

This manual was prepared in accordance with Section 51 of the Promotion of Access to Information Act, 2000 and to address requirements of the Protection of Personal Information Act, 2013.

POPIA & PAIA MANUAL

This PAIA Manual of Aurex Constructors (Pty) Ltd is approved and signed by the Head of the Private Body on this 30th day of June 2021.



By: Stuart Peter Kent, Chief Executive Officer
Aurex Constructors (Pty) Ltd



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Appendix 1: Request for Access to Record of Private Body (Form C)

Appendix 2: Objection to the Processing of Personal Information in terms of Section 11(3) of the Protection of Personal Information Act, 2013

Appendix 3: 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



1. Background to the Promotion of Access to Information Act

The Promotion of Access to Information Act, No. 2 of 2000 (the “PAIA”) was enacted on 3 February 2000, giving effect to the constitutional right in terms of Section 32 of the Bill of Rights contained in the Constitution of the Republic of South Africa 108 of 1996 (the “Constitution”) 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.

In terms of Section 51 of PAIA, all Private Bodies are required to compile an Information Manual (“PAIA Manual”).

Where a request is made in terms of PAIA, the body to whom the request is made is obliged to release the information, subject to applicable legislative and / or regulatory requirements, except where PAIA expressly provides that the information may be adopted when requesting information from a public or private body.

2. Aurex Constructors (Pty) Ltd

Aurex Constructors delivers sustainable, agile, and innovative end-to-end solutions for construction, turnarounds, and maintenance. All our solutions and services are grounded in quality, innovation, and inclusion.

This PAIA Manual of Aurex Constructors is available at its premises: 89 14th Road, Midrand, 1685, as well as on its website: <https://www.aurex.africa/>

3. Purpose of the PAIA Manual

The purpose of PAIA is to promote the right of access to information, to foster a culture of transparency and accountability within Aurex Constructors by giving the right to information that is required for the exercise or protection of any right and to actively promote a society in which the people of South Africa have effective access to information to enable them to exercise and protect their rights.

In order to promote effective governance of private bodies, it is necessary to ensure that everyone is empowered and educated to understand their rights in relation to public and private bodies.

Section 9 of PAIA recognises that the right to access information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to:

- ^ Limitations aimed at the reasonable protection of privacy;
- ^ Commercial confidentiality; and
- ^ Effective, efficient and good governance;
- ^ and in a manner which balances that right with any other rights, including such rights contained in the Bill of Rights in the Constitution.

This PAIA Manual complies with the requirements of guide mentioned in Section 10 of PAIA and recognises that upon commencement of the Protection of Personal Information Act 4 of 2013, that the appointed Information Regulator will be responsible to regulate compliance with PAIA and its regulations by private and public bodies.



In summary, this PAIA manual provides information on:

- ^ The contact details of the Information Officer;
- ^ Subjects and categories of records held by Aurex Constructors; and
- ^ The procedure that needs to be followed and criteria that must be met by a requester to request access to a record.

4. Who may Request Access to Information (Section 50)

PAIA provides that a requester is only entitled to access to a record if the record is required for the exercise or protection of a right. Only requests for access to a record, where the requester has satisfied the Information Officer that the record is required to exercise or protect a right, will be considered. A requester may act in different capacities in making a request for a record. This will influence the amount to be charged when a request has been lodged.

Requesters may make a request as:

- ^ A personal requester who requests a record about himself/herself;
- ^ An agent requester who requests a record on behalf of someone else with that person's consent and where it is required for the protection of that person's legal right;
- ^ A third-party requester who requests a record about someone else with that person's consent and where it is required for the protection of that person's legal right; and
- ^ A public body who may request a record if:
 - ^ It fulfills the requirements of procedural compliance;
 - ^ The record is required for the exercise or protection of a right; and
 - ^ No grounds for refusal exist.

5. Contact Details of the Chief Executive Officer (Section 51(1)(a))

Chief Executive Officer	Stuart Peter Kent
Registered Address:	89 14th Road, Midrand, 1684
Postal Address:	Same as above
Telephone Number:	(+27) 11 203 9600
Email Address:	info@arex.africa
Website:	https://www.arex.africa/

6. The Information Officer [Section 51(1)(b)]

The Act prescribes the appointment of an Information Officer for public bodies where such Information Officer is responsible to, inter alia, assess request for access to information. The head of a private body fulfils such a function in terms of Section 51. Aurex Constructors has



opted to appoint an Information Officer to assess such a request for access to information as well as to oversee its required functions in terms of PAIA.

