

# rencell

## PROMOTION TO ACCESS OF INFORMATION ACT ("PAIA") POLICY

("Policy")

This Policy is owned by Rencell Ltd ("Rencell" or "Company")

The processes contained herein forms part of the Rencell's internal control structures and procedures.

As the Director of the aforementioned Company, I Jeffrey Wayne Miller, hereby confirm the adoption of the processes set out in this Policy.

  
Signature

1 August 2021

Date

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## 1) DEFINITIONS

**PAIA** means the Promotion of Access to Information Act 2 of 2000

**POPI** means the Promotion of Personal Information Act 4 of 2013

**Information Regulator** means the Regulator established in terms of Section 39 of POPI

**Person** means a natural person or a juristic person

**Private body** means:

- a natural person who carries or has carried on any trade, business, or profession, but only in such capacity
- a partnership which carries or has carried on any trade, business, or profession; or
- any former or existing juristic person, but excludes a public body

**Public body** means:

- any department of state or administration in the national or provincial sphere of government or any municipality in the local sphere of government; or
- any other functionary or institution when:
  - exercising a power or performing a duty in terms of the Constitution or a provincial constitution; or
  - exercising a public power or performing a public function in terms of any legislation

**CEO**, in relation to, a private body means:

- in the case of a natural person, that natural person or any person duly authorised by that natural person;
- in the case of a partnership, any partner of the partnership or any person duly authorised by the partnership;
- in the case of a juristic person:
  - the chief executive officer or equivalent officer of the juristic person or any person duly authorised by that officer; or
  - the person who is acting as such or any person duly authorised by such acting person

**Information Officer** means the responsible person who will ensure compliance with POPI.

**Requester** in relation to a private body, means any person, including, but not limited to public body or an official thereof, making a request for access to a record of Rencell or a person acting on behalf of such person

**Personal Information** means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to: information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person; information relating to the education or the medical, financial, criminal or employment history of the person; any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person, the biometric information of the person; the personal opinions, views or preferences of the person; correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence; the views or opinions of another individual about the person; and the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person

**Request for access** means a request for access to a record of Rencell in terms of section 50 of PAIA

**Record** means any recorded information regardless of the form or medium, in the possession or under the control of Rencell irrespective of whether or not it was created by the Company

**Data Subject** means the person to whom personal information relates

**Third Party** in relation to a request for access to a record held by the Company, means any person other than the requester

**Processing** means any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including the collection, receipt, recording, organising, collation, storage, updating or modification, retrieval, alteration, consultation or use, dissemination by means of transmission, distribution or making available in any other form, or merging, linking, as well as restriction, degradation, erasure or destruction of personal information

## 2) PURPOSE OF A PAIA POLICY

PAIA gives effect to section 32 of the Constitution, which provides that everyone has the right to access information held by the State or any other person (or private body), when that information is required for the exercise or protection of any rights.

The purpose of PAIA is to:

- foster a culture of transparency and accountability in public and private bodies by giving effect to the right of access to information, and to
- actively promote a society in which the people of South Africa have effective access to information to enable them to exercise and protect all of their rights

Rencell recognises everyone's right to access to information and is committed to provide access to the Company's records where the proper procedural requirements as set out by PAIA and POPI have been met.

The Company's PAIA Policy is compiled in accordance with section 51 of the Act and contains the following provisions:

### Annexure A: Contact Details & Business Type

This section provides the Company's postal and street address, phone and facsimile number and, if available, the e-mail address of the Information Officer of Rencell

### Annexure B: Section 10 PAIA Guide

This section provides a description of the guide referred to in Section 10 of PAIA and how you may obtain access to it

### Annexure C: Statutory Records

This section provides a description of the various statutes in terms of which Rencell is required to maintain records

### Annexure D: Availability of Records

This section provides a list of records held by Rencell along with an indication of whether the record is freely available or only accessible by way of a formal request in terms of the provisions of PAIA. The section also provides a description of the category of data subject(s) to whom the respective records relates along with an indication of the purpose for which the record is being kept. Records that are indicated as "Freely Available" can be accessed by contacting the Information Officer (see Annexure A), without having to follow any formal procedures. Records that are indicated as a "PAIA Request", requires the requester to lodge a formal request as provided for in Annexure E

### Annexure E: Request Procedure

This section sets out the procedure required to obtain access to a record indicated as a "PAIA Request" in Annexure D

### **Annexure F: Information Officer Appointment**

This section provides for the formal appointment of the Information Officer

### **3) DUTIES OF THE INFORMATION OFFICER**

The Information Officer of Rencell is responsible for:

- Publishing and proper communication of the Policy i.e. creating policy awareness
- The facilitation of any request for access
- Providing adequate notice and feedback to the Requester
- Determining whether to grant a request for access to a complete/full record or only part of a record
- Ensuring that access to a record, where so granted, is provided timeously and in the correct format
- Reviewing the policy for accuracy and communicating any amendments

#### **Right of Access**

The Information Officer may only provide access to any record held by the Company to a requester if:

- The record is required for the exercise or protection of any right, and
- The requester complies with the procedural requirements relating to a request for access to that record, and
- Access to that record is not refused in terms of any of the grounds for refusal listed below

#### **Grounds for Refusal**

The Information Officer must assess whether there are any grounds for refusing a request for access.

