



Manual
Of
Devon Industrial Ventilation CC
(Private Body)

Prepared and compiled on 2022-11-11 in accordance with Section 51 of the Promotion of Access to Information Act, No 2 of 2000 (as amended) in respect of Devon Industrial Ventilation CC.

Registration number: 2003/011533/23

Update: 2022-11-11

Table of Contents	3
1. INTRODUCTION.....	3
2. THE ACT.....	3
3. PURPOSE OF THE MANUAL.....	3
4. CONTACT DETAILS:.....	6
5. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE.....	8
6. RECORDS AUTOMATICALLY AVAILABLE TO THE PUBLIC.....	10
7. RECORDS OF THE PRIVATE BODY.....	11
8. RECORDS REQUIRED IN TERMS OF LEGISLATION.....	12
9. PROCESSING OF PERSONAL INFORMATION.....	14
10. REQUEST PROCEDURE FOR OBTAINING INFORMATION.....	18
11. FEES.....	19
12. GROUNDS FOR REFUSAL OF ACCESS TO INFORMATION.....	20
13. DECISION.....	22
ANNEXURE A:.....	23
ANNEXURE B: FORM 2.....	24
ANNEXURE B: FORM 3.....	29

1. INTRODUCTION

Devon Sheet Metal CC now known as Devon Industrial Ventilation CC was established in 1997 in Cape Town, South Africa. It has built up a solid reputation as a service oriented company and grown rapidly. Now occupying a 1200 Sq. m factory in Lansdowne complete with benders, guillotine, plasma cutter and welders.

Our main activities are air handling and treatment for industrial applications such as fume and dust extraction, kitchen canopies, spraybooths, heating and filtered air supply as well as general sheet metal work. We are also equipped to handle turnkey dust extraction and ventilation projects and have an established network of subcontractors to effect all affiliated services, eg. pneumatic and other specialist fields.

Our safety conscious site teams ensure efficient installations in compliance with the Health & Safety Act, with due consideration to the environment and least inconvenience to the client.

Devon Industrial Ventilation CC is a Level 2 BEE company with a commitment to the upliftment of its staff and the community at large.

2. THE ACT

The Promotion of Access to Information Act, No 2 of 2000 ("The Act" or "PAIA") was enacted on 3 February 2000, giving effect to the right of access to any information held by Government, as well as any information held by another person who is required for the exercising or protection of any rights. This right is entrenched in the Bill of Rights in the Constitution of South Africa. Where a request is made in terms of The Act, the body to which the request is made is not obliged to release the information, except where The Act expressly provides that the information may or must be released. The Act sets out the requisite procedural issues attached to such request.

3. PURPOSE OF THE MANUAL

In order to promote effective governance of private bodies, 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.

Section 9 of The Act, however, recognizes that such right to access to information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to:

- Limitations aimed at the reasonable protection of privacy;
- Commercial confidentiality; and
- Effective, efficient and good governance

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

This PAIA Manual assist you to-

- 3.1 check the categories of records held by Devon Industrial Ventilation CC which are available without a person having to submit a formal PAIA request;
- 3.2 have a sufficient understanding of how to make a request for access to a record of Devon Industrial Ventilation CC, by providing a description of the subjects on which Devon Industrial Ventilation CC holds records and the categories of records held on each subject;
- 3.3 know the description of the records of Devon Industrial Ventilation CC which are available in accordance with any other legislation;
- 3.4 access all the relevant contact details of the Information Officer and Deputy Information Officer(s) who will assist you with the records you intend to access;
- 3.5 know the description of the guide on how to use PAIA, as updated by the Information Regulator, and how to obtain access to it;
- 3.6 know if Devon Industrial Ventilation CC processes personal information and the purpose of processing of personal information;
- 3.7 know the description of the categories of data subjects and the information or categories of information relating thereto;
- 3.8 know the recipients or categories of recipients to whom the personal information may be supplied;
- 3.9 know if Devon Industrial Ventilation CC plans 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
- 3.10 know whether Devon Industrial Ventilation CC has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

