



PAIA MANUAL

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

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1. LIST OF ACRONYMS AND ABBREVIATIONS

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|-----|--------------------|---|
| 1.1 | “CEO” | Chief Executive Officer |
| 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. PURPOSE OF PAIA MANUAL

This PAIA Manual is useful for the public to-

- 2.1 check the categories of records held by a body which are available without a person having to submit a formal PAIA request;
- 2.2 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;
- 2.3 know the description of the records of the body which are available in accordance with any other legislation;
- 2.4 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;

- 2.5 know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- 2.6 know if the body will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.7 know the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.8 know the recipients or categories of recipients to whom the personal information may be supplied;
- 2.9 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
- 2.10 know whether the body has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

3. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF THE PHARMA4U (PTY) LTD

3.1. Contact Details of the Private Body

Name:	PHARMA4U (PTY) LTD
Postal Address:	Suite 73, Private Bag X15, Somerset West 7129
Physical Address:	10 Prestige Place, Henry Vos Close, Asla Business Park, Strand 7140
Tel:	+27 (0) 21 854 4040
Website:	www.pharma4u.co.za
Email:	sales@pharma4u.co.za

3.2. Information Officer

Name: Chia-En Chun
Tel: +27 (0)787514578
Email: ann@crystaldirect.co.za
Fax number: 086 524 8410

3.3. Access to information general contacts

Email: accounts@pharma4u.co.za

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

4.1. 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.

4.2. The Guide is available in each of the official languages and in braille.

4.3. The aforesaid Guide contains the description of-

4.3.1. the objects of PAIA and POPIA;

4.3.2. the postal and street address, phone and fax number and, if available, electronic mail address of-

4.3.2.1. the Information Officer of every public body, and

4.3.2.2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA²;

¹ Section 17(1) of PAIA- *For the purposes of PAIA, each public body must, subject to legislation governing the employment of personnel of the public body concerned, designate such number of persons as deputy information officers as are necessary to render the public body as accessible as reasonably possible for requesters of its records.*

² Section 56(a) of POPIA- *Each public and private body must make provision, in the manner prescribed in section 17 of the Promotion of Access to Information Act, with the necessary changes, for the designation of such a number of persons, if any, as deputy information officers as is necessary to perform the duties and responsibilities as set out in section 55(1) of POPIA.*

- 4.3.3. the manner and form of a request for-
 - 4.3.3.1. access to a record of a public body contemplated in section 11³; and
 - 4.3.3.2. access to a record of a private body contemplated in section 50⁴;
- 4.3.4. the assistance available from the IO of a public body in terms of PAIA and POPIA;
- 4.3.5. the assistance available from the Regulator in terms of PAIA and POPIA;
- 4.3.6. all remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging-
 - 4.3.6.1. an internal appeal;
 - 4.3.6.2. a complaint to the Regulator; and
 - 4.3.6.3. an application with a court against a decision by the information officer 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;
- 4.3.7. the provisions of sections 14⁵ and 51⁶ requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;

³ Section 11(1) of PAIA- A requester must be given access to a record of a public body if that requester complies with all the procedural requirements in PAIA relating to a request for access to that record; and access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.

⁴ Section 50(1) of PAIA- A requester must be given access to any record of a private body if-

- a) that record is required for the exercise or protection of any rights;
- b) that person complies with the procedural requirements in PAIA relating to a request for access to that record; and
- c) access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.

⁵ Section 14(1) of PAIA- The information officer of a public body must, in at least three official languages, make available a manual containing information listed in paragraph 4 above.

⁶ Section 51(1) of PAIA- The head of a private body must make available a manual containing the description of the information listed in paragraph 4 above.

- 4.3.8. the provisions of sections 15⁷ and 52⁸ providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
 - 4.3.9. the notices issued in terms of sections 22⁹ and 54¹⁰ regarding fees to be paid in relation to requests for access; and
 - 4.3.10. the regulations made in terms of section 92¹¹.
- 4.4. 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.
- 4.5. The Guide can also be obtained-
- 4.5.1. upon request to the Information Officer;
 - 4.5.2. from the website of the Regulator (<https://www.justice.gov.za/inforeg/>).
- 4.6. A copy of the Guide is also available in the following two official languages, for public inspection during normal office hours-
- 4.6.1. (English / Afrikaans)

⁷ Section 15(1) of PAIA- The information officer of a public body, must make available in the prescribed manner a description of the categories of records of the public body that are automatically available without a person having to request access

⁸ Section 52(1) of PAIA- The head of a private body may, on a voluntary basis, make available in the prescribed manner a description of the categories of records of the private body that are automatically available without a person having to request access

⁹ 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 Section 54(1) of PAIA- The head of a private 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.

