

PAIA MANUAL

FOR



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

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1. PREAMBLE

The Promotion of Access to Information Act, 2000 (“**PAIA**”) came into operation on 9 March 2001. PAIA seeks, among other things, to give effect to the Constitutional right of access to any information held by the State or by any other person where such information is required for the exercise or protection of any right and gives natural and juristic persons the right of access to records held by either a private or public body, subject to certain limitations, to enable them to exercise or protect their rights. Where a request is made in terms of PAIA to a private body, that private body must disclose the information if the requester is able to show that the record is required for the exercise or protection of any rights and provided that no grounds of refusal contained in PAIA are applicable. PAIA sets out the requisite procedural issues attached to information requests.

1.1. Section 51 of PAIA obliges private bodies to compile a manual to enable a person to obtain access to information held by such private body and stipulates the minimum requirements that the manual has to comply with.

1.2. This Manual is compiled in accordance with section 51 of PAIA as amended by the Protection of Personal Information Act, 2013 (“**POPIA**”)

POPIA promotes the protection of personal information processed by public and private bodies, including certain conditions to establish minimum requirements for the processing of personal information. POPIA amends certain provisions of PAIA, balancing the need for access to information against the need to ensure the protection of personal information by providing for the establishment of an Information Regulator to exercise certain powers and perform certain duties and functions in terms of POPIA and PAIA, providing for the issuing of codes of conduct and providing for the rights of persons regarding unsolicited electronic communications and automated decision making in order to regulate the flow of personal information and to provide for matters concerned therewith.

1.3 This PAIA manual also includes information on the submission of objections to the processing of personal information and requests to delete or destroy personal information or records thereof in terms of POPIA.

1.3.1 This Manual constitutes the RICHARDS BAY FUNERAL SERVICES CC PAIA manual.

The purpose of the manual is to provide information that is needed by any person who wishes to exercise any right contemplated in the Promotion of Access to Information Act of 2000 (**PAIA**) and Protection of Personal Information Act, 2013 ("**POPIA**"). Any person, irrespective of citizenship, can apply for access to information under PAIA.

1.4 The objectives of this Manual are:

1. to provide a list of all records held by the legal entity;
2. to set out the requirements with regard to who may request information in terms of PAIA as well as the grounds on which a request may be denied;
3. to define the manner and form in which a request for information must be submitted; and
4. to comply with the additional requirements imposed by POPIA.

2. DEFINITIONS

Data Subject

The person to whom personal information relates.

Deputy Information Officer

The person to whom any power or duty conferred or imposed on an Information Officer by POPI has been delegated.

Head

In relation to a private body means:

- in the case of a natural person, that natural person or any person duly authorised by that natural person; ▪ in the case of a partnership, any partner of the partnership or any person duly authorised by the partnership;
- in the case of a juristic person:
 - the chief executive officer or equivalent officer of the juristic person or any person duly authorised by that officer; or
 - the person who is acting as such or any person duly authorised by such acting person

Information Officer

The head of a private body.

Information Regulator

The Regulator established in terms of Section 39 of POPI.

PAIA

The Promotion of Access to Information Act 2 of 2000.

Person

A natural person or a juristic person.

Personal Information

- Information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to: information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person;
- Information relating to the education or the medical, financial, criminal or employment history of the person;
- Any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person, the biometric information of the person;
- The personal opinions, views or preferences of the person; correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence.
- The views or opinions of another individual about the person; and the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person.

Personal Requester

A requester seeking access to a record containing personal information about the requester.

POPI

The Promotion of Personal Information Act 4 of 2013.

Private body

- a natural person who carries or has carried on any trade, business or profession, but only in such capacity
- a partnership which carries or has carried on any trade, business or profession; or
- any former or existing juristic person, but excludes a public body

Processing

Any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use, dissemination by means of transmission, distribution or making available in any other form, or merging, linking, as well as restriction, degradation, erasure or destruction of information.

Public body

- any department of state or administration in the national or provincial sphere of government or any municipality in the local sphere of government; or
- in any other functionary or institution when:
 - exercising a power or performing a duty in terms of the Constitution or a provincial constitution; or
 - exercising a public power or performing a public function in terms of any legislation

Requester

In relation to a private body, means any person, including, but not limited to public body or an official thereof, making a request for access to a record of the organisation or a person acting on behalf of such person.

Request for access

A request for access to a record of the organisation in terms of Section 50 of PAIA.

Record

Any recorded information regardless of the form or medium, in the possession or under the control of the organisation irrespective of whether or not it was created by the organisation.

Third Party

In relation to a request for access to a record held by the organisation, means any person other than the requester.

