



## **MS SMART SOLUTIONS (PTY) LTD**

Registration Number: **2017/058511/07**

**"the Company"**

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Prepared in terms of section 51 of the Promotion of Access to Information Act, No. 2 of 2000, as amended.

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## 1 Definitions

Term	Definition
CEO	Chief Executive Officer
Client	Any natural or juristic person that received or receives services from the company
Complainant	Any person who lodges a complaint with the Information Regulator
Complaint	(a) A matter reported to the Information Regulator in terms of section 74(1) and (2) of the Act; (b) A complaint referred to in section 76(1)(e) and 92(1) of the Act; (c) A matter reported or referred to the Information Regulator in terms of other legislation that regulates the mandate of the Information Regulator
Conditions for Lawful Processing	The conditions for the lawful processing of personal information as fully set out in chapter 3 of POPI and in section 12 of this manual
Data Subject	The person to whom Personal Information relates
Day	A calendar day, unless the last day of a specified period happens to fall on a Sunday or public holiday, in which case it is calculated exclusive of that Sunday or public holiday (Interpretation Act, 1957 - Act No. 33 of 1957)
DIO	Deputy Information Officer
Information Officer/IO	The individual who is identified herein and legally appointed to ensure compliance with POPIA and PAIA
Manual	This manual
Minister	Minister of Justice and Correctional Services
Office Hours	(a) For the Information Regulator: 08:00–16:00, Monday to Friday (excluding public holidays); (b) For designated offices: Hours during which the offices operate
PAIA	The Promotion of Access to Information Act, No. 2 of 2000
Personal Information	Information relating to an identifiable living person, or an identifiable existing juristic person, including but not limited to race, gender, contact info, biometrics, correspondence, opinions, and identifiers
Personnel	Any person who works for or provides services to or on behalf of the company and receives or is entitled to receive remuneration, including permanent, temporary and part-time staff, directors, and contractors
POPI/POPIA	The Protection of Personal Information Act, No. 4 of 2013
POPI Regulations	Regulations promulgated in terms of section 112(2) of POPI
Private Body	(a) A natural person conducting business; (b) A business partnership; (c) A juristic person not being a public body
Processing	Any operation or activity concerning personal information, including collection, storage, dissemination, or destruction
Regulator	Information Regulator established in terms of POPIA
Republic	Republic of South Africa
Signature	Any legally accepted form of signature, including electronic signature where applicable
Writing	As referred to in section 12 of the Electronic Communications and Transactions Act, 2002 (Act No. 25 of 2002)

## 2 Purpose of the PAIA Manual

This PAIA Manual is useful for the public to:

- 2.1 The PAIA Manual serves as a public guide to the information held by the organisation and how it can be accessed. It outlines the categories of records available without a formal request, the subjects on which records are maintained, and details of records accessible under other legislation. The manual also provides the official contact details of the Information Officer (IO) and Deputy Information Officer (DIO), who are responsible for assisting the public in exercising their right of access.
- 2.2 The manual further explains how to use the PAIA process and where to obtain the official guide published by the Regulator. It describes whether and how the organisation processes personal information, including the purposes of processing, the categories of data subjects involved, and the recipients (local or international) to whom such information may be supplied. The manual further confirms that appropriate security safeguards are in place to protect the confidentiality, integrity, and availability of personal information.

## 3 Contact Details for Access to Information Requests

### 3.1 Information Officer

Name	Stephen Scheepers
Contact number	010 448 4053
Email address	<a href="mailto:stephen@mssmartsolutions.co.za">stephen@mssmartsolutions.co.za</a>

### 3.2 Deputy Information Officer

Name	Michelle Scheepers
Contact number	010 448 4053
Email address	<a href="mailto:michelle@mssmartsolutions.co.za">michelle@mssmartsolutions.co.za</a>

### 3.3 National or head office

Postal address	P.O. Box 10199, Eden Glen, 1609.
Physical address	3 Model Road, Jet Park, Boksburg 1459.
Contact number	010 448 4053
Email	<a href="mailto:michelle@mssmartsolutions.co.za">michelle@mssmartsolutions.co.za</a>
Website	<a href="https://mssmartsolutions.co.za/">https://mssmartsolutions.co.za/</a>

## 4 Guide on how to use PAIA and how to Obtain Access to the Guide

- 4.1 The Information Regulator has published a revised PAIA Guide in terms of section 10(1) of PAIA (as amended). This guide is designed to help any person who wishes to exercise rights under PAIA or POPIA, and it is available in all official languages as well as in braille to ensure accessibility.
- 4.2 The Guide serves two key purposes:

**Commented [NM1]:** A PAIA Manual outlines the records held by a company and the process for requesting access to such information.

