

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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1. Definitions

In this PAIA Manual, unless the context clearly indicates otherwise:

- 1.1. Data Subject means the person to whom Personal Information relates;
- 1.2. Guest means any natural or juristic person which receives or has received goods or services from Shamwari;
- 1.3. Information Officer means the Information Officer of Shamwari, described in paragraph 4 of this PAIA Manual;
- 1.4. PAIA Manual means this PAIA Manual of Shamwari Private Game Reserve;
- 1.5. PAIA means the Promotion of Access to Information Act, 2 of 2000, as amended;
- 1.6. Personal information means any information that identifies a Guest and/or Data Subject or specifically relates to a Guest and/or Data Subject, including but not limited to:
 - 1.6.1. 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 Guest and/or Data Subject;
 - 1.6.2. information relating to the education or the medical, financial, criminal or employment history of the Guest and/or Data Subject;

- 1.6.3. any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the Guest and/or Data Subject;
 - 1.6.4. the biometric information of the Guest and/or Data Subject;
 - 1.6.5. the personal opinions, views or preferences of the Guest and/or Data Subject;
 - 1.6.6. correspondence sent by the Guest and/or Data Subject that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
 - 1.6.7. the views or opinions of another individual about the Guest and/or Data Subject; and
 - 1.6.8. the name of the Guest and/or Data Subject if it appears with other personal information relating to the Guest and/or Data Subject or if the disclosure of the name itself would reveal information about the Guest and/or Data Subject.
- 1.7. POPIA means the Protection of Personal Information Act, 4 of 2013;
- 1.8. Records means any recorded information, including but not limited to:
- 1.8.1. regardless of form or medium, including any of the following:
 - 1.8.1.1. writing on any material;

1.8.1.2. information produced, recorded or stored by means of any tape-recorder, computer equipment, whether hardware or software or both, or other device, and any material subsequently derived from information so produced, recorded or stored;

1.8.1.3. label, marking or other writing that identifies or describes any thing of which it forms part, or to which it is attached by any means;

1.8.1.4. book, map, plan, graph or drawing;

1.8.1.5. photograph, film, negative, tape or other device in which one or more visual images are embodied so as to be capable, with or without the aid of some other equipment, of being reproduced;

1.8.2. in the possession or under the control of a responsible party;

1.8.3. whether or not it was created by a responsible party; and

1.8.4. regardless of when it came into existence.

1.9. Shamwari

means Shamwari Private Game Reserve, a private company incorporated under registration number 2007/034263/07.

2. Interpretation

- 2.1. The headings to the clauses of this Agreement are inserted for reference purposes only and shall in no way govern or affect the interpretation hereof.
- 2.2. Words importing the singular shall include the plural and vice versa. Words importing persons shall include legal persons and vice versa. Words importing any gender shall include the other gender.
- 2.3. When any period of notice is prescribed, such period shall exclude the day on which such notice is delivered and shall include Saturdays, Sundays and public holidays.

3. Introduction

- 3.1. Shamwari is obliged to compile a PAIA Manual in terms of the section 51 of PAIA and to address the requirements set out in POPIA.
- 3.2. This PAIA Manual sets out, *inter alia*:
 - 3.2.1. the categories of Records held by Shamwari which are available without a person having to submit a formal PAIA request;
 - 3.2.2. the procedure to request for access to Records of and held by Shamwari;
 - 3.2.3. the contact details of the Information Officer and Deputy Information Officer who will assist the public with the Records they intend to access;
 - 3.2.4. the purpose of processing of Personal Information and the description of the categories of Data Subjects and of the information relating thereto;
 - 3.2.5. the security measures to ensure the confidentiality, integrity and availability of the Personal Information which is to be lawful processed.

4. Contact Details

4.1. Chief Information Officer

Name: Johannes Cloete

Designation: CEO of Shamwari

Tel: 042 203 1111

Email: joe.cloete@shamwari.com

4.2. Deputy Information Officer

Name: Amanda Kearney

Tel: 042 203 1111

Email: amanda.kearney@shamwari.com

4.3. Shamwari

Postal Address: PO Box 91, Paterson, 6130

Physical Address: Shamwari Private Game Reserve, R342, Paterson, 6130

Tel: 042 203 1111

Website: www.shamwari.com

5. PAIA Guide

5.1. The Regulator has, in terms of section 10(1) of PAIA, published a guide on how to use and access information in terms of PAIA.

