



**ISABELLA GARCIA**

INTERNATIONAL

[www.isabellagarcia.co.za](http://www.isabellagarcia.co.za)

[info@isabella-garcia.com](mailto:info@isabella-garcia.com)

Tel: +27 10 140 7141

Fax: +27 87 230 5572

**Isabella Garcia International (PTY) LTD**

**Registration number: 2008/002757/07**

**Manual in terms of Section 51 of the Promotion of Access to Information Act 2 of 2000.**



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## 1. Introduction:

- 1.1. Isabella Garcia International Proprietary Limited, with registration number 2008/002757/07 (the Company), is a cosmetics company that specialises in the marketing, selling and distribution of its products to clients anywhere in South Africa.
- 1.2. The Promotion of Access to Information Act 2 of 2000 (PAIA) and the Protection of Personal Information Act 4 of 2013 (POPIA) relate.
- 1.3. This manual is published pursuant to sections 14 and 51 of the Promotion of Access to Information Act 2 of 2000 (PAIA) which was promulgated in order to nurture an ethos which promotes transparency, accountability and effective governance of all private and public bodies. PAIA gives effect to section 32 of the Constitution of the Republic of South Africa, 1996, which provides for the right of access to information in a manner that affords persons a means/platform to obtain the records of private and public bodies as promptly and as efficiently as reasonably possible to endorse, including but not limited to, mechanisms and procedures that empower and educate all persons.
- 1.4. If there is any person who wishes to request any information from the Company in order to protect and exercise a right, that person may do so by contacting the Information Officer.

## 2. Company Contact details (Section 51 (1) (a)):

- 2.1. Head of business (CEO):
  - 2.1.1. Zanta Du Plessis
  - 2.1.2. 010 140 7141
  - 2.1.3. [Zanta.duplessis@isabella-garcia.com](mailto:Zanta.duplessis@isabella-garcia.com)
- 2.2. Information Officer:
  - 2.2.1. Elismari Hamman
  - 2.2.2. 072 204 3988
  - 2.2.3. [Elismari.hamman@isabella-garcia.com](mailto:Elismari.hamman@isabella-garcia.com)
- 2.3. Company postal address:
  - 2.3.1. PO Box 1152  
Saxonwold  
2196
- 2.4. Company physical address:
  - 2.4.1. 29 Westbrooke Drive  
Strathavon  
2196
- 2.5. Company contact details:
  - 2.5.1. Telephone: 010 140 7141
  - 2.5.2. Email: [info@isabella-garcia.com](mailto:info@isabella-garcia.com)

## 3. Guide in terms of Section 10 of PAIA (Section 51 (1) (b)):

- 3.1. PAIA grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.
- 3.2. Requests in terms of PAIA shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in paragraphs 6 and 7 of PAIA.



