

Promotion of Access to Information Act Manual

of

SHADES OF SKIN (PTY) LTD

Registration Number: 2015/0930651/07
(referred to as "the Company" after this)

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Introduction

The purpose of this manual is to assist potential requestors of information as to the procedure to be followed when requesting access to information or documents from the Company as contemplated in terms of the Act.

The Company may amend this manual from time to time and will make the finalised version available on the website and also keep it at the head office.

Should you require assistance regarding the use of this manual or to request information from the Company, you are requested to contact Dr Adi-Marie Schoemann.

Definitions

"the Act" shall mean the Promotion of Access to Information Act, No. 2 of 2000 as amended by the Protection of Personal Information Act, No. 4 of 2013, together with all relevant regulations published;

"the/this manual" shall mean this manual together with all annexures thereto as available at the offices of the Company from time to time;

"SAHRC" shall mean the South African Human Rights Commission.

Contact Details - Section 51(1)(a)

Name of the Company: Shades of Skin (Pty) Ltd

Registration number: 2015/0930651/07

Directors: Dr Adi-Mari Schoemann,
Mrs Lucille Ferriera,
Mrs Karen Ferriera,
Mrs Linda-Lee Pieterse

Information Officer/ Head of the Private Body: Dr Adi-Mari Schoemann

Physical address: Plaas Dankbaar, Fred Ferreira Weg,
Patensie, Eastern Cape 6335

Postal address: PO Box 70521, The Bridge, Port
Elizabeth, Eastern Cape, 6032

Telephone number: -

Fax number:

e-Mail address of the Head of the Private Body: adi@women-4-life.co.za

Guide in terms of Section 10 of the Act - (Section 51(1)(b)(i))

The SAHRC has compiled a guide in terms of section 10 of the Act. It contains information required by a person wishing to exercise any right as contemplated by the Act. The guide explains the rights and responsibilities of citizens and companies in terms of the Act. It is available in all of the official languages.

To gain access to this guide, you may visit the offices of the SAHRC or download it from their website. You may contact them at:

PAIA Unit

The Research and Documentation Department

Physical address: Forum 3, Braampark Office Park, 33 Hoofd Street, Braamfontein

Postal address: Private Bag 2700
Houghton
2041

Telephone: +27 11 877 3803

Fax: +27 11 403 0625

Website: www.sahrc.org.za

E-mail: PAIA@sahrc.org.za

Voluntary Notices in terms of Section 52(2)

We have not made available any Voluntary Disclosure Notices in terms of Section 52 which contain categories of record which are available without a person having to request access in terms of the Promotion of Access to Information Act.

Information / Documents available in terms of other Legislation - (Section 51(1)(b)(iii))

We have information available in terms of the following legislation, where applicable:

1. Consumer Protection Act, 68 of 2008
2. Companies Act, 71 of 2008
3. Income Tax Act, 58 of 1962
4. Protection of Personal Information Act, 4 of 2013
5. Basic Conditions of Employment Act, 75 of 1997
6. Occupational Health and Safety Act, 85 of 1993
7. Employment Equity Act, 55 of 1998
8. Compensation for Occupational Injuries and Diseases Act, 130 of 1993
9. Unemployment Insurance Act, 30 of 1966
10. Customs and Excise Act, 91 of 1964
11. Value Added Tax Act, 89 of 1991
12. Copyright Act, 98 of 1978
13. Electronic Communications and Transactions Act, 25 of 2002
14. Patents Act, 57 of 1978
15. Trade Marks Act, 194 of 1993

Description of the Records – (Section 51(1)(b)(iv))

Any request for information or documents will only be made available subject to the provisions and procedures of the Act. The documents / information listed below pertain to the day-to-day management of the Company:

- Company Registration Documents
- Company Resolutions
- Sales Records
- Employment Contracts
- Employment Equity Plan and Report
- Staff policies
- Human Resources Policies and Procedures
- List of trademarks and pending applications
- Commercial contracts

Processing of Personal Information – Section 51(1)(c)

Purpose of Processing

The Company wishes to use the Personal Information in the following ways:

- To fulfil orders placed through the Website;
- General company administration;
- Statutory compliance e.g. tax legislation;
- To communicate with customers and those that indicated they wish to receive emails from us.
- Connecting customers with courier companies for the purposes of delivering orders;
- Advertising and marketing the Company's Products and promoting public relations in connection with its business activities;
- Keeping records of transactions;
- Keeping accounts relating to the Company's business activities;
- Deciding whether to accept a person as a customer or supplier;
- Keeping human resources related information of prospective, current and past employees as required by law;
- Resolving complaints or enquiries.

