

MEASURED ABILITY GROUP HOLDINGS

PROMOTION OF ACCESS TO INFORMATION (PAIA) MANUAL

Incorporating:

Measured Ability Group Holdings (Pty) Ltd – Co. Reg. No: 2013/023268/07

MASA Outsourcing (Pty) Ltd – Co. Reg. No: 2017/455260/07

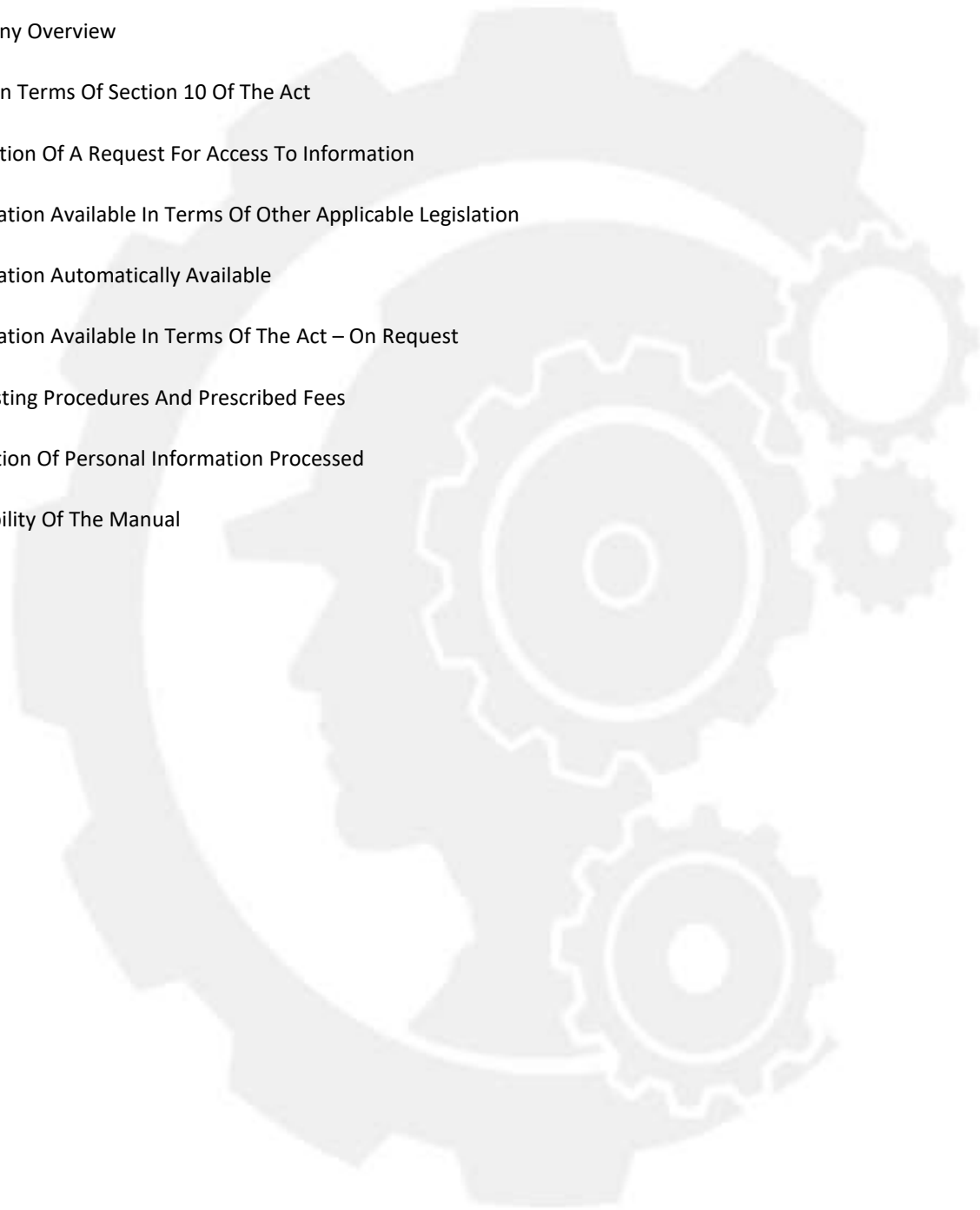
Greys MASA Measured Ability South Africa (Pty) Ltd – Co. Reg. No: 2008/016985/07

