



MORDT ENGINEERING (PTY) LTD

PAIA MANUAL

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

Guide of the South African Human Rights Commission
The Guide described in Section 10 of the Act is due in August 2003.
From that date it will be available from the South African Human Rights Commission.
The South African Human Rights Commission:
PAIA Unit (the Research and Documentation Department)
Postal address: Private Bag 2700,
Houghton,
2041
Telephone: +27 11 484-8300
Fax: +27 11 484-7146
E-mail: PAIA@sahrc.org.za
Website: <https://www.sahrc.org.za>



MORDT ENGINEERING (PTY) LTD, Reg. No.: 2019/423651/07
PAIA Manual in terms of Section 51 of the Promotion to Access to Information Act

This Manual is prepared in terms of Section 51 of the Promotion of Access to Information Act, 2000. The act gives effect to the provisions of Section 32 of the Constitution, which provides for the right of access to information held by the State and to information held by another person that is required for the exercise and/or protection of any right.

The reference to any information in addition to that specifically required in terms of Section 51 of the Act does not create any right or entitlement (contractual or otherwise) to receive such information, other than in terms of the act.

INTRODUCTION

MORDT ENGINEERING (PTY) LTD primary business purpose is related to Fabrication

MORDT ENGINEERING (PTY) LTD supports the constitutional right of access to information and we are committed to provide you access to our records in accordance with the provisions of the Act, the confidentiality we owe third parties and the principles of South African law.

NATIONAL OR HEAD OFFICE

Postal Address	P.O. Box 79012, Senderwood,
Physical Address	22 Covora Street, Jetpark, Boksburg, Gauteng, 1459
Telephone	+27 11 397 3860
Email	info@mordtgroup.com
Website	www.mordtgroup.com

INFORMATION OFFICER

Name and Surname	Brenda Harris
Telephone Number	011 397 3860
Email	brenda@mordtgroup.com
Registered with regulator	✓

HOW TO REQUEST ACCESS TO RECORDS

Requests for access to records held by the MORDT ENGINEERING (PTY) LTD must be made on the request form that is available at the contact details listed, from the SAHRC website (www.sahrc.org.za) or the Department of Justice and Constitutional Development (www.doj.gov.za) (under "regulations"). Note that requests need not be accompanied by payment BUT will only be processed upon payment of the prescribed fees.

Requests for access to records must be made to our Information Officer at the address, fax number or electronic mail address provided.

The requester must provide sufficient detail on the request form to enable the Information Officer to identify the record and the requester. The requester should also indicate which form of access is required and indicate if he or she wishes to be informed in any other manner and state the necessary particulars to be so informed.

The requester must identify the right that he or she 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. If a request is made on behalf of a person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the Information Officer of the MORDT ENGINEERING (PTY) LTD

The standard form that must be used for the making of requests is attached as Annexure 1. Not using this form could cause your request to be refused (if you do not provide sufficient information or otherwise) or delayed.

Kindly note that all requests to MORDT ENGINEERING (PTY) LTD will be evaluated and considered in accordance with the Act. Publication of this manual and describing the categories and subject matter of information held by MORDT ENGINEERING (PTY) LTD, does not give rise to any rights (in contract or otherwise) to access such information or records except in terms of the Act.

VOLUNTARY DISCLOSURE

MORDT ENGINEERING (PTY) LTD has not published a notice in terms of Section 52(2) of the Act, however, it should be noted that the information relating to MORDT ENGINEERING (PTY) LTD and its services is freely available at its offices and related websites. Certain other information relating to MORDT ENGINEERING (PTY) LTD is also made available from time to time.

APPLICABLE LEGISLATION

Records are kept in accordance with such other legislation as applicable to MORDT ENGINEERING (PTY) LTD, which includes, but is not limited to:

Basic Conditions Of Employment, Broad-Based Black Economic Empowerment, Companies Act, Compensation For Occupational Injuries, Constitution of South Africa, Consumer Protection, Criminal Procedure, Customs and Excise Act, Electronic Communications and transactions act, Employment Equity Act, Employment Equity Regulations, Financial Intelligence Centre Act, Income Tax Act, Labour Relations Act, Occupational Health And Safety Act, POPI Act, Prevention of Organised Crime Act, Protection of Information Act, Skills Development Levies Act, South African Revenue Service Act, Statistics Act, Tax on Retirement Funds Act, Unemployment Insurance Act, Value Added Tax Act

Although MORDT ENGINEERING (PTY) LTD has used its best endeavours to supply you with a list of applicable legislation it is possible that the above list may be incomplete. Wherever it comes to MORDT ENGINEERING (PTY) LTD attention that existing or new legislation allows a requester access on a basis other than that set out in the Act, we shall update the list accordingly.

