



REDS Check (Pty) Ltd

Reg. No. 2019/435706/07

VAT. No. 4720289513

38 Jonkershoek Road, Northcliff Ext 19, 1709,

South Africa

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PAIA and POPI Act Manual

This manual was prepared in accordance with section 51 of the Promotion of Access to Information Act, 2000 and to address requirements of the Protection of Personal Information Act, 2013.

This manual applies to

REDS Check (Pty) Ltd

Registration number: 2019/435706/07

(hereinafter REDS Check)

1. Definitions

- 1.1. For the purposes of this PAIA Manual, unless the context requires otherwise, the words and expressions set out below shall have the meaning assigned to them, namely:
 - 1.1.1. **“Act”** means The Promotion of Access to Information Act, No. 2 of 2000.
 - 1.1.2. **“Data Subject”** as defined in PoPI, means the person, natural or juristic, to whom the Personal Information relates.
 - 1.1.3. **“Other Requester”** means a person other than a Personal Requester who is entitled to request Personal Information from REDS Check or third parties.
 - 1.1.4. **“PAIA”** means the Act.
 - 1.1.5. **“PAIA Manual”** means this information manual as required in terms of section 51 of the Act.
 - 1.1.6. **“Personal information”** as defined in PoPI, means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to—
 - 1.1.6.1. 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;
 - 1.1.6.2. information relating to the education or the medical, financial, criminal or employment history of the person;
 - 1.1.6.3. any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;
 - 1.1.6.4. the biometric information of the person;
 - 1.1.6.5. the personal opinions, views or preferences of the person;
 - 1.1.6.6. 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;
 - 1.1.6.7. 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.
 - 1.1.7. **“PoPI”** means the Protection of Personal Information Act 4 of 2013.

1.1.8. **“Process information”** means the automated or manual activity of collecting, recording, organising, storing, updating, distributing and removing or deleting personal information.

1.1.9. **“Personal Requester”** means a Requester who is seeking access to a record containing Personal Information about the Requester.

1.1.10. **“Requester”** means any person making a request for access to a record of REDS Check.

1.2. Words and expressions defined in the Act and/or PoPI which are not defined in this PAIA Manual, shall bear the same meanings in this PAIA Manual as those ascribed to them under the Act and/or PoPI.

2. Background to the Promotion of Access to Information Act

2.1. The Act was enacted on 3 February 2000, giving effect to the constitutional right, contained in section 32 of the Bill of Rights in the Constitution of the Republic of South Africa 108 of 1996 (the “Constitution”), to access any information held by the state and any information held by another person that is required for the exercise or protection of any rights.

2.2. Where a request is made in terms of the Act, the body to whom the request is made is obliged to release the information, subject to applicable legislative and / or regulatory requirements, except where the Act expressly provides that the information may be automatically available from a public or private body.

3. REDS Check (Pty) Ltd

3.1. REDS Check provides, amongst other things, certain employment history and disciplinary record verification services to its clients.

3.2. This PAIA Manual of REDS Check is available at its premises: **38 Jonkershoek Road, Northcliff Ext 19** as well as on its website, **www.redscheck.co.za**

4. Purpose of the PAIA Manual

4.1 The purpose of the Act is to promote the right of access to information, to foster a culture of transparency and accountability within REDS Check by providing access to information required for the exercise or protection of any right, and to actively promote a society in which the people of South Africa have effective access to information, enabling them to exercise and protect their rights.

4.2 In order to promote effective governance of private bodies, it is necessary to ensure that everyone is empowered and educated to understand their rights in relation to public and private bodies.

4.3 Section 9 of the Act recognises that the right to access information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to:

4.3.1 Limitations aimed at the reasonable protection of privacy;

4.3.2 Commercial confidentiality; and

4.3.3 Effective, efficient and good governance

and in a manner which balances that right with any other rights, including such rights contained in the Bill of Rights in the Constitution.

4.4 This PAIA Manual complies with the requirements of the guide referred to in section 10 of the Act and recognises that, upon the commencement of PoPI, the appointed Information Regulator will be responsible for regulating compliance with the Act and its regulations by private and public bodies.

