



**Timothy & Timothy**

ATTORNEYS

**Promotion of Access to Information Act, 2000 (PAIA) Manual**

**[prepared in terms of section 51 of PAIA, as amended]**

for

**Timothy and Timothy Incorporated (T&T)**

(Registration number: 2015/020929/21)

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## 1. LIST OF ACRONYMS AND ABBREVIATIONS

- |     |                    |  |
|-----|--------------------|--|
| 1.1 | <b>“PAIA”</b>      | Promotion of Access to Information Act No. 2 of 2000 (as amended); |
| 1.2 | <b>“POPIA”</b>     | Protection of Personal Information Act No.4 of 2013;               |
| 1.3 | <b>“Regulator”</b> | Information Regulator; and   |
| 1.4 | <b>“Republic”</b>  | Republic of South Africa   |

## 2. PURPOSE OF PAIA MANUAL

This PAIA Manual is useful for the public to-

- 2.1 check the categories of records held by a body which are available without a person having to submit a formal PAIA request;
- 2.2 have a sufficient understanding of how to make a request for access to a record of the body, by providing a description of the subjects on which the body holds records and the categories of records held on each subject;
- 2.3 know the description of the records of the body which are available in accordance with any other legislation;
- 2.4 access all the relevant contact details of the Information Officer and Deputy Information Officer who will assist the public with the records they intend to access;
- 2.5 know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- 2.6 know if the body will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.7 know the description of the categories of data subjects and of the information or categories of information relating thereto;

- 2.8 know the recipients or categories of recipients to whom the personal information may be supplied;
- 2.9 know if the body has planned to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied; and
- 2.10 know whether the body has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

### **3. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF T&T**

#### **3.1. Information Officer**

**Information Officer: Lester Timothy**

**Address: 2<sup>nd</sup> Floor Sedgwick House, 24 Bloem Street, Cape Town, 8001**

**Postal Address: 2<sup>nd</sup> Floor Sedgwick House, 24 Bloem Street, Cape Town, 8001**

**Telephone Number: 079 879 0879**

**E-mail: [lester@timothyandtimothy.com](mailto:lester@timothyandtimothy.com)**

### **4. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE**

- 4.1. The Regulator has, in terms of section 10(1) of PAIA, as amended, updated and made available the revised Guide on how to use PAIA (“Guide”), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.
- 4.2. Members of the public can inspect or make copies of the Guide from the offices of the public and private bodies, including the office of the Regulator, during normal working hours.
- 4.3. The Guide can also be obtained-
  - 4.3.1. upon request to the Information Officer;
  - 4.3.2. from the website of the Regulator (<https://inforegulator.org.za/paia-guidelines/>).
- 4.6 A copy of the Guide is also available in the following two official languages, for public inspection during normal office hours-
  - 4.6.1 [English](#)

4.6.2 [Zulu](#)

**5. CATEGORIES OF RECORDS OF THE T&T WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS**

General information about T&T which is automatically available and does not need to be requested can be accessed via the internet on our website at and social media pages.

**6. DESCRIPTION OF THE RECORDS OF T&T WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION**

<b>Category of Records</b>	<b>Applicable Legislation</b>
Memorandum of incorporation	Companies Act 71 of 2008
Notice of Incorporation	Companies Act 71 of 2008
Share Register	Companies Act 71 of 2008
Records of directors	Companies Act 71 of 2008
Annual Financial Statements	Companies Act 71 of 2008
Accounting Records	Companies Act 71 of 2008
Register, record or reproduction of the earnings, time worked, payment for piece work and overtime and other prescribed particulars of all the employees.	Compensation for Occupational and Diseases Act, 130 of 1993
Records of workplace incidents including incidents which resulted in employees having to receive medical treatment	Occupational Health and Safety Act, 84 of 1993 and Compensation for Occupational and Diseases Act, 130 of 1993
Records of recommendations made to T&T in terms of issues affecting the health of employees	Occupational Health and Safety Act, 84 of 1993 and Compensation for Occupational and Diseases Act, 130 of 1993
Written particulars of an employee after termination of employment	Basic Conditions of Employment Act 75 of 1997
Employee's name and occupation	Basic Conditions of Employment Act 75 of 1997
Time worked by each employee	Basic Conditions of Employment Act 75 of 1997
Remuneration paid to each employee	Basic Conditions of Employment Act 75 of 1997
PAIA Manual	Promotion of Access to Information Act 2 of 2000

Records of disciplinary transgressions, the actions taken by T&T and the reasons for the actions	Labour Relations Act 66 of 1995
Employee records – names, identifications numbers and monthly remuneration and address at which employee is employed	Unemployment Insurance Act 63 of 2002
Employee remuneration, and tax records	Tax Administration Act 28 of 2011, Income Tax Act 58 of 1962
T&T tax records	Tax Administration Act 28 of 2011, Income Tax Act 58 of 1962 and Value Added Tax Act 89 of 1991, Skills Development Levies Act 9 of 1999
Electronic communications and transactions records	Electronic Communications & Transactions Act 25 of 2002

**7. DESCRIPTION OF THE SUBJECTS ON WHICH T&T HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT**

*NB: Describe the subjects (i.e. Finance, SCM or HR), in respect of which the body holds records and the categories of records held on each subject. Below is an example of the table that can be used.*