**Commented [NM2]:** Speaks to the guidance notes published by the information regulator

- 4.2.1. Access to Personal Information (POPIA): It explains how individuals (data subjects) can exercise their rights to request confirmation of whether personal information is held about them, to access that information (including details of third-party recipients), and to request correction, deletion, or destruction of personal information that is inaccurate, outdated, excessive, or unlawfully obtained.
  - 4.2.2. Access to Records (PAIA): It provides step-by-step guidance on how to request records from public or private bodies, including the required forms, the process for appeals or complaints, and how to approach a court if necessary.
- 4.3 In addition, the Guide offers:
- 4.3.1. An overview of the objectives of PAIA and POPIA.
  - 4.3.2. Contact details of Information Officers (IOs) and Deputy Information Officers (DIOs).<sup>1</sup>
  - 4.3.3. Manner and form of a request for access to a record of a public body and private body.<sup>2</sup>
  - 4.3.4. Guidance on compiling or accessing PAIA Manuals.<sup>3</sup>
  - 4.3.5. Information on voluntary disclosures of records, prescribed access fees, and applicable regulations.<sup>4</sup>
    - 4.3.5.1 How to lodge an internal appeal, a complaint with the Regulator or apply to court for a decision against a decision by the IO 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.
  - 4.3.6. Insight into how PAIA has been amended following the implementation of POPIA.
- 4.4 The guide can also be obtained:
- 4.4.1 Upon request to the IO: [Request for a Copy of the Guide from an Information Officer \[Regulation 3\]](#)
  - 4.4.2 From the website of the Regulator: [www.inforegulator.org.za](http://www.inforegulator.org.za)
  - 4.4.3 From the offices of the Regulator: Woodmead North Office Park, 54 Maxwell Drive, Woodmead, Johannesburg OR by email: [enquiries@inforegulator.org.za](mailto:enquiries@inforegulator.org.za)
- 4.5 A copy of the guide is also available in the following three official languages, for public inspection during normal office hours:
- 4.5.1 English.
  - 4.5.2 Afrikaans.
  - 4.5.3 Zulu.

## 5 Latest Notices in terms of Section 52(2) of PAIA

At this stage, no notice(s) has/have been published on the categories of records that are available without having to request access to them in terms of PAIA.

## 6 Availability of Certain Records in terms of PAIA

<sup>1</sup> Section 56(a) of POPIA - Every public and private body must, in line with section 17 of PAIA, appoint as many Deputy Information Officers as needed to carry out the duties and responsibilities set out in section 55(1) of POPIA.

<sup>2</sup> In terms of PAIA, access to records of a public body (section 11) or a private body (section 50) must be granted if the requester meets PAIA's procedural requirements, the request is necessary for exercising or protecting a right (in the case of private bodies), and no grounds for refusal in Chapter 4 apply.

<sup>3</sup> In terms of sections 14 and 51 of PAIA, the Information Officer of every public and private body must update and publish their PAIA manual at least once every 12 months.

<sup>4</sup> In terms of PAIA, public and private bodies must keep their PAIA manuals (sections 14 and 51) and notices (sections 15 and 52) updated and published at least once every 12 months. When access to a record is granted, the notice must also state any access fee payable by the requester (sections 22 and 54). In addition, the Information Regulator must update and publish the official PAIA Guide at least once every two years (section 92(1)).

6.1 Categories of records of the company which are available without a person having to request access:

**Commented [NM3]:** This section explains which records are automatically available to the public without a formal request, and how they can be accessed.

Category of Records	Types of the Record	Available on Website	Available on Request
PAIA Manual	Current PAIA Manual, version and effective date	X	X
Company overview	Company profile, sectors served, head office contact details	X	X
Services and capabilities	Automation and control, digitisation, instrumentation, AMR and prepaid metering, meter verification, data logging, repairs and testing, site audits	X	X
Product lines	High level product families and OEM brands only such as Siemens and ABB meters and analysers	X	X
OEM technical literature	User manuals and data sheets as supplied by OEMs, safety data sheets, wiring diagrams	-	X
Project references	Sanitised descriptions of representative projects without client identifiers	-	X
Sector credentials	Industry footprint across water and wastewater, chemical, food and beverage, industrial gas, emissions monitoring	X	X
Policies public facing	Privacy and Cookie Policy, Website Terms	X	X
Legal disclosures	POPIA and PAIA statements, website disclaimers	X	X
Public marketing materials	Brochures, capability decks, gallery images without site identifiers	X	X
Installation and commissioning packs	Site handover packs, instrument loop drawings, as built documents, calibration certificates	-	X
Maintenance and calibration records	Calibration logs, verification reports, service job cards	-	X
SCADA and telemetry descriptions	High level data flow, interface points, retention brackets without client data or credentials	-	X
Health and safety statements	HSE policy, PPE requirements for site work, permit to work alignment statement with client sites	X	X
Tender or supplier onboarding info	Generic vendor forms, B BBEE affidavit or certificate copy, bank confirmation letter where appropriate	X	X
Corporate identifiers	Registered name, registration number, registered address, VAT number	-	X
Information Officer contacts	Information Officer and any Delegated IO names, roles, email addresses, contact numbers	X	X
IO registration proof	Information Regulator registration certificate or reference number	-	X

Category of Records	Types of the Record	Available on Website	Available on Request
Company secretarial snapshot	Directors' names as filed at CIPC, principal place of business	-	X
Tax and compliance attestations	SARS TCS PIN, COID Letter of Good Standing, UIF and Workman's Compensation proof	-	X
Insurance confirmations	Public liability summary, limits, insurer, validity dates	-	X
Supplier Code of Conduct	Ethics, anti bribery, gifts and hospitality, conflicts of interest	X	X
Standard procurement info	Onboarding steps, required documents checklist, payment terms summary	X	X
Careers and recruitment	Current vacancies, application process, candidate privacy notice	X	X
CSR	Community initiatives and partnerships	X	X