Where any grounds for refusal are found, a request for access will not be granted.

However, despite finding any grounds for refusal, access to the record(s) will be provided where:

- the disclosure of the record would reveal evidence of a substantial contravention of, or failure to comply with the law or imminent and serious public or environmental risk, and
- the public interest in disclosing record, will clearly outweigh the harm contemplated in the provision in question

Where there are no grounds for refusal, request for access will be granted.

If a request for access is made with regards to a record containing information that would justify a ground for refusal, every part of the record which

- does not contain, and
- can reasonably be severed from any part that contains, any such information must, despite any other provisions of PAIA, also be disclosed

The grounds for refusal, or absence thereof, are set out below:

#### **A: Mandatory Protection of privacy of a Third Party who is a Natural Person**

##### Grounds for Refusal:

- The disclosure would involve the unreasonable disclosure of personal information about a third party that is a natural person (including a deceased individual)

##### No Grounds for Refusal:

- The record consists of information that concerns an individual who has already consented in writing to its disclosure to the requester concerned
- The record consists of information that is already publicly available
- The record consists of information that was given to Rencell by the individual to whom it relates and the individual was informed by or on behalf of the Company, before it is given, that the information belongs to a class of information that would or might be made available to the public
- The record consists of information about an individual's physical or mental health, or well-being, who is under the care of the requester and who is under the age of 18; or incapable of understanding the nature of the request, and if giving access would be in the individual's best interest
- The record consists of information about an individual who is deceased, and the requester is the individual's next of kin or making the with the written consent of the individual's next of kin
- The record consists of information about an individual who is or was an official of Rencell and which relates to the position or functions of the individual, including, but not limited to the title, work address, work phone number, the classification, salary scale or remuneration and responsibilities of the position heled or services performed by the individual and the name of the individual on a record prepare by the individual in the course of employment

#### **B: Mandatory Protection of Commercial Information of a Third Party**

##### Grounds for Refusal

- The record consists of information that contains trade secrets of a third party
- The record consists of information that contains financial, commercial, scientific or technical information, other than trade secrets, of a third party, the disclosure of which would be likely to cause harm to the commercial or financial interests of that third party
- The record consists of information supplied in confidence by a third party, the disclosure of which could reasonably be expected to put that third party at a disadvantage in contractual or other negotiations or to prejudice that third party in commercial competition

##### No Grounds for Refusal

- The record consists of information about a third party who has consented who has already consented in writing to its disclosure to the requester concerned
- The record consists of information about the results of any product or environmental testing or other investigation supplied by a third party or the results of any such testing or investigation carried out by or on behalf of a third party and its disclosure would reveal a serious public safety or environmental risk (the results of any product or environmental testing or other investigation do not include the results of preliminary testing or other investigation conducted for the purpose of developing methods of testing or other investigation)

#### **C: Mandatory Protection of certain Confidential Information of a Third Party**

**Grounds for Refusal**

- The record consists of information the disclosure of which would constitute an action for breach of a duty of confidence owed to a third party in terms of an agreement

**D: Mandatory Protection of Safety of Individuals and Protection of Property****Grounds for Refusal**

- The record consists of information that if disclosed could reasonably be expected to endanger the life or physical safety of an individual
- The record consists of information that if disclosed would likely prejudice or impair the security of a building, a structure or system, a computer or communication system, a means of transport, any other property
- The record consists of information that if disclosed would likely prejudice or impair the security of methods, systems, plans or procedures for the protection of an individual in accordance with a witness protection scheme, the safety of the public, or any part of the public, or the security of property

**E: Mandatory Protection of Records privileged from Production in Legal Proceedings****Grounds for Refusal**

- The record consists of information privileged from production in legal proceedings unless the person entitled to the privilege has waived the privilege

