

A DIVISION OF ZIMCO GROUP (PTY) LTD

PROMOTION OF ACCESS TO INFORMATION MANUAL



INTRODUCTION

- 1.1 This manual is published pursuant to section 51 of the Promotion of Access to Information Act 2 of 2000 ("PAIA") which was promulgated in order to nurture an ethos which promotes transparency, accountability and effective governance of all private and public bodies. PAIA gives effect to section 32 of the Constitution of the Republic of South Africa, 1996, which provides for the right of access to information in a manner that affords persons a means/platform to obtain the records of private and public bodies as promptly and as efficiently as reasonably possible to endorse, including but not limited to, mechanisms and procedures that empower and educate all persons.
 - 1.2 PAIA requires organisations to compile a manual as a guide to requesters of information. The Manual also serves to indicate the types of records held by the Sondor Performance Foams ("The Company") and the availability of such records from the Company.
 - In addition, the manual explains how to access, or object to, or request correction or deletion of, personal information held by Sondor Performance Foams, in terms of sections 23, 24 and 25 of the Protection of Personal Information Act 4 of 2013 ("POPIA"), and the Regulations Relating to the Protection of Personal Information, 2017 ("POPIA Regulations").
 - This manual is not exhaustive of, nor does it comprehensively deal with, every procedure provided for in PAIA. Requestors are advised to familiarise themselves with the provisions of PAIA and POPIA before making any requests to Sondor Performance Foams in terms of these Acts. However, in terms of section 19 of PAIA, and Regulations 2 and 3 of the POPIA, the Company will provide such assistance as is required in completing the necessary forms, by parties applying for access to information or personal information.
 - 1.5 Sondor Performance Foams makes no representation and gives no undertaking or warranty that the information in this manual or any information provided by it to a requestor is complete or accurate, or that such information is fit for any purpose. All users of any such information use such information entirely at their own risk, and the Company will not be liable for any loss, expense, liability or claims, howsoever



arising, resulting from the use of this manual or of any information provided by the Company or from any error therein.

2 OVERVIEW OF SONDOR PERFORMANCE FOAMS

- 2.1 Sondor Performance Foams a leading manufacturer and convertor of close cell performance foams and related products to all industries needing technical solutions for sealing, thermal and acoustics insulation, protection, packaging and buoyancy applications in local and selected export markets. Sondor has a branch network nationally that allows Sondor to service each region effectively.
- In carrying out our operations, we pride ourselves on maintaining the best quality health, safety and environmental standards. We strive to maintain this in what we do in order to give effect to the right of access to information and records as contemplated in PAIA and POPIA.

3 INFORMATION OFFICER AND CONTACT DETAILS

3.1 The Information Officer of the Sondor Performance Foams is Wouter Olivier whose contact details are as follows –

Name	Contact details
Mr Wouter Olivier	Telephone no: 021 9595900 Email: Wouter.Olivier@Ecobat.com

3.2 The contact details for Sondor Performance Foams (Pty) Ltd in South Africa are –

•	62 Junction Street,		
Physical address	Parow Industria		
Head office	Cape Town		
	South Africa		
	P.O. Box 937		
Postal address	Sanlamhof		
Head office	Parow		
	Cape Town, South Africa		
	d .		



4 GUIDE ON HOW TO USE PAIA

- 4.1 As of 1 July 2021, the Information Regulator will assume the functions of the South African Human Rights Commission ("SAHRC") and will be responsible for PAIA and POPIA queries.
- As part of its functions, the Information Regulator will publish a guide on how to use PAIA and POPIA in the new dispensation. The Information Regulator has not yet published a guide to this effect.
- The SAHRC has previously developed a guide with information on how to use PAIA.

 This guide is available on the SAHRC website https://www.sahrc.org.za.
- 4.4 Any information or queries related to the guide, or to PAIA or POPIA should be directed to –

Information Regulator

JD House 27 Stiemens Street Braamfontein Johannesburg 2001

Telephone number:

(012) 406 4818

Fax number:

(086) 500 3351

Website:

www.justice.gov.za/inforeg

E-mail:

inforeg@justice.gov.za

5 NOTICE IN TERMS OF SECTION 51(1)(C)

- 5.1 At this stage no notices have been published by the Information Regulator on the categories of records automatically available without a person having to request access thereto in terms of PAIA.
- The records that are located on the Sondor Performance Foams website are however automatically available to any person requesting this information and it is therefore not necessary to apply for access thereto in terms all PAIA. The website address is https://www.sondor.co.za/.