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- 3.3. Requesters are referred to the Guide in terms of Section 10 which has been compiled by the South African Human Rights Commission, which will contain information for the purposes of exercising Constitutional Rights. The Guide is available from the SAHRC.
- 3.4. The contact details of the Commission are:
  - 3.4.1. Postal address: Private Bag 2700, Houghton, 2041
  - 3.4.2. Telephone number: 01 877 3600
  - 3.4.3. Fax number: 011 403 0625
  - 3.4.4. Website: [www.sahrc.org.za](http://www.sahrc.org.za)
4. **The types of records held by the Company that may be requested:**
  - 4.1. The Company processes records relating to identification and contact information, financial information, telephone recordings, special personal information and other marketing information.
  - 4.2. Requesting a category or subject matter of information in this manual does not imply that a request for access to such records would be granted. All requests for access will be evaluated on a case-by-case basis in accordance with the provisions of PAIA.
5. **Documents available in accordance with other applicable legislation (Section 51 (1) (c)):**
  - 5.1. The Company keeps documents in accordance with the following legislation. The list below is not exhaustive.
    - 5.1.1. Basic Conditions of Employment Act 75 of 1997.
    - 5.1.2. Labour Relations Act 66 of 1995.
    - 5.1.3. Employment Equity Act 55 of 1998.
    - 5.1.4. Companies Act 61 of 1973.
    - 5.1.5. Skills Development Levies Act 66 of 1995.
    - 5.1.6. Value Added Tax 89 of 1991.
    - 5.1.7. Unemployment Insurance Act 63 of 2001.
    - 5.1.8. Compensation for Occupational Injuries and Diseases Act 130 of 1993.
    - 5.1.9. Competition Act 89 of 1998.
    - 5.1.10. Electronic Communications Act 36 of 2005.
    - 5.1.11. Employment Tax Incentive Act 26 of 2013.
    - 5.1.12. Income Tax Act 58 of 1962.
    - 5.1.13. National Minimum Wage Act, 9 of 2018.
    - 5.1.14. Occupational Health and Safety Act 85 of 1993.
    - 5.1.15. Patents Act 57 of 1978.
    - 5.1.16. Promotion of Access to Information Act 2 of 2000.
    - 5.1.17. Protection of Personal Information Act 4 of 2013.
    - 5.1.18. South African Revenue Services Act 34 of 1997.
6. **Schedule of records (Section 51 (1) (d)):**
  - 6.1. Records held by the Company may be accessed by a Requester once the prerequisite requirements for access have been met. The Act provides that a Requester must be given access to any record of the Company if:
    - 6.1.1. That record is required for the exercise or protection of any rights.
    - 6.1.2. That person complies with the procedural requirements in PAIA relating to a request for access to that record.



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- 6.1.3. Access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of PAIA.
  - 6.2. In addition to the requirements referred to above, when a public body requests access to a record of a private body for the exercise or protection of any rights, other than its rights, it must be acting in the public interest.
  - 6.3. A request contemplated above includes a request for access to a record containing personal information about the Requester or the person on whose behalf the request is made.
- 7. Prescribed form of request (Section 51 (1) (e)):**
- 7.1. A request for the access to any record of the Company must be made in the prescribed form to the address or e-mail address that has been provided for above.
  - 7.2. Please see attached the requisite Form C attached hereto as Annexure A which provides for the request for access to records held by a private body.
  - 7.3. Further to the above, requesters must:
    - 7.3.1. Provide sufficient particulars to enable the Information Officer of the Company to identify the requester as well as the record/s being requested.
    - 7.3.2. Indicate which form of access is required.
    - 7.3.3. Specify a postal address or e-mail address of the requester in the Republic.
    - 7.3.4. Identify the right that the requester is seeking to exercise or protect and provide an explanation of why the requested record is required for the exercise or protection of that right.
    - 7.3.5. If the requester wishes to be informed of the decision on the request in any other manner, to state such manner and the necessary particulars to be so informed.
    - 7.3.6. If the request is made on behalf of a person, to submit proof of the capacity in which the requester is making the request, to the reasonable satisfaction of Information Officer.
- 8. Prescribed fees:**
- 8.1. PAIA provides for two types of fees, namely:
    - 8.1.1. A request fee, which will be a standard non-refundable administration fee, payable prior to the request being considered.
    - 8.1.2. An access fee, payable when access is granted which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs.
  - 8.2. Subsequent to a request being made, the Information Officer, shall by notice require the requester to pay the prescribed request fee (if any), before further processing of the request.
  - 8.3. If the search and preparation for disclosure of the record, including arrangements to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, the Company will request the requester to pay, as a deposit, the prescribed portion of the access fee which would be payable if the request is granted.
  - 8.4. The Company may withhold a record until the requester has paid the fees as indicated in Annexure B.
  - 8.5. A requester whose request has been granted must pay the applicable access fee for reproduction, search, preparation and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure including making arrangements to make it available in the requested form.
  - 8.6. A request for a refund of the deposit may be made if the request for access is refused.