**F: Commercial Information of the Company****Grounds for Refusal**

- The record consists of information that contains trade secrets of the Company
- The record consists of information that contains financial, commercial, scientific or technical information, other than trade secrets, of the Company, the disclosure of which would likely cause harm to the commercial or financial interests of the Company
- The record consists of information, the disclosure of which, could reasonably be expected to put Rencell at a disadvantage in contractual or other negotiations or prejudice Rencell in commercial competition
- The record is a computer program as defined in section 1(1) of the Copyright Act (Act 98 of 1978), owned by the Company, except insofar as it is required to give access to a record to which access is granted in terms of PAIA

**No Grounds for Refusal**

- The record consists of information about the results of any product or environmental testing or other investigation supplied by Rencell or the results of any such testing or investigation carried out by or on behalf of Rencell and its disclosure would reveal a serious public safety or environmental risk (the results of any product or environmental testing or other investigation do not include the results of preliminary testing or other investigation conducted for the purpose of developing methods of testing or other investigation)

**G: Mandatory Protection of Research Information of a Third Party and the Company****Grounds for Refusal**

- The record consists of information that contains information about research being or to be carried out by or on behalf of a third party, the disclosure of which would be likely to expose the third party, a person that is or will be carrying out the research on behalf of the third party, or the subject matter of the research to serious disadvantage
- The record consists of information that contains information about research being or to be carried out by or on behalf of the Company, the disclosure of which would be likely to expose the Company, a person that is or will be carrying out the research on behalf of the Company, or the subject matter of the research to serious disadvantage

## Notice

Where a request for access has been received the Information Officer will notify the requester of receipt and the prescribed fee (if any) that is payable prior to processing the request.

The notice must state:

- The amount of the deposit payable (if any)
- That the requester may lodge a complaint with the Information Regulator or an application with a court against the tender or payment of the request fee, or the tender or payment of a deposit, as the case may be
- The procedure (including the period) for lodging the complaint with the Information Regulator or the application

Except to the extent that the provisions regarding third party notification may apply, the Information Officer to whom the request is made, must as soon as reasonably possible, but in any event within 30 days, after the request has been received in the prescribed format:

- Decide in accordance with PAIA whether to grant the request, and
- Notify the requester of the decision and, if the requester stated that he or she wishes to be informed of the decision in any other manner, inform him or her in that manner, if it is reasonably possible

If the request for access is granted, the notice must state:

- The access fee (if any) to be paid upon access
- The form in which access will be given, and
- That the requester may lodge a complaint with the Information Regulator or an application with a court against the access fee to be paid or the form of access granted, and the procedure, including the period allowed, for lodging a complaint with the Information Regulator or the application

If the request for access is refused, the notice must:

- State adequate reasons for the refusal, including the relevant provision of PAIA that was relied on
- Exclude, from any such reasons, any reference to the content of the records' and
- State that the requester may lodge a complaint with the Information Regulator or an application with a court against the refusal of the request, and the procedure (including the period) for lodging a complaint with the Information Regulator or the application

Should all reasonable steps have been taken to find a record requested, and there are reasonable grounds for believing that the record:

- Is in the Company's possession, but cannot be found, or
- Simply does not exist,



the Director of Rencell must, by way of affidavit or affirmation, notify the requester that it is not possible to provide access to that record. The affidavit or affirmation must provide full account of all steps taken to find the record in question or to determine whether the record exists, as the case may be, including all communication with every person who conducted the search on behalf of the Company.

**ANNEXURE A: CONTACT DETAILS & BUSINESS TYPE**

**A. Company Contact Details**

Postal address: PO Box 1277, Gallo Manor, 2052  
 Street address: 194 Katherine Street, Pinmill Office Farm, Building 2, Sandton, 2196  
 Phone number: 011- 262 6433  
 Website: www.grovest.co.za

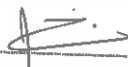
**Information Officer of Rencell**

Full names & surname: Adriaan Erasmus  
 Email address: [paja@grovest.co.za](mailto:paja@grovest.co.za)

**D. Business Type**

Rencell conducts its main type of business in the following sector(s).

- Agriculture
- Mining and Quarrying
- Manufacturing
- Electricity, Gas & Water
- Construction
- Retail & Motor Trade and Repair Services
- Wholesale Trade, Commercial Agents & Allied Services
- Catering, Accommodation & Other Trade
- Finance & Business Services
- Community, Special & Personal Services
- If other, please specify:
- 

Director signature:	
Date:	1 August 2021

**ANNEXURE B: SECTION 10 PAIA GUIDE**

PAIA grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights. Where a public body lodges a request, the public body must be acting in the public interest.

Requests in terms of PAIA shall be made in accordance with the prescribed procedures at the rates provided.

Requesters are referred to the guide in terms of section 10 of the Act which has been compiled by the South African Human Rights Commission. The guide contains information for the purposes of exercising Constitutional rights.