6.2 Description of the records/subjects of the company which are available in accordance with any other legislation:

Category of Records	Applicable Legislation	Department/ Subject Area
Memorandum of Incorporation, CIPC filings, board minutes, share register	Companies Act, 2008. Act 71 of 2008	Corporate Governance
Beneficial ownership register, filings, access log	Companies Regulations, 2011 as amended by Companies Amendment Regulations on Beneficial Ownership, 2023	Corporate Governance
Director and prescribed officer disclosures, conflict registers, resolutions	Companies Act, 2008. Act 71 of 2008	Corporate Governance
Employment contracts, attendance, overtime, payroll, leave	Basic Conditions of Employment Act, 1997. Act 75 of 1997	HR
National Minimum Wage schedules for technicians and field teams	National Minimum Wage Act, 2018. Act 9 of 2018 read with the Basic Conditions of Employment Act, 1997	HR. Payroll
Disciplinary and grievance files, union correspondence, CCMA files	Labour Relations Act, 1995. Act 66 of 1995	HR
Employment Equity plan, annual EE reports, committee minutes	Employment Equity Act, 1998. Act 55 of 1998	HR
Recruitment ads, shortlist records, background screening outcomes	Employment Services Act, 2014. Act 4 of 2014. Protection of Personal Information Act, 2013. Act 4 of 2013	HR. Talent

Commented [NM4]: This section outlines the types of records held by The company that are accessible in terms of other South African legislation, such as employment, tax, health and safety, and B-BBEE records

Commented [NM5]: Confirm these departments

Category of Records	Applicable Legislation	Department/ Subject Area
Work permission for foreign nationals	Immigration Act, 2002. Act 13 of 2002	HR
UIF declarations, contribution records, benefit claims	Unemployment Insurance Act, 2001. Act 63 of 2001	HR
Skills plans, annual training reports, learnership agreements	Skills Development Act, 1998. Act 97 of 1998	Training and Development
Levy declarations, SETA registrations, grants	Skills Development Levies Act, 1999. Act 9 of 1999	Finance. Training
PAYE, IRP5, EMP201, EMP501, tax directives	Income Tax Act, 1962. Act 58 of 1962	Finance
VAT returns, input and output schedules, SARS correspondence	Value Added Tax Act, 1991. Act 89 of 1991	Finance
COIDA registration, Return of Earnings, Letter of Good Standing, IOD claims	Compensation for Occupational Injuries and Diseases Act, 1993. Act 130 of 1993	OHS. HR. Finance
OHS policy, site risk assessments, incident reports, safety minutes	Occupational Health and Safety Act, 1993. Act 85 of 1993 and regulations including Construction Regulations, Electrical Machinery Regulations	OHS
Public liability policy schedules, endorsements, notifications	Insurance Act, 2017. Act 18 of 2017	Risk. Finance
B-BBEE certificate, ownership, skills, supplier and enterprise development evidence	Broad Based Black Economic Empowerment Act, 2003. Act 53 of 2003 and the Codes of Good Practice	SCM. Finance
Client service agreements, warranty terms, returns, installation terms	Consumer Protection Act, 2008. Act 68 of 2008	Legal. Projects. Client Service
Metering type approval, pattern approval, verification records, test results	Legal Metrology Act, 2014. Act 9 of 2014. National Regulator for Compulsory Specifications Act, 2008. Act 5 of 2008. SANS 1529 series	Technical. Quality
Calibration certificates, SANAS accreditation records, equipment traceability	Standards Act, 2008. Act 8 of 2008. ISO IEC 17025 applied via SANAS	Quality. Technical
AMR AMI data logs, meter reads, event flags, exception reports, billing interface extracts	Protection of Personal Information Act, 2013. Act 4 of 2013. Municipal	Data. IT. Projects

**Commented [NM4]:** This section outlines the types of records held by The company that are accessible in terms of other South African legislation, such as employment, tax, health and safety, and B-BBEE records

Category of Records	Applicable Legislation	Department/ Subject Area
	Finance Management Act contexts via contract	
SCADA, PLC and telemetry configurations, network diagrams, firmware baselines, access keys register	POPIA sections 19 to 22. OHS Act Electrical Machinery Regulations. King IV IT governance practices	IT Security. Technical
Radio telemetry licences, frequency assignments, equipment type approvals	Electronic Communications Act, 2005. Act 36 of 2005 and ICASA Radio Frequency Spectrum Regulations	IT. Technical
Data subject notices, consent records, operator agreements, retention schedules	Protection of Personal Information Act, 2013. Act 4 of 2013	Legal and Compliance
Security policies, access controls, breach register, Regulator and data subject notifications	POPIA sections 19 to 22	IT Security. Legal
Information Regulator correspondence, remedial actions evidence	POPIA sections 22 to 23	Legal. IT Security
Data subject rights register, outcomes, response packs	POPIA sections 23 to 25	Legal. Compliance
Cross border transfer assessments and safeguards for cloud hosting	POPIA section 72	Legal. IT
DIO designations and revocations, IO registration proof	POPIA Regulations and outputs from the Information Regulator portal	Legal. Compliance
PAIA Manual, access request log, decision register, fee records, training logs	Promotion of Access to Information Act, 2000. Act 2 of 2000	Legal and Compliance
Electronic communications policies, e signature consents, website terms	Electronic Communications and Transactions Act, 2002. Act 25 of 2002	IT. Legal
Call recording policies, interception consents for support or QA	Regulation of Interception of Communications and Provision of Communication Related Information Act, 2002. Act 70 of 2002	Operations. IT
Cyber incident register, takedown requests, forensic reports	Cybercrimes Act, 2020. Act 19 of 2020	IT Security. Legal
E-waste registers, disposal certificates, hazardous waste manifests	National Environmental Management Waste Act, 2008. Act 59 of 2008 and EPR Regulations, 2020	Facilities. Technical

