

Platandia Jewellery Collection CC
Reg no 2007/064062/23

PAIA Manual

**PREPARED IN TERMS OF SECTION 51 OF THE
PROMOTION OF ACCESS TO INFORMATION ACT 2 OF
2000 (AS AMENDED)**

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PURPOSE OF THE MANUAL

The PAIA manual is a mandatory document under South Africa's [Promotion of Access to Information Act \(PAIA\)](#)¹ that enables the public to access records held by public and private bodies. The primary purpose of PAIA is to promote transparency, accountability, and the constitutional right to information by:

1. outlining what records are available,
2. and how to request them.

The Platandia Jewellery Collection CC (“Platandia”) PAIA Manual is available at the registered office and on the website www.platandia.com and www.avooova.com.

This manual is also useful for the public to:

- identify the categories of records held that are available without a person having to submit a formal PAIA request per the procedure outlined in this manual
- understand how to make a request for access to a record
- know the costs involved for the person making the request for information
- access all the relevant contact details of the Information Officer who will assist the public with the records they intend to access
- know the policy in place with respect to personal information
- all remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA, including the manner of lodging
 - a) an internal appeal
 - b) a complaint to the Information Regulator; and
 - c) an application with a court against a decision by the information officer of a public body, a decision on internal appeal or a decision by the Information Regulator or a decision of the head of a private body

¹ <https://inforegulator.org.za/paia/> has more background and guidance for reference.

DEFINITIONS AND INTERPRETATIONS

“**Data Subject**” means the person to whom Personal Information relates, as contemplated in terms of section 1 of the POPIA;

“**Information Officer**” means in the case of a juristic person,

- i. the chief executive officer or equivalent officer of the juristic person or
- ii. any person duly authorised by that officer; or
- iii. the person who is acting as such or any person duly authorised by such acting person as contemplated in section 1 of the Act;

“**Information Regulator**” means the Information Regulator established in terms of section 39 of POPIA;

“**Manual**” means this Manual compiled by Platandia Jewellery Collection CC in terms of PAIA and POPIA;

“**PAIA**” means the Promotion of Access to Information Act, 2 of 2000, including the PAIA regulations, as amended from time to time;

“**Personal Information**” means information relating to an identified, or identifiable, living natural person and, where applicable, an identifiable existing juristic person as contemplated in the POPIA;

“**POPIA**” means the Protection of Personal Information Act, 4 of 2013, including the POPIA regulations, as amended from time to time;

“**Personnel**” means all partners, directors, officers, employees, individual contractors and other personnel of Platandia Jewellery Collection CC;

“**Processing**” means any operation, activity or set of operations, whether or not by automated means, concerning Personal Information as contemplated in the POPIA;

“**Private Body**” means any former or existing juristic person, as contemplated in the Act and POPIA;

“**Record**” means a record as contemplated in PAIA and includes Personal Information;

“**Requester**” means, in relation to a Private Body,

- i. any person, including, but not limited to, a public body or an official thereof, making a request for access to a Record of that Private Body; or
- ii. a person acting on behalf of such person as contemplated in the Act;

“**Responsible Party**” means a public or Private Body or any other person which, alone or in conjunction with others, determines the purpose of and means for Processing Personal Information as contemplated in the POPIA;

“Companies and Intellectual Property Commission” means the CIPC; a South African government agency responsible for registering and regulating businesses and intellectual property rights. The primary purpose is to maintain an accurate public register of corporate entities, protect innovations, and ensure companies adhere to national financial and governance legislation. (www.cipc.co.za)

CONTACT DETAILS

Name of body	Platandia Jewellery Collection CC
Managing Member	Rob Burton
Address	Unit 41, 3 rd Floor, Hill House, 5 De Smit Street, Green Point, Cape Town 8051
Telephone	(021) 422 1168
Email	operations@avoova.com
Information officer (PAIA)	Rob Burton
Website	www.platandia.com www.avoova.com
Retail outlet	Shop 6, Alfred Mall, Dock Rd, Victoria & Alfred Waterfront, Cape Town, 8001 Tel: 066 565 3688
Production facility for Avoova	Prince Albert South Africa

CATEGORIES OF RECORDS WHICH ARE FREELY AVAILABLE WITH METHOD OF ACCESS

This table details records that are generally made public by the private bodies and can be accessed, for instance, on their websites or by simple request, without needing to follow the formal PAIA request procedure.

Category of Records	Types of Records	Freely available
Business Profile	General Information. Product Information.	www.avoova.com www.platandia.com
Corporate Information	<ul style="list-style-type: none"> ▪ Statutory and Founding Documents ▪ Submissions required by the CIPC 	The information held by CIPC (www.CIPC.co.za) is publicly available. However, certain information can only be released to the requester upon lodging an application in terms of the PAIA (Act 02 of 2000).
Publications and Marketing Material	Marketing material and Newsletters	www.avoova.com www.platandia.com

DESCRIPTION OF THE RECORD OF A CLOSED CORPORATION TO BE KEPT WHICH ARE AVAILABLE WITH ANY OTHER LEGISLATION

This table lists the types of records the private bodies are required to keep by various South African laws, along with the relevant legislation that mandates their retention.

Category of records	Types of Records	Applicable legislation
Corporate information: Statutory and Founding Documentation	<p>Registration Documents: The Founding Statement (CK1) and any Amended Founding Statements (CK2/CK2A).</p> <p>Association Agreement: Any written agreement regulating the relationship and rules between members of the CC.</p> <p>Registration of Beneficial Ownership: All Beneficial Ownership declarations and Securities Registers filed with the CIPC</p>	<ul style="list-style-type: none"> ▪ The Closed Corporation Act 69 of 1984 ▪ Companies Act 71 of 2008
Employment related documents	<ul style="list-style-type: none"> ▪ Personal Information about employees ▪ Employment contracts and conditions of service ▪ Payroll, leave and remuneration records ▪ Disciplinary, grievance and other labour related records ▪ Health and safety records ▪ Workmen's compensation records 	<ul style="list-style-type: none"> ▪ Employment Equity Act 55 of 1998 ▪ Occupational Health and Safety Act 85 of 1993 ▪ Income Tax Act 58 of 1962 ▪ Unemployment Insurance Act 63 of 2001 ▪ Basic Conditions of Employment Act 75 of 1997 ▪ Labour Relations Act 66 of 1995
Financial and Tax Records	<p>Financial Statements: Annual Financial Statements (AFS) required by the Close Corporations Act.</p> <p>Accounting Books & Ledgers: Records reflecting assets, liabilities, members'</p>	<ul style="list-style-type: none"> ▪ The Closed Corporation Act 69 of 1984 ▪ Companies Act 71 of 2008 ▪ Income Tax Act No. 58 of 1962

Category of records	Types of Records	Applicable legislation
	<p>contributions, undrawn profits, and loans to/from members.</p> <p>Registers: Fixed asset registers, including costs, depreciation, dates of acquisition, and disposals.</p> <p>Transactional Records: Day-to-day cash receipts and payments, credit sales and purchases, and annual stocktaking records.</p> <p>Income Tax filings</p> <p>VAT filings</p> <p>EMP201 filings</p>	<ul style="list-style-type: none"> ▪ Value-Added Tax Act 89 of 1991
Client-related records	Client related records including, but not limited to Personal Information, Invoices and email communication.	<ul style="list-style-type: none"> ▪ Financial Intelligence Centre Act 38 of 2001 ▪ Prevention and Combating of Corrupt Activities Act 12 of 2004 ▪ Consumer Protection Act 68 of 2008
Supplier-related records	Client related records including, but not limited to Personal Information, Invoices and email communication.	<ul style="list-style-type: none"> ▪ Financial Intelligence Centre Act 38 of 2001 ▪ Prevention and Combating of Corrupt Activities Act 12 of 2004
Administration, operations, and property	Agreements with suppliers and service providers, lease agreements for property, Internal and external correspondence, security records.	
Information Technology	Computer software, licensing, and maintenance agreements, records regarding computer systems, IT usage policies.	
PAIA Manual	PAIA Manual	<ul style="list-style-type: none"> ▪ Promotion of Access to Information Act 02 of 2000 ▪ Protection of Personal Information Act 04 of 2013

PROCESSING OF PERSONAL INFORMATION

Platandia processes and maintains certain categories of personal information solely for the purpose of conducting business. Our website addresses are: <https://platandia.com> and <https://avoova.com>

Platandia Jewellery Collection CC is committed to protecting your privacy and securing your personal information at all times in accordance with the Protection of Personal Information Act (POPI Act) of South Africa. The details of the POPI Act is available on <https://popia.co.za>.

Clients

- To design and/or provide products and related services
- To manage and maintain the business relationship, including invoicing and accounting
- To enable us to perform reasonable procedures required by the FIC Act (<https://www.fic.gov.za>)

Employees

- To enable us to perform actions related to the employment contract
- To enable us to perform the required administrative tasks relative to employees
- To enable us to comply with legal requirements applicable to employers and employees in South Africa

Suppliers

- To manage and maintain the business relationship and obligations, including invoicing, accounting and payment processing
- To enable us to perform reasonable procedures required by the FIC Act

Visitors to premises

- To monitor access for safety and security reasons, including processing CCTV footage for Health & Safety purposes

Websites

- To improve and monitor the performance of digital platforms
- To allow for the proper functioning of the website

Recipients or categories of recipients to whom any personal information may be supplied

No personal information or part thereof will be supplied to requestors under PAIA, with the exception information required

- For criminal checks by the South African Police Services or Criminal Background Verification Agencies under legal circumstances.
- Credit and payment history for Credit Worthy verification by Credit Bureaus or Credit Verification Agencies

- INCOME TAX and VAT information required by the South African Revenue Services
- Employee related Information as required by the South African Revenue Services or the South African Department of Labour

Planned transborder flow of personal information

We will not transfer personal information to another country.

In certain cases this may be necessary, for example, when our suppliers are based outside South Africa or when the service we provide involves a foreign party. Such transfers will only take place if:

- They are essential to the nature of the transaction, and
- They comply with the requirements of POPIA and/or other applicable South African laws.

General description of information security measures implemented by the Platandia to ensure the confidentiality, integrity, and availability of the information

Platandia has implemented a range of reasonable and technical and organisational security measures to protect personal information against unauthorised access, unlawful processing, loss, destruction, or damage. These measures are reviewed and updated on as and when required, these measures include, among other things:

- **Employee Awareness:** Regular training for employees on security and privacy practices.
- **Third-Party Management:** Ensuring third-party operators and service providers apply adequate security safeguards through contractual agreements.

Physical Security: Access Control: Restricting physical access to offices and sensitive areas.

PROCEDURE TO REQUEST ACCESS

1. Completion of the prescribed form:

- Any request for access to a record in terms of PAIA must substantially correspond with Form 2 of Annexure A to Government Notice No. R.757 dated 27 August 2021 promulgated under the PAIA Regulations and should be specific in terms of the record requested. Please refer to Annexure B included below.
- A request for access to information which does not comply with the formalities as prescribed by PAIA will be not be processed.
- POPIA provides that a data subject may, upon proof of identity, request Platandia to confirm, free of charge, all the information it holds about the data subject and may request access to such information, including information about the identity of third parties who have or have had access to such information.

2. POPIA also provides that where the data subject is required to pay a fee for services provided to him/her, Platandia must provide the data subject with a written estimate of the payable amount before providing the service and may require that the data subject pays a deposit for all or part of the fee.

Grounds for refusal of the data subject's request are set out in PAIA and are discussed in under point 6 of this section.

3. POPIA provides that a data subject may object, at any time, to the processing of personal information by Platandia on reasonable grounds relating to his/her particular situation, unless legislation provides for such processing. The data subject must complete the prescribed form attached hereto as Annexure B and submit it to the Information Officer at the postal or physical address or electronic mail address set out above.

4. A data subject may also request Platandia to correct or delete personal information about the data subject in its possession or under its control that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading or obtained unlawfully; or destroy or delete a record of personal information about the data subject that Platandia is no longer authorised to retain records in terms of POPIA's retention and restriction of records provisions.

- A data subject that wishes to request a correction or deletion of personal information or the destruction or deletion of a record of personal information must submit a request to the Information Officer at the postal or physical address or electronic mail address set out above on the form attached hereto as Annexure B.

5. Proof of identity is required to authenticate your identity and the request. You may, in addition to this prescribed form, be required to submit acceptable proof of identity such as a certified copy of your identity document or other legal forms of identity.

