



PAIA MANUAL

FOR

C & F TECHNOLOGIES cc
1994/027966/23

Information manual prepared in terms of section 51 of the Promotion of
Access to Information Act 2 of 2002 ("the Act")

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This Manual is intended to assist persons wishing to access information in terms of the Act from C & F Technologies cc.

1 INFORMATION REQUIRED UNDER SECTION 51(1) (a) OF THE ACT

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2 INTRODUCTION AND PURPOSE

On the 9th of March 2001, the Promotion of Access to Information Act, No 2 of 2000 (“the Act”) became operative, giving effect to the section 32(2) Constitutional right of access to information. One of the main requirements specified in the Act, is the compilation of an PAIA manual that provides information on both the types and categories of records held by a private body. This document serves as the PAIA Information Manual for **C & F Technologies cc** and provides references to the records held by the company and the process to request access to such records.

The South African Human Rights Commission (“SAHRC”) / Information Regulator compiled a Guide, in terms of Section 10 of the Promotion of Access to Information Act (Act 2 of 2000) (“PAIA”), to assist persons wishing to exercise their rights in terms of this Act. This Guide is available in all the official languages and contains, amongst others, the following information:

- The purpose of PAIA;
- The manner, form and costs of a request for access to information held by a body;
- Legal remedies when access to information is denied;
- When access to information may be denied; and
- The contact details of Information Officers in the national, provincial and local government.

Any person wishing to obtain the Guide may either access it through the website of the SAHRC at <https://www.sahrc.org.za> or should contact the Information Regulator at:

Physical address: JD House, 27 Stiemens Street, Braamfontein, Johannesburg

Postal address: PO Box 31533, Braamfontein, Johannesburg, 2017

Telephone: +27 (0) 10 023 5207 / +27 (0) 82 746 4173

E-mail address: infoereg@justice.gov.za

Website: <https://www.justice.gov.za/infoereg/>

The publication of the abovementioned Guide will be the responsibility of the Information Regulator with effect from 30 June 2021.

3 LOCATION OF MANUAL

A copy of this Manual is available for inspection, on reasonable prior notice, free of charge, at the registered address stated under Section 1. A copy of the Manual may also be requested from the Information Officer against payment of the appropriate fee, which may be obtained from the Information Officer. Any requests are to be addressed to the Information Officer via email on sales@flowmeters.co.za.

4 INTRODUCTION TO C & F TECHNOLOGIES CC

- 4.1 **C & F Technologies cc** was founded by two individuals who have vast experience in sewage treatment, steam, and power generation to mention but a few.
- 4.2 **C & F Technologies cc** conducts business in the distribution of an extensive range of products including instrumentation products, chlorine, and flow metering applications.
- 4.3 **C & F Technologies cc's** comprehensive product range includes flowmeters and dosing pumps and much more.
- 4.4 **C & F Technologies cc** is a closed corporation registered in accordance with the laws of the Republic of South Africa.

5 PURPOSE OF THE MANUAL

- 5.1 This PAIA Manual is intended to ensure that **C & F Technologies cc** complies with the Act and to foster a culture of transparency and accountability within **C & F Technologies cc** by giving effect to the right to information that is required for the exercise or protection of any right and to actively promote a society in which the people of South Africa have effective access to information to enable them to exercise and protect their rights.
- 5.2 In order to promote effective governance of **C & F Technologies cc**, it is necessary to ensure that everyone is empowered and educated to understand their rights in terms of the Act in order for them to exercise their rights in relation to public and private bodies.
- 5.3 Section 9 of the Act recognises that the right to access information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to:

5.3.1 Limitations aimed at the reasonable protection of privacy;

5.3.2 Commercial confidentiality; and

5.3.3 Effective, efficient and good governance;

and in a manner which balances that right with any other rights, including such rights contained in the Bill of Rights in the Constitution.

6 RECORDS AUTOMATICALLY AVAILABLE

No notice has been submitted by the practice to the Minister of Justice and Constitutional Development regarding the categories of records, which are available without a person having to request access in terms of Section 52(2) of PAIA. However, the information on the website of the business is automatically available without having to request access in terms of PAIA.

Our ability to comply with our legal and contractual obligations depend on occasion on **C & F Technologies cc** having access to and being able to use certain Personal Data.

Therefore, and depending on the circumstances, if you do not provide us with the Personal data we request or if you ask that we stop processing your Personal Data, we may not be able to perform our contractual obligations, or we may be in breach of one or more legal obligations applicable to us.