¹¹ Section 92(1) of PAIA provides that –“The Minister may, by notice in the Gazette, make regulations regarding-

- (a) any matter which is required or permitted by this Act to be prescribed;
- (b) any matter relating to the fees contemplated in sections 22 and 54;
- (c) any notice required by this Act;
- (d) uniform criteria to be applied by the information officer of a public body when deciding which categories of records are to be made available in terms of section 15; and
- (e) any administrative or procedural matter necessary to give effect to the provisions of this Act.”

4.7. For further information please contact the SAHRC:

Name: Information Regulator
Postal Address: P.O Box 31533, Braamfontein, Johannesburg, 201
Physical Address: JD House, 27 Stiemens Street, Braamfontein,
Johannesburg, 2001.
Complaints: PAIAComplaints@inforegulator.org.za
Email: enquiries@inforegulator.org.za
Website: <https://www.justice.gov.za/inforeg/>

5. CATEGORIES OF RECORDS OF THE PHARMA4U (PTY) LTD WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

The Information on the website about PHARMA4U (PTY) LTD is automatically available without having to request access in terms of Section 52(2) of PAIA.

6. DESCRIPTION OF THE RECORDS OF PHARMA4U (PTY) LTD WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION

- Companies Act, Act 71 of 2008, and subsequent amendments;
- Close Corporations Act, 1984;
- Income Tax Act, 1962;
- Value Added Tax Act, 1991;
- Disaster Management Act, 2002;
- Basic Conditions of Employment Act, 1997;
- Employment Equity Act, 1998;
- Labour Relations Act, 1995;
- Occupational Health and Safety Act, 1993;
- Skills Development Act, 1998;
- Unemployment Insurance Act, 2001;
- Consumer Protection Act, 2008;
- Broad Based Black Economical Empowerment Act, 2003 and subsequent amendments;
- National Credit Act 2005.

7. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON BY THE PHARMA4U (PTY) LTD

The subjects on which the PHARMA4U (PTY) LTD holds records and the categories on each subject in terms of Section 51(1)(e) are as listed in the tables below. Please note that a requester is not automatically allowed access to these records and that access to them may be refused in accordance with Sections 62 to 69 of the Act:

Subjects on which the body holds records	Categories of records
Internal Administration, Compliance and Management	<ul style="list-style-type: none"> ● Memorandum of Incorporation; ● Documents of Incorporation; ● Operational records; ● Company shares certificates; ● Title Deeds; ● Marketing records; ● Intellectual property; ● Internal correspondence; ● Service records; ● Statutory records; ● Internal policies and procedures; ● Internal auditing and risk; ● Minutes of meetings of the Board of Directors and Executive Management.
Human Resources	<ul style="list-style-type: none"> ● Personal details of staff and directors; ● Information relating to prospective employees including curricula vitae; ● Any records a third party has provided to us about any of their personnel; ● Banking and financial details; ● Employment Contracts; ● Occupational Health and Safety Records; ● Employment Equity Plan; ● Grievance procedures; ● Leave records; ● Medical aid records;

Subjects on which the body holds records	Categories of records
	<ul style="list-style-type: none"> ● Payroll reports / wage register; ● Pension fund records; ● Salary records; ● Loan Agreements; ● Standard letters and notices; ● Training manuals and records; ● Employment policies and procedures; ● Internal evaluation and disciplinary records; and ● Other internal records and correspondence.
Financial Records	<ul style="list-style-type: none"> ● Accounting Records; ● Annual Financial Reports and Statements; ● Banking statements; ● Banking details and bank accounts; ● Debtors / Creditors statements and invoices; ● Invoices; ● Policies and procedures; ● Taxation records; ● Insurance records; ● Asset Registers; ● Vouchers, Cash Books and Ledgers; ● Paid Cheques; ● General reconciliations; ● Auditor records; ● Rental Agreements.
Income Tax Records	<ul style="list-style-type: none"> ● PAYE records; ● Documents issued to employees for income tax Purposes; ● Records of payments made to SARS on behalf of Employees; ● All other statutory compliance records and Documents; ● VAT; ● Regional services levies; ● Skills development levies;