3. LIST OF ACRONYMS AND ABBREVIATIONS

1.1	“DIO”	Deputy Information Officer;
1.2	“IO”	Information Officer;
1.3	“Minister”	Minister of Justice and Correctional Services;
1.4	“PAIA”	Promotion of Access to Information Act No. 2 of 2000 (as Amended);
1.5	“POPIA”	Protection of Personal Information Act No.4 of 2013;
1.6	“Regulator”	Information Regulator; and
1.7	“Republic”	Republic of South Africa
1.8	“SAHRC”	South African Human Rights Commission

4. PURPOSE OF PAIA MANUAL

The Promotion of Access to Information Act, 2000, gives effect to section 32 of the Constitution, which provides that everyone has the right to access information held by the State or any other person (or private body), when that information is required for the exercise or protection of any rights.

The purpose of PAIA is to:

This PAIA Manual is useful for the public to-

- 4.1 check the categories of records held by a body which are available without a person having to submit a formal PAIA request;
- 4.2 have a sufficient understanding of how to make a request for access to a record of the body, by providing a description of the subjects on which the body holds records and the categories of records held on each subject;
- 4.3 know the description of the records of the body which are available in accordance with any other legislation;
- 4.4 access all the relevant contact details of the Information Officer and Deputy Information Officer who will assist the public with the records they intend to access;
- 4.5 know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- 4.6 know if the body 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;
- 4.7 know the description of the categories of data subjects and of the information or categories of information relating thereto;
- 4.8 know the recipients or categories of recipients to whom the personal information may be supplied;
- 4.9 know if the body 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
- 4.10 know whether the body has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.
- 4.11 The paia guide will be available from the FSP in English and Zulu.

The organisation recognises everyone's right to access to information and is committed to provide access to the organisation's records where the proper procedural requirements as set out by PAIA and POPI have been met.

The organisation's PAIA manual is compiled in accordance with section 51 of the Act and contains the following provisions:

Annexure A: Contact Details & Business Type

This section provides the organisations postal and street address, phone and fax number and, if available, the e-mail address of the head of the organisation

Annexure B: Section 10 PAIA Guide

This section provides a description of the guide referred to in Section 10 of PAIA and how you may obtain access to it

Annexure C: Statutory Records

This section provides a description of the various statutes in terms of which the organisation is required to maintain records

Annexure D: Availability of Records

This section provides a list of records held by the organisation along with an indication of whether the record is freely available or only accessible by way of a formal request in terms of the provisions of PAIA. The section also provides a description of the category of data subject(s) to who the respective records relate along with an indication of the purpose for which the record is being kept. Records that are indicated as "Freely Available" can be accessed by contacting the Deputy Information Officer (see Annexure A), without having to follow any formal procedures. Records that are indicated as a "PAIA Request", requires the requester to lodge a formal request as provided for in Annexure E

Annexure E: Request Procedure

This section sets out the procedure required to obtain access to a record indicated as a "PAIA Request" in Annexure D

Annexure F: Prescribed Fees

This section sets out the fees that are payable to the organisation prior to processing a request to obtain access to a record held by the organisation

Annexure G: Processing of Personal Information

This section sets out the applicable aspects for the processing of personal information

Annexure H: Deputy Information Officer Appointment

This section provides for the formal appointment of a Deputy Information Officer where so required

5. DUTIES OF THE INFORMATION OFFICER

The Information Officer and/or the Deputy Information Officer of the organisation are responsible for:

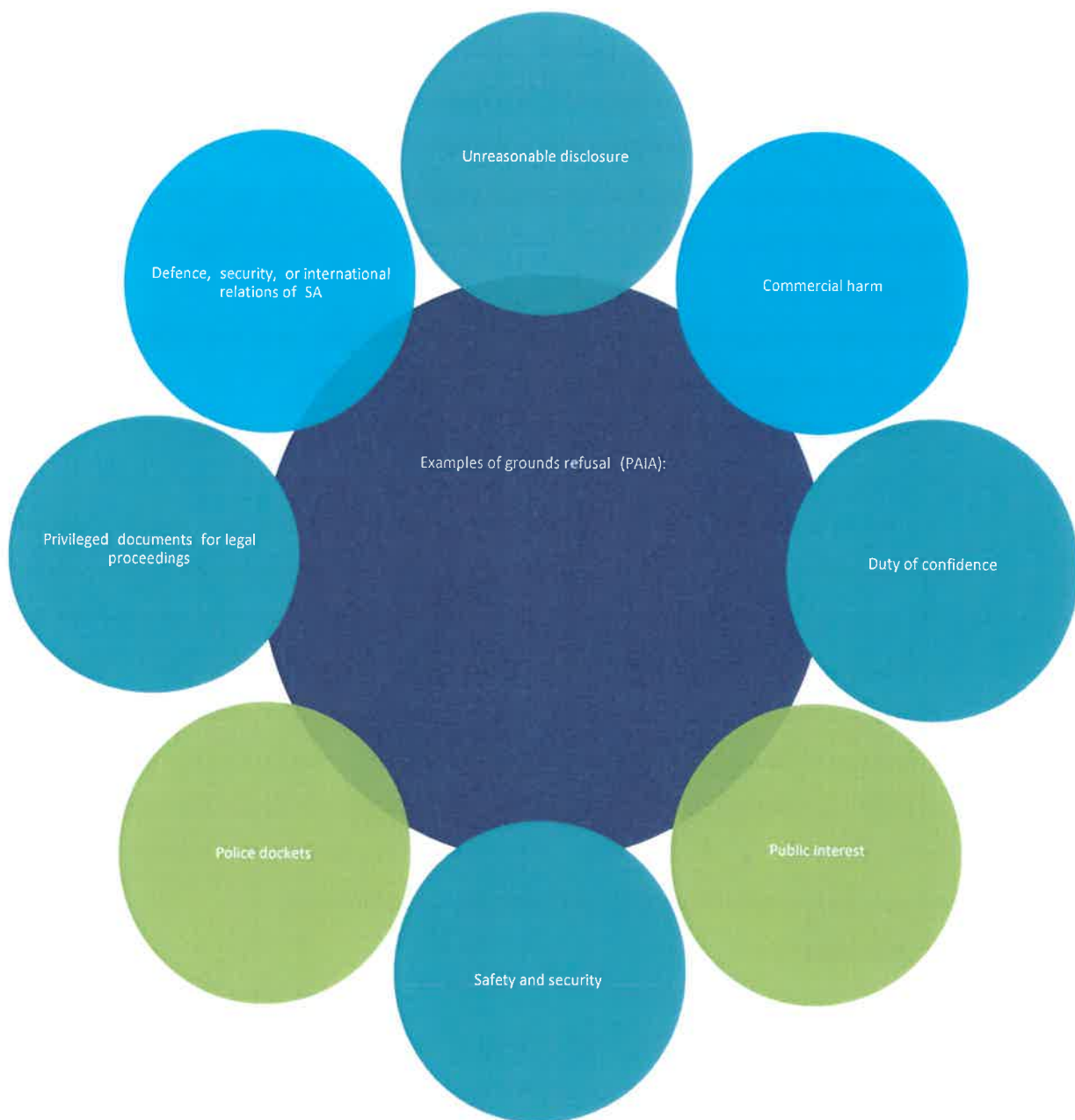
- Publishing and proper communication of the manual i.e., creating policy awareness
- The facilitation of any request for access
- Providing adequate notice and feedback to the requester
- Determining whether to grant a request for access to a complete/full record or only part of a record
- Ensuring that access to a record, where so granted, is provided timeously and in the correct format
- Reviewing the policy for accuracy and communicating any amendments

Right of Access

The Information Officer and/or Deputy Information Officer must assess whether there are any grounds for refusing a request for access.

- Where any grounds for refusal are found, a request for access will not be granted.
 - However, despite finding any grounds for refusal, access to the record(s) will be provided where:
 - the disclosure of the record would reveal evidence of a substantial contravention of, or failure to comply with the law or imminent and serious public or environmental risk, and
 - the public interest in disclosing record, will clearly outweigh the harm contemplated in the provision in question,.
- Where there are no grounds for refusal, request for access will be granted.
- If a request for access is made with regards to a record containing information that would justify a ground for refusal, every part of the record which
 - does not contain, and
 - can reasonably be severed from any part that contains, any such information must, despite any other provision of PAIA, also be
 - disclosed

- The grounds for refusal, or absence thereof, are set out below:



A: Mandatory Protection of privacy of a Third Party who is a Natural Person

Grounds for Refusal:

- The disclosure would involve the unreasonable disclosure of personal information about a third party that is a natural person (including a deceased individual)

No Grounds for Refusal:

- The record consists of information that concerns an individual who has already consented in writing to its disclosure to the requester concerned
- The record consists of information that is already publicly available
- The record consists of information that was given to the organisation by the individual to whom it relates, and the individual was informed by or on behalf of the organisation, before it is given, that the information belongs to a class of information that would or might be made available to the public
- The record consists of information about an individual's physical or mental health, or well-being, who is under the care of the requester and who is under the age of 18; or incapable of understanding the nature of the request, and if giving access would be in the individual's best interest
- The record consists of information about an individual who is deceased, and the requester is the individual's next of kin or making the with the written consent of the individual's next of kin
- The record consists of information about an individual who is or was an official of the organisation and which relates to the position or functions of the individual, including, but not limited to the title, work address, work phone number, the classification, salary scale or remuneration and responsibilities of the position held, or services performed by the individual and the name of the individual on a record prepared by the individual in the course of employment

B: Mandatory Protection of Commercial Information of a Third Party

Grounds for Refusal:

- The record consists of information that contains trade secrets of a third party
- The record consists of information that contains financial, commercial, scientific or technical information, other than trade secrets, of a third party, the disclosure of which would be likely to cause harm to the commercial or financial interests of that third party
- The record consists of information supplied in confidence by a third party, the disclosure of which could reasonably be expected to put that third party at a disadvantage in contractual or other negotiations or to prejudice that third party in commercial competition