7 RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION ARE AS FOLLOWS

Consumer Protection Act 68 of 2008

National Credit Act No 34 of 2005

Income Tax Act No 58 of 1962

Value Added Tax Act No 89 of 1991

Companies Act No 71 of 2008 and Applicable Regulations

Competition Act No 89 of 1998

Promotion of Access to Information Act 2 of 2000

Basic Conditions of Employment Act No 75 of 1997

Broad-Based Black Economic Empowerment Act No 53 of 2003

Compensation for Occupational injuries and Diseases Act No 130 of 1993

Employment Equity Act No 55 of 1998

Labour Relations Act No 66 of 1995

Occupational Health and Safety Act No 85 of 1993

Skills Development Act No 97 of 1998

Unemployment Insurance Act No 63 of 2001 and Unemployment Insurance Contributions Act 4 of 2002

Electronic Communications and Transactions Act No 25 of 2000

Financial Intelligence Centre Act No 38 of 2001

Protection of Personal Information Act 4 of 1993

8 RECORDS

General information about **C & F Technologies cc** can be accessed via the internet on www.flowmeters.co.za, which is available to all persons who have access to the internet.

Please note that a requester is not automatically allowed access to the following records and that access to them may be refused in accordance with Sections 62 to 69 of the Act:

8.1 Records relating to the form of business:

Documents of Incorporation; Memorandum of Incorporation; Legal Appointment Letters; documents required in terms of the Companies Act 71 of 2008 / a partnership agreement / a shareholders' agreement; other statutory records; governance documents (e.g. company policies); minutes of meetings; and other related documents.

8.2 Employment / Appointment records:

Employment contracts; conditions of employment and workplace policies; employment equity and skills development plans and reports; attendance records; salary and wage register; performance management records; collective agreements; complaints and disciplinary records; relevant tax records; training records; leave records; medical scheme and pension fund membership records; essential services' permits; correspondence.

8.3 Health and safety records:

Evacuation plan; information related to the Health and Safety Act and Policies; Risk management frameworks; Risk Assessments; Audit reports; and incident reports.

8.4 Financial records:

South African Revenue Services ("SARS") registration; Annual Financial Statements; auditor's reports; accounting records; bank statements; invoices, statements, receipts, and related documents; VAT records; tax returns and related documentation.

8.5 Records related to assets:

Asset register; purchase records; financing and lease agreements; title deeds; registers; stock sheets; delivery notes and orders; and sale and purchase agreements.

8.6 Agreements:

Agreements (and related documentation) with contractors, consultants, suppliers and vendors.

8.7 Legal records:

Legal opinions and advice; complaints, pleadings, briefs and other documents pertaining to any actual, pending or threatened litigation, mediation, and arbitration.

8.8 Insurance records:

Insurance policies and related records, including in respect of professional indemnity cover; claims records.

8.9 Procurement:

Standard terms and conditions for the supply of services and products; Contractor, client and supplier agreements; List of suppliers, products, services and distribution; and Policies and Procedures.

8.10 Sales Department:

Customer details; Credit Application information; Information and records provided by a 3rd Party.

8.11 Marketing:

Advertising and promotional material.

8.12 Information Technology:

Computer /cellular device usage policy documentation; Recovery plans; Information security policies/procedures; System documentation; and Information usage policy documentation.

9 PURPOSE OF PROCESSING OF PERSONAL INFORMATION

- 9.1 For Sales and Marketing activities
- 9.2 For recruitment and management of staff
- 9.3 For engagement with Suppliers and Vendors
- 9.4 For engagement with the general public and the media
- 9.5 For engagement with Investors.

10 PLANNED RECIPIENTS OF PERSONAL INFORMATION

- 10.1 Customers
- 10.2 Suppliers
- 10.3 Tax Authorities
- 10.4 Financial Institutions
- 10.5 Statutory Authorities
- 10.6 Directors and Employees of **C & F Technologies cc**
- 10.7 Medical Schemes
- 10.8 Employee pension and provident funds
- 10.9 Insurance Bodies

11 TRANS-BORDER FLOWS OF PERSONAL INFORMATION

C & F Technologies cc will only transfer personal information across South African borders to foreign countries, if

- 11.1 it is necessary to comply with legislation,
- 11.2 the transfer is necessary for the conclusion or performance of a contract of which data subjects may be parties,
- 11.3 it protects the legitimate interest of the data subject, or
- 11.4 is necessary for **C & F Technologies cc** to pursue its legitimate interests, or that of a third party to

which the data is supplied.

Before transferring personal information across a South African border to a foreign country **C & F Technologies cc** will take steps to ensure that recipients of trans-border personal information are bound by laws or agreements that provide an adequate level of protection and uphold principles for reasonable and lawful processing of personal information in terms of POPIA.

If **C & F Technologies cc** relies on the legitimate interest of a data subject, prior to transferring personal information cross border, it will conduct a legitimate interest assessment.

