



CICT PAIA Manual

Doc #:	DC-INT-04
Doc Owner:	Shane Rheeder
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Date:	05 August 2021

Commercial ICT, a division of Hudaco Trading (Pty) Ltd

(A Private Body)

**Manual prepared in accordance
with Section 51 of the
Promotion of Access to
Information Act No. 2 of 2000 in
respect of Commercial ICT**



Internal Process and Procedure

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1. INTRODUCTION:



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- 1.1.A member of the Hudaco group, Commercial ICT's strong team approach entails a dynamic link between certified, skilled, and competent personnel and leading solutions and products.
- 1.2.The ICT team comprises highly experienced network engineers, helpdesk and remote support technicians, systems developers, pre-sales engineers and product specialists.
- 1.3.Communication and collaboration between the individual team members and ICT's clients results in a comprehensive tailor-made end-to-end customer experience, that includes the supply of core network infrastructure, power standby systems, servers, desktops, software, and general enterprise IT hardware.
- 1.4.Commercial ICT takes strategic business steps to initiate IT infrastructure, Communication and Technology solutions and services for medium and large enterprises in South Africa.
- 1.5.Strongly positioned in the ICT industry, ICT aims to be the preferred provider of all IT infrastructure, Communication and Technology solutions and services.
- 1.6.We believe this can only be achieved through collaborating and partnering with you as our client in successfully delivering and maintaining solutions most suitable for your enterprise and applications.

2. DEFINITIONS:

The following words or expressions will bear the following meanings in this Manual:

- 2.1. "**CICT**" means Commercial ICT, a division of Hudaco Trading (Pty) Ltd (1984/005432/07), a professional company that renders managed IT services to businesses and organisations;
- 2.2. "**Customer**" means a natural or juristic person who or which receives services and / or products from CICT;
- 2.3. "**Correspondence**" means any written and / or electronic communication exchange between two or more parties;
- 2.4. "**Data Subject**" means the natural or juristic person to whom Personal Information relates;
- 2.5. "**Employee**" means any person who works for, or provides services to, or on behalf of CICT, and receives or is entitled to receive remuneration;
- 2.6. "**Information Officer**" means CICT's designated Information Officer described in paragraph 4 of this Manual
- 2.7. "**Deputy Information Officer**" means CICT's designated Deputy Information Officer described in paragraph 4 of this Manual
- 2.8. "**Manual**" means this Manual, together with all Annexures thereto as amended and made available on the website, www.commercialict.co.za, and the offices of CICT from time to time.
- 2.9. "**PAIA**" means the Promotion of Access to Information Act No. 2 of 2000, together with any regulations published thereunder
- 2.10. "**POPIA**" means the Protection of Personal Information Act No. 4 of 2013, together with any regulations published thereunder.
- 2.11. "**Personal Information**" has the meaning ascribed thereto under POPIA, and shall be deemed to mean any information relating to an identified or identifiable natural person;



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- 2.12. **“Processing”** means any operation or activity or any set of operations, whether by automatic means, concerning Personal Information, including –
 - 2.12.1. The collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;
 - 2.12.2. Dissemination by means of transmission, distribution or making available in any other form by electronic communications or other means; or
 - 2.12.3. Merging, linking, blocking, degradation, erasure, or destruction. For the purposes of this definition, **“Process”** has a corresponding meaning;
- 2.13. **“Requester”** means any Person or entity (including any Data Subject) requesting access to a record that is under the control of CICT; and
- 2.14. **“Third-Party”** means any independent contractor agent, consultant, sub-contractor, or other representative of CICT.

3. ACCESS TO INFORMATION USING PAIA

(Information provided in terms of Section 51(1) of PAIA)

- 3.1. PAIA grants a Requester access to records of a private body if the record is required for the exercise or protection of any rights. If a public body lodges a request in terms of PAIA, the public body must be acting in the public interest.
- 3.2. Requests in terms of PAIA shall be made in accordance with the prescribed procedures, and the prescribed fees.
- 3.3. A guide on how to use PAIA is required to be compiled by the Information Regulator and when available, will be accessible (in various official languages) on the Information Regulator’s website. All queries should be directed to:


The Information Regulator of South Africa

Physical Address: JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001
Postal Address: P. O Box 31533, Braamfontein, Johannesburg, 2017
E-mail: inforeg@justice.gov.za / complaints.IR@justice.gov.za
Website: www.justice.gov.za
Tel: +27 12 406 4818
Fax: +27 86 500 3351