Commented [NM4]: This section outlines the types of records held by The company that are accessible in terms of other South African legislation, such as employment, tax, health and safety, and B-BBEE records

Category of Records	Applicable Legislation	Department/ Subject Area
Environmental monitoring project files for emissions or effluent instruments	National Environmental Management Air Quality Act, 2004. Act 39 of 2004. National Water Act, 1998. Act 36 of 1998	Projects. Technical
National or municipal water metering by law references tied to projects	Water Services Act, 1997. Act 108 of 1997 and municipal by laws via contract	Projects. Legal
Registered trademarks, copyright records, brand licences, design filings, patents	Trade Marks Act, 1993. Act 194 of 1993. Copyright Act, 1978. Act 98 of 1978. Designs Act, 1993. Act 195 of 1993. Patents Act, 1978. Act 57 of 1978	Legal. Marketing
Fleet files, driver licences and PDPs, vehicle licences, logbooks, accident files	National Road Traffic Act, 1996. Act 93 of 1996. Road Accident Fund Act, 1996. Act 56 of 1996	Fleet. Operations. HR
GPS and telematics from vehicles or staff tracking apps. Access control logs	POPIA. National Road Traffic Act, 1996	Operations. IT
CCTV footage at office or stores. Visitor registers	POPIA. Private Security Industry Regulation Act, 2001. Act 56 of 2001	Facilities. Security
Site access permits, contractor permits, client induction records	OHS Act, 1993 and client site rules via contract	Operations
Pressure equipment, lifting equipment and tools inspection files where used	OHS Act Pressure Equipment Regulations and Driven Machinery Regulations	OHS. Technical
Gifts and hospitality registers, conflict of interest logs, third party risk	Prevention and Combating of Corrupt Activities Act, 2004. Act 12 of 2004	Legal. EXCO. Procurement
Supplier contracts, procurement policy, technical due diligence packs	Common law. Consumer Protection Act, 2008. Act 68 of 2008	SCM. Legal
Bid submissions, declarations, award letters to public bodies	Preferential Procurement Policy Framework Act, 2000. Act 5 of 2000. PFMA, 1999. Act 1 of 1999 or MFMA, 2003. Act 56 of 2003 where relevant	SCM. Finance. Legal
Training matrices. POPIA, PAIA, OHS, site inductions. Completion evidence	BCEA, POPIA, OHS Act	HR. Compliance
Email retention rules, journaling settings, legal hold notices	POPIA and applicable Rules of Court on discovery and preservation	IT. Legal

**Commented [NM4]:** This section outlines the types of records held by The company that are accessible in terms of other South African legislation, such as employment, tax, health and safety, and B-BBEE records

Category of Records	Applicable Legislation	Department/ Subject Area
Project confidential. Client SOPs, PLC logic, route plans, site lists, raw logs	Release only via lawful request under PAIA or under contract	Projects. Client Service

**Commented [NM4]:** This section outlines the types of records held by The company that are accessible in terms of other South African legislation, such as employment, tax, health and safety, and B-BBEE records

- 6.3 The company keeps certain records as required by PAIA and POPIA:
- 6.3.1 PAIA records: PAIA Manual, official guides, submission records, and awareness training materials.
  - 6.3.2 POPIA records: Information Officer registration certificate, data breach records, retention records, and awareness training materials.
  - 6.3.3 Other relevant information may also be made available on request.

6.4 The tabulated records may be requested; however, it should be noted that there is no guarantee that the request will be honoured. Each request will be evaluated in terms of PAIA and any other applicable legislation.