The Information Officer appointed in terms of PAIA also refers to the Information Officer as referred to in the Protection of Personal Information Act 4 of 2013. The Information Officer oversees the functions and responsibilities as required for in terms of both this Act as well as the duties and responsibilities in terms of Section 55 of the Protection of Personal Information Act 4 of 2013 after registering with the Information Regulator.

The Information Officer may appoint, where it is deemed necessary, Deputy Information Officers, as allowed in terms of Section 17 of PAIA as well as Section 56 of the Protection of Personal Information Act 4 of 2013. This is in order to render Aurex Constructors as accessible as reasonable possible for requesters of its records and to ensure fulfilment of its obligations and responsibilities as prescribed in terms of Section 55 of the Protection of Personal Information Act 4 of 2013. All request for information in terms of this Act must be addressed to the Information Officer.

6.1 Contact Details of the Information Officer and Deputy Information Officer(s)

Information Officer:	Stuart Peter Kent
Deputy Information Officer(s):	Rohini Pillay / Johan Claassen
Registered Address:	89 14th Road, Midrand, 1684
Postal Address:	Same as above
Telephone Number:	(+27) 11 203 9600
Email Address:	info@aurex.africa
Website:	https://www.aurex.africa/

7. Policy in Respect to Confidentiality and Access to Information

Aurex Constructors will protect the confidentiality of information provided to it by third parties, subject to Aurex Constructors' obligations to disclose information in terms of any applicable law or a court order requiring disclosure of the information. If access is requested to a record that contains information about a third-party, Aurex Constructors is obliged to attempt to contact this third-party to inform them of the request.

This enables the third-party the opportunity of responding by either consenting to the access or by providing reasons why the access should be denied. In the event that 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, or not.

8. Guide of the SAHRC

PAIA 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 PAIA shall be made in accordance with the prescribed procedures, at the rates provided.



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.

8.1 Contact details of the SAHRC:

Contact Body:	The South African Human Rights Commission
Physical Address:	PAIA Unit, 29 Princess of Wales Terrace, Cnr. York and Andrew Streets, Parktown
Postal Address:	Private Bag 2700, Houghton, 2041
Telephone Number:	(+27) 11 877 3600
Email:	PAIA@sahrc.org.za
Website:	www.sahrc.org.za

9. Automatic Disclosure: Records Automatically Made Available to the Public (if any) [Section 51(1)(c)]

No notice has been published on the categories of records that are automatically available without a person having to request access in terms of Section 52(2) of PAIA. However, the following records are automatically available at the registered office of Aurex Constructors on payment of the prescribed fee for reproduction:

- ^ Documentation and information relating to Aurex Constructors which is held by the CIPC in accordance the requirements set out in Section 25 of the Companies Act 71 of 2008.
- ^ Product and promotional brochures
- ^ News and other marketing information

10. Subjects and Categories of Records Available only on Request to Access in Terms of POPIA

10.1 Records held by Aurex Constructors (Pty) Ltd

For the purposes of this clause 10.1, "Personnel" refers to any person who works for, or provides services to, or on behalf of Aurex Constructors and receives or is entitled to receive remuneration and any other person who assist in carrying out or conducting the business of Aurex Constructors. This includes, without limitation, directors (executive and non-executive), all permanent, temporary and part-time staff, as well as contract workers.

This clause serves as a reference to the categories of information that Aurex Constructors holds. The information is classified and grouped according to records relating to the following subjects and categories:



Subject	Category
Corporate Secretariat and Governance	<ul style="list-style-type: none"> ^ Applicable Statutory Documents ^ Annual Reports ^ Board of Directors and Board Committee Terms of Reference ^ Codes of Conduct ^ Executive Committee Meeting Minutes ^ Legal Compliance Records ^ Memoranda of Incorporation ^ Minutes of Board of Directors and Board Committee Meetings ^ Minutes of Shareholders' Meetings ^ Group Policies and Procedures ^ Share Certificates ^ Shareholder Agreements ^ Share Registers (Aurex Constructors' official share register is however maintained by its transfer secretary) ^ Strategic plans ^ Statutory Returns to Relevant Authorities
Financial and Income Tax Records	<ul style="list-style-type: none"> ^ Policies and Procedures ^ Accounting Records ^ Annual Financial Statements ^ Asset Registers ^ Audit Reports ^ Capital Expenditure Records ^ Investment Records ^ Invoices and Statements ^ Management Reports ^ Purchasing Records ^ Sale and Supply Records ^ Tax Records and Returns ^ Treasury Dealing ^ Transactional Records ^ Rental Agreements ^ Customer details ^ Credit application information ^ Information and records provided by a third-party ^ PAYE Records; ^ Documents issued to employees for income tax purposes; ^ Payroll reports/ Wage register; ^ Records of payments made to SARS on behalf of employees; ^ All other statutory compliances: ^ VAT ^ Regional Services Levies ^ Skills Development Levies ^ UIF Returns ^ Workmen's Compensation
Human Resources	<ul style="list-style-type: none"> ^ Address Lists;



Subject	Category
	<ul style="list-style-type: none"> ^ Disciplinary Code and Records; ^ Employee benefits arrangements rules and records; Employment Contracts; ^ Employment Equity Plan Forms and Applications; Grievance Procedures; ^ Leave Records; ^ Medical Aid Records; ^ Pension Fund Records; ^ Policies and Procedures ^ Salary Records; ^ Study Assistance Scheme/s ^ Standard letters and notices Training Manuals; ^ Training Records; ^ Workplace and Union agreements and records;
Legal	<ul style="list-style-type: none"> ^ Complaints, pleadings, briefs and other documents pertaining to any actual or pending litigation, arbitration or investigation ^ Contracts with service providers, customers and third parties.
Procurement	<ul style="list-style-type: none"> ^ Standard Terms and Conditions for supply of services and products; ^ Contractor, client and supplier agreements; ^ Lists of suppliers, products, services and distribution; and ^ Policies and Procedures.
Marketing and Communications	<ul style="list-style-type: none"> ^ Media Releases ^ Newsletters and Publications ^ Public Corporate Records ^ Marketing Strategies ^ Policies and Procedures
Risk Management and Audit	<ul style="list-style-type: none"> ^ Audit reports; ^ Risk management frameworks; and ^ Risk management plans.
Safety, Health and Environment	<ul style="list-style-type: none"> ^ Complete Safety, Health and Environment Risk Assessment ^ Environmental Managements Plans ^ Inquiries, inspections, examinations by environmental authorities ^ Incident Reports ^ Safety, Health and Environmental records; ^ Policies and Procedures
Information Technology	<ul style="list-style-type: none"> ^ Computer / mobile device usage policy documentation; ^ Disaster recovery plans; ^ Hardware asset registers; ^ Information security policies/standards/procedures; Information technology systems and user manuals Information usage policy documentation;



Subject	Category
	<ul style="list-style-type: none"> ^ Project implementation plans; ^ Software licensing; and ^ System documentation and manuals
Corporate Social Responsibility (CSR)	<ul style="list-style-type: none"> ^ CSR schedule of projects/record of organisations that receive funding; ^ Reports, books, publications and general information related to CSR spend; ^ Records and contracts of agreement with funded organisations

Note that the accessibility of the records may be subject to the grounds of refusal set out in this PAIA manual. Amongst other, records deemed confidential on the part of a third-party, will necessitate permission from the third-party concerned, in addition to normal requirements, before Aurex Constructors will consider access.

11. Records Available without a Request to Access in terms of POPIA

Records of a public nature, typically those disclosed on the Aurex Constructors website, may be accessed without the need to submit a formal application.

Other non-confidential records, such as statutory records maintained at CIPC, may also be accessed without the need to submit a formal application, however, please note that an appointment to view such records will still have to be made with the Information Officer.

12. Description of the Records of the Body which are available in accordance with any other Legislation [Section 51 (d)]

Where applicable to its operations, Aurex Constructors also retains records and documents in terms of the legislation below. Unless disclosure is prohibited in terms of legislation, regulations, contractual agreement or otherwise, records that are required to be made available in terms of these acts shall be made available for inspection by interested parties in terms of the requirements and conditions of PAIA; the below mentioned legislation and applicable internal policies and procedures, should such interested parties be entitled to such information. A request to access must be done in accordance with the prescriptions of PAIA.