4. CICT CONTACT DETAILS:

(Information required under Section 51(1)(a) of PAIA)

Name of Body:	Commercial ICT, a division of Hudaco Trading (Pty) Ltd
Physical Address:	27 Greenstone Pl, Modderfonteing

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	Lethabong 1609
Postal Address:	27 Greenstone Pl, Modderfonteing Lethabong 1609
Head of body:	Jaco Moolman
Information Officer:	Shane Rheeder
Deputy Information Officer:	

5. PROCESSING OF PERSONAL INFORMATION

(Information required under Section 51(1)(c) of PAIA)

5.1. Purpose of Processing Personal Information

- 5.1.1. CICT will only process a Data Subject's Personal Information for a specific and clear purpose and will ensure that a Data Subject is made aware of such purpose(s) as far as possible
- 5.1.2. CICT will ensure that Processing of Personal Information will relate only to the purpose for and which the Data Subject has been made aware and where relevant, has consented to, and will not process any Personal Information for any other purposes.
- 5.1.3. CICT will only process Personal Information that are for, or compatible with, business purposes for which data was collected or subsequently authorised by relevant Data Subject
- 5.1.4. CICT will only retain Personal Information for a long as is necessary to accomplish business purposes or for as long as required by applicable law(s).
- 5.1.5. CICT uses Personal Information for one or more of the following purposes, this list is by no means exhaustive:
 - 5.1.5.1. For providing services and or products to the Data Subject
 - 5.1.5.2. Personal Information is processed to conduct due diligence process on CICT customers
 - 5.1.5.3. Personal Information is processed for the purposes of performing general information technology related functions for all business functions within CICT
 - 5.1.5.4. The purposes of interacting with you on our website and monitoring your use on the website to improve website services and functionality
 - 5.1.5.5. Personal Information is processed in terms of internal quality control and audit purposes to identify and mitigate relevant risks
 - 5.1.5.6. Personal Information is processed for employment related purposes such as payroll
 - 5.1.5.7. To respond to any correspondence from a Data Subject via email, telephone, or physical site
 - 5.1.5.8. In connection with the execution of payment process functions, including supplier invoices
 - 5.1.5.9. Contacting Data Subjects for direct marketing purposes

5.2. Categories of Data Subjects



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5.2.1. Data Subjects in respect of which Personal Information is Processed include Customers of CICT, employees and Service Providers

5.2.2. CICT collects Personal Information directly from the Data Subject and ensures that consent is obtained from said Data Subject

5.3. Transborder Information Flows:

5.3.1. In carrying out any cross-border transfers of a Data Subject's Personal Information, CICT shall adhere to the Provisions of POPIA

5.4. Information Security Measures:

5.4.1. Information Security is of vital importance to CICT, and we have implemented reasonable technical, administrative and physical security measures to protect Personal Information from unauthorised access, disclosure or improper use.

5.4.2. In Processing any Personal Information, CICT shall comply with the following minimum technical and organisational measures:

5.4.2.1. Physical Access: Access to Personal Information is restricted in our office an only those Employees who need the Personal Information to perform a specific job / task

5.4.2.2. Training: All Employees with Access to Personal Information ae trained or made aware of regulations in terms of the Protection of Personal Information

5.4.2.3. Usernames and Passwords: Each employee is assigned a unique log on username and password in line with the User Access Policy and Password Policy

5.4.2.4. Backups: CICT ensures that Personal Information is backed up as per the Backup and Recovery Policy

5.4.2.5. Anti-virus/ Malware: CICT ensures sufficient protection of Personal Information by employing an anti-virus / malware protection as far as possible, based on the Anti-virus / Malware policy.

5.4.2.6. Systems / Network Vulnerability: CICT ensures that any weaknesses in systems and or networks are identified and addressed through vulnerability scans and reports

6. INFORMATION HELD BY CICT:

(Information required under Section 51(1)(e) of PAIA)

CICT maintains records on the following categories and subject matters. Note that recording a category or subject matter in this Manual does not imply that a request for access to such records will be granted. All requests will be evaluated on a case by cases basis in accordance with the Provisions of the Act.

