

**SOUTH AFRICAN WIRE BUSINESS COUNCIL (NON PROFIT COMPANY)**

Company Registration Number: 2002/000697/08

**MANUAL IN TERMS OF THE PROMOTION OF ACCESS TO INFORMATION ACT  
(Act No 2 of 2000) as amended**

This Manual may be updated and amended from time to time to provide for possible changes to legislation and company policies.

This Manual is available through the following channels:

- Electronic copy on the website of the company at [www.sawa.co.za](http://www.sawa.co.za)
- Hardcopy at the business address of the company for inspection during normal business hours.
- In electronic format on request from the Information Officer of the company.

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## **INTRODUCTION**

### **Promotion of Access to Information Act 2 of 2000 (the Act)**

To give effect to the constitutional right of access to any information held by the State and any information that is held by another person and that is required for the exercise or protection of any rights; to provide that the Information Regulator, established in terms of the Protection of Personal Information Act, 2013, must exercise certain powers and perform certain duties and functions in terms of this Act; and to provide for matters connected therewith.

This Manual intends to explain how the South African Wire Business Council protect and give access to information that is required to exercise or protect any right and the procedures to follow when requesting access to records held by the company in terms of the Act.

### **The South African Wire Business Council**

The South African Wire Business Council was incorporated and registered in South Africa on 16 January 2002 as a non-profit company. The company is also commonly referred to as “the South African Wire Association” or the abbreviated form “SAWA”.

The company represents members of the South African Wire Industry as a single voice with other stake holders including the Department of Trade Industry and Competition and other government departments.

The company’s main objective is the promotion of South African value-added wire related products on the global market whilst maintaining a strong and competitive local wire industry.

## CONTACT DETAILS

### General contact details

Name of Company	South African Wire Business Council
Postal Address	Postnet Suite 67, Private Bag X10020, Edenvale, 1610
Physical Address	Haggie Corporate Office Park, 62 Lower Germiston Road Herriotdale, 2094
Telephone Number	(011) 615 0949
Website	<a href="http://www.sawa.co.za">www.sawa.co.za</a>

### Contact details of the Information Officer

Designation	Executive Director
Telephone	(011) 615 0949
Email	<a href="mailto:sawa@sawa.co.za">sawa@sawa.co.za</a>

## SECTION 10 GUIDE – THE INFORMATION REGULATOR

The Information Regulator must update and make available the existing guide that has been compiled by the South African Human Rights Commission containing such information, in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in this Act and the Protection of Personal Information Act, 2013.

For further guidance in relation to the Promotion of Access to Information Act contact:

The Information Regulator (South Africa)

Postal Address	PO Box 31533, Braamfontein, Johannesburg, 2017
Physical Address	JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001
General email enquiries	<a href="mailto:infoereg@justice.gov.za">infoereg@justice.gov.za</a>
Complaints email	<a href="mailto:complaints.IR@justice.gov.za">complaints.IR@justice.gov.za</a>
Telephone Number	010 023 5200
Fax Number	086 500 3351

## **RECORDS OF THE SOUTH AFRICAN WIRE BUSINESS COUNCIL**

### **Records automatically available to the Public**

No notice has been published in terms of Section 52 of the Act. However the following records are automatically available:

- Documentation and information relating to the company which is held by the Companies and Intellectual Property Commission in accordance with the requirements set out in Section 25 of the Companies Act 71 of 2008.
- General information relating to the South African Wire Business Council is available on the company website at [www.sawa.co.za](http://www.sawa.co.za).

