



Registration Number of Company:

2000/05/8649/23

NAME OF COMPANY: COLLECT4U CC T/A

COLLECT4U CC

PAIA MANUAL

Prepared in accordance with

Section 51 of

The Promotion of Access to Information Act, No 2 of 2000

(the "PAIA") and the Protection of Personal Information Act, No 4 of 2013 (the POPIA)

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1. **INTRODUCTION**

- 1.1 In terms of Section 51 of PAIA all private entities are required to compile a PAIA Manual (“Manual”) that provides information on both the types and categories of records held by a private company
- 1.2 In addition, the POPIA amends PAIA in a number of ways. One of the key ways in which POPIA changes PAIA relates to the role of the South African Human Rights Commission (“SAHRC”). Under POPIA the function of the SAHRC in terms of PAIA will be transferred to the Information Regulator once fully established, to monitor both POPIA and PAIA, and to handle complaints relating to access to information and the protection of personal information upon the commencement of POPIA.
- 1.3 This Manual provides and outlines types of records held by Collect4U and explains how requesters may submit requests to these records in terms of PAIA.
- 1.4 The purpose of PAIA is to promote the right of access to information, to foster a culture of transparency and accountability in South Africa. Furthermore, PAIA is aimed at encouraging an open democracy where individuals from all walks of life are empowered to engage with the government and participate in decisions which affect their lives.
- 1.5 The right of access to information is a unique right as it enables the realisation of other human rights: this is one of the most important ways in which PAIA is used. PAIA and POPIA gives effect to everyone’s constitutional right of access to information held by private sector or public bodies, that is required for the exercise and the protection of the requester’s right.

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2. INFORMATION REGARDING THE COMPANY AND CONTACT DETAILS

COLLECT4U CC trading as COLLECT4U CC conducts business as a Debt Collector. The company is registered with the Council for Debt Collectors.

COMPANY CONTACT DETAILS

Member	Mrs JA Lawrence
General Manager	Mr GJ Lawrence
Postal Address	P.O. Box 4425, Tygervalley. 7536
Street Address	Unit9 Oude Westhof Medical Centre, Van Riebeeckshof Road, Oude Westhof, 7530
Landline Number	087 230 7770
Mobile Number	082 882 7294
Fax Number	021 913 3531
Email Address	greg@collect4u.co.za

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 or 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

Telephone Number: +27-11-877 3600

Fax Number: +27-11-403 0625

Website: www.sahrc.org.za

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4. APPLICABLE LEGISLATION

<u>No</u>	<u>Ref</u>	<u>Act</u>
1	No 61 of 1973	Companies Act
2	No 98 of 1978	Copyright Act
3	No 55 of 1998	Employment Equity 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 70 of 2002	Regulation of Interception of Communication & Provision of Communication-Related Information Act
8	No 75 of 1997	Basic Conditions of Employment Act
9	No 69 of 1984	Close Corporations Act
10	No 25 of 2002	Electronic Communications and Transactions Act
11	No 2 of 2000	Promotion of Access of Information Act
12	No 30 of 1996	Unemployment Insurance Act
13	No 114 of 1998	Debt Collectors Act
14	No 130 of 1993	Compensation for Occupational Injuries & Diseases Act
15	2008	Constitution of The Republic of South Africa
16	No 85 of 1993	Occupational Health & Safety Act
17	No 24 of 1956	Pensions Fund Act
18	No 68 of 1969	Prescription Act
19	No 4 of 2013	Protection of Personal Information Act

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5. Schedule of Records held by Collect4U

Subject	Category
Closed Corporation Act Records	Records of Members of the Closed Corporation
	Legislative Compliance
	Closed Corporation Registration Documents
Finance	Financial Statements & Other Accounting Records
	Debtors & Creditors Records
	Banking Statement
	Tax Returns
	Rental Agreements
	Policies & Procedures
	Invoices
	General Reconciliation
Client Records	Any records a client has provided to the company or a third party acting on behalf of the company
	Contractual information
	Personal records of clients
	Any records a third party has provided to the company about clients
	Confidential, privileged, contractual and quasi-legal records of clients
	Client Account Numbers
	Records generated by or within the company pertaining to clients, including transactional records
Debtor Records	Any records a client has provided to the company or a third party acting on behalf of the company
	Contractual information
	Personal records of debtors
	Any records a client or a third party has provided to the company about debtors
	Confidential, privileged, contractual and quasi-legal records of debtors
	Records generated by or within the company pertaining to debtors, including transactional records