4. CONTACT DETAILS:

Information Officer:
Vernon Sisam

Postal Address:
P.O. Box 32200
Ottery
Cape Town
7808

Physical Address:
3 Tanel Road
Lansdowne
Cape Town
7780

Telephone No:
(021) 691-5306

E-mail:
accounts@devoniv.co.za

Deputy Information Officer:

Theresa Arendse

GENERAL INFORMATION:

Name of Private Body:
Devon Industrial Ventilation CC

Registration No:
2003/011533/23

Postal Address:

P.O. Box 32200
Ottery
Cape Town
7808

Physical Address (or principal place of business):
3 Tanel Road
Lansdowne
Cape Town
7780

Telephone No:
(021) 691-5306

E-mail:
accounts@devoniv.co.za

Website:
www.devoniv.co.za

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

- 5.1. 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.
- 5.2. The Guide is available in each of the official languages and in braille.
- 5.3. The aforesaid Guide contains the description of-
 - 5.3.1. the objects of PAIA and POPIA;
 - 5.3.2. the postal and street address, phone and fax number and, if available, electronic mail address of-
 - 5.3.2.1 the Information Officer of every public body, and
 - 5.3.2.2 every Deputy Information Officer of every public and private body designated in terms of Section 17(1) of PAIA and Section 56 of POPIA;
 - 5.3.3 the manner and form of a request for-
 - 5.3.3.1 access to a record of a public body contemplated in Section 11 of PAIA; and
 - 5.3.3.2 access to a record of a private body contemplated in Section 50 of PAIA;
 - 5.3.4 the assistance available from the Information Officer of a public body in terms of PAIA and POPIA;
 - 5.3.5 the assistance available from the Information Regulator in terms of PAIA and POPIA;

- 5.3.6 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-
 - 5.3.6.1 an internal appeal;
 - 5.3.6.2 a complaint to the Regulator; and
 - 5.3.6.3 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;
- 5.3.7 the provisions of Sections 14 and 51 of PAIA requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
- 5.3.8 the provisions of Sections 15 and 52 of PAIA providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
- 5.3.9 the notices issued in terms of Sections 22 and 54 of PAIA regarding fees to be paid in relation to requests for access; and
- 5.3.10 the regulations made in terms of Section 92 of PAIA.
- 5.4 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.
- 5.5 The Guide can also be obtained-
 - 5.5.1 upon request to the Information Officer;
 - 5.5.2 from the website of the Information Regulator (<https://inforegulator.org.za/>).
- 5.6 A copy of the Guide is also available in two official languages, for public inspection during normal office hours.

6. RECORDS AUTOMATICALLY AVAILABLE TO THE PUBLIC

Category of records	Types of the Record	Available on Website	Available upon request
Company	Company Profile	X	X
	Brochure of services	X	X
	Privacy Notice	X	X
	PAIA Manual	X	X

7. RECORDS OF THE PRIVATE BODY

This clause serves as a reference to the records that Devon Industrial Ventilation CC holds in order to facilitate a request in terms of The Act.

It is recorded that the accessibility of the documents listed herein below, may be subject to the grounds of refusal set out hereinafter.

Subjects on which the body holds records	Categories of records
Finance	<ul style="list-style-type: none">- Audited Financial Statements;- VAT Records- Tax Records- Quotations
Human Resources	<ul style="list-style-type: none">- HR policies and procedures- Advertised posts- Employees records

8. RECORDS REQUIRED IN TERMS OF LEGISLATION

Records are kept in accordance with legislation applicable to Devon Industrial Ventilation CC, which includes but is not limited to, the following –

Category of Records	Applicable Legislation
Memorandum of incorporation	Companies Act 71 of 2008
PAIA Manual	Promotion of Access to Information Act 2 of 2000
Employee Records	Labour Relations Act 66 of 1995 Basic Conditions of Employment Act, 75 of 1997
UIF Records	Unemployment Insurance Act, 63 of 2001
Workmen's Compensation Records	Compensation for Occupational Injuries and Diseases Act, 130 of 1993
Tax Records	Income Tax Act, 58 of 1962
VAT Records	Value Added Tax Act, 89 of 1991
Electronic Communications	Electronic Communications and Transactions Act 36 of 2005
Personal Records	Protection of Personal Information Act 4 of 2013
BBBEE	Broad Based Black Economic Empowerment Act 53 of 2003
Skills Development	Skills Development Act 97 of 1998 Skills Development Levy Act 9 of 1990

OHS	Occupational Health and Safety Act 85 of 1993
-----	---

Reference to the above-mentioned legislation shall include subsequent amendments and secondary legislation to such legislation.