5. Contact Details of the Managing Director [Section 51(1)(a)]

Managing Director:	Shaun Van Der Burgt
Registered Address:	38 Jonkershoek Road, Northcliff Ext 19
Postal Address:	P O Box 2126, Wilropark, 1731
Telephone Number:	082 414 4496
Website:	www.redscheck.co.za

6. The Information Officer [Section 51(1)(b)]

6.1. The Act prescribes the appointment of an Information Officer for private bodies, who is responsible, inter alia, for assessing requests for access to information. The head of a private body fulfils this function under section 51 by assessing requests for access to information and overseeing its required functions under the Act.

6.2. The Information Officer appointed in terms of the Act also refers to the Information Officer as referred to in PoPI. The Information Officer oversees the functions and responsibilities required in terms of this Act, as well as the duties and responsibilities in terms of section 55 of PoPI, after registering with the Information Regulator.

6.3. The Information Officer may appoint, where deemed necessary, Deputy Information Officers, as allowed in terms of section 17 of the Act and section 56 of PoPI. This is to render REDS Check as accessible as reasonably possible to Requesters of its records and to ensure fulfilment of its obligations and responsibilities as prescribed in terms of section 55 of PoPI. All requests for information in terms of this Act must be addressed to the Information Officer.

Contact Details of the Information Officer

Information Officer:	Shaun Van Der Burgt
Physical Address:	38 Jonkershoek Road, Northcliff Ext 19
Telephone Number:	082 414 4496

E-Mail:	shaun@redalert.org.za
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6.4 PoPI establishes an Information Regulator (IR). The IR can receive complaints from both Requesters and third parties in terms of PAIA. All powers and responsibilities currently being performed by the Commission in terms of PAIA will be taken over by the IR once that office has been authorised to do so i.e. all section 32 reports, section 14 manuals and section 51 manuals will have to be submitted to the IR.

7. Guide of SA Human Rights Commission (Section 51(1) (b))

7.1. The Act grants a Requester access to records of a private body if the record is required for the exercise or protection of any rights. If a public body lodges a request, it must act in the public interest.

7.2. Requests under the Act must be made in accordance with the prescribed procedures and at the rates provided. The forms and tariff are dealt with in paragraphs 6 and 7 of the Act.

7.3. Requesters are referred to the Guide under Section 10, compiled by the South African Human Rights Commission, which contains information for the purposes of exercising Constitutional Rights. The Guide is available from the SAHRC and, as of 1 July 2021, from the Information Regulator.

7.4. The contact details of the Commission are:

Contact body:	The South African Human Rights Commission
Physical Address:	PAIA Unit Sentinel House, Sunnyside Office Park, 32 Princess of Wales Terrace Parktown
Postal Address:	Private Bag X2700, Houghton 2041
Telephone Number:	+27 11 877 3600
E-Mail:	PAIA@sahrc.org.za , info@sahrc.org.za
Web Site:	www.sahrc.org.za

7.5. The contact details of the Information Regulator are:

Contact body:	The Information Regulator (South Africa)
Physical Address:	Woodmead North Office Park, 54 Maxwell Dr, Woodmead, Johannesburg, 2191
General Enquiries:	enquiries@infoeregulator.org.za
Telephone:	010 023 5200
Toll-Free:	0800 017 160
Online Support:	Log tickets via https://eservices.infoeregulator.org.za/isupport/default.aspx

8. The Latest Notice in Terms of Section 52(2) (if any) [Section 51(1)(c)]

8.1. No notice has been published on the categories of records that are automatically available without a person having to request access in terms of Section 52(2) of PAIA.

9. Subjects and Categories of Records Available only on Request for Access in Terms of the Act (Section 51(1) (e))

9.1. Records held by REDS Check

For the purposes of this clause 8.1, “Personnel” refers to any person who works for, provides services to, or acts on behalf of REDS Check and receives or is entitled to receive remuneration, and any other person who assists in carrying out or conducting REDS Check’s business. This includes, without limitation, directors (executive and non-executive), all permanent, temporary and part-time staff, as well as contract workers. This clause serves as a reference for the categories of information that REDS Check holds. The information is classified and grouped according to records relating to the following subjects and categories:

Subject	Category
Companies Act Records	Records kept and maintained by REDS Check as required by the Companies Act, including but not limited to: • Shareholders Agreements; • Share Certificates; and • Minutes of Directors' Meetings
Financial Records	Records kept and maintained by REDS Check in terms of the Financial Operations of REDS Check including but not limited to: • Accounting Records; • Annual Financial Statements; • -Invoices; and • Tax Returns
Income Tax Records	Records kept and maintained by REDS Check in terms of their obligations to the South Africa Receiver of Revenue including but not limited to: • PAYE Records; • Documents issued to employees for income tax purposes; • Records of payments made to SARS on behalf of employees; and • All other statutory compliances:

Subject	Category
Personnel Documents & Records	Records kept and maintained by REDS Check in terms of Employment Records of REDS Check including but not limited to: • Disciplinary Code and Records; • Employment Contracts; • Leave Records; • Medical Aid Records; • Salary Records; and • Standard letters and notices.
Procurement	Records kept and maintained by REDS Check in terms of Procurement of Services, including but not limited to: • Standard Terms and Conditions for supply of services and products; • Lists of suppliers, products, services and distribution; and • Policies and Procedures.
Sales and Marketing	Records kept and maintained by REDS Check in terms of the Provision of REDS Check Services including but not limited to: • Customer details; • Databases; .and • Information and records provided by a third party.
IT Department	Records kept and maintained by REDS Check in terms of their IT Operations including but not limited to: • Disaster recovery plans; • Information security policies/standards/procedures; • Information usage policy documentation; and • System documentation and manuals.
Client and Database Information	Information supplied to REDS Check Services relating to dishonesty-related offences.

9.2. Note that the accessibility of the records may be subject to the grounds of refusal set out in this PAIA manual. Amongst other, records deemed confidential on the part of a third party, will necessitate permission from the third party concerned, in addition to normal requirements, before REDS Check will consider access.

10. Records Available without a Request to Access in terms of the Act

10.1. Records of a public nature, typically those disclosed on the REDS Check website and in its annual reports (if any), may be accessed without the need to submit a formal application.

10.2. Other non-confidential records, such as statutory records maintained at CIPC, may also be accessed without the need to submit a formal application, however, please note that an appointment to view such records will still have to be made with the Information Officer.

11. Description of the Records of REDS Check Which are Available in Accordance with any other Legislation (Section 51(1) (d))

11.1. Where applicable to its operations, REDS Check may retain records and documents in terms of the legislation below. Unless disclosure is prohibited in terms of legislation, regulations, contractual agreement or otherwise, records that are required to be made available in terms of these Acts shall be made available for inspection by interested parties in terms of the requirements and conditions of the Act, the below mentioned legislation and applicable internal policies and procedures, should such interested parties be entitled to such information.

A request to access must be made in accordance with the provisions of the Act.

- 11.1.1. Auditing Professions Act, No 26 of 2005;
- 11.1.2. Basic Conditions of Employment Act, No 75 of 1997;
- 11.1.3. Broad- Based Black Economic Empowerment Act, No 75 of 1997;
- 11.1.4. Companies Act, No 71 of 2008;
- 11.1.5. Compensation for Occupational Injuries & Diseases Act, 130 of 1993;
- 11.1.6. Competition Act, No.71 of 2008;
- 11.1.7. Constitution of the Republic of South Africa 2008;
- 11.1.8. Copyright Act, No 98 of 1978;
- 11.1.9. Customs & Excise Act, 91 of 1964
- 11.1.10. Electronic Communications Act, No 36 of 2005;
- 11.1.11. Electronic Communications and Transactions Act, No 25 of 2002;
- 11.1.12. Employment Equity Act, No 55 of 1998;
- 11.1.13. Financial Intelligence Centre Act, No 38 of 2001;
- 11.1.14. Income Tax Act, No 58 of 1962;