5.2. The aforesaid Guide contains the description of, *inter alia*:

5.2.1. the objects of PAIA and POPIA;

5.2.2. the information and contact details of the Information Officer;

5.2.3. the manner and form of a request for access to a records held by public and private bodies;

5.2.4. the assistance available from the Regulator in terms of PAIA and POPIA; and

5.2.5. 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.

5.3. The guide is available upon request to the Information Officer from the website of the Regulator at <https://inforegulator.org.za/>.

6. Notices in terms of Section 52(2) of PAIA

No notice has been published in terms of section 52 (2) of PAIA.

7. Records available upon request

7.1. Shamwari holds and processes certain Records for the purposes of PAIA and POPIA.

7.2. Shamwari shall keep Records and we may make these Records available for inspection to a requester if:

7.2.1. the requester is entitled to such access in terms of PAIA or POPIA and such access is not prohibited by any other applicable law, codes of conduct, rules or regulations; and

7.2.2. a request for access to such information is made in terms of PAIA.

8. Requesting of Information

To facilitate the processing of your request, kindly:

8.1. use the prescribed form, available on the Information Regulator's website at <https://inforegulator.org.za/>;

8.2. address your request to the Information Officer;

8.3. provide sufficient details to enable Shamwari to identify:

8.3.1. the Record(s) requested;

8.3.2. the requester (and if an agent is lodging the request, proof of authority);

- 8.3.3. the form of access required;
- 8.3.4. the requester's email address, postal address or fax number in South Africa;
- 8.3.5. if the requester wishes to be informed of Shamwari's decision about your request in any manner in addition to in writing, please advise the manner and particulars thereof; and
- 8.3.6. please advise the right which the requester is seeking to exercise or protect including an explanation of the reason the record is required to exercise or protect the right.

9. Records held in terms of other legislation

Shamwari holds records in terms of legislation other than PAIA, including but not limited to:

Ref:	Act:
95 of 1967	Income Tax Act
28 of 2011	Tax Administration Act
89 of 1991	Value Added Tax Act
9 of 1933	Currency and Exchanges Act
66 of 1995	Labour Relations Act
75 of 1997	Basic Conditions of Employment Act
55 of 1998	Employment Equity Act
97 of 1998	Skills Development Act
130 of 1993	Compensation for Occupational Injuries and Diseases Act
30 of 1996	Unemployment Insurance Act
85 of 1993	Occupational Health and Safety Act
25 of 2002	Electronic Communications and Transactions Act
38 of 2001	Financial Intelligence Centre Act
2 of 2000	Promotion of Access of Information Act
4 of 2013	Protection of Personal Information Act
13 of 2002	Immigration Act
	General Data Protection Regulation (GDPR)

10. Subjects on which Records are kept

10.1. Section 51(1)(b)(iv) of PAIA states that Shamwari is to keep a description of the subjects on which it holds Records.

10.2. The subjects on and categories of Records kept are:

- 10.2.1. Records relating to our goods and services and our performance of those goods and services;
- 10.2.2. documents prepared such as employee contracts, indemnity and waiver forms, POPI consents and related correspondence;
- 10.2.3. asset registers and other records relating to our assets;
- 10.2.4. software licences;
- 10.2.5. Records of and relating to our Guests and potential Guests including Personal Information, bookings, and correspondence;
- 10.2.6. Records relating to our suppliers and potential suppliers including quotes, proposals, contracts,
- 10.2.7. invoices and correspondence;
- 10.2.8. financial and tax records including audited and other annual financial statements, management accounts, tax returns, invoices;
- 10.2.9. compliance records including records obtained in terms of the Financial Intelligence Centre Act, 2001;
- 10.2.10. correspondence with regulators and others relating to compliance;
- 10.2.11. records relating to our employees, their dependants and beneficiaries and job applicants including recruitment records, employment contracts, payroll records, records relating to employment benefits, disciplinary and performance records, training and assessment records, occupational health and safety, unemployment insurance and skills development records;

10.2.12. documents relating to assessment of risk and insurance cover; and

10.2.13. marketing records including goods and service brochures.