6.11



6 RECORDS AVAILABLE IN ACCORDANCE WITH LEGISLATION IN TERMS OF SECTION 51(1)(D)

Records are kept in accordance with legislation as is applicable to Sondor Performance Foams, which include (but may not be limited to) the following legislation –

Basic Conditions of Employment Act 75 of 1997; 6.1 Broad-Based Black Economic Empowerment Act 53 of 2003; 6.2 Companies Act 71 of 2008; 6.3 Compensation for Occupational Injuries and Diseases Act 130 of 1993; 6.4 Employment Equity Act 55 of 1998; 6.5 Income Tax Act 58 of 1962; 6.6 Labour Relations Act 66 of 1995; 6.7 Occupational Health and Safety Act 85 of 1993; 6.8 Skills Development Act 9 of 1999; 6.9 Unemployment Insurance Act 63 of 2001; 6.10

7 INFORMATION REQUIRED IN TERMS OF SECTION 51(1)

Value Added Tax Act 89 of 1991.

The following table contains a description of the types of records / subjects on which Sondor Performance Foams holds and the categories of records held on each subject –

Subject	Description of record		
Subject Statutory records Income tax	 Company incorporation documents Share register Memorandum of Incorporation Minutes of meetings of the board of directors Records relating to the appointment of directors, auditors, and other officers 		
	 Pay-as-you-earn (PAYE) records 		



	Documents issued to employees for				
	income tax purposes				
	Records of payments made to South				
	African Revenue Services on behalf of				
*	employees				
	All or any statutory compliance				
	Value Added Tax				
	Skills development levies				
	Unemployment Insurance Fund				
	Personnel documents and records				
	Employment contracts				
	Medical aid records				
	Pension Fund records				
	Disciplinary records				
•	Salary records				
Labour relations records	 Disciplinary code and / or procedures 				
	Leave records				
	Training records				
	Training manuals				
	Address lists				
	Internal telephone lists				
	Receipts and payments				
	Bank statements				
	Budgets				
·	Management accounts				
Finance	Asset registers				
	Orders, quotes and invoices				
	Minutes of meetings				
	Correspondence				
	Contracts				
	Testing certificates				
Risk and compliance	-				
Risk and compliance	 Policies and procedures 				



8 PROCESSING OF PERSONAL INFORMATION

8.1 POPIA

8.2.11

- 8.1.1 Chapter 3 of POPIA provides for the minimum conditions for lawful processing of Personal Information. These conditions may not be derogated from unless specific exclusions apply as outlined in POPIA.
- 8.1.2 Sondor Performance Foams processes personal information in accordance with POPIA. In terms of our privacy policy, we will ensure that all processing conditions of POPIA are complied with at the time of processing of personal information. The Company processes personal information of both living and juristic persons.

8.2 Purpose for processing of personal information

The Company processes personal information for a number of reasons including, but not limited to. –

but not limited to, providing requested services; 8.2.1 managing the commercial relationship with customers; 8.2.2 manage dispute resolution; 8.2.3 create and manage supplier relationships; 8.2.4 manage contracts, orders, deliveries, invoices and accounting; 8.2.5 sending quotation estimates; 8.2.6 processing and managing customer subscriptions; 8.2.7 collect statistical information and run analytics in order to improve services 8.2.8 understand customers better; general human resource and finance functions including those obligations 8.2.9 imposed by legislation; . sending marketing communications and managing a list of customers who 8.2.10 wish to not receive marketing material; and

website is safe and secure to protect against misuse.

to allow proper functioning of our website which includes, amongst others, proper display of content, interface personalisation and ensuring that the



8.3 Categories of data subjects

Sondor Performance Foams processes personal information relating to the following categories of data subjects –

- customers; 8.3.1 shareholders; 8.3.2 beneficiaries/dependants for employees; 8.3.3 directors; 8.3.4 employees and job applicants; 8.3.5 juristic entities (i.e. service providers, contractors, consultants); 8.3.6 complainants and enquirers; 8.3.7 visitors to premises; 8.3.8 individuals captured by CCTV cameras; and 8.3.9 individuals who have an interest in the products and services of the Zimco 8.3.10 Group. Types of information (and special personal information) processed 8.4 Sondor Performance Foams processes the following types of personal information, amongst others, -
 - 8.4.1 name and surname;
 - 8.4.2 email address and postal address (invoicing);
 - 8.4.3 phone number;
 - transaction information (details regarding the service subscribed, transaction number);
 - 8.4.5 services history;
 - 8.4.6 payment information;
 - data relating to the commercial relationship and details regarding the service subscribed (including duration and any correspondence);
 - 8.4.8 billing data; and
 - 8.4.9 information collected by cookies or similar technologies.