MASA Upliftment Trust – Co. Reg. No: IT000135/2019(N)

MASA Training Academy (Pty) Ltd – Co. Reg. No: 2018/331299/07

(Prepared in terms of the requirements of Section 51 of The Promotion Of Access To Information Act 2 Of 2000 (“PAIA”) and updated according to The Protection Of Personal Information Act 4 Of 2013 (“POPIA”))

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1. PURPOSE

This Manual grants access to records held by the Measured Ability Group and is compiled as a statutory requirement in compliance with the provisions of PAIA, which gives effect to the Constitutional right of access for any information held by the Government and any information held by private bodies that is required for the exercise and protection of any right.

Where a request is made in terms of PAIA, the body to which the request is made is obliged to give access to the requested information except where the Act expressly provides that the information may not be released.

POPIA was enacted in November 2013 to promote the protection of personal information processed by public and private bodies. POPIA amended certain provisions of PAIA, balancing the need for access to information, against the need to ensure the protection of personal information.

2. INFORMATION REQUIRED UNDER SECTION 51(1) (a) OF THE ACT

Head of Business:	Wayne Stainforth	Information Officer:	Ayanda Khuzwayo
Postal Address:	PO Box 22240 Glenashley Durban 4022	Physical Address:	3 rd Floor Island Circle 22 Island Circle Drive Riverhorse Valley Business Estate Riverhorse Valley Durban, 4017 South Africa
Telephone No:	+27 31 312 6453		
E-mail Address:	information.officer@masa.co.za		
Website:	www.measuredability.com		