No Grounds for Refusal

- The record consists of information about a third party who has consented who has already consented in writing to its disclosure to the requester concerned
- The record consists of information about the results of any product or environmental testing or other investigation supplied by a third party or the results of any such testing or investigation carried out by or on behalf of a third party and its disclosure would reveal a serious public safety or environmental risk (the results of any product or environmental testing or other investigation do not include the results of preliminary testing or other investigation conducted for the purpose of developing methods of testing or other investigation)

C: Mandatory Protection of certain Confidential Information of a Third Party

Grounds for Refusal

- The record consists of information the disclosure of which would constitute an action for breach of a duty of confidence owed to a third party in terms of an agreement

D: Mandatory Protection of Safety of Individuals and Protection of Property

Grounds for Refusal

- The record consists of information that if disclosed could reasonably be expected to endanger the life or physical safety of an individual
- The record consists of information that if disclosed would likely prejudice or impair the security of a building, a structure or system, a computer or communication system, a means of transport, any other property
- The record consists of information that if disclosed would likely prejudice or impair the security of methods, systems, plans or procedures for the protection of an individual in accordance with a witness protection scheme, the safety of the public, or any part of the public, or the security of property

E: Mandatory Protection of Records privileged from Production in Legal Proceedings

Grounds for Refusal

The record consists of information privileged from production in legal proceedings unless the person entitled to the privilege has waived the privilege

F: Commercial Information of the Organisation

Grounds for Refusal

- The record consists of information that contains trade secrets of the organisation
- The record consists of information that contains financial, commercial, scientific or technical information, other than trade secrets, of the organisation, the disclosure of which would likely cause harm to the commercial or financial interests of the organisation
- The record consists of information, the disclosure of which, could reasonably be expected to put the organisation at a disadvantage in contractual or other negotiations or prejudice the organisation in commercial competition
- The record is a computer program as defined in section 1(1) of the Copyright Act (Act 98 of 1978), owned by the organisation, except insofar as it is required to give access to a record to which access is granted in terms of PAIA

No Grounds for Refusal

- The record consists of information about the results of any product or environmental testing or other investigation supplied by the organisation or the results of any such testing or investigation carried out by or on behalf of the organisation and its disclosure would reveal a serious public safety or environmental risk (the results of any product or environmental testing or other investigation do not include the results of preliminary testing or other investigation conducted for the purpose of developing methods of testing or other investigation)

G: Mandatory Protection of Research Information of a Third Party and the Organisation

Grounds for Refusal

- The record consists of information that contains information about research being or to be carried out by or on behalf of a third party, the disclosure of which would be likely to expose the third party, a person that is or will be carrying out the research on behalf of the third party, or the subject matter of the research to serious disadvantage
- The record consists of information that contains information about research being or to be carried out by or on behalf of the organisation, the disclosure of which would be likely to expose the organisation, a person that is or will be carrying out the research on behalf of the organisation, or the subject matter of the research to serious disadvantage

NOTICE

Where a request for access has been received the Information Officer and/or Deputy Information Officer will notify the requester of receipt and the prescribed fee (if any) that is payable prior to processing the request. Please refer to Annexure F for a full breakdown of fees payable. Personal requesters will not be charged a request fee.

The notice must state:

- The amount of the deposit payable (if any)
- That the requester may lodge a complaint with the Information Regulator or an application with a court against the tender or payment of the request fee, or the tender or payment of a deposit, as the case may be
- The procedure (including the period) for lodging the complaint with the Information Regulator or the application.

Except to the extent that the provisions regarding third party notification may apply, the Information Officer and/or Deputy Information Officer to whom the request is made, must as soon as reasonably possible, but in any event within 30 days, after the request has been received in the prescribed format:

- Decide in accordance with PAIA whether to grant the request, and
- Notify the requester of the decision and, if the requester stated that he or she wishes to be informed of the decision in any other manner, inform him or her in that manner, if it is reasonably possible

If the request for access is granted, the notice must state:

- The access fee (if any) to be paid upon access
- The form in which access will be given, and
- That the requester may lodge a complaint with the Information Regulator or an application with a court against the access fee to be paid or the form of access granted, and the procedure, including the period allowed, for lodging a complaint with the Information Regulator or the application

If the request for access is refused, the notice must:

- State adequate reasons for the refusal, including the relevant provision of PAIA that was relied on
- Exclude, from any such reasons, any reference to the content of the records' and

- State that the requester may lodge a complaint with the Information Regulator or an application with a court against the refusal of the request, and the procedure (including the period) for lodging a complaint with the Information Regulator or the application
- Should all reasonable steps have been taken to find a record requested, and there are reasonable grounds for believing that the record:
 - Is in the organisation's possession, but cannot be found, or
 - Simply does not exist,

the head of the organisation must, by way of affidavit or affirmation, notify the requester that it is not possible to provide access to that record. The affidavit or affirmation must provide full account of all steps taken to find the record in question or to determine whether the record exists, as the case may be, including all communication with every person who conducted the search on behalf of the head.

6. AVAILABILITY OF THE MANUAL

A copy of the Manual is available-

From RICHARDS BAY FUNERAL SERVICES CC at the head office for public inspection during normal business hours.

