

INFORMATION MANUAL

OF

**Orange Executive Cars (Pty) Ltd
Registration No.: 2016/478893/07**

(hereinafter referred to as “Orange”)

**Prepared in accordance with Section 51 of the Promotion of Access to Information Act, No. 2 of 2000
 (“the Act”)**

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1. **BACKGROUND TO THE PROMOTION OF ACCESS TO INFORMATION ACT NO. 2 OF 2000 (“THE ACT”)**

- 1.1. The Promotion of Access to Information Act, No. 2 of 2000 (“the Act”) was enacted on 3 February 2000, giving effect to the Constitutional right in terms of Section 32 of the Bill of Rights contained in the Constitution of the Republic of South Africa, 108 of 1996 (“the Constitution”), namely, the right of access to any information that is held by the State or any other person and required for the exercise or protection of any rights.
- 1.2. Section 51 of the Act provides that all private bodies, as defined in Section 1 of the Act, are required to compile an information manual in accordance with the Act (“PAIA Manual”).
- 1.3. Where a request is made in terms of the Act, the body to whom the request is made is obliged to release the information, subject to applicable legislation and/or regulatory requirements, except where the Act expressly provides that the information must not be released. The Act sets out the relevant information pertaining to the procedure to be adopted when requesting specific information from a private body.

2. **THE COMPANY:**

- 2.1. Orange Executive Cars (Pty) Ltd (“the Company”) is a duly established and incorporated private company, with Registration No.: 2016/478893/07.

3. **PURPOSE OF THIS PAIA MANUAL**

- 3.1. This PAIA Manual is intended to ensure that the Company complies with the Act and is transparent and accountable, by giving effect to the right of access to information that is required for the exercise and 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.
- 3.2. The Act recognises that the right of access to information cannot be unlimited and should be subject to certain, justifiable limitations, including, but not limited to:-
 - 3.2.1. limitations aimed at the reasonable protection of privacy;
 - 3.2.2. commercial confidentiality; and
 - 3.2.3. effective, efficient and good governance;in a manner which balances that right with any other rights, including such rights contained in the Bill of Rights.
- 3.3. This PAIA Manual complies with the requirements of the Act and recognises that upon commencement of the Protection of Personal Information Act No.4 of 2013, that the appointed Information Regulator will be responsible to regulate compliance with the Act and the Regulations thereto.

4. **CONTACT DETAILS**

Persons designated/duly authorised persons:

Chief Executive Officer (“CEO”): Deepthi Janapana

Company Directors: Deepthi Janapana & Letlakana Pencil Stanely Thubakgale

Registered Address:

ECO FUSION4 BLOCK A UNIT 4
300 WITCH--HAZEL AVENUE
CENTURION
GAUTENG
0157

Contact Person: Letlakana Pencil Stanely Thubakgale

Telephone Number: 079 469 3085

Contact Email: info@orangeexecutivecars.co.za

Website: <https://www.orangeexecutives.com/>

5. **SOUTH AFRICAN HUMAN RIGHTS COMMISSION GUIDE (“THE GUIDE”) ON HOW TO USE THE ACT**

5.1. The South African Human Rights Commission (“SAHRC”), has compiled the Guide as required in terms of the Act. The Guide contains such information, in an easily comprehensible form and manner, which may reasonably be required by a person who wishes to exercise any right contemplated in the Act and accordingly it contains information on how to use the Act and includes and describes:-

5.1.1. the objectives of the Act;

5.1.2. particulars of every information officer of every private body, such particulars of every private body as are practicable;

5.1.3. the manner and form for requests for access to records of private bodies;

5.1.4. the assistance available from the head of the Company and Human Rights Commission in terms of the Act;

5.1.5. all remedies available in law regarding an act or failure to act in respect a right or duty conferred or imposed by the Act; and

- 5.1.6. the Regulations promulgated under the Act.
- 5.2. Requesters are referred to the Guide which has been compiled by the SAHRC, which will contain information for the purposes of exercising Constitutional Rights.
- 5.3. The Guide shall be updated and published at least every two years.
- 5.4. The Guide is available in all 11 official languages of South Africa.
- 5.5. Any requests pertaining to the Guide are to be submitted to the CEO or authorised Information Officer.
- 5.6. The contact details of the SAHRC are:-

Head Office:	Johannesburg
Telephone Number:	(011) - 877 - 3600
Fax Number:	(011) – 403 - 06284
Website:	www.sahrc.org.za
E-mail Address:	info@sahrc.org.za

- 5.7. The Guide is available from the SAHRC and available for inspection on its website at www.sahrc.org.za.

