

OS TRANSPORT CC



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PAIA MANUAL

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

DATE OF COMPILATION: 30/06/2025

DATE OF REVISION: 30/06/2025

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1. LIST OF ACRONYMS AND ABBREVIATIONS

NB: please insert relevant applicable acronyms and abbreviations

- | | | |
|-----|--------------------|---|
| 1.1 | "CEO" | Chief Executive Officer |
| 1.2 | "DIO" | Deputy Information Officer; |
| 1.3 | "IO" | Information Officer; |
| 1.4 | "Minister" | Minister of Justice and Correctional Services; |
| 1.5 | "PAIA" | Promotion of Access to Information Act No. 2 of 2000(as Amended; |
| 1.6 | "POPIA" | Protection of Personal Information Act No.4 of 2013; |
| 1.7 | "Regulator" | Information Regulator; and |
| 1.8 | "Republic" | 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 OS TRANSPORT CC

3.1. Chief Information Officer

Name: OMAR ASMAL
Tel: 083 786 785 7
Email: OMAR@OSTRANSPORT.CO.ZA

3.2. Deputy Information Officer

Name: SAMANTHA ASMAL
Tel: 084 786 785 7
Email: SAM@OSTRANSPORT.CO.ZA

3.3 Access to information general contacts

Email: OMAR@OSTRANSPORT.CO.ZA

3.4 National or Head Office

Postal Address:

68 Beechgate Crescent
Southgate Business Park
Umbogintwini
4126

Physical Address:

68 Beechgate Crescent
Southgate Business Park
Umbogintwini
4126

Telephone: 0312713038

Email: admin@ostransport.co.za

Website: www.ostransport.co.za

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. The Guide is available in each of the official languages and in braille.

4.3. The aforesaid Guide contains the description of-

- 4.3.1. the objects of PAIA and POPIA;
- 4.3.2. the postal and street address, phone and fax number and, if available, electronic mail address of-
 - 4.3.2.1. the Information Officer of every public body, and
 - 4.3.2.2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA²;
- 4.3.3. the manner and form of a request for-
 - 4.3.3.1. access to a record of a public body contemplated in section 11³; and
 - 4.3.3.2. access to a record of a private body contemplated in section 50⁴;
- 4.3.4. the assistance available from the IO of a public body in terms of PAIA and POPIA;
- 4.3.5. the assistance available from the Regulator in terms of PAIA and POPIA;
- 4.3.6. all remedies in law available 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-

¹ 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.

² 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.

³ 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.

⁴ 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.

- 4.3.6.1. an internal appeal;
- 4.3.6.2. a complaint to the Regulator; and
- 4.3.6.3. an application with a court against a decision by the information officer of a public body, a decision on internal appeal or a decision by the Regulator or a decision of the head of a private body;
- 4.3.7. the provisions of sections 14⁵ and 51⁶ requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
- 4.3.8. the provisions of sections 15⁷ and 52⁸ providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
- 4.3.9. the notices issued in terms of sections 22⁹ and 54¹⁰ regarding fees to be paid in relation to requests for access; and
- 4.3.10. the regulations made in terms of section 92¹¹.

⁵ 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.

⁶ 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.

⁷ 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

⁸ 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

⁹ 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.

¹⁰ 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.

¹¹ 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.”

4.4. 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.

4.5. The Guide can also be obtained-

4.5.1. upon request to the Information Officer;

4.5.2. from the website of the Regulator (<https://www.justice.gov.za/infoeq/>).

4.6 A copy of the Guide is also available in the following one official language, for public inspection during normal office hours-

4.6.1 English

5. CATEGORIES OF RECORDS OF THE OS TRANSPORT CC WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

These records are available without a person having to request access by completing Form C, types of the records and how the records can be accessed. These are mostly records that maybe available on the website and a person may download or request telephonically or by sending an email or a letter.

Category of records	Types of the Record	Available on Website
Website	Services	X
	Fleet	X
	Compliance	X
	Gallery	X
	Contact details	X

6. DESCRIPTION OF THE RECORDS OF OS TRANSPORT CC WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION

These are all the records which are created and available in accordance with any of the South African legislation.