The guide is available in all South African official languages free of charge and any person may request a copy of the guide.

A copy of the guide may be obtained by **contacting The Information Regulator (South Africa), at:**

- Postal Address: **The Information Regulator (South Africa), P.O Box 31533, Braamfontein, Johannesburg, 2017**
- General enquiries email: **infoereg@justice.gov.za**
- Complaints email: **POPIAComplaints.IR@justice.gov.za** and **PAIAComplaints.IR.@justice.gov.za**

Director signature:	
Date:	1 August 2021

- copy of the images
  - transcription of the images
- 3) If the record consists of recorded words or information which can be reproduced in sound:
- listen to the soundtrack
  - transcription of the soundtrack
- 4) If the record is held on computer or in an electronic or machine-readable form:
- printed copy of record
  - copy in computer readable form

Please indicate the preferred method of delivery

- By hand
- Email
- Post

#### 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 additional folios.

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.

#### H. Notice of decision regarding the request for access

You will be notified in writing whether your request has been approved / denied. If you wish to be informed thereof 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?

#### I. Signature page

Signed at:

Date:

Signature of Requester / Person on whose behalf request is made.

**ANNEXURE C: STATUTORY RECORDS**

Rencell maintains statutory records and information in terms of the following legislation:

- Promotion of Access to Information Act 2 of 2000;
- Financial Intelligence Centre Act 38 of 2001;
- Financial Advisory and Intermediaries Services Act 37 of 2002;
- Prevention of Organised Crime Act 121 of 1998;
- Companies Act 71 of 2008;
- Protection of Personal Information Act 4 of 2013;
- Income Tax Act 58 of 1962;
- Consumer Protection Act 68 of 2008;
- Value Added Tax 89 of 1991;
- Trademarks Act 194 of 1993;
- Copyright Act 98 of 1978;
- Prevention and Combatting of Corrupt Activities Act 12 of 2004;
- Electronic Communications and Transactions Act 25 of 2002;
- Electronic Communications Act 36 of 2005.

signature:	
Date:	1 August 2021

## ANNEXURE D: AVAILABILITY OF RECORDS

Rencell maintains the following categories of records and related subject matter. The status of the record's availability, the purpose for its processing and the relevant data subject category to who the record relates are set out below:

Category:	Record:	Availability:	Purpose:	Data Subject:
Public Affairs	Public Product Information	Freely Available	Convey Public Information	Company
	Public Corporate Records	Freely Available	Convey Public Information	Company
	Media Releases	Freely Available	Convey Public Information	Company
	Published Newsletters	Freely Available	Convey Public Information	Company
	Magazine Articles	Freely Available	Convey Public Information	Company
Regulatory & Administrative	Permits, Licenses or Authorities	Freely Available	Statutory Requirement	Company
	Conflict of Interest Management Policy	Freely Available	Statutory Requirement	Company
	Complaints Policy	Freely Available	Statutory Requirement	Company
	FICA Internal Rules	PAIA Request	Statutory Requirement	Company
	Memorandum of Incorporation	PAIA Request	Statutory Requirement	Company
	Minutes of Board or Directors Meetings	PAIA Request	Statutory Requirement	Company
	Register of Members	PAIA Request	Statutory Requirement	Company
	Register of Board of Directors	PAIA Request	Statutory Requirement	Company
	Internal correspondence (e-mails/memos)	PAIA Request	Internal Communications	Employees
Insurance Policies held by Company	PAIA Request	Risk Management	Company	
Financial	Financial Statements	PAIA Request	Internal Referencing	Company
	Financial and Tax Records	PAIA Request	Statutory Requirement	Company
	Asset Register	PAIA Request	Internal Referencing	Company
	Management Accounts and Reports	PAIA Request	Internal Referencing	Company
	Vouchers, Cash Books and Ledgers	PAIA Request	Internal Referencing	Company
	Banking Records and Statements	PAIA Request	Internal Referencing	Company
	Electronic Banking Records	PAIA Request	Internal Referencing	Company
Marketing	Market Information	PAIA Request	Internal Referencing	Company
	Product Brochures	PAIA Request	Internal Referencing	Company
	Advertisements	PAIA Request	Internal Referencing	Company
	Field Records	PAIA Request	Internal Referencing	Company
	Performance Records	PAIA Request	Internal Referencing	Company
	Product / Service Sales Records	PAIA Request	Internal Referencing	Company
	Marketing Strategies	PAIA Request	Internal Referencing	Company
Client Customer	Customer / Client Database	PAIA Request	Internal Referencing	Customers
	Customer / Client agreements	PAIA Request	Internal Referencing	Customers
	Customer / Client Files	PAIA Request	Internal Referencing	Customers
	Customer / Client Instructions	PAIA Request	Internal Communications	Customers
	Customer / Client Correspondence	PAIA Request	External Communications	Customers