## 7 Request Process

An individual who wishes to place a request must comply with all the procedures laid down in PAIA:

### 7.1. Initiating the request

- 7.1.1. Use the prescribed form
  - All requests must be made on the prescribed form (**Form 2 – Request for Access to Record [Regulation 7]**) - [Request for Access to Record \[Regulation 7\]](#)
  - Additional prescribed forms include:
    - **Form 2 – Request for Correction or Deletion** (section 24 of POPIA). This form is used by a data subject to request the correction of inaccurate, outdated, incomplete, irrelevant, or misleading personal information, and/or the deletion or destruction of personal information that is no longer necessary or unlawfully obtained, in accordance with Section 24(1) of POPIA. It ensures that responsible parties maintain accurate and lawful records of personal data. - [Request for Correction of Deletion of Personal Information or Deletion of Record of Personal Information](#)
    - **Form 3 – Application for a Code of Conduct** (section 61 of POPIA). This form is used by an industry body, profession, or class of entities to apply for the issuance of a Code of Conduct under Section 61(1)(b) of POPIA. It allows industries to self-regulate how personal information is processed within their sector, in line with the conditions for lawful processing. - [Application for the Issue of a Code of Conduct](#)
    - **Form 4 – Request for Consent for Direct Marketing** (section 69 of POPIA). This form enables a responsible party to formally request a data subject’s consent to receive direct marketing communications via unsolicited electronic means (e.g., SMS, email), as required under Section 69(2) of POPIA. It ensures that individuals have control over whether and how they are marketed to. - [Application for the Consent of a Data Subject for the Processing of Personal Information for the Purpose of Direct Marketing](#)
    - **Form 5 – Complaint Regarding Interference with Personal Information**. This form (Information) allows a data subject or complainant to submit a complaint to the Regulator concerning unlawful interference with personal information; or a determination made by an adjudicator under POPIA. It provides an avenue for recourse and investigation in cases of non-compliance with data protection

obligations. - [Complaint Regarding Interference with the Protection of Personal Information for the Purpose of Direct Marketing](#)

7.1.2. Requests not submitted on the prescribed form may be rejected.

7.1.3. Assistance in the request process:

- If a requester is illiterate or disabled, they may make the request orally to the IO, who must complete the prescribed form on their behalf and provide them with a copy (section 18(3) of PAIA).
- The IO must provide reasonable assistance to any requester who requires help in completing the form or understanding the procedure.

## 7.2. Particulars of the Request

7.2.1. The request must provide sufficient detail to enable the IO to identify and process it. This includes:

- A clear description of the record(s) requested.
- Full identity of the requester, with proof of identity where required.
- The preferred form of access (inspection, copy, electronic copy, etc.).
- The requester's contact details (postal, physical, fax or email).
- A statement that the record is required to exercise or protect a right, specifying the nature of that right and explaining why the record is necessary.
- If a request is made on behalf of another person, proof of authorisation must be attached.

## 7.3. Submission of Requests

7.3.1. The completed form, together with proof of payment of the prescribed request fee (if applicable), must be submitted to the Information Officer (IO) at the Company.

7.3.2. Requests may be lodged by:

- Hand delivery to the physical address provided in this Manual;
- Postal delivery to the Company's registered address;
- Fax; or
- Email to the address of the IO or DIO.

7.3.3. Where applicable, the IO may require a deposit in terms of section 22(2) of PAIA where search and preparation is expected to be time-consuming.

## 7.4. Fees and Timeframes for Response

7.4.1. Requests will be processed and responded to within 30 (thirty) calendar days of receipt.

7.4.2. In terms of section 26 of PAIA, the IO may extend this period once, by up to 30 additional days, if:

- The request involves a large number of records;
- Consultation with third parties is required; or
- The records are located in another office and cannot reasonably be obtained within 30 days.

7.4.3. If an extension is required, the requester will be notified in writing, with reasons for the extension.

7.4.4. A request fee may be charged for non-personal requests.

7.4.5. If the search and preparation of the record will exceed six (6) hours, the requester may be required to pay a deposit of up to one-third of the estimated fee.

7.4.6. Access will only be granted once all required fees have been paid.

## 7.5. Outcome of Request

- 7.5.1. The IO will notify the requester in writing, using **Form 3 - Outcome of Request and of Fees Payable [Regulation 8]**, of the decision to grant or refuse access.
- 7.5.2. If access is granted, the notice will:
  - Specify the form of access; and
  - State the applicable access fees payable before access is given.
- 7.5.3. If access is refused, the notice will set out the grounds for refusal as provided in Chapter 4 of PAIA.

## 7.6. Appeals and Complaints

- 7.6.1. If access is refused or deemed refused (i.e. no decision within the prescribed period), the requester may:
  - Lodge an internal appeal (for public bodies); or
  - Refer the matter to the Information Regulator or approach a court of law (for private bodies).
- 7.6.2. The Regulator can be contacted using the details provided in this Manual.

## 8 Grounds for Refusal

In terms of Chapter 4 of PAIA, the company may refuse a request for access to records on the following grounds (unless an exception applies):

- 8.1 **Privacy of individuals** - To protect the personal information of a third party (including deceased persons) where disclosure would be unreasonable.
- 8.2 **Commercial interests of third parties** - Records may be refused if they contain:
  - Trade secrets;
  - Financial, commercial, scientific, or technical information, where disclosure could cause harm; or
  - Information provided in confidence, where disclosure could disadvantage or prejudice the third party in negotiations or competition.
- 8.3 **Confidentiality agreements** - Information that is protected under a contract or agreement with a third party.
- 8.4 **Safety and security** - Records that could endanger the life, health, or safety of a person, or the protection of property.
- 8.5 **Legal privilege** - Records that would be privileged from disclosure in legal proceedings.
- 8.6 **Commercial interests of the company** - Records may be refused if they contain:
  - Trade secrets;
  - Financial, commercial, scientific, or technical information that could harm the company's interests;
  - Information that could prejudice the company in negotiations or competition; or
  - Proprietary computer programs protected by copyright or intellectual property law.
- 8.7 **Research information** - Where disclosure would place ongoing research or a researcher at a serious disadvantage.
- 8.8 **Frivolous or unreasonable requests** - Requests that are clearly frivolous, vexatious, or that would cause an unreasonable burden on company resources.