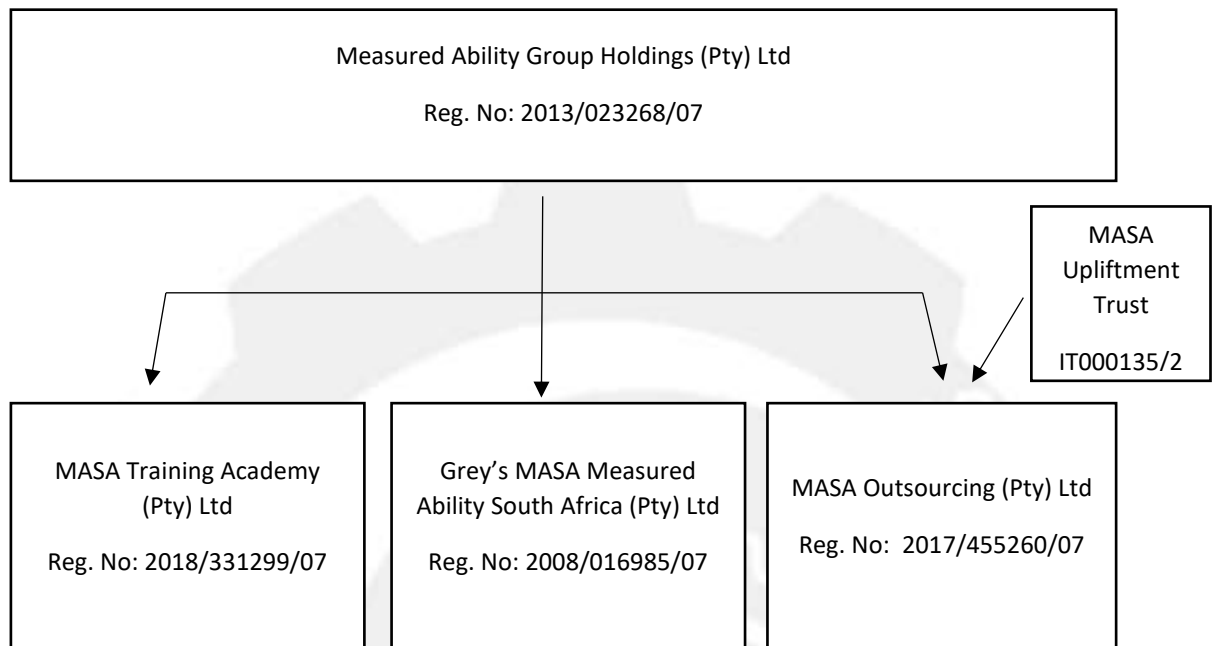
3. COMPANY OVERVIEW

The Measured Ability Group comprises of a group of companies specializing in National and International employment and staffing. Each company within the group specializes in its respective area offering services in blue collar recruitment, labour broking, labour hire, labour outsourcing, temporary employment services, white collar temporary & permanent recruitment, nursing and cleaning staff as well as industrial relations, human resources and payroll services, skills development and training, and international recruitment.

The Group is a member of both APSO (Association of Personnel Service Organisations) and CAPES (Confederation of Associations in the Private Employment Sector). It employs staff under numerous bargaining councils and has a strong Industrial Relations, Human Resources, Payroll and Recruitment team who are specialists in the industry.

Requests for Company information must be made to the designated Information Officer, as per the details below and in the form reflected in annexure "A". All requests for Company information shall be considered in the light of the relevant sections in the Act.

The Group Structure is as follows and this manual covers all entities in the structure:



4. GUIDE IN TERMS OF SECTION 10 OF THE ACT

- 4.1 The Act grants a requester of information access to records of a private body, if the record is required for the exercise of protection of any rights. If a public body lodges a request the public body must be acting in the public interest.
- 4.2 Requests in terms of the Act shall be made in accordance with the prescribed procedures at the rates provided. The forms and tariff are dealt with in sections 53 and 54 of the Act.
- 4.3 Requesters of information are referred to the Guide in terms of Section 10 which had been compiled by the South African Human Rights Commission. It contains information required by a person wishing to exercise any right, contemplated by PAIA and is available in all of the official languages. The guide is available from the SAHRC. The Contact details of the commission are:

The South Africa Human Rights Commission: PAIA Unit

Postal Address: Private Bag 2700, Houghton, 2041

Telephone No: +27 11 877 3600 / +27 11 484 8300

Fax No: +27 11 403 0625 / +27 11 484 1360

Website: www.sahrc.org.za

E-mail: PAIA@sahrc.org.za and/or mnyuswa@sahrc.org.za

5. FACILITATION OF A REQUEST FOR ACCESS TO INFORMATION

Information which is not readily available as indicated in this manual may be requested in accordance with the procedure prescribed in terms of The Act. Copies of the prescribed forms to be completed for submitting a request are available from Measured Ability Group.

6. INFORMATION AVAILABLE IN TERMS OF OTHER APPLICABLE LEGISLATION

Requesters may make requests for information that may be requested in accordance with applicable South African legislation, including:

- Basic Conditions of Employment Act 75 of 1997
- Broad-based Black Economic Empowerment Act 53 of 2003
- Companies Act 71 of 2008
- Businesses Act 71 of 1991
- Consumer Protection Act 68 of 2008
- Compensation for Occupational Injuries and Health Diseases Act 130 of 1993
- Competition Act 89 of 1998
- Electronic Communications Act 36 of 2005
- Electronic Communications and Transactions Act 25 of 2002
- King Code of Governance for South Africa, 2009 (King IV)
- Employment Equity Act 55 of 1998
- Financial Intelligence Centre Act 38 of 2001
- Income Tax Act 58 of 1962
- Labour Relations Act 6 of 1995
- National Minimum Wage Act 9 of 2018
- Occupational Health and Safety Act 85 of 1993
- Promotion of Access to Information Act 2 of 2000
- Protection of Personal Information Act 4 of 2013
- Regulation of Interception of Communications and Provision of Communication Related Information Act 70 of 2002
- Related Information Amendment Act 48 of 2008
- Pension Funds Act 24 of 1956
- Skills Development Levies Act 9 of 1998
- Skills Development Act of 97 of 1998
- Tax Administration Act 28 of 2002
- International Financial Reporting Standards
- Standards Act 29 of 1993
- Unemployment Contributions Act 4 of 2002
- Unemployment Insurance Act 63 of 2001
- Value Added Tax Act 89 of 1991
- Copyright Act 98 of 1978
- Trademarks Act 194 of 1993
- Currency and Exchange Act 9 of 1933
- Customs and Excise Act 91 of 1964
- Designs Act 195 of 1993
- Foodstuffs, Cosmetics and Disinfectants Act 54 of 1972
- Insolvency Act 24 of 1936
- Liquor Products Act 60 of 1989
- Merchandise Marks Act 17 of 1941
- Patents Act 57 of 1978
- Financial Advisory and Intermediary Services Act 37 of 2002
- General and Further Education and Training Quality Assurance Act 58 of 2001

- Protected Disclosure Act 26 of 2000
- Immigration Act 13 of 2002
- National Credit Act 34 of 2005
- Prevention and Combating of Corrupt Activities Act 12 of 2004
- Prevention of Organised Crime Act 121 of 1998 (POCA)
- Promotion of Equality and Prevention of unfair Discrimination Act 4 of 2000
- National Road Traffic Act 93 of 1996

7. INFORMATION AUTOMATICALLY AVAILABLE

Some records are automatically available in terms of legislation and this includes records lodged in terms of Government requirements with various statutory bodies, including the Companies and Intellectual Property Commission. Other information that is automatically available is:

- Newsletters
- Social Media Posts
- Brochures, Posters and Magazine entries
- Marketing and promotional material
- On the Website

8. INFORMATION AVAILABLE IN TERMS OF THE ACT – UPON REQUEST TO THE INFORMATION OFFICER

Statutory Business Records:

- Certificate of Incorporation
- Company Registration
- Certificate to Commence business
- Directors Appointments
- B-BBEE Shareholding and Certificates
- Directors attendance registers of meetings
- Memorandums of Incorporation
- Minutes of Shareholders meetings
- Minutes of Directors meeting
- Registers of Allotments
- Register of Directors and Officers
- Register of Directors shareholding
- Resolutions
- Shareholders Agreements

Accounting Records

- Annual Financial Statements and working papers
- General Ledger
- Bank Statements, cheque book and cheques
- Customer and supplier statements and invoices
- Cash books and petty cash books
- Fixed asset register
- Tax returns and assessments
- VAT returns

- Auditors reports
- Management reviews
- Capital expenditure
- Internal pricing records and other internal records

Fixed Property

- Building plans
- Lease agreements
- Mortgage bonds and other encumbrances
- Title deeds

Information Technology

- Agreements
- Capacity and utilization of operating systems
- Business Intelligence Programmes
- Client and candidate database
- Hardware
- Licenses
- Systems support, programming and development
- Server records
- Software packages
- Telephone exchange equipment
- Data lines, domain

Insurance

- Claim records
- Insurance policies

Legal, Agreements and Contract

- Agreements with contractors, consultants and suppliers
- Agreements with customers (SLA)
- Agreements with shareholders, officers, BEE Partners and directors
- Distributor, dealer, agency or subsidiary agreements
- Material agreements relating to provisions of services
- Contracts including leave agreements and financial and banking agreements