- 11.1.15. Intellectual Property Laws Amendment Act, No 38 of 1997;
- 11.1.16. Labour Relations Act, No 66 of 1995;
- 11.1.17. Long Term Insurance Act, No 52 of 1998;
- 11.1.18. Occupational Health & Safety Act, No 85 of 1993;
- 11.1.19. Pension Funds Act, No 24 of 1956;
- 11.1.20. Prescription Act, No 68 of 1969;
- 11.1.21. Prevention of Organised Crime Act, No 121 of 1998;
- 11.1.22. Promotion of Access to Information Act, No 2 of 2000;
- 11.1.23. Protection of Personal Information Act, No. 4 of 2013;
- 11.1.24. Regulation of Interception of Communications and Provision of Communication-Related Information Act 70 of 2002;
- 11.1.25. Revenue laws Second Amendment Act. No 61 of 2008;
- 11.1.26. Skills Development Levies Act No. 9 of 1999;
- 11.1.27. Short-term Insurance Act No. 53 of 1998;
- 11.1.28. Trust Property Control Act 57 of 1988;
- 11.1.29. Unemployment Insurance Contributions Act 4 of 2002;
- 11.1.30. Unemployment Insurance Act No. 30 of 1966; and
- 11.1.31. Value Added Tax Act 89 of 1991.

Although REDS Check has used its best endeavours to provide a list of applicable legislation, it is possible that this list may be incomplete. Whenever it comes to REDS Check's attention that existing or new legislation allows a Requester access on a basis other than as set out in PAIA, REDS Check shall update the list accordingly. If a Requester believes that a right of access to a record exists in terms of other legislation listed above or any other legislation, the Requester is required to indicate which legislative right the request is based on, to allow the Information Officer the opportunity to consider the request in light thereof.

- 11.2. It is further recorded that access to documents and records may be subject to the grounds for refusal set out in this PAIA Manual.
- 11.3. Where a request is made by a Personal Requester, REDS Check will voluntarily provide the requested information or give access to any record relating to the requester's Personal Information. The prescribed fee for reproducing the requested information will be charged.
- 11.4. In considering requests from Other Requesters, REDS Check will adhere to the provisions of the Act. Section 71 requires that the Information Officer take all reasonable steps to inform a third party to whom the requested record relates of the request, informing them that they may make a written or oral representation to the Information Officer as to why the request

should be refused, or, where required, give written consent for the disclosure of the Information. on.

12. Detail to Facilitate a Request for Access to a Record of REDS Check (Section 51(1)(e))

- 12.1. The Requester must comply with all of the procedural requirements contained in the Act relating to the request for access to a record.
- 12.2. The Requester must complete the prescribed form enclosed herewith and submit same as well as payment of a request fee and a deposit (if applicable) to the Information Officer or the Deputy Information Officer at the postal or physical address, or electronic mail address as noted in clause 5 above.
- 12.3. The prescribed form must be filled in with sufficient information to enable the Information Officer to identify:
 - 12.3.1. the record or records requested; and
 - 12.3.2. the identity of the Requester.
- 12.4. The Requester should indicate which form of access is required and specify a postal address or email address of the Requester in the Republic.
- 12.5. The Requester must state that he/she requires the information in order to exercise or protect a right, and clearly state what the nature of the right is so to be exercised or protected. The Requester must clearly specify why the record is necessary to exercise or protect such a right (section 53(2)(d)).
- 12.6. REDS Check will process the request within 30 (thirty) days, unless the Requester has stated special reasons to the satisfaction of the Information Officer that circumstances dictate that the above time periods not be complied with.
- 12.7. The Requester shall be advised whether access is granted or denied in writing. If, in addition, the Requester requires the reasons for the decision in any other manner, the Requester will be obliged to state which manner and the particulars required.
- 12.8. If a request is made on behalf of another person, then the Requester must submit proof of the capacity in which the Requester is making the request to the reasonable satisfaction of the Information Officer (section 53(2)(f)).
- 12.9. If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally.
- 12.10. The Requester must pay the prescribed fee, before any further processing can take place.
- 12.11. All information as listed in clause 11 herein should be provided and failing which, the process will be delayed until the required information is provided. The prescribed time periods will not commence until the Requester has furnished all required information. The

Information Officer shall sever a record, if possible, and grant only access to that portion requested and which is not prohibited from being disclosed.

