



heartwood<sup>®</sup>  
P R O P E R T I E S

# PAIA MANUAL

Prepared in terms of section 51 of the  
Promotion of Access to Information Act 2 of 2000 as amended

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Policy Owner: L. J. Whall, Information Officer

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## 1. ACRONYMS AND ABBREVIATIONS

1.1	<b>CEO</b>	Chief Executive Officer
1.2	<b>DIO</b>	Deputy Information Officer
1.3	<b>IO</b>	Information Officer
1.4	<b>Minister</b>	Minister of Justice and Correctional Services
1.5	<b>PAIA</b>	Promotion of Access to Information Act No.2 of 2000, as amended
1.6	<b>POPIA</b>	Protection of Personal Information Act No.4 of 2013
1.7	<b>Regulator</b>	Information Regulator

## 2. PURPOSE OF THIS PAIA MANUAL

Our PAIA Manual enables Heartwood Properties clients and any interested parties to:

- 2.1 Understand how we categorise and process the personal records in our possession;
- 2.2 Understand how we categorise data subjects;
- 2.3 Understand to whom records may be supplied;
- 2.4 Know which records are available without having to submit a formal PAIA request;
- 2.5 Understand how to request access to records;
- 2.6 Know if we intend to process personal data outside South Africa, and to whom;
- 2.7 Know that we have adequate security measures to ensure the confidentiality, integrity and availability of the personal records we hold;
- 2.8 Know how to access the Regulator's Guide on how to use the PAIA legislation.

### 3. CONTACT DETAILS FOR ACCESS TO PERSONAL INFORMATION

#### 3.1. Information Officer (IO)

Name: Lawrence John Whall  
Tel: 021 035 1744  
Email: [john@heartwoodprop.co.za](mailto:john@heartwoodprop.co.za)

#### 3.2. Deputy Information Officer (DIO)

Name: Koba Dumas  
Tel: 021 035 1744  
Email: [koba@heartwoodprop.co.za](mailto:koba@heartwoodprop.co.za)

#### 3.3. Head Office

Tel: 021 035 1744  
Email: [john@heartwoodprop.co.za](mailto:john@heartwoodprop.co.za)  
Website: [www.heartwoodproperties.co.za](http://www.heartwoodproperties.co.za)  
Physical address: Unit 8 Tonquani House  
6 Gardner Williams Avenue  
Paardevelei, Somerset West, 7130

### 4. RECORDS AVAILABLE WITHOUT AN ACCESS REQUEST

Applicable Legislation	Records Available	On website	On request
PAIA	PAIA Manual	✓	✓
POPIA	Privacy Policy	✓	✓
POPIA	Information Officer contact details	✓	✓

### 5. RECORDS AVAILABLE IN ACCORDANCE WITH OTHER LEGISLATION

Applicable Legislation	Records Available	On website	On request
Companies Act 71 of 2008	Memorandum of Incorporation		✓
Cape Town Stock Exchange (previously 4AX)	Annual Financial Statements	✓	✓
Cape Town Stock Exchange (previously 4AX)	Annual Report Supplementary Information	✓	✓
Cape Town Stock Exchange (previously 4AX)	Director and shareholder profiles	✓	✓

## 6. AREAS OF BUSINESS AND RELATED RECORDS HELD

Area of Business	Records held
Management	<ul style="list-style-type: none"><li>- Strategic Plans and Business Proposals</li><li>- Annual Reports, Reviews and Plans</li></ul>
Finance	<ul style="list-style-type: none"><li>- Accounting records</li><li>- Asset registers</li><li>- Annual Financial Statements</li><li>- Annual Report Supplementary Information</li><li>- Banking details of directors, service providers, clients</li><li>- Invoices</li><li>- Tax returns and records</li><li>- UIF</li></ul>
Human Resources	<ul style="list-style-type: none"><li>- HR policies and procedures</li><li>- Director and shareholder contracts and personal records</li></ul>
Core Business	<ul style="list-style-type: none"><li>- Property development agreements and related info</li><li>- Property lease and sale agreements and related info</li><li>- Service provider agreements and contact details</li></ul>
Marketing	<ul style="list-style-type: none"><li>- Mailing list (email addresses, telephone numbers, related company names)</li><li>- Marketing materials</li></ul>

## 7. PROCESSING PERSONAL INFORMATION

### 7.1 Reasons for processing personal information

We process personal information in the course of our core business, such as development deals, office and warehouse tenant leases, commercial and industrial property sales. This includes parties such as stakeholders, development teams, building and infrastructure contractors, business service providers, property brokers and the estate agencies they are employed by.

