

Manual

Of

Basie Junior Motors BK (Private Body)

Prepared and compiled on 12 August 2024 in accordance with Section 51 of the Promotion of Access to Information Act, No 2 of 2000 (as amended) in respect of Basie Junior Motors BK.

Registration number: 1995/7941/23

Update: 12 August 2024

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1. INTRODUCTION

With a vision to exceed high levels of professionalism, integrity, honesty and service excellence, our dealership has established itself over the past 35 years as an admirable reputable dealership. At Struben Street Motors we endeavor to provide our clients with superior quality cars and a dedicated after-sales service enabling our clients to buy with all the confidence and peace of mind we anticipate.

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 Basie Junior Motors BK 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 Basie Junior Motors BK, by providing a description of the subjects on which Basie Junior Motors BK holds records and the categories of records held on each subject;
- 3.3 know the description of the records of Basie Junior Motors BK 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 Basie Junior Motors BK 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 Basie Junior Motors BK 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 Basie Junior Motors BK 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: Johannes Booysen

Postal Address: 220 Baan Street Mayville Pretoria 0084

Physical Address: 220 Baan Street Mayville Pretoria 0084

Telephone No: 012 335 1778

E-mail: FINANCE.SSM@MWEB.CO.ZA

Deputy Information Officer:

N/A

GENERAL INFORMATION:

Name of Private Body: **Basie Junior Motors BK**

Registration No: 1995/7941/23

Postal Address: 220 Baan Street Mayville Pretoria 0084

Physical Address (or principal place of business): 220 Baan Street Mayville Pretoria 0084

Telephone No: 012 335 1778

E-mail:

FINANCE.SSM@MWEB.CO.ZA

Website:

www.ssm.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.
- 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/).
- 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	Availability
Product information	Information relating to our service, service offering and products	Freely available
Public facing policies and notices	Privacy Notice, Cookie Policy, Terms and Conditions, PAIA Manual	Freely available

7. RECORDS OF THE PRIVATE BODY

This clause serves as a reference to the records that Basie Junior Motors BK 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
These include, but are not	limited to the below:
Human Resources	- HR policies and procedures; - Employees records
Operational documents and records	 Policies regarding business plan or activities; Written service specification; Customer data base and relevant information; Company profile; Sales records
Manual and Guide	Information Regulator's Manual and Guide on how to use PAIA
Financial records	General - VAT records; - Tax records; - PAYE records; - UIF records; - SDL records; - Management accounts and audited financial statements; Operating systems - Tax invoices; - Quotes; - weekly/monthly/quarterly/annual statements;
	- Debit notes; - Credit notes Bank Account records

8. RECORDS REQUIRED IN TERMS OF LEGISLATION

Records are kept in accordance with legislation applicable to Basie Junior Motors BK, which includes but is not limited to, the following –

Basic Conditions of Employment Act No. 75 of 1997: Broad-Based Black Economic Empowerment Act No. 53 of 2003: Companies Act No. 71 of 2008; Compensation of Occupational Injuries and Diseases Act No. 130 of 1993; Copyright Act No. 98 of 1978; Customs and Exercise Act No. 91 of 1964; Cybercrimes Act No. 19 of 2020; Electronic Communications and Transaction Act No. 25 of 2002; Employment Equity Act No. 55 of 1998; Financial Intelligence Centre Act No 38 of 2001: Identification Act No. 68 of 1997; Income Tax Act No. 58 of 1962; Labour Relations Act No. 66 of 1995; National Credit Act No. 34 of 2005; Occupational Health and Safety Act No. 85 of 1993: Prevention of Organised Crime Act No. 121 of 1998; Promotion of Access to Information Act No. 2 of 2000: Protection of Personal Information Act No. 4 of 2013; Revenue laws Second Amendment Act. No. 61 of 2008; Skills Development Levies Act No. 9 of 1999; Taxation Laws Amendment Act No. 7 of 2010; Unemployment Contributions Act No. 63 of 2001; Unemployment Insurance Act No. 30 of 1966; Value Added Tax Act No. 89 of 1991.

Although we have used our best endeavours to supply a list of applicable legislations, it is possible that this list may be incomplete. Whenever it comes to our attention that existing or new legislation allows access on a basis other than as set out in PAIA, we will update the list accordingly. If a requester believes that a right of access to a record exists in terms of other legislation listed above or any other legislation, the Requester is required to indicate what legislative right the request is based on.

