reveal personal information to anyone outside SA Olive unless:

- It is compelled to comply with legal and regulatory requirements or when it is otherwise allowed by law;
- It is in the public interest;
- SA Olive needs to do so to protect their rights

SA Olive endeavours to take all reasonable steps to keep secure any information which they hold about an individual, and to keep this information accurate and up to date. If at any time, an individual discovers that information gathered about them is incorrect, they may contact SA Olive to have the information corrected. Where

information has been disclosed to employees of SA Olive, SA Olive has agreements in place to ensure compliance with confidentiality and privacy conditions.

SA Olive recognises the importance of protecting the privacy of information collected about individuals, in particular personal information.

#### **8.4 Transborder flows of personal information**

SA Olive will not transmit personal information internationally, unless consent has been obtained, or it is necessary to perform SA Olive's contractual obligations, and it benefits SA Olive's customers or third party service providers. If personal information is transmitted internationally, SA Olive will ensure that it is subject to data protection laws that are substantially similar to POPIA.

#### **8.5 Information Security Measures implemented to ensure the confidentiality, integrity and availability of the information**

Personal information is stored both electronically and in hard copy in SA Olive's filing system(s). Electronic information is encrypted and stored on a hard drive which is protected by anti-virus and anti-malware solutions, and backed up to a cloud-based system. Personal information is not deliberately saved on tablets or smartphones.

SA Olive has physical and electronic data security policies; these policies are internal and not available to the public save where SA Olive is forced to make same available in terms of law so as to protect the information held by SA Olive.

#### **8.6 Access to Personal Information**

SA Olive members, employees and third parties have the right to access the personal information SA Olive holds about them.

SA Olive will take all reasonable steps to confirm the identity of the requester before providing details of their personal information or making changes to their personal information. If SA Olive duly and diligently searches for a record and it is believed that the record either does not exist or cannot be found, the requester will be notified accordingly. This notification will include the steps that were taken the attempt to locate the record.

Any SA Olive members, employees or third parties who want access to any information held by SA Olive must follow the procedural requirements in terms of section 53 of PAIA. The prescribed [Form 02: Request for Access to Record](#) (attached hereto as Annexure C) must be completed and returned to the SA Olive Information Officer.

When completing Form 02, the following must be made clear to SA Olive:

- The personal information of the requestor
- The particulars of the record requested

- The type of record requested
- The form of access
- The manner of access
- The particulars of the right to be exercised or protected

SA Olive reserves the right to charge a fee for the request to access of information held by SA Olive.

### **8.7 Refusal of access to information**

SA Olive is entitled to refuse the access to records based on any of the grounds as provided for in Chapter 4 of PAIA. The main grounds of refusal SA Olive may rely on include;

- Mandatory protection of the privacy of a third person who is a natural person
- Mandatory protection of commercial information of a third party
- Mandatory information of certain confidential information of a third party
- Mandatory protection of the safety of individuals and protection of property
- Mandatory protection of records privileged from legal proceedings
- Commercial information of private body
- Mandatory protection of research information of third party and protection of research information of private body

## **9. AVAILABILITY OF THE MANUAL**

9.1 A copy of the Manual is available

9.1.1 on SA Olive's website: [www.saolive.co.za](http://www.saolive.co.za);

9.1.2 at the office of SA Olive for public inspection during normal business hours;

9.1.3 to any person upon request and upon the payment of a reasonable prescribed fee; and

9.1.4 to the Information Regulator upon request.

9.2 A fee for a copy of the Manual, as contemplated in annexure B of the Regulations, shall be payable per each A4-size photocopy made.

## **10. UPDATING OF THE MANUAL**

This manual will be updated by SA Olive on a regular basis and if material changes occur.

*Issued by*



*Vittoria Jooste*

*Chief Executive Officer, SA Olive*

*26 November 2021*

**ANNEX A**

**FORM 1**

**REQUEST FOR A COPY OF THE GUIDE**

[Regulations 3]

**TO:** The Information Officer

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I,

Full names:			
In my capacity as (mark with "x"):	Information officer		Other
Name of *public/private body (if applicable)			
Postal Address:			
Street Address:			
E-mail Address:			
Facsimile:			
Contact numbers:	Tel.(B):		Cellular:

Hereby request the following copy (ies) of the Guide:

Language (mark with "X")	No of copies	Language(mark with "X")	No of copies
Sepedi		Sesotho	
Setswana		siSwati	
Tshivenda		Xitsonga	
Afrikaans		English	
isiNdebele		isiXhosa	
isiZulu			

Manner of collection (mark with "x"):

Personal collection	Postal address	Facsimile	Electronic communication (Please specify)

Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
Signature of requester

**ANNEX B**



**INFORMATION  
REGULATOR  
(SOUTH AFRICA)**

*Ensuring protection of your personal information  
and effective access to information*

Address: JD House, 27 Stiemens Street  
Braamfontein, Johannesburg, 2001  
P.O. Box 31533  
Braamfontein, Johannesburg, 2017  
Tel: 010 023 5200  
Email: [PAIACompliance.IR@justice.gov.za](mailto:PAIACompliance.IR@justice.gov.za)

**REQUEST FOR A COPY OF THE GUIDE**

**FORM 1**

**[Regulation 2]**

I,

Full names:			
In my capacity as (mark with "x"):	Information officer		Other
Name of *public/private body (if applicable)			
Postal Address:			
Street Address:			
E-mail Address:			
Facsimile:			
Contact numbers:	Tel.(B):		Cellular:

hereby request the following copy(ies) of the Guide:

Language (mark with "X")	No of copies	Language (mark with "X")	No of copies
Sepedi		Sesotho	
Setswana		siSwati	
Tshivenda		Xitsonga	
Afrikaans		English	
isiNdebele		isiXhosa	
isiZulu			

Manner of collection (mark with "x"):

Personal collection	Postal address	Facsimile	Electronic communication (Please specify)

Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
Signature of requester

Adv. FDP Tlakula (Chairperson), Adv. LC Stroom Nzama (Full-time Member), Adv. JC Weapond (Full-time Member), Prof. SL Snail ka Mtuzi (Part-time Member), Ms. A Tilley (Part-time Member).

**ANNEX C**

**FORM 2**

**REQUEST FOR ACCESS TO RECORD**

[Regulation 7]

**NOTE:**

1. Proof of identity must be attached by the requester.
2. If requests made on behalf of another person, proof of such authorisation, must be attached to this form.

**TO:** The Information Officer


(Address)

E-mail address:

Fax number:

Mark with an "X"

- Request is made in my own name
  Request is made on behalf of another person.

PERSONAL INFORMATION		
Full Names		
Identity Number		
Capacity in which request is made <i>(when made on behalf of another person)</i>		
Postal Address		
Street Address		
E-mail Address		
Contact Numbers	Tel. (B):	
	Cellular:	
Full names of person on whose behalf request is made <i>(if applicable)</i> :		
Identity Number		
Postal Address		