9. PROCESSING OF PERSONAL INFORMATION

9.1 Purpose of Processing Personal Information

We only process personal information:

Employees:

- for payroll purposes;
- to comply with our contractual and lawful obligations;
- as directed by an employee.

Service Providers:

- to load service provider onto the company's accounting and banking system;
- to communicate with the service providers; and
- for payment purposes.

Client:

- to load onto system for new customer applications;
- to communicate with the client;
- to invoice the client;
- to comply with any further contractual or lawful obligations; and
- or as otherwise directed by the client.

9.2 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
Clients	name, contact details, address, company registration numbers or identity numbers, VAT registration number, employment status.
Service Providers	name, contact details, address, company registration number, VAT registration number and bank details.
Employees	name, contact details, address, identity number, bank details, employment history, qualifications, gender and race.

9.3 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
Employee records, for labour, BBBEE and skills development	External Consultant
Entire company database for back up and trouble shooting purposes	IT Consultant
Employee Records for provident fund purposes	MIBFA

9.4 Planned transborder flows of personal information

Not Applicable

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

IT Safeguards:

- Anti-virus, malware software and firewalls have been installed on all company owned computers.
- access to software is password protected and restricted to authorised persons only.

Physical Security:

- personal information is stored is secured in a strongroom.
- the premises is monitored by CCTV cameras.
- access is restricted to authorised persons only.

10. REQUEST PROCEDURE FOR OBTAINING INFORMATION

Access to records held by Devon Industrial Ventilation CC

Records held by Devon Industrial Ventilation CC may be accessed by request only once the prerequisites for access have been met.

The requester must fulfil the prerequisites for access in terms of The Act, including the payment of a requested access fee.

The requester must comply with all the procedural requirements contained in The Act relating to the request for access to a record.

The requester must complete the prescribed Form 2 (Annexure B) and submit same as well as payment of a request fee and a deposit, if applicable, to the Information Officer at the postal or physical address, fax number or electronic mail address as stated herein.

The prescribed form must be filled in with enough particulars to at least enable the Information Officer to identify –

- The record or records requested;
- The identity of the requester,
- Which form of access is required, if the request is granted;
- The postal address or fax number or email address of the requester.

The requester must state that they require the information in order to exercise or protect a right, and clearly state what the nature of the right to be exercised or protected is. In addition, the requester must clearly specify why the record is necessary to exercise or protect such a right.

Devon Industrial Ventilation CC will process the request within 30 days, unless the requester has stated a special reason that would satisfy the Information Officer that circumstances dictate that the above time periods are not complied with.

The requester shall be informed whether access has been granted or denied in the form of Form 3 (Annexure C). If, in addition, the requester requires the reason for the decision in any other manner, they must state the manner and the particulars so required.

If a request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request, to the reasonable satisfaction of the Information Officer.

If an individual is unable to complete the prescribed Form because of illiteracy or disability, such a person may make the request orally.

11. FEES

When the Information Officer receives the request, such Officer shall, by notice, require the requester to pay the prescribed request fee (if any), before any further processing of the request.

If the search for the record has been made in the preparation of the record for disclosure, including arrangements to make it available in the requested form, and it requires more than the hours prescribed in the regulation for this purpose, the Information Officer shall notify the requester to pay as a deposit the prescribed portion of the access fee which would be payable if the request is granted.

The Information Officer shall withhold a record until the requester has paid the Fees as indicated.

A requester, whose request for access to a record has been granted, must pay an access fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure, including making arrangements to make it available in the requested form.

