	<b>SOUTH AFRICAN POST OFFICE</b>	<b>HO-RMC-PAIAMANUAL-2022-01</b> <b>V2.0</b>
<b>Promotion to Access of Information Act (PAIA) Manual</b>		

<b>Document Name:</b>	<b>Promotion to Access of Information Act (PAIA) Manual</b>
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**NOTE:**

A person using SAPO documents or data accepts the risks of:

- a) Distributing the documents or data without suitable authorization; and
- b) Not using the documents or data as authorized or intended.

## Document Approval Page

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MANUAL TO BE REVIEWED EVERY 2 YEARS

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## 1. INTRODUCTION

The right to privacy is an integral human right recognised and protected in the South African Constitution and in the Protection of Personal Information Act 4 of 2013 (POPIA). The Promotion of Access to Information Act, No 2 of 2000 (the Act) aims to give effect to the constitutional right of access to information subject to justifiable limitations, including limitations aimed at the reasonable protection of privacy, commercial confidentiality and effective, efficient and good governance

Section 51 of the Act requires SA Post Office SOC Limited (SAPO) to compile a manual (the Manual) that is available to any party requesting information and the procedures to follow when initiating a request.

## 2. PURPOSE OF MANUAL

The purpose of this manual is to give effect to the constitutional right of access to information held by a public body for the exercise of or protection of rights and to establish the procedures to give effect to that right, in a timeous manner as reasonably possible.

This manual provides the following:

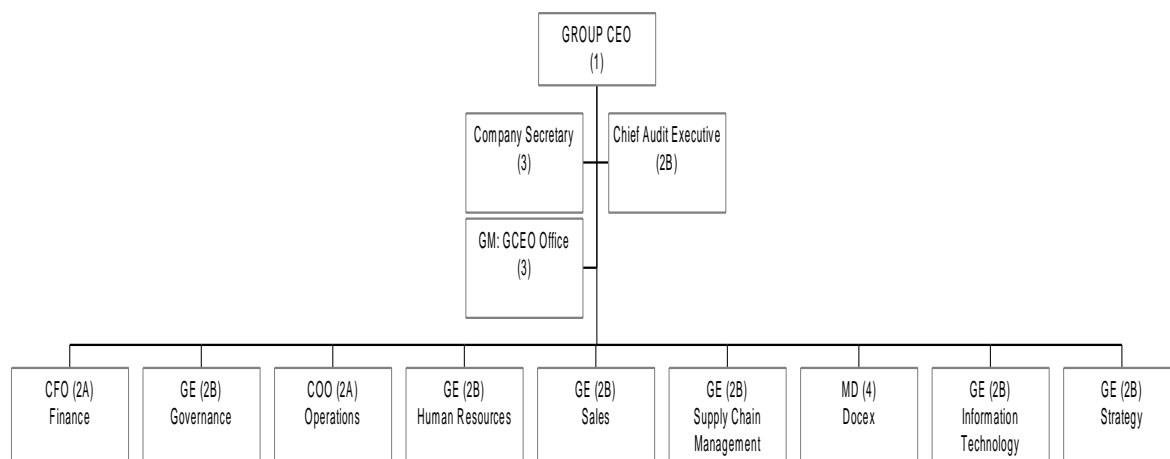
- Information to persons who consider applying for information held by SAPO;
- A description of the available records of SAPO;
- A description of the personal information processing activities and safeguard of SAPO as prescribed by the Act; and
- To facilitate any request for information a requester may have under the Act, required for the protection or exercise of any right. Such a request is subject to justifiable limitations, as per Part 3, Chapter 4 of the Act.

## 3. COMPANY INFORMATION

The South African Post Office is a State Owned Entity in operation since 01 October 1991. The State is the sole shareholder of SAPO.

The main business of SAPO is to enable the nation to efficiently connect with the world by distributing information, goods, financial and government services using its broad reach of post offices throughout the country. We are committed to providing an efficient, affordable postal and communication service to South African society.