REGULATIONS MADE IN TERMS OF SECTION 9211

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 5 above.

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.

REASONS FOR ACCESS REFUSAL

A private body such as Mordt Engineering (Pty) Ltd is entitled to refuse a request for information.

The main grounds for Mordt Engineering (Pty) Ltd to refuse a request for information relates to the following:

1. Mandatory protection of the privacy of a third party who is a natural person or a deceased person (section 63 of PAIA) or a juristic person, as included in the POPIA which would involve the unreasonable disclosure of personal information of that natural or juristic person;
2. Mandatory protection of personal information and for disclosure of any personal information to, in addition to any other legislative, regulatory, or contractual agreements, comply with the provisions of POPIA;
3. Mandatory protection of the commercial information of a third party (section 64 of PAIA) if the record contains:
 - 3.1 Trade secrets of the third party
 - 3.2 Financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party.
 - 3.3 Information disclosed in confidence by a third party to Mordt Engineering (Pty) Ltd if the disclosure could put that third party at a disadvantage in negotiations or commercial competition.
 - 3.4 Mandatory protection of confidential information of third parties (section 65 of PAIA) if it is protected in terms of any agreement.
 - 3.5 Mandatory protection of safety of individuals and protection of property (section 66 of PAIA) and or
 - 3.6 Mandatory protection of records which would be regarded as privileged in legal proceedings (section 67 PAIA).
 - 3.7 The commercial activities(section 38 of PAIA) of a private body, such as Mordt Engineering(Pty) Ltd, which may include
 - 3.7.1 Trade secrets of Mordt Engineering (Pty) Ltd;
 - 3.7.2 Financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of Mordt Engineering (Pty) Ltd;
 - 3.7.3 Information which, if disclosed could put Mordt Engineering (Pty) Ltd at a disadvantage in negotiations or commercial competition;
 - 3.7.4 A computer program which is owned by Mordt Engineering (Pty) Ltd and which is protected by copyright; and/or
 - 3.7.5 The research information (section 69 of PAIA) of Mordt Engineering (Pty) Ltd or a third party, if its disclosure would disclose the identity of Mordt Engineering (Pty) Ltd, the researcher or the subject matter of the research and would place the research at a serious disadvantage.
4. Requests for information that are clearly frivolous or vexatious, or which involve unreasonable diversion of resources shall be refused.
5. All requests for information will be assessed on their own merits and in accordance with the applicable legal principles and legislation.

If a requested record cannot be found or if the record does not exist, the Information Officer shall, by way of an affidavit or affirmation, notify the requester that it is not possible to give access to the requested record. Such a notice will be regarded as a decision to refuse a request for access to the record concerned for the purpose of PAIA. If the record should later be found, the requester shall be given access to the record in the manner stipulated by the requester in the prescribed form, unless the Information Officer refuses access to such record.

You will be notified in writing on Form 3 as required by PAIA as to whether your request for information has been approved or denied within 30 (Thirty) calendar days after receipt of a completed request refer Form 2 as per Annexure A.

FEES

The act provides for two types of fees:

A request fee, (which will be a standard fee) and an access fee, which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs where applicable. When a request is received by the information officer of the organisation, the information officer shall by notice require the requester, other than a personal requester, to pay the prescribed request fee (if any), before further processing of the request. If a search for the record is necessary and the preparation of the record for disclosure, including arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, the information officer shall notify the requester to pay as a deposit the prescribed portion of the access fee which would be payable if the request is granted.

The information officer shall withhold a record until the requester has paid the fee or fees as indicated. A requester whose request for access to a record has been granted, must pay an access fee for reproduction and for search and 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 request form. If a deposit has been paid in respect of a request for access, which is refused, then the information officer shall repay the deposit to the requester.

CATEGORIES OF RECORDS OF MORDT ENGINEERING (PTY) LTD (PTY) LTD WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

The categories of records held by Mordt Engineering (Pty) Ltd which are available without a person having to request access by completing Form 2 as per the PAIA regulations (27 August 2021). These are records that are available on the website (as indicated) and a person may download or request telephonically or by sending an email (Refer paragraph 3.3) or a letter. Refer Table 1 for documents which are available as described above.