If a deposit has been paid in respect of a request for access, which is refused, then the Information Officer concerned must repay the deposit to the requester.

The fees applicable to a request for information are set out in Annexure A hereto.

The requester must pay the prescribed fee before any further processing can take place.

12. GROUNDS FOR REFUSAL OF ACCESS TO INFORMATION

The main grounds for Devon Industrial Ventilation CC to refuse a request for information relates to the:

- Mandatory protection of the privacy of a third party that is a natural person that would involve the unreasonable disclosure of personal information of that natural person;
- Mandatory protection of the commercial information of a third party, if the record contains:
 - o Trade secrets of that third party;
 - o Financial, commercial, scientific or technical information, disclosure of which could likely cause harm to the financial or commercial interests of that third party;
 - o Information disclosed in confidence by a third party to the Private Body, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition;
- Mandatory protection of confidential information of third parties if it is protected in terms of any agreement;
- Mandatory protection of confidential information of the protection of property;
- Mandatory protection of records that would be regarded as privileged in legal proceedings;
- The commercial activities of Devon Industrial Ventilation CC which may include:
 - o Trade secrets of Devon Industrial Ventilation CC
 - o Financial, commercial, scientific or technical information, disclosure which could likely cause harm to the financial or commercial interest of Devon Industrial Ventilation CC ;
 - o Information which, if disclosed could put Devon Industrial Ventilation CC at a disadvantage in negotiations or commercial competition;
 - o A computer program, owned by Devon Industrial Ventilation CC and protected by copyright.
- The research information of Devon Industrial Ventilation CC or a third party, if its disclosure would reveal the identity of Devon Industrial Ventilation CC, the researcher or the subject matter of the research and would place the research at a serious disadvantage;

Requests for information that are clearly frivolous or vexatious, or which would involve an unreasonable diversion of resources shall be refused.

13. DECISION

Devon Industrial Ventilation CC will within 30 days of receipt of the request, decide whether to grant or decline the request and give notice with reasons (if required) to that effect.

The requester shall be informed whether access has been granted or denied in the form of Form 3 (Annexure C). If, in addition, the requester requires the reason for the decision in any other manner, they must state the manner and the particulars so required.

The 30 day period within which Devon Industrial Ventilation CC has to decide whether to grant or refuse the request, may be extended for further period of not more than 30 days if the request is for a large amount of information, or the request requires a search for information held at another office of Devon Industrial Ventilation CC and the information cannot reasonably be obtained within the original 30 day period. Devon Industrial Ventilation CC will notify the requester in writing should an extension be sought.

AVAILABILITY OF THE MANUAL

The manual of Devon Industrial Ventilation CC is available at the premises of Devon Industrial Ventilation CC as well as on the website of Devon Industrial Ventilation CC.

Signed by: _____



Date: _____

23/05/23

ANNEXURE A:

The table below sets out the fees applicable to any request for a record of information held by

Item	Description	Amount
1.	The request fee payable by every requester	R 140.00
2.	Photocopy/printed black & white copy of A4-size page	R 2.00 per page or part thereof
3.	Printed copy of A4-size page	R 2.00 per page or part thereof
4.	For a copy of computer-readable form on: (i) Flash drive (to be provided by the requestor) (ii) Compact Disk: a. If provided by requester b. If provided to the requester	R 40.00 R 40.00 R 60.00
5.	For a transcription of visual images per A4-size page	Service to be outsourced.
6.	For a copy of visual images	Will depend on quotation from service provider.
7.	Transcription of an audio record, per A4-size page	R 24.00
8.	For a copy of audio recording on: (i) Flash drive (to be provided by the requestor) (ii) Compact Disk: a. If provided by requester b. If provided to the requester	R 40.00 R 40.00 R 60.00
9.	To search for and prepare the record for disclosure, for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation. Not to exceed a total cost of	R 145.00 R 435.00
10.	Deposit: If search exceeds 6 hours	One third of the amount per request calculated in terms of items 2 to 8.
11.	Postage, email or any other electronic transfer	Actual expense, if any.