



PAIA Manual

Manual prepared in accordance with section 51 of the Promotion of Access to Information Act 2 of 2000 ("this **manual**") for GRW Engineering Proprietary Limited ("**GRW Engineering**").

Version 1.0 | Last updated: September 2023

1. INTRODUCTION

We respect your right to access to information. This manual, together with other relevant legislation such as the Protection of Personal Information Act 4 of 2013, is published pursuant to section 51 of the Promotion of Access to Information Act 2 of 2000 ("PAIA") which requires organisations to compile a manual as a guide to requesters of information. The Act requires us to make information available to requesters so that requesters:

- know what types of information we maintain; and
- can request access to information that falls within the ambit of the Act.

This manual is not exhaustive and requesters are advised to familiarise themselves with the provisions of PAIA and other relevant legislation before making any requests to GRW Engineering.

A copy of this Manual is available to the public on our website at <https://grw.co.za/> or on request (and upon the payment of a reasonable amount) from the Information Officer referred to in clause 5 of this manual. A copy of the manual is also available at our principal place of business, provided at paragraph 3 below, for public inspection during normal business hours.

2. OVERVIEW OF GRW ENGINEERING

GRW Engineering is a leading South African based transport equipment designer, manufacturer, and service provider of a wide range of sophisticated, cutting-edge tankers and trailers. We were founded in 1996 and is headquartered in Worcester (Western Cape). At our headquarters, we have highly qualified engineers employing the finest technologies and procedures to produce world-class and reliable trailers – each being configured to meet the unique transportation needs of our customers. We service customers across Southern Africa, the Middle East, Australia, Europe and the United Kingdom in industries ranging from construction and mining to petroleum and chemical.



3. OUR DETAILS

Organisation name	GRW Engineering Proprietary Limited
Website	https://grw.co.za/
Registration number	2005/033295/07
Postal address	PO Box 5102 , Worcester, 6849
Physical address	20 Abattoir Street, Worcester, Western Cape, 6849
Phone number	+27 23 348 6300
Default information officer ¹	Nolene Mitchell
Information officer email	nmitchell@grw.co.za
Information officer phone number	+27 84 538 6489

4. GUIDANCE FROM THE INFORMATION REGULATOR

For further guidance, contact the Information Regulator. They have compiled a [PAIA guide](#)² in each official language of South Africa on how to exercise your rights under PAIA.

Visit their website	www.inforegulator.org.za
Postal address	P.O Box 31533, Braamfontein, Johannesburg, 2017
Physical address	JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001
Phone number	010 023 5200
Ask a general enquiry by email	enquiries@inforegulator.org.za
Lodge a complaint by email	PAIAComplaints@inforegulator.org.za

5. RECORDS WHICH ARE AUTOMATICALLY AVAILABLE

We make some records automatically available³ to you without you needing to request access to them.

Type of record	How you can access it
Memorandum of incorporation (MOI)	BizPortal ⁴

¹ For more about the information officer see <https://www.michalsons.com/focus-areas/privacy-and-data-protection/information-officer-popi-paia>

² <https://inforegulator.org.za/paia-guidelines/>

³ Section 52

⁴ <https://www.bizportal.gov.za/>



Directors' names	BizPortal
Documents of incorporation	BizPortal
Banking details	Request by email
Brochures	Request by email
External newsletters and circulars	Subscribing or on our website
Information on our website	Visit our website

6. RECORDS AVAILABLE IN ACCORDANCE WITH LAW

We hold records that all organisations are required to hold by law, which include (but may not be limited to) the following legislation –

Anti-corruption and organised crime

- Prevention & Combating of Corrupt Activities Act 12 of 2004
- Prevention of Organised Crime Act 121 of 1998
- Protection of Constitutional Democracy against Terrorist and Related Activities Act 33 of 2004

Communications and IT

- Electronic Communications Act 36 of 2005
- Electronic Communications and Transactions Act 25 of 2002
- Financial Intelligence Centre Act 38 of 2001
- Regulation of Interception of Communications and Provision of Communication related Information Act 70 of 2002

Compliance and Corporate Governance

- Companies Act 71 of 2008
- Competition Act 89 of 1998

Copyright, Intellectual Property and Trademarks

- Copyright Act 98 of 1978
- Intellectual Property Laws Amendment Act 38 of 1997
- Intellectual Property Laws Amendment Act 28 of 2013
- Trade Marks Act 194 of 1993