There is a link on the website to request for an email copy of the document;

- to any person upon request and upon the payment of a reasonable prescribed fee (if applicable) ; and
- to the Information Regulator upon request.

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.

7. UPDATING OF THE MANUAL

MAYANDARAN NAIDOO of RICHARDS BAY FUNERAL SERVICES CC will on a regular basis update this manual.

The Document has been compiled with the guidance from the Information Regulator template as well as the Information Regulator PAIA manual in reference on website.

MAYANDARAN NAIDOO (Information Officer)

DIRECTOR

RAYLENE NAIDOO (Deputy Information Officer)

OFFICER MANAGER

ANNEXURE A: CONTACT DETAILS OF RICHARDS BAY FUNERAL SERVICES CC

1. Head of the Organisation/ Information Officer

Name: MAYANDARAN NAIDOO
Tel: 035 789 1999
Email: rbayfunerals1@gmail.com

Fax number: None

2. Deputy Information Officer

Name: RAYLENE NAIDOO
Tel: 035 789 1999
Email: rbfs@telkomsa.net or raylene.paton@yahoo.com
Fax number: None

3. Office of RICHARDS BAY FUNERAL SERVICES CC

Postal Address: P.O. BOX 10813, Meer-en-see, 3901
Physical Address: 43 Bullion Boulevard, Richards Bay Central, RICHARDS BAY,
3900
Telephone: 083 741 0493 OR 073 146 9688
Email: rbayfunerals1@gmail.com
Website: <https://www.richardsbayfunerals.co.za/>

4. Access to information general contacts

Email: rbayfunerals1@gmail.com

5. BUSINESS TYPE

The organisation conducts its main type of business in the Financial and Business Sector.

ANNEXURE B: SECTION 10 PAIA GUIDE

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.

The Guide is available in each of the official languages and in braille.

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.

- The Guide is available in each of the official languages and in braille.
- The aforesaid Guide contains the description of-
 - i. the objects of PAIA and POPIA;
 - ii. the postal and street address, phone, and fax number and, if available, electronic mail address of-
 - 1. the Information Officer of every public body, and
 - 2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA²;
 - iii. the manner and form of a request for-
 - 1. access to a record of a public body contemplated in section 11³; and
 - 2. access to a record of a private body contemplated in section 50⁴;
 - iv. the assistance available from the IO of a public body in terms of PAIA and POPIA;
 - v. the assistance available from the Regulator in terms of PAIA and POPIA;

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 few 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.

- vi. 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. an internal appeal;
 - 2. a complaint to the Regulator; and
 - 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;
- vii. 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;
- viii. the provisions of sections 15⁷ and 52⁸ providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
- ix. the notices issued in terms of sections 22⁹ and 54¹⁰ regarding fees to be paid in relation to requests for access; and
- x. the regulations made in terms of section 92¹¹.

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.

The Guide can also be obtained-

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

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."

PAIA grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights. Where a public body lodges a request, the public body must be acting in the public interest.

Requests in terms of PAIA shall be made in accordance with the prescribed procedures at the rates provided.

ANNEXURE C: CATEGORIES OF RECORDS OF RICHARDS BAY FUNERAL SERVICES CC WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

Category of records	Types of the Record	Available on Website	Available upon request
Compliance	Letter of introduction		X
Adverts and Policy Plans	Pamphlet		X
Compliance	Website disclosures	X	

ANNEXURE C 1: STATUTORY RECORDS

The organisation maintains statutory records and information in terms of the following legislation:

Basic Conditions of Employment Act
Companies Act
Employment Equity Act
Financial Advisory and Intermediary Services Act
Financial Intelligence Centre Act
Income Tax Act
Long term Insurance Act
Labour Relations Act
Prevention of Organised Crime Act
Unemployment Insurance Act
Value-Added Tax Act
Skills Development Act

ANNEXURE D: AVAILABILITY OF RECORDS

DESCRIPTION OF THE RECORDS OF RICHARDS BAY FUNERAL SERVICES CC WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION

Category of Records	Applicable Legislation
Memorandum of incorporation	Companies Act 71 of 2008
PAIA Manual	Promotion of Access to Information Act 2 of 2000
Privacy Policy	Protection of Personal Information Act, no 4 of 2013 ("POPIA") which became operational on 01 July 2020 and section 58-2, effective on 01 July 2021.
Licence	Financial Advisory and Intermediary Services Act No 37 of 2002
Sales	Tombstone brochure
Sales	Funeral Policy brochure

ANNEXURE E: REQUEST PROCEDURE

To facilitate the processing of your request, kindly complete and submit the form below to the e-mail address of the Deputy Information Officer indicated in **Annexure A**.

The Deputy Information Officer will notify the requester that a request for access has been received and that the prescribed fee (if any) is payable prior to processing the request. Please refer to Annexure F for a full breakdown of fees payable. Personal requesters will not be charged a request fee.

Once the request has been processed, the Deputy Information Officer will inform you of the outcome of your request and any additional fees that may fall due.

