



## Enza’Nathi IMS System


### Promotion of Access to Information Act (PAIA) Manual

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## ENZA CONSTRUCTION (PTY) LTD (Registration Number: 2004/002985/07)


# PROMOTION OF ACCESS TO INFORMATION ACT (PAIA) MANUAL

*Prepared in terms of Section 14 of the Promotion of Access to Information Act, 2000  
(Act No. 2 of 2000)*

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## 1. INTRODUCTION

This manual is compiled as a statutory requirement in compliance with the provisions of section 51 of the Promotion of Access to Information Act, 2000 (PAIA), which mandates all private bodies to compile and publish a manual indicating information/records under its custody that are readily available to the public, as well as those that need to be requested through provisions of the Act.

Enza Construction (Pty) Ltd (“ENZA”) is committed to compliance with the regulatory framework and directives of the South African Constitution which ratify the key principles of good corporate governance, transparency and accountability.


The Promotion of Access to Information Act No. 2 of 2000 (“PAIA”) gives effect to carry out section 32 of the South African Constitution, which focuses on the right to access information, i.e. everyone has the right of access to information held by the state or a private body in order to enforce a culture of transparency and accountability.

Section 51 of PAIA obliges private bodies to compile a manual to enable a person to obtain access to information held by such private body and stipulates the minimum requirements that the manual has to comply with.

This manual is compiled in accordance with section 51 of PAIA as amended by the Protection of Personal Information Act, 2013 (“POPIA”). POPIA promotes the protection of personal information processed by public and private bodies, including certain conditions so as to establish minimum requirements for the processing of personal information. POPIA amends certain provisions of PAIA, balancing the need for access to information against the need to ensure the protection of personal information.

This PAIA manual also includes information on the submission of objections to the processing of personal information and requests to delete or destroy personal information or records thereof in terms of POPIA.

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## 2. OBJECTIVES OF THE ACT

The objectives of PAIA according to section 9 are:

- To give effect to the constitutional right of access to information held by the state and any information held by another person required for the exercise or protection of any rights.
- To give effect to the right of access to information subject to justifiable limitations, including those aimed at the reasonable protection of privacy, commercial confidentiality, and effective, efficient, and good governance.
- To give effect to the constitutional obligations of the state to promote a human rights culture and social justice.
- To establish voluntary and mandatory mechanisms or procedures to give effect to the right of access to information in a manner which enables persons to obtain access to records of public and private bodies as swiftly, inexpensively, and effortlessly as reasonably possible.
- To promote transparency, accountability, and effective governance of all public and private bodies.

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## 3. PURPOSE OF THE MANUAL


This manual is intended to:

- Provide information on ENZA’s structure, functions and services it renders to the public and how to gain access to them.
- Provide information about ENZA’s contact details including postal, street, and electronic mail addresses; phone and fax numbers of the designated Information Officer.
- Provide a list of automatically available records under ENZA’s custody.
- Outline procedures to be followed by members of the public in accessing information under ENZA’s custody, in accordance with the provisions of PAIA.

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## 4. GUIDE ON HOW TO USE PAIA (SECTION 10)

The South African Human Rights Commission ("SAHRC") is mandated under PAIA to promote the right of access to information, monitor the implementation of PAIA, make recommendations to strengthen PAIA and to report annually to Parliament. The SAHRC compiled a guide on the use of

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the PAIA as prescribed by section 10 of the Act. The guide contains information which would be reasonably required of any person wishing to exercise any rights set out in the Act. The guide is available at the offices of the SAHRC as well as online. The guide is available in all the South African official languages and can be viewed at [www.sahrc.org.za](http://www.sahrc.org.za).

Any enquiries regarding the above guide and its contents should be directed to:

The South African Human Rights Commission  
PAIA Unit (the Research and Documentation Department)  
Postal address: Private Bag 2700, Houghton, 2041  
Telephone: +27 11 484 8300  
Fax: +27 11 484 7146  
Email: [paia@sahrc.org.za](mailto:paia@sahrc.org.za)

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## 5. ENZA’S CONTACT INFORMATION

All requests for access to records in terms of PAIA must be in writing and must be addressed to:

ENZA’s Information Officer  
Name: Ursula Eicker  
Telephone: +27 11 803 7000  
Fax: +27 11 803 7111  
Email: [Ursula.Eicker@enzacon.co.za](mailto:Ursula.Eicker@enzacon.co.za)

General Company Information  
Postal Address: P O Box 98774, Sloane Park, 2152  
Physical Address: 199 Bryanston Drive, Bryanston, Johannesburg, 2120  
Telephone: +27 11 803 7000  
Fax: +27 11 803 7000  
Email: [info@enzacon.co.za](mailto:info@enzacon.co.za)  
Website: [www.enzacon.co.za](http://www.enzacon.co.za)

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## 6. AVAILABILITY OF THE MANUAL

This manual will be updated as and when required, typically when the relevant legislation changes. The latest copy of this manual is available on ENZA's website, [www.enzacon.co.za](http://www.enzacon.co.za). Alternatively, this manual can be requested from the Information Officer via email.