- 6.1. Services and Products offered
- 6.2. Contact Information and Location
- 6.3. Privacy Policy
- 6.4. Terms of Use
- 6.5. Financial Records
- 6.6. Client Records
- 6.7. Company Records
- 6.8. Human Resources Records
- 6.9. Intellectual Property
- 6.10. Information Technology



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- 6.11. Marketing Information
- 6.12. Agreements with suppliers
- 6.13. Meeting minutes
- 6.14. Correspondence with customers

7. OTHER LEGISLATION RECORDS

(Information required under Section 51(1)(b)(iii) of PAIA)

- 7.1. Basic Conditions of Employment Act No. 75 of 1997
- 7.2. Companies Act No. 70 of 2008
- 7.3. Labour Relations Act No. 66 of 1995
- 7.4. Income Tax Act No. 58 of 1962
- 7.5. Compensation for Occupational Injuries and Diseases Act No. 130 of 1993
- 7.6. Electronic Communications and Transactions Act No. 25 of 2002
- 7.7. Occupational Health and Safety Act No. 85 of 1993
- 7.8. Promotion of Access to Information Act No. 2 of 2000
- 7.9. Protection of Personal Information Act No. 4 of 2013
- 7.10. Value-Added Tax Act No. 89 of 1991
- 7.11. Employment Equity Act No. 55 of 1998
- 7.12. Unemployment Insurance Act No. 30 of 1996

8. REQUEST PROCEDURE

8.1. Records, whether specifically listed in this Manual or not, will only be made available subject to the provisions of PAIA

8.2. Form of Request

- 8.2.1. The Requester must use the prescribed form to make the request for access to a record, which form is attached hereto as **Annexure "A"**. This must be made to the Information Officer/ Deputy Information Officer at the address or electronic mail address of the body concerned.
- 8.2.2. The Requester must provide sufficient detail on the request form to enable the Information Officer / Deputy Information Officer to identify the record and the Requester. The Requester should also indicate which form of access is required and specify a postal address, fax number or email address. The Requester should also indicate if, in addition to a written reply, any other manner is to be used to inform the Requester and state the necessary particular to be so informed.
- 8.2.3. If a request is made on behalf of another person, the Requester must submit proof of the capacity in which the Requester is making the request to the satisfaction of the head of the private body.

8.3. Fees

8.3.1. Request Fees:

- 8.3.1.1. The Information Officer / Deputy Information Officer must by notice require the Requester to pay the prescribed request fee (if any) before further processing the request



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8.3.1.2. The fee that the Requester must pay to a private body is R50.00. The Requester may lodge an application to the court against the tender or payment of the request fee.

8.3.2. Access fees and fees for reproduction:

8.3.2.1. If access to a record/s is granted by CICT, the Requester may be required to pay an access fee for the search for and preparation of the records and for reproduction of the record(s).

8.3.2.2. The access fees which apply are set out below. CICT can refuse access until such access fees have been paid.

	Reproduction	Fee (Rand)
1.	Photocopy of an A4-size page or part thereof provided in hard copy or via scanned copy sent via email	R1.10 per page
2.	Printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	R0.75 per page
3.	A copy of, in a computer readable form on compact disc.	R70.00
4.	Transcript of visual images on an A4-size page or part thereof	R40.00 per page
5.	Copy of visual images	R60.00
6.	Transcription of an audio record on an A4-size page or part thereof	R20.00
7.	Copy of an audio record	R30.00

8.4. Decision on request

8.4.1. After the Information Officer has decided on the request, the Requester will be notified using the required form.

8.4.2. If the request is granted, then a further access fee must be paid for reproduction and for search and preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

9. REQUEST TIMELINES

9.1. Requests for access by a Requester will be processed within 30 days, unless the request contains consideration that are of such a nature that an extension of the 30-day time limit is necessary. Such consideration include –

9.1.1. Where the request is for a large number of records or requires a search through a large number of records (including where records that have been archived electronically need to be restored);

9.1.2. Consultation among CICT with another private body is necessary or desirable to decide upon the request that cannot reasonably be completed within the original 30-day period;



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9.1.3. More than one of the circumstances contemplated in paragraphs 9.1.1 and 9.1.2, exist in respect of the request making compliance with the original period not reasonably possible; or

9.1.4. The Requester consent in writing to such extension.

9.2. If an extension is necessary, you will be notified with reasons for the extension. If the Information Officer fails to communicate a decision on a request, such a request then deemed to have been refused.