Human Resources

- Policies on Recruitment and Selection
- Other HR Policies
- Disciplinary, CCMA and Labour Court records
- Employee information records – personal, educational, banking, family, medical and pension/provident fund information
- Employment Applications
- Employment Contracts
- Health and Safety Records
- IRP5 and IT3 certificates of employees
- Leave application forms and records

- Medical Aid records
- Payroll records and salary payslips
- Personnel Files
- Training and Development and SETA records and material
- UIF, PAYE and SDL returns
- Workman's Compensation payments and documents
- Records provided by a third party relating to employees such as credit and criminal record information
- Correspondence related to personnel
- Employment Equity Plans
- Skills Development Plans including annual training reports and workplace skills plans

Sales and Marketing

- Brochures, newsletters and marketing material
- Social media releases
- Public relations policies and procedures
- Service and product information

9. REQUESTING PROCEDURES AND PRESCRIBED FEES

- 9.1 A person who would like access to company records may do so by completing the necessary request forms that are available at the offices of the Measured Ability Group and are annexed to this Manual. The completed request form may be sent to the address or e-mail provided in this manual and marked for the attention of the Information Officer.
- 9.2 Access to information held by the company is not automatically available and can be refused by the Company on any of the grounds for refusal contemplated in Chapter 4 of Part 3 of the Act pertaining to: "Grounds for Refusal of Access to Records".
- 9.3 In order to request access to information held by the company, the person requesting such access must not only identify the right it is seeking to exercise or protect and explain why the record requested is required for the exercise of such exercise or protection of that right, but must also comply with all the procedural requirements set out in the Act. Should the person requesting access to information be a public body then such person must identify that it is requesting such information in the public's interest by stipulating adequate reason/s.
- 9.4 Requesters of information are required to provide all required details on the Prescribed Access Form attached hereto as Annexure "A" to enable the company to identify:
- a. The record/s requested
 - b. The requesters details (if an agency then proof of capacity or designation) with proof of identity to authenticate the request and the requester
 - c. The form of access required
 - d. The postal address or e-mail of the requester in South Africa
 - e. If the requested wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof.
 - f. The right which the requestor is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.

- 9.5 A request will not be processed until the request fee of fifty rand (ZAR50.00) has been paid by eft together with the access fee deposit (if applicable) and proof of payment sent to the Information Officer. The request fee is an administration fee that must be paid before the request is considered and is not refundable. However, a requester requesting information containing personal information about the requester (ie: itself, himself or herself) is excluded from paying the request fee.
- 9.6 The access fee as set out in Annexure “B” attached hereto, is intended to reimburse the company for the costs involved in searching and preparing the record requested for delivery and is payable once access to the record requested is granted. Should this request for information be about a person other than the requester himself/herself and the company is of the opinion that the preparation of the required record will take more than six hours, a deposit (which is 1/3 of the amount) is payable before the request will be processed by the company.
- 9.7 A reproduction fee as set out in Annexure “C” attached hereto, is payable by the requester in case of the reproduction of a record is requested, notwithstanding the fact that it is automatically available.
- 9.8 Requestors will be informed within 30 days of the company’s decision to approve or refuse access to the information requested based on any of the grounds for refusal as contemplated in Chapter 4 of Part 3 of the Act. The 30 day period may be extended for a further 30 days if more time is required to gather the requested information. The requester will, however, be notified in writing if the initial 30 day period is to be extended for a further 30 days.
- 9.9 A requestor may lodge an application with a court against the tender/payment of the requested fee and or deposit. Records may be held until the fees have been paid
- 9.10 The fee structure is available on the website of the South African Human Rights Commission at www.sahrc.org.za and is attached as a summarised appendix to this manual.

10. PROTECTION OF PERSONAL INFORMATION PROCESSED

The Measured Ability Group is committed to protecting the privacy of personal information of all our data subjects. The information shared with the company by data subjects allows us to provide superior services to all our stakeholders.

The Measured Ability Group has dedicated policies and procedures in place to protect all personal information collected and processed by us. Please read below for more information on how we collect, process, use and disclose personal information.