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Subject	Category
Income Tax Records	PAYE Records
	Documents issued to employees for income tax purposes
	Records of payments made to SARS on behalf of employees
	All other statutory documentation related to:
	a. VAT
	b. UIF
	c. Workmen Compensation
d. Skills Development Levy	
Personal Documents and Records	Employment contracts
	Pension Fund Records
	Disciplinary records
	Salary Records
	Disciplinary code
	Leave records
	Training manual/records
Contractual Records	Written contracts

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6. FORM OF REQUEST

To facilitate the processing of your request:

- 6.1 The requester must comply with all the requirement contained in PAIA in relation to the records requested and must complete the prescribed Form C below and submit same as well as payment of the fee set out in clause 7 below (if applicable) to the Deputy Information Officer as noted in clause 2 above.
- 6.2 All the pertinent sections must be completed fully with sufficient information to enable the Deputy Information Officer to identify the records/s and identify the requester. The prescribed period in clause 6.4 will not commence until all the necessary information is received to the satisfaction of the Deputy Information Officer.
- 6.3 The requester must indicate the right to which the requester is seeking to exercise or protect the right.
- 6.4 Collect4U will process the request within 30 (thirty) days, where after the requester will be notified in writing whether access is granted or denied. The period of 30 (thirty) days may be extended by not more than 30 (thirty) days, if the request is for a large quantity of information or the information cannot reasonably be obtained within 30 (thirty) days. The Deputy Information Officer will notify the requester in writing should an extension be necessary.
- 6.5 The requester will be informed in writing whether access to the records have been granted or denied. If the requester requires a reason for the decision the request must be expressed in the prescribed form, the requester must further state what particulars of the reasoning the requester requires.
- 6.6 The main grounds for Collect4U to refuse a request information relate to the:
 - 6.6.1 Mandatory protection of the privacy of a third party who is a natural person, which would involve the unreasonable disclosure of personal information of that natural person;
 - 6.6.2 mandatory protection of the commercial information of a third party, if the records contains:
 - 6.6.2.1 trade secrets of that third party
 - 6.6.2.2 Financial, commercial, scientific or technical information disclosed which could likely cause harm to the financial or commercial interests of that third party; and
 - 6.6.2.3 Information disclosed in confidence by a third party to Collect4U where the disclosed information could put the that third party at a disadvantage in negotiations or commercial competition.
 - 6.6.3 mandatory protection of confidential information of third parties if it is protected in terms of any agreement;
 - 6.6.4 mandatory protection of the safety of individuals and the protection of property;
 - 6.6.5 mandatory protection of records which would be regarded as privileged in legal proceedings;

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6.6.6 the commercial activities of Collect4U, which may include:

6.6.6.1 trade secrets of Collect4U;

6.6.6.2 financial, commercial or technical information which disclosure could likely cause harm to the financial or commercial interest of Collect4U; and

6.6.6.3 information which, if disclosed could put Collect4U at a disadvantage in negotiations or commercial competition.

If a requester has requested the records on another individual's behalf, the requester must submit proof of the capacity the requester submits the request in, to the satisfaction of the Deputy Information Officer

7. REMEDIES SHOULD A REQUEST BE REFUSED

7.1 Collect4U does not have an internal appeal procedure in light of a denial of a request, decisions made by the Information Officer is final;

7.2 The requester may in accordance with Sections 56(3)(c) and 78 of PAIA, apply to a court for relief within 180 days of notification of the decision for appropriate relief.

8. PRESCRIBED FEES

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

8.1 A requestor is required to pay the prescribed fees (R50.00) before a request will be processed. It is important to note that people that are requesting access to their personal information are exempt from paying a fee. Furthermore, people who earn less than R14 712 per annum (if single) and R27 192 per annum (if married or have a life partner), are also exempt from paying the requested fees.

