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www.wickedimports.co.za
PO Box 31308, Kyalami, 1684

PAIA MANUAL

INTRODUCTION:

Wicked Imports (PTY) LTD is an importer and distributor of gifting, tobacco and vaping related products.

Section 51 of PAIA requires that we, as a private body, compile a manual giving information to the public regarding the procedure to be followed in requesting information from us for the purpose of exercising or protecting rights.

This PAIA Manual provides an outline of the type of records and the personal information held by the Company and explains how to submit requests for access to these records in terms of PAIA. In addition, it explains how to access or object to personal information held by the Company or how to request the correction of personal information held, in terms of sections 23 and 24 of the Protection of Personal Information Act, 2013 (POPIA).

AVAILABILITY OF THIS MANUAL

As required under section 10 of PAIA, a guide to PAIA is available from the South African Human Rights Commission containing information reasonably required by a person wishing to exercise or protect any right in terms of PAIA.

Any enquiries about the guide and its contents can be directed to:

South African Human Rights Commission

Promotion of Access to Information Act Unit

Research and Documentation Department

Private Bag 2700, Houghton, Johannesburg, 2041

29 Princess of Wales Terrace, Corner York and St Andrews Street, Parktown, Johannesburg, 2193

t: + 27 (0) 11 484 8300

f: + 27 (0) 11 484 7146/7

e: PAIA@sahrc.org.za

w: www.sahrc.org.za

PURPOSE OF COLLECTING INFORMATION

Wicked Imports (Pty) Ltd collects information of customers and potential customers, via Registration forms and Online registration forms, in order to facilitate the sale and delivery of products and collects information of suppliers and service providers in order to obtain products and services from providers.

OUR COMPANY INFORMATION

Company Name: Wicked Imports (PTY) LTD

Physical Address : Unit 8 Riverview Business Park, 135 River Road, Kyalami, 1684

Postal Address: P.O Box 31308, Kyalami, 1684

Tel: 011 466 3823

email address: info@wickedimports.co.za

INFORMATION OFFICERS AND CONTACT DETAILS

Contact Person: Ms Farida Manjoo

Capacity : Associate Director

Contact number : 011 466 3823

Email: info@wickedimports.co.za

Business Address : Unit 8 Riverview Business Park, 135 River Road, Kyalami, 1684

Contact Person: Ms Cheryl Pollock

Capacity : Accounts

Contact number : 011 466 3823

Email: cheryl@wickedimports.co.za

Business Address : Unit 8 Riverview Business Park, 135 River Road, Kyalami, 1684

LATEST NOTICE IN TERMS OF SECTION 52 (2)

At this stage, a notice on the categories of records that are automatically available without a person having to request access in terms of PAIA has not been published.

COMPANY INFORMATION RECORD CLASSIFICATION KEY

Classification No.	Access	Classification (PAIA Section)
1	May be disclosed	Public Access Document
2	May not be disclosed	Request after commencement of criminal or civil proceedings (s7)
3	May be disclosed	Subject to copyright
4	Limited Disclosure	Personal information that belongs to the requester of that information {s61}.

5	May not be disclosed	Unreasonable disclosure {s63(1)}
6	May not be disclosed	Likely to harm the commercial or financial interests of third party {s64(a), s64(b)}
7	May not be disclosed	Likely to harm the Company or third party in contract or other negotiations {s64(c)}
8	May not be disclosed	Would breach a duty of confidence owed to a third party in terms of an agreement {s65}
9	May not be disclosed	Likely to compromise the safety of individuals or protection of property {s66}
10	May not be disclosed	Legally privileged document {s67}
11	May not be disclosed	Commercial information of a private body {s68}
12	May not be refused	Disclosure in public interest {s70}

GENERAL RECORDS AVAILABILITY OVERVIEW :

Company General	General information and Trade Communication Releases	1
	Services and Catalogues	1
	PAIA Manual	1
	Intellectual Property Records	3, 11
	Public Company Records	1
Operations	Catalogues	1
	Sales History Information	4, 11
	Agreements and Documents	11
	Personnel Training Manuals	11

