

EKURHULENI WATER CARE COMPANY (ERWAT)



PAIA MANUAL

2023

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

Table 1

Owner	Company Secretary
Ref. No.	Cosec 2023
Version	Version 1
Release	R1
Version Date (Last Saved)	24 November 2023
File Name	PAIA: Promotion of Access to Information Act No. 2 of 2000
Review Frequency	Three (3) years or as and when need arise

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Document control

Document inquiries may be directed to the Company Secretary
Hartebeestfontein Office Park
R25 (Bronkhorstspuit/Bapsfontein)
Kempton Park NU
1512

The document control log table, below, must be updated each time that this policy is reviewed and / or amended to track the changes made:

Table 1

No.	Version	Date	Description of changes	Status	Modified by
1	V0. 1R1	19/09/2023	PAIA Manual	New	Ms Zimasa Socikwa

Reviewers and approvers

The signatories hereof, being duly authorised thereto, by their signatures hereto authorise or confirm their acceptance of the contents hereof and authorise the implementation / adoption thereof for and on behalf of the parties represented by them.

Table 2


Policy Owner	Ms Zimasa Socikwa
Date	28 November 2023
Designation	Company Secretary
Sign	

Table 3


Signatory # 1	Mr Kennedy Chihota
Date	01 Dec 2023
Designation	Managing Director (MD)
Sign	

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1. LIST OF ACRONYMS AND ABBREVIATIONS

- | | | |
|-----|--------------------|--|
| 1.1 | "MD" | Managing Director. |
| 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. REGULATOR AND RELATED DOCUMENTS

- 2.1 Whereas it is vital to note that there is various legislation that provides credence to the existence and functioning of municipal entities' communication, the following are key:
- 2.1.1 The Constitution of South Africa 1996
 - 2.1.2 Protection of Personal Information Act No.4 of 2013
 - 2.1.3 Promotion of Access to Information Act No.2 of 2000
 - 2.1.4 Promotion of Access to Justice Act
 - 2.1.5 POIA Framework

3. PURPOSE OF PAIA MANUAL

This PAIA Manual is useful for the public to -

- 3.1.1 check the categories of records held by a body that are available without a person having to submit a formal PAIA request.

- 3.1.2 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.
- 3.1.3 know the description of the records of the body which are available in accordance with any other legislation.
- 3.1.4 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.
- 3.1.5 The public body will process personal information, the purpose of processing personal information and the description of the categories of data subjects and of the information or categories of information relating thereto.
- 3.1.6 know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it.
- 3.1.7 know the description of the categories of data subjects and of the information or categories of information relating thereto.
- 3.1.8 know the recipients or categories of recipients to whom the personal information may be supplied.
- 3.1.9 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
- 3.1.10 know whether the body has appropriate security measures to ensure the confidentiality, integrity, and availability of the personal information that is to be processed.

4. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF THE EKURHULENI WATER CARE COMPANY

4.1 Chief Information Officer

Name: Mr Kennedy Chihota
Tel: 011 9297002
Email: Kennedy.Chihota@erwat.co.za
Fax number: 011 929 7000

4.2 Deputy Information Officer

Name: Mr Clifford Patel
Tel: 011 929 7000
Email: Clifford.Patel@erwat.co.za
Fax Number: 011 929 7000

4.3 Access to information general contacts

Email: Clifford.Patel@erwat.co.za

4.4 National or Head Office

Postal Address:

Po Box 13106
Norkem Park
1631

Physical Address:

Hartebeestfontein Office Park
R25 / Bapsfontein Road
Kempton Park, 1631

Telephone: 011 929 7000

Email: info@erwat.co.za

Website: www.erwat.co.za

5. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

5.1 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.

- 5.2 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.
- 5.3 The Guide can also be obtained-
- 5.3.1 upon request to the Information Officer;
- 5.3.2 from the website of the Regulator (<https://www.justice.gov.za/inforeg/>).

6. OBLIGATIONS OF THE INFORMATION OFFICER (regulation 3)

- 6.1 An information office must have a copy of the guide, in at least two of the official languages, at his/her registered head office, for public inspection during normal office hours.
- 6.2 An information officer must make available, upon written request of any person, on a form which corresponds with Form 1 of Annexure A to the Regulations, the number of copies of the guide in the official languages, as requested.
- 6.3 An information officer may not charge a fee for-
- 6.3.1 A copy of the guide made available in terms of sub regulation (2) of regulation 3 or;
- 6.3.2 Inspection of a copy of the guide at the office of the information officer.