Subjects on which the body holds records	Categories of records
	<ul style="list-style-type: none"> ● UIF; ● Workmen's Compensation.
Client Records	<ul style="list-style-type: none"> ● Customer details; ● Credit application information; ● Banking and financial information; ● Contractual information; ● Any records a third party has provided to the Private Body either directly or indirectly.
Service Providers, Suppliers and Third Parties	<ul style="list-style-type: none"> ● Supplier Details; and ● Agreements with Suppliers/consultants; ● Service providers' and suppliers' terms and Conditions; ● Information about products or services; ● Information and records provided by a third party.
Other Records	<ul style="list-style-type: none"> ● Information relating to the Private Body's own commercial activities; ● Environment and market information; ● Project management; ● Information technology including information systems, network security, software licenses, technology asset; ● Support services; ● Internal communication.

8. PROCESSING OF PERSONAL INFORMATION

8.1 Purpose of Processing Personal Information

- To support recruitment and management of staff;
- To support engagement with suppliers and other third parties;
- To support engagement with the general public;
- To support engagement with investors and the media.

8.2 Description of the categories of Data Subjects and of the information or categories of information relating thereto

Categories of Data Subjects	Personal Information that may be processed
Customers / Clients	Records of customer life cycle
Suppliers	Records of supplier life cycle
Employees	Records of employee life cycle
General public	Tracking general enquiries and website visits
Investors	Records as maintained by the Organisation
Media	Records of media interactions

8.3 The recipients or categories of recipients to whom the personal information may be supplied

- Statutory authorities;
- Employees of the company;
- Customers;
- Suppliers;
- Law enforcement;
- Tax authorities;
- Financial institutions;
- Medical schemes;
- Employee pension and provident funds;
- Industry bodies.

8.4 Planned transborder flows of personal information

- Flows to service providers/operators;
- Flows to business partners;
- Flows to customers;
- Flows to suppliers;
- Flows through the use of social media.

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

- Physical security measures;
- Cyber security measures;
- Training in information security;
- Policies in information security;
- Audits of information security;
- Any particular security framework implemented.

9. REQUEST PROCEDURE

- 9.1. A request for records shall be accompanied by adequate proof of identity of the applicant, (such as a certified copy of his/her identity document), and made using the prescribed form, a copy of which is attached hereto and marked annexure "A" ("the prescribed form"). The prescribed form is also available from the website of the Human Rights Commission at <https://www.sahrc.org.za>, or the website of the Department of Justice and Constitutional Development at <https://www.doj.gov.za> and as may be advised by the Information Regulator on or after 1 July 2021.
- 9.2. The prescribed form shall be submitted to the Private Body Head named in clause 3 hereof.
- 9.3. The above procedure shall apply in the event that the requester is requesting information for personal use and/or on behalf of another person, even if such other person is a permanent employee of the Private Body.
- 9.4. The Head of the Private Body shall as soon as reasonably possible, and within 30 (thirty) days after the request has been received, decide whether or not to grant such request.
- 9.5. The requester will be notified of the decision of the Head of the Private Body or the General Manager in the manner indicated by the requester.
- 9.6. After access is granted, actual access to the record requested will be given as

soon as reasonably possible.

9.7. If the request for access is refused, the Head of the Private Body or the General Manager shall advise the requester in writing of the refusal. The notice of refusal shall state:

9.7.1. adequate reasons for the refusal; and

9.7.2. that the requester may lodge an appeal with a court of competent jurisdiction against the refusal of the request (including the period) for lodging such an appeal.

9.8. If the Head of the Private Body or the General Manager fails to respond within 30 (thirty) days after a request has been received, it is deemed, in terms of section 58 read together with section 56(1) of PAIA, that the Head of the Private Body or the General Manager has refused the request.