Business Documents	Customer Records including invoices, credit notes and statements	4, 11
Human Resource Records	Employee Records	4, 5, 9
	Employment Contracts	4, 5
	Policies and Procedures	4
	Employee Disability Insurance	4
	Physical Security Records (Visitors, Suppliers, Sub Consultancies and Employees)	4, 5
	Employee Pension Fund Records	4,
	Payroll Records	4, 5
	Leave Records	4,
	Training Records	4, 5
	Recruitment Records	4, 5
	Payroll Records	4, 5
	Employee Medical Records	4, 5, 8
Disciplinary Records	4, 5	
Financial Records	Financial Statements and Management Accounts	11
	Financial and Tax Records	4, 11
	Asset Register	11
	Fleet Records	4, 5, 11

INFORMATION AVAILABLE IN TERMS OF OTHER LEGISLATION

The Company also retains records and documents in terms of legislation listed below, but is not limited to:

- Basic Conditions of Employment Act, No. 75 of 1977
- Companies Act, No. 71 of 2008
- Compensation for Occupational Injuries and Diseases Act, No. 130 of 1993
- Electronic Communications and Transactions Act, No. 25 of 2002
- Employment Equity Act, No. 55 of 1998
- Income Tax Act, No. 68 of 1962
- Labour Relations Act, No. 66 of 1978
- Occupational Health and Safety Act, No. 85 of 1993
- Skills Development Act, No. 97 of 1988
- Skills Development Levies Act, No. 9 of 1999
- Unemployment Contribution Act, No. 4 of 2002
- Unemployment Insurance Act, No. 30 of 1966
- Value Added Tax Act, No. 89 of 1991
- National Credit Act, No. 34 of 2005
- Consumer Protection Act, No 68 of 2008
- Financial Intelligence Centre Act, No. 38 of 2001

These records and information may be made available on request, subject to this Manual, unless disclosure is prohibited in terms of legislation, agreement or otherwise.

PROCESSING OF PERSONAL INFORMATION

a. The Purpose of Processing Personal Information

The Company processes personal information for a number of reasons, including but not limited to the following:

- to perform services and deliver goods
- to maintain records;
- for employment purposes;
- for health and safety purposes; and
- to assist the Company to detect and prevent fraud and corruption.

CATEGORIES OF DATA SUBJECTS AND PERSONAL INFORMATION PROCESSED BY WICKED IMPORTS.

Categories of data subjects and personal information processed by the Company include the following:

Categories of Data Subject	Personal Information Processed
Client and Potential Clients	Client personal and contact information
	Client Registration Documents and Credit Applications
	Surveillance of Walk in Customers
Suppliers / Service Providers	Suppliers and Service Providers personal information
	Surveillance records
Employees	Time and attendance records

	Employee personal and Contact information
	Employee medical information
	Employee disability information
	Employee contracts
	Employee performance records
	Payroll records
	Electronic access records
	Physical access records
	Surveillance records
	Health and safety records
	Training records
	Employment history
Job Applicants	Curriculum Vitae and Application forms
	Background checks
Visitors	Physical access records
	Electronic access records
	Surveillance records

WITH WHOM WE SHARE PERSONAL INFORMATION

The Company may share personal information for any of the purposes outlined in section 7a with the following:

- Companies under the same Management as Wicked Imports (Pty) Ltd, and
- Company service providers, consultants and agents who perform services on behalf of the Company
- Email addresses are shared with a third party service provider in order to deliver Trade related information to our data subjects.

The Company does not share personal information with any other third parties, who do not directly render services on the Companies behalf except if:

- The Company is obliged to provide such information for legal or regulatory purposes;
- The Company is required to do so for purposes of existing or future legal proceedings;

- The Company is involved in the prevention of fraud, loss, bribery or corruption;
- The third party performs services and processes personal information on behalf of the Company.

The Company will only send data subjects notifications or communications if the Company is obliged to do so by law or required to do so in terms an agreement.

The Company will only disclose personal information to Government authorities if the Company is required to do so by law.

All employees of the Company are required to adhere to data privacy and confidentiality principles and attend to data privacy training:

OUR SECURITY MEASURES TO PROTECT PERSONAL INFORMATION

Reasonable technical and organisational measures shall be implemented for the protection of personal information processed by the Company.

