Linad
Creations CC

Kitchens, Built-In Cupboards, Vanities & Bars

PAIA MANUAL

Prepared in terms of section 51 of the Promotion of Access to Information Act 2 of 2000 (as amended)

DATE OF COMPILATION: 24/05/2023
DATE OF REVISION: N/A

Access to Information Manual

We respect your right of access to information. This manual will help you (the requester of information) to exercise that right and help you know how you may get access to our records. The Promotion to Access of Information Act 2 of 2000 as amended from time to time (known as PAIA[1]) requires us to draft and make this PAIA manual available to you.

- Know what types of information we have.
- Know how to request access to it.

1. Introduction

We describe who we are and what we do on our website, or you can ask us for this information. PAIA[2] requires the information officer of a private body to compile a manual that contains information on the records it holds. A 'private body' means a natural person, company or other type of juristic entity that carries on any trade, business or profession and includes a political party. We are a private body.

2. Our details

Our organisation's and information officer's details are on our website or available on request.

Fax:	082 772 2566
Email:	deon@linad.co.za
Website:	https://www.linad.co.za
Registration:	Linad Creations CC

3. Further guidance from the Information Regulator

For further guidance, contact the Information Regulator. They have compiled a PAIA guide[3] in each official language of South Africa on how to exercise your rights under PAIA.

Visit their website	https://www.justice.gov.za/inforeg/index.html
Postal address	P.O Box 3153, Braamfontein, Johannesburg, 2017
Physical address	JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001
Phone number	010 023 5200
Ask a general enquiry by email	enquiries@inforegulator.org.za
Lodge a complaint by email	PAIAComplaints@inforegulator.org.za

1 To read PAIA go to https://accesstoinformation.co.za/. For a plain language summary go to https://www.michalsons.com/focus-areas/information-technology-law/access-to-information-paia/promotion-of-access-to-information-act

2 Section 51(1) of PAIA

3 https://www.justice.gov.za/inforeg/docs.html

4. Records which we make automatically available

We make some records automatically available[4] to you without you needing to request access to them.

Type of record[5]	How you can access it
Memorandum of incorporation (MOI)	Request by email
Directors' names	Request by email
Documents of incorporation	Request by email
Banking details	Request by email
Brochures	Request by email
External newsletters and circulars	N/A
Information on our website	Visit our website

5. Records we hold to function

We hold the following subjects and categories of records in electronic or physical format, which we do not make automatically available. You may request access to them. These are records that most organisations have.

- Establishment records
- Business records
- Financial records
- Insurance records
- Tax records
- Personal records
- Agreements or contracts
- Regulatory documents
- Customer and supplier information

6. Records we hold to comply with the law

We hold records that all organisations are required by law to hold[6]. We also hold records that the law specifically requires organisations like ours to retain. Please ask our information officer for details.

[4] Section 52

[5] Should you require any information, please be specific as to which documents

[6] https://www.michalsons.com/focus-areas/information-technology-law/access-to-information-paia/paia-manual-your-organisation/laws-that-require-bodies-to-hold-records

7. How you can request access

We have appointed our information officer to deal with all matters relating to PAIA so we can comply with our PAIA obligations. To request access to a record, please complete Form 2[7].

Please submit the completed form (together with the relevant request fee we explain below) to our information officer's email address, our physical address, or by fax using the details we provide. Please ensure that the completed form:

• has enough information for the information officer to identify you, the requested records, and the form of access you require,

• specifies your email address, postal address, or fax number,

• describes the right that you seek to exercise or protect,

• explains why you need the requested record to exercise or protect that right,

• provides any other way you would like to be informed of our decision other than in writing, and

• provides proof of the capacity in which you are making the request if you are making it on behalf of someone else (we will decide whether this proof is satisfactory).

If you do not use the standard form, we may:

• reject the request due to lack of procedural compliance,

• refuse it if you do not provide sufficient information, or

• delay it.

8. How we will give you access

We will evaluate and consider all requests we receive. If we approve your request, we will decide how to provide access to you – unless you have asked for access in a specific form. Publication of this manual does not give rise to any rights to access information records, except in terms of PAIA.

9. How much it will cost you

Request fees

When submitting your request, you must pay us a request fee[8] as the law prescribes. You must pay us the prescribed fees before we give you access. You will receive a notice from our information officer upon your request[9], setting out the application procedure[10].

[7] https://www.justice.gov.za/inforeg/docs/forms/InfoRegSA-PAIA-Form02-Reg7.pdf

[8] https://www.michalsons.com/focus-areas/information-technology-law/access-to-information-paia/paia-manual-your-organisation/access-to-information-fees-for-private-bodies

[9] Section 54(1)

[10] Section 54(3)

Access fees

If we grant the request, you will have to pay us a further access fee[11] the law prescribes that includes a fee for the time it takes us to handle your request, or if the time has exceeded the prescribed hours to search and prepare the record for disclosure. Our information officer will notify you if you need to pay a deposit for the access fee. The deposit may be up to one third of the prescribed access fee[12]. The access fee will provide for:

• the costs of making the record, or transcribing the record,

• a postal fee (if applicable), and

• the reasonable time we need to search for the record and prepare the record for you[13].

If you paid the deposit and we refused your request, we will refund you the deposit amount. Until you have paid the fees, we may withhold the record you requested.

10. Grounds for us to refuse access

We may have to refuse you access to certain records in terms of PAIA to protect:

• someone else's privacy[14],

• another company's commercial information[15],

• someone else's confidential information[16],

• research information[17],

• the safety of individuals and property[18], or

• records privileged from production in legal proceedings[19].

Our decision on giving you access

We will notify you in writing whether your request has been approved or denied within 30 calendar days after receiving your request. If we cannot find the record you asked for or it does not exist, we will notify you by way of affidavit that it is not possible to give access to that record.

[11] https://www.michalsons.com/focus-areas/information-technology-law/access-to-information-paia/paia-manual-your-organisation/access-to-information-fees-for-private-bodies

[12] Section 54(2)

[13] Section 54(7)

[14] Section 63

[15] Section 64

[16] Section 65

[17] Section 68

[18] Section 66

[19] Section 67

11. Remedies available if we refuse to give you access

If we deny your request for access, you may:

• apply to a court[20] with appropriate jurisdiction, or

• Complain[21] to the Information Regulator,

for the necessary relief within 180 calendar days of us notifying you of our decision.

12. How we process and protect personal information

We process the personal information of various categories of people for various purposes. Please refer to our website for our Privacy Policy or ask our information officer for a copy.

13. Availability of this Manual

This manual is available in English in electronic format on our website and in physical format at the reception of our company offices.

14. Updates to this Manual

We will update this manual whenever we make material changes to it.

[20] Section 78

[21] PAIAComplaints@inforegulator.org.za