Finance

- Income Tax Act 58 of 1962
- Insolvency Act 24 of 1936
- National Credit Act 34 of 2005
- Tax Administration Act 28 of 2011
- Value Added Tax Act 89 of 1991

General

- Consumer Protection Act 68 of 2008
- Prescription Act 18 of 1943
- Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000
- Promotion of Access to Information Act, No 2 of 2000



- Protection of Personal Information Act 4 of 2013

Human Resources

- Basic Conditions of Employment Act 75 of 1997
- Broad Based Black Economic Empowerment Act 53 of 2003
- Compensation for Occupational Injuries and Disease Act 130 of 1993
- Employment Equity Act 55 of 1998
- Labour Relations Act 66 of 1995
- Occupational Health and Safety Act 85 of 1993
- Protected Disclosures Act 26 of 2000
- Skills Development Act 97 of 1998
- Skills Development Levies Act 9 of 1999
- Unemployment Insurance Act 63 of 2001
- Unemployment Insurance Contributions Act 4 of 2002

7. RECORDS WE HOLD TO FUNCTION:

7.1. The following table contains a description of the types of records held by us and the categories of records held on each subject –

Subject	Description of record
Statutory records	<ul style="list-style-type: none"> • Company incorporation documents • Share register • Memorandum of Incorporation • Minutes of meetings of the board of directors • Records relating to the appointment of directors, auditors, and other officers
Income tax	<ul style="list-style-type: none"> • Pay-as-you-earn (PAYE) • Documents issued to employees for income tax purposes • Records of payments made to South African Revenue Services • All or any statutory compliance • Value Added Tax • Skills development levies • Unemployment Insurance Fund
Labour relations records	<ul style="list-style-type: none"> • Personnel documents and records • Employment contracts • Medical aid records • Pension Fund records • Disciplinary records • Salary records • Disciplinary code and procedures



	<ul style="list-style-type: none">• Leave records• Training records and manuals• Address and internal telephone lists
Finance	<ul style="list-style-type: none">• Receipts and payments• Bank statements• Budgets• Management accounts• Asset registers• Orders, quotes and invoices• Minutes of meetings• Correspondence
Risk and compliance	<ul style="list-style-type: none">• Contracts• Testing certificates• Policies and procedures• Compliance records

7.2. We have taken reasonable measures to ensure that the records in our possession are complete, accurate, not misleading and are updated where necessary. We have taken reasonable measures to ensure the maintenance and security of the records in our possession.

7.3. We retain the records in our possession for the duration necessary in order to enable and promote the objectives of PAIA and in accordance with the provisions, if any, relating to the retention of records as required or authorised by law.

8. PROCEDURE FOR ACCESS REQUESTS

We have appointed our information officer to deal with all matters relating to PAIA so we can comply with our PAIA obligations. To request access to a record, please complete [Form 2](#)⁵.

Please submit the completed form (together with the relevant request fee we explain below) to our information officer's email address, our physical address, or by fax using the details we provide. Please ensure that the completed form:

- has enough information for the information officer to identify you, the requested records, and the form of access you require,
- specifies your email address, postal address, or fax number,
- describes the right that you seek to exercise or protect,
- explains why you need the requested record to exercise or protect that right,
- provides any other way you would like to be informed of our decision other than in writing, and

⁵ <https://info regulator.org.za/paia-forms/>



- provides proof of the capacity in which you are making the request if you are making it on behalf of someone else (we will decide whether this proof is satisfactory).

If you do not use the standard form, we may:

- reject the request due to lack of procedural compliance,
- refuse it if you do not provide sufficient information, or
- delay it.

9. How we will give you access

We will evaluate and consider all requests we receive. If we approve your request, we will decide how to provide access to you – unless you have asked for access in a specific form. Publication of this manual does not give rise to any rights to access information records, except in terms of PAIA.

10. PAYMENT OF FEES

Request fees

When submitting your request, you must pay us a [request fee](#)⁶ as the law prescribes. You must pay us the prescribed fees before we give you access. You will receive a notice from our information officer upon your request⁷, setting out the application procedure⁸.

Access fees

If we grant the request, you will have to pay us a further [access fee](#)⁹ the law prescribes that includes a fee for the time it takes us to handle your request, or if the time has exceeded the prescribed hours to search and prepare the record for disclosure. Our information officer will notify you if you need to pay a deposit for the access fee. The deposit may be up to one third of the prescribed access fee¹⁰. The access fee will provide for:

- the costs of making the record, or transcribing the record,
- a postal fee (if applicable), and
- the reasonable time we need to search for the record and prepare the record for you¹¹.