7. CATEGORIES OF RECORDS OF ERWAT WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

- 7.1 ERWAT Strategic Document
- 7.2 Annual Reports
- 7.3 Annual Financial Statements

8. CATEGORY OF INFORMATION THAT IS AVAILABLE EITHER ON ERWAT WEBISTE OR UPON REQUEST

NO.	Category of records	Types of the Record	Available on Website Yes / No	Available upon request Yes / No
1.	Human Resource	1. Employee Performance Agreements 2. HR Policies 3. Standard Operating Procedures		YES

NO.	Category of records	Types of the Record	Available on Website Yes / No	Available upon request Yes / No
		4. Personal Employee Information (Employee files) 5. Employee Certification (TraininG) 6. Forms and Applications		
2.	Company Secretariat	1. Company Incorporation Certificate 2. Memorandum of Incorporation 3. Service Delivery Agreement 4. Board Charter 5. Board Committee ToR 6. Board of Directors Personal Information 7. Board Minutes 8. Committee Minutes		YES
3.	Finance, Supply Chain Management (SCM) & Information, Communication & Technology (ICT)	1. Tender Documents and other supporting documents that includes companies' qualifications, ID copies, Municipal Accounts and business information. 2. Documents and data basis which include personal information in the form of Identification numbers (ID), Name/Surname, Banking details, Salary information, contractual arrangements between the employee and third parties etc." 3. Customer credit applications with supporting documents, company qualifications, ID copies, business information etc," 4. Supplier invoices and banking details, company information. 5. Contract's SLA Documents 6. Contract's RICA documents		YES

NO.	Category of records	Types of the Record	Available on Website Yes / No	Available upon request Yes / No
4.	MARKETING, COMMUNICATION & CSI	1. Corporate membership 2. Marketing and Communication Strategy 3. Crisis plan 4. Brochures Leaflets 5. Copies of internal communication		YES

9. DESCRIPTION OF THE RECORDS OF ERWAT WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION

Category of Records	Applicable Legislation
Service Delivery Agreement	Municipal Systems Act 32 of 2000
Memorandum of incorporation	Companies Act 71 of 2008
Water Use Licences	National Water Act
Service Delivery Budget Implementation Plans	Municipal Finance Management Act
Safety files	Occupational Health and Safety Act
PAIA Manual	Promotion of Access to Information Act 2 of 2000
Risk abatement plans	National Water Act

10. PROCESSING OF PERSONAL INFORMATION

10.1 Purpose of Processing Personal Information

10.1.1 Processing of personal information shall be related to employee or the personnel of ERWAT, the board of directors, suppliers and contractors that have contractual obligations with ERWAT.

10.2 Information request procedure

Requests for personal records can either be done online or alternatively in hard copy by;

- 10.2.1 Completing the formal request form attached to as Annexure A (Form A) which is also available on ERWAT's website.
- 10.2.2 Filling in all the fields on the request forms.
- 10.2.3 Sending the request to the Chief Information Officer or Deputy Chief Information Officer on info@erwat.co.za or Clifford.patel@erwat.co.za
- 10.2.4 ERWAT will acknowledge receipt of a request, in writing within fourteen (14) days of receipt and will advise within thirty (30) days whether information is accessible and how and where it may be collected. Should the requester not receive an acknowledgement pr receipt in writing within fourteen (14) days, the requester should contact the Company Secretary to ensure that that the request is received or not.

10.3 Prescribed Fees

- 10.3.1 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.
- 10.3.2 PAIA sets out two (2) types of fees, a request fee (which will be a standard fee) and an access fee (which must be calculated by considering reproduction costs, search and preparation time and cost, as well as postal costs where applicable), that are required to be paid prior to ERWAT accessing the request of information.
- 10.3.3 The application fees (excluding VAT) which will be payable are:

	RECORD/INFORMATION	FEE
1.	Request fee payable by every requester	R100.00
2.	Copy per A4 page	R1.50
3.	Printing per A4 page	R1.50
4.	For a copy in a computer – readable form on – (i) Flash drive (to be provided by requester).	R40.00
5.	For a transcription of visual images per A4 size page and copy of visual images	To be outsourced- price dependent on service provider quotations.
6.	Transcription of an audio record, per A4-size page	R25.00
7.	Copy of an audio on record (i) Flash drive to be provided by requester	R40.00

8.	To search for and prepare the record for disclosure for each hour or part of an hour, excluding the first hour reasonably required for such search and preparation.	R100
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10.4 The recipients of categories of recipients to whom the personal information may be supplied.