### **Records available in accordance with other legislation**

Records are kept in accordance with such other legislation as applicable to the South African Wire Business Council, which include but is not limited to:

- Basic Conditions of Employment Act 75 of 1997
- Broad Based Black Economic Empowerment Act 53 of 2003
- Companies Act 71 of 2008
- Compensation of Occupational Injuries and Diseases Act 130 of 1993
- Competition Act 89 of 1998
- Consumer Protection Act 68 of 2008
- Electronic Communications Act 36 of 2005
- Employment Equity Act 55 of 1998
- Income Tax Act 58 of 1962
- Labour relations Act 66 of 1995
- Non Profit Organisations Act 71 of 1997
- Occupational Health and Safety Act 85 of 1993
- Protection of Personal Information Act 4 of 2013
- Skills Development Act 97 of 1998
- Skills Development Levies Act 9 of 1999
- Tax Administration Act 28 of 2011
- Unemployment Insurance Act 63 of 2001
- Unemployment Insurance Contributions Act 4 of 2002
- Value-Added Tax Act 89 of 1991

## **RECORDS OF THE SOUTH AFRICAN WIRE BUSINESS COUNCIL - continued**

### **Records held by the South African Wire Business Council**

This section of the manual set out the subjects and categories of records held by the South African Wire Business Council. The inclusion of any subject or category of records should not be construed upon as an indication that records or information falling within these subjects or categories will be made available under the Act. Access to records and information is subject to evaluation exercised in accordance with the requirements of the Act.

#### **Business Records**

- Records of general correspondence
- General information and marketing brochures
- Operational records
- Research reports
- Information relating to Members
- Information relating to suppliers and service providers
- Other market related data and information

#### **Corporate and statutory records**

- Company Incorporation documents
- Minutes of meetings
- Register of Directors
- Ancillary statutory documents
- Annual reports

#### **Financial Records**

- Accounting ledgers and transactional records
- Asset register
- Bank statements and other banking records
- Budgets and other management financial reports
- Interim and Annual Financial Reports
- Invoices and other relevant supporting documents
- Reports from Accountants, Auditors and consultants
- Rental and lease agreements
- Tax returns and other tax related records
- Ancillary financial records

## **RECORDS OF THE SOUTH AFRICAN WIRE BUSINESS COUNCIL - continued**

### **Records held by the South African Wire Business Council - continued**

#### **Employment Records**

- List of employees, directors and officers
- Employee personal information
- Employment contracts
- Payroll records
- Procedural agreements and policies
- Disciplinary records
- Ancillary records relating to employees

#### **Other records and information**

- Policy documents regarding governance
- Policy documents regarding protection of information
- Insurance policies
- Records relating to legal proceedings
- Software licenses
- Operational agreements

## **PROCESSING PERSONAL INFORMATION IN TERMS OF THE POPI ACT**

### **Purpose of processing personal information**

The South African Wire Business Council processes personal information of data subjects for the following purposes:

- Fulfilling statutory obligations in terms of other relevant legislation.
- To enable the provision of services in relation to the main objectives of the company.
- To prepare research and other reports in relation to the operations of the company.
- To compile marketing brochures.
- To maintain and manage information from data subjects.

### **Categories of data subjects**

The South African Wire Business Council processes personal information of the following categories of data subjects:

- Directors and employees
- Members of the association
- Suppliers and service providers
- Government departments and associated individuals
- Visitors to the business premises and meeting attendees

### **Categories of information**

The nature of personal information processed by the South African Wire Business Council in relation to the above categories of data subjects may include the following:

- Name, identifying numbers, logo and branding, email address, physical address, postal address, telephone number, fax number.
- Bank Account Numbers.
- Information relating to race, gender, national origin, language and birth date.
- Personal opinions and/or views of the data subject
- General correspondence from data subject
- Confidential correspondence from data subject

## **PROCESSING PERSONAL INFORMATION IN TERMS OF THE POPI ACT - continued**

### **Recipients to whom personal information may be supplied**

The South African Wire Business Council may supply personal information to the following recipients:

- Regulatory, statutory and government bodies.
- Suppliers, service providers, members and employees.
- Auditors, accountants and other relevant contractors.
- Relevant industry stakeholders.
- Banks and other financial institutions.

### **Transborder flow of personal information**

Personal information of data subjects may be transferred across borders due to the attendance of global trade fairs and participation in global marketing and promotional activities.

### **Security**

The South African Wire Business Council secures data by implementing and maintaining such appropriate measures as to ensure the protection of personal information against unlawful access, processing, accidental loss, destruction, damage and alteration.