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 may process personal information for various reasons, including but not limited to the following:

- To gather contract information;
- To maintain customer records:
- For employment purposes;
- For general administration;
- For legal, contractual, financial and/or tax purposes
- To manage information, products and/or services requested by data subjects;
- Health and safety purposes;
- For the detection and prevention of fraud, crime, money laundering or other malpractice;
- To conduct market or customer satisfaction research or for statistical analysis;
- For audit and record keeping purposes;
- In connection with legal proceedings.

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
Customers / Clients / Suppliers / Service providers	These include, but are not limited to the following: - Full Name and Surname; - Identity number; - Company name; - Company registration number; - VAT number; - Banking details; - Contact details; - Physical, postal and e-mail address; - Medical Aid details
Employees	These include, but are not limited to the following: - Full Name and surname; - Identity number; - Email address; - Contact details; - Gender; - Nationality; - Driver's license details; - Marital status; - Next of kin details; - Dependents information; - Banking details; - Physical and postal address; - Educational Information; - Medical Information; - Psychometric tests; - PAYE Information; - UIF Information;

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
Identity number and names, for criminal checks	South African Police Service
Qualifications, for qualification verifications	South African Qualifications Authority
Credit and payment history, for credit information	Credit Bureaus
Financial information, for Financial Accounting purposes	Operators

9.4 Planned transborder flows of personal information

We do not transfer information to any country outside of the Republic of South Africa.

However, should it become necessary to transfer personal information to another country for any lawful purposes, we will ensure that anyone to whom it pass personal information is subject to a law, binding corporate rules or binding agreement which provides an adequate level of protection and the third party agrees to treat that personal information with the same level of protection as we are obliged under POPIA.

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

Our security policies and procedures cover, amongst others, but not limited to:

- Physical security;
- Computer and network security;
- Access to personal information;
- Security in contracting out activities or functions;
- Retention and disposal of information:
- Acceptable usage of personal information;
- Governance and regulatory issues;
- Monitoring access and usage of personal information;
- Investigating and reacting to security incidents;

When we contract with third parties, we impose appropriate security, privacy and confidentiality obligations on them to ensure that personal information that we remain responsible for, is kept secure.

We will ensure that anyone to whom we pass your personal information agrees to treat your information with the same level of protection as we are obliged to.

10. REQUEST PROCEDURE FOR OBTAINING INFORMATION

Access to records held by Basie Junior Motors BK

Records held by Basie Junior Motors BK 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.

Basie Junior Motors BK 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 Basie Junior Motors BK 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;
 - 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 Basie Junior Motors BK which may include:
 - Trade secrets of Basie Junior Motors BK
 - Financial, commercial, scientific or technical information, disclosure which could likely cause harm to the financial or commercial interest of Basie Junior Motors BK;
 - Information which, if disclosed could put Basie Junior Motors BK at a disadvantage in negotiations or commercial competition;
 - A computer program, owned by Basie Junior Motors BK and protected by copyright.
- The research information of Basie Junior Motors BK or a third party, if its disclosure would reveal the identity of Basie Junior Motors BK, 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

Basie Junior Motors BK 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 Basie Junior Motors BK 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 Basie Junior Motors BK and the information cannot reasonably be obtained within the original 30 day period. Basie Junior Motors BK will notify the requester in writing should an extension be sought.

AVAILABILITY OF THE MANUAL

The manual of Basie Junior Motors BK is available at the premises of Basie Junior Motors BK as well as on the website of Basie Junior Motors BK.

Signed	by:			
Date:	2024	.08.	14	

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:	R 40.00
	a. If provided by requesterb. If provided to the requester	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	R 40.00 R 40.00
	b. If provided to the requester	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.	R 145.00
	Not to exceed a total cost of	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.

ANNEXURE B: FORM 2

REQUEST FOR ACCESS TO RECORD

[Regulation 7]

NOTE:

- 1. Proof of identity must be attached by the requester.
- If requests made on behalf of another person, proof of such authorisation, must be attached to this form.

To: The Informa	tion Officer				
(Addi	ress)				
E-mail address:					
Fax number:			_		
Mark with an "X"					
Request is m	nade in my c	wn name		est is made on behalf of her person.	
	P	ERSONAL	INFORMAT	ION	
Full Names					
Identity Number					
Capacity in which request is made (when made on behalf of another person)					
Postal Address					
Street Address					
E-mail Address					
	Tel. (B):			Facsimile:	
Contact Numbers	Cellular:				

Full names of person on whose behalf request is made (if applicable):			
Identity Number			
Postal Address			
Street Address			
E-mail Address			
Contact Numbers	Tel.(B)		Facsimile
Contact Nambers	Cellular		
number if that is known	lars of the rec own to you, t	o enable the record to b	requested, including the reference be located. (If the provided space is ttach it to this form. All additional
Description of record or relevant part of the record:			
Reference number, if available			
Any further particulars of record			