### 3.1 Company Structure



### 3.2 Company details

Company Name	South African Post Office SOC Limited
Registration Number	1991/005477/30
Physical Address	National Postal Centre (NPC), 497 Sophie de Bruyn Street, Pretoria 0002
Postal Address	P.O. Box 10 000, Pretoria 0001
Contact Number	+27 12 407 7000
Website	<a href="https://www.postoffice.co.za">https://www.postoffice.co.za</a>
Group Chief Executive Officer	Ms Nomkhita Mona
Company Secretary	Mr Dawood Dada
Company Secretary e-mail	<a href="mailto:Dawood.Dada@postoffice.co.za">Dawood.Dada@postoffice.co.za</a>
Information Officer	Cheryl Jute
Information Officer e-mail	<a href="mailto:Cheryl.Jute@postoffice.co.za">Cheryl.Jute@postoffice.co.za</a>
Customer Services contact	0860 111 502
Customer Services e-mail	<a href="mailto:customer.services@postoffice.co.za">customer.services@postoffice.co.za</a>

## 4. THE PROMOTION OF ACCESS TO INFORMATION ACT

The South Africa Human Rights Commission (SAHRC) has compiled a guide containing information which may reasonably be required by a person who wishes to exercise any right contemplated in the Act.

Requesters are referred to the guide in terms of Section 10 which has been compiled by the SAHRC which contains information for the purposes of exercising your Constitutional Rights. The guide is available from the SAHRC.

Any queries relating to this manual should be directed to:

The South African Human Rights Commission

Postal Address: Private Bag 2700 Houghton 2041

Physical Address: 27 Stiemens Street, Braamfontein, Johannesburg

Telephone Number: 011 877 3645

Website: [www.sahrc.org.za](http://www.sahrc.org.za)

## 5. PROCESSING OF PERSONAL INFORMATION

SAPO will only collect personal information from you if it is necessary for us to provide or carry out our services and functions. We only collect your personal information by lawful and fair means, and by methods that are not unreasonably intrusive.

The above information is available in our Privacy Policy available at [www.postoffice.co.za](http://www.postoffice.co.za)

## 6. REQUEST TO ACCESS RECORDS

This Manual is designed to facilitate any request for information from a requester.

In terms of section 50 of the Act, a requester must be given access to any record held by a public body where:

- That record is required for the exercise or protection of any rights;
- The requester complies with the procedural requirements in terms of the Act pertaining to a request for access; and
- Access to that record is not refused in terms of any of the grounds for refusal listed in the Act.

SAPO undertakes to provide a response to the requester -

- Within a reasonable time;
- At the prescribed fee ;
- In a reasonable manner and format; and
- In a form that is generally understandable

Requests for access to records held by SAPO must be made on the request form attached as Annexure A. Alternatively forms are available from the SAHRC website ([www.sahrc.org.za](http://www.sahrc.org.za)) or the Department of Justice and Constitutional Development ([www.doj.gov.za](http://www.doj.gov.za)) (under “regulations”).

Requests for access must be made to the Information Officer at the postal address or electronic mail provided above.

As per the requirements of the Act, the request must provide sufficient and detailed information on the request form to enable the Information Officer to identify the record and the requester. The requester should also indicate if they wish to be informed in any other manner and state the necessary particulars to be so informed.

In addition, the requester must identify the right they are seeking to exercise or protect and provide an explanation as to why the requested record is required for the exercise or protection of that right.

If a request is made on behalf of a person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the head of the public body.

Requestors are required to pay the prescribed fees.

## **6.1 Request procedures**

A requester must be given access to a record of a public body if the requester complies with the following:

- The requester complies with all the procedural requirements in the Act relating to the request for access to that record; and
- Access to that record is not refused on any ground of refusal mentioned in the Act.

## **6.2 Nature of the request**

- The requester must indicate if the requester is for a copy of the record or whether the requester will view the record at the offices of the public body. Alternatively if the record is not a document it can then be viewed in the requested format, where possible.
- If a requestor asks for access in a particular format then the requester should be granted access in the manner that has been asked for. This is unless doing so would interfere unreasonably with the running of the public body concerned, or damage the record, or infringe a copyright not owned by the state. If for practical reasons access cannot be given in the required format but in an alternate manner, then the fee will be calculated according to the format that the requester first asked for the information.
- If, in addition to a written reply to their request for the record, the requester wants to be informed about decisions in any other format, e.g. telephone, this must be indicated.
- If a request is made on behalf of another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the head of the public body.

- If a requester is unable to read or write, or has a disability, then they can make the request for the record orally. The information officer must then fill in the form on behalf of such a requester and give them a copy.

#### **6.4 Grounds for refusal**

SAPO retains its right to refuse requests for information or to access records, however, each request will be given due attention.