Security measures and protocols are continuously assessed and reviewed.

Although not limited hereto, the following security measures are in place:

- Access control measures, including passwords, virus and software protection, and physical device safeguarding of data stored in electronic format.
- Security measures to premises, controlled entrance, alarm systems and lockup cabinets for the safeguarding of information stored in paper-based manual format.
- Web security protocols for information collected via the company website.
- Procedures regarding backup of information and subsequent safeguarding.

## **PROCEDURE TO REQUEST ACCESS TO INFORMATION**

The purpose of this section is to provide requesters with sufficient guidelines and procedures to facilitate a request for access to a record held by the South African Wire Business Council.

It is important to note that an application for access to information can be refused in the event that the application does not comply with the procedural requirements of the Act. In addition, the successful completion and submission of a request form does not automatically allow the requester access to the requested record.

### **Completion of Access Request Form**

In order for the South African Wire Business Council to respond to a request in a timely manner the "J752 FORM C REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY" should be completed, taking note of the following Instructions on the Completion of Forms:

- The Request Form must be completed in the English language.
- Proof of identity is required to authenticate the requester's identity. If the requester acts as an agent requester, the requester shall provide proof of identity of the person on whose behalf the request is made, the authority or mandate given to the requester by such person and proof of identity of the agent requester.
- Type or print in BLOCK LETTERS and answer to every question.
- If a question does not apply, state "N/A" in response to that question.
- If there is nothing to disclose in reply to a particular question state "Nil" in response.

An individual, who because of illiteracy or disability is unable to request access to a record by completing the Access Request Form may make the request orally to the Information Officer who shall reduce that oral request to writing in the prescribed form and provide a copy thereof to the requester.

### **Submission of Access Request Form**

The completed Access Request Form must be submitted at the physical address of the South African Wire Business Council or via E-mail and should be addressed to the Information Officer.

### **Payment of prescribed fees**

The requester shall be notified of the request fee (if any) which is payable before processing the request.

The requester who is granted access to information shall be notified of the access fee, which includes cost of reproduction and is payable before the information will be provided.

## **PROCEDURE TO REQUEST ACCESS TO INFORMATION - continued**

### **Records that cannot be located or does not exist**

If all reasonable steps have been taken in order to locate a record requested and there are reasonable grounds for believing that the record is in the possession of the South African Wire Business Council but cannot be located, or the record does not exist, the Information Officer shall by way of affidavit or affirmation notify the requester that it is not possible to grant access to such record, and provide any such further information as required by Section 55 of this Act.

### **Third Party Information**

If access is requested to a record that contains information about a third party we are obliged to attempt to contact this third party to inform them of the request.

This enables the third party the opportunity of responding by either consenting to access or by providing reasons why the access should be denied.

In the event of the third party furnishing reasons for the support or denial of access, our Information Officer will consider these reasons in determining whether access should be granted, or not.

### **Decision on request and notice thereof**

The Information Officer shall within 30 days, decide in accordance with this Act whether to grant the request and notify the requester of the decision.

The 30 day period in order to decide whether to grant the request and to notify the requester may be extended under certain circumstances. The Information Officer shall notify the requester in writing should such period for extension be required and provide such information relating to the extension of the period.

The Information Officer's decision is final and shall include all such information as required in terms of this Act to be disclosed in relation to the decision.



**D. Particulars of record**

- (a) Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.
- (b) If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

1. Description of record or relevant part of the record:

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2. Reference number, if available:

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3. Any further particulars of record:

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**E. Fees**

- (a) A request for access to a record, other than a record containing personal information about yourself, will be processed only after a request fee has been paid.
- (b) You will be notified of the amount required to be paid as the request fee.
- (c) The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.
- (d) If you qualify for exemption of the payment of any fee, please state the reason for exemption.

Reason for exemption from payment of fees:

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**F. Form of access to record**

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 below, state your disability and indicate in which form the record is required.