Description of Categories of Data Subjects and of the Personal Information or Categories of Personal Information Relating Thereto

The Company typically deals with the following types of Data Subjects:

- Employees including temporary workers, prospective employees and employees who have left employment;
- Clients;
- Suppliers;
- Service Providers;
- Complainants;
- Consultants and professional experts.

The Company processes the following types of Personal Information:

- Personal details to identify the data subject and their personal characteristics such as names, addresses, contact details, company registration numbers, VAT registration numbers;
- Education and training details such as academic records, qualifications, skills and training records;
- Employment details such as career history, recruitment and termination details, attendance record, health and safety records, performance appraisals and training

records;

- Financial details such as income, salary, payments, creditworthiness, benefits and pension information;
- Physical or mental health or condition of employees.

The Recipients or Categories of Recipients to Whom the Personal Information may be supplied

During the course and scope of the Company's business activities, it may share the Personal Information under its care with the following categories of recipients:

- Courier companies whose quotation was accepted by the client through our service;
- Payment processor to process online payments;
- Service providers who may assist the Company to conduct its business online;
- The product manufacturer Adadvanced Skin & Hair Inc
- Accountants; and
- Employees.

Planned Transborder Flows of Personal Information

- Hosting the website;
- Storing of data captured through our online forms;
- Processing payments;
- Delivering orders to customers;
- Conducting surveys on behalf of Shades of Skin;
- Sending of emails and sms's to clients on behalf of Shades of Skin;

Other services that may typically be required when operating an internet based business.

General Description of Information Security Measures

The Company uses the following security measures to protect Personal Information:

- SSL technology to ensure the confidentiality and integrity of online transactions;
- Non-Disclosure Agreements with employees and service providers;
- Firewalls and anti-virus protection for our servers and all computers used when processing personal information;

Your Right of Access to Information

Both the Promotion of Access to Information Act and the Protection of Personal Information Act entitle you to have access to our records, if:

- you need access to exercise or protect any of your rights, and
- you apply for access according to the procedure set out in this manual, and
- we do not have grounds for refusing you access.

Our Right to Refuse Access to Information

We have the right to refuse to give you access to our records if any of the following grounds apply:

- the record would unreasonably disclose personal information about a natural person, including a deceased individual (unless that third party or a representative of the deceased gives written permission for access);
- the record contains (a) trade secrets, or (b) financial, commercial, scientific or technical information, or (c) information about research by a third party, which could put that third party at a disadvantage in a negotiation or prejudice him in competition (unless that third party gives written permission for access);
- access would put us in breach of a duty of confidence which we owe to a third party (unless that third party gives written permission for access);
- access could reasonably be expected to (a) endanger someone's life or physical safety, or (b) prejudice or impair the security of a building, structure, system, means of transport or other property;
- the record is privileged from being produced as evidence in legal proceedings (unless the

person protected by the privilege has waived that protection);

- if the request is for access to your Personal Information, and you could not provide adequate proof of identity to us.

Procedure to Request Information

If you want to obtain access to any of the records listed in this manual, you should follow the procedure as set out below.

Submit your Request Form and the Request Fee

Fill in the application form contained in this manual and send it to us via hand delivery, postal service, email or via fax.

Hand in your completed application form, and a non-refundable request fee of R50.00 + VAT at our office. If you are an employee or ex-employee requesting access to your personnel record, then you don't have to pay the request fee.

If you cannot visit our office in person, you can post the form and fee to us, or you can contact us to make alternative payment arrangements.

Our Response

We will consider your request and let you know our decision, in writing, not more than 30 days after we receive your request.

Our response will probably be one of the following:

1. Your application does not contain enough information to enable us to search for the record

you want. Please provide additional details.

