



INDUSTRIAL HARD CHROME (PTY) LTD

Reg No : 1961/001420/07

VAT No 414012270

3 WOLRAAD STREET (OFF 16TH AVENUE)
KENSINGTON, CAPE TOWN.

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MANUAL

in terms of

Section 51 of

The Promotion of Access to Information Act

2/20000

(the "ACT")

GUIDANCE NOTE:

DATE OF COMPILATION: 10 APRIL 2021

DATE OF WHEN LAST THE MANUAL WAS
UPDATED: 10 APRIL 2021

THIS MANUAL IS ON OUR WEBSITE -
www.industrailhardchrome.co.za

DATE OF COMPILATION: 10/4/2021

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DATE OF COMPILATION: 10 April 2021

DATE OF REVISION: 10 April 2021

A handwritten signature in black ink, appearing to be 'J.B.', is written over the revision date.

1. INTRODUCTION.

Industrial Hard Chrome is a engineering and hardchroming company in the metal industry and the oldest chrome plant in Cape Town, established in 1960 and registered on the 26th of April 1961 and a founder member of Cape Regional Chamber of Commerce and Industries. Mr. George Skinner brought the know how of hard chrome plating from the UK. to Cape Town where he started the first chrome plant in town. Since then up to date various chrome plants open up all originated from Industrial Hard Chrome therefore we are the mother hard chrome in Cape town.

VISION STATEMENT.

Industrial Hard Chrome to be seen as the number 1 chrome plant in Cape Town and to be the leader in hard chroming as well as general engineering in different lines of services offered to customers all under one roof.

MISSION STATEMENT.

To provide workmanship and services of the highest quality and reliability to its clients at comparative prices and within the time frames agreed to with customers and future customers as well as maintain a continuous improvement of quality management systems to ISO. Standards and retention of existing and new clients.

OBJECTIVES

Retention of existing customers.
Growing in customer numbers.
Negotiate price structures.
Provide quality services to all.

2. COMPANY CONTACT DETAILS.

Designated persons / duly authorised.
Joubert Fabricius managing director, Cobus Fabricius manager.

Managing Director; Joubert Fabricius (Information Officer to the company)
Postal address; P.O.BOX 93 Maitland 7404.
Street address 3 Wolraad st. Maitland. 7405.
Tel No. 0215932240.
Cel.No. 0834491871.
Email. industhardchrome@webafrica.org.za

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3. THE ACT.

- 3.1 The ACT. Grants a requester access to records of a private body, if the record is required for the exercise of protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.
- 3.2 Requests in terms of the ACT shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in paragraphs 6 and 7 of the ACT.
- 3.3 Requesters are referred to the guide in terms of section 10 which has been compiled by the South African Human Rights Commission, which will contain information for the purposes of exercising Constitutional Rights. The Guide is available from the SAHRC. The contact details of the Commission are
- Postal address Private Bag 2700, Houghton, 2041
Tel.No. 011 877 3600
Fax No. 011 403 0625
Website www.sahrc.org.za

4. APPLICABLE LEGISLATION

1	No.	Ref.	ACT.
	1	No 61 of 1973	Companies Act.
	2	No 98 of 1978	Copyright Act.
	3	No 55 of 1998	Employment Act.
	4	No 95 of 1967	Income tax Act.
	5	No 66 of 1995	Labour Relations Act
	6	No 89 of 1991	Value Added Tax Act.
	7	No 37 of 2002	Financial Advisory and Intermediary Services Act
	8	No 75 of 1997	Basic Conditions of Employment Act.
	9	No 30 of 1996	Unemployment Insurance Act.
	10	No 25 of 2002	Electronic Communication and Transaction Act.
	11	No 2 of 2000	Promotion of Access of Information Act
	12	No 97 of 1998	Skill Development Act
	13	No 85 of 1993	Occupational Health & Safety Act.