Personal information is also processed and shared in the course of managing the business, such as appointing and remunerating directors, contractors and service providers, generating reports and documents in order to comply with legislation, maintaining a compliant, secure and efficient infrastructure such as offices and the communication and storage of information.

## 7.2 Data subject categories and the related personal information

The following table lists the categories of data subjects in respect of whom we process personal information, and describes the type of information related to each category the nature of which is defined by our purpose and requirements in effectively conducting our core business in compliance with all the legislation that governs us.

Category	Personal Information that may be processed
Clients and associates	Names, addresses, registration and/or identity numbers, credit status, employment status, bank account details
Service Providers	Names, addresses, registration and/or identity numbers, trade secrets, bank account details
Directors	Names, addresses, identity numbers, qualifications, demographics, bank account details

## 7.3 The recipients to whom personal information may be supplied

The following table lists the people or bodies to whom Heartwood Properties may disseminate personal information in the course of business. Any information that may be deemed confidential to our directors, clients, associates and service providers will not be shared without their prior permission.

Personal Information	Recipients to whom the PI may be supplied
ID numbers and names, for criminal checks	South African Police Services
Qualifications, for qualification verifications	South African Qualifications Authority
ID numbers and names, banking details for credit status verification	Credit Bureaus Registered estate agents, who would then provide these details to their chosen Credit Bureaus

## 7.4 Planned transborder flows of personal information

Heartwood Properties has no planned transborder flows of personal information. All information is stored and/or backed up on a cloud file server that is based in Cape Town, South Africa.

## 7.5 Information security measures

Heartwood Properties ensures the confidentiality and integrity of the personal information records held by the use of a secure and encrypted file server, anti-virus and anti-malware solutions. We have contracts with our service providers to ensure that they comply with and maintain the security and confidentiality standards as set out in our Data Protection Policy.

## 8. AVAILABILITY AND CURRENCY OF THE PAIA MANUAL

### 8.1 Availability of our PAIA Manual:

- 8.1.1 For viewing or download on our website [www.heartwoodproperties.co.za](http://www.heartwoodproperties.co.za)
- 8.1.2 For viewing at the Heartwood Properties head office during business hours
- 8.1.3 A copy will be provided on request to any verifiable person upon payment of the prescribed fee noted in Annexure B of the Regulations.
- 8.1.4 A copy will be provided on request to the Information Regulator.

### 8.2 Currency of our PAIA Manual:

- 8.2.1 The manual is kept updated by the Information Officer appointed at Heartwood Properties.

## 9. ABOUT THE PAIA GUIDE

- 9.1 The Regulator has, in terms of section 10(1) of PAIA, made a revised Guide available
- 9.2 The Guide is available in braille and in each of the official languages, and explains how to exercise the rights contemplated in PAIA and POPIA, including:
  - 9.2.1 The objectives of PAIA and POPIA;
  - 9.2.2 The addresses and contact details of the Information Officer of every public body, and the Deputy Information Officer(s) of every public and private body designated in terms of section 17(1) of PAIA<sup>1</sup> and section 56 of POPIA<sup>2</sup>;

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<sup>1</sup> 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.*

<sup>2</sup> 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.*

- 9.2.3 The manner and form of a request for access to a record of a public body contemplated in section 11<sup>3</sup>, and a private body contemplated in section 50<sup>4</sup>
- 9.2.4 The assistance provided by the IO of a public body in terms of PAIA and POPIA;
- 9.2.5 Assistance is provided by the Regulator in terms of PAIA and POPIA;
- 9.2.6 Available remedies in law 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 an internal appeal, a complaint to the Regulator; or an application against a decision by the IO or head of a public body, or the Regulator;
- 9.2.7 The provisions of sections 14<sup>5</sup> and 51<sup>6</sup> requiring public and private bodies, respectively, to compile and make available a PAIA Manual;
- 9.2.8 The provisions of sections 15<sup>7</sup> and 52<sup>8</sup> providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
- 9.2.9 The notices issued in terms of sections 22<sup>9</sup> and 54<sup>10</sup> regarding fees to be paid in relation to requests for access; and
- 9.2.10 The regulations made in terms of section 92<sup>11</sup>.

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<sup>3</sup> 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.

<sup>4</sup> Section 50(1) of PAIA- A requester must be given access to any record of a private body if-

- a) that record is required for the exercise or protection of any rights;
- b) that person complies with the procedural requirements in PAIA relating to a request for access to that record; and
- c) access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.

<sup>5</sup> 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.

<sup>6</sup> 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.

<sup>7</sup> 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

<sup>8</sup> 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

<sup>9</sup> 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.

<sup>10</sup> 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.

<sup>11</sup> 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.”