

# PROMOTION OF ACCESS TO INFORMATION ACT MANUAL

of Intuitive DC Solutions (Pty) Ltd and  
Intuitive PDA (Pty) Ltd



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## PAIA MANUAL

Prepared in accordance with Section 51 of the Promotion of Access to Information Act, 2000 for Intuitive DC Solutions (Pty) Ltd and Intuitive PDA (Pty) Ltd (collectively referred to as “Intuitive”).

This Manual applies Intuitive.

### 1. Applicability and availability of this Manual

- 1.1. The Promotion of Access to Information Act, No 2 of 2000 (“the Act”) gives effect to the constitutional right of access to any information in records held by public or private bodies that is required for the exercise or protection of any rights. The Act sets out the procedural requirements involved in requests for information, the requirements which requests must meet as well as the grounds for declining requests. This Manual instructs requesters of procedural and other requirements which a request must meet.
- 1.2. The Act also recognises that the right to access information must be balanced with other rights and should be subject to limitations including, but not limited to, limitations aimed at the reasonable protection of privacy and commercial confidentiality.
- 1.3. This Manual is available for review, free of charge, at the Intuitive Offices (see details below).

### 2. Contact details of the Chief Executive Officer (Section 51(1)(a))

Chief Executive Officer: Clive Pintusewitz

Postal Address: PO Box 12436/9,  
Clubview  
0014

Physical Address: Ground Floor, Letaba House  
Riverside Office Park  
Cnr of Lenchen & Huelwel Ave  
Centurion  
0157

Telephone Number: 0861 628 628  
Email address: [clive@intuitive.co.za](mailto:clive@intuitive.co.za)  
Website: [www.intuitive.co.za](http://www.intuitive.co.za)

### 3. Contact details of Managing Director (Section 51(1)(b))

Information Officer: Keith Mcivor

Postal Address: PO Box 12436/9,  
Clubview



Physical Address: 0014  
Ground Floor, Letaba House  
Riverside Office Park  
Cnr of Lenchen & Huewel Ave  
Centurion  
0157

Telephone Number: 0861 628 628  
Email address: keith@intuitive.co.za  
Website: www.intuitive.co.za

#### 4. Description of Guide referred to in Section 10 of PAIA

In terms of Section 10 of PAIA the South African Human Rights Commission (SAHRC) compiled a guide that contains information required by a person wishing to exercise any right, contemplated by PAIA.

All enquires relating to this guide should be addressed to:

The Human Rights Commission

Braampark Forum 3

33 Hoofd Street

Braamfontein

2001

Telephone number: 011 877 3600

[www.sahrc.org.za](http://www.sahrc.org.za)

#### 5. Notices in terms of Section 52(2)

No notices have published by the Minister as of yet.

#### 6. Records of Intuitive

Access may be refused to the documents listed below as set out in this Manual:

##### 6.1 Personnel Records

"Personnel" refers to any person who is employed (permanently, temporarily and part-time staff as well as contract workers) for or provides services to or on behalf of Intuitive and who receives or is entitled to receive remuneration, and any other person who contributes in carrying out or conducting Intuitive business and includes, without limitation, directors (executive and non-executive).



Personnel records include:

- 6.1.1 personal records (provided by personnel themselves);
- 6.1.2 records provided by a third party relating to personnel;
- 6.1.3 conditions of employment and other personnel-related contractual records
- 6.1.4 all internal records;
- 6.1.5 correspondence relating to personnel; and
- 6.1.6 training schedules and material.

### *6.2 Customer Records*

A "customer" is an individual or business that purchases the goods or services produced Intuitive and includes a consumer.

- 6.2.1 records pertaining to products or services by Intuitive;
- 6.2.2 records received by Intuitive from a customer;
- 6.2.3 records provided by a customer to a third party acting for or on behalf of Intuitive ;
- 6.2.4 records provided by a third party;
- 6.2.5 records generated by or within Intuitive relating to its customers, including transactional data.
- 6.2.6 personal information of our customers' employees
- 6.2.7 financial records of our customers' employees
- 6.2.8 financial records of consumer currently under debt review or previously under debt review
- 6.2.9 personal information of consumers currently debt review or previously under debt review
- 6.2.10 distribution records of consumers

### *6.3 Private Body Records*

All records pertaining but not limited to Intuitive's own affairs

- 6.3.1 financial records;
- 6.3.2 operational records;
- 6.3.3 databases;
- 6.3.4 information technology systems and documents;
- 6.3.5 marketing records;
- 6.3.6 internal correspondence;
- 6.3.7 product records;
- 6.3.8 statutory records;
- 6.3.9 internal policies and procedures.

## 6.4 Other Party Records

- 6.4.1 Personnel, customer or private body records which are held by another party on Intuitive's behalf.
- 6.4.2 Records held by Intuitive relating to other parties, including without limitation, financial records, correspondence, contractual records, and records about Intuitive's contractors / suppliers / service providers.