Please be advised that PAIA provides a number of grounds on which a request for access to information must be refused. These grounds mainly comprise instances where:

- the privacy and interests of other individuals are protected
- where such records are already otherwise publicly available
- instances where public interest are not served
- the mandatory protection of commercial information of a third party ▪ the mandatory protection of certain confidential information of a third party

When completing the form below please:

- indicate the identity of the person seeking access to the information
- provide sufficient particulars to enable the deputy information officer to identify the information requested
- specify the format in which the information is required
- indicate the contact details of the person requiring the information
- indicate the right to be exercised and/or to be protected, and specify the reasons why the information required will enable the person to protect and/or exercise the right
- where the person requesting the information wishes to be informed of the decision of the request in a particular manner, state the manner and particulars to be so informed
- if the request for information is made on behalf of another person, submit proof that the person submitting the request, has obtained the necessary authorisation to do so

A. Particulars of Private Body

The Head: Information Officer

B. Particulars of person requesting access to the record

- (i) The particulars of the person who requests access to the record must be recorded below
- (ii) Furnish an address and/or fax number in the Republic to which information must be sent
- (iii) Proof of the capacity in which the request is made, if applicable, must be attached

Full names &

surname:

Identity number:

Postal address:

Fax number:

Telephone number:

Email address:

C. Particulars of person on whose behalf request is made

This section must be completed *ONLY* if a request for information is made on behalf of another person

Full names &

surname:

Identity number:

D. Particulars of Record

- (i) Provide full particulars of the record to which access is requested, including the reference number if that is known to you

- (ii) If the provided space is inadequate, please continue on a separate page and attach to this form.

Please sign any additional pages

Description of record:

Reference number:

Any further

particulars:

E. Fees

- (i) A request for access to a record, other than a record containing personal information about yourself, will be processed only after a request fee has been paid
- (ii) You will be notified of the amount required to be paid as the request fee
- (iii) 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
- (iv) If you qualify for exemption of the payment of any fee, please state the reason therefor

Reason for
exemption:

F. Form of access to record

If you are prevented by a disability to read, view or listen to the record in the form of access provided hereunder, please state your disability and indicate in which form the record is required

Disability:

Form in which required:

Mark the appropriate box with an "X"

- (i) Your indication as to the required form of access depends on the form in which the record is available
- (ii) Access in the form requested may be refused in certain circumstances, In such a case you will be informed of access will be granted in another form
- (iii) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested

1) If the record is in written or printed form:

- copy of record
- inspection of record

2) If record consists of visual images:

- view the images
- copy of the images
- transcription of the images

3) If the record consists of recorded words or information which can be reproduced in sound:

- listen to the soundtrack
- transcription of the soundtrack

4) If the record is held on computer or in an electronic or machine-readable form:

- printed copy of record
- copy in computer readable form

Please indicate the preferred method of delivery

- By hand
- Email
- Post

G. Particulars of right to be exercised or protected

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

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:

H. Notice of decision regarding the request for access

You will be notified in writing whether your request has been approved / denied. If you wish to be informed thereof in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request

How would you prefer to be informed of the decision regarding your request for access to the record?

I. Signature page

Signed at:

Date:

Signature of Requester / Person on whose behalf request is made:

ANNEXURE F: PRESCRIBED FEES

The following applies to requests (other than personal requests):

- A requester is required to pay a preliminary request fee before a request will be processed
- If the preparation of the record requested requires more than the prescribed hours (six), an additional deposit shall be paid (of not more than one third of the access fee which would be payable if the request was granted)
- A requester may lodge an application with a court against the tender / payment of the request fee and/or deposit
- Records may be withheld until the fees have been paid
- The fee structure is also available on the South African Human Rights Commission's website at www.sahrc.org.za

No.	Description	Fee
1.	The fee for a copy of the manual as contemplated in regulation 9(2)(c), for every photocopy of an A4-size page or part thereof	R1.10
2.	The fees for reproduction referred to in regulation 11(1) are as follows:	-
	a) For every photocopy of an A4 size page or part thereof	R1.10
	b) For every printed copy of an A4 size page or part thereof held on a computer or in electronic readable form	R0.75
	c) For a copy in a computer-readable form on stiffy disc	R7.50
	d) For a copy in a computer-readable form on compact disc	R70.00
	e) For a transcription of visual images, for an A4 size page or part thereof	R40.00
	f) For a copy of a visual image	R60.00
	g) For a transcription of an audio record	R20.00
	h) For a copy of an audio record	R30.00
3.	The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2)	R50.00
4.	The request fee payable by a requester, other than a personal requester, referred to in regulation 11(3):	-
	a) For every photocopy of an A4 size page or part thereof	a) R1.10
	b) For a printed copy of an A4 size page or part thereof held on a computer or in electronic readable form	b) R0.75
	c) For a copy in a computer readable form on stiffy disc	c) R7.50
	d) For a copy in a computer readable form on compact disc	d) R70.00

- | | |
|--|-----------|
| e) For a transcription of visual images, for an A4 size page or part thereof | e) R40.00 |
| f) For a copy of a visual image | f) R60.00 |
| g) For a transcription of an audio record, for A4 size page or part thereof | g) R20.00 |
| h) For a copy of an audio record | h) R30.00 |

5. The actual postage fee is payable when a copy of a record must be posted to a requester -

6. For purposed of section 54(2) of the Act, the following applies: -

- a) Six hours as the hours to be exceeded before a deposit is payable
- b) One third of the access fee is payable as a deposit by the requester

ANNEXURE G: PROCESSING OF PERSONAL INFORMATION

Purpose of Processing Personal Information

The purpose or reasons for processing personal information in your organisation.