10.1 The Purpose of Processing Personal Information

We process personal information for various reasons including but not limited to the following:

- To manage information and services requested by data subjects
- To help us identify data subjects when they contact us
- To manage our customers effectively and provide professional services
- To maintain customer records
- Employment purposes
- Training purposes
- Financial and tax purposes
- Legal or contractual purposes

- Health and Safety purposes
- To transact with our suppliers
- To improve the quality of our service offerings
- Marketing purposes

10.2 Data Subject Categories And Personal Information Processed

Customers	<ul style="list-style-type: none"> • Full Names, e-mail addresses and telephone numbers • Sales information and analytics • Information on their products and services as well as their employees positions and standard operating procedures • Address and site location information • Information on their policies and procedures
Employees	<ul style="list-style-type: none"> • Full Names, e-mail addresses and telephone numbers • ID Numbers and Passport Numbers • Age, Date of Birth • Criminal History including alleged commission of offence and proceedings in respect of such offences • Credit (ITC) History • Education history • Private home address • Dependent Details • Medical History • Garnishee and Maintenance order information • Pension, Provident Fund and Medical Aid information • Union memberships • Gender, race, nationality, disability and marital status • Banking Details • Remuneration Details • Disciplinary and performance records • Previous employment history
Suppliers	<ul style="list-style-type: none"> • Names , e-mail addresses and telephone numbers • Location information • Banking Details • Business profiles • Costing and information on the pricing of their products and services

10.3 Recipients With Whom Personal Information Is Shared

In processing personal information, we may share it amongst our employees for operational requirements and with certain planned recipients or other third parties if required by operation of law.

These include but are not limited to:

- Statutory Authorities
- Financial Institutions
- Law Enforcement Agencies
- Tax Authorities

- Medical Schemes and related service providers
- Employee Pension and Provident Funds
- Industry Bodies
- Bargaining Councils
- Trade Unions
- Contractors, Vendors or Suppliers
- Payment Processors
- Data Storage Providers

10.4 Security Measures Implemented To Protect Personal Information

The Group understands the value of information and will take all reasonable steps to protect the information from loss, misuse, or unauthorized access.

The Group has a responsibility to:

- protect and manage information that its holds about its stakeholders.
- make use of electronic and computer safeguards, such as firewalls and data encryption, to secure stakeholders' information.
- ensure physical and electronic access control to its premises; and
- only authorize access to information to those employees who require it to fulfil their designated responsibilities.

We have identified our safety risks over the personal information we process in line with the Protection of Personal Information Act and we have implemented various security measures to ensure reasonable protection against the risk of loss, misuse, unauthorised access and disclosure, alteration and destruction of the personal information. We are committed to the use of appropriate technical and other security measures in line with acceptable industry standards, to safeguard stakeholders' information and take all necessary steps to ensure that operators who process information on behalf of our Group of Companies apply adequate safeguards as outlined above.

10.5 Trans-Border Flows Of Personal Information

We may transfer to and store personal information we collect about our data subject in countries other than South Africa if the business transaction or situation requires such trans-border processing. These countries may not have the same data protection laws as South Africa and in this instance we will only transfer the information if we have specific consent from our data subject or it is necessary for the performance or conclusion of a contract between the Measured Ability Group and the data subject.

10.6 Personal Information Received From Third Parties

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

Where the information on third parties is provided by a data subject or a third party provides information on a data subject that information may be taken into account with other personal information.

10.7 Data Breaches

Where there are reasonable grounds to believe that the personal information of a data subject has been accessed or acquired by any unauthorised person, The Measured Ability Group shall notify:

- a. the Regulator, and
- b. the Data Subject, unless the identify of such data subject cannot be established.

The notification will be made as soon as reasonably possible after the discovery of the compromise, taking into account the legitimate needs of law enforcement or any measures reasonably necessary to determine the scope of the compromise and to restore the integrity of the responsