

Yaxxa Distribution Pty Ltd

PAIA MANUAL

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

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1. LIST OF ACRONYMS AND ABBREVIATIONS

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

2. PURPOSE OF PAIA MANUAL

This PAIA Manual is useful for the public to-

- 2.1 check the categories of records held by a body which are available without a person having to submit a formal PAIA request;
- 2.2 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;
- 2.3 know the description of the records of the body which are available in accordance with any other legislation;

- 2.4 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;
- 2.5 know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- 2.6 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;
- 2.7 know the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.8 know the recipients or categories of recipients to whom the personal information may be supplied;
- 2.9 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
- 2.10 know whether the body has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

3. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION

3.1. Chief Information Officer

Name: Heinz Vollmer

Tel: +27836302352

Email: heinz@yaxxa.co.za

3.2. Information Officer

Name: Kaldyn Vollmer

Tel: +27788021059

Email: kaldyn@yaxxa.co.za

3.3. Deputy Information Officer

Name: Duncan James

Tel: +2779 585 2586

Email: duncan@yaxxa.co.za

3.4 Access to information general contacts

Email: info@yaxxa.co.za

kaldyn@yaxxa.co.za

duncan@yaxxa.co.za

3.5 National or Head Office

Postal Address:

Silverpoint Office Park

Building No. 1

First Floor

22 Ealing Crescent

Bryanston

Johannesburg 2021

Physical Address:

Silverpoint Office Park

Building No. 1

First Floor

22 Ealing Crescent

Bryanston

Johannesburg 2021

Telephone: 0114678414

Email: info@yaxxa.co.za

Website: www.yaxxa.co.za

4. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

4.1. 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.

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

4.3. The aforesaid Guide contains the description of –

4.3.1. the objects of PAIA and POPIA;

4.3.2. the postal and street address, phone and fax number and, if available, electronic mail address of-

4.3.2.1. the Information Officer of every public body, and

4.3.2.2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA²;

- 4.3.3. the manner and form of a request for-
 - 4.3.3.1. access to a record of a public body contemplated in section 11³; and
 - 4.3.3.2. access to a record of a private body contemplated in section 50⁴;
 - 4.3.4. the assistance available from the IO of a public body in terms of PAIA and POPIA;
 - 4.3.5. the assistance available from the Regulator in terms of PAIA and POPIA;
 - 4.3.6. 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-
 - 4.3.6.1. an internal appeal;
 - 4.3.6.2. a complaint to the Regulator; and
 - 4.3.6.3. 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;
 - 4.3.7. 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;
 - 4.3.8. the provisions of sections 15⁷ and 52⁸ providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
 - 4.3.9. the notices issued in terms of sections 22⁹ and 54¹⁰ regarding fees to be paid in relation to requests for access; and
 - 4.3.10. the regulations made in terms of section 92¹¹.
- 4.4. 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.

4.5. The Guide can also be obtained-

4.5.1. upon request to the Information Officer;

4.5.2. from the website of the Regulator (<https://www.justice.gov.za/infoereg/>).

4.6 A copy of the Guide is also available in the following two official languages, for public inspection during normal office hours-

4.6.1. English and Afrikaans.

5. CATEGORIES OF RECORDS OF YAXXA DISTRIBUTION PTY LTD WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

Category of records	Types of the Record	Available on Website	Available upon request
Company Profile	Electronic	X	X
Yaxxa Privacy Policy	Electronic		X
Yaxxa PAIA Manual	Electronic	X	X
Yaxxa Data Protection Policy	Electronic	X	X
Client Testimonials	Video	X	X

6. DESCRIPTION OF THE RECORDS OF YAXXA Pty Ltd 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
POPIA Policy	Protection of Personal Information Act 4 of 2013
Information Officer Registration Certificate	Protection of Personal Information Act 4 of 2013

7. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY YAXXA Pty Ltd

Subjects on which the body holds records	Categories of records
Strategic Proposals	Documents, Plans, Annual Reports, Annual Strategic Plan, Performance Plan.
Human Resources	<ul style="list-style-type: none"> - HR policies and procedures - Advertised posts - Employees records
Customer Relations	<ul style="list-style-type: none"> - Client Identification numbers, residential addresses, contact information, bank details. - Company registration documents.

