

PAIA MANUAL

BURAQ PROPRIETARY LIMITED

Registration number: [To be inserted]

This manual has been prepared in accordance with Section 51 of the Promotion of Access to Information Act, No. 2 of 2000 ("the ACT" or "PAIA").

1. LIST OF ACRONYMS AND ABBREVIATIONS

1.1 "CEO"	Chief Executive Officer
1.2 "CIO"	Chief Information Officer
1.3 "IO"	Information Officer
1.4 "Minister"	Minister of Justice and Correctional Services
1.5 "PAIA"	Promotion of Access to Information Act No. 2 of 2000 (as Amended)
1.6 "POPIA"	Protection of Personal Information Act No. 4 of 2013
1.7 "Regulator"	Information Regulator
1.8 "Republic"	Republic of South Africa
1.9 "Buraq"	Buraq Proprietary Limited and its Affiliates

2. PURPOSE OF THE PAIA MANUAL

This PAIA Manual is useful for the public to:

- 2.1 Access all the relevant contact details of the Information Officer, who will assist the public with the records they intend to access;
- 2.2 Know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- 2.3 Check the categories of records held by Buraq which are available without a person having to submit a PAIA request;
- 2.4 Know the description of the records of Buraq which are available in accordance with any other legislation;
- 2.5 Check the description of records held by Buraq and the categories in which the records are classed;
- 2.6 Know if Buraq will process personal information and the purpose of processing of personal information;
- 2.7 Know if Buraq has planned to transfer or process personal information outside of the Republic;
- 2.8 Know whether Buraq has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed;
- 2.9 Have a sufficient understanding of how to make a request for access to a record of Buraq, by providing a description of the subjects on which Buraq holds records and the categories of records held on each subject;
- 2.10 Know the fee structure to request records;
- 2.11 Know the grounds for refusal to access to records; and
- 2.12 Know the procedure if records cannot be found or do not exist.

3. CONTACT DETAILS FOR ACCESS TO RECORDS

3.1 Information Officer

Name: Information Officer (To be appointed)

The CEO of Buraq Proprietary Limited has delegated the power of Head of Organisation for the purposes of the Act to the Information Officer, and for the purpose of this manual this person will be called the Information Officer.

3.2 Contact Information

Physical address: 292 Surrey Ave, Ferndale, Randburg, 2194, South Africa

Postal address: 292 Surrey Ave, Ferndale, Randburg, 2194, South Africa

Telephone: 079 531 8985

E-mail: info@buraq.co.za

4. THE GUIDE AS DESCRIBED IN SECTION 10 OF THE ACT

4.1 The Regulator is required by the Act to compile a guide to assist the public to understand the provisions of the Act, its objectives and how to make use of the provisions in the Act.

4.2 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.

4.3 The Guide may be obtained:

- 4.3.1 Upon request to the Information Officer; or
- 4.3.2 From the website of the Information Regulator: <https://inforegulator.org.za/paia-guidelines/>

5. THE LATEST NOTICE REGARDING THE CATEGORIES OF RECORDS OF BURQA, WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS IN TERMS OF THIS ACT IN TERMS OF SECTION 52(2)

Not applicable.

6. RECORDS WHICH ARE AVAILABLE FROM BURQA IN TERMS OF ANY OTHER LEGISLATION

Buraq holds the following records in accordance with the following legislation:

Legislation	Year
Administrative Adjudication of Road Traffic Offences Act	46/1998
Basic Conditions of Employment Act	75/1997
Broad Based Black Empowerment Act	53/2003
Companies Act	71/2008
Compensation for Occupational Injuries and Transactions Act	130/1993
Competition Act	89/1998
Consumer Protection Act	68/2008
Customs and Excise Act	91/1964
Electronic Communications and Transactions Act	25/2002
Employment Equity Act	55/1998
Financial Advisory and Intermediary Services Act	37/2002
Financial Intelligence Centre Act	38/2001
Financial Markets Act	19/2012
Financial Sector Regulations Act	9/2017
Income Tax Act	58/1962
Insurance Act	18/2017
Labour Relations Act	66/1995
National Credit Act	34/2005
National Environmental Management Act	107/1998
Occupational Health and Safety Act	85/1993
Pension Funds Act	2/1956
Prevention and Combatting of Corrupt Activities Act	12/2004
Prevention of Organised Crime Act	121/1998
Promotion of Access to Information Act	2/2000
Protected Disclosures Act	26/2000
Protection of Personal Information Act	4/2013