10. PAYMENT OF THE PRESCRIBED FEES

10.1. The following applies to requests (other than personal requests):

10.1.1. A requestor is required to pay the prescribed fees (R50.00) before a request will be processed;

10.1.2. If the preparation of the record requested requires more than the prescribed 6 (six) hours, a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted);

10.1.3. A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit;

10.2. Records may be withheld until the fees have been paid.

10.3. The fee structure shall be available by way of regulations published from time to time.

10.4. In addition to the request fee, the following reproduction fees are prescribed by the Minister in respect of private bodies such as the Private Body:

DESCRIPTION:	FEE:
For every photocopy of an A4-size page or part thereof:	R1.10
For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form:	R0.75
For a copy in a computer-readable form on compact disc:	R70
(i) For a transcription of visual images, for an A4-size page or part thereof:	(i) R20
(ii) For a copy of visual images:	(ii) R60
(iii) For transcription of an audio record, for an A4-size page or part thereof:	(iii) R20
(iv) For a copy of an audio record:	(iv) R30
To search for the record for disclosure:	R30 for each hour or part of an hour reasonably required for such search.

10.5. The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2) is R50,00.

10.6. For purposes of section 54(2) of the Act, the following applies:

10.6.1. Six hours as the hours to be exceeded before a deposit is payable; and

10.6.2. one third of the access fee is payable as a deposit by the requester.

10.7. The actual postage is payable when a copy of a record must be posted to a requester.

11. AVAILABILITY OF THE MANUAL

11.1. A copy of the Manual is available-

11.1.1. on *www.pharma4u.co.za*, if any;

11.1.2. head office of the PHARMA4U (PTY) LTD for public inspection during normal business hours;

11.1.3. to any person upon request and upon the payment of a reasonable prescribed fee; and

11.1.4. to the Information Regulator upon request.


11.2. 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.

12. UPDATING OF THE MANUAL

The head of a PHARMA4U (PTY) LTD will on a regular basis update this manual.

Approved by

Strand 30th June 2021



Ivo Zrcek

Authorized Director

13. PRESCRIBED REQUEST FORM

FORM C
REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY
(Section 53(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))
[Regulation 10]

A. Particulars of private body

The Chief Executive Officer: PHARMA4U (PTY) LTD.

B. Particulars of person requesting access to the record

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

Full names and surname: _____

Identity number: _____

Postal address: _____

Fax number: _____ Telephone number: _____

E-mail address: _____

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

C. Particulars of person on whose behalf 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: _____

D. Particulars of record

(a) 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.
(b) 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.**

1. Description of record or relevant part of the record: _____

2. Reference number, if available: _____

3. Any further particulars of record: _____

E. Fees

(a) 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.
(b) You will be notified of the amount required to be paid as the request fee.
(c) 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.
(d) If you qualify for exemption of the payment of any fee, please state the reason for exemption.

Reason for exemption from payment of fees:

F. Form of access to record

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.

Disability:	Form in which record is required				
Mark the appropriate box with an X . NOTES: (a) Compliance with your request in the specified form may depend on the form in which the record is available. (b) 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. (c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.					
1. If the record is in written or printed form:					
<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record		
2. If record consists of visual images (This includes photographs, slides, video recordings, computer-generated images, sketches, etc.):					
<input type="checkbox"/>	view the images	<input type="checkbox"/>	copy of the images*	<input type="checkbox"/>	transcription of the images*
3. If record consists of recorded words or information which can be reproduced in sound:					
<input type="checkbox"/>	listen to the soundtrack (audio cassette)	<input type="checkbox"/>	transcription of soundtrack* (written or printed document)		
4. If record is held on computer or in an electronic or machine- readable form:					
<input type="checkbox"/>	printed copy of record*	<input type="checkbox"/>	printed copy of information derived from the record*	<input type="checkbox"/>	copy in computer readable form* (stiffy or compact disc)

* 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.	YES 	NO
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G. Particulars of right to be exercised or protected

*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.***

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

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

H. Notice of decision regarding request for access

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.

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

Signed at _____ this _____ day of _____ year _____

SIGNATURE OF REQUESTER /
PERSON ON WHOSE BEHALF REQUEST IS MADE