

# Semper

**SEMPER  
MANUAL PREPARED IN TERMS OF SECTION 51 OF  
THE PROMOTION OF ACCESS TO INFORMATION ACT (ACT 2 OF 2000)**

**Note: This manual is based on “EXAMPLE OF A MANUAL FOR A PRIVATE BODY” issued by the South African Human Rights Commission, amended to meet the needs of SEMPER with further additions to enhance its usefulness and comply with the Protection of Personal Information Act, No. 4 of 2013.**

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

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## 2 DESCRIPTION OF GUIDE REFERRED TO IN SECTION 10

A Guide has been compiled in terms of Section 10 of PAIA by the South African Human Rights Commission (SAHRC and as amended by the Information Regulator. It contains information required by a person wishing to exercise any right, contemplated by PAIA. It is available in English.

The Guide is available for inspection, *inter alia*, at the office of the offices of SSA Information Technology (Pty) Ltd “Semper”, 102 Skyfall building, Paardevlei, Somerset West and at <https://www.semperpms.com>

## 3 RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION

Records available in terms of other legislation are as follows:

*[select from this list to meet your needs or add other relevant legislation not yet listed]*

Basic Conditions of Employment Act No. 75 of 1997  
Broad-based Black Economic Empowerment Act 53 of 2003  
Companies Act No 71 of 2008 and Applicable Regulations  
Consumer Affairs (Unfair Business Practice) Act No. 71 of 1988  
Consumer Protection Act 68 of 2008  
Copyright Act No. 98 of 1978  
Currency and Exchanges Act No .9 of 1933  
Customs and Excise Act, 55 of 1998;  
Debt Collector’s Act No. 114 of 1998  
Electronic Communications Act, No. 36 of 2005;  
Electronic Communications and Transactions Act No 25 of 2002  
Employment Equity Act. No. 55 of 1998  
Exchange Control Amnesty and Amendment of Taxation Laws Act of 2003  
Financial Advisory and Intermediary Services Act 37 of 2002  
Financial Intelligence Centre Act No. 38 of 2001.  
Harmful Business Practices Act No. 23 of 1999  
Income Tax Act No 58 of 1962  
Intellectual Property Laws Amendment Act No. 38 of 1997  
Labour Relations Act No 66 of 1995  
Promotion of Access to Information Act No.2 of 2000  
Promotion of Equality and Prevention of Unfair Discrimination Act No. 4 of 2000  
Protected Disclosures Act No. 26 of 2000  
Protection of Personal Information Act 4 of 2013  
Regulation of Interception of Communication and Provision of Communications Act, No.2 of 2000  
Regulation of Interception of Communications and Provisions of Communication Related Information Act No. 70 of 2002  
Skills Development Act 97 of 1998  
Skills Development Levies Act No 9 of 1999  
Unemployment Insurance Act No. 63 of 2001  
Unemployment Insurance Contributions Act No 4 of 2002  
Value Added Tax Act No 89 of 1991



#### **4 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.

#### **5 SUBJECTS AND CATEGORIES OF RECORDS HELD BY SEMPER**

General information about Semper can be accessed via the internet on <https://www.semperpms.com>, which is available to all persons who have access to the internet.

The subjects on which the private body holds records and the categories on each subject in terms of Section 51(1)(e) are as listed below. Please note that a requester is not automatically allowed access to these records and that access to them may be refused in accordance with Sections 62 to 69 of the Act:

##### **1. COMPANIES ACT RECORDS**

- Documents of Incorporation;
- Minutes of meeting of the Board of Directors;
- Minutes of meetings of Shareholders;
- Proxy forms
- Register of directors' shareholdings;
- Share certificates; and
- Share Register and other statutory registers and/or records and/or documents;
- Special resolutions/Resolutions passed at General and Class meetings.

Records relating to the appointment of:

- Auditors;
- Directors;
- Public Officer; and

##### **2. FINANCIAL RECORDS**

- Accounting Records
- Annual Financial Reports;
- Annual Financial Statements
- Asset Registers;
- Bank Statements
- Banking details and bank accounts;
- Banking Records
- Debtors / Creditors statements and invoices;
- General ledgers and subsidiary ledgers;
- General reconciliation;
- Invoices;
- Paid Cheques

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- Policies and procedures;
- Rental Agreements; and
- Tax Returns.

### **3. INCOME TAX RECORDS**

- PAYE Records
- Documents issued to employees for income tax purposes
- Records of payments made to SARS on behalf of employees
- All other statutory compliances:
  - VAT
  - Regional Services Levies
  - Skills Development Levies
  - UIF
  - Workmen's Compensation

### **4. PERSONNEL DOCUMENTS AND RECORDS**

- Accident books and records;
- Address Lists;
- Disciplinary Code and Records;
- Employee benefits arrangements rules and records;
- Employment Contracts;
- Forms and Applications;
- Grievance Procedures;
- Leave Records;
- Medical Aid Records;
- Payroll reports/ Wage register;
- Salary Records;
- Standard letters and notices
- Training Manuals;
- Training Records;

### **5. PROCUREMENT DEPARTMENT**

- Standard Terms and Conditions for supply of services and products;
- Contractor, client and supplier agreements;
- Lists of suppliers, products, services and distribution; and
- Policies and Procedures.

### **6. SALES DEPARTMENT**

- Customer details
- Credit application information
- Information and records provided by a third party

### **7. MARKETING DEPARTMENT**

- Advertising and promotional material



## **8. Risk Management and Audit**

- Audit reports;
- Risk management frameworks; and
- Risk management plans.

