

## 1. FORWARD

Telema SA, refers to Telema Holding South Africa Limited and its subsidiaries, affiliates, parent companies and any of their respective associated companies and related businesses, registered in the Republic of South Africa as listed below:

- Penbro Kelnick (Pty) Ltd
- Penbro Consulting Engineering (Pty) Ltd
- Strike Technologies (Pty) Ltd
- Strike Electronics Consulting (Pty) Ltd

We are committed to compliance with the directives of the South African Constitution and national legislation.

The scope of this PAIA manual is limited to the records held by Telema Holding South Africa and its subsidiaries registered in South Africa.

## 2. INTRODUCTION

This manual was compiled in accordance with the Promotion of Access to Information Act No. 2 of 2000 (PAIA) and to address the requirements of the Protection of Personal Information Act No. 4 of 2013 (POPIA).

PAIA and POPIA give effect to Section 32 of the South African Constitution, which focuses on the right to access information i.e. everyone has the right of access to information held by the state or a private body to enforce a culture of transparency and accountability.

Section 51 of the PAIA requires Telema SA, as a private body, to compile an information manual providing information of both the types and categories of information records held by a private body, as well as providing procedures to be followed in requesting information.

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**3. LIST OF ACRONYMS AND ABBREVIATIONS (NB: INSERT RELEVANT ACRONYMS AND ABBREVIATIONS.)**

- 3.1. **“Manual”** means this manual for access to information as required by section 51 of PAIA and shall not be interpreted in a way that conflicts with rights and obligations provided for in PAIA and/or POPIA or prejudices the fundamental rights or freedoms of persons or entities.
- 3.2. **“Law/s”** means all applicable laws including the common law, primary and subordinate, national, provincial and local statutes, regulations, by laws, directives, guidelines, practice notes, instructions, policies, rules, court orders, permission, consent or decisions by any regulatory authority and any other document which has the force of law.
- 3.3. **“IO** “Information Officer.
- 3.4. **“DIO”** Deputy Information Officer
- 3.5. **“MINISTER”** minister of justice and correctional services.
- 3.6. **“PAIA”** Promotion of Access to Information Act no. 2 of 2000(as amended).
- 3.7. **“POPIA”** Protection of personal information act no.4 of 2013 and the regulations promulgated in terms of that act.
- 3.8. **“REGULATOR”** Information regulator.

**4. PURPOSE OF PAIA MANUAL**

This document serves as Telema SA information manual and provides reference to the records held by the Telema SA group, as well information on the process to follow to request access to such information.

The purpose of this Manual is to ensure compliance with:

- 4.1. Section 51 of PAIA to facilitate access to, and requests in respect of, information and records held by Telema SA.
- 4.2. POPIA in respect of the processing of personal information.

**5. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF TELEMA SA**

The responsibility for administration of, and compliance with POPIA and PAIA, has been delegated by the Telema SA Director to the Information Officer. Requests pursuant to the provisions of these Acts should be directed to:

**National / Head Office**

Postal Address

P O Box 35156, Menlo Park, 0102

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Street Address	Unit 5, Hermanstad Industrial Park, Moot Street, Hermanstad, Pretoria West.
Landline Number	012 719 9065
Email	legal@penbro.co.za
Website	<a href="http://www.penbro.co.za">www.penbro.co.za</a>

## 6. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

- 6.1. The Regulator(<https://info regulator.org.za/paia-guidelines/>) has, in terms of section 10(1) of PAIA, 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.
- 6.2. A guide on how to use the Promotion of Access to Information Act can be obtained from The South African Human Rights Commission (SAHRC). [www.sahrc.org.za](http://www.sahrc.org.za)
- 6.3. Upon request to the Information Officer.
- 6.4. A copy of the Guide is also available for public inspection during normal office hours.

## 7. RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION ((SECTION 51 (1) (b) (iii) OF PAIA)

TELEMA(SA) holds records in accordance with the following legislation

7.1. We keep records in terms of the legislation listed in paragraph 7.2 and we may make these records available for inspection to a requester if:

7.1.1. the requester is entitled to such access in terms of PAIA or POPIA and such access is not prohibited by any other applicable law, codes of conduct, rules or regulations; and

7.1.2. a request for access to such information is made in terms of PAIA.