- ^ Attorneys Act, No. 52 of 1979;
- ^ Auditing Professions Act, No 26 of 2005;
- ^ Basic Conditions of Employment Act, No 75 of 1997;
- ^ Broad- Based Black Economic Empowerment Act, No 75 of 1997;
- ^ Companies Act, No 71 of 2008;
- ^ Compensation for Occupational Injuries & Diseases Act, 130 of 1993;
- ^ Competition Act, No.71 of 2008;
- ^ Constitution of the Republic of South Africa 2008;



- ^ Consumer Protection Act 68, of 2008
- ^ Copyright Act, No 98 of 1978;
- ^ Criminal Procedure Act, 51 of 1977
- ^ Customs & Excise Act, 91 of 1964;
- ^ Debt Collectors Act 114 of 1998
- ^ Electronic Communications Act, No 36 of 2005;
- ^ Electronic Communications and Transactions Act, No 25 of 2002;
- ^ Employment Equity Act, No 55 of 1998;
- ^ Financial Intelligence Centre Act, No 38 of 2001;
- ^ Identification Act, No. 68 of 1997;
- ^ Income Tax Act, No 58 of 1962;
- ^ Intellectual Property Laws Amendment Act, No 38 of 1997;
- ^ Labour Relations Act, No 66 of 1995;
- ^ Long Term Insurance Act, No 52 of 1998;
- ^ Occupational Health & Safety Act, No 85 of 1993;
- ^ Pension Funds Act, No 24 of 1956;
- ^ Prescription Act, No 68 of 1969;
- ^ Prevention of Organised Crime Act, No 121 of 1998;
- ^ Promotion of Access to Information Act, No 2 of 2000;
- ^ Protection of Personal Information Act, No. 4 of 2013;
- ^ Regulation of Interception of Communications and Provision of Communication-Related Information Act 70 of 2002
- ^ Revenue laws Second Amendment Act. No 61 of 2008;
- ^ Skills Development Levies Act No. 9 of 1999;
- ^ Short-term Insurance Act No. 53 of 1998;
- ^ Trust Property Control Act 57 of 1988
- ^ Unemployment Insurance Contributions Act 4 of 2002;
- ^ Unemployment Insurance Act No. 30 of 1966;



^ Value Added Tax Act 89 of 1991.

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

It is further recorded that the accessibility of documents and records may be subject to the grounds of refusal set out in this PAIA Manual.

13. Request Procedure

The requester must comply with all the procedural requirements contained in PAIA relating to the request for access to a record.

The requester must complete the prescribed form enclosed herewith and submit same as well as payment of a request fee and a deposit (if applicable) to the Information Officer or the Deputy Information Officer at the postal or physical address, fax number or electronic mail address as noted in clause 6 above.

The prescribed form must be filled in with sufficient information to enable the Information Officer to identify:

- ^ the record or records requested; and
- ^ the identity of the requester.

The requester should indicate which form of access is required and specify a postal address or fax number of the requester in the Republic.

The requester must state that he/she requires the information in order 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 clearly specify why the record is necessary to exercise or protect such a right (Section 53(2)(d)).

Aurex Constructors will process the request within 30 (thirty) days, unless the requester has stated special reasons to the satisfaction of the Information Officer that circumstances dictate that the above time periods not be complied with.

The requester shall be advised whether access is granted or denied in writing. If, in addition, the requester requires the reasons for the decision in any other manner, the requester will be obliged to state which manner and the particulars required.

If a request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of the Information Officer (Section 53(2)(f)).

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

The requester must pay the prescribed fee before any further processing can take place.



All information as listed in clause 13 herein should be provided and failing which the process will be delayed until the required information is provided. The prescribed time periods will not commence until the requester has furnished all the necessary and required information. The Information Officer shall sever a record, if possible, and grant only access to that portion requested and which is not prohibited from being disclosed.

14. Refusal of Access to Records

14.1 Grounds to Refuse Access

A private body such as Aurex Constructors is entitled to refuse a request for information.