1. to provide you with a service which you have requested from RICHARDS BAY FUNERAL SERVICES CC communication with data subjects;
2. provision of services to data subjects;
3. preparing financial needs analysis and reports;
4. to provide financial planning service and process requests in line with personal portfolio
5. to assess the suitability of advise and recommendations of products
6. meeting legal obligations equity and to comply with other applicable laws

1. Description of the categories of Data Subjects and of the information or categories of information relating thereto

The categories of data subjects in respect of whom the body processes personal information and the nature or categories of the personal information being processed is listed below. The purpose of the processing of personal information is to provide financial planning solutions to Data Subjects.

Categories of Data Subjects	Personal Information that may be processed
Customers / Clients	name, last name, address, registration numbers or identity numbers, nationality, marital status, email details, employment status and bank details as per the Data Inventory of the business.
Service Providers	names, registration number, vat numbers, address, email details and bank details
Employees	address, qualifications if applicable, gender and race, banking details, id number, surname, contact number as per the Data Inventory of the business.

1. 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

2. Planned transborder flows of personal information

Currently RICHARDS BAY FUNERAL SERVICES CC does not have any planned transborder flows of personal information.

If RICHARDS BAY FUNERAL SERVICES CC transfers personal information outside of South Africa, RICHARDS BAY FUNERAL SERVICES CC will make sure that the information is protected in the same way as if it was being used in South Africa. RICHARDS BAY FUNERAL SERVICES CC will use one of the following safeguards:

3.1 transfer to another country whose privacy legislation ensures an adequate level of protection of personal information similar or equivalent to South Africa; Or

3.2 put in place a contract with the third-party that means they must protect personal information to the same standards as South Africa.

3. General description of Information Security Measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information

The nature of the security safeguards to be implemented or under implementation to ensure the confidentiality and integrity of the personal information under the care of the body. This may, for example, include Data Encryption, Antivirus and Anti-malware Solutions.

RICHARDS BAY FUNERAL SERVICES CC continuously establishes and maintains appropriate, reasonable technical and organisational measures by taking appropriate, reasonable technical and organisational measures to prevent

- loss of, damage to or unauthorised destruction of personal information;
- and unlawful access to or processing of personal information.

4. General description of Information Security Measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information

Measures taken by RICHARDS BAY FUNERAL SERVICES CC includes, amongst others;

Updated Anti-Virus - Kaspersky is installed on all devices.

All devices have passwords.

Confidential documents are on cloud service with Microsoft OneDrive.

ANNEXURE H: DEPUTY INFORMATION OFFICER APPOINTMENT

The organisation does not have an appointed Deputy Information Officer to facilitate any requests to access records held by the organisation. Should this change in the future then the following will be recognised.

In terms of the Protection of Personal Information Act the head of a private body is the designated Information Officer for that private body. The Information Officer may delegate any power or duty conferred or imposed in terms of POPI to the Deputy Information Officer.

- This delegation does not prohibit the person who made the delegation from exercising power concerned or performing the duty concerned himself or herself. The delegation may at any time be withdrawn or amended in writing by the person who made the delegation.
- The Deputy Information Officer need not have any specific qualifications but must have a thorough knowledge of the organisation's functional departments and business processes.
- The Deputy Information Officer has the authority to approach all staff members of the organisation and to request all records held by the organisation. Where a manager is of the opinion that access to a record should not be granted to the Deputy Information Officer, reasons for this decision shall be given to the Information Officer who will make a final decision on the matter.

Together with the Information Officer, the Deputy Information Officer is responsible for:

- Publishing and proper communication of the manual i.e. creating policy awareness
- The facilitation of any request for access
- Providing adequate notice and feedback to the requester
- Determining whether to grant a request for access to a complete/full record or only part of a record
- Ensuring that access to a record, where so granted, is provided timeously and in the correct format
- Reviewing the policy for accuracy and communicating any amendments

Approved by:

Head of organisation: Mayandaran Naidoo

Signature:



Date: 15/10/2025

Deputy Information Officer: Raylene Naidoo

Signature:



Date: 15/10/2025

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 (when made on behalf of another person)				
Postal Address				
Street Address				
E-mail Address				
Contact Numbers	Tel. (B):		Facsimile: <table border="1"><tr><td></td></tr></table>	
Cellular:				
Full names of person on whose behalf request is made (if applicable):				
Identity Number				
Postal Address				