13. Refusal of Access to Records

13.1. A private body such as REDS Check is entitled to refuse a request for information. The main grounds for REDS Check to refuse a request for information relates to the:

13.1.1. mandatory protection of the privacy of a third party who is a natural person or a deceased person (section 63) or a juristic person, as included in the Protection of Personal Information Act 4 of 2013, which would involve the unreasonable disclosure of personal information of that natural or juristic person;

13.1.2. mandatory protection of personal information and for disclosure of any personal information to, in addition to any other legislative, regulatory or contractual agreements, comply with the provisions of the Protection of Personal Information Act 4 of 2013;

13.1.3. mandatory protection of the commercial information of a third party (section 64) if the records contain:

13.1.3.1. trade secrets of the third party;

13.1.3.2. financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party;

13.1.3.3. information disclosed in confidence by a third party to REDS Check, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition;

13.1.3.4. mandatory protection of confidential information of third parties (section 65) if it is protected in terms of any agreement;

13.1.3.5. mandatory protection of the safety of individuals and the protection of property (section 66);

13.1.3.6. mandatory protection of records which would be regarded as privileged in legal proceedings (section 67).

13.1.4. the commercial activities (section 68) of a private body, such as REDS Check, which may include:

13.1.4.1. trade secrets of REDS Check;

13.1.4.2. financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of REDS Check;

13.1.4.3. information which, if disclosed could put REDS Check at a disadvantage in negotiations or commercial competition;

- 13.1.4.4. a computer program which is owned by REDS Check, and which is protected by copyright;
- 13.1.4.5. the research information (section 69) of REDS Check or a third party, if its disclosure would disclose the identity of REDS Check, the researcher or the subject matter of the research and would place the research at a serious disadvantage.
- 13.2. Requests for information that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources shall be refused.
- 13.3. All requests for information will be assessed on their own merits and in accordance with the applicable legal principles and legislation.
- 13.4. If a requested record cannot be found or does not exist, the Information Officer shall, by way of an affidavit or affirmation, notify the Requester that it is not possible to provide access to the requested record. Such a notice will be regarded as a decision to refuse a request for access to the record concerned for the purpose of the Act. If the record is later found, the Requester shall be given access to the record in the manner stipulated by the Requester in the prescribed form, unless the Information Officer refuses access to the record.

14. Remedies Available When REDS Check Refuses a Request

14.1. Internal Remedies

- 14.1.1. REDS Check does not have internal appeal procedures. The decision made by the Information Officer is final. Requesters will have to exercise such external remedies at their disposal if the request for information is refused, and the Requestor is not satisfied with the answer supplied by the Information Officer.

14.2. External Remedies

- 14.2.1. A Requester or a third party that is dissatisfied with the Information Officer's refusal to disclose information may, within 30 (thirty) days of notification of the decision, apply to a Court for relief.
- 14.2.2. For purposes of the Act, the Courts that have jurisdiction over these applications are the Constitutional Court, the High Court or another court of similar status and a Magistrate's Court designated by the Minister of Justice and Constitutional Development and which is presided over by a designated Magistrate.

15. Access to Records Held by REDS Check

- 15.1. Records held by REDS Check may be accessed by request only once the prerequisite requirements for access have been met.

15.2. REDS Check is not obliged to voluntarily grant access to such records. The Requester must fulfil the prerequisite requirements, in accordance with the requirements of the Act and as stipulated in Chapter 5; Part 3, including the payment of a request and access fee.

16. Prescribed Fees (Section 51 (1) (f))

16.1. Fees Provided by the Act

16.1.1. The Act provides for two types of fees, namely:

16.1.1.1. A request fee, which is a form of administration fee to be paid by all Requesters except personal Requesters, before the request is considered, and is not refundable; and

16.1.1.2. An access fee, which is paid by all Requesters in the event that a request for access is granted. This fee is inclusive of costs involved by the private body in obtaining and preparing a record for delivery to the Requester.

16.1.2. When the request is received by the Information Officer, such officer shall by notice require the Requester, other than a personal Requester, to pay the prescribed request fee, before further processing of the request (section 54(1)).

16.1.3. If the search for the record has been made and the preparation of the record for disclosure, including arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, the Information Officer shall notify the Requester to pay as a deposit the prescribed portion of the access fee which would be payable if the request is granted.