6. RECORDS AVAILABLE ON REQUEST TO ACCESS IN TERMS OF THE ACT

RECORDS HELD BY THE COMPANY

- 6.1. For the purposes of this clause, “Personnel” refers to any person who works for, or provides services to, or on behalf of the Company, and receives or is entitled to receive remuneration and any other person who assists in carrying out or conducting the business of the Company. This includes, without limitation, directors (executive and non-executive), all permanent, temporary and part-time staff, as well as contract workers.
- 6.2. This clause serves as a reference to the categories of information that the Company holds or may hold. The information is classified and grouped according to records relating to the following subjects and categories:-

6.2.1. Private Body Records

- 6.2.1.1. Company Records;
- 6.2.1.2. Financial and Accounting records;
- 6.2.1.3. Operational records;
- 6.2.1.4. Databases;
- 6.2.1.5. Internal Records;
- 6.2.1.6. Privacy Policies and Information Security Safeguards;

- 6.2.1.7. Information Technology;
- 6.2.1.8. Marketing records.

6.2.2. Personnel Records

- 6.2.2.1. Personal records provided by personnel;
- 6.2.2.2. Records provided by a third party relating to personnel;
- 6.2.2.3. Conditions of employment and other personnel-related contractual and quasi-legal records;
- 6.2.2.4. Internal evaluation records and other internal records;
- 6.2.2.5. Correspondence relating to personnel; and
- 6.2.2.6. Training schedules, qualifications and materials.

6.2.3. Customer Related Records

- 6.2.3.1. Records provided by a customer;
- 6.2.3.2. Records provided by a customer to a third party acting for or on behalf of the Company;
- 6.2.3.3. Records provided by a third party;
- 6.2.3.4. Records generated by or within the Company relating to its customers, including transactional records;
- 6.2.3.5. Records related to information the customer is responsible for and processed by the Company, as an operator;
- 6.2.3.6. Correspondence relating to customer;
- 6.2.3.7. Contracts and Invoices.

6.2.4. Supplier Related Records

- 6.2.4.1. Records provided by a supplier;
- 6.2.4.2. Records provided by a supplier to a third party acting for or on behalf of the Company;
- 6.2.4.3. Records provided by a third party;
- 6.2.4.4. Records generated by or within the Company relating to its suppliers, including transactional records;
- 6.2.4.5. Records related to information the supplier is responsible for and processed by the Company, as an operator;
- 6.2.4.6. Correspondence relating to supplier;
- 6.2.4.7. Contracts and Invoices.

6.2.5. Contractor/Consultant Related Records

- 6.2.5.1. Records provided by a contractor/consultant;
- 6.2.5.2. Records provided by a contractor/consultant to a third party acting for or on behalf of the Company;
- 6.2.5.3. Records provided by a third party;

- 6.2.5.4. Records generated by or within the Company relating to its contractors/consultants, including transactional records;
- 6.2.5.5. Records related to information the contractor/consultant is responsible for and processed by the Company, as an operator;
- 6.2.5.6. Correspondence relating to contractor/consultant;
- 6.2.5.7. Contracts and Invoices.

6.2.6. Service Provider Related Records

- 6.2.6.1. Records provided by a service provider;
- 6.2.6.2. Records provided by a service provider to a third party acting for or on behalf of the Company;
- 6.2.6.3. Records provided by a third party;
- 6.2.6.4. Records generated by or within the Company relating to its service providers, including transactional records;
- 6.2.6.5. Records related to information the service provider is responsible for and processed by the Company, as an operator;
- 6.2.6.6. Correspondence relating to service provider.

6.2.7. Internal Correspondence, Records and Communication

- 6.2.7.1. Produce/Service Records;
- 6.2.7.2. Statutory Records;
- 6.2.7.3. Internal Policies and Procedures;
- 6.2.7.4. Visitor Records;
- 6.2.7.5. Surveillance and Monitoring Records;
- 6.2.7.6. Correspondence.

These records include, but are not limited to, the records which pertain to the Company's own affairs.