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5. Schedule of Records

<u>RECORDS</u>	<u>SUBJECT</u>	<u>AVAILABILITY</u>
Public Affairs Financial	Public Product Information Public Corporate Records Financial Statements Financial and Tax Records (company & Employees)	Freely available on website www.industrialhardchrome.co.za Proprietary (Pty)ltd Request in terms of PAIA
	Asset Register Management Accounts Constitution	Request in terms of PAIA Request in terms of PAIA Request in terms of PAIA
Marketing	Market Information Public Customer Information Product and Services Brochure Marketing Strategies Customer Database	Limited information available on website (see above) Request in terms of PAIA Request in terms of PAIA

6. FORM OF REQUEST

To facilitate the processing of your request, kindly;

- 6.1 Use the prescribed form, available on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at www.sahrc.org.za.
- 6.2 Address your request to the Head of the Company (CEO)
- 6.3 Provide sufficient details to enable the Company TO IDENTIFY,
 - (a) The record(s) requested.
 - (b) The requester (and if an agent is logging the request, proof of capacity)
 - (c) The form of access required.
 - (d) (i) The postal address or fax number of the requester in the Republic.
(ii) if the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof,
 - (e) The right which the requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.

Signed at Maitland on the 14th day of April 2021



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7. PRESCRIBED FEES.

The following applies to request (other than personal requests):

- 7.1 A requestor is required to pay the prescribed fees (R50.00) before a request will be processed;
- 7.2 If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted);
- 7.3 A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit;
- 7.4 Records may be withheld until the fees have been paid.
- 7.5 The fee structure is available on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at www.sahrc.org.za

SOUTH AFRICAN HUMAN RIGHTS DISCLAIMER

The South African Human Rights Commission reserves all rights and makes no warranty, either express or implied, with respect to the information and/or promotional material contained herein and is not responsible for any expenses, inconvenience, damage (whether special or consequential) or claims arising out of posting, time and costs incurred and or associated with this information and will not be liable for the latter. Specific exemption from any liability is claimed with regard to the following:

- The SAHRC does not endorse any third party private service provider and will not bear any costs related to your transaction to compile the manual on your behalf.
- Submission to the SAHRC is free and the SAHRC does not charge any fees for advise or administration however all cost to lodge manuals is at the relevant private entities own cost e.g. Registered mail etc.
- Manuals are subject to review and comment with the possibility of manuals being rejected on the basis of not meeting the minimum requirements and the SAHRC is not liable for the amendment costs if any and resubmission if any of any manuals.

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Advice on use of this document: These responsibilities should be included in the letter of appointment for the Information Officer for an organisation that qualifies as a Responsible Party in terms of the POPI Act, 2013. These responsibilities should be regarded as a minimum and organisations may choose to extend those responsibilities thus increasing the scope of work of the Information Officer.

**APPOINTMENT LETTER FOR
INFORMATION OFFICER ROLE
Industrial Hard Chrome (Pty) Ltd**

The Information Officer role is by default that of the Designated Head of a Private Body in terms of the provisions of both the Promotion of Access to Information (PAI) Act, 2000 (see Appendix A of this document) and the Protection of Personal Information (POPI) Act, 2013 (see Appendix B of this document). The responsibilities defined for these roles in Cape Engineers & Founders Association, a private body in terms of the POPI Act and PAI Act, are:

POPI Act Section 55(1): An information officer's responsibilities include—

- (a) the encouragement of compliance, by the body, with the conditions for the lawful processing of personal information;
- (b) dealing with requests made to the body pursuant to this Act;
- (c) working with the Regulator in relation to investigations conducted pursuant to Chapter 6 in relation to the body;
- (d) otherwise ensuring compliance by the body with the provisions of this Act; and
- (e) as may be prescribed.

Regulations relating to the Protection of Personal Information, 2018: Responsibilities of Information Officers

4. (1) An information officer must, in addition to the responsibilities referred to in section 55(1) of the Act, ensure that-
- (a) a compliance framework is developed, implemented, monitored and maintained
 - (b) a personal information impact assessment is done to ensure that adequate measures and standards exist in order to comply with the conditions for the lawful processing of personal information;
 - (c) a manual is developed, monitored, maintained and made available as prescribed in sections 14 and 51 of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000);
 - (d) internal measures are developed together with adequate systems to process requests for information or access thereto; and
 - (e) internal awareness sessions are conducted regarding the provisions of the Act, regulations made in terms of the Act, codes of conduct, or information obtained from the Regulator.
- (2) The information officer shall upon request by any person, provide copies of the manual to that person upon the payment of a fee to be determined by the Regulator from time to time.

POPI Act, 2013 Part B: Designation and delegation of deputy information officers

56. Each public and private body must make provision, in the manner prescribed in section 17 of the Promotion of Access to Information Act, with the necessary changes, for the designation of—
- (a) such a number of persons, if any, as deputy information officers as is necessary to perform the duties and responsibilities as set out in section 55(1) of this Act; and

(b) any power or duty conferred or imposed on an information officer by this Act to a deputy information officer of that public or private body.