10. DENIAL OF ACCESS

The main grounds for CICT to refuse a request for information may relate to the:

- 10.1. Mandatory protection of the privacy of a third party who is a natural person, who would involve the unreasonable disclosure of Personal Information of that Natural Person
- 10.2. Mandatory protection of the commercial information of a third party if the record contains:
 - 10.2.1. Trade secrets of that third party;
 - 10.2.2. Financial, commercial, scientific, or technical information which disclosure could likely cause harm to the financial or commercial interest of that third party; and
 - 10.2.3. Information disclosed in confidence by a third party to CICT, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition;
- 10.3. Mandatory protection of confidential information of third parties if it is protected in terms of any agreement
- 10.4. Mandatory protection of the safety of individual and the protection of property
- 10.5. Mandatory protection of records which would be regarded as privileged in legal proceedings
- 10.6. The commercial activities of CICT, which may include, but is not limited to:
 - 10.6.1. Trade secrets of CICT;
 - 10.6.2. Financial, Commercial, Scientific or Technical information which disclosure could likely cause harm to the financial or commercial interest of CICT, and;
 - 10.6.3. Information which, if disclosed could put CICT at a disadvantage in negotiations or commercial competition;
 - 10.6.4. The research information of CICT or a third party, if its disclosure would disclose the identity of CICT, the researcher or the subject matter of the research and would place the research at a serious disadvantage

11. REMEDIES AVAILABLE:

- 11.1. CICT does not have any internal appeal procedures that may be followed once a request to access information has been refused.
- 11.2. The decision of the Information Officer / Deputy Information Officer is final.
- 11.3. If you are not satisfied with the outcome of your request, you are entitled to apply to a court of competent jurisdiction to take the matter further.

12. MANUAL AVAILABILITY:



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This Manual is available free of charge at the office of CICT as well as published on the website, www.commercialict.co.za

ANNEXURE "A" – FORM C – PRESCRIBED FORM TO MAKE REQUEST FOR ACCESS

FORM C

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY
(Section 53(1) of the Promotion of Access to Information Act, 2000
(Act No. 2 of 2000)

[Regulation 10]

A. Particulars of private body

The Head:

B. Particulars of person requesting access to the record

- | | |
|-----|---|
| (a) | The particulars of the person who requests access to the record must be given below. |
| (b) | The address and/or fax number in the Republic to which the information is to be sent must be given. |
| (c) | Proof of the capacity in which the request is made, if applicable, must be attached. |

Full names and surname:

Identity number:

Postal address:

Fax number:

Telephone number:

E-mail address:

Capacity in which request is made, when made on behalf of another person:

C. Particulars of person on whose behalf request is made

This section must be completed <i>ONLY</i> if a request <i>for information</i> is made on behalf of <i>another</i> person.
--

Full names and surname:

Identity number:

D. Particulars of record

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



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- 1 Description of record or relevant part of the record:
- 2 Reference number, if available:
- 3 Any further particulars of record:

E. Fees

- (a) 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.
- (b) You will be *notified of* the amount required to be paid as the request fee.
- (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 for exemption from payment of fees:

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 for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.

Disability:	Form in which record is required
Mark the appropriate box with an X.	
<p>NOTES:</p> <ul style="list-style-type: none"> (a) Compliance with your request in the specified form may depend on the form in which the record is available. (b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form. (c) The fee payable for access for 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:

<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record
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2. If record consists of visual images this includes photographs, slides, video recordings, computer-generated images, sketches, etc)

<input type="checkbox"/>	view the images	<input type="checkbox"/>	copy of the images"	<input type="checkbox"/>	transcription of the images*
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3. If record consists of recorded words or information which can be reproduced in sound:

<input type="checkbox"/>	listen to the soundtrack audio cassette	<input type="checkbox"/>	transcription of soundtrack* written or printed document
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4. If record is held on computer or in an electronic or machine-readable form:



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	printed copy of record*		printed copy of information derived from the record"		copy in computer readable form* (stiffy or compact disc)	
'If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.					YES	NO

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 the additional folios.

1. Indicate which right is to be exercised or protected:
2. Explain why the record requested is required for the exercise or protection of the aforementioned right:

H. Notice of decision regarding request for access

You will be notified in writing whether your request has been approved/denied. If you wish to be informed 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?

Signed at..... This..... day of20

SIGNATURE OF REQUESTER / PERSON ON WHOSE BEHALF REQUEST IS MADE

Review:

NO.	LAST MODIFIED	LAST MODIFIED BY:	DOCUMENT CHANGES
1	05/08/2021	Charleen Rheeder	First Draft updates
2	31/08/2021	Shane Rheeder	Policy Approval