12 SECURITY MEASURES AND SAFEGUARDS

C & F Technologies cc complies with POPIA in protecting the integrity and confidentiality of personal information in its position. In doing so, it has due regard to generally accepted information security practices and procedures.

The measures it adopts to ensure the security of personal information, includes technical and organisational measures and internal policies to prevent unauthorised access, loss or use of personal information, for example, the physical securing of the offices where information is held; password control to access electronic records, and passwords are regularly updated. In addition, only those employees that require access to the information are permitted access to the relevant information and only if they have concluded agreements with or provided undertakings to the company requiring them to implement appropriate security measures and to maintain the confidentiality of the information. Access to the company's computers and laptops are limited to the employees to whom they are designated or belong to, they only individuals with the password to access the relevant computers or laptops.

Contractors are required to adhere to the strict policies and processes implemented by **C & F Technologies cc** and are subject to sanctions for any security breach. All security breaches are taken seriously and are addressed in accordance with the law.

13 PROCEDURE TO OBTAIN ACCESS TO RECORDS OR INFORMATION

The requester must complete the Request Form for Personal Information that can be obtained via email on sales@flowmeters.co.za, and submit the form together with a request fee, to the Information Officer of **C & F Technologies cc**.

The form must:

- 13.1 provide sufficient particulars to allow the Information Officer of **C & F Technologies cc** to identify the record/s requested and to identify the requester,
- 13.2 indicate which form of access is required,
- 13.3 identify the right that the requester is seeking to exercise or protect, and provide an explanation of why the requested record is required for the exercise or protection of that right,
- 13.4 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 designated head of the private

body,

13.5 indicate if any other manner is to be used to inform the requester and state the necessary particulars to be so informed,

13.6 if in addition to a written reply, the requester wishes to be informed of the decision on the request in any other manner, to state that manner and the necessary particulars to be informed in the other manner,

Records held by the company may be accessed by requests only once the prerequisite requirements for access have been met and the relevant applicable fees paid.

14 FEES PAYABLE TO OBTAIN THE REQUESTED RECORDS OR INFORMATION

The fees for requesting and accessing information and records held by the practice are prescribed in terms of PAIA. The fees payable, which may be amended from time to time in accordance with notices published in the Government Gazette. Details of the fees payable and any change to such fees may be obtained from the Information Officer. The fees are also available on the website of the Information Regulator. A requester may be required to pay the fees prescribed for searching and compiling the information, which has been requested, including copying charges.

15 CONSIDERATION OF REQUEST FOR PERSONAL INFORMATION

15.1 **C & F Technologies cc** will, within 30 days of receipt of the request, decide whether to grant or decline the request, and give notice with reasons to that effect.

15.2 The 30-day period within which **C & F Technologies cc** is to decide whether to grant or refuse the request maybe extended for a further period of not more than 30 days if:

15.2.1 the request is for a large number of records or requires a search through a large quantity of records and compliance with the original period would unreasonably interfere with the activities of the private body concerned;

15.2.2 the request requires a search for records in, or collection thereof from, an office of the private body not situated in the same town or city as the office of the head that cannot reasonably be completed within the original period;

15.3 Consultation with the Directors of **C & F Technologies cc** or with another private body is necessary or desirable to decide upon the request that cannot reasonably be completed within the original period;

15.4 More than one of the circumstances contemplated in the paragraphs above exist in respect of the request making compliance with the original period not reasonably possible;

15.5 The requester consents in writing to such extension.

15.6 If the period is extended, the Designated Information Officer will within 30 days after the request is received notify the requester of

15.6.1 The period of the extension;

15.6.2 The reasons for the extension, including the provisions of this Act relied upon; and

15.6.3 That the requester may lodge an application with a court against the extension, and the procedure (including the period) for lodging the application.

16 GROUNDS FOR REFUSAL OF REQUEST FOR PERSONAL INFORMATION

C & F Technologies cc may, in certain instances, refuse access to records on any of the grounds set out in Chapter 4 of Part 3 of PAIA which include that:

16.1 Access that would result in the unreasonable disclosure of personal information about a third party;

16.2 It is necessary to protect:

16.2.1 The commercial information of **C & F Technologies cc** itself,

16.2.2 The confidential information of a third party,

16.2.3 The safety of individuals or property

16.4 Records that constitute privileged information for the purpose of legal proceedings;

16.5 Access to documents may also be refused based on professional privilege; and

16.6 It is already publicly available.

17 DOCUMENT ACCEPTANCE

DESIGNATION	NAME	SIGNATURE	DATE
Director	ABILIO CONDE VIEIRA		
Director	JOHN GILL		
Information Officer	YURI GILL		
Deputy Information Officer	VISHAYM SUKHANAND		