10.4.1 Depending on the nature of the data, ERWAT may disseminate certain personal information which may be required by regulatory bodies, such information is listed below.

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

11. PLANNED TRANSBORDER FLOWS OF PERSONAL INFORMATION.

11.1 ERWAT may send personal information not contained within the borders of South Africa for the purpose for which the personal information was collected. ERWAT will seek the necessary consent to do or transfer without consent the personal information to where ERWAT is permitted to do so as indicated in the POPIA act.

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

12.1 ERWAT will take the necessary steps to safeguard personnel information through the implementation of following security controls at a minimum.

12.1.1 Implement perimeter security controls such as a firewall.

12.1.2 Implement a fully managed antivirus solution.

12.1.3 Implement an email security monitoring system.

- 12.1.4 ERWAT will ensure cyber security awareness programs are in place.
- 12.1.5 ERWAT will encrypt backup.
- 12.1.6 ERWAT's digital information infrastructure will be access controlled.

13. AVAILABILITY OF THE MANUAL

13.1 A copy of the Manual is available-

- 13.1.1 on www.erwat.co.za , if any;
- 13.1.2 head office of the ERWAT for public inspection during normal business hours.
- 13.1.3 to any person upon request and upon the payment of a reasonable prescribed fee; and
- 13.1.4 to the Information Regulator upon request.

13.2 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.

14. REVIEW OF THE MANUAL

14.1 The deputy chief information officer shall review the manual every three years or when the need arises.

Issued by



Kennedy Chihota

ERWAT Managing Director

Date:

FORM 2
REQUEST FOR ACCESS TO RECORD
[Regulation 7]

NOTE:

1. *Proof of identity must be attached by the requester.*
2. *If requests made on behalf of another person, proof of such authorisation, must be attached to this form.*

TO: The Information Officer

(Address)

E-mail address: _____

Fax number: _____

Mark with an "X"

☐

Request is made in my own name

☐

Request is made on behalf of another person.

PERSONAL INFORMATION			
Full Names			
Identity Number			
Capacity in which request is made (when made on behalf of another person)			
Postal Address			
Street Address			
E-mail Address			
Contact Numbers	Tel. (B):		Facsimile:
	Cellular:		
Full names of person on whose behalf request is made (if applicable):			
Identity Number			
Postal Address			

Street Address			
E-mail Address			
Contact Numbers	Tel. (B)		Facsimile
	Cellular		
<p align="center">PARTICULARS OF RECORD REQUESTED</p> <p><i>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. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)</i></p>			
Description of record or relevant part of the record:			
Reference number, if available			
Any further particulars of record			
<p align="center">TYPE OF RECORD</p> <p align="center"><i>(Mark the applicable box with an "X")</i></p>			
Record is in written or printed form			
Record comprises virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>			
Record consists of recorded words or information which can be reproduced in sound			
Record is held on a computer or in an electronic, or machine-readable form			

FORM OF ACCESS <i>(Mark the applicable box with an "X")</i>	
Printed copy of record <i>(including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)</i>	
Written or printed transcription of virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>	
Transcription of soundtrack <i>(written or printed document)</i>	
Copy of record on flash drive <i>(including virtual images and soundtracks)</i>	
Copy of record on compact disc drive <i>(including virtual images and soundtracks)</i>	
Copy of record saved on cloud storage server	

MANNER OF ACCESS <i>(Mark the applicable box with an "X")</i>	
Personal inspection of record at registered address of public/private body <i>(including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)</i>	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format <i>(including transcriptions)</i>	
E-mail of information <i>(including soundtracks if possible)</i>	
Cloud share/file transfer	
Preferred language <i>(Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available)</i>	

PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED <i>If the provided space is inadequate, please continue on a separate page and attach it to this Form. The requester must sign all the additional pages.</i>	
Indicate which right is to be exercised or protected	

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

FEES	
a)	<i>A request fee must be paid before the request will be considered.</i>
b)	<i>You will be notified of the amount of the access fee to be paid.</i>
c)	<i>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.</i>
d)	<i>If you qualify for exemption of the payment of any fee, please state the reason for exemption</i>
Reason	

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

Postal address	Facsimile	Electronic communication (Please specify)

Signed at _____ this _____ day of _____ 20 _____

Signature of Requester / person on whose behalf request is made

FOR OFFICIAL USE

Reference number:	
Request received by: (State Rank, Name And Surname of Information Officer)	
Date received:	
Access fees:	
Deposit (if any):	

Signature of Information Officer