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### 9. Consideration of requests:

- 9.1. The Company will have deemed to have received your request once all the requirements in respect of PAIA have been fulfilled.
- 9.2. The Company will process the request within 30 days and decide whether to grant or decline the request and give notice with reasons (if required) to that effect. This is subject to any extensions of time in terms of PAIA and any special reasons provided by the requester to extend the time period.
- 9.3. The Information Officer's failure to respond to the requester within the thirty day period constitutes a deemed refusal of the request.
- 9.4. Section 59 of PAIA provides that the Information Officer may sever a record and grant access only to that portion which the law does not prohibit access to.
- 9.5. The main grounds of refusal for the Company to refuse a request for information relates to, amongst others:
  - 9.5.1. Mandatory protection of the privacy of a third party who is a natural person, which would involve the unreasonable disclosure of personal information of that natural person.
  - 9.5.2. Mandatory protection of the commercial information of a third party, if the record contains:
    - 9.5.2.1. Trade secrets of that third party.
    - 9.5.2.2. Financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party.
    - 9.5.2.3. Information disclosed in confidence by a third party to the Company, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition.
  - 9.5.3. Mandatory protection of confidential information of third parties if it is protected in terms of any agreement.
  - 9.5.4. Mandatory protection of the safety of individuals and the protection of property.
  - 9.5.5. Mandatory protection of records which would be regarded as privileged in legal proceedings.
  - 9.5.6. The commercial activities of the Company, which may include:
    - 9.5.6.1. Trade secrets of the Company.
    - 9.5.6.2. Financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of the Company.
    - 9.5.6.3. Information which, if disclosed could put the Company at a disadvantage in negotiations or commercial competition.
    - 9.5.6.4. A computer program which is owned by the Company, and which is protected by copyright.
  - 9.5.7. The research information of the Company or a third party, if its disclosure would disclose the identity of the Company, the researcher or the subject matter of the research and would place the research at a serious disadvantage.

### 10. Additional information (Section 51 (1) (f)):

- 10.1. The Company does not have internal appeal procedures. As such, the decision made by the Company is final and requesters will have to exercise external remedies at their disposal to obtain appropriate relief.



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- 10.2. This manual is available for inspection, free of charge, at the offices of the Company and on the Company Website.
- 10.3. Prescribed forms to request information are available free of charge, at the offices of the Company and on the Company Website.
- 10.4. Related documents:
  - 10.4.1. The Company privacy policy:
- 10.5. This manual was last modified on: 2021/07/01.



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**ANNEXURE A  
REQUEST FOR ACCESS TO RECORDS OF PRIVATE BODY**

This annexure must accompany the cover letter addressed to the Information Officer.

1. Particulars of the Information Officer of the Company:

Name: Miss Elismari Hamman  
Physical address: 29 Westbrooke Drive, Strathavon, 2196  
Tel: 010 140 7141  
Email: info@isabella-garcia.com

2. Particulars of the person requesting access to the record:

- 2.1 The particulars of the person who requests access to the record must be given below.
- 2.2 The address and/or fax number in the Republic to which the information is to be sent must be given.
- 2.3 Proof of the capacity in which the request is made, if applicable, must be attached.

Full Names and Surname: \_\_\_\_\_

Identity Number: \_\_\_\_\_

Postal Address: \_\_\_\_\_

Email Address: \_\_\_\_\_

Capacity in which the request is made, when made on behalf of another person:

\_\_\_\_\_  
\_\_\_\_\_

3. Particulars of person on whose behalf the request is made:

This section must be completed only if a request for information is made on behalf of another person.

Full Names and Surname: \_\_\_\_\_

Identity Number: \_\_\_\_\_

4. Particulars of record:

- 4.1. 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.