<b>Subjects on which T&amp;T holds records</b>	<b>Categories of records</b>
Corporate	<ul style="list-style-type: none"> <li>- Shareholder records</li> <li>- Records relating to the incorporation of T&amp;T</li> <li>- Statutory records</li> <li>- Board minutes and resolutions</li> </ul>
Human Resources	<ul style="list-style-type: none"> <li>- HR policies and procedures</li> <li>- Employees records</li> </ul>
Finance	<ul style="list-style-type: none"> <li>- Tax records (T&amp;T and employees)</li> <li>- Annual financial statements</li> <li>- Bank statements</li> <li>- Purchase Orders/Invoices</li> <li>- Asset Register</li> <li>- Insurance information</li> </ul>
Operational	<ul style="list-style-type: none"> <li>- Request for Proposals</li> <li>- Operational reviews</li> <li>- Vendor records</li> </ul>

Subjects on which T&T holds records	Categories of records
	<ul style="list-style-type: none"> <li>- Guidelines, policies and procedure</li> <li>- Contracts</li> <li>- Internal and external correspondence</li> <li>- Records provided by a third party</li> <li>- Databases</li> <li>- Information technology</li> <li>- Strategic Plans</li> <li>- Marketing materials</li> </ul>

## 8. PROCESSING OF PERSONAL INFORMATION

### 8.1 Purpose of Processing Personal Information

T&T processes personal information in the ordinary course of its business, including, but not limited to, the following:

1. providing and improving our services
2. creating and managing customer accounts
3. managing commercial relationships with customers and suppliers
4. to receive goods and/or services from you
5. recruitment
6. managing employee relationships and performing employment contracts as well as obligations imposed by law;
7. information analysis
8. communication purposes
9. administering our website

For more information regarding the purposes we process personal information, please see our [Privacy Notice](#) on our website or for employees, please contact the Information Officer.

### 8.2 Description of the categories of Data Subjects and of the information or categories of information relating thereto

Most commonly, T&T processes the following personal information of the following categories of data subjects:

Categories of Data Subjects	Personal Information that may be processed
Customers / Clients	Names, contact details, registration numbers or identity numbers, VAT numbers, financial information, banking information and CCTV images
Suppliers	Names, contact details, registration numbers or identity numbers, VAT numbers, financial information, banking information, BEE certificates, general business information and CCTV images
Employees and Contractors	Name, contact details, personal identity number / passport number or copy, salary and other benefits, details of any disciplinary or grievance procedures if any and related correspondence), bank account information; holiday, sick leave and other absences nationality and entitlement to work, medical or health conditions, including disability information;

For more information regarding the categories of data subjects and personal information we process, please see our [Privacy Notice](#) on our website or for employees, please contact the Information Officer.

### **8.3 The recipients or categories of recipients to whom the personal information may be supplied**

We may share your information with our T&T affiliates and colleagues in the legal field and with third parties, including but not limited to, third party online platforms, organisations providing a service to us or acting as our agents, sub-contractors (including their agents) and professional advisers, marketing suppliers and IT suppliers.

For more information regarding the categories of potential recipients of personal information, please see our [Privacy Notice](#) on our website or for employees, please contact the Information Officer.

### **8.4 Planned transborder flows of personal information**

Given that the Internet is a global environment, using the Internet to collect and process personal information necessarily involves the transmission of data on an international basis. While we generally store all of the personal information that we collect about you in your



region, it is possible that your personal information will be transmitted and hosted outside your region.

#### **8.5 General description of Information Security Measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information**

We apply physical, technical and administrative measures to protect your personal information that is under our control from unauthorised access, collection, use, disclosure, copying, modification or disposal. All information you provide to us is stored on secure servers. We do not transfer your personal information outside of the country of your resident unless we are satisfied that there are sufficient safeguards in place to protect your personal information.

We employ up to date technology to ensure the confidentiality, integrity and availability of the personal information under our care. Measures include, but are not limited to:

- Firewalls.
- Virus protection software and update protocols.
- Encryption where possible.
- Secure setup of hardware and software making up the IT infrastructure.
- Outsourced service providers who process personal information on behalf of us are contracted to implement security controls.

### **9. FORM OF REQUEST**

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

A request for access to records held by T&T in terms of section 50 of PAIA must be made on the form contained in the Regulations regarding the Promotion of Access to Information ([Form 2](#)). The request must be made to T&T at the address or email address, specified in section 1 above.

A requester must provide sufficient detail on the prescribed form to allow T&T to identify the record or records which have been requested and the identity of the requester. If a request is made on behalf of another person or entity, the requester must submit details and proof of the capacity in which the requester is making the request, which must be reasonably satisfactory to T&T. The requester is also required to indicate the form of access to the relevant records that is required, and to provide his, her or its contact details in the Republic of South Africa.

## 10. AVAILABILITY OF THE MANUAL

10.1 A copy of the Manual is available-

10.1.1 On the T&T website (<https://www.timothyandtimothy.com/>), if any;

10.1.2 head office of the T&T for public inspection during normal business hours;

10.1.3 to any person upon request and upon the payment of a reasonable prescribed fee;  
and

10.1.4 to the Information Regulator upon request.

10.2 A fee for a copy of the Manual, as contemplated in annexure B of the Regulations, shall be payable per each A4-size photocopy made.

## 11. UPDATING OF THE MANUAL

The Information Officer of T&T will on a regular basis update this manual.

*Issued by*



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Lester Timothy

Chief Executive Officer

Timothy and Timothy Inc.