## 9 Remedies Should a Request be Refused

- 9.1 If the company does not have an internal appeal procedure in light of a denial of a request, decisions made by the IO is final.

9.2 The requestor may in accordance with sections 56(3) (c) and 78 of PAIA, apply to a court for relief within 180 (one-hundred-and-eighty) days of notification of the decision for appropriate relief.

## 10 Fees

The following fees shall be payable upon request by a requestor:

Details	Fee
Request fee (payable on every request)	R140.00 once-off
Photocopy of an A4 page or part thereof	R2.00 per page
Printed copy of an A4 page or part thereof	R2.00 per page
Hard copy on flash drive (flash drive to be provided by requestor)	R40.00 once-off
Hard copy on a compact disc (compact disc to be provided by requestor)	R40.00 once-off
Hard copy on a compact disc (compact disc to be provided by the company)	R60.00 once-off
Transcription of visual images per A4 page	As per quotation of service provider
Copy of visual images	As per quotation of service provider
Transcription of an audio record	R24.00 per A4 page
Copy of an audio record on flash drive (flash drive to be provided by requestor)	R40.00 once-off
Copy of an audio on a compact disc (compact disc to be provided by requestor)	R40.00 once-off
Copy of an audio on a compact disc (compact disc to be provided by the company)	R60.00 once-off
Base/starting rate to search for and prepare the record for disclosure	R145.00 per hour for each hour or part thereof, excluding the first hour, reasonably required for such search and preparation (cannot exceed R435.00 per request)
Rate to search for and prepare the record for disclosure	R435.00 per hour for each hour or part thereof, excluding the first hour, reasonably required for such search and preparation (cannot exceed total cost)
Postage, email or any other electronic transfer	Actual expense, if any

**Commented [NM6]:** When a person requests access to records, the organisation may need to search for the record (e.g., in archives, systems, or paper files) and prepare it for disclosure (e.g., collating, redacting personal/confidential info, copying).  
The first hour of work is free.  
After the first hour, the requester is charged a fee per additional hour (or part thereof).

**Commented [NM7]:** Max amount

## 11 Processing of Personal Information

11.1 The company processes personal information in accordance with the conditions for lawful processing as set out in the Protection of Personal Information Act, 4 of 2013 ("POPIA"). Personal information is processed only for legitimate business purposes, which may include (but are not limited to):

- 11.1.1 Employment-related purposes: Recruitment, administration of employment contracts, payroll, benefits, training, and compliance with labour laws.
- 11.1.2 Client and supplier management: Entering into and performing contracts, maintaining relationships, processing payments, and responding to queries or complaints.
- 11.1.3 Legal and compliance obligations: Compliance with statutory and regulatory requirements, record keeping, audits, and reporting.

11.1.4 Security and risk management: Protecting company property, monitoring access, preventing fraud, and ensuring the safety of staff, clients, and visitors.

11.1.5 Marketing and communication: Providing information about products or services, subject to obtaining the necessary consent under POPIA.

11.2 The company ensures that personal information is processed lawfully, reasonably, and only for the purposes for which it was collected and takes appropriate steps to protect the confidentiality and integrity of such information.

11.3 Description of the categories of data subjects and of the information or categories of information relating thereto:

11.3.1. The company processes personal information relating to various categories of data subjects. The categories of data subjects, and the types of personal information that may be processed in respect of each, include (but are not limited to) the following:

Categories of Data Subjects	Personal Information that may be Processed
Municipal and utility customers. Corporate clients	Names, roles, business contact details, company identifiers, contract files, orders, invoices, payment history, bank details, service tickets, support logs, acceptance certificates, change orders, communications, audit trails.
Residential end users for prepaid or AMR AMI projects where MS Smart Solutions acts under contract	Meter number, account or customer reference from the client, address, consumption and event logs, tariff class, disconnection and reconnection events, payment tokens where applicable, contact details supplied for alerts, complaints and fault tickets. No card data stored.
Industrial clients, EPCs, and consulting engineers	Names, roles, business contact details, project scopes, site access details, RAMS packs, permit records, technical approvals, FAT and SAT signoffs, communications.
OEMs, distributors, and technical suppliers	Entity details, registration and VAT numbers, B BBEE status, bank details, contact persons, quotations, orders, warranties, SLAs, security questionnaires, DPAs, performance records.
Subcontractors and specialist installers	Company and contact details, scope of work, competency records, permits to work, induction and safety confirmations, incident logs, invoices, communications.
Employees	Names, identity numbers, contact details, demographics, next of kin, contracts, performance, time and attendance, payroll and tax data, benefits, disciplinary records, training and induction completion, device and tool assignments, access logs, location logs when enabled, incident and injury files, medical fitness for work at heights or confined spaces where required.
Field technicians and site engineers	Names, contact details, route or job schedules, roster data, device IDs, photo uploads from site, GPS and timestamps on job cards, permits, site inductions, PPE issue, overtime and standby records, competencies and licenses.