## 7. Grounds for refusal of access to records

Intuitive may refuse a request for information on, inter alia, the following basis:

- 7.1 The mandatory protection of the privacy of a third party who is a natural person, in order to avoid the unreasonable disclosure of personal information concerning that natural person (including a deceased individual).
- 7.2 It is prohibited by any legislation and/or regulations of South Africa to disclose such information;
- 7.3 The mandatory protection of the commercial information of a third party, if the record contains:
  - 7.3.1 trade secrets of that third party;
  - 7.3.2 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; or
  - 7.3.3 information supplied in confidence by a third party, the disclosure of which could reasonably be expected:
    - a. to put that third party at a disadvantage in contractual or other negotiations; or
    - b. to prejudice that third party in commercial competition.
- 7.4 The mandatory protection of confidential information of third parties if disclosure would constitute an action for breach of a duty of confidence owed to that third party in terms of an agreement.
- 7.5 The mandatory protection of the safety of individuals and the protection of property.
- 7.6 The mandatory protection of records which would be privileged from production in legal proceedings.
- 7.7 The protection of Intuitive's commercial activities including, without limitation, records that contain:
  - 7.7.1 Intuitive's trade secrets;

- 7.7.2 financial, commercial, customer, scientific or technical information, the disclosure of which would be likely to cause harm to Intuitive's commercial or financial interests;
- 7.7.3 information, the disclosure of which could reasonably be expected:
  - a. to put Intuitive at a disadvantage in contractual or other negotiations; or
  - b. to prejudice Intuitive in commercial competition.
- 7.7.4 Computer programs owned by Intuitive.
- 7.8 The mandatory protection of research information of Intuitive or a third party, if disclosure would expose the identity of Intuitive or the third party, the researcher or the subject matter of the research to serious disadvantage.
- 7.9 Requests for information that are, in Intuitive's reasonable opinion, manifestly frivolous or vexatious or which involve an unreasonable diversion of resources.

## 8. Request for access (Section 51(e))

- 8.1 A requester requiring access to information held by Intuitive must make the request as prescribed by the Act to Intuitive's Managing Director at the contact details listed above;
- 8.2 The prescribed form must be completed with enough detail to enable the Intuitive Managing Director to ascertain:
  - 8.2.1 the record(s) requested;
  - 8.2.2 the identity of the requester;
  - 8.2.3 the form of access required, if the request is approved;
  - 8.2.4 the postal address or fax number of the requester.
- 8.3. The requester must:
  - 8.3.1 state that the record is mandatory in order to exercise or protect a right; and
  - 8.3.2 provide details of the nature of the right to be exercised or protected.
- 8.4 Intuitive will process the request within 30(thirty) days after receipt, subject to Intuitive's rights relating to extensions in terms of the Act.
- 8.5. Intuitive will give written notice of its decision, including reasons if the request is declined to the requester.
- 8.7. If a request is made on behalf of another person, the requester must submit proof of the capacity in which the requester is making the request, to the reasonable satisfaction of Intuitive.

## 9. Fees

### 9.1 *Fees provided by the Act*

The Act provides for two types of fees;

9.1.1 A Request fee, to be paid by all requesters except personal requester, before the request will be considered and is non-refundable

9.1.2 An Access fee, which is paid by all requesters in the event that the request is granted. This fee is inclusive of all costs the Private Body had occurred in obtaining the records.

## 9.2 Request Fee

Where a requester submits a request for access to information held by Intuitive on another person other than the requester him/herself, a request fee of R50.00 is payable upon front before Intuitive will process the request.

## 9.3 Access Fee

9.3.1 An Access fee is payable in those circumstances where access on a request received by Intuitive has been granted, except on those instances where an access fee has been excluded by the Minister in terms of Section 54(8).

9.3.2 The applicable fees that are payable are:

Access of Information	Fee to be charged
For every photocopy of an A4 size page or part thereof	R10.00
For every printed copy of an A4-size page thereof held on a computer or in electronic or machine readable form	R75.00
A copy in computer-readable format Compact disc	R70.00 per disc used
Transcription of visual images in A4 size or part thereof	R40.00
Copy of visual images	R60.00
For transcription of an audio record, for an A4 – size page or part thereof	R20.00
For a copy of an audio record	R30.00
Search done for records to be disclosed Per hour of part thereof	R30.00
* Should a copy of information be posted – relevant postage fees will apply	





FORM A

REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY

(Section 18(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))

[Regulation 6]

FOR DEPARTMENTAL USE

Reference number: .....

Request received by.....

(state rank, name and surname of information officer/deputy information officer) on

..... (date) at

.....(place).

Request fee (if any): R .....

Deposit (if any): R .....

Access fee: R .....

.....

SIGNATURE OF INFORMATION OFFICER/DEPUTY INFORMATION OFFICER

A. Particulars of public body

Managing Director

Keith Mcivor

Tel: 0861 628 628

Email: keith@intuitive.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:

.....

.....

.....

.....

Telephone number: .....

Fax 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:

.....

ID Number:

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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.

1. Description of record or relevant part of the record:

.....  
.....

2. Reference number, if available: .....

3. Any further particulars of 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.

.....  
.....  
.....  
.....



G. 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.

Signed at.....this day.....of .....year.....

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