**7.2.** We keep records in terms of the following legislation:

REF	ACT
95 of 1967	Income Tax Act
89 of 1991	Value Added Tax Act
9 of 1933	Currency and Exchanges Act
66 of 1995	Labour Relations Act

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75 of 1997	Basic Conditions of Employment Act
55 of 1998	Employment Equity Act
97 of 1998	Skills Development Act
130 of 1993	Compensation for Occupational Injuries and Diseases Act
30 of 1996	Unemployment Insurance Act
25 of 2002	Electronic Communications and Transactions Act
38 of 2001	Financial Intelligence Centre Act
2 of 2000	Promotion of Access of Information Act
4 of 2013	Protection of Personal Information Act
53 of 2003	Broad-Based Black Economic Empowerment Act
24 of 1956	Pension Funds Act
37 of 2002	Financial Advisory and Intermediary Services Act
85 of 1993	Occupational Health and Safety Act

## 8. ACCESS TO RECORDS HELD BY TELEMA(SA)

**8.1. Records Available without a formal Request.** *These records are available on Penbro Kelnick and Strike Technologies websites and a person may download or request telephonically or by sending an email or a letter.*

- Marketing records
  - Promotional Material
  - Product Brochures
- Legislation /Regulations

### 8.2. Records Available only on Request

- Corporate documentation
  - Financial and tax records including audited and other annual financial statements
  - Asset registers and other records relating to our assets
  - Annual Performance Plan.
  - Organisational profile
  - Property and lease related records

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- Compliance records
- Human Resources
  - Employment Records
  - Payroll records
  - Employment Benefits
  - Disciplinary and Performance records
  - Unemployment insurance
  - HR policies and procedures.
  - Training and assessment records
  - Skills development and training plans
  - Employment equity plan and statistics
- Information Technologies
  - Software licences
  - Engineering design blueprints
  - Enterprise Resources & Planning
  - IT Asset Register
  - Records of and relating to our clients and potential clients including contracts, proposals, reports and correspondence.
- Records relating to our suppliers and potential suppliers including quotes, proposals, contracts, invoices and correspondence.
- Health and Safety
  - Equipment inspections, repairs, and maintenance.
  - Written health and safety procedures, plans, and codes of practice.
  - Results of functional tests and calibrations of instruments.
  - Medical records
  - Employee induction and training with the date(s), names, description, and expiry date(s).
  - Sampling and monitoring results from exposure testing.
  - Forms and checklists used when following safe work procedures
  - Workplace inspections and corrective actions.
  - Occupational health and safety committee membership, rules of procedures, and meeting minutes.
  - Workplace inspection and accident investigation reports.
  - First aid records and injury reports.

## 9. REQUEST PROCEDURE

### 9.1. How to make a request

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To make a request, the requester must complete the prescribed PAIA request form (Form C) and submit it to the Information Officer at the contact details provided above.

**9.1.1. Provide sufficient details to enable Telema SA to identify:**

- The record(s) requested.
- The requester (and if an agent is lodging the request, proof of authority).
- The form of access required.
- The requester’s postal address and contact email address in South Africa.

**9.2. Fees Payable**

- A requester is required to pay the prescribed fees before a request will be process. A fee schedule is available on the website of the South African Human Rights Commission (SASAHRC) at [www.saSAHRC.org.za](http://www.saSAHRC.org.za).
- If the search for the requested records exceeds the prescribed hours, an additional fee will be payable.
- Records may be withheld until the prescribed fees have been paid.

**9.3. Processing of Requests**

- Upon Receipts of a request, the Information Officer will process the request in accordance with PAIA and respond within 30 days, which may be extended under certain circumstances.
- If a request is refused, reasons for the refusal will be provided. The requester has the right to lodge an internal appeal or an application with a court against the refusal.

**10. GROUNDS FOR REFUSAL OF ACCESS TO RECORDS**

Access to certain records may be refused on grounds stipulated in PAIA, including but not limited to:

- Protection of the privacy of a third party.
- Protection of confidential information of third parties.
- Protection of the safety of individuals and property.
- Protection of records privileged from production in legal proceedings.

**11. REMEDIES AVAILABLE**

**11.1. Internal Appeal**

A requester may lodge an internal appeal against a refusal of a request for access to information. The appeal must be submitted within 30 days of the decision.

**11.2. Judicial Review**

If an internal appeal is unsuccessful, the requester may apply to a court for a review of the decision.

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## 12. AVAILABILITY OF THE MANUAL

- 12.1. This manual is available in English.
- 12.2. A copy of this Manual or the updated version thereof, is also available as follows:
  - 12.2.1. On Penbro Kelnick, <https://penbro.co.za/> and Strike Technologies, <https://strike.co.za/> websites.
  - 12.2.2. At the head office of the public body for public inspection during normal business hours.
  - 12.2.3. From the Information Regulator upon request.
- 12.3. 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.

## 13. UPDATING OF THE MANUAL

Telema SA will, if necessary, update and publish this Manual annually.

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