Disability:	Form in which record is required:
Mark the appropriate box with an <b>X</b> .	
NOTES:	
(a) Compliance with your request for access in the specified form may depend on the form in which the record is available.	
(b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.	
(c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.	

<b>1. If the record is in written or printed form:</b>					
	copy of record*		inspection of record		
<b>2. If record consists of visual images - (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):</b>					
	view the images		copy of the images*		transcription of the images*
<b>3. If record consists of recorded words or information which can be reproduced in sound:</b>					
	listen to the soundtrack (audio cassette)		transcription of soundtrack* (written or printed document)		
<b>4. If record is held on computer or in an electronic or machine-readable form:</b>					
	printed copy of record*		printed copy of information derived from the record*		copy in computer readable form* (stiffy or compact disc)

*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.	YES	NO
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**G. Particulars of right to be exercised or protected**

If the provided space is inadequate, please continue on a separate folio and attach it to this form. <b>The requester must sign all the additional folios.</b>
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1. Indicate which right is to be exercised or protected:

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2. Explain why the record requested is required for the exercise or protection of the aforementioned right:

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**H. Notice of decision regarding request for access**

You will be notified in writing whether your request has been approved / denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

.....

Signed at ..... this day..... of .....year .....

.....  
SIGNATURE OF REQUESTER /  
PERSON ON WHOSE BEHALF REQUEST IS MADE

**FORM 1**

**OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION IN TERMS OF SECTION 11(3) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)**

**REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018**  
[Regulation 2]

Note:

1. Affidavits or other documentary evidence as applicable in support of the objection may be attached.
2. If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.
3. Complete as is applicable.

<b>A</b>	<b>DETAILS OF DATA SUBJECT</b>
Name(s) and surname/ registered name of data subject:	
Unique Identifier/ Identity Number	
Residential, postal or business address:	
	Code (    )
Contact number(s):	
Fax number / E-mail address:	
<b>B</b>	<b>DETAILS OF RESPONSIBLE PARTY</b>
Name(s) and surname/ Registered name of responsible party:	
Residential, postal or business address:	
	Code (    )
Contact number(s):	
Fax number/ E-mail address:	
<b>C</b>	<b>REASONS FOR OBJECTION IN TERMS OF SECTION 11(1)(d) to (f) (Please provide detailed reasons for the objection)</b>

Signed at ..... this ..... day of .....20.....

.....  
Signature of data subject/designated person

**FORM 2**

**REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION OR DESTROYING OR DELETION OF RECORD OF PERSONAL INFORMATION IN TERMS OF SECTION 24(1) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)**

**REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018**  
[Regulation 3]

*Note:*

1. *Affidavits or other documentary evidence as applicable in support of the request may be attached.*
2. *If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.*
3. *Complete as is applicable.*

Mark the appropriate box with an "x".

**Request for:**

Correction or deletion of the personal information about the data subject which is in possession or under the control of the responsible party.

Destroying or deletion of a record of personal information about the data subject which is in possession or under the control of the responsible party and who is no longer authorised to retain the record of information.

A	DETAILS OF THE DATA SUBJECT
Name(s) and surname / registered name of data subject:	
Unique identifier/ Identity Number:	
Residential, postal or business address:	
	Code (    )
Contact number(s):	
Fax number/E-mail address:	
B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname / registered name of responsible party:	
Residential, postal or business address:	
	Code (    )
Contact number(s):	
Fax number/ E-mail address:	
C	INFORMATION TO BE CORRECTED/DELETED/ DESTROYED/ DESTROYED
<b>REASONS FOR *CORRECTION OR DELETION OF THE PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(a) WHICH IS IN POSSESSION OR UNDER THE CONTROL OF THE RESPONSIBLE PARTY ; and or REASONS FOR *DESTRUCTION OR DELETION OF A RECORD OF PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(b) WHICH THE RESPONSIBLE PARTY IS NO LONGER AUTHORISED TO RETAIN.</b> <i>(Please provide detailed reasons for the request)</i>	

Signed at ..... this ..... day of .....20.....

.....  
Signature of data subject/ designated person