The Company shall continuously implement and monitor technical and organisational security measures to protect personal information, against unauthorised access, as well as accidental or wilful manipulation, loss or destruction.

The Company shall take steps to ensure that operators that process personal information apply adequate safeguards as outlined above.

Customer registration documents or Credit Application Documents will be shredded as soon as we have been notified of a change in ownership of the store for which the documents have originally been submitted.

Customer Invoices/Credit Notes will be stored in our surveillance-ed warehouse and Office for a period of 5 Years. Thereafter all matter will be shredded onsite.

Customer information gathered on our website is held on a secure server hosted by our Third Party Service Provider.

Transborder flow of personal information

The Company will only transfer personal information to other countries if required to perform a service or if required in the circumstances. In this case the Company will only do so in accordance with POPI and other relevant legislation, or if the data subject consents to the transfer of personal information to another country.

If the Company receives personal information from a third party on behalf of a data subject, the Company shall require confirmation that they have written consent from the data subject that they are aware of the contents of this PAIA manual and the Company Privacy Policy, and do not have any objection to the Company processing their information in accordance with this policy.

A person who wants access to the records must complete the necessary request form, as set out below, and the completed Form C must be sent to the email address provided in this Manual.

FORMS OF REQUEST

To facilitate the processing of a request, the requester must:

- Use the prescribed form available online or request a copy of the form via telephone or email.
- Provide sufficient detail to enable the Company to identify:

1. The requestor (and, if an agent is lodging the request, proof of capacity).
2. The records requested.
3. The South African postal address or email address of the requestor.
4. The form of access required.
5. If the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof.
6. The right which the requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.

THE OUTCOME OF THE REQUEST

Should the request be refused, the notice will state adequate reasons for the refusal, including the provisions of the Act relied upon; and that the requester may lodge an application with a Court against the refusal of the request, and the procedure (including the time period) for lodging the application.

Apart from Section 7 of the Act, and subject to Section 70 of the Act, the main grounds for a request refusal for information as contemplated by the Act relates to:

- Protection of the privacy of a third party, if that third party is a natural person, which would involve the unreasonable disclosure of personal information of that natural person Section 63(1))
- Protection of commercial information of a third party as defined by the Act, if the record contains: trade secrets of that third party; financial, commercial, scientific or technical information other than trade secrets of a third party, the disclosure of which would be likely to cause harm to the commercial or financial interests of that third party; information disclosed in confidence to Wicked Imports by a third party, the disclosure of which could put that third party at a disadvantage in contractual or other negotiations or would prejudice that third party in commercial competition (Section 64).
- Protection of confidential information if the disclosure would constitute a breach of a duty or confidence to a third party in terms of an agreement (Section 65);
- Protection of safety of individuals and protection of property (Section 66);
- Protection of records which would be regarded as privileged in any legal proceedings, unless the person so entitled to privilege, waived the privilege (Section 67);
- Protection of commercial activities of the Company, which includes: trade secrets of Wicked Imports : financial, commercial, scientific or technical information, disclosure of which could cause harm to the financial or commercial interests of Wicked Imports; information which, if disclosed, could put Wicked Imports at a disadvantage in negotiations or commercial competition.
- The research information of the Company or a third party on behalf of the Company if the disclosure would expose the third party, the Company, the researcher or the subject matter of the research to serious disadvantage (Section 69).

REMEDIES

The Company does not have internal appeal procedures regarding PAIA requests. As a result, a decision made by the Director is final. If a request is denied, the requestor is entitled to approach the court, or the Information Regulator, for relief.

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 Head/Designated Person: **Ms Farida Manjoo**
(e) info@wickedimports.co.za
(t) +27 11 466 3823
(f) 086 610 0111

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:

Copy of record*

Inspection of record

2. If the 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 therecord? _____

Signed at _____ this the ____ day of _____ 20 ____.

WITNESS:

1. _____

2. _____

**SIGNATURE OF REQUESTER/PERSON
ON WHOSE BEHALF REQUEST IS MADE**