Refer Table 1 for documents which are available as described above

Table 1			
Category of records	Types of the Record	Available on Website	Available on Request
Compliance	Terms of use for the website	X	
Compliance	Privacy policy for the website	X	
Compliance	PAIA Manual	X	
Compliance	SARS Tax clearance certificate		X
Compliance	B-BBEE affidavit		X
Compliance	Company registration document (CIPC)		X
Compliance	VAT Registration		X
Marketing	Company profile	X	
Marketing	Public Product Information	X	

DESCRIPTION OF THE RECORDS OF MORDT ENGINEERING (PTY) LTD WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION

These are the records which are created and available in accordance with any of the South African legislation. These are records that are available by request telephonically or by sending an e-mail or a letter.

Refer Table 2

Table 2	
Category of Records	Applicable Legislation
Memorandum of Incorporation	Companies Act number 71 of 2008
PAIA Manual	Promotion of Access to Information Act number 2 of 2000
PAIA Guides (Issued by Information Regulator and available on request)	Promotion of Access to Information Act number 2 of 2000

Table 3

Subjects on which the body hold records	Category of records
Compliance	<ul style="list-style-type: none"> * Policies and Procedures *Minutes of Board Meetings *Register of Directors *Share Register *Workman' Compensation
Sales and Marketing	<ul style="list-style-type: none"> *List of Clients and Prospects *Clients Agreements *Client Files *Client Correspondence *Sales Records
Suppliers	<ul style="list-style-type: none"> *List of Suppliers and Prospects *Suppliers Agreements *Supplier Files *Supplier Correspondence *Purchase Records
Human Resources	<ul style="list-style-type: none"> *HR Policies and Procedures *Employment Contracts *Employee records (Including Personal information) *Pension Fund Information *Payroll Records *PAYE -UIF-SDL Records *SARS IRP5 Records *Attendance Register *Disciplinary and Grievance Records *Union and Bargaining Council Records
Finance	<ul style="list-style-type: none"> *Financial Statements *Monthly Management Accounts *Vat Schedules *SARS Tax Clearance *Monthly Journals *Annual Journals *Cask Book *General Ledger *Financila Reconciliations *Debtors <ul style="list-style-type: none"> - Invoices - Statements -Credit Notes *Creditors <ul style="list-style-type: none"> - Invoices - Statements -Credit Notes

Table 3 - continued	
Subjects on which the body hold records	Category of records
Technology	* Information Security Policies * Register of Hardware * Register of Software * Record of Access to System
Operations	* Rental Agreements * Non-Disclosure Agreements * Internal Correspondence (Emails/Memos)

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

Mordt Engineering (Pty) Ltd is committed to ensuring that personal and sensitive Information is secure. To prevent unauthorised access or disclosure to any Personal Information, Mordt Engineering (Pty) Ltd has put in place suitable physical, electronic and managerial procedures to safeguard and secure the information it collects.

Mordt Engineering (Pty) Ltd makes use of secure data transmission and storage technologies to reasonably protect personal and sensitive Information from unauthorised disclosure and to maintain the integrity of your personal and sensitive Information.

Mordt Engineering (Pty) Ltd organisation takes all reasonable technical and organisational measures to ensure the security of Personal and sensitive Information.

Mordt Engineering (Pty) Ltd have comprehensive information security policies and procedures and have implemented security measures the cover the following areas:

1. Physical – Personal and sensitive information processed at reputable data centres with the necessary physical measures in place.
2. Logical – Only people that must have access to information/data to perform their tasks have that access. Strong passwords are used to access information/data that is classified as restricted/confidential.
3. Operational – Anti-malware and anti-virus solutions are used, vulnerability tests are done and backups are made on a regular basis.
4. Employees – Prospective employees have been screened before appointment. This includes criminal checks. Employees are also trained in relation to policies and procedures as and when required.

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)

A. Particulars of private body

The Head:

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 Name	
ID Number	
Address	
Date of Birth	
Email Address	
Phone Number	

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

I am the data subject

I am acting on behalf of the data subject by virtue of power of attorney

I am acting on behalf of the data subject as its parent or legal guardian

C. Particulars of person requesting access to the record

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

Full Name	
ID Number	

D. Particulars of person requesting access to the 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.

Description of request	
Reference	
Any further particulars of record	

E. Particulars of person requesting access to the record

- (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

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 for 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:

copy of record inspection of record

2. If record consists of visual images

this includes photographs, slides, video recordings, computer-generated images, sketches, etc)

view the images copy of the images transcription of the images

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

listen to the soundtrack audio cassette transcription of soundtrack written or printed document

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

printed copy of record printed copy of information derived from the record 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? Yes No

Postage is payable.

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 20

SIGNATURE OF REQUESTER / PERSON ON WHOSE BEHALF REQUEST IS MADE

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