## **9. IT DEPARTMENT**

- Computer / mobile device usage policy documentation;
- Disaster recovery plans;
- Hardware asset registers;
- Information security policies/standards/procedures;
- Information technology systems and user manuals
- Information usage policy documentation;
- System documentation and manuals.

## **6 PURPOSE OF PROCESSING OF PERSONAL INFORMATION**

**Purpose:** Personal Information is being processed in order to perform the following services, these including: Contractual Administrative and Legislative purposes; for Accounting and Billing purposes; for Support Help Desk purposes; for marketing (includes via Social Media) and Communication purposes of Semper and Third-Party Products.

## **7 DATA SUBJECTS CATEGORIES AND THEIR PERSONAL INFORMATION**

Venues: Venue name, contact person, telephone number, email, ext.  
Guests at Venue: Name, surname, contact number, email, address, ext.  
Employees: Name, surname, contact number, email, tax number, ext.  
Semper Agents: Name, surname, contact number, email, ext.  
General public: tracking general enquiries and web site visits

## **8 PLANNED RECIPIENTS OF PERSONAL INFORMATION**

Statutory authorities  
Law enforcement  
Tax authorities  
Financial institutions  
Medical schemes  
Industry bodies

## **9 PLANNED TRANS-BORDER FLOWS OF PERSONAL INFORMATION**

Flows to service providers/operators  
Flows to business partners  
Flows to customers  
Flows to suppliers  
Flows through the use of social media



## **10 SECURITY MEASURES TO PROTECT PERSONAL INFORMATION**

Our security policies and procedures cover:

- Physical security;
- Computer and network security;
- Access to personal information;
- Secure communications;
- 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 private information;
- Investigating and reacting to security incidents.

## **11 DETAIL ON HOW TO MAKE A REQUEST FOR ACCESS**

### **11.1 PAIA FORM 02: REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY**

In terms of Section 53 (1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) [Regulation (7), Form 02 should be used to request access to a record held by a Public or Private body in terms of PAIA. Form 02 can be downloaded from the Information Regulator website under Documents/Forms. It can also be downloaded using the link below.

Form 02: Request for Access to Record:

<https://inforegulator.org.za/paia-forms/>

Please note: Do not use Form 02 for personal information requests (Data Subject Requests). The appropriate form for these requests is described in point 14.2 below.

### **11.2 POPIA 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)**

In terms of the Protection of Personal Information Act of 2013, Section 24 and the Regulations relating to the Protection of Personal information, 2017, [Regulation 3(2)] Form 2 should be used to raise requests for the correction or deletion of personal information, or destroying or deletion of record of personal information. Form 2 is available on the Information Regulator website under Documents/Forms. It can be downloaded using the link below:

Form 2: Request for Correction or Deletion of Personal Information or Destroying or Deletion of Record of Personal Information

<https://inforegulator.org.za/paia-forms/>



Semper has the right to reject any request for information submitted in terms of Sections 62 to 70 of Chapter 4 of the PAIA Act.

## 12 AVAILABILITY OF THE MANUAL

This manual is available for inspection at the office of Semper free of charge; from the SSA Information technology t/a Semper

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**Signature of Designated Head of the Private Body**

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**Name of Designated Head of the Private Body**

**(Note: each page should be initialled to complete the signing process).**

**Date of signature** \_\_\_\_\_

**Publication date of this manual: Aug 2023**

**Next revision date of this document: Aug 2024**

## 13 FEES IN RESPECT OF PRIVATE BODIES

The following is a breakdown of the fees structure for the purposes of determining the manner in which fees relating to a request for access to a record of a private body are to be calculated:

Part III of Regulation 187 published in the Government Gazette on the 15 February 2002:

1. The fee for a copy of the manual as contemplated in regulation 9(2)(c) is R1,10 for every photocopy of an A4-size page or part thereof.
2. The fees for reproduction referred to in regulation 11(1) are as follows:
  - a. (a) For every photocopy of an A4-size page or part thereof R1,10
  - b. (b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form R0, 75
  - c. (c) For a copy in a computer-readable form on - (i) stifty disc R 7, 50; (ii) compact disc R 70,00
  - d. (d) (i) For a transcription of visual images, for an A4-size page or part thereof R 40,00, (ii) For a copy of visual images R 60,00
  - e. (e) (i) For a transcription of an audio record, for an A4-size page or part thereof R 20,00; (ii) For a copy of an audio record R 30,00
3. The request fee payable by a requester, other than a personal requester, referred to in Regulation 11(2) is R50,00.
4. The access fees payable by a requester referred to in Regulation 11(3) are as follows:
  1.
    - a) For every photocopy of an A4-size page or part thereof R 1,10;

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- b) For every printed copy of an A4-size page or part; thereof held on a computer or in electronic or machine-readable form R 0,75;
- c) For a copy in a computer-readable form on - (i) stiffy disc R 7,50; (ii) compact disc R 70,00
- d) (i) For a transcription of visual images, for an A4-size page or part thereof R 40,00; (ii) For a copy of visual images R 60,00
- e) (i) For a transcription of an audio record, for an A4-size page or part thereof R 20,00; (ii) For a copy of an audio record R 30,00
- f) To search for and prepare the record for disclosure, R30,00; for each hour or part of an hour reasonably required for such search and preparation.

2. For purposes of section 54(2) of the Act, the following applies:

- (a) Six hours as the hours to be exceeded before a deposit is payable; and
- (b) one third of the access fee is payable as a deposit by the requester.

3. The actual postage is payable when a copy of a record must be posted to a requester.

## A. 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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