**Commented [NM8]:** This section describes the different types of data subjects (e.g., customers, employees, suppliers) and the personal information collected, processed, and stored about each category.

Drivers	Names, license and PDP details, contact details, vehicle assignments, telematics and GPS logs, incident and accident reports, infringement records.
Job applicants	Names, contact details, CVs, qualifications, work history, references, background screening outcomes, right to work records, interview notes.
Test and calibration lab customers	Contact details, instrument identifiers, calibration certificates, traceability records, service history, collection and delivery details, communications.
Website users and online portal users	Names and contact details submitted via forms, device and browser identifiers, IP addresses, timestamps, analytics events, cookie preferences, user account activity for portals.
Social media users	Profile names, public handles, public posts directed at the company, direct message content relevant to service or support.
Office and workshop visitors. CCTV subjects	Names, ID or visitor card details, access logs, CCTV images and video, vehicle registration for parking, contractor company details.
Shareholders, directors, prescribed officers	Names, identity numbers, contact details, shareholding details, appointments, CIPC filings, beneficial ownership particulars, conflict registers.
Regulators and inspectors (Information Regulator, ICASA, NRCS, SANAS, DWS, municipalities)	Names, role and institution, contact details, correspondence, inspection or enquiry records, evidence submissions, license or accreditation references.
Community stakeholders and complainants	Names, contact details, complaint or enquiry content, signatures for acknowledgements, related correspondence, the minimum content required for legal or operational response.

## 12 The Recipients or Categories of Recipients to whom the Personal Information may be Supplied

12.1 Personal information held by the company may be disseminated to third parties only when lawful and necessary for business, contractual, or regulatory purposes. Categories of personal information and possible recipients include (but are not limited to):

Category of Personal Information	Recipients or Categories of Recipients
Identity numbers, names, business and personal contact details	Government departments and regulators. Law enforcement. Auditors. Banks for KYC. Municipalities and utilities for site and vendor onboarding. Shopping centers not applicable. Logistics partners for equipment delivery. Information Regulator for statutory submissions where required.
Qualifications, licenses, and professional history	SAQA. ECSA and relevant professional bodies. Background screening providers. Recruitment service providers. Client audit teams where contractually required.
Credit and payment history	Registered credit bureaus. Banks and payment processors. External accountants. Debt collection agencies where applicable.

**Commented [NM9]:** This section explains who The company may share personal information with and under what circumstances, such as for legal compliance, business operations, or with the data subject's consent.

Tax and payroll records	SARS. Payroll providers. Pension or provident fund administrators. Medical aid and employee benefit providers. UIF and COID administrators.
Health and safety information	Occupational health practitioners. Medical aid providers. Workmen's Compensation authorities. Client site safety officers for incident escalation. Insurers and loss adjusters.
Contractual and business information	Clients and EPCs. Insurers. Legal advisors. Auditors. Consultants. Subcontractors and OEM support under NDA. Distributors for warranty support.
B-BBEE credentials and supplier data	SANAS accredited verification agencies. Client procurement teams. Public and private tender portals where disclosure is required.
Training and induction records	Client site induction portals. SETA bodies for learnerships and grants. Auditors.
Direct marketing preferences and contact data	Email and SMS service providers. Campaign management vendors. Suppression list partners to honor opt outs.
Project acceptance, commissioning, FAT SAT records	Clients and EPCs. Independent engineers or certifiers. Regulators only where compliance submissions are required by law or license.
Metering and telemetry data for AMR AMI	Municipalities and utilities as responsible parties. Billing agents under contract. AMI platform vendors under operator agreements. No disclosure to unrelated third parties.
Calibration and test records	Clients. SANAS assessors during accreditation audits. OEMs for warranty or technical investigations.
CCTV footage, access control logs, visitor registers	Security service providers. Center or landlord security where shared premises apply. Insurers. Law enforcement on request. Forensic investigators.
Fleet, telematics, route and incident data	Telematics providers. Fleet insurers. Accident investigators. AARTO enforcement authorities. Panel beaters and tow services.
Financial records, invoices, bank details	Banks. External accountants. Auditors. Payment processors. Clients and suppliers for reconciliation.
Digital and IT records including user IDs, device IDs, logs, backups	Cloud hosting providers. Managed IT and cybersecurity vendors. SaaS analytics providers. Incident response partners.
SCADA, PLC and network configuration snapshots with access metadata	Client technical teams. OEM support under NDA. Managed service providers for break fix and upgrades. Never shared publicly.
Data protection governance records including ROPA, operator agreements, breach logs	Information Regulator. Clients in their capacity as responsible parties. Legal counsel. Insurers for cyber coverage.
Procurement and vendor onboarding packs	Due diligence providers. Screening databases. Client procurement teams. Group legal and risk.
Shareholder, director, and beneficial ownership details	CIPC. Banks for KYC. Auditors. Verification agencies where tender rules require disclosure.