6.2.8. Other Party Records

- 6.2.8.1. Personnel, customer or private body records which are held by another party, as opposed to the records held by the Company itself;
- 6.2.8.2. Records held by the company pertaining to other parties, including without limitation, financial records, correspondence, contractual records, records provided by the other party, and records third parties have provided about the contractors/suppliers;
- 6.2.8.3. The Company may possess records pertaining to other parties, including without limitation contractors, suppliers, subsidiary/holding/ sister companies, joint venture companies and service providers.

6.2.9. Note that the accessibility of the records may be subject to the grounds of refusal set out in this PAIA Manual. Amongst others, records deemed confidential on the part of a third party, will necessitate permission from the third party concerned, in addition to normal requirements, before the Company will consider access.

7. RECORDS AVAILABLE WITHOUT A REQUEST TO ACCESS IN TERMS OF THE ACT

7.1. Records of a public nature, typically those disclosed on the Company’s website and in its various annual reports, may be accessed without the need to submit a formal application.

7.2. Other non-confidential records, such as statutory records maintained at CIPC, may also be accessed without the need to submit a formal application, however, please note that an appointment to view such records will still have to be made with the head of the Company, as set out in Clause 4.

8. RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION

8.1. Where applicable to its operations, the Company also retains records in terms of the legislation listed below. Unless disclosure is prohibited in terms of legislation, regulations, contractual agreement or otherwise, records that are required to be made available in terms of these Acts shall be made available for inspection by interested parties in terms of the requirements and conditions of the Act; the below mentioned legislation, and applicable internal policies and procedures, should such interested parties be entitled to such information. A request to access must be done in accordance with the prescriptions of the Act.

A list of pertinent Acts and Regulations applicable to the carrying on of business by Cyberport:-

No	Ref	Act
1.	No. 75 of 1997	Basic Conditions of Employment Act
2.	No. 71 of 2008	Companies Act
3.	No. 108 of 1996	Constitution of the Republic of South Africa
4.	No. 68 of 2008	Consumer Protection Act
5.	No. 98 of 1978	Copyright Act
6.	No. 25 of 2002	Electronic Communications and Transactions Act
7.	No. 55 of 1998	Employment Equity Act
8.	No. 38 of 2001	Financial Intelligence Centre Act
9.	No. 21 of 1994	Income Tax Act
10.	No. 66 of 1995	Labour Relations Act
11.	No. 24 of 2005	National Credit Act
12.	No. 85 of 1993	Occupational Health and Safety Act
13.	No. 2 of 2000	Promotion of Access to Information Act
14.	No. 4 of 2000	Promotion of Equality and Prevention of Unfair Discrimination Act
15.	No. 24 of 1956	Pensions Fund Act

16.	No. 4 of 2013	Protection of Personal Information Act
17.	No. 97 of 1998	Skills Development Act

8.2. It is further recorded that the accessibility of documents and records may be subject to the grounds of refusal set out in this PAIA Manual.

9. **PROTECTION OF PERSONAL INFORMATION ACT NO. 4 OF 2013 (“THE POPI ACT”)**

9.1. The purpose of processing personal information, a description of the categories of data subjects and of the information or categories of information relating thereto, the recipients or categories of recipients to whom the personal information may be supplied, the planned transborder flows of personal information and a general description allowing a preliminary assessment of the suitability of the information security measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information which is to be processed, is contained in the Company’s Privacy Policy.

9.2. A copy of the Company’s Privacy Policy is available at the Company’s principal place of business as well as on the Company’s Website at <https://cyberportafrika.com/>.

10. **REQUEST PROCEDURE**

10.1. The requester must complete the prescribed form enclosed herewith (marked “**FORM C**”), and submit same as well as payment of the request fee and a deposit (if applicable) to the Company at the postal or physical address or electronic mail address as set out in Clause 4 above.

10.2. The prescribed form must be filled in with sufficient information to enable the head of the Company to identify the record or records requested and the identity of the requester.

10.3. The requester should indicate which form of access is required and specify a postal address or email address of the requester in the Republic.

10.4. The requester shall identify the right the requester is seeking to exercise or protect and give an explanation of why the requested record is required for the exercise or protection of that right.

10.5. The requester shall be advised whether access is granted or denied in writing. If, in addition, the requester requires the reasons for the decision in any other manner, the requester will be obliged to state which manner and the particulars required.