



Cape Town

MANUAL

as prescribed by the provisions of

THE PROMOTION OF ACCESS TO INFORMATION ACT,
2000

and

THE PROTECTION OF PERSONAL INFORMATION ACT,
2013

JUNE 2021

Version 1.0



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1. Introduction

The Promotion of Access to Information Act, 2 of 2000 ("PAIA" or "the Act") was enacted on 3 February 2000 coming into effect 9 March 2001 and the Protection of Personal Information Act, 4 of 2013 (POPIA) was enacted in November 2013 and came into effect 1 July 2020. The Information Regulator is now responsible for regulating both the flow and protection of information in terms of PAIA and POPIA respectively. The purpose of PAIA being to exercise the rights contained in Section 32(2) of the Constitution, which provides that any person has a right to gain access to any information held by a private or public body and POPIA to protect the constitutional right to privacy. If a record is requested from a private body, the requester must prove that the record is required for the exercise or protection of a right. The Information Regulator is mandated with overseeing compliance with both PAIA and POPIA.

2. Purpose

Bonpak is committed to protecting the right to privacy while advocating transparency in all its business activities. The purpose of this policy is to set out the records and information held by Bonpak and the procedure to acquire such records and information from Bonpak. The latest version of this policy must always be consulted and can be requested from the Information Officer.

3. Contact Details

Established in 1990, Bonpak supplies a wide range of glass & plastic containers to the food, pharmaceutical, cosmetics, fruit juice, mineral water, wine and spirit industries; to both big and small customers This manual covers:

- Bonpak Cape Town (Pty) Ltd
DTI Registration Number: 2008/012406/07



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Physical Address:	14 Inyoni Street Ndabeni Cape Town 7405
Postal Address:	Suite 7, Private Bag X10010, Edenvale, 1610
Contact Number:	021 706 1863
Contact email:	sales@bonpak.co.za
Information Officer:	Raymond Bondi ray@bonpak.co.za
Deputy Information Officer	Banele Thabo paia@bonpak.co.za

4. The Act

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.

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

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 Address:	www.sahrc.org.za
Email Address:	PAIA@sahrc.org.za



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5. Applicable Legislation

Bonpak is regulated a host of legislation that Bonpak is required to comply with i.e.: (this list needs to be refined and legislation not applicable removed or applicable legislation added)

Administration of Adjudication of Road Traffic Offences Act 46 of 1998
Basic Conditions of Employment Act 75 of 1997
Bills of Exchange Act 34 of 1964
Broad-Based Black Economic Empowerment Act 53 of 2003
Companies Act 71 of 2008
Compensation for Occupational Injuries and Diseases Act 130 of 1993
Competition Act 89 of 1998
Constitution of South Africa Act 108 of 1996
Consumer Protection Act 68 of 2009
Copyright Act 98 of 1987
Criminal Procedure Act 51 of 1977
Customs and Excise Act 91 of 1964
Electronic Communications and Transactions Act 2 of 2000
Employment Equity Act 55 of 1998
Firearms Control Act 60 of 2000
Formalities In Respect of Leases of Land Act 18 of 1969
Income Tax Act 58 of 1962
Labour Relations Act 66 of 1995
National Environmental Management Act 107 of 1998
National Environmental Management: Air Quality Act 39 of 2004
National Environmental Management: Waste Act 59 of 2008
National Water Act 36 of 1998
National Road Traffic Act 93 of 1996
Occupational Health and Safety Act 85 of 1993
Pension Funds Act 24 of 1956
Prescription Act 18 of 1943
Prevention & Combating of Corrupt Activities Act 12 of 2004
Prevention of Constitutional Democracy Against Terrorist & Related Activities Act 33 of 2004
Prevention of Organised Crime Act 121 of 1998
Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000
Protected Disclosures Act 26 of 2000
Regulation of Interception of Communications and Provisions of Communication Related Information Act 70 of 2002

Although we have used our best endeavours to supply a list of applicable legislation, it is



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possible that this list may be incomplete. Whenever it comes to our attention that existing or new legislation allows a Requester access on a basis other than as set out in PAIA, we shall update the list accordingly. If a Requester believes that a right of access to a record exists in terms of other legislation listed above or any other legislation, the Requester is required to indicate what legislative right the request is based on, to allow the Information Officer the opportunity of considering the request in light thereof.