Regulation of Interception of Communications and Provisions of Communication Related Information Act	70/2002
Skills Development Act	97/1998
Skills Development Levies Act	9/1999
Tax Administration Act	28/2011
Unemployment Insurance Act	63/2001
Unemployment Insurance Contributions Act	2/2002
Value Added Tax Act	89/1991

7. DESCRIPTION OF THE RECORDS HELD BY BURAQ AND THE CATEGORIES IN WHICH THE RECORDS ARE CLASSSED

Buraq has the following records as a matter of standard practice:

7.1 Legal and Company Secretarial

- Company statutory documents, Registers, Minutes of meetings, Statutory returns, Powers of Attorney, Share certificates, Resolutions, Customer Agreements, Supplier Agreements, Litigation documents, Legal correspondence

7.2 Movable and Immovable Property

- Title Deeds, Certificate of Registration in respect of motor vehicles, Lease agreements, Hire agreements, Hire-purchase agreements, Credit sale agreements / finance agreements, Ordinary and conditional sale agreements

7.3 Intellectual Property

- Trademarks, Patents, Copyrights, Designs, Know-how, Licensing agreements

7.4 Insurance

- Policies, Insurance claim files

7.5 Human Resources

- Policies and procedures, Employee information, Personnel files, Agreements, Forms and applications, Standard letters and notices, Workplace and Union agreements and records, Benefit arrangements, rules and records

7.6 Finance

- Financial statements, Reports and returns, Banking details and bank account records, Debtors/creditors statements and invoices, Taxation: Income tax files, Value Added Tax documents, Financial statements

7.7 Operations

- Permits, licenses, consents, approvals, authorisations, applications and registrations, Policies and procedures, Reports and supporting documents, Contractor, client and supplier agreements and information, Security documents

7.8 Information Technology

- System documentation and manuals, Project, disaster recovery and implementation plans, Licensing documentation

7.9 Administration

- Correspondence with internal and external parties

7.10 Health & Safety

- Policies & Procedures, Recorded work-related incidents

8. PROCESSING OF PERSONAL INFORMATION

8.1 Purpose of Processing Personal Information

The purpose of processing Personal Information is documented in Buraq's Privacy Policy, which is available on Buraq's website <https://buraq.co.za/>, or upon request to the Information Officer.

8.2 Planned Transborder Flow of Personal Information

8.2.1 From time to time, Buraq and its service providers may need to transfer to and/or store Personal Information on servers in

jurisdiction other than where it was collected (i.e. outside of South Africa) and this serves as notification that such jurisdiction may not have comparable data protection legislation.

8.2.2 If the location to which Personal Information is transferred and/or is stored does not have substantially similar laws to those of South Africa, which provide for the protection of Personal Information, Buraq will take reasonably practicable steps, including the imposition of appropriate contractual terms to ensure that your Personal Information is adequately protected in that jurisdiction.

8.2.3 Please contact Buraq if you require further information as to the specific mechanisms used by us when transferring your Personal Information outside of South Africa or to a jurisdiction that is different to the one in which Buraq collected your Personal Information.

8.3 Security Measures

Adequate security safeguards, measures and controls have been implemented by Buraq to ensure the confidentiality and integrity of personal information, and to minimise the risk of loss, unauthorised access, disclosure, interference, modification or destruction of personal information.

