

**SECTION 51 PROMOTION TO THE ACCESS OF INFORMATION
MANUAL FOR IRS FORENSIC INVESTIGATIONS
(2011/122311/07)**

**AS AMENDED BY THE
PROTECTION OF PERSONAL INFORMATION ACT, 4 OF 2013**

INFORMATION REQUIRED UNDER SECTION 51(1)(a) OF THE ACT:

PO BOX 46508, ORANGE GROVE, 2119

PHYSICAL ADDRESS OF HEAD OF IRS FORENSIC INVESTIGATIONS:

11 THIRD AVENUE, HOUGHTON ESTATE, JOHANNESBURG, 2198

TEL. NO OF HEAD OF IRS FORENSIC INVESTIGATIONS:

0861 911 477

FAX. NO OF HEAD OF IRS FORENSIC INVESTIGATIONS:

086 730 9182

EMAIL ADDRESS OF HEAD OF IRS FORENSIC INVESTIGATIONS:

glenda@irsa.co.za

DESCRIPTION OF GUIDE REFERRED TO IN SECTION 10: SECTION 51(1)(b)

A guide has been compiled in terms of Section 10 of PAIA by **IRS Forensic Investigations**. It contains information required by a person wishing to exercise any right, contemplated by PAIA.

This Guide is available for inspection, inter alia, at the office of the offices of **IRS Forensic Investigations** at the physical address above and at the SAHRC.

THE LATEST NOTICE IN TERM OF SECTION 52(2) (IF ANY):

At this stage no notice(s) has. have been published on the categories of records that are automatically available without a person having to request access in terms of PAIA.

ACTS AND OTHER LEGISLATION HELD AT PHYSICAL ADDRESS BY IRS FORENSIC INVESTIGATIONS:

- Basic Conditions of Employment 74 of 1997
- Companies Act 71 of 2008
- Consumer Protection Act 68 of 2008
- Debtor Collectors Act of 114 of 1998
- Financial Advisory and Intermediary Services Act 37 of 2002
- Financial Intelligence Centre Act 38 of 2000
- Financial Services Board Act 970 of 1990
- Harmful Business Practices Act 23 of 1999
- National Harmful Credit Act 34 of 2005
- Promotion of Access to Information Act 2 of 2000
- Criminal Procedure Act 51 of 1977
- Private Security Industry Regulations Act 56 of 2001
- Protections of Personal Information Act 4 of 2013
- Prevention of Organised Crime Act 121 of 1998
- Public Audit Act of 2004

SUBJECTS AND CATEGORIES OF RECORDS HELD AT PHYSICAL ADDRESS BY IRS FORENSIC INVESTIGATIONS:

- Correspondence
- Founding Documents
- Licenses (categories)
- Minutes of Management Meetings
- Minutes of Staff Meetings
- Shareholder Register
- Statutory Returns
- Conditions of Service
- Employee Records
- Employment Contracts
- Employment Equity Records
- General Correspondence
- Industrial and Labour Relations Records
- Information relating to Health and Safety Regulations
- Pension and Provident Fund Records
- Performance Appraisals
- Personnel Guidelines, Policies and Procedures
- Remuneration Records and Policies
- Salary Surveys
- Skills Requirements
- Staff Requirement Policies
- Statutory Records
- Contracts
- Information relating to Employee Sales Performance

- Information relating to Work-In-Progress
- Supplier Registry
- Annual Financial Statements
- Asset Register
- Banking Records
- Financial Transactions
- Insurance Information
- Tax Records (Company and Employees)
- Training Records
- Brochures on Company Information
- Client and Customer Registry

DETAIL ON HOW TO MAKE A REQUEST FOR ACCESS – SECTION 51(e)

- The requester must complete Form B and submit this form together with a request fee, to the head of the private body
- The form must be submitted to the head of the private body at his/her address, fax, number of email address
- The form must:
 - provide sufficient particulars to enable the head of the private body to identify the record/s requested and to identify the requester.
 - indicate which form of access is required
 - specify a postal address or fax number of the request to the republic
 - identify the right that the requester is seeking to exercise or protect
 - provide an explanation of why the requested record is required for the exercise or protection of that right
 - in addition to a written reply, the requester wishes to be informed of the decision on the request in any other manner, to state that the manner and the necessary particulars to be informed in the other manner, if the request is made on behalf of another person, to submit proof of capacity in which the requester is making the request, to the reasonable satisfaction of the head of the private body.