### 13 Planned Transborder Flows of Personal Information

13.1 The company may, where necessary and lawful, transfer or store personal information outside the Republic of South Africa. This could include, for example, the use of secure cloud-based service providers or international business partners. Where no transborder transfer is required, personal information will continue to be stored and processed within South Africa.

- 13.2 Any cross-border transfer of personal information will only take place in accordance with section 72 of POPIA, which requires that:
  - 13.2.1 The recipient country, organisation, or international organisation is subject to a law, binding agreement, or corporate rules that provide an adequate level of protection; or
  - 13.2.2 The transfer is necessary for the performance of a contract, with the consent of the data subject, or for another lawful reason recognised by POPIA.

<b>The country in which personal information will be stored</b>

Commented [NM10]: List the countries

**14 Availability of the PAIA Manual at the Company**

- 14.1 A copy of the manual is available:
  - 14.1.1 On the website or at any head office for public inspection during normal business hours;
  - 14.1.2 To any person upon request and upon the payment of a reasonable prescribed fee; and
  - 14.1.3 To the Information Regulator upon request.
- 14.2 A fee for a copy of the manual, as contemplated in the Regulations, shall be payable per each A4-size photocopy made.

**15 Objection to the Processing of Personal Information by a Data Subject**

- 15.1 Any person (“data subject”) has the right to object to the processing of their personal information in terms of section 11(3) of POPIA.
- 15.2 An objection must be made on **Form 1 – [Objection to the Processing of Personal Information](#)** or a similar form. This is free of charge and can be sent by hand, post, fax, email, SMS, WhatsApp, or any other convenient method.
- 15.3 When personal information is collected, the company must inform the data subject of their right to object.
- 15.4 If an objection is made by phone, the company must record it electronically and provide a copy or written transcript to the data subject on request, at no cost.

**16 Request for Correction/Deletion of Personal Information or Destruction/Deletion of Record of Personal Information**

- 16.1 A data subject has the right, under section 24 of POPIA, to request the correction, destruction, or deletion of their personal information at any time and free of charge.
- 16.2 Correction or deletion may be requested if the personal information is:
  - 16.2.1 Inaccurate, irrelevant, excessive, out of date, incomplete, misleading, or unlawfully obtained; or
  - 16.2.2 No longer lawfully permitted to be kept by the company.
- 16.3 Requests must be made using **Form 2 – [Request for Correction of Deletion of Personal Information or Deletion of Record of Personal Information](#)** or a similar form. This can be submitted free of charge by hand, post, fax, email, SMS, WhatsApp, or any other convenient method.
- 16.4 If a request is made by phone, the company must record it electronically and provide a copy or written transcript to the data subject on request, at no cost.

16.5 The company must respond within 30 days of receiving the request and notify the data subject in writing of the outcome and any action taken.

**17 Applicable Forms**

**PAIA Forms**

**Form 01:** [Request for a Copy of the Guide from an Information Officer \[Regulation 3\]](#)

**Form 02:** [Request for Access to Record \[Regulation 7\]](#)

**Form 03:** [Outcome of Request and of Fees Payable \[Regulation 8\]](#)

**Form 05:** [Complaint Form \[Regulation 10\]](#)

**Form 13:** [PAIA Request for Compliance Assessment Form \[Regulation 14\(1\)\]](#)

**Commented [NM11]:** Form 01-Request for a copy of the guide

**Commented [NM12]:** Form 02- Request for access to the record.

**Commented [NM13]: Outcome of Request and of Fees Payable [Regulation 8]**  
Completed by the Information Officer to inform the requester whether access has been granted or refused, and the applicable fees.

**Commented [NM14]: Complaint Form [Regulation 10]**  
Used by a requester to lodge a complaint with the Information Regulator about how their PAIA request was handled

**Commented [NM15]: PAIA Request for Compliance Assessment Form [Regulation 14(1)]**  
Submitted to the Information Regulator when a requester wishes the Regulator to assess whether the organisation has complied with PAIA obligations.

**Commented [NM16]: Purpose of Form 3:**  
This form is used by industry associations or bodies (not individual data subjects) to apply to the Information Regulator for approval of a Code of Conduct. A Code of Conduct sets out how members of a specific industry or sector will handle personal information in line with POPIA. Once approved by the Regulator, it provides guidance and standards for compliant processing of personal information within that sector.

**Commented [NM17]:** Used where consent is required to process personal information for direct marketing purposes (e.g., promotional emails or SMS)

**Commented [NM18]:** Used when a data subject wishes to complain to the Information Regulator about unwanted or unlawful direct marketing practices.

**POPIA Forms**

**Form 1:** [Objection to the Processing of Personal Information](#)

**Form 2:** [Request for Correction of Deletion of Personal Information or Deletion of Record of Personal Information](#)

**Form 3:** [Application for the Issue of a Code of Conduct](#)

**Form 4:** [Application for the Consent of a Data Subject for the Processing of Personal Information for the Purpose of Direct Marketing](#)

**Form 5:** [Complaint Regarding Interference with the Protection of Personal Information for the Purpose of Direct Marketing](#)

**18 Updating of the Manual**

The head of the company will update this manual on a regular basis.

Name of IO	Stephen Scheepers
Title of the head of the body	Director