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- 4.2. If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.
- 4.3. Description of record or relevant part of the record:

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Reference Number, if available: \_\_\_\_\_

Any further particulars of record: \_\_\_\_\_

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**5. Fees:**

- 5.1. A request for access to a record, other than a record containing personal information about yourself, will be processed only after a request fee has been paid.
- 5.2. There are two types of fees:
  - 5.2.1. Request fee: R50.
  - 5.2.2. Access fee: 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. This is calculated by taking into account reproduction costs, search and preparation costs, as well as postal costs. These fees are set out in Annexure B.
- 5.3. The requester will be notified where the Information Officer requires a deposit (calculated from the access fee). Where a deposit has been taken and the request has subsequently been refused, the Information Officer will refund the deposit to the requester upon request.
- 5.4. Please ensure that you use the following reference for your deposit, or we will not be able to identify it as belonging to you:
  - 5.4.1. "PAIA" followed by your initial(s) and surname (e.g. If your initials and surname is AN Smith, you must use PAIA AN Smith as your reference).
- 5.5. You must submit proof of payment before your request can be processed.
- 5.6. If you qualify for exemption of the payment of any fee, please state the reason for exemption below:



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Reason for exemption from payment of fees: \_\_\_\_\_

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6. Form of access to record:

6.1. If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.

6.2. Disability: Form in which record is required: \_\_\_\_\_

6.3. Clearly indicate the appropriate option with an X.

6.3.1. Notes:

6.3.1.1. Compliance with your request in the specified form may depend on the form in which the record is available.

6.3.1.2. Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.

6.3.1.3. The fee payable for access for the record, if any, will be determined partly by the form in which access is requested.

6.3.2. If the record is in written or printed form:

6.3.2.1. Copy of record.

6.3.2.2. Inspection of record.

6.3.3. If record consists of visual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):

6.3.3.1. View the images.

6.3.3.2. Copy of the images.

6.3.3.3. Transcription of images.

6.3.4. If record consists of recorded words or information which can be reproduced in sound:

6.3.4.1. Listen to the soundtrack audio cassette.

6.3.4.2. Transcription of soundtrack.

6.3.4.3. Written or printed document.

6.3.5. If record is held on computer or in an electronic or machine-readable form:

6.3.5.1. Printed copy of record.

6.3.5.2. Printed copy of information derived from the record.

6.3.5.3. Copy in computer readable form (stiffy or compact disc).

6.4. If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.

6.4.1. Yes.

6.4.2. No.

7. Particulars of rights to be exercised or protected:

7.1. If the provided space is inadequate. Please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

7.2. Indicate which right is to be exercised or protected:



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

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8. Notice of decision regarding request for access:

8.1. You will be notified in writing whether your request has been approved/denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

8.2. How would you prefer to be informed of the decision regarding your request for access to the record?

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Signed at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_

\_\_\_\_\_  
Signature of requester

or

person on whose behalf request is made.



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## ANNEXURE B

### FEES PAYABLE IN RESPECT OF RECORDS REQUESTED FROM THE COMPANY

<b>The fees, in respect of private bodies, are as follows:</b>	<b>Rands</b>
For every photocopy of an A4-size page or part thereof.	R 1.10
For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form.	R 0.75
For a copy in a computer-readable form on: Stiffy disc R 7.50 Compact disc R 70.00	
For a transcription of visual images, for an A4-size page or part thereof.	R 40.00
For a copy of visual images.	R 60.00
For a transcription of an audio record, for an A4-size page or part thereof.	R 20.00
For a copy of an audio record.	R 30.00
The request fee payable by a requester, other than a personal requester.	R 50.00
<b>The access fees payable by a requester are as follows:</b>	
For every photocopy of an A4-size page or part thereof.	R 1.10
For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form.	R 0.75
For a copy in a computer-readable form on: Stiffy disc R 7.50 Compact disc R 70.00	
For a transcription of visual images, for an A4-size page or part thereof.	R 40.00
For a copy of visual images.	R 60.00
For a transcription of an audio record, for an A4-size page or part thereof.	R 20.00
For a copy of an audio record.	R 30.00
To search for and prepare the record for disclosure, R30.00 for each hour or part of an hour reasonably required for such search and preparation.	
For purposes of section 54(2) of the Act, the following applies: Six hours as the hours to be exceeded before a deposit is payable. One third of the access fee is payable as a deposit by the requester.	
The actual postage is payable when a copy of a record must be posted to a requester.	