8. PROCESSING OF PERSONAL INFORMATION

8.1 Purpose of Processing Personal Information

- 8.1.1. Depending on the type of business we conduct with the data subject or the relationship the data subject has with us, we may process their PI, including the following: name, race (for employment purposes or as otherwise required by applicable law), gender, marital status, nationality, age, language preference, date of birth, information relating to education, financial, criminal or employment history of a person, identifying numbers such as identity or passport number, tax identification numbers or tax, reference numbers, email address, physical address and telephone number.
- 8.1.2. We undertake to comply with POPIA at all relevant times and to process PI lawfully and, so as not to infringe unnecessarily on data subjects' privacy.
- 8.1.3. We undertake to process PI only for the purpose for which it is intended, to enable us to conduct our business, affairs, and activities, as may inter alia be contractually determined.
- 8.1.4. Whenever necessary, we shall obtain the voluntary, specific, and informed consent as defined in POPIA ("Consent") from the data subject to process their PI.
- 8.1.5. Where we do not expressly seek consent of data subject, the processing of PI may be done in terms of another legitimate ground, such as a legal obligation placed on us, to protect a legitimate interest that requires protection, done solely for permitted journalistic/literary expression, or be permitted under a Code of Conduct that we ascribe to.
- 8.1.6. We shall stop processing a data subject's PI as soon as the required Consent to do so is withdrawn by the data subject or if a legitimate objection thereto is raised by the data subject.
- 8.1.7. We shall collect PI directly from the data subject, unless: the PI is of public record, data subjects have Consented to the collection of their PI from an Affiliate of the Organization, the PI to be collected is necessary for the maintenance of law and order or national security, the PI is being collected to comply with a legal obligation, including an obligation to SARS, the PI collected is required for the conduct of proceedings in any court or tribunal, where these proceedings have commenced or are reasonably contemplated, or the PI is required to maintain our legitimate interests.
- 8.1.8. We shall retain records of PI that we have collected for the minimum period as required by law unless the data subject has given Consent or instructed us to retain the records for a longer period.
- 8.1.9. We shall destroy or delete records of PI (to de-identify PI) as soon as reasonably possible after the period for which we are entitled to hold the records, has expired or the data subject withdraws their Consent.

8.1.10. We undertake to ensure that the PI which we collect, and process is complete, accurate, not misleading, and up to date.

8.1.11. Where relevant, we undertake to take exceptional care with bank account details and are not entitled to obtain or disclose or procure the disclosure of such banking details unless it has the data subject's specific Consent, or we are legally obliged to disclose it.

8.2 Description of the categories of Data Subjects and of the information or categories of information relating thereto

Categories of Data Subjects	Personal Information that may be processed
Customers / Clients	name, address, registration numbers or identity numbers, employment status and bank details
Service Providers	names, registration number, vat numbers, address, trade secrets and bank details
Employees	names, contact info, identification, bank details, address, qualifications, gender and race

8.3 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, Finance Houses
Client Company Information	Service Providers

8.4 Planned transborder flows of personal information

8.4.1 Not applicable in general course of business, however if required, will only allow for transborder flow of PI with the consent of the data subject.

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

8.5.1. Client records are stored on M-Files which makes use of permission restrictions and redaction to ensure the information is only accessed by those who are so authorized.

8.5.2. As a software as a service provider we also have state of the art anti-virus firmware and other security features in place.

8.5.3. We also constantly monitor our environment for any security breaches.

9. AVAILABILITY OF THE MANUAL

9.1 A copy of the Manual is available-

9.1.1 On www.yaxxa.co.za ;

9.1.2 head office of Yaxxa Distribution Pty Ltd for public inspection during normal business hours;

9.1.3 to any person upon request and upon the payment of a reasonable prescribed fee; and

9.1.4 to the Information Regulator upon request.

9.2 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.

9.3 UPDATING OF THE MANUAL

The head of Yaxxa Distribution Pty Ltd will on a regular basis update this manual.

9 Citations:

- ¹Section 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.*
- ²Section 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 number of 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.*
- ³Section 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.*
- ⁴Section 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.*
- ⁵Section 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.*
- ⁶Section 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.*
- ⁷Section 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*
- ⁸Section 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*
- ⁹Section 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.”

Issued By

Kaldyn Vollmer

Information Officer