Industrial Hard Chrome (Pty) Ltd Information Officer role appointment acceptance:

JOUBERT FABRICIUS _____

SIGNATURE _____

DATE OF APPOINTMENT ACCEPTANCE 10 APRIL 2021

Industrial Hard Chrome (Pty) Ltd Deputy Information Officer role appointment acceptance:

COBUS FABRICIUS _____

SIGNATURE _____

DATE OF APPOINTMENT ACCEPTANCE 10 APRIL 2021

Examples of specific duties for the information officer which could be included in the appointment letter:

POPI Act Information Officer / Deputy Role Responsibilities:

- Complete initial and ongoing compliance assessments
- Developing, publishing and maintaining a POPI Policy which addresses all relevant provisions of the POPI Act
- Reviewing the POPI Act and periodic updates as published
- Ensuring that POPI Act induction training takes place for all staff
- Ensuring that periodic communication awareness on POPI Act responsibilities takes place
- Ensuring that Privacy Notices for internal and external purposes are developed and published
- Handling data subject access requests
- Approving unusual or controversial disclosures of personal data
- Approving contracts with operators as defined in the POPI Act
- Ensuring that appropriate policies and controls are in place for ensuring the acceptable quality of personal information in line with the POPI Act are in place
- Ensuring that appropriate security safeguards in line with the POPI Act for personal information are in place
- Handling all aspects of relationship with the Information Regulator as foreseen in the POPI Act
- Provide direction to any Deputy Information Officer if and when appointed

PAI Act Information Officer / Deputy Role Responsibilities:

- Developing, publishing and maintaining a PAIA Manual which addresses all relevant provisions of the PAIA Act, including but not limited to the following:
- Meets the requirements for contents of the Manual
- Establishing processes for information requests

- Handling requests for information
- Provide direction to any Deputy Information Officer if and when appointed

Appendix A

Promotion of Access to Information Act (PAIA), 2000

[reference to appointment and designation of Information Officer and Deputy Information Officer for a Private Body:]

PART 1: INTRODUCTORY PROVISIONS (ss 1-10)

CHAPTER 1: DEFINITIONS AND INTERPRETATIONS (ss 1-2)

1 Definitions

In this Act, unless the context otherwise indicates-

'private body' means-

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

'head' of or in relation to a private body means-

- (a) in the case of a natural person, that natural person or any person duly authorised by that natural person;
- (b) in the case of a partnership, any partner of the partnership or any person duly authorised by the partnership;
- (c) in the case of a juristic person-**
 - (i) the chief executive officer or equivalent officer of the juristic person or any, person duly authorised by that officer; or**
 - (ii) the person who is acting as such or any person duly authorised by such acting person;

Please note that PAIA makes no provision for appointment of one or more Deputy Information Officers in a Private Body. Thus, the accountability in a Private Body rests with the head of the body. The responsibility may be delegated but the accountability cannot.

Appendix B

Protection of Personal Information Act (POPIA), 2013

[reference to appointment and designation of Information Officer and Deputy Information Officer for a Private Body:]

CHAPTER 1 DEFINITIONS AND PURPOSE

Definitions

1. In this Act, unless the context indicates otherwise—

“information officer” of, or in relation to, a—

(a) public body means an information officer or deputy information officer as contemplated in terms of section 1 or 17; or

(b) private body means the head of a private body as contemplated in section 1, of the Promotion of Access to Information Act;

[Note, there is no reference to a Deputy Information Officer for a Private Body in section 1 or 17 of PAIA.]

Designation and delegation of deputy information officers

56. Each public and private body must make provision, in the manner prescribed in section 17 of the Promotion of Access to Information Act, with the necessary changes, for the designation of—

(a) such a number of persons, if any, as deputy information officers as is necessary to perform the duties and responsibilities as set out in section 55(1) of this Act; and

(b) any power or duty conferred or imposed on an information officer by this Act to a deputy information officer of that public or private body.

Please note that POPIA makes no additional provision for appointment of one or more Deputy Information Officers in a Private Body as it refers to Section 17 of PAIA which only deals with Designation of deputy information officers, and delegation for Public Bodies. Thus, the accountability in a Private Body rests with the head of the body. The responsibility may be delegated but the accountability cannot.

In summary, the “Head” of a Private Body can delegate responsibility but not accountability.