- 6.1 Basic Conditions of Employment Act 75 of 1997;
- 6.2 Broad-Based Black Economic Empowerment Act 53 of 2003;
- 6.3 Compensation for Occupational Injuries and Diseases Act 130 of 1993;
- 6.4 Electronic Communications and Transactions Act 25 of 2002;
- 6.5 Employment Equity Act 55 of 1998;
- 6.6 Financial Intelligence Centre Act 38 of 2001;
- 6.7 Financial Advisory and Intermediary Services Act 37 of 2002;
- 6.8 Income Tax Act 58 of 1962;
- 6.9 Labour Relations Act 66 of 1995;
- 6.10 Occupational Health and Safety Act 85 of 1993;
- 6.11 Pension Funds Act 24 of 1956;
- 6.12 Promotion of Access to Information Act 2 of 2000;
- 6.13 Protection of Personal Information Act 4 of 2013;
- 6.14 Unemployment Insurance Contributions Act 4 of 2002;
- 6.15 Unemployment Insurance Act 30 of 1996; and
- 6.16 Value Added Tax Act 89 of 1991.

7. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY OS TRANSPORT CC

OS Transport CC holds records and the categories of records held on each subject, including records which are created and available in accordance with any of the South African legislation. These records are not freely available but can be requested in terms of form C. The inclusion of any subject of records should not be taken as an indication that the records in those categories will be made available under PAIA, as certain grounds for refusal may be applied.

Subjects on which the body holds records	Categories of records
Company Secretarial	• Company documents, including the memorandum of incorporation • Registers and minute books • Statutory returns • Powers of attorney • Share certificates
Human Resources	• HR policies and procedures • Advertised posts

Subjects on which the body holds records	Categories of records
	• Employees records • Employment Contracts • Training records • Workplace and union agreement records
Company Authorisation and Licence	• Customs • CIPC Registration • Employer Registration • VAT Registration • Taxpayer Registration
Financial	• Financial Statements • Financial and Tax Records (Company & Employees) • Asset Register • Management Accounts • Bank statements • Debtors/Creditors statements and invoices
Legal	• Agreements with customers, suppliers, service providers and other parties.
Movable and immovable assets	• Lease agreements • Credit sale agreements • Ordinary sale agreements
Marketing	• Market Information • Public Customer Information • Owner Manuals • Product Sales Records • Field Records • Marketing Strategies • Copies of advertisements and advertising register • Customer Database • Company performance Records

Subjects on which the body holds records	Categories of records
Strategic documents, plans and proposals	• Annual Reports • Strategic Plan • Annual Performance Plan
Administration and information technology	• Intranet • Correspondence with internal and external parties
Operations	• Policies and Procedures • Industry authorisation and compliance records • Industry exemption records • Disaster recovery and implementation plans
Compliance delivery	• CRM records • Compliance Reports • Correspondence with regulators and customers • Implementation records
Company Website	• Company profile • Areas of Service and Expertise • News and Publications • Coverage • Client Portal

8. PROCESSING OF PERSONAL INFORMATION

8.1 Purpose of Processing Personal Information

OS Transport CC will only process personal information in line with the company policy.

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

This section specifies the categories of data subjects in respect of whom OS Transport CC processes personal information and the nature or categories of the personal information being processed. The inclusion of any subject of records should not be taken as an indication that the records in those categories will be made available under PAIA, as certain grounds for refusal may be applied.

Categories of Data Subjects	Personal Information that may be processed
Customers / Clients	name, address, registration numbers or identity numbers, employment status and bank details
Service Providers	names, registration number, vat numbers, address, trade secrets and bank details
Employees	address, qualifications, gender and race

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

Depending on the nature of the personal information, OS Transport CC may supply information or records to the following:

Category of personal information	Recipients or Categories of Recipients to whom the personal information may be supplied
Identity number and names, for criminal checks	South African Police Services
Qualifications, for qualification verifications	South African Qualifications Authority
Credit and payment history, for credit information	Credit Bureaus

8.4 Planned transborder flows of personal information

If a data subject visits OS Transport CC website from a different country, the various Communications will necessary result in the transfer of information across international boundaries.

If OS Transport CC need to transfer data information outside South Africa it will fully comply with applicable data protection legislation.

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

OS Transport CC takes extensive information security measures to ensure the confidentiality, integrity and availability of personal information in our possession. OS Transport CC takes appropriate technical and organisational measures designed to ensure that personal information remains confidential and secure against unauthorised or unlawful processing and against accidental loss, destruction or damage

9. AVAILABILITY OF THE MANUAL

9.1 A copy of the Manual is available-

9.1.1 on the website;

9.1.2 head office of the OS Transport CC for public inspection during normal business hours;

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

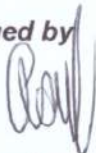
9.1.4 to the Information Regulator upon request.

9.2 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.

10. UPDATING OF THE MANUAL

The head of a OS Transport CC will on a regular basis update this manual.

Issued by



Omar Asmal

Information Officer of OS Transport CC