8.5 <u>Disclosure of your personal information</u>

- We may disclose your personal information to third parties who are involved in the delivery of products and services to you such as trusted service providers (sub-contractors).
- Where the Company discloses your personal information to any third party, the latter will be obliged to use that personal information for the reasons and purposes it was disclosed for. To this end, we have agreements in place with these third parties to ensure this and to ensure an adequate level of security and confidentiality for your personal information.
- The Company may be obliged to disclose your personal information where we have a duty to disclose in terms of law or where we believe it is necessary to protect our rights.

8.6 Trans-border/Cross border flows of personal information

Section 72 of POPIA provides that personal information may only be transferred out of the Republic of South Africa if certain conditions are satisfied. Sondor Performance Foams will ensure that the conditions set out in section 72 of POPIA are complied with in respect of any cross-border transfers of personal information.

8.7 General description of information security measures

- 8.7.1 Sondor Performance Foams takes reasonable and appropriate technical and organisational measures to ensure that personal information is kept secure and is protected against unauthorised or unlawful processing, accidental loss, destruction or damage, alteration disclosure or access. We contractually require that service providers who handle your personal information for us do the same.
- The Company, on a regular basis, reviews the security controls and related to processes to ensure that personal information is secure.



9 HOW TO REQUEST ACCESS TO A RECORD

- 9.1 To request a record in terms of PAIA, the requestor must complete the prescribed form attached to this manual as **Annexure A**. This request must be sent to the Information Officer at the addresses provided at paragraph 3.1.
- 9.2 For POPIA-related requests to object to the processing of personal information, correct or delete personal information, the request must be made in writing on the applicable prescribed Form 1 (objection) or Form 2 (correction or deletion), which are attached to this Manual as Annexure B.
- The requestor must provide sufficient detail to enable the Information Officer to identify the record(s) requested and the requestor. The requestor must indicate which form of access is required, identify the right that he/she is seeking to exercise or protect and provide an explanation of why the requested record is required for the exercise or protection of that right.
- 9.4 If the request is made on behalf of another person, the requestor must submit proof of the capacity in which the requestor is making the request, to the reasonable satisfaction of the Information Officer.
- 9.5 PAIA makes provision for certain grounds upon which a request for access to information must be refused. On this basis, the Information Officer will make a decision whether or not to grant a request for access to information.

10 PAYMENT OF FEES

- 10.1 PAIA provides for two types of fees, namely –
- a request fee, which will be a standard non-refundable administration fee, payable prior to the request being considered; and
- an access fee, payable when access is granted which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs.



- Subsequent to a request being made, the Information Officer, shall by notice require the requester, excluding personal requester, to pay the prescribed request fee (if any), before further processing of the request.
- 10.1.4 If the search for and preparation for disclosure of the record has been made, including arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, Sondor Performance Foams will request the requester to pay as a deposit the prescribed portion of the access fee which would be payable if the request is granted.
- 10.2 The Company may withhold a record until the requester has paid the fees as indicated in **Annexure C**.
- A requester whose request has been granted must pay the applicable access fee for reproduction, search, 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 request form.
- In terms of POPIA, a data subject has the right to request the Company to confirm, free of charge, whether or it holds personal information about the data subject and request from the Company the record or a description of the personal information held, including information about the identity of all third parties, or categories of third parties, who have, or have had, access to the information.
- 10.5 POPIA further provides that where the data subject is required to pay a fee for services provided to them, the Company must provide the data subject with a written estimate of the payable amount before providing the service and may require that the requestor pay a deposit for all or part of the fee.