14.1.1 The main grounds for Aurex Constructors to refuse a request for information relates to the:

- ^ mandatory protection of the privacy of a third-party who is a natural person or a deceased person (Section 63) or a juristic person, as included in the Protection of Personal Information Act 4 of 2013, which would involve the unreasonable disclosure of personal information of that natural or juristic person;
- ^ mandatory protection of personal information and for disclosure of any personal information to, in addition to any other legislative, regulatory or contractual agreements, comply with the provisions of the Protection of Personal Information Act 4 of 2013;
- ^ mandatory protection of the commercial information of a third-party (Section 64) if the record contains:
- ^ trade secrets of the third-party;
- ^ financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third-party;
- ^ information disclosed in confidence by a third-party to Aurex Constructors, if the disclosure could put that third-party at a disadvantage in negotiations or commercial competition;
- ^ mandatory protection of confidential information of third parties (Section 65) if it is protected in terms of any agreement;
- ^ mandatory protection of the safety of individuals and the protection of property (Section 66);
- ^ mandatory protection of records which would be regarded as privileged in legal proceedings (Section 67).

14.1.2 The commercial activities (Section 68) of a private body, such as Aurex Constructors, which may include:

- ^ trade secrets of Aurex Constructors;



- ^ financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of Aurex Constructors;
- ^ information which, if disclosed could put Aurex Constructors at a
- ^ disadvantage in negotiations or commercial competition;
- ^ a computer program which is owned by Aurex Constructors, and which is protected by copyright;
- ^ the research information (Section 69) of Aurex Constructors or a third-party, if its disclosure would disclose the identity of Aurex Constructors, the researcher or the subject matter of the research and would place the research at a serious disadvantage.

14.1.3 Requests for information that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources shall be refused.

14.1.4 All requests for information will be assessed on their own merits and in accordance with the applicable legal principles and legislation.

14.1.5 If a requested record cannot be found or if the record does not exist, the Information Officer shall, by way of an affidavit or affirmation, notify the requester that it is not possible to give access to the requested record. Such a notice will be regarded as a decision to refuse a request for access to the record concerned for the purpose of PAIA. If the record should later be found, the requester shall be given access to the record in the manner stipulated by the requester in the prescribed form, unless the Information Officer refuses access to such record.

15. Remedies Available when Aurex Constructors Refuses a Request

15.1 Internal Remedies

Aurex Constructors does not have internal appeal procedures. The decision made by the Information Officer is final. Requesters will have to exercise such external remedies at their disposal if the request for information is refused, and the requestor is not satisfied with the answer supplied by the Information Officer.

15.2 External Remedies

A requestor that is dissatisfied with the Information Officer's refusal to disclose information, may within 30 (thirty) days of notification of the decision, may apply to a Court for relief.

A third-party dissatisfied with the Information Officer's decision to grant a request for information, may within 30 (thirty) days of notification of the decision, apply to a Court for relief.

For purposes of PAIA, the Courts that have jurisdiction over these applications are the Constitutional Court, the High Court or another court of similar status and a Magistrate's Court designated by the Minister of Justice and Constitutional Development and which is presided over by a designated Magistrate.



16. Prescribed Fees

The Act provides for two types of fees, namely:

- ^ A request fee, which is a form of administration fee to be paid by all requesters except personal requesters, before the request is considered and is not refundable; and
- ^ An access fee, which is paid by all requesters in the event that a request for access is granted. This fee is inclusive of costs involved by the private body in obtaining and preparing a record for delivery to the requester.

When the request is received by the Information Officer, such officer shall by notice require the requester, other than a personal requester, to pay the prescribed request fee, before further processing of the request (Section 54(1)).

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

The Information Officer shall withhold a record until the requester has paid the fees as indicated below.

A requester whose request for access to a record has been granted, must pay an access fee that is calculated to include, where applicable, the request fee, the process 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 record for disclosure including making arrangements to make it available in the request form.

If a deposit has been paid in respect of a request for access, which is refused, then the Information Officer concerned must repay the deposit to the requester.

17. Reproduction Fees

Where Aurex Constructors has voluntarily provided the Minister with a list of categories of records that will automatically be made available to any person requesting access thereto, the only charge that may be levied for obtaining such records, will be a fee for reproduction of the record in question.

Reproduction of Information Fee(s)	Fee(s) to be Charged
Information in an A4 size page, photocopy or part thereof	R1.10
A printed copy of an A4 size page or part thereof	R0.75
A copy in computer-readable format, for example:	



Reproduction of Information Fee(s)	Fee(s) to be Charged
Stiffy Disk	R7.50
Compact Disk	R70.00
A transcription of visual images, in an A4 size page or part thereof	R40.00
A copy of visual images	R60.00
A transcription of an audio record for an A4 size page or part thereof	R20.00
A copy of an audio record	R30.00

17.1 Request Fees

Where a requester submits a request for access to information held by an institution on a person other than the requester himself/herself, a request fee in the amount of R50.00 is payable up-front before the institution will further process the request received.