INFORMATION RELATED TO POPIA:

INTRODUCTION:

The POPIA requires us to provide you with certain information relating to how personal information that we process is, amongst others used, disclosed, and destroyed. We have set out the required information below.

INFORMATION ON HOW YOU CAN REQUEST YOUR PERSONAL INFORMATION POPIA:

Requests for personal information under POPIA must be made in accordance with the provisions of PAIA.

If we provide you with your personal information, you have the right to request the correction, deletion, or destruction of your personal information, in the prescribed form. You may also object to the processing of your personal information in the prescribed form. We have, for your convenience, attached the form to this Manual. It is attached as Form C.

We will give you a written estimate of the fee for providing you with your personal information, before providing you with the services. We may also require you to provide us with a deposit for all or part of the fee prior to giving you the requested personal information.

PURPOSE OF PROCESSING:

POPIA provides that personal information may only be processed lawfully and in a reasonable manner that does not infringe your (the data subject's) privacy.

The type of personal information that we process will depend on the purpose for which it is collected. We will disclose to you why the personal information is being collected and will process the personal information for that purpose only.

Should you wish to object to IRS, or IRS's third-party service providers, processing your personal information, please complete Form D.

PERSONAL INFORMATION THAT IS PROCESSED:

CATEGORY OF DATA SUBJECT:	CATEGORY OF PERSONAL INFORMATION:
Natural Persons	Names; contact details; physical and postal addresses; date of birth; ID number; tax related information; nationality; gender; banking details; data received from the Deeds office; and confidential correspondence
Juristic Persons / Entities	Names of contact persons; name of Legal Entity, physical and postal address and contact details, financial information; Registration number; Founding documents; Tax related information; authorised signatories, beneficiaries, ultimate beneficial owners
Foreign Persons / Entities	Names; contact details; physical and postal, financial information addresses; Registration number; Founding documents; Tax related information; nationality; gender; confidential correspondence, Registration Number; Founding documents; Tax related information; authorised signatories, beneficiaries, ultimate beneficial owners
Contracted Service Providers	Names of contact persons; name of Legal Entity, physical and postal address and contact details, financial information; Registration number; Founding documents; Tax related information; authorised signatories, beneficiaries, ultimate beneficial owners

Intermediary / Advisor	Names of contact persons; name of Legal Entity, physical and postal address and contact details, financial information; Registration number; Founding documents; Tax related information; authorised signatories, beneficiaries, ultimate beneficial owners
Employees/ Directors/ Potential personnel/ Shareholders/ Volunteers/ Employees' family members/ Temporary Staff	Gender, Pregnancy, Marital Status; Race, Age, Language, Education Information; Financial Information; Employment History; ID number; Next of kin; Children's name, gender, age, school grades; Physical and Postal address; Contact details; Opinions; Criminal behaviour and/ or criminal records; well-being; Trade Union membership; external commercial interests; Medical Information
Website end-users / Application end-users	Names, Electronic identification data; IP address; log-in data, cookies, Electronic localisation data; cell phone details, GPS Data

CATEGORIES OF RECIPIENTS FOR PURPOSES OF PROCESSING PERSONAL INFORMATION:

We may supply personal information to these potential recipients:

- Management;
- Employees;
- Temporary Staff; and
- Sub-contracted Operators

We may disclose personal information we collected to any of our third-party service providers, with whom we engage in business or whose services or products we elect to use, including cloud services hosted in international jurisdictions.

We endeavour to enter into written agreements to ensure that other parties comply with our confidentiality and privacy requirements. Personal information, may also be disclosed where we have a legal duty or a legal right to do so.

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GENERAL DESCRIPTION OF INFORMATION SECURITY MEASURES:

IRS employs appropriate, reasonable technical and organisational measures to prevent loss of damage to or unauthorised destruction of personal information and unlawful access to or processing of personal information. These measures include:

- Firewalls;

- Virus protection software and update protocols;
- Logical and physical access control; and
- Secure setup of hardware and software making up our information technology infrastructure

FORM 2

REQUEST FOR ACCESS TO RECORD

[Regulation 7]

NOTE:

1. *Proof of identity must be attached by the requester.*
2. *If requests made on behalf of another person, proof of such authorisation, must be attached to this form.*

TO: The Information Officer

(Address)

E-mail address:

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Fax number:

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Mark with an "X"

☐

Request is made in my own name

☐

Request is made on behalf of another person.

PERSONAL INFORMATION				
Full Names				
Identity Number				
Capacity in which request is made (when made on behalf of another person)				
Postal Address				
Street Address				
E-mail Address				
Contact Numbers	Tel. (B):		Facsimile: <table border="1"><tr><td></td></tr></table>	
Cellular:				
Full names of person on whose behalf request is made (if applicable):				
Identity Number				
Postal Address				

Street Address			
E-mail Address			
Contact Numbers	Tel. (B)		Facsimile
	Cellular		
<p align="center">PARTICULARS OF RECORD REQUESTED</p> <p><i>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. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)</i></p>			
Description of record or relevant part of the record:			
Reference number, if available			
Any further particulars of record			
<p align="center">TYPE OF RECORD</p> <p align="center"><i>(Mark the applicable box with an "X")</i></p>			
Record is in written or printed form			
Record comprises virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>			
Record consists of recorded words or information which can be reproduced in sound			
Record is held on a computer or in an electronic, or machine-readable form			

FORM OF ACCESS <i>(Mark the applicable box with an "X")</i>	
Printed copy of record <i>(including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)</i>	
Written or printed transcription of virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>	
Transcription of soundtrack <i>(written or printed document)</i>	
Copy of record on flash drive <i>(including virtual images and soundtracks)</i>	
Copy of record on compact disc drive <i>(including virtual images and soundtracks)</i>	
Copy of record saved on cloud storage server	

MANNER OF ACCESS <i>(Mark the applicable box with an "X")</i>	
Personal inspection of record at registered address of public/private body <i>(including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)</i>	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format <i>(including transcriptions)</i>	
E-mail of information <i>(including soundtracks if possible)</i>	
Cloud share/file transfer	
Preferred language <i>(Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available)</i>	

PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED <i>If the provided space is inadequate, please continue on a separate page and attach it to this Form. The requester must sign all the additional pages.</i>	
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:	

FEES	
a)	<i>A request fee must be paid before the request will be considered.</i>
b)	<i>You will be notified of the amount of the access fee to be paid.</i>
c)	<i>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.</i>
d)	<i>If you qualify for exemption of the payment of any fee, please state the reason for exemption</i>
Reason	

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

Postal address	Facsimile	Electronic communication (Please specify)

Signed at _____ this _____ day of _____ 20 _____

Signature of Requester / person on whose behalf request is made

FOR OFFICIAL USE

Reference number:	
Request received by: (State Rank, Name And Surname of Information Officer)	
Date received:	
Access fees:	
Deposit (if any):	

Signature of Information Officer

FORM C

REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION OR DESTROYING OR DELETION OF RECORD OF PERSONAL INFORMATION IN TERMS OF SECTION 24(1) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)

REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018

[Regulation 3]

Note:

- 1 Affidavits or other documentary evidence as applicable in support of the request may be attached.
- 2 If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.
- 3 Complete as is applicable.

Mark the appropriate box with an "x".

Request for:

☐

Correction or deletion of the personal information about the data subject which is in possession or under the control of the responsible party.

☐

Destroying or deletion of a record of personal information about the data subject which is in possession or under the control of the responsible party and who is no longer authorised to retain the record of information.

A	DETAILS OF THE DATA SUBJECT
Name(s) and surname / registered name of data subject:	
Unique identifier/ Identity Number:	
Residential, postal or business address	
	Code ()
Contact number(s):	
Fax number/E-mail address:	
B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname / registered name of responsible party:	
Residential, postal or business address:	

	Code ()
Contact number(s):	
Fax number/ E-mail address:	
C	INFORMATION TO BE CORRECTED/DELETED/ DESTRUCTED/ DESTROYED
D	REASONS FOR *CORRECTION OR DELETION OF THE PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(a) WHICH IS IN POSSESSION OR UNDER THE CONTROL OF THE RESPONSIBLE PARTY; and or REASONS OR *DESTRUCTION OR DELETION OF A RECORD OF PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(b) WHICH THE RESPONSIBLE PARTY IS NO LONGER AUTHORISED TO RETAIN. <i>(Please provide detailed reasons for the request)</i>

Signed at this day of20....

.....
Signature of data subject/ designated person

FORM D

OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION IN TERMS OF SECTION 11(3) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)

REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018

[Regulation 2]

Note:

- 1 Affidavits or other documentary evidence as applicable in support of the objection may be attached.
- 2 If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.
- 3 Complete as is applicable.

A	DETAILS OF THE DATA SUBJECT
Name(s) and surname/ registered name of data subject:	
Unique identifier/ Identity Number:	
Residential, postal or business address	
	Code ()
Contact number(s):	
Fax number/ E-mail	
B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname/ Registered name of responsible party:	
Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number/ E-mail	