8.2 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). The requester must request the banking details of Collect4U from the Deputy Information Officer to make payment;

8.3 A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit;

8.4 Records may be withheld until the fees have been paid.

8.5 The fee structure is as follows:

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a) Copy per A4 page	R1.10
b) Printing per A4 page	R0.75
c) Copy on a CD	R70.00
d) Transcription of visual images per A4 page	R40.00
e) Copy of visual image	R60.00
f) Transcription of an audio recording per A4 page	R20.00
g) Copy of an audio recording	R30.00

9. **POPI**

9.1 PURPOSE OF PROCESSING INFORMATION

Collect4u process information for the following purposes:

- 9.1.1 to provide services to its Clients in accordance with terms agreed to by the Clients;
- 9.1.2 to carry out actions for the conclusion or performance of a contract;
- 9.1.3 to comply with obligations imposed by law;
- 9.1.4 to pursue the legitimate interests of the Clients.

The above list is non-exhaustive.

9.2 CATEGORIES OF DATA SUBJECTS AND INFORMATION

Collect4U process personal information relating to the following categories of data subjects and information:

9.2.1 Categories of data subjects:

9.2.1.1 Personnel/employees;

9.2.1.2 Contractors;

9.2.1.3 Clients;

9.2.1.4 Debtors;

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9.2.1.5 Service providers

9.2.1.6 Suppliers

The above list is non-exhaustive

9.2.2 Categories of information:

In respect of natural persons may include:

9.2.2.1 name and surname;

9.2.2.2 identifying number (identity or passport number)

9.2.2.3 date of birth;

9.2.2.4 citizenship;

9.2.2.5 age

9.2.2.6 gender

9.2.2.7 race;

9.2.2.8 telephone number(s);

9.2.2.9 email address(es);

9.2.2.10 physical and postal address(es);

9.2.2.11 income tax number

9.2.2.12 banking information

9.2.2.13 disability information;

9.2.2.14 employment details and history;

9.2.2.15 background checks;

9.2.2.16 CV's;

9.2.2.17 education history;

9.2.2.18 remuneration and benefit information;

9.2.2.19 details related to employee performance and disciplinary procedures.

In respect of juristic persons may include:

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- name;
- 9.2.2.20 registration number;
- 9.2.2.21 tax information;
- 9.2.2.22 contact details;
- 9.2.2.23 physical and postal addresses;
- 9.2.2.24 FICA documentation;
- 9.2.2.25 payment details(including bank accounts);
- 9.2.2.26 invoices and contractual agreements.

The above lists are non-exhaustive.

9.3 CATEGORIES OF RECIPIENTS TO WHOM THE PERSONAL INFORMATION MAY BE SUPPLIED

The categories of recipients to whom Collect4U may supply the personal information will depend on the nature of the information. In general, such categories of recipients would include:

- 9.3.1 Collect4U Service providers;
- 9.3.2 Auditing and accounting bodies;
- 9.3.3 Relevant authorities, government departments, statutory bodies or regulators;
- 9.3.4 A court, administrative or judicial forum, arbitration or statutory commission.

The above list is non-exhaustive.

9.4 INFORMATION SECURITY MEASURES

Personal information stored electronically is protected as follows:

- 9.4.1 Collect4U Service providers;
- 9.4.2 All information is saved on the server which can only be accessed by Collect4U employees;
- 9.4.3 All devices have an Antivirus installed.

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Personal information that is stored physically is protected as follows:

- 9.4.4 Where physical records of the data exist, such records will be stored in a secured area where only authorised employees will have access to the information so as to avoid a breach of the personal information;
- 9.4.5 Confidential information is stored in a secured area that can be locked and only access by when authorised by the Member and General Manager

9.5 OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION BY A DATA SUBJECT

A data subject may at any time object to the processing of his/her/its personal information (as contemplated in Section 11(3)(a) of the POPI Act) in the prescribed form (Form 1) attached to this manual, unless legislation provides for such processing.

9.6 REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION

A data subject may request that his/her/its personal information be corrected or deleted (as contemplated in Section 24 of the POPI Act) in the prescribed form (Form 2) attached to this manual.

Collect4U will respond by taking into account all relevant information.

7. APPENDICES

APPENDIX A FORM C



FORM C.pdf

APPENDIX B FORM 1



FORM 1.pdf

APPENDIX C FORM 2

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