16.1.4. The Information Officer shall withhold a record until the Requester has paid the fees as indicated below.

16.1.5. A Requester whose request for access to a record has been granted, must pay an access fee that is calculated to include, where applicable, the request fee, the process fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure including making arrangements to make it available in the request form.

16.1.6. If a deposit has been paid in respect of a request for access, which is refused, then the Information Officer concerned must repay the deposit to the Requester.

17. Fee Structures

17.1. Where REDS Check has voluntarily provided a list of categories of records that will automatically be made available to any person requesting access thereto, the only charge that may be levied for obtaining such records will be a fee for reproducing the record in question.

Access and Reproduction of Information Fees	Fees to be Charged
Information in an A-4 size page photocopy or part thereof	R2,00 per page or part of the page
A printed copy of an A4-size page or part thereof	R2,00
For a copy in a computer-readable form on: • a flash drive (provided by the requester) • a compact disc (CD) if the requester provides the CD to us • a compact disc (CD) if we give the CD to the requester	R40,00 R40,00 R60,00
For a transcription of visual images, for an A4-size page or part of the page.	This service will be outsourced. The fee will depend on the quotation from the service provider.
A copy of visual images	R80,00
A transcription of an audio record for an A4-size page or part thereof	R24,00
For a copy of an audio record on a flash drive (provided by the requester)	R40,00
For a copy of an audio record on compact disc (CD) if the requester provides the CD to us.	R40,00
For a copy of an audio record on compact disc (CD) if we give the CD to the requester.	R60,00

17.2. Request Fees

17.2.1. Where a Requester submits a request for access to information held by an institution on a person other than the Requester himself/herself, a request fee in the amount of R140,00 is payable up-front before the institution will further process the request received.

17.3. Access Fees

17.3.1. An access fee is payable in all instances where a request for access to information is granted, except in those instances where payment of an access fee is specially excluded in terms of the Act or an exclusion is determined by the Minister in terms of section 54(8).

Deposits

17.3.2. Where the institution receives a request for access to information held on a person other than the Requester himself/herself and the Information Officer upon receipt of the request is of the opinion that the preparation of the required record of disclosure will take more than 6 (six) hours, a deposit is payable by the Requester.

17.3.3. The amount of the deposit is equal to 1/3 (one third) of the amount of the applicable access fee.

17.4. Collection Fees

17.4.1. The initial "request fee" of R140,00 should be deposited into the bank account below and a copy of the deposit slip, application form and other correspondence / documents, forwarded to the Information Officer via e-mail.

17.4.2. The officer will collect the initial "request fee" of applications received directly by the Information Officer via email.

17.4.3. All fees are subject to change as allowed for in the Act and as a consequence such escalations may not always be immediately available at the time of the request being made. Requesters shall be informed of any changes in the fees prior to making a payment.

18. Decision

18.1. Time Allowed to Institution

18.1.1. REDS Check will, within 30 (thirty) days of receipt of the request, decide whether to grant or decline the request and give notice with reasons (if required) to that effect.

18.1.2. The 30 (thirty) day period within which REDS Check has to decide whether to grant or refuse the request, may be extended for a further period of not more than (30) thirty days if the request is for a large number of information, or the request requires a search for information held at another office of REDS Check and the information cannot reasonably be obtained within the original 30 (thirty) day period.

18.1.3. REDS Check will notify the Requester in writing should an extension be sought.

19. Protection of Personal Information that is Processed by REDS Check

19.1. Chapter 3 of PoPI provides for the minimum Conditions for Lawful Processing of Personal Information by a Responsible Party. These conditions may not be derogated from unless specific exclusions apply as outlined in PoPI.