	Rental agreements	PAIA Request	Contractual Agreement	Third Party
Third Party	Non-disclosure agreements	PAIA Request	Risk Management	Third Party
	Letters of Intent	PAIA Request	Contractual Agreement	Third Party
	Supplier Contracts	PAIA Request	Contractual Agreement	Third Party

Director signature:	
Date:	1 August 2021

## ANNEXURE E: REQUEST PROCEDURE

To facilitate the processing of your request, kindly complete and submit the form below to the e-mail address of the Information Officer indicated in **Annexure A**.

The Information Officer will notify the requester that a request for access has been received and that the prescribed fee (if any) is payable prior to processing the request.

Once the request has been processed, the Information Officer will inform you of the outcome of your request and any additional fees that may fall due.

Please be advised that PAIA provides several grounds on which a request for access to information must be refused. These grounds mainly comprise instances whereby:

- the privacy and interests of other individuals are protected
- where such records are already otherwise publicly available
- instances where public interest are not served
- the mandatory protection of commercial information of a third party
- the mandatory protection of certain confidential information of a third party

When completing the form below please:

- indicate the identity of the person seeking access to the information
- provide sufficient particulars to enable the information officer to identify the information requested
- specify the format in which the information is required
- indicate the contact details of the person requiring the information
- indicate the right to be exercised and/or to be protected, and specify the reasons why the information required will enable the person to protect and/or exercise the right
- where the person requesting the information wishes to be informed of the decision of the request in a particular manner, state the manner and particulars to be so informed
- if the request for information is made on behalf of another person, submit proof that the person submitting the request, has obtained the necessary authorisation to do so

### A. Particulars of Private Body

The CEO:

### B. Particulars of person requesting access to the record

(i) The particulars of the person who requests access to the record must be recorded below

(ii) Furnish an address and/or fax number in the Republic to which information must be sent

(iii) Proof of the capacity in which the request is made, if applicable, must be attached

Full names & surname:

Identity number:

Postal address:

Fax number:

Telephone number:

Email address:

Capacity:

**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 & surname:

Identity number:

**D. Particulars of Record**

(i) Provide full particulars of the record to which access is requested, including the reference number if that is known to you

(ii) If the provided space is inadequate, please continue a separate page and attach to this form. Please sign any additional pages

Description of record:

Reference number:

Any further particulars:

**E. Fees**

(i) 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 (If applicable)

(ii) You will be notified of the amount required to be paid as the request fee (If applicable)

**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 hereunder, please state your disability and indicate in which form the record is required

Disability:

Form in which required:

Mark the appropriate box with an "X"

(i) Your indication as to the required form of access depends on the form in which the record is available

(ii) Access in the form requested may be refused in certain circumstances, in such a case you will be informed of access will be granted in another form

(iii) 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

2) If record consists of visual images:

- view the images



**ANNEXURE F: INFORMATION OFFICER APPOINTMENT**

In terms of the Protection of Personal Information Act the head of a private body is the designated Information Officer for that private body.

The Company has appointed an Information Officer to facilitate any requests to access records held by the Company. This delegation does not prohibit the person who made the delegation from exercising power concerned or performing the duty concerned himself or herself. The delegation may at any time be withdrawn or amended in writing by the person who made the delegation.

The Information Officer need not have any specific qualifications but must have a thorough knowledge of the Company's functional departments and business processes.

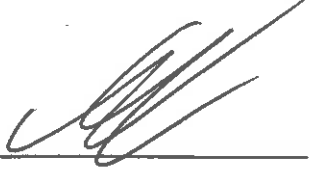
The Information Officer has the authority to approach all employees of the Company and to request all records held by the Company. Where a manager is of the opinion that access to a record should not be granted to the Information Officer, reasons for this decision shall be given to the Information Officer who will make a final decision on the matter.

The Information Officer is responsible for:

- Publishing and proper communication of the Policy i.e. creating policy awareness
- The facilitation of any request for access
- Providing adequate notice and feedback to the requester
- Determining whether to grant a request for access to a complete/full record or only part of a record
- Ensuring that access to a record, where so granted, is provided timeously and in the correct format
- Reviewing the policy for accuracy and communicating any amendments

As the Director of the Company, I Jeffrey Wayne Miller hereby appoint

Adriaan Petrus Francois Erasmus as the Company's Information Officer



Director

22 June 2021

Date