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## 7. INFORMATION REGULATOR

To lodge a complaint against ENZA in relation to any query that ENZA fails to adequately respond to, please direct these to:

The Information Regulator (South Africa)

Physical address: JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2017

Postal address: P O Box 31533, Braamfontein, Johannesburg, 2017

Website: <https://eservices.inforegulator.org.za/>


Email: [helpdesk@inforegulator.org.za](mailto:helpdesk@inforegulator.org.za)

The Information Regulator is an independent body established in terms of section 39 of the Protection of Personal Information Act 4 of 2013. It is subject only to the law and the constitution and it is accountable to the National Assembly.

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## 8. LEGISLATIVE MANDATE INFORMING ENZA’S FUNCTIONS

- The Constitution of the Republic of South Africa No. 3 of 1994
- Companies Act, 2008 (Act No. 71 of 2008)
- Income Tax Act, 1962 (Act No. 58 of 1962)
- Value Added Tax Act, 1991 (Act No. 89 of 1991)
- Occupational Health and Safety Act, 1993 (Act No. 85 of 1993)
- Compensation for Occupational Injuries and Diseases Act, 1993 (Act No. 130 of 1993)
- Construction Industry Development Board Act, 2000 (Act No. 38 of 2000)
- National Building Regulations and Building Standards Act, 1977 (Act No. 103 of 1977)
- Labour Relations Act, 1995 (Act No. 66 of 1995)

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- Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997)
- Unemployment Insurance Act, 2001 (Act No. 63 of 2001)
- Broad-Based Black Economic Empowerment Act 53 of 2003
- Employment Equity Act 55 of 1998
- Skills Development Act 97 of 1998
- Skills Development Levies Act 9 of 1999
- Preferential Procurement Policy Framework Act 5 of 2000
- Amended Code Series CSC000: Framework for Measuring Broad-Based Black Economic Empowerment in the Construction Sector, Gazette No. 41287
- Electronic Communications and Transactions Act, 2002 (Act No. 25 of 2002)
- Telecommunications Act, 1996 (Act No. 103 of 1996)


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## 7. FUNCTIONS AND STRUCTURE OF ENZA CONSTRUCTION

### 7.1 Strategic Overview

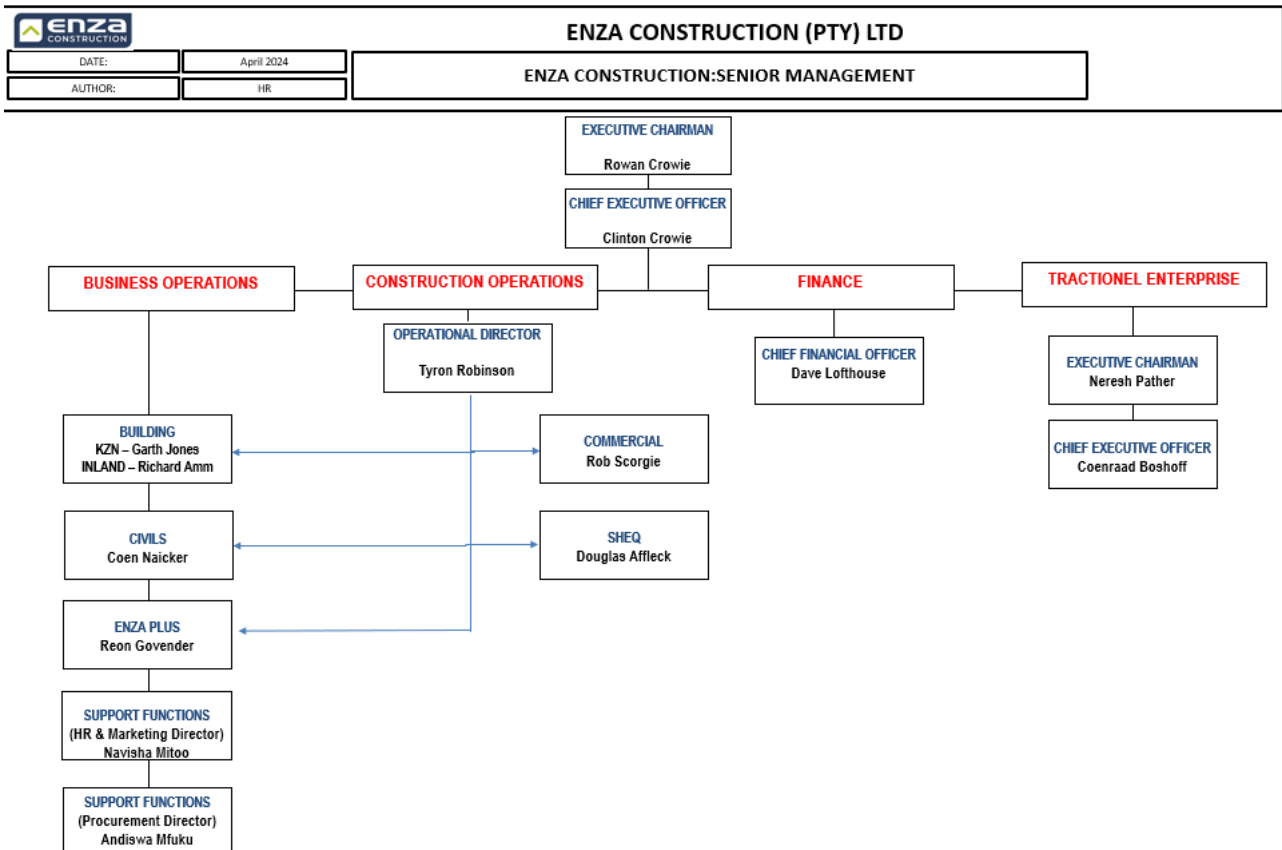
Enza Construction believes in developing communities and this is what makes ENZA different. We define communities as the employees that work at ENZA, its clients, sub-contractors, and the locals within the communities that ENZA builds in. ENZA works hard at creating integrated solutions that benefit all the communities within the ENZA family.

- Vision:
  - To be the infrastructure developer of choice in Southern Africa.
  - To be the preferred employer in the industry, retaining and attracting the best the industry has to offer.
  - To have a diverse, flexible and collaborative culture.
- Mission: To deliver the service right the first time, every time.
- Values:
  - We believe in the power of accountability
  - We believe in the power of solutions
  - We believe in the power of teamwork
  - We believe in the power of asking questions

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- We believe in the power of honesty
- We believe in the power of respect
- We are proud contributors to our community

## 7.2 Organisational Structure




## 8. ACCESS TO RECORDS HELD BY ENZA

This manual sets out a description of the subjects on which ENZA holds records and categories of records held on each subject. These include operational records utilized in the day-to-day running and administration of the business.

### 8.1 Categories of Records Held

- Companies Act Records



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- Financial Records
- Tax Records
- Human Resources Records
- Record of Tenders Submitted
- Construction and Engineering Records
- Health and Safety Records
- Environmental Records
- Legal Records
- Insurance Records
- Immovable and Movable Property Records
- Information Technology Records
- Marketing Records
- Client Records
- Supplier Records
- Internal Policies and Procedures
- Broad-Based Black Economic Empowerment Act Records


Access to these records may be protected by:

- Professional privilege
- Statutory provisions
- Third party confidential information
- Contractual confidentiality
- ENZA’s personnel privacy rights
- Information protected by legal proceedings

## 8.2 Procedure for Requesting Access

Any person requesting access to records held by ENZA must complete the necessary forms as per the PAIA requirements and submit them to the Information Officer. Requests can be made via email, fax, or postal service.

POPIA provides that a data subject may, upon proof of identity, request ENZA 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.

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POPIA provides that a data subject may object, at any time, to the processing of personal information by ENZA, on reasonable grounds relating to his/her particular situation, unless legislation provides for such processing.


A data subject may also request ENZA 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 ENZA is no longer authorised to retain in terms of POPIA's retention and restriction of records provisions.

If a data subject wishes to:

- Submit a data subject access request, they must complete the form attached hereto as Annexure A
- Object to the processing of their personal information, they must complete the form attached hereto as Annexure C
- Request a correction or deletion of personal information or the destruction or deletion of a record of personal information, they must complete the form attached hereto as Appendix D and submit it to the Information Officer.


8.2.1. The process for requesting information is as follows:

- The Requestor must use the prescribed form to make the request for access to a record. The form can be downloaded from the Department of Justice website (refer to Annexure A).
- The request must be made to the Information Officer at the address or electronic mail address provided in Section 5 of this manual.
- The Requestor must provide sufficient detail on the request form to enable the Information Officer to identify the record and the Requestor. The Requestor should also indicate which form of access is required.
- The Requestor should also indicate if they wish to be informed in any other manner and state the necessary particulars.
- The Requestor must identify the right that they are seeking to exercise or protect and

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provide an explanation of why the requested record is required for the exercise or protection of that right.

- If a request is made on behalf of another person, the Requestor must submit proof of the capacity in which the Requestor is making the request to the satisfaction of the Information Officer.
- The prescribed request fee must be attached (refer to Section 9 of this manual).
- The Information Officer will process the request within 30 days, unless the Requestor has stated special reasons, which would satisfy the Information Officer, that circumstances dictate that the above time periods not be complied with.
- The Requestor shall be informed in writing whether access has been granted or denied. If, in addition, the Requestor requires the reasons for the decision in any other manner, they must state the manner and the particulars so required.
- If a request is granted, a further access fee must be paid for the search, reproduction, and preparation of the record, and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.
- If the search for and preparation of the record for disclosure would require more than the prescribed hours:
  - The Information Officer will notify the Requestor to pay a deposit, not exceeding one-third of the access fee that would be payable if the request is granted
  - The Information Officer will withhold the record until the Requestor has paid the fee or deposit
- If the request is denied, the Information Officer will provide adequate reasons for the refusal and advise the Requestor of the appeal process.

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### 8.3 Categories of Requestors

The capacity under which a Requestor makes a request for records defines the category in which the Requestor will fall into. There are four categories of Requestors:

- A Data Subject who makes requests about themselves
- A Representative who makes a request on behalf of the Data Subject(s)
- A Third Party who requests information about a Data Subject
- A Public Body who requests information in the public interest

### 8.4 Automatically Accessible Information

Information that is obtainable via the ENZA website is automatically available and need not be formally requested in terms of this manual.

The following categories of records are automatically available for inspection, purchase or photocopying:

- Brochures
- Press releases
- Publications
- Various other marketing and promotional material


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## 9. PRESCRIBED REQUEST FEES

The fees for accessing records are in accordance with the prescribed fees under PAIA. Prescribed fees will be as per the published fees in accordance with PAIA.

The following fees are payable in respect of private bodies in terms of PAIA:

- 9.1. The fee for a copy of the manual as contemplated in regulation 9(2)(c) is R1,10 for every photocopy of an A4-size page or part thereof.
- 9.2. The fees for reproduction referred to in regulation 11(1) are as follows:
  - a) For every photocopy of an A4-size page or part thereof: R1,10

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- b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form: R0,75
- c) For a copy in a computer-readable form on compact disc: R70,00
- d) For a transcription of visual images, for an A4-size page or part thereof: R40,00
- e) For a copy of visual images: R60,00
- f) For a transcription of an audio record, for an A4-size page or part thereof: R20,00
- g) For a copy of an audio record: R30,00

9.3. The request fee payable by a Requestor, other than a personal Requestor, referred to in regulation 11(2) is R50,00.


9.4. The access fees payable by a Requestor referred to in regulation 11(3) are as follows:

- a) For every photocopy of an A4-size page or part thereof: R1,10
- b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form: R0,75
- c) For a copy in a computer-readable form on compact disc: R70,00
- d) For a transcription of visual images, for an A4-size page or part thereof: R40,00
- e) For a copy of visual images: R60,00
- f) For a transcription of an audio record, for an A4-size page or part thereof: R20,00
- g) For a copy of an audio record: R30,00
- h) To search for and prepare the record for disclosure, R30,00 for each hour or part of an hour reasonably required for such search and preparation.

9.5. For purposes of section 54(2) of PAIA, the following applies:

- a) Six hours as the hours to be exceeded before a deposit is payable; and
- b) One third of the access fee is payable as a deposit by the Requestor.

9.6. The actual postage is payable when a copy of a record must be posted to a Requestor.

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## 10. INFORMATION AVAILABLE IN TERMS OF POPIA

In terms of POPIA, personal information must be processed for a specified purpose. The purpose for which data is processed by ENZA will depend on the nature of the data and the particular data subject. This purpose is ordinarily disclosed, explicitly or implicitly, at the time the data is collected.

### 10.1 Categories of personal information collected by ENZA


ENZA may collect information relating to an identifiable, living, natural person; and where it is applicable; an identifiable, existing juristic person, including, but not limited to:

- Information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person
- Information relating to the education or the medical, financial, criminal or employment history of the person
- Any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person
- The biometric information of the person
- The personal opinions, views or preferences of the person
- Correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence
- The views or opinions of another individual about the person
- The name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person

### 10.2 The purpose of processing personal information

ENZA processes personal information for various purposes, including but not limited to:

- Fulfilling its contractual obligations to clients and employees
- Complying with legal and regulatory requirements
- Conducting business operations and improving services
- Managing employee information
- Marketing and communication
- Ensuring safety and security on ENZA’s premises

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### 10.3 Categories of data subjects

ENZA holds information and records on the following categories of data subjects:

- Employees / personnel
- Clients
- Vendors / suppliers
- Service providers
- Complainants
- Visitors
- Consultants
- Job applicants


### 10.4 Categories of recipients to whom personal information may be supplied

Depending on the nature of the personal information, ENZA may supply information or records to the following categories of recipients:

- Statutory oversight bodies, regulators or judicial commissions of enquiry making a request for data
- Any court, administrative or judicial forum and arbitration making a request for data or discovery in terms of the applicable rules
- South African Revenue Services, or another similar authority
- Anyone making a successful application for access in terms of PAIA or POPIA
- Subject to the provisions of POPIA and other relevant legislation, ENZA may share information about a client's creditworthiness with any credit bureau or credit providers industry association or other association for an industry in which ENZA operates.

### 10.5 Transborder flows of personal information

ENZA may need to transfer a data subject's information to service providers in countries outside South Africa, in which case it will fully comply with applicable data protection legislation applicable in South Africa. These countries may not have data-protection laws which are similar to those of South Africa.

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## 11. AVAILABILITY OF MANUAL

This manual is available on ENZA’s intranet and at the company’s head office.


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## 12. UPDATE AND REVIEW OF MANUAL


This manual will be updated and reviewed annually or as needed to reflect any changes in ENZA’s operations or legislative requirements.

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**ANNEXURES**

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### **Annexure A: PAIA Request Form**

This application form can be obtained from:

<https://inforegulator.org.za/wp-content/uploads/2020/07/InfoRegSA-PAIA-Form02-Reg7.pdf>

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### Annexure B: POPIA Data Subject Access Request Form

Name of Responsible Party request is made to	
If access to your own personal information records:	
<b>DETAILS OF DATA SUBJECT</b>	
Name(s) and surname/ registered name of data subject:	
Smart Shopper number (if applicable)	
Contact number(s):	
E-mail address:	
Detailed description of requested records and/or personal information. (If you are requesting access to your personal information, please identify the personal information record containing the person information, if known.)	

Preferred method of access to records	Confirmation of records	Receive a copy
<b>Responsible Party Use ONLY</b>		
Date Received:		
Comments:		

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

.....  
Signature of data subject/designated person

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## Annexure C: Objection to the Processing of Personal Information Form

### FORM 1 OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION - SECTION 11(3)

#### REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018

[Regulation 2]

**Note:**


*Affidavits or other documentary evidence as applicable in support of the objection may be attached.*

*If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.*

*Complete as is applicable.*

A	DETAILS OF DATA SUBJECT
Name(s) and surname/ registered name of data subject:	
Unique Identifier/ Identity Number	
Residential, postal or business address:	
	Code (    )
Contact number(s):	
Fax number / E-mail address:	
B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname/ Registered name of responsible party:	
Residential, postal or business address:	



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**Annexure D: Request for Correction of Deletion of Personal Information Form**

**FORM 2**

**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 longer authorised to retain the record of information.

<b>A</b>		<b>DETAILS OF THE DATA SUBJECT</b>	
Surname:			
Full names:			
Identity number:			
Residential, postal or business address:			
			Code (    )
Contact number(s):			
Fax number:			
E-mail address:			
<b>B</b>		<b>DETAILS OF RESPONSIBLE PARTY</b>	
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:	
<b>C</b>	<b>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)</b>

\*        *Delete whichever is not applicable*

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

.....  
*Signature of Data subject*