17.2 Access Fees

An access fee is payable in all instances where a request for access to information is granted, except in those instances where payment of an access fee is specially excluded in terms of PAIA or an exclusion is determined by the Minister in terms of Section 54(8).

The applicable access fees which will be payable are:

Access to Information Fee(s)	Fee(s) to be Charged
Information in an A4 size page, photocopy or part thereof	R1.10
A printed copy of an A4 size page or part thereof	R0.75
A copy in computer-readable format, for example:	
Stiffy Disk	R7.50
Compact Disk	R70.00
A transcription of visual images, in an A4 size page or part thereof	R40.00
A search for a record that must be disclosure *per hour or part of an hour reasonably required for such search	R30.00*
Where a copy of a record needs to be posted	The actual costs of postal fee is payable



17.3 Deposits

Where the institution receives a request for access to information held on a person other than the requester himself/herself and the Information Officer upon receipt of the request is of the opinion that the preparation of the required record of disclosure will take more than 6 (six) hours, a deposit is payable by the requester.

The amount of the deposit is equal to 1/3 (one third) of the amount of the applicable access fee.

17.4 Collection Fees

The initial "request fee" of R50.00 should be deposited into the bank account below and a copy of the deposit slip, application form and other correspondence / documents, forwarded to the Information Officer via fax.

The officer will collect the initial "request fee" of applications received directly by the Information Officer via email.

All fees must be deposited into the following bank account:

Account Holder:	Aurex Constructors (Pty) Ltd
Bank Account:	4098977875
Bank Name:	ABSA
Branch Code:	632005

All fees are subject to change as allowed for in PAIA and as a consequence such escalations may not always be immediately available at the time of the request being made. Requesters shall be informed of any changes in the fees prior to making a payment.

18. Decision

Aurex Constructors will, within 30 (thirty) days of receipt of the request, decide whether to grant or decline the request and give notice with reasons (if required) to that effect.

The 30 (thirty) day period within which Aurex Constructors has to decide whether to grant or refuse the request, may be extended for a further period of not more than (30) thirty days if the request is for a large number of information, or the request requires a search for information held at another office of Aurex Constructors and the information cannot reasonably be obtained within the original 30 (thirty) day period.

Aurex Constructors will notify the requester in writing should an extension be sought.

19. Protection of Personal Information that is Processed by Aurex Constructors

Chapter 3 of POPIA provides for the minimum Conditions for Lawful Processing of Personal Information by a Responsible Party. These conditions may not be derogated from unless specific exclusions apply as outlined in POPIA.



Aurex Constructors needs Personal Information relating to both individual and juristic persons in order to carry out its business and organisational functions. The manner in which this information is Processed and the purpose for which it is Processed is determined by Aurex Constructors. Aurex Constructors is accordingly a Responsible Party for the purposes of POPIA and will ensure that the Personal Information of a Data Subject:

- ^ is processed lawfully, fairly and transparently. This includes the provision of appropriate information to Data Subjects when their data is collected by Aurex Constructors, in the form of privacy or data collection notices. Aurex Constructors must also have a legal basis (for example, consent) to process Personal Information;
- ^ is processed only for the purposes for which it was collected;
- ^ will not be processed for a secondary purpose unless that processing is compatible with the original purpose.
- ^ is adequate, relevant and not excessive for the purposes for which it was collected;
- ^ is accurate and kept up to date;
- ^ will not be kept for longer than necessary;
- ^ is processed in accordance with integrity and confidentiality principles; this includes physical and organisational measures to ensure that Personal Information, in both physical and electronic form, are subject to an appropriate level of security when stored, used and communicated by Aurex Constructors, in order to protect against access and acquisition by unauthorised persons and accidental loss, destruction or damage;
- ^ is processed in accordance with the rights of Data Subjects, where applicable. Data Subjects have the right to:
 - ^ be notified that their Personal Information is being collected by Aurex Constructors. The Data Subject also has the right to be notified in the event of a data breach;
 - ^ know whether Aurex Constructors holds Personal Information about them, and to access that information. Any request for information must be handled in accordance with the provisions of this Manual;
 - ^ request the correction or deletion of inaccurate, irrelevant, excessive, out of date, incomplete, misleading or unlawfully obtained personal information;
 - ^ object to Aurex Constructors' use of their Personal Information and request the deletion of such Personal Information (deletion would be subject to Aurex Constructors' record keeping requirements);
 - ^ object to the processing of Personal Information for purposes of direct marketing by means of unsolicited electronic communications; and
 - ^ complain to the Information Regulator regarding an alleged infringement of any of the rights protected under POPI and to



institute civil proceedings regarding the alleged non-compliance with the protection of his, her or its personal information.