6. Grounds for refusal of access and protection of information:

There are various grounds upon which a request for access to a record may be refused. These grounds include:

- the protection of personal information of a third person (who is a natural person) from unreasonable disclosure;
- the protection of commercial information of a third party (for example: trade secrets; financial, commercial, scientific or technical information that may harm the commercial or financial interests of a third party);
- if disclosure would result in the breach of a duty of confidence owed to a third party;
- if disclosure would jeopardise the safety of an individual or prejudice or impair certain property rights of a third person;
- if the record was produced during legal proceedings, unless that legal privilege has been waived;
- if the record contains trade secrets, financial or sensitive information or any information that would put Platandia at a disadvantage in negotiations or prejudice it in commercial competition; and/or
- if the record contains information about research being carried out or about to be carried out on behalf of a third party or by Platandia.

Section 70 of PAIA contains an overriding provision. Disclosure of a record is compulsory if it would reveal (i) a substantial contravention of, or failure to comply with the law; or (ii) there is an imminent and serious public safety or environmental risk; and (iii) the public interest in the disclosure of the record in question clearly outweighs the harm contemplated by its disclosure.

If the request for access to information affects a third party, then such third party must first be informed within 21 (twenty-one) days of receipt of the request. The third party would then have a further 21 (twenty-one) days to make representations and/or submissions regarding the granting of access to the record.

All access to Information that is available on Public Platforms are to be obtained directly from those platforms.

AVAILABILITY OF THE MANUAL

A copy of the Manual is available -

- On the website of the Platandia (www.platandia.com) and Avoova (www.avoova.com)
- At the head office of Platandia Jewellery Collection CC for public inspection during normal business hours
- To any person upon request upon the payment of a reasonable prescribed fee for a copy of the Manual per Annexure A of the PAIA Manual shall be payable for each A4-size photocopy or printout made.

UPDATING THE MANUAL

Platandia CC will review the PAIA manual and update it as required.

Issued by: **Rob Burton, Owner**

ANNEXURE A: Applicable fees

The table below sets out the fees applicable to any request for a record of information held by Platandia CC. These fees are to be paid by electronic bank transfer upon the time of the request.

There are two categories of fees which are payable:

- The request fee: R140
- The access fee: This is calculated by taking into account reproduction costs, search and preparation costs, as well as postal costs. Section 54 of PAIA entitles Platandia to levy a charge or to request a fee to enable it to recover the cost of processing a request and providing access to records.

The fees that may be charged are set out in Annexure B of Government Notice No. R.757 dated 27 August 2021 promulgated under the PAIA Regulations.

Timelines for consideration of a request for access: The Information Officer will inform the requester of the decision, and the fees payable (if applicable) on a form that corresponds substantially with Form 3 of Annexure A to Government Notice No. R.757 dated 27 August 2021 promulgated under the PAIA.

Item description	Fee in South African Rand
Request fee by every requester	140
Photocopy / printed page on A4 sized page in black and white	2
Photocopy / printed page on A4 sized page in colour (in the case of visual product related images only)	20
Electronic copy on disk / device provided by the requestor (Platandia does not provide electronic storage devices)	40
Fee per hour to search and prepare a single record requested	145 (limited to 435) in total

ANNEXURE B: Forms

The following forms are available on the site of the Information Regulator
More helpful information regarding the practical application of PAIA can be found on the website of the Information Regulator at <https://inforegulator.org.za/paia/>

- Form 02: Request for access to record <https://inforegulator.org.za/wp-content/uploads/2020/07/InfoRegSA-PAIA-Form02-Reg7.pdf>
- Form 03: Outcome of request and fees <https://inforegulator.org.za/wp-content/uploads/2020/07/Form-3-PAIA.pdf>
- Form 01: Request for a copy of the guide from the Information Regulator at <https://inforegulator.org.za/wp-content/uploads/2020/07/InfoRegSA-PAIA-Form01-Reg2.pdf>
- Form 01: Request for a copy of the guide from the Information Officer <https://inforegulator.org.za/wp-content/uploads/2020/07/InfoRegSA-PAIA-Form01-Reg3.pdf>
- Form 04: Internal appeal <https://inforegulator.org.za/wp-content/uploads/2020/07/InfoRegSA-PAIA-Form04-Reg9.pdf>
- Form 05: Complaint form <https://inforegulator.org.za/wp-content/uploads/2020/07/InfoRegSA-PAIA-Form05-Reg10-1.pdf>
- Form 13: Request for Assessment <https://inforegulator.org.za/wp-content/uploads/2020/07/PAIA-Request-for-Compliance-Assessment-Form-13.pdf>