NTE Company (Pty) Limited

POPIA AND PAIA MANUAL

PROMOTION OF ACCESS TO INFORMATION ACT (PAIA) and
PROTECTION OF PERSONAL INFORMATION ACT (POPIA) MANUAL
OF

NTE COMPANY (PTY) LTD
(2006/018354/07)

NTE (Pty) Limited
(1997/021769/07)

Fibregro Products (Pty) Limited
(2002/012163/07)

Mimosa Extract Company (Pty) Limited
(2009/018754/07)

Bondtite (Pty) Limited
(1971/007403/07)

REGISTERED OFFICE:
NTE HOUSE REDLANDS ESTATE, GEORGE MACFARLANE LANE
WEMBLEY, PIETERMARITZBURG, KWAZULU-NATAL, 3201

Prepared in accordance with Section 51 of the Promotion of Access to Information Act, No.2 of 2000 and to address the requirements of the Protection of Personal Information Act, No. 4 of 2013.

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1. LIST OF ACRONYMS AND ABBREVIATIONS

1.1 "MD"	Managing Director.
1.2 "Constitution"	Constitution of the Republic of South Africa, Act No. 108 of 1996.
1.3 "DIO"	Deputy Information Officer.
1.4 "IO "	Information Office.
1.5 "Minister"	Minister of Justice and Correctional Services.
1.6"PAIA"	Promotion of Access to Information Act No. 2 of 2000(as Amended).
1.7 "POPIA"	Protection of Personal Information Act No.4 of 2013.
1.8 "Regulator"	the Information Regulator established in terms of section 9 of POPOA.
1.9 "Republic"	Republic of South Africa; and

2. PURPOSE OF PAIA AND POPIA MANUAL

This PAIA and POPIA Manual is useful for the public to-

2.1.1 check the categories of records held by a body which are available without a person having to submit a formal PAIA and POPIA request;
2.1.2 have a sufficient understanding of how to make a request for access to a record of the body, providing a description of the subjects on which the body holds records and the categories of records held on each subject;
2.3 know the description of the records of the body which are available in accordance with any other legislation;
2.4 access all the relevant contact details of the Information Officer and Deputy Information Officer who will assist the public with the records they intend to access;
2.5 know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
2.6 know if the body will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;
2.7 know the description of the categories of data subjects and of the information or categories of information relating thereto;
2.8 know the recipients or categories of recipients to whom the personal information may be supplied;
2.9 know if the body has planned to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied; and
2.10 know whether the body has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

3. INTRODUCTION TO THIS PRIVATE BODY - NTE COMPANY HISTORY

NTE Company (Pty) Ltd, as it is known today, started out as The Natal Tanning Extract Company Limited, and it has been manufacturing wattle extract since 1920. It is one of the largest producers of tanning extracts in the world and has greatly contributed to the development of the leather tanning industry.

NTE has maintained a tradition of fairness and just dealing both in good times and in hard times, not only with matters connected to internal affairs but also in its relations with all who participate in the wattle industry.

In all aspects of its trade, from dealings with growers to the ultimate distribution of products, NTE has flourished. Its products have achieved universal popularity due to their consistency, quality and environmentally friendly properties, and NTE has a world-class team of technicians and chemists who produce ongoing research.

SECTION A - OUR DETAILS AND CONTACT PERSON

The person(s) responsible for the administration of, and compliance with the Act, has been delegated by the Managing Director (MD) to Bruce Findlay as the Designated Information Officer of NTE Company and Dushern Bahari as the Deputy Information Officer.

Requests pursuant to the provisions of the Act should be directed as follows:
The Managing Director has delegated his powers of Information Officer and Deputy Information Officer in terms of the PAIA to manage all requests on the Company's behalf and ensure that the requirements of the PAIA are administered in a fair, objective, and unbiased manner.

Full Name	NTE COMPANY (PTY) LTD
Registration Number	2006/018354/07
Registered Address	NTE HOUSE REDLANDS ESTATE, GEORGE MACFARLANE LANE, WEMBLEY, PIETERMARITZBURG, KWAZULU-NATAL, 3201
Postal Address	P O BOX 11176 DORPSPRUIT KWAZULU-NATAL 3206
Information Officer	
Name	Bruce Findlay
Telephone Number	+27 (33) 392 4800
Deputy Information Officer	Dushern Behari
Email	info@nte.co.za
Information general contacts	
Email Address	info@nte.co.za
Website	www.nte.co.za

SECTION B - INFORMATION REGULATOR GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

4.1. The Regulator has, in terms of section 10(1) of PAIA, as amended, updated and made available the revised Guide on how to use PAIA ("Guide"), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.
4.2. The Guide is available in each of the official languages and in braille.
4.3. The aforesaid Guide contains the description of-

4.3.1. the objects of PAIA and POPIA;
4.3.2. the postal and street address, phone and fax number and, if available, electronic mail address of-
4.3.2.1. the Information Officer of every public body, and
4.3.2.2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA[1] and section 56 of POPIA[2];
4.3.3.1. access to a record of a public body contemplated in section 11[3]; and4.3.3.2. access to a record of a private body contemplated in section 50 ;
4.3.3. the manner and form of a request for-
4.3.4. the assistance available from the IO of a public body in terms of PAIA and POPIA;
4.3.5. the assistance available from the Regulator in terms of PAIA and POPIA;
4.3.6. all remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging-
4.3.6.1. an internal appeal;
4.3.6.2. a complaint to the Regulator; and
4.3.6.3. 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 Regulator or a decision of the head of a private body;

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[1] *Section 17(1) of PAIA- For the purposes of PAIA, each public body must, subject to legislation governing the employment of personnel of the public body concerned, designate such number of persons as deputy information officers as are necessary to render the public body as accessible as reasonably possible for requesters of its records.*

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

[3] *Section 11(1) of PAIA- A requester must be given access to a record of a public body if that requester complies with all the procedural requirements in PAIA relating to a request for access to that record; and access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*

4.3.7. the provisions of sections 14[4] and 51[5] requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
4.3.8. the provisions of sections 15 [6]and 52[7] providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
4.3.9. the notices issued in terms of sections 22[8] and 54 [9]regarding fees to be paid in relation to requests for access; and
4.3.10. the regulations made in terms of section 92[10].
4.4. Members of the public can inspect or make copies of the Guide from the offices of the public and private bodies, including the office of the Regulator, during normal working hours.
4.5. The Guide can also be obtained-
4.5.1. upon request to the Information Officer;
4.5.2. from the website of the Regulator (https://www.justice.gov.za/inforeg/).
4.6. A copy of the Guide is also available in the following two official languages, for public inspection during normal office hours-
4.6.1 (SPECIFY THE TWO OFFICIAL LANGUAGES): Afrikaans and IsiZulu.

SECTION C - INFORMATION AVAILABLE IN TERMS OF THE ACT

1. **Policy regarding confidentiality and access to information**

NTE Company will protect the confidentiality of information provided to it by third parties, subject to the Company's obligations to disclose information in terms of any applicable law or regulation or a court order requiring disclosure of information. If access is requested to a record that contains information about a third party, NTE Company is obliged to attempt to contact such third party to inform him/her/it of the request.

NTE Company will give the third party an opportunity of responding by either consenting to access or by providing reasons why the access should be denied. If the third-party furnishing reasons for the support or denial of access, the Information Officer will consider these reasons in determining whether access should be granted to the requestor or not.

2. **Records automatically available - [section 51(1)(c)]**

At this stage, no notice(s) has/have been published in terms of section 52 of the PAIA on the categories of records that are automatically available without a person having to request access in terms of the PAIA.

Records that is automatically available at the registered office of NTE Company on payment of the prescribed fee for reproduction are:

- Records of NTE Company are lodged in terms of government requirements such as the Registrar of Deeds.
- Documentation and information relating to NTE Company which is held by the Companies and Intellectual Properties Commission in accordance with the requirements set out in set out in section 25 of the Companies Act 71 of 2008.
- Product and Services Brochures.
- News and other Marketing Information; and
- Certain other information relating to NTE Company is also made available on said website from time to time.

3. **Subjects and categories of records held by the company: [section 51(1)(e)]**

The list(s) below depict records of information which NTE Company has available in terms of laws applicable to it. Some of this information and the access thereto may be restricted to protect the Privacy and Private information of Data Subjects.

Statutory Company Information

a. Certificate of Incorporation
b. Registration Certificate
c. Certificate of Change of Name (where required)

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[4] *Section 14(1) of PAIA- The information officer of a public body must, in at least three official languages, make available a manual containing information listed in paragraph 4 above.*

[5] *Section 51(1) of PAIA- The head of a private body must make available a manual containing the description of the information listed in paragraph 4 above.*

[6] *Section 15(1) of PAIA- The information officer of a public body, must make available in the prescribed manner a description of the categories of records of the public body that are automatically available without a person having to request access.*

[7] *Section 52(1) of PAIA- The head of a private body may, on a voluntary basis, make available in the prescribed manner a description of the categories of records of the private body that are automatically available without a person having to request access.*

[8] *Section 22(1) of PAIA- The information officer of a public body to whom a request for access is made, must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.*

[9] *Section 54(1) of PAIA- The head of a private body to whom a request for access is made must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.*

[10] *Section 92(1) of PAIA provides that –"The Minister may, by notice in the Gazette, make regulations regarding-*
(a) any matter which is required or permitted by this Act to be prescribed;
(b) any matter relating to the fees contemplated in sections 22 and 54;
(c) any notice required by this Act;
(d) uniform criteria to be applied by the information officer of a public body when deciding which categories of records are to be made available in terms of section 15; and
(e) any administrative or procedural matter necessary to give effect to the provisions of this Act."

d. Memorandum of Incorporation
e. Minutes of Board and Sub Committee Meetings
f. Resolutions passed
g. Share registers
h. Company Disclosure certificates
i. Register of Directors and Public Officers
j. Directors' attendance registers
k. Annual Financial Statements
l. Management Accounts
m. Director Reports
n. Auditors Reports
o. Books of account regarding information required by the Companies Act
p. Supporting schedules and documentation relating to management accounts
q. All other forms and notices in terms of the Companies Act

Accounts Records

a. Books of accounts including journals and ledgers
b. Delivery notes, orders, invoices, statements, receipts, vouchers, and bills of exchange (where required).
c. Agreements
d. Banking records
e. Tax records, returns and supporting documentation
f. Correspondences
g. Management reports
h. Budgets
i. Treasury Dealing
j. General Ledger and Sub Ledgers
k. General Ledger Reconciliations

Statutory Employee Records

a. Employees' names and occupations
b. Salary and Wages register
c. Attendance register
d. Employment Equity plan
e. Settlement agreements
f. Determinations made in terms of the Wage Act
g. Records of strikes, lockouts, and protest action
h. Training records
i. Staff records (after date of employment ceases)
j. Expense accounts
k. IRP5 for employee returns
l. PAYE records and returns
m. Returns to UIF
n. Payroll Records

Other Employee Records

a. Housing Scheme - Company policies and procedures
b. Disability Scheme
c. Funeral Insurance Scheme
d. Group personal accident insurance
e. Group Life Insurance

Human Resources

a. BEE Statistics
b. Personnel Information
c. Employment Equity Reports
d. Employment Contracts
e. Training Records and Statistics
f. Policies and Procedures
g. CV's, application details
h. Disciplinary Code, Procedures and Records, CCMA and court matters, Retrenchment, and legal processes re employment matters
i. Job profiles
j. SETA Records
k. Social Responsibility

Environmental, Quality, Health and Safety

a. Noise and exposure records
b. Water quality monitoring program records
c. Waste water assessment and monitoring records
d. Records of wastewater discharges
e. Records of wastewater storage and wastewater disposal
f. Records of risk assessments and monitoring results in respect of hazardous biological agents
g. Records of assessment and air monitoring and asbestos inventory

h. Safety management systems, data, and audits
i. Permits licenses, approvals, and registrations for operations of sites and business.
j. Emergency response plans
k. Incident registers
l. Environmental management programs and systems
m. Details of air emission discharges
n. Quality management programs and systems
o. Customer complaints
p. Records of disposal of equipment
q. Standards

Fixed Property
a. Title Deeds
b. Leases
c. Building Plans
d. Mortgage bonds or other encumbrances to fixed property
e. Register of all immovable property owned by NTE Company

Movable Property
a. Asset register
b. Vehicle registration Documents

Intellectual Property
a. Agreements relating to intellectual property such as license agreements, secrecy agreements, research and development agreements, consulting agreements, copyright agreements, use agreements, joint venture agreements and joint venture development agreements (where necessary)
b. Litigation and other disputes involving intellectual property
c. Designs
d. Solutions and products developed
e. Knowledge

Agreements and Contracts
a. Material agreements concerning provision of services or materials.
b. Agreements with shareholders, officers, and/or Directors
c. Acquisition or disposal documentations
d. Agreements with contractors, supplier, and service providers
e. Agreement with customers
f. Sale agreements (where required)
g. Distributor, dealer, or agency agreements
h. Restraint agreements
i. Non-Disclosure agreements
j. Agreements with governmental agencies (where required)
k. Purchase or lease agreements

Taxation
a. Copies of all income tax returns and other tax returns and documents

Legal
a. Complaints, pleadings, briefs, and other documents pertaining to any actual, pending or threatened litigation, commercial disputes, arbitration, or regulatory investigation
b. Settlement agreements
c. Material licenses, permits and authorisations
d. Agreements and Contracts
e. Competition Notifications
f. SAPS investigations and cases
g. Records of Stolen Goods
h. Subpoenas
i. Disputes with third parties and ex-employees

Insurance
a. Insurance policies
b. Claim records
c. Details of insurance coverage, limits, and insurers
d. Insurance Declarations

Transportation
a. Transportation rights
b. Permits
c. Transportation system delivery plan
d. Transportation contracts

Information Technology

a. Hardware
b. Operating Systems
c. Telephone Exchange Equipment
d. Telephone lines, leased lines, and data lines
e. Disaster recovery Policy and systems
f. Contracts and Agreements
g. Licenses
h. Policies, procedures, standards, templates, and guidelines
i. Faults, Troubleshooting and Reporting
j. Performance of IT Infrastructure
k. Security Access
l. System/Application landscape Diagrams

Commercial - Sales and Marketing

a. Products
b. Markets
c. Customers
d. Brochures, newsletters, and advertising materials
e. Sales
f. Domestic and export orders
g. Delivery notes
h. Customer Satisfaction Surveys

Shipping & Logistics and Procurement

a. Dispatch
b. Statements of Work
c. Inspection
d. Inventory Records
e. Procurement Policy
f. Supplier and Contractor Agreements
g. Purchase Orders
h. Suppliers and Manufacturers Details
i. Standard Terms and Conditions of Supply of Services, Products and Software to the Company
j. Tender Documentation

4. Records that are not automatically available

Records of the Company which are not automatically available must be requested in terms of the procedure set out in section 8 of this PAIA Manual or the Regulations as set out in terms of POPIA, and which may be subject to the restrictions and right of refusal to access as provided for in the PAIA and in POPIA.

No request shall be accepted telephonically, nor shall any information be supplied telephonically. Only the Information officer or Deputy Information officer appointed shall have the mandate to disclose information in terms of this manual.

5. Procedure for requesting access to the above information

Records held by NTE Company may be accessed, on request, only once the requirements for access have been met. A requester is any person making a request for access to a record of the Company and in this regard, the Act distinguishes between two types of requesters:

- **Personal Requester**
  A personal requester is one who seeks access to a record containing the requester's own personal information.
- **Requester**
  Any person making a request for access to records of the Company.

- **Other Requester**
  Other requesters are those who request access to information pertaining to third parties.

A request will not automatically be granted and short reasons for the refusal shall be supplied. It should be noted that a request for access to information can be refused if the application does not comply with the requirement of the Act. Further the completion and submission of a request, does not automatically allow the requester access to the requested record.

The requester must comply with all the procedural requirements contained in the PAIA and POPI relating to the request for access to records.

If you wish to request access to any of the above categories of information (Section C) you are required to complete a request form as set out in Annexure "A" hereto. These forms are available from:

- Our Information Officer (whose contact details are in Section A of this manual).
- The Information regulator website ().

- The Department of Justice and Constitutional Development website (www.doj.gov.za).

A requester must state that the information is required 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 also provide an explanation of why the requested record is required for the exercise or protection of that right.

If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally to the information officer.

There is a prescribed fee (payable in advance) for requesting and accessing information in terms of the Act. Details of these fees are contained in the request form.

When a request is received by the Information Officer of the NTE Company, the Information Officer shall by notice require the requester, other than a personal requester, to pay the prescribed request fee, before further processing of the request.
You may also be called upon to pay the additional fees prescribed by regulation for searching for and compiling the information which you have requested, including copying charges 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.

The information officer shall withhold a record until the requester has paid the fee or fees as indicated. If a deposit has been paid in respect of a request for access, which is refused, then the information officer shall repay the deposit to the requester.

It is important to note that the successful completion and submission of an access request form does not automatically allow the requester access to the requested record. An application for access to a record is subject to certain limitations if the requested record falls within a certain category as specified within part 3 Chapter 4 of the Act.
NTE Company will process the request within 30 days of receipt of the request and decide whether to grant or decline the request and give notice with reason (if required) to that effect.

The 30-day period within which NTE Company has to decide whether to grant or refuse the request, may be extended for a further period of not more than 30 days, if the request is for a large volume of information, or the request requires a search for information held in another office and the information cannot reasonably be obtained within the original 30-day period. NTE will notify the requester in writing should extension be sought.

If it is suspected that the requester has obtained access to records through the submission of materially false or misleading information, legal proceedings may be instituted against such requester.

The completed Access Request Form together with a copy of the identity document must be submitted via conventional mail or e-mail and must be addressed to the contact person as indicated above.

6. Grounds for Refusal of Access to Records

NTE Company has the right to refuse access to information on legal grounds as set out in POPIA and in PAIA which will be on one or more of the following grounds:

- ***Mandatory protection of the personal information, special personal information or privacy of a third party who is a natural person (including children),*** if such disclosure would involve the unlawful or unreasonable disclosure of Personal Information about a third party, including a deceased individual or child, subject to the provisions of section 63 (2) of PAIA or any section or regulation of POPIA.

- ***Mandatory protection of the personal, confidential, or commercial information of the third party (which may be a natural person or legal entity)***, if the record contains:
    - Trade secrets of that party.
    - Financial, commercial, scientific, or technical information which disclosure could likely cause harm to the financial or commercial interest of that party.
    - Information disclosed in confidence by the third party to NTE if the disclosure could put the third party to a disadvantage in negotiations or commercial completion.
    - Mandatory protection of confidential information of third parties if it is protected in terms of any agreement.

- ***Mandatory protection of certain confidential information of third party***, where the head of a private body must refuse a request for access to a record of the body if its disclosure would constitute an action for breach of a duty of confidence owed to a third party in terms of an agreement.

- ***Mandatory protection of the safety of individuals and the protection of property***, where such disclosure could endanger the life or physical safety of an individual, or prejudice or impair the security of:

    - a building, structure, or any system
    - a means of transport, or
    - any other property.

- ***Mandatory protection of records which could be regarded as privileged in legal proceedings*** unless the legal privilege has been waived.

- ***Commercial information of private body,*** in that a request for access to a record may be refused if the record contains:

- trade secrets, financial, commercial, scientific, or technical information of the institution, which disclosure, could likely cause harm to the financial or commercial interest of the institution.
- Information which, if disclosed could prejudice or put the institution at a disadvantage in negotiations or commercial competition; and
- A computer program which is owned by the institution, and which is protected by copyright.

- ***Mandatory protection of research information of the institution***. A request will be refused if this disclosure would disclose the identity of the institution, the researcher or the subject matter of the research and would place the researcher at a serious disadvantage.

- ***Mandatory disclosure in public interest***. Despite any of the protections mentioned above, the Managing Director of the Company shall grant a request for access to a record if:

    a) the disclosure of the record would reveal evidence of
        - a substantial contravention of, or failure to comply with, the law; or
        - imminent and serious public safety or environmental risk; and
    b) the public interest in the disclosure of the record clearly outweighs the harm contemplated in the provision in question.

  - If disclosure of the record would prejudice or impair the security of property or means of transport.
  - If disclosure of the record would prejudice or impair the protection of a person in accordance with a witness protection scheme.
  - Disclosure of the record would put the Company at a disadvantage in contractual or other negotiations or prejudice it in commercial competition.
  - The record is a computer programme; and the record contains information about research being conducted or about to be conducted on behalf of a third party or the Company.

7. <u>Remedies Available if Request for Information is Refused</u>

If the request for access is refused, the Information Officer or Deputy Information Officer of the Company must:
(a) State adequate reasons for the refusal, including the provisions of this Act relied on.
(b) Exclude, from any such reasons, any reference to the content of the record; and
(c) State that the requester may lodge an application with a court against the refusal of the request, and the procedure (including the period) for lodging the application.

- **Internal Remedies**

  NTE Company adopts the internal appeal form 4 (information Regulator) as part of the internal appeal process. As such, the decision made by the information officer (or the Deputy Information Officer) pertaining to a request is final, and requester will have to exercise such external remedies at their disposal if a request is refused, and the requester is not satisfied with the response provided by the information officer.

- **External Remedies**

  A requester that is dissatisfied with the information officer's refusal to disclose information, may within 30 days of notification of the decision, apply to a court for appropriate relief. For purposes of the Act, courts that have authority over these applications are the Constitutional Court, the High Court, or another court of similar status. The court will review the request and decide whether in fact the Information Officer (or the Deputy Information Officer) of the Company should give the requester the information requested or not. A court hearing an application in terms of the PAIA Act may grant any order that is just and equitable including orders:

  a) Confirming, amending, or setting aside the decision which is the subject of the application. Requiring the Information Officer of the Company or relevant authority of a public body or the head of a private body to take such action or to refrain from taking such action, as the court considers necessary within the period mentioned in the court order.
  b) Granting an interdict, interim or specific relief, a declaratory order or compensation; or
  c) Granting an order as to costs.

8. <u>Records that cannot be found or do not exist</u>

If NTE Company has searched for a record and it is believed that the record does not exist or cannot be found, the requester will be notified by way of an affidavit or affirmation. This will include the steps that were taken to try to locate the record.

If after notice is given, the record in question is found, the requester must be given access thereto unless the ground for the refusal of access exists.

If the request is declined for any reason the notice must include adequate reasons for the decision, together with the relevant provisions of the PAIA relied upon and provide the procedure to be followed should the requester wish appeal the decision.

Section 59 provides that the Deputy Information Officer of the Company may serve a record and grant access only to that portion which the law does not prohibit access to.

9. Fees

9.1 The Act provides for two types of fees, namely:

- A request fee, which will be a standard fee; and
- An access fee, which must be calculated by considering reproduction costs, search and preparation time and costs, as well as postal costs.

9.2 When the request is received by the Information Officer of the Company, such person shall by notice require the requester to pay the prescribed request fee, if any, before further processing of the request.

9.3 If a requester requires access to records of his/her Personal Information, there shall be no request fee payable. However, the requester must pay the prescribed access and reproduction fees for such Personal Information.

9.4 If the search for the record has been made and the preparation of the record for disclosure including arrangements to make it available in the request form, requires more than the hours prescribed in the regulations for this purpose, the Information Officer of the Company 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.

9.5 The Information Officer of the Company shall withhold the record until the requester has paid the fees as indicated in Annexure B - Form 3 hereto.

9.6 A requester whose request for access to a record has been granted, must pay an access 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 records for disclosure including making arrangements to make it available in the request form.

9.7 If a deposit has been paid in respect of a request for access, which is refused, then the Information Officer of the Company must repay the deposit to the requester with interest at the prescribed rate.

10. Third parties

10.1 If the request is for the record pertaining to the third party, the Information Officer (or Deputy Information Officer) must take all reasonable steps to inform the third party of the request. This must be done within 21 (twenty-one) days of receipt of the request. The way this is done must be by the fastest means possible, but if orally, the Deputy Information Officer of the Company must thereafter give the third party a written confirmation of the notification.

10.2 The third party may within 21 (twenty-one) days thereafter either make representation to NTE Company as to why the request should be refused; alternatively grant written consent to the disclosure of the record.

10.3 The third party must be advised of the decision taken by the Information Officer (or Deputy Information Officer) of NTE Company whether to grant or to decline the request. A third party who is dissatisfied with the Deputy Information Officer of the Company's decision to grant a request for information, may within 30 (thirty) days of notification of the decision, apply to a Court for relief.

SECTION D – INFORMATION AVAILABLE IN TERMS OF OTHER LEGISLATION [SECTION 51(1) (D)]

Where applicable to our operations, records are kept in accordance with the following legislation:

- Basic Conditions of Employment Act 75 of 1997
- Broad Based Black Economic Empowerment Act 53 of 2003
- Companies Act 71 of 2008
- Compensation for Occupational Injuries and Disease Act 130 of 1993
- Competition Act 89 of 1998
- Constitution of South Africa Act 108 of 1996
- Consumer Protection Act 68 of 2008
- Copyright Amendment Act 9 of 2002
- Deeds Registries Amendment Act 20 of 2024
- Disaster Management Act 57 of 2002
- Electronic Communications and Transactions Act 25 of 2002
- Employment Equity Act 55 of 1998
- Employment Tax Incentive Act 26 of 2013
- Firearms Control Act 60 of 2000
- Fire Brigade Service Amendment Act 83 of 1990
- Hazardous Substance Act 15 of 1973
- Income Tax Act 36 of 1996
- Medicines and Related Substances Amendment Act 14 of 2015
- Labour Relations Act 66 of 1995
- National Credit Act 34 of 2005
- National Environmental Management Act 107 of 1998
- National Environmental Management Waste Act 59 of 2008
- National Environmental Management Air Quality Act 39 of 2004
- National Building Regulation and Standards Amendment Act 8 of 2008
- National Health Act 61 of 2003
- National Road and Traffic Act 93 of 1996
- National Water Amendment Act 27 of 2014
- Occupational Health and Safety Act 85 of 1993
- Promotion to Access to Information Act 2 of 2000
- Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000
- Patents Amendment Act 58 of 2002
- Prevention and Combating of Corrupt Activities Act 12 of 2004
- Protection of Personal Information Act 4 of 2013
- Protected Disclosures Act 26 of 2000
- Sales and Service Matters Act 80 of 1995
- Skills Development Amendment Act 37 of 2008
- Skills Development Levy Act 9 of 1999
- Tax Administration Act 28 of 2011
- Unemployment Insurance Amendment Act 32 of 2003
- Value-added Tax 89 of 1991

While NTE Company has used its best attempts to supply you with a list of applicable legislation it is possible that the above list may be incomplete. Wherever it comes to NTE Company's attention that existing or new legislation allows a requester access on a basis other than that set out in the PAIA or POPIA, we shall update the list accordingly.

1. In terms of section 51 of the Act

1.1 On 9 March 2001, the PAIA came into effect. The Act seeks to advance a culture of transparency and accountability in both public and private bodies. The legislation was enacted as a direct response to Section 32(2) of the Constitution of South Africa – the right of access to information – which requires that the Government implements laws to make information pertaining to public and private bodies more accessible to all.

1.2 The Act gives effect to the constitutional right of access to any information held by the State and any information that is held by another person and that is required for the exercise or protection of any rights. Where a request is made in terms of the PAIA, the body to whom the request is made is obliged to release the information, except where the PAIA expressly provides that the information may or must not be released.

1.3 One of the main requirements specified in the PAIA is the compilation of a manual that provides information on both the types and categories of records held by the public or private body. In terms of the PAIA, the Company is regarded as a "private body" and therefore the requirements regarding access must follow the provisions of the PAIA relevant to private bodies and more in particular Section 51 of the PAIA.

1.4 In compliance with Section 51 of the PAIA this PAIA Manual sets out the following details:

(a) The Company's contact details including, physical and postal addresses, telephone and fax numbers, electronic mail address of the person tasked in terms of this Code of Conduct.
(b) Information on how to obtain and access this Code of Conduct and a guide on how to use it.
(c) Categories of information held by the Company that is available without a person having to formally request such details in terms of the PAIA.
(d) Categories of information held by the Company that is available in accordance with other legislation and which, subject to the PAIA, may be made available by the Company on receipt of and consideration of a formal request, made in terms of the PAIA.
(e) Sufficient information to facilitate a request for access to records and a description of the subjects on which records are available from the Company.

1.5 Adherence to these requirements entails not only compilation of the external manual but also compliance with the general provisions stated in the PAIA.

SECTION E – PROCESSING OF PERSONAL INFORMATION

1. Purpose of Processing

NTE Company uses the Personal Information under its care in the following ways:

- Conducting credit reference checks and assessments
- Administration of agreements
- Providing products and services to customers
- Discounting and asset funding purposes
- Detecting and prevention of fraud, crime, money laundering and other malpractice
- Conducting market or customer satisfaction research
- Marketing and sales
- In connection with legal proceedings
- Staff administration
- Keeping of accounts and records
- Complying with legal and regulatory requirements

2. Categories of Data Subjects and of the information relating thereto

NTE Company may possess records relating to suppliers, shareholders, contractors service providers, staff, and customers:

Entity Type	Personal Information Processed
Customers - Natural Persons	Names; contact details; physical and postal addresses; date of birth; ID number; tax related information; nationality; gender; confidential correspondence
Customers – 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; shareholding information; BBBEE information
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; shareholding information; BBBEE information
Employees / Directors	Gender; pregnancy; marital status; colour, race; age; language; education information; financial information; employment history; ID number physical and postal address; contact details; opinions; criminal record; well-being

3. Categories of Recipients to whom the Personal Information may be supplied

NTE Company may share the Personal Information with its agents, affiliates, and associated companies who may use this information to send the Data Subject information on products and services. It may also supply the Personal Information to any party to whom it may have assigned or transferred any of its rights or obligations under any agreement, and/or to service providers who render the following services but not limited to:

- Capturing and organising of data.
- Storing of data.
- Sending of emails and other correspondence to customers.
- Investigations.
- Conducting due diligence checks.
- Administration of the Medical Aid and Pension Schemes.

Category of personal information	Recipients or categories of recipients to whom the personal information may be supplied
ID number and names for criminal checks	South African Police Service
ID number, address and names for vetting for access on site	National Intelligence
Qualifications for qualification verifications	South African Qualifications Authority
Credit and payment history for credit information	Credit Bureaus
ID number and names for death claims	Insurers
ID number and names for provident fund contributions	Provident fund
ID number and names for employee tax	SARS
ID number and names for declaration	UIF
ID number and names for booking travel	Travel Agency
ID number and names for appointing Company Secretary	CIPC
ID number and names of employee and dependants	Medical Aid
Medical history for hospital admission	Hospitals

ID number and names for Profession registration	Professional bodies
ID number and names for student enrolment	Training Service Provider

4. Actual or Planned Trans-border Flows of Personal Information

Personal Information may be transmitted transborder to NTE Company authorised dealers and its suppliers in other countries, and Personal Information may be stored in data servers hosted outside South Africa, which may not have adequate data protection laws. NTE Company will endeavour to ensure that its dealers and suppliers will make all reasonable efforts to secure said data and Personal Information.

5. Retention of Personal Information Records

NTE Company may retain Personal Information records indefinitely unless the Data Subject objects thereto. If the Data Subject objects to indefinite retention of its Personal Information NTE Company shall retain the Personal Information records to the extent permitted or required by law.

6. General Description of Information Security Measures

NTE Company employs up to date technology to ensure the confidentiality, integrity, and availability of the Personal Information under its care. Measures include:

- Firewalls.
- Virus protection software and update protocols
- Logical and physical access control.
- Secure setup of hardware and software making up the IT infrastructure.
- Outsourced Service Providers who process Personal Information on behalf of NTE Company are contracted to implement security controls.

7. Objection to processing of personal information in terms of POPIA

You may object to processing of your personal information at any time by completing *Annexure C - Form 1.*

Information Officer & Company Secretary	:	Bruce Findlay
Email address	:	info@nte.co.za

You may request reasonable assistance free of charge to make any request, or objection on any form supplied to you, by contacting the following:

Information Officer & Company Secretary	:	Bruce Findlay
Email address	:	info@nte.co.za

8. Request for correction or deletion of personal information or destroying / destruction thereof in terms of POPIA

You may request for correction or deletion or personal information or destroying / destruction or deletion of a record of personal information at any time by completing **Annexure D – Form 2**, attached hereto and by sending it to:

Information Officer & Company Secretary	:	Bruce Findlay
Email address	:	info@nte.co.za

You may request reasonable assistance free of charge to make any request, or objection on any form supplied to you, by contacting the following:

Information Officer & Company Secretary	:	Bruce Findlay
Email address	:	Info@nte.co.za

9. Withdrawal of consent in terms of POPIA

You may withdraw consent to process your personal information at any time by completing Annexure D – Form 2, attached hereto and by sending it to:

Information Officer & Company Secretary	:	Bruce Findlay
Email address	:	info@nte.co.za

You may request reasonable assistance free of charge to make any request, or objection on any form supplied to you by contacting the following:

Information Officer & Company Secretary	:	Bruce Findlay

Email address : info@nte.co.za

10. Complaints in terms of POPIA

You may lodge a complaint with the Regulator at the address and contact particulars set out below.

A complaint with the Regulator may be about an interference with the protection of your personal information the following regard:

- A breach of any of the conditions for lawful processing of POPIA; or
- Non-compliance with sections 22, 54, 69, 70, 71, 72 of POPIA; or
- A breach of a condition of a code of conduct in terms of section 60 of POPIA.

You may also lodge a complaint with the RESPONSIBLE PARTY by contacting the following:

Information Officer & Company Secretary : Bruce Findlay

Email address : info@nte.co.za

FORM 2 - Annexure A

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:	
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) A request fee must be paid before the request will be considered. *b) You will be notified of the amount of the access fee to be paid.* *c) 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.* *d) If you qualify for exemption of the payment of any fee, please state the reason for exemption*	
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 3 - Annexure B

OUTCOME OF REQUEST AND OF FEES PAYABLE

[Regulation 8]

Note:

1. *If your request is granted the—*
   (a) *amount of the deposit, (if any), is payable before your request is processed; and*
   (b) *requested record/portion of the record will only be released once proof of full payment is received.*
2. *Please use the reference number hereunder in all future correspondence.*

Reference number: _____

TO: _____
_____
_____
_____

Your request dated _____, refers.

1. You requested:

Personal inspection of information 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)* is free of charge. You are required to make an appointment for the inspection of the information and to bring this Form with you. If you then require any form of reproduction of the information, you will be liable for the fees prescribed in Annexure B.	

OR

2. You requested:

Printed copies of the information *(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 information on flash drive *(including virtual images and soundtracks)*	
Copy of information on compact disc drive*(including virtual images and soundtracks)*	
Copy of record saved on cloud storage server	

3. To be submitted:

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)*	

Kindly note that your request has been:

☐ Approved

☐ Denied, for the following reasons:

4. Fees payable with regards to your request:

Item	Cost per A4-size page or part thereof/item	Number of pages/items	Total
Photocopy			
Printed copy			
For a copy in a computer-readable form on: (i) Flash drive • To be provided by requestor (ii) Compact disc • If provided by requestor • If provided to the requestor	 R40.00 R40.00 R60.00		
For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on the quotation of the service provider		
Copy of visual images			
Transcription of an audio record, per A4-size	R24.00		
Copy of an audio record (i) Flash drive • To be provided by requestor (ii) Compact disc • If provided by requestor • If provided to the requestor	 R40.00 R40.00 R60. 00		
Postage, e-mail or any other electronic transfer:	Actual costs		
TOTAL:			

5. Deposit payable (if search exceeds six hours):

☐ Yes ☐ No

Hours of search		Amount of deposit *(calculated on one third of total amount per request)*	

The amount must be paid into the following Bank account:
Name of Bank: _____
Name of account holder: _____
Type of account: _____
Account number: _____
Branch Code: _____
Reference Nr: _____
Submit proof of payment to: _____

Signed at _____ this _____ day of _____ 20 _____

_____
Information officer

FORM 1 - Annexure C

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, 2017

[Regulation 2(1)]

Note:

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

Reference Number….

A	**DETAILS OF DATA SUBJECT**
Name and surname of data subject:	
Residential, postal or business address:	
	Code ( )
Contact number(s):	
Fax number:	
E-mail address:	
B	**DETAILS OF RESPONSIBLE PARTY**
Name and surname of responsible party*(if the responsible party is a natural)*:	
Residential, postal or business address:	
	Code ( )
Contact number(s):	
Fax number:	
E-mail address:	

Name of public or private body*(if the responsible party is not a natural person)*:	
Business address:	
	Code ( )
Contact number(s):	
Fax number:	
E-mail address:	
C	**REASONS FOR OBJECTION** *(Please provide detailed reasons for the objection)*

Signed at ..... this ..... day of .....20……...

.....
Signature of data subject (applicant)

FORM 2 - Annexure D

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, 2017
[Regulation 3(2)]

Note:
1. *Affidavits or other documentary evidence in support of the request must 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.*

Reference Number….

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 longerauthorised to retain the record of information.

A	**DETAILS OF THE DATA SUBJECT**
Surname:	
Full names:	
Identity number:	
Residential, postal or business address:	
	Code ( )
Contact number(s):	
Fax number:	
E-mail address:	
B	**DETAILS OF RESPONSIBLE PARTY**
Name and surname of responsible party*(if the responsible party is a natural person)*:	
Residential, postal or business address:	
	Code ( )
Contact number(s):	
Fax number:	
E-mail address:	

Name of public or private body *(if the responsible party is not a natural person)*:	
Business address:	
	Code ( )
Contact number(s):	
Fax number:	
E-mail address:	

C	**REASONS FOR *CORRECTION OR DELETION OF THE PERSONAL INFORMATION ABOUT THE DATA SUBJECT/*DESTRUCTION OR DELETION OF A RECORD OF PERSONAL INFORMATION ABOUT THE DATA SUBJECT WHICH IS IN POSSESSION OR UNDER THE CONTROL OF THE RESPONSIBLE PARTY.** *(Please provide detailed reasons for the request)*

***** *Delete whichever is not applicable*

Signed at ..... this ..... day of .....20……..

.....
Signature of Data subject