19.1 Processing of Personal Information by the Company

As outlined above, Personal Information may only be processed for a specific purpose. The purposes, categories of data subjects, recipients and security measures for which Aurex Constructors processes or will process Personal Information is set out below:

Subject	Category
Data subject categories and their personal information	<p>Employees: record of employee life cycle</p> <p>General public: general enquiries and viewing the company website; name, e-mail address</p> <p>Industry bodies: membership records</p> <p>Media: records of media interactions</p> <p>Service providers: record of service provider life cycle</p>
Recipients of personal information	<p>Employee pension funds</p> <p>Industry bodies</p> <p>Law enforcement</p> <p>Medical aid schemes</p> <p>Purchasers on the sale or other substantial transfer of all of the business of Aurex Constructors</p> <p>Operators (service providers)</p> <p>statutory authorities</p>
Expected transnational transfer of personal information	Transfer of personal information to operators
Security measures to protect personal information	<p>We use reasonable security methods to protect data that is provided to us and resides on our servers.</p> <p>Our security measures include:</p> <ul style="list-style-type: none"> ▲ Physical security measures



	<ul style="list-style-type: none"> ^ Access control measures ^ Internal security measures Cyber security measures ^ Anti-virus measures ^ Installing security firewalls ^ Password control ^ Training programmes on information security ^ Information security audits ^ IT-related company policies
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For more information on how we processing personal information, please view our Privacy Notice available at <https://www.aurex.africa/>

19.2 Cross-border flows of Personal Information

Section 72 of POPIA provides that Personal Information may only be transferred out of the Republic of South Africa if the:

- ^ recipient country can offer such data an “adequate level” of protection. This means that its data privacy laws must be substantially similar to the Conditions for Lawful Processing as contained in POPI; or
- ^ Data Subject consents to the transfer of their Personal Information; or
- ^ transfer is necessary for the performance of a contractual obligation between the Data Subject and the Responsible Party; or
- ^ transfer is necessary for the performance of a contractual obligation between the Responsible Party and a third-party, in the interests of the Data Subject; or
- ^ the transfer is for the benefit of the Data Subject, and it is not reasonably practicable to obtain the consent of the Data Subject, and if it were, the Data Subject, would in all likelihood provide such consent.

19.3 Objection to the Processing of Personal Information by a Data Subject

Section 11 (3) of POPI and regulation 2 of the POPIA Regulations provides that a Data Subject may, at any time object to the Processing of his/her/its Personal Information in the prescribed form attached to this manual as Appendix 2 subject to exceptions contained in POPIA.

19.4 Request for correction or deletion of Personal Information

Section 24 of POPI and regulation 3 of the POPI Regulations provides that a Data Subject may request for their Personal Information to be corrected/deleted in the prescribed form attached as Appendix 3 to this Manual.



20. Availability and Updating of the PAIA Manual

20.1 Regulation Number R.187 of 15 February 2002

This PAIA Manual is made available in terms of Regulation Number R.187 of 15 February 2002. Aurex Constructors will update this PAIA Manual at such intervals as may be deemed necessary.

This PAIA Manual of Aurex Constructors is available to view at its premises and on its website.

The last modified date was June 2021

21. Abbreviations

Abbreviation	Description
PAIA	Promotion of Access to Information Act, No 2. Of 2000
POPIA	Protection of Personal Information Act, 2013
SAHRC	South African Human Rights Commission



APPENDIX 1: Request for Access to Record of Private Body (Form C)
 (Section 53(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))
 [Regulation 10]

A. Particulars of Private Body

Name of Private Body:	Aurex Constructors (Pty) Ltd, with company registration number: 2006/002013/07
The Head:	Stuart Peter Kent
Registered Address:	89 14 th Road, Midrand, 1685
Telephone:	+27 11 203 9600
Email:	info@arex.africa

B. 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 must be given
 (c) Proof of the capacity in which the request is made, if applicable, must be attached.