- 19.2. REDS Check needs Personal Information relating to both individual and juristic persons in order to carry out its business and organisational functions. The manner in which this information is Processed and the purpose for which it is Processed is determined by REDS Check. REDS Check is accordingly a Responsible Party for the purposes of PoPI and will ensure that the Personal Information of a Data Subject:
- 19.2.1. is processed lawfully, fairly and transparently. This includes the provision of appropriate information to Data Subjects when their data is collected by REDS Check, in the form of privacy or data collection notices. REDS Check must also have a legal basis (for example, consent) to process Personal Information;
 - 19.2.2. is processed only for the purposes for which it was collected;
 - 19.2.3. will not be processed for a secondary purpose unless that processing is compatible with the original purpose.
 - 19.2.4. is adequate, relevant and not excessive for the purposes for which it was collected;
 - 19.2.5. is accurate and kept up to date;
 - 19.2.6. will not be kept for longer than necessary;
 - 19.2.7. is processed in accordance with integrity and confidentiality principles; this includes physical and organisational measures to ensure that Personal Information, in both physical and electronic form, are subject to an appropriate level of security when stored, used and communicated by REDS Check, in order to protect against access and acquisition by unauthorised persons and accidental loss, destruction or damage;
 - 19.2.8. is processed in accordance with the rights of Data Subjects, where applicable. Data Subjects have the right to:
 - 19.2.8.1. be notified that their Personal Information is being collected by REDS Check. The Data Subject also has the right to be notified in the event of a data breach;
 - 19.2.8.2. know whether REDS Check holds Personal Information about them, and to access that information. Any request for information must be handled in accordance with the provisions of this Manual;
 - 19.2.8.3. request the correction or deletion of inaccurate, irrelevant, excessive, out of date, incomplete, misleading or unlawfully obtained personal information;
 - 19.2.8.4. object to REDS Check's use of their Personal Information and request the deletion of such Personal Information (deletion would be subject to REDS Check's record keeping requirements);
 - 19.2.8.5. object to the processing of Personal Information for purposes of direct marketing by means of unsolicited electronic communications; and

19.2.8.6. complain to the Information Regulator regarding an alleged infringement of any of the rights protected under PoPI and to institute civil proceedings regarding the alleged noncompliance with the protection of his, her or its personal information.

19.3. Purpose of the Processing of Personal Information by the Company

19.3.1. As outlined above, Personal Information may only be processed for a specific purpose.

19.4. Categories of Data Subjects and Personal Information/special Personal Information relating thereto

19.4.1. As per section 1 of PoPI, a Data Subject may either be a natural or a juristic person.

19.5. Cross-border flows of Personal Information

19.5.1. Section 72 of PoPI provides that Personal Information may only be transferred out of the Republic of South Africa if the:

19.5.1.1. recipient country can offer such data an “adequate level” of protection. This means that its data privacy laws must be substantially similar to the Conditions for Lawful Processing as contained in PoPI; or

19.5.1.2. Data Subject consents to the transfer of their Personal Information; or

19.5.1.3. transfer is necessary for the performance of a contractual obligation between the Data Subject and the Responsible Party; or

19.5.1.4. transfer is necessary for the performance of a contractual obligation between the Responsible Party and a third party, in the interests of the Data Subject; or

19.5.1.5. the transfer is for the benefit of the Data Subject, and it is not reasonably practicable to obtain the consent of the Data Subject, and if it were, the Data Subject, would in all likelihood provide such consent.

19.6. Description of information security measures to be implemented by REDS Check

19.6.1. A preliminary assessment of the suitability of the information security measures implemented or to be implemented by REDS Check may be conducted in order to ensure that the Personal Information that is processed by REDS Check is safeguarded and Processed in accordance with the Conditions for Lawful Processing.

20. Availability and Updating of the PAIA Manual

20.1. This PAIA Manual is made available in terms of Regulation Number R.187 of 15 February 2002. REDS Check will update this PAIA Manual at such intervals as may be deemed necessary.

20.2. This PAIA Manual of REDS Check is available to view at its premises and on its website.

Document version update
July 2026

ANNEXURE 1**FORM 2 REQUEST FOR ACCESS TO RECORD****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: _____

Fax number: _____

*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:

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:

PARTICULARS OF RECORD REQUESTED

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.)

Description of record or relevant part of the record:

PARTICULARS OF RECORD REQUESTED

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.)

Description of record or relevant part of the record:	
Reference number, if available:	
Any further particulars of record:	

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

MANNER OF ACCESS (Mark the applicable box with an "X")	
Personal inspection of record at registered address of public/private body (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)	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format (including transcriptions)	
E-mail of information (including soundtracks if possible)	
Cloud share/file transfer	
Preferred language: (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)	

PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED 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.	
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>

Reas

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)
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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

This form is also available at:

<https://inforegulator.org.za/paia/>