Street Address			
E-mail Address			
Contact Numbers	Tel. (B)		Facsimile
	Cellular		
PARTICULARS OF RECORD REQUESTED <i>Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)</i>			
Description of record or relevant part of the record:			
Reference number, if available			
Any further particulars of record			
TYPE OF RECORD <i>(Mark the applicable box with an "X")</i>			
Record is in written or printed form			
Record comprises virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>			
Record consists of recorded words or information which can be reproduced in sound			
Record is held on a computer or in an electronic, or machine-readable form			

FORM OF ACCESS <i>(Mark the applicable box with an "X")</i>	
Printed copy of record <i>(including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)</i>	
Written or printed transcription of virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>	
Transcription of soundtrack <i>(written or printed document)</i>	
Copy of record on flash drive <i>(including virtual images and soundtracks)</i>	
Copy of record on compact disc drive <i>(including virtual images and soundtracks)</i>	
Copy of record saved on cloud storage server	

MANNER OF ACCESS <i>(Mark the applicable box with an "X")</i>	
Personal inspection of record at registered address of public/private body <i>(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)</i>	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format <i>(including transcriptions)</i>	
E-mail of information <i>(including soundtracks if possible)</i>	
Cloud share/file transfer	
Preferred language <i>(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)</i>	

PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED <i>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.</i>	
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)	<i>A request fee must be paid before the request will be considered.</i>
b)	<i>You will be notified of the amount of the access fee to be paid.</i>
c)	<i>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.</i>
d)	<i>If you qualify for exemption of the payment of any fee, please state the reason for exemption</i>
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. 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

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

Reference number: _____

TO: _____

Your request dated _____, refers.

1. 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.	
--	--

OR

2. You requested:

Printed copies of the information (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 information on flash drive (including virtual images and soundtracks)	
Copy of information on compact disc drive(including virtual images and soundtracks)	
Copy of record saved on cloud storage server	

3. To be submitted:

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)	

Kindly note that your request has been:

☐ Approved

☐ Denied, for the following reasons:

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4. Fees payable with regards to your request:

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

INTERNAL APPEAL FORM

FORM 4

[Regulation 9]

Reference Number:

PARTICULARS OF PUBLIC BODY				
Name of Public Body				
Name and Surname of Information Officer:				
PARTICULARS OF COMPLAINANT WHO LODGES THE INTERNAL APPEAL				
Full Names				
Identity Number				
Postal Address				
Contact Numbers	Tel. (B)		Facsimile	
	Cellular			
E-Mail Address				
Is the internal appeal lodged on behalf of another person?		Yes		No
If answer is "yes", capacity in which an internal appeal on behalf of another person is lodged: <i>(Proof of the capacity in which appeal is lodged, if applicable, must be attached.)</i>				
PARTICULARS OF PERSON ON WHOSE BEHALF THE INTERNAL APPEAL IS LODGED <i>(If lodged by a third party)</i>				
Full Names				
Identity Number				
Postal Address				
Contact Numbers	Tel. (B)		Facsimile	
	Cellular			
E-Mail Address				

DECISION AGAINST WHICH THE INTERNAL APPEAL IS LODGED <i>(mark the appropriate box with an "X")</i>	
Refusal of request for access	
Decision regarding fees prescribed in terms of section 22 of the Act	
Decision regarding the extension of the period within which the request must be dealt with in terms of section 26(1) of the Act	
Decision in terms of section 29(3) of the Act to refuse access in the form requested by the requester	
Decision to grant request for access	
GROUND FOR APPEAL <i>(If the provided space is inadequate, please continue on a separate page and attach it to this form. all the additional pages must be signed)</i>	
State the grounds on which the internal appeal is based:	
State any other information that may be relevant in considering the appeal:	

You will be notified in writing of the decision on your internal appeal. Please indicate your preferred manner of notification:

Postal address	Facsimile	Electronic communication <i>(Please specify)</i>

Signed at _____ this _____ day of _____ 20 _____

Signature of Appellant/Third party

FOR OFFICIAL USE

OFFICIAL RECORD OF INTERNAL APPEAL

Appeal received by: (state rank, name and surname of Information Officer)				
Date received:				
Appeal accompanied by the reasons for the information officer's decision and, where applicable, the particulars of any third party to whom or which the record relates, submitted by the information officer:				Yes
				No
OUTCOME OF APPEAL				
Refusal of request for access. Confirmed?	Yes		New decision (if not confirmed)	
	No			
Fees (Sec 22). Confirmed?	Yes		New decision (if not confirmed)	
	No			
Extension (Sec 26(1)). Confirmed?	Yes		New decision (if not confirmed)	
	No			
Access (Sec 29(3)). Confirmed?	Yes		New decision (if not confirmed)	
	No			
Request for access granted. Confirmed?	Yes		New decision (if not confirmed)	
	No			

Signed at _____ this _____ day of _____ 20 _____

Relevant Authority