11 APPLICABLE TIME-PERIODS

- 11.1 Sondor Performance Foams will inform the requester within 30 days after receipt of the request of its decision whether or not to grant the request.
- The 30 day period may be extended by a further period of not more than 30 days if the request is for a large number of records or requires a search through a large number of records and compliance with the original period would unreasonably interfere with the activities of the Company or the records are not located at the Company.

12 OUTCOME OF THE REQUEST (GRANTING OR REFUSING)

Should the request be refused, the notice will state adequate reasons for the refusal, including the provisions of the PAIA relied upon; and that the requester may lodge an application with a Court against the refusal of the request.

13 GROUNDS FOR REFUSAL OF ACCESS TO RECORDS

- 13.1 In terms of Section 62 to 69 of PAIA access granted to a record may be refused on one or more of the following grounds –
- protection of privacy to a third party who is a natural person;
- 13.1.2 protection of the commercial information of a third party;
- 13.1.3 protection of certain confidential information of a third person;
- protection of the safety of individuals and the protection of property;
- 13.1.5 protection of records privileged from production and legal proceedings;
- 13.1.6 the commercial information of Sondor Performance Foams;
- 13.1.7 the protection of research information of a third party.
- Despite any provisions of PAIA, a request must be granted if the disclosure of the record would reveal evidence of substantial contravention of, or failure to comply with, the law or imminent and serious public safety or environment risk, and the public interest in the disclosure of the record clearly outweighs the harm contemplated (section 70 of PAIA).



14 REMEDIES FOR REFUSAL

Should the requester be dissatisfied with the Information Officer's decision to refuse access, that person may within 30 days after notification of the refusal apply to a Court for the appropriate relief.

15 AVAILABILITY OF THE MANUAL

This manual is available in electronic and hard copies in English. The hard copies are available at Sondor Performance Foams as contained in paragraph 3.2. The electronic version of this manual is available on the website of Sondor Performance Foams.

16 UPDATING OF THIS MANUAL

This manual will be reviewed and updated, if necessary, on a periodic basis but no less than once each year.



ANNEXURE A

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY

(Section 53(1) of the Act)
[Regulation 10]

A. Particulars of private body

	ad:	
Compa	ny Name:	
Compa	ny Registration Number:	
В.	Particulars of person request	ing access to the record
(a)	The particulars of the person	who requests access to the record must be given
	below.	The subject the information is to be
(b)		per in the Republic to which the information is to be
	sent must be given.	the request is made, if applicable, must be attached.
(c)	Proof of the capacity in writer	Title request is made, in spr
Full na	ames and surname:	
Identit	y number:	
Posta	l address:	•
Fax n	number:	
Telep	ohone number:	
	ail address:	
	acity in which request is made,	
wher	n made on behalf of another per	son:



C. Particulars of person on whose behalf request is made

This section n	nust be completed ON	NLY if a request for information is made on behalf of
another person	7.	
full names and	surname:	
dentity number	: g	
Postal address:		
		•
Fax number:		
Telephone num	iher	
E-mail address		
D. Particu	lars of record	
(a) Prov	ide full particulars of th	he record to which access is requested, including the
rofe	ence number if that is	known to you, to enable the record to be located.
(b) If the	provided space is ina	adequate, please continue on a separate folio and
atta	ch if to this form. The r	requester must sign all the additional folios.
	tion of report or relea	vant part of the record:
1. Descri	ption of record of relev	raint part of the second
2. Refere	ence number, if availal	ble:
3. Any fu	urther particulars of red	cord:.
-		



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:	45

F. Form of access to record

Mary are provented by a disability to read.	view or listen to the record in the form of access
If you are prevented by a diodomity	Link form the record
provided for in 1 to 4 hereunder, state you	r disability and indicate in which form the record
is required.	

Disability:	Form	in	which	record	is	required:

Mark the appropriate box with an X.

NOTES:

- (a) Compliance with your request 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.