Full Names and Surname:													
Identity Number:													
Postal Address:													
Telephone Number:							Fax Number:						
Email Address:													
Capacity in which request is made, when made on behalf of another person:													

C. 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:												

D. 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.
The requester must sign all additional folios.

Description of Record or Relevant Part of the Record:

Reference Number, if available:

Any Further Particulars of Record:

E. 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.*
- (d) If you qualify for exemption of the payment of any fee, please state the reason for exemption.*

Reason for Exemption from Payment of Fees:



F. 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 below, state your disability and indicate in which form the record is required.

Disability:		Form in which Record is required:	
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Mark the appropriate box with an "x"

Notes:

- (a) Compliance with your request for access in the specified form may depend on the form in which the record is available.
- (b) 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.
- (c) The fee payable for access to the record, if any will be determined by the form in which access is requested.

1. If the record is in written or printed form:

<input type="checkbox"/> copy of record*	<input type="checkbox"/> inspection of record
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2. If record consists of visual images – (this includes photographs, slides, video records, computer-generated images, sketches, etc.):

<input type="checkbox"/> view the images	<input type="checkbox"/> copy the images*	<input type="checkbox"/> transcription of the images*
--	---	---

3. If record consists of recorded words or information which can be reproduced in sound:

<input type="checkbox"/> listen to the soundtrack (audio cassette)	<input type="checkbox"/> transcription of soundtrack*
--	---

4. If record is held on computer or in an electronic or machine-readable form:

<input type="checkbox"/> printed copy of record*	<input type="checkbox"/> printed copy of information derived from the record*	<input type="checkbox"/> copy in computer readable form* (stiffy or compact disc)
--	---	---

*If you requested a copy or transcription of the record (above), do you wish the copy or transcription to be posted to you?
Postage is payable

- Yes
 No

G. 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 additional folios.***

1. Indicate which right is to be exercised or protected:



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

H. 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 the record?

Signed at (insert place) this day (dd) of (mm) year (yyyy)

Signature of Requester / Person on whose behalf Request is made



APPENDIX 2: Objection to the Processing of Personal Information in terms of Section 11(3) of the Protection of Personal Information Act, 2013
(Regulations Relating to the Protection of Personal Information, 2018)

Note:

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

A	DETAILS OF DATA SUBJECT
Name(s) and surname/ registered name of data subject:	
Unique Identifier/ Identity Number	
Residential, postal or business address:	
Contact number(s):	
Fax number / E-mail address:	
B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname/ registered name of data subject:	
Residential, postal or business address:	
Contact number(s):	
Fax number / E-mail address:	
C	REASONS FOR OBJECTION IN TERMS OF SECTION 11(1)(d) to (f) (Please provide detailed reasons for the objection)

Signed at (insert place) this day (dd) of (mm) year (yyyy)

.....
Signature of Requester / Person on whose behalf Request is made

APPENDIX 3: 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
(Regulations Relating to the Protection of Personal Information, 2018) [Regulation 3]

Note:

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

Mark the appropriate box with an "x"

Request for:

<input type="checkbox"/> Correction or deletion of the personal information about the data subject which is in possession or under the control of the responsible party
<input type="checkbox"/> 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

A	Details of Data Subject
Name(s) and surname/ registered name of data subject:	
Unique Identifier/ Identity Number	
Residential, postal or business address:	
Contact number(s):	
Fax number / E-mail address:	
B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname/ registered name of data subject:	
Residential, postal or business address:	
Contact number(s):	
Fax number / E-mail address:	
C	Reasons for Objection in Terms of Section 11(1)(D) to (F) (Please Provide Detailed Reasons

	for The Objection)
D	Reasons for *Correction or Deletion of the Personal Information about the Data Subject in Terms of Section 24(1)(a) which is in Possession or Under the Control of the Responsible Party; and or Reasons for *Destruction or Deletion of a Record of Personal Information about the Data Subject in Terms of Section 24(1)(b) which the Responsible Party is no longer Authorised to Retain. (Please Provide Detailed Reasons for the Request)

Signed at (insert place) this day (dd) of (mm) year (yyyy)

.....
Signature of Requester / Person on whose behalf Request is made