6. Schedule of Information Held by Bonpak

6.1 The following records are automatically available to all employees and need not be requested in accordance with the procedure outlined in paragraph 7: (all these lists below need to be reviewed and applicable documents added or removed where necessary.)

- personnel records are available to the employee whose file it is;
- records of disciplinary hearings and related matters are available to the employee concerned;
- the company's policies and procedures manual;
- the company's document format manual.

6.2 The following records are automatically available to the general public and all employees and need not be requested in accordance with the procedure outlined in paragraph 7:

- Each company's Employment Equity Plan;
- Each company's Workplace Skills Plan and Annual Training Report;
- The Companies' Broad-Based Black Economic Empowerment Certificates.

6.3 The table below highlights the records that are not automatically available without a request in terms of the Act:

Client Services Records	Client correspondence
	Client fee files
	Client contracts
	Client business information

	Legal documentation
	Proposal and tender documents
	Project plans
	Risk management records
	Solution methodologies
	Standard terms and conditions of supply of goods and/or services
Corporate Governance	Working papers
	Codes of conduct
	Corporate social investment records
	Board meeting minutes
	Executive committee meeting minutes
	Legal compliance records
	Company Policies
Finance and Administration	Accounting records
	Annual financial statements
	Agreements
	Banking Records
	Correspondence
	Purchase orders
	Remittances
	Invoices and statements
	Tax records and returns
	Statistics SA returns
	VAT records and returns
Human Resources	BEE statistics
	Career development records
	Personnel information
	Employment equity reports
	General terms of employment
	Letters of employment
	Leave records
	Annual Medical Reports
	PAYE records and returns
	Performance management records
	Assessments Policies and procedures
	UIF returns
	Remuneration and benefits
	Retirement benefit
	Medical Aid records
Information Management and Technology	Agreements
	Equipment registers

	Information policies
	Standards, procedures and guidelines
Skills Development	Training material
	Training records and statistics
	Training agreements
	Learnership and Apprenticeship Programmes
Library and Information and Research Centre External publications	Internal publications
	Reference works
	Periodicals
	Research files and articles
Marketing and Communication	Proposal documents
	New business development
	Brand information management
	Marketing strategies
	Communication strategies
	Agreements
	Client relationship programmes
	Marketing publications and brochures and
	Sustainability programmes
Operations	Access control records
	Agreements
	Archival administration documentation
	Communication strategies
	General correspondence
	Patents and Trade Mark documents
	Insurance documentation
	PABX management information
	Service level agreements
	Standard trading terms and conditions of supply of services and goods
	Travel documentation
	Procurement agreements and documentation
	Used order books
	Vehicle registration documents and
	Cellular phone registration documents, including RICA
Secretarial Services	Applicable statutory documents, including but not limited to, certificates of incorporation and certificates to commence business
	Corporate structure documents
	Memoranda and Articles of Association
	Share registers
	Statutory Returns to relevant authorities
	Share certificates



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	Shareholder agreements
	Minutes of meetings and
	Resolutions passed

7. Information Request Procedure

A request for access to information held by Bonpak must be submitted in writing, using the Information Access Request Form in Annexure A addressed to the Information Officer and must include sufficient details to enable Bonpak to identify:

- The record being requested;
- The name and contact details of the requester (and if on behalf of another, proof of capacity and authority to act on behalf thereof);
- The form of access required;
- If the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof;
- The right which the requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right;

Upon receipt of the completed Information Access Request form and proof of payment of the prescribed fees, Bonpak will consider the request and provide a response within 21 working days. Should the request be denied, reasons will be provided and the requester will have the right to challenge the decision of Bonpak through the appropriate Magistrates Court.

8. Information Request Fees

All fees applicable are as prescribed and amended. Please refer to the SAHRC website <https://www.sahrc.org.za/> for the latest fees.

The current fees are:

- The "request fee" payable by a requester, other than a personal requester, is



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R50.

- The “fees for reproduction” referred to in section 52(3) and “access fees” payable by a requester referred to in section 54(7), unless exempted under section 54(8) of the Act, are as follows:
 - ♦ for every photocopy of an A4-size page or part thereof R1 - R10;
 - ♦ for every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form R0 - R75;
 - ♦ for a copy in a computer-readable form on:
 - (i) stiffer disc;
 - (ii) compact disc R70;
 - ♦ (i) for a transcription of visual images, for an A4-size page or part thereof R40;
 - ♦ (ii) for a copy of visual images R60;

 - ♦ (i) for transcription of an audio record, for an A4-size page or part thereof R20;
 - ♦ (ii) for a copy of an audio record R30
 - ♦ To search for the record for disclosure, R30 for each hour or part of an hour reasonably required for such search
 - ♦ The actual postal fee is payable when a copy of a record must be posted to a requester

9. Exemption from Paying Access Fees

The following are those exempted from paying access fees:

- i. A single person whose annual income does not exceed R14,712.00; or
- ii. Married persons or a person and his/her life partner whose annual income does not exceed R27,192.00



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Signed at CAPE TOWN on this 28th day of June 2021

R.A. BONDI.

Name



Signature

DIRECTOR

Designation



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Annexure A

Information Access Request Form

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY

Section 53(1) of the Promotion of Access to Information Act, 2000(Act No. 2 of 2000)

[Regulation 10]

1. Particulars of private body

The Information Officer / Deputy Information Officer:

Bonpak Cape Town (Pty) Ltd
14 Inyoni Street
Ndabeni
Cape Town
7405

Suite 7, Private Bag X10010,
Edenvale,
1610

Telephone: 011 608 4990

Email: PAIA@bonpak.co.za

2. Particulars of person requesting access to the record

- (a) The particulars of the person who requests access to the record must be given below.
- (b) The address and/or fax number in the Republic to which the information is to be sent



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Full names and surname: _____

Identity number: _____

Postal address: _____

Fax number: _____

Telephone number: _____

E-mail address _____

Capacity in which request is made, when made on behalf of another person:

3. Particulars of person on whose behalf request is made

This section must be completed *ONLY* if a request for information is made on behalf of another person.

Full names and surname _____

Identity number: _____

4. Particulars of record

- (a) 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.
- (b) If the provided space is inadequate, please continue on a separate folio and attach it to this form.



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Description of record or relevant part of the record:

Reference number, if available:

Any further particulars of record:

5. Fees

- (a) A request for access to a record, other *than* a record containing personal information about yourself, will be processed only after a request fee has been paid.
- (b) You will be *notified of* the amount required to be paid as the request fee.
- (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.

Reason for exemption from payment of fees:



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6. Form of access to record

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.

Disability:	Form in which record is required
-------------	----------------------------------

Mark the appropriate box with an X. NOTES:

Compliance with your request in the specified form may depend on the form in which the record is available.

Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.

The fee payable for access for the record, if any, will be determined partly by the form in which access is requested.

1. If the record is in written or printed form:			
	copy of record*		inspection of record
2. If record consists of visual images this includes photographs, slides, video recordings, computer-generated images, sketches, etc)			
	view the images		copy of the images**
			transcription of the images*

3. If record consists of recorded words or information which can be reproduced in sound:			
listen to the soundtrack audio cassette		transcription of soundtrack* written or printed document	
4. If record is held on computer or in an electronic or machine-readable form:			
printed copy of record*		printed copy of information derived from the record"	copy in computer readableform* (stiffy or compact disc)
'If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.		YES	NO

7. Particulars of right to be exercised or protected

If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

Indicate which right is to be exercised or protected:



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Explain why the record requested is required for the exercise or protection of the
aforementioned right:

8. Notice of decision regarding request for access

You will be notified in writing whether your request has been approved/denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to therecord?



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Signed at _____ on this _____ day of _____ 20__

SIGNATURE OF REQUESTER/ PERSON ON WHOSE BEHALF THE
REQUEST IS MADE