TYPE OF RECO (Mark the applicable box	
Record is in written or printed form	
Record comprises virtual images (this includes phot recordings, computer-generated images, sketches, et	
Record consists of recorded words or information whic	ch can be reproduced in sound
Record is held on a computer or in an electronic, or ma	achine-readable form
/8.4 - 1 . 4	
(Mark the applicable bo. Printed copy of record (including copies of any virtual information held on computer or in an electronic or m	images, transcriptions and
Printed copy of record (including copies of any virtual information held on computer or in an electronic or mill. Written or printed transcription of virtual images (this	images, transcriptions and nachine-readable form) includes photographs, slides,
	images, transcriptions and nachine-readable form) includes photographs, slides, nes, etc.)
Printed copy of record (including copies of any virtual information held on computer or in an electronic or m Written or printed transcription of virtual images (this video recordings, computer-generated images, sketch	images, transcriptions and nachine-readable form) includes photographs, slides, nes, etc.)
Printed copy of record (including copies of any virtual information held on computer or in an electronic or moderate or printed transcription of virtual images (this video recordings, computer-generated images, sketch Transcription of soundtrack (written or printed docume	images, transcriptions and nachine-readable form) includes photographs, slides, nes, etc.) ent) s and soundtracks)

MANNER OF ACCESS (Mark the applicable box with an "X")	
Personal inspection of record at registered address of public/private body (inc listening to recorded words, information which can be reproduced in sou information held on computer or in an electronic or machine-readable form)	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format (including transcriptions)	
E-mail of information (including soundtracks if possible)	
Cloud share/file transfer	

PARTICULA	ARS OF RIGHT TO BE EXERCISED OR PROTECTED
	is inadequate, please continue on a separate page and attach it m. The requester must sign all the additional pages.
Indicate which right is to be exercised or protected	
Explain why the record requested is required for the exercise or protection of the aforementioned right:	
	FEES
b) You will be notifi c) The fee payable	ist be paid before the request will be considered. Sed of the amount of the access fee to be paid. If or access to a record depends on the form in which access is If reasonable time required to search for and prepare a record. If exemption of the payment of any fee, please state the reason for

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

Postal address	Facsimile	con	electronic nmunication case specify)
Signed at	this	day of	20
ignature of Requesto	er / person on w	rhose behalf requ	uest is made
	FOR OFFIC	CIAL USE	
Reference number: Request received by: State Rank, Name an Surname of Information Officer) Date received:		CIAL USE	

Signature of Information Officer

ANNEXURE B: FORM 3

OUTCOME OF REQUEST AND FEES PAYABLE

[Regulation 8]

Note:

- 1. If your request is granted the—
 - (a) amount of the deposit, (if any), is payable before your request is processed; and
 - (b) requested record/portion of the record will only be released once proof of full payment is received.
- 2. Please use the reference number hereunder in all future correspondence.

	Reference number:
TO:	
Your request dated, refers.	

1. You requested:

Personal inspection of information at registered address of public/private body (including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form) is free of charge. You are required to make an appointment for the inspection of the information and to bring this Form with you. If you then require any form of reproduction of the information, you will be liable for the fees prescribed in Annexure A.

OR

2. You requested:

Printed copies of the information (including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)	
Written or printed transcription of virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)	
Transcription of soundtrack (written or printed document)	
Copy of information on flash drive (including virtual images and soundtracks)	
Copy of information on compact disc drive (including virtual images and soundtracks)	
Copy of record saved on cloud storage server	

3. To be submitted:

Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format (in	ncluding transcriptions)
E-mail of information (including soundtracks if possible)
Cloud share/file transfer	
Preferred language:	
(Note that if the record is not available in the language granted in the language in which the record is available	

Kindly r	note that your request has been:
	Approved
	Denied, for the following reasons:

4. Fees payable with regard to your request:

Item	Description	Amount	Number of pages/items	Total:
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	R 40.00		
	b. If provided to the requester	R 60.00		
5.	For a transcription of visual images per A4-size page	Service to be outsourced. Will		
6.	For a copy of visual images	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.		
	TOTAL:			

Yes	□ No
Hours of search	Amount of deposit (calculated on one third of total amount per request)
The amount must be paid into the	following Bank account:
Name of Bank: Name of account holder: Type of account: Account number: Branch Code: Reference No.: Submit proof of payment to:	
Signed atthis	sday of20
Information officer	