If the record is in written or printed form: copy of record* inspection of record

2. If record consists of visual images

(this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):



		copy of the images*	trans	cription	of the
	view the images	copy of the images	image		
		a de la cuinformation W			
3.		orded words or information w	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		
	reproduced in sound:		*		
	listen to the soundtrack	transcription of soundtrack			
	(audio cassette)	(written or printed documer	11)	a dalaha	form:
4.	If record is held on com	puter or in an electronic or m	achine-re	adable	tom.
	printed copy of record*	printed copy of		in co	
		information derived from		able for	
		the record*	(stiff	y or c	compact
			disc)	0
*If ve	nu requested a copy or trans	cription of a record (above), do	you wish	YES	NO
II yo	copy or transcription to be po	osted to you?			
	tage is payable.	•			
Posi	tage is payable.				
	Particulars of right to be	overcised or protected			
	Particulars of right to be	ite, please continue on a separa	ate folio and	d attach	it to this
If the	provided space is inadequa	Ite, please continue on a community			
form	. The requester must sign	all the additional longs.			
š	Indicate which right is to be	e exercised or protected:			
		JI-			
n	Explain why the record red	quested is required for the exerc	cise or pro	tection o	of the
	aforementioned right:	(2)			



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 th			access to the
record?			
Signed at	this	day of	
20			
Signature of requestor /			
person on whose behalf request is made	(4)		
	_		
Name of requestor /			
person on whose behalf request is made			



ANNEXURE B

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, 2017 [Regulation 2(1)]

Note:

- 1. Affidavits or other documentary evidence in support of the objection must 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.

	Reference Number
A	DETAILS OF DATA SUBJECT
Name and surname of data subject:	185
Residential, postal or business address:	
Contact number(s):	·
FAX number:	
E-mail address:	
В	DETAILS OF RESPONSIBLE PARTY
Name and surname of responsible party (if the responsible party is a natural person): Residential, postal or business address:	
Contact number(s):	
FAX number:	
E-mail address: Name of public or private body (if the responsible party is not a natural person):	
Business address:	
Contact number(s):	
FAX number:	



	T T T T T T T T T T T T T T T T T T T
E-mail address:	and the objection)
С	REASONS FOR OBJECTION (Please provide detailed reasons for the objection)

Signature of Data subject (applicant)



Reference Number.....

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, 2017 [Regulation 3(2)]

Note:

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

Correction of possession of	or deletion of the personal information about the data subject which is in or under the control of the responsible party.
possession	or deletion of a record of personal information about the data subject which is in or under the control of the responsible party and who is no longer authorised to cord of information.
A	DETAILS OF DATA SUBJECT
Surname:	
Full names:	
dentity number:	
Residential, postal or business address:	
Contact number(s):	•
FAX number:	
E-mail address:	
В	DETAILS OF RESPONSIBLE PARTY
Name and surname of responsible party (if the responsible party is a natural	
person): Residential, postal	
or business	



Contact number(s):	
FAX number:	
-mail address:	
Name of public or private body (if the responsible party is not a natural person):	
Business address:	
Contact number(s):	
FAX number:	
E-mail address:	AND DELETION OF THE DEDSONAL
C	REASONS FOR *CORRECTION OR DELETION OF THE PERSONAL INFORMATION ABOUT THE DATA SUBJECT / *DESTRUCTION OR DELETION OF A RECORD OF PERSONAL INFORMATION ABOUT THE DATA SUBJECT WHICH IS IN POSSESSION OR UNDER THE CONTROL OF THE RESPONSIBLE PARTY. (Please provide detailed reasons for the request)
*Delete whichever is no	this day of
Signed at	this day
Signature of Data su	ıbiect



ANNEXURE C

FEES PAYABLE IN RESPECT OF RECORDS REQUESTED FROM SONDOR PERFORMANCE FOAMS

he fees, in respect of private bodies, are as follows –	Rands
or every photocopy of an A4-size page or part thereof	electronic or R 0.75
or every printed copy of an A4-size page or part thereof held on a computer or in nachine-readable form	
or a copy in a computer-readable form on –	
stiffy disc R 7.50	
compact disc R 70.00	R 40.00
For a transcription of visual images, for an A4-size page or part thereof	
For a copy of visual images	R 60.00
For a transcription of an audio record, for an A4-size page or part thereof	
For a copy of an audio record	
The request fee payable by a requester, other than a personal requester	R 50.00
The access fees payable by a requester are as follows –	R 1.10
For every photocopy of an A4-size page or part thereof	
For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	
For a copy in a computer-readable form on -	
stiffy disc R 7.50	
compact disc R 70.00	
For a transcription of visual images, for an A4-size page or part thereof	
For a copy of visual images	
For a transcription of an audio record, for an A4-size page or part thereof	
	R 30.00

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

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

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