- Any information related to a person who is deceased will not be released unless the requester can prove his / her legal right to obtain such information.
- Information about a third party will not be released if doing so will cause harm to the third party.
- The intellectual property (IP), trademark or patent related information of SAPO will not be disclosed to any requester.
- Information related to employee details will not be provided to any third party except to the requester's Human Resource Professional (HR Professional) with the requisite level of authority to request such information.
- This applies to family, friends, co-workers, and Line Management at a candidate's place of employment.
- To protect someone else's privacy and/or confidential information;
- another company's commercial information;
- To protect the safety of individuals and property;
- Records privileged for production in legal proceedings; and
- Research information.

#### **6.5 Internal Appeal**

- A requester must use the form that has been printed in the Government Gazette [Govt. Notice R187 – 15 February 2002 Form B] and comply with all the provisions as outlined in the Act.
- Form B must be lodged by the appellant, within 60 days after receipt of the information officer's refusal to grant a request for access. This must be made to the information officer and comply with all the provisions outlined in the Act.
- The internal appeal will follow the prescribed process as outlined in terms of sections 74, 75, 76 and 77 of the Act.

### **7. APPLICABLE LEGISLATION**

SAPO hold records for the purposes of PAIA in terms of the following legislation, among others:

- Adjustments Appropriation Act, 2014
- Administrative Adjudication of Road Traffic Offences Act, No. 46 of 1998
- Appropriation Act, 2015
- Auditor General Act, No 12 1995 (Repealed by Public Audit Act No 25 of 2004)
- Banks Act, 1990
- Basic Conditions of Employment Act, 75 of 1997
- Broad Based Black Economic Empowerment Act, No. 53 of 2003
- Companies Act, No. 71 of 2008
- Compensation for Occupational Injuries and Diseases Act, No. 130 of 1993
- Competition Act, 1998

- Consumer Protection Act, No. 68 of 2008
- Copyright Act, No. 98 of 1978
- Criminal Procedure Act, 51 of 1977
- Customs and Excise Act, No. 91 of 1964
- Customs Control Act of 2014
- Dangerous Weapons Act, 2013
- Drugs and Drug Trafficking Act, 140 of 1992
- Electronic Communications Act, 36 of 2005
- Electronic Communications and Transactions Act, No. 25 of 2002
- Employment Equity Act, No. 55 of 1998
- Employment Tax Incentive Act, 2013
- Finance Act, 2007
- Financial Advisory and Intermediary Services Act, No. 37 of 2002
- Financial Institutions (Protection of Funds) Act, 2001
- Financial Intelligence Centre Act, No. 38 of 2001
- Financial Services Board Act, 1990 Repealed by: Financial Sector Regulation Act No: 9 of 2017
- FINANCIAL SERVICES OMBUD SCHEMES ACT 37 OF 2004
- General Pensions Act, 1979
- Income Tax Act, No. 28 of 1997
- Intellectual Property Laws Rationalisation Act, 1996
- Justice of the Peace and Commission of Oaths Act, 1963
- Labour Relations Act, No. 66 of 1995
- Long-Term Insurance Act, No. 52 of 1998
- Medical Schemes Act, 1998
- Medicines and Related Substances Control Act, 1965
- Mental Health Care Act, 2002
- National Building Regulations and Building Standards Act, 1977
- National Energy Act, No. 34 2008
- National Environmental Management - Air Quality Act, No. 39 of 2004
- National Environmental Management - Waste Act 59 of 2008
- National Payment System Act, No. 78 of 1998
- National Qualification Framework Act 67 of 2008 (Repealed South African Qualifications Authority Act, 1995)
- National Road Traffic Act, 1996
- Occupational Health and Safety Act, No. 85 of 1993
- Pension Funds Act, 1956
- Post Office Licence (ICASA)
- Postal Services Act, No. 124 of 1998
- Postbank Act, No. 9 of 2010
- Preferential Procurement Policy Framework Act, No. 5 of 2000
- Prescribed Rate of Interest Act, 1975
- Prevention and Combating of Corrupt Activities Act, No. 12 of 2004
- Prevention of and Treatment for Substance Abuse Act, 2008
- Prevention of Organised Crime Act, No. 121 of 1998