2. It is going to take us more than six hours to search through our records, and before we do so you must pay us a deposit of R60.00 (plus VAT).
3. We have found the record you're looking for, and you may have access to it, on payment of:
 - an access fee of R30.00 (+ VAT) per hour for the time that it took us to find the record (less any deposit which you have already paid), and
 - a reproduction fee for making photocopies or printouts or copying the record onto a flash drive or CD - the prescribed fees are set out in this manual

Note: we will not charge fees to an employee or ex-employee requesting access to his/her personnel record.

4. If your request is for access to your Personal Information in terms of Section 23 of the Protection of Personal Information Act, we will give you a written estimate of the fee before providing the access. We may require you to pay a deposit for all or part of the fee.
5. You may not have access to the record you want, for reasons which we will state in our reply. If you have paid a deposit, we will refund it (but not the request fee).
6. We have searched for the record and cannot find it. We will give you an affidavit explaining what steps we took to try and find the record. Should the missing record later come to light, we will notify you.
7. If we may or must refuse to give you access to part of the requested personal information, we will give you access to every other part.

Section 51(1)(f)

FEEES IN RESPECT OF REQUESTS FOR INFORMATION FROM PRIVATE BODIES

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 of it.
2. The fees for reproduction referred to in regulation 11(1) are as follows:

(a)	For every photocopy of an A4-size page or part of it:	R1,10
(b)	For every printed copy of an A4-size page or part of it Held on a computer or in electronic or machine readable Form	R0,75
(c)	For a copy in a computer-readable form on:	
	(i) stiffy disc	R7,50
	(ii) compact disc	R70,00
(d)	(i) For a transcript of visual images for an A4-size page or part of it	R40,00
	(ii) For a copy of visual images	R60,00
(e)	(i) For a transcription of an audio record for an A4-size page or part of it	R20,00
	(ii) For a copy of an audio record	R30,00
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 of it	R1,10
(1)(b)	For every printed coy of an A4-size page or part of it held on a computer or in electronic or machine readable form	R0,75
(1)(c)	For a copy in a computer-readable form on:	
	(i) stiffy disc	R7,50
	(ii) compact disc	R70,00
(1)(d)	(i) For a transcription of visual images for an A-size page or part of it	R40,00
	(ii) For a copy of visual images	R60,00
(1)(e)	(i) For a transcription of an audio record fo an A4-size page or part of it	R20,00
	(ii) For a copy of an audio record	R30,00
(1)(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:	
(2)(a)	Six hours as the hours to be exceeded before a deposit is payable; and	
(2)(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.	

**FORM FOR APPLICATION OF INFORMATION
REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY
Section 53(1) of the Promotion of Access to Information Act, 2000
(Act No. 2 of 2000)**

A. Particulars of Private body

The Information Officer: Dr Adi-Mari Schoeman, PO Box 70521, The Bridge, Port Elizabeth, Eastern Cape, 6032, email: adi@women-4-life.co.za co. za

B. Particulars of person requesting access to the record

- (a) The particulars of the person who requests access to the record must be given below.
- (b) The address and/or fax number in the Republic to which the information is to be sent must be given
- (c) Proof of the capacity in which the request is made, if applicable, must be attached.

Full names and surname: _____

Identity number: _____

Postal address: _____

Fax number: _____

Telephone number: _____

e-Mail address: _____

Capacity in which request is made, when made on behalf of another person:

C. Particulars of person on whose behalf request is made

This section must be completed ONLY if a request for information is made on behalf of another person.

Full names and surname: _____

Identity number: _____

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.**

Description of the record or relevant part of the record:

Reference number, if available

Any further particulars of the record:

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:

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 hereunder, 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 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 effused 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.

1. If the record is in written or printed form:

Copy of record	Inspection of record
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2. If record consists of visual images (this includes photographs, slides, video recordings, computer-generated images, sketches etc.):

View the images	Copy of the images	Transcription of the images
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3. If the record consists of recorded words or information which can be reproduced in sound:

Listen to the soundtrack (audio cassettes)	Transcription of soundtrack (written or printed document)
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4. If record is held on computer or in an electronic or machine-readable form:

Printed copy of record	Printed copy of information derived from the record	Copy in computer readable form (stiffy or compact disc)
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* 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.
The requester must sign all the additional folios.

1. Indicate which right is to be exercised or protected: _____
2. Explain why the record requested is required for the exercise or protection of the aforementioned right:

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 _____ 20__

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