If you paid the deposit and we refused your request, we will refund you the deposit amount. Until you have paid the fees, we may withhold the record you requested.

11. RECORDS THAT CANNOT BE FOUND OR DO NOT EXIST

⁶<https://www.michalsons.com/focus-areas/information-technology-law/access-to-information-paia/paia-manual-your-organisation/access-to-information-fees-for-private-bodies>

⁷ Section 54(1)

⁸ Section 54(3)(c)

⁹ <https://www.michalsons.com/focus-areas/information-technology-law/access-to-information-paia/paia-manual-your-organisation/access-to-information-fees-for-private-bodies>

¹⁰ Section 54(2)

¹¹ Section 54(7)



If we have searched for a record and it is believed that the record either does not exist or cannot be found, the requester will be notified by way of an affidavit or affirmation. This will include the steps that were taken to try to locate the record.

12. GROUNDS FOR REFUSAL OF ACCESS TO RECORDS

We may have to refuse you access to certain records in terms of PAIA to protect:

- someone else's privacy¹²,
- another company's commercial information¹³,
- someone else's confidential information¹⁴,
- research information¹⁵,
- the safety of individuals and property¹⁶, or
- records privileged from production in legal proceedings¹⁷.

Some of these grounds are explained in further detail below.

Protection of someone else's privacy (a natural person)

We may refuse to give you access to a record if access would unreasonably disclose a natural person's personal information, including a deceased person.

We will not refuse access in certain circumstances.

- The person who the information pertains to, has given consent.
- The information is publicly available.
- The information belongs to a class of information, and the private body notified the individual upfront that the specific class of information might be made public.
- The record is physical or mental health information or information about someone's well-being who is:
 - under the requester's (your) care and below 18 years, or
 - incapable of understanding the nature of the request and giving access would be in the individual's best interests.
- The information is about a deceased person and:
 - you are the next of kin, or
 - the request is made with the written consent of the individual's next of kin.
- The information is about a person who is, or was an executive at your organisation, and the information relates to their position or functions, for example:
 - that the person was an official at our organisation,
 - the title, work address, work phone number and other similar details,
 - the classification, salary scale or remuneration and responsibilities of the position or services, and
 - the name of the person on a record prepared by them while employed.

Protection of another organisation's commercial information

We may refuse to give you access to a record if the record contains another organisation's:

- trade secrets,

¹² Section 63

¹³ Section 64

¹⁴ Section 65

¹⁵ Section 68

¹⁶ Section 66

¹⁷ Section 67



- financial, commercial, scientific, or technical information and the disclosure could cause harm to the financial or commercial interests of that company,
- information and the disclosure could put that company at a disadvantage in negotiations or commercial competition, or
- information on a computer programme owned by us, protected by copyright.

Protection of the safety of individuals and property

We may refuse access if it could reasonably be expected to endanger someone's life or physical safety. We may refuse access to a record if disclosing it would be likely to prejudice or impair the security of:

- a building, structure, or system, including a computer or communication system,
- a means of transport,
- any other property,
- methods, systems, plans or procedures for the protection of someone in a witness protection scheme,
- the public, or a part of the public, or
- the property contemplated above.

Protection of research information

We may refuse you access to a record that contains research done by us or someone else, if disclosing it would disclose our identity, the researcher's or the subject matter of the research and would place the research at a serious disadvantage.

Our decision on giving you access

We will notify you in writing whether your request has been approved or denied within 30 calendar days after receiving your request. If we cannot find the record you asked for or it does not exist, we will notify you by way of affidavit that it is not possible to give access to that record.

13. REMEDIES FOR REFUSAL

If we deny your request for access, you may:

- apply to a court¹⁸ with appropriate jurisdiction, or
- [complain](mailto:PAIAComplaints@infoeregulator.org.za)¹⁹ to the Information Regulator,

for the necessary relief within 180 calendar days of us notifying you of our decision

14. HOW WE PROCESS AND PROTECT PERSONAL INFORMATION

We process the personal information of various categories of people for various purposes. Please refer to our website for our [Privacy Policy](#).

15. AVAILABILITY OF THIS MANUAL

This manual is available in English in electronic format on our website and in physical format at the reception of our company offices.

¹⁸ Section 78

¹⁹ PAIAComplaints@infoeregulator.org.za



16. UPDATES TO THIS MANUAL

We will update this manual whenever we make material changes to it.