9. REQUEST PROCEDURE

- 9.1 The requester must make use of the prescribed form attached hereto as Appendix I to make the request for access to a record. The applicable fees (refer to clause 10) are to be paid before access to a record will be permitted.
- 9.2 The prescribed form must be completed in full and addressed to the Information Officer of Buraq (refer to clause 3). The request must then be submitted to the address or e-mail address of Buraq.
- 9.3 The requester must identify the right that he or she is seeking to exercise or protect and provide an explanation of why the requested record is required for the exercise or protection of that right.
- 9.4 If a request is being made on behalf of another person, the requester must submit proof of the capacity in which he/she is making the request to the satisfaction of the Information Officer of Buraq.
- 9.5 If the record which the requester has requested exists, and allowing access to such record does not affect a third party, the requester's request will be processed within 30 (thirty) days.
- 9.6 Once the Information Officer of Buraq has heard all submissions, he will make a decision on the request and notify the requester in the required form, per Appendix 2.
- 9.7 If access is requested to a record that contains information pertaining to a third party, the Information Officer of Buraq must attempt to contact the third party and take all reasonable steps to inform the third party of the request, which must be done within 21 (twenty-one) days of receipt of the request.
- 9.8 The third party may within 21 (twenty-one) days thereafter make representations to the Information Officer of Buraq as to why access should be given or provide reasons why the access should be denied.
- 9.9 The third party must be informed of the decision taken by the Information Officer of Buraq to grant or decline the request.

10. FEES IN RESPECT OF PRIVATE BODIES

In terms of Regulation 8, value-added tax (VAT) must be added to all fees prescribed in terms of the Regulations. Therefore, the fees reflected below include VAT.

Item	Description	Amount
10.1	Request fee, payable by every requester	R140.00
10.2	Photocopy or printed black & white copy for every A4 page, or part thereof	R2.00
10.3	Printed copy of A4-size page, or part thereof	R2.00
10.4	For a copy in a computer-readable form on: • a flash drive (provided by the requester) • a compact disc (CD) if the requester provides the CD to us • a compact disc (CD) if we give the CD to the requester	R40.00 R40.00 R60.00
10.5	For a transcription of visual images, for an A4-size page or part thereof	This service will be outsourced. The fee will depend on the quotation from the service provider.
10.6	For a copy of visual images	This service will be outsourced. The fee will depend on the quotation from the service provider.
10.7	For a transcription of an audio record, per A4-size page or part thereof	R24.00
10.8	For a copy of an audio record on a flash drive (provided by the requester)	R40.00
10.9	For a copy of an audio record on compact disc (CD) if the requester provides the CD to us / if we give the CD to the requester	R40.00 / R60.00

10.10	To search for a record that must be disclosed (per hour or part of an hour reasonably required for the search, excluding the first hour) – The search and preparation fee cannot exceed	R145.00 / R435.00
10.11	Deposit: if the search exceeds 6 hours	One-third of the amount per request. It is calculated in terms of items 10.2 to 10.8 above.
10.12	Postage, email or any other electronic transfer	Actual expense, to be confirmed

11. GROUNDS FOR REFUSAL OF ACCESS TO RECORDS

11.1 Section 9 of the Act recognises that the right to access to information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to: limitations aimed at the reasonable protection of privacy; commercial confidentiality; an effective, efficient and good governance; and in a manner which balances that right with any other rights, including such rights contained in the Bill of Rights in the Constitution.

11.2 The main grounds for Buraq to refuse a request for information relates to the:

- **11.2.1 Mandatory protection of the privacy of a third party** who is a natural person, which would involve the unreasonable disclosure of personal information of that natural person;
- **11.2.2 Mandatory protection of the commercial information of a third party**, if the record contains: trade secrets; financial, commercial, scientific or technical information which disclosure could likely cause harm; information disclosed in confidence by a third party to Buraq;
- **11.2.3 Mandatory protection of confidential information of third parties** if it is protected in terms of any agreement;
- **11.2.4 Mandatory protection of the safety of individuals** and the protection of property;
- **11.2.5 Mandatory protection of records** which would be regarded as privileged in legal proceedings;
- **11.2.6 The commercial activities of Buraq**, which may include: trade secrets; financial, commercial, scientific or technical information; information which could put Buraq at a disadvantage; computer programs owned by Buraq protected by copyright;
- **11.2.7 Mandatory protection of research information** of Buraq or a third party.

Requests for information that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources shall be refused.