11. Information required to be included in PAIA Manual

11.1. Section 51 (1)(c) of PAIA sets out the description of the information required to be included in this PAIA Manual.

11.2. Please see our privacy policy (available on our website at www.shamwari.com or on request to privacy@shamwari.com) which describes:

11.2.1. what personal information or categories of personal information we process;

11.2.2. the purposes for which we process that personal information;

11.2.3. the categories of data subjects whose personal information we process;

11.2.4. the recipients or categories of recipients to whom the personal information may be supplied;

11.2.5. planned transborder flows of personal information;

11.2.6. a general description of the information security measures we implement as a responsible party to ensure the confidentiality, integrity and availability of the personal information we process.

12. Prescribed Fees

12.1. A requester must pay the prescribed fees before a request will be processed.

12.2. A requestor may lodge a complaint to the Information Regulator or an application with a court against the tender or payment of the request fee in terms of section 54 (1) of PAIA or the tender or payment of a deposit in terms of section 54 (2) of PAIA.

- 12.3. Records may be withheld until the prescribed fees have been paid.
- 12.4. The prescribed fees are available on the website of the Information Regulator at <https://inforegulator.org.za/>.

13. PAIA Manual

- 13.1. Shamwari will update this PAIA Manual from time to time.
- 13.2. This Manual is available:
 - 13.2.1. on Shamwari's website at www.shamwari.com;
 - 13.2.2. at Shamwari's principal place of business, specified in paragraph 4 above;
 - 13.2.3. to any person upon request and payment of a reasonable amount;
 - 13.2.4. to the Information Regulator on request.

14. Collection and Processing of Personal Information

- 14.1. Shamwari collects Personal Information about Guests and/or Data Subjects from the following sources:
 - 14.1.1. Personal Information collected directly from Guests and/or Data Subjects;
 - 14.1.2. Personal Information collected from public records;
 - 14.1.3. Personal Information collected from a public domain, where the Guests and/or Data Subjects have disclosed the Personal Information;
 - 14.1.4. Personal Information collected based on the Guests and/or Data Subjects use of Shamwari's goods and/or services;
 - 14.1.5. Personal Information based on how Guests and/or Data Subjects engage or interact with Shamwari via its support desk, emails, letters, telephone calls and surveys;

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- 14.1.6. Personal Information collected from third parties; and
 - 14.1.7. Personal Information collected from any other source with the written consent of the Guests and/or Data Subjects.
 - 14.2. If required by law, the necessary consent will be obtained before the collection of any Personal Information from third parties.
 - 14.3. Personal information will be collected, to:
 - 14.3.1. provide Guests with products, goods and services;
 - 14.3.2. market our products, goods and services to Guests;
 - 14.3.3. respond to enquires and/or complaints;
 - 14.3.4. comply with legislative, regulatory, risk and compliance requirements (including directives, sanctions and rules), codes of conduct and industry agreements or to fulfil reporting requirements and information requests;
 - 14.3.5. enter into contracts and to satisfy any obligations as per the Shamwari contracts;
 - 14.3.6. directly market goods and services to Guests, where they have consented and opted to receive content through direct marketing;
 - 14.3.7. process payment instruments;
 - 14.3.8. provide security and identity verification, as well as to check the accuracy of information;
 - 14.3.9. provide a browsing experience which suits the Guests needs through displaying content compatible with your device which the Guest will most likely be interested in and allowing access to interactive features; and/or
 - 14.3.10. pursue and protect the Guests interests or the interest of a third party with whom the information is being shared.

- 14.4. Shamwari undertakes to process the Personal Information lawfully and in a reasonable manner, so as not to infringe on Guests and/or Data Subjects privacy. The information collected will only be processed for the aforesaid purposes.

Issued By:

Johannes Cloete (CEO)