- Promotion of Access to Information Act, No. 2 of 2000 - Public Bodies
- Promotion of Equality and Prevention of Unfair Discrimination Act, 2000
- Protected Disclosures Act, No. 26 of 2000
- Protection from Harassment Act, 2010
- Protection of Constitutional Democracy Against Terrorist and Related Activities Act, No. 33 of 2004
- Protection of Information Act, 1982
- Protection of Personal Information Act, No.4 of 2013
- Public Audit Act, No 25 of 2004 & Public Audit Amendment Act No 5 of 2018)
- Public Finance Management Act, No. 1 of 1999 - Public Entities Schedule 3
- Public Holidays Act, 1994
- Recognition of Customary Marriages Act, 1998
- Regulation of Interception of Communications and Provision of Communication-related information Act, No. 70 of 2002
- Short-Term Insurance Act, No. 53 of 1998
- Skills Development Act, No. 97 of 1998
- Skills Development Levies Act, No. 9 of 1999
- Social Assistance Act of 2004
- South African Citizenship Act, 1995
- South African Post Office SOC Limited Act, No.22 of 2011
- South African Reserve Bank Act, 1989
- South African Revenue Service Act, 1997
- South African Social Security Agency Act
- Tax Administration Act, 2011
- Tax on Retirement Funds Act, 1996
- Trade Marks Act, No. 194 of 1993
- Trade Metrology Act, No. 77 of 1973
- Unemployment Insurance Act, 2001
- Unemployment Insurance Contributions Act, No. 4 of 2002
- Use of Official Languages Act, 2012
- Value-Added Tax Act, No. 89 of 1991

## **8. RECORDS HELD BY SAPO**

- Business
- Client
- Commercial
- Confidential
- Contractor
- Contracts
- Directors
- Employees
- Financial
- Company structure, financial, rules of incorporation
- Information technology
- Medical

- Legal
- Operational policies and procedures
- Product and services
- Regulatory reports
- Strategy

Records that are automatically available to the public are all records SAPO have lodged in terms of government requirements with various statutory bodies including the Registrar of Companies, the Registrar of Deeds, all records in the booklets and pamphlets published by the South African Post Office and all records available on the South African Post Office website ([www.postoffice.co.za](http://www.postoffice.co.za)).

## **9. AVAILABILITY OF MANUAL**

This manual is available in English in electronic format on our website at [www.sapostoffice.co.za](http://www.sapostoffice.co.za). Alternatively a copy is available at our offices as detailed in 3.2 above.

## **10. REMEDIES**

If your request for access is denied, you may:

- apply to a court with appropriate jurisdiction, or
- lodge a complaint with the Information Regulator, for the necessary relief.

## **11. DISCLAIMER**

The submission of a request for information is not a guarantee that SAPO will release the requested information.

## **12. UPDATES**

This manual will be updated as and when legislation changes and when SAPO make changes/updates to information in order for the manual to remain current and relevant.

**ANNEXURE A:  
REQUEST FOR ACCESS TO RECORD  
IN TERMS OF PAIA  
V1.0**



**Please submit the completed form to the Information Officer:**

Contact details available on [www.sapostoffice.co.za](http://www.sapostoffice.co.za)

Please be aware that we require you to provide proof of identification prior to processing your request.

**A. Particulars of Requestor:**

Name & Surname	
Identity Number	
Postal Address	
Contact Number	
Email Address	
Capacity in which request is being made	

**B. Particulars of person on whose behalf the request is made:**

(This section must **only** be completed if a request is made on behalf of another person)

Name & Surname	
Identity Number	
Postal Address	
Contact Number	
Email Address	
Capacity in which request is being made	

**C: Particulars of Record:**

- (a) Provide full particulars of the record to which access is requested, including the reference number if it is known to you, to enable the record to be located.
- (b) If the provided space is inadequate, please continue on a separate page and attach to this form. The requester must sign all the additional pages.

Description of record or relevant part of record	
Reference number, if available	
Any Further particulars of record	

**D: Particulars of right to be exercised or protected:**

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

Indicate right to be exercised or protected	
Explain why the record requested is required for the exercise of protection of the above mentioned right	
<b>E: Fees:</b> (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. (c) If you qualify for an exemption of the payment of any fee, please state the reason therefore.	
Reason for exemption	
<b>F: Notice of decision regarding request for access:</b> You will be notified in writing via email whether your request has been approved or denied. If you wish to be informed in another manner, please indicate below the manner in which you wish to be informed. The information provided in section A will be utilised.	
I request the organisation to:	
(a) Notify me by telephone	<input type="checkbox"/>
(b) Notify me by means of my postal address	<input type="checkbox"/>
(c) Correct or update my personal information	<input type="checkbox"/>
<b>G. Signature:</b>	
Signature of requester/person on whose behalf request is made	
Date	