12. RECORDS THAT CANNOT BE FOUND OR DO NOT EXIST

- 12.1 If Buraq has searched for a record and it is believed that the record does not exist or cannot be found, the requester will be notified by way of an affidavit signed by the Information Officer of Buraq. This notice is deemed to be a refusal of the request for access to the record. If after notice is given, the record in question is found, the requester must be given access thereto, unless a ground for refusal of access exists.
- 12.2 The Information Officer in terms of section 56 must, within 30 (thirty) days after the request has been received, notify the requester of the decision, whether or not to grant the request.
- 12.3 The initial period of 30 (thirty) days may be extended by a further period not exceeding 30 (thirty) days if: the requester consents to the extension in writing; or the request is for a large number of records or requires a search through a large number of records and compliance with the original period would interfere with Buraq's activities.
- 12.4 Should the initial period be extended, the requester must be notified of the extension within 30 days after the request is received. The notice must state adequate reasons for the extension; the procedure involved should the requester want to lodge an application to court; and the period of extension.
- 12.5 Should the Information Officer of Buraq fail to respond to the requester within the 30 (thirty) day period, such failure will constitute a refusal of the request.

13. REQUEST FOR DELETION OF RECORDS

- 13.1 The requester must make use of the prescribed form attached hereto as Appendix 4 to make the request for access to a record.
- 13.2 The prescribed form must be completed in full and addressed to the Information Officer of Buraq (refer to clause 3). The request must then be submitted to the address or e-mail address of Buraq.
- 13.3 The requester must identify the right that he or she is seeking to exercise or protect and provide an explanation of why the requested record must be deleted for the exercise or protection of that right.
- 13.4 If a request is being made on behalf of another person, the requester must submit proof of the capacity in which he/she is making the request to the satisfaction of the Information Officer of Buraq.

- 13.5 If the record which the requester has requested exists, and the Information Officer of Buraq is satisfied that the record contains personal information that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading or obtained unlawfully, the requester's request will be processed within 30 (thirty) days.
- 13.6 Once the Information Officer of Buraq has heard all submissions, he will make a decision on the request and notify the requester in the required form, per Appendix 5.
- 13.7 Any request for deletion may be refused if the information to be deleted is required for lawful purposes.
- 13.8 If deletion of a record that contains information pertaining to a third party is requested, the Information Officer of Buraq must attempt to contact the third party and take all reasonable steps.
- 13.9 The third party may within 21 (twenty-one) days thereafter make representations to the Information Officer of Buraq as to why the record should be deleted or provide reasons why the access should be denied.
- 13.10 The third party must be informed of the decision taken by the Information Officer of Buraq to grant or decline the request.

14. COMPLAINTS TO THE INFORMATION REGULATOR

The requester or third party may submit a complaint in writing to the Regulator, within six months of the decision, alleging that the decision was not in compliance with the provisions of legislation. The complaint must be submitted on the Complaint Form indicated in Appendix 3, which can be accessed on the Regulator's website or requested from the Information Officer. The Regulator will investigate the complaint and reach a decision, which may include a decision to investigate, to take no further action or to refer the complaint to the Enforcement Committee. The Regulator may serve an enforcement notice confirming, amending or setting aside the impugned decision, which must be accompanied by reasons.

15. AVAILABILITY OF THE MANUAL

A copy of the Manual is available:

- 15.1 On Buraq's website: <https://buraq.co.za/>;
- 15.2 To any person upon request, and upon the payment of a reasonable prescribed fee;
- 15.3 To the Information Regulator upon request.

16. UPDATING OF THE MANUAL

Buraq's Manual will be updated every three years, or as and when required.

APPENDIX 1: REQUEST FOR ACCESS TO RECORD

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

Physical Address: 292 Surrey Ave, Ferndale, Randburg, 2194

E-mail: info@buraq.co.za

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

PERSONAL INFORMATION

Full Names: _____

Identity Number: _____

Capacity: _____

Street Address: _____

E-mail: _____

Tel: _____

PARTICULARS OF RECORD REQUESTED

Description: _____

Reference number: _____

Further particulars: _____

TYPE OF RECORD

☐ Written/printed ☐ Virtual images ☐ Sound ☐ Electronic/machine-readable

FORM OF ACCESS

☐ Printed copy ☐ Transcription (virtual) ☐ Transcription (sound) ☐ Flash drive ☐ Compact disc ☐ Cloud storage

MANNER OF ACCESS

☐ Personal inspection ☐ Courier ☐ E-mail ☐ Cloud share

Preferred language: _____

PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED

Right: _____

Explanation: _____

FEES

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

Reason: _____

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, via email to the email address supplied above.

Signed at _____ this ____ day of _____ 20 ____

Signature of Requester / Person on whose behalf request is made

FOR OFFICIAL USE

Reference number: _____

Received by: _____

Date received: _____

Access fees: _____

Deposit: _____

Signature of Information Officer

APPENDIX 2: OUTCOME OF REQUEST AND OF FEES PAYABLE

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

Reference number: _____

TO: _____

Your request dated _____, refers.

☐ Personal inspection (free) ☐ Printed copies ☐ Transcription (virtual) ☐ Transcription (sound)

☐ Flash drive ☐ Compact disc ☐ Cloud storage ☐ Courier ☐ E-mail ☐ Cloud share

Preferred language: _____

Kindly note that your request has been: ☐ Approved ☐ Denied, for the following reasons:

4. Fees payable with regards to your request:

Item	Cost	Pages/items	Total
Photocopy A4	R2.00	___	___
Printed copy A4	R2.00	___	___
Flash drive (provided)	R40.00	___	___
CD (provided)	R40.00	___	___
CD (we provide)	R60.00	___	___
Transcription audio (A4)	R24.00	___	___
Request fee	R140.00	1	R140.00
TOTAL			_____

Deposit payable (if search >6 hrs): ☐ Yes ☐ No **Amount:** _____

Bank account details:

Bank: _____ Account holder: _____ Type: _____

Account number: _____ Branch code: _____ Reference: _____

Signed at _____ this _____ day of _____ 20 _____

Information Officer

APPENDIX 3: COMPLAINT FORM [REGULATION 10]

The Form can be requested from the Information Officer by emailing: info@buraq.co.za, or can be accessed on the Information Regulators website at: <https://inforegulator.org.za/paia-forms/> - Form 05: Complaint Form [Regulation 10]

APPENDIX 4: REQUEST FOR DELETION OF RECORD

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

Physical Address: 292 Surrey Ave, Ferndale, Randburg, 2194

E-mail: info@buraq.co.za

☐ Own name ☐ On behalf of another

PERSONAL INFORMATION

Full Names: _____

Identity Number: _____

Capacity: _____

Street Address: _____

E-mail: _____

Tel: _____ **Cell:** _____

Person on whose behalf (if applicable): _____

PARTICULARS OF RECORD TO BE DELETED

Description: _____

Reference number: _____

Further particulars: _____

TYPE OF RECORD

☐ Written/printed ☐ Virtual images ☐ Sound ☐ Electronic/machine-readable

PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED

Right: _____

Explanation why deletion is required: _____

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, via email to the email address provided above.

Signed at _____ this _____ day of _____ 20 _____

Signature of Requester / Person on whose behalf request is made

FOR OFFICIAL USE

Reference number: _____

Received by: _____

Date received: _____

APPENDIX 5: OUTCOME OF REQUEST FOR DELETION

NOTE: 1. If your request is granted the requested record/portion of the record will be deleted within 30 days after the request has been granted. 2. Please use the reference number hereunder in all future correspondence.

Reference number: _____

TO: _____

Your request dated _____, refers.

☐ Full deletion ☐ Partial deletion

Kindly note that your request has been: ☐ Approved ☐ Denied, for the following reasons:

Signed at _____ this _____ day of _____ 20 _____

Information Officer

CONTACT DETAILS

Buraq Proprietary Limited

292 Surrey Ave, Ferndale, Randburg, 2194, South Africa

Telephone: 079 531 8985 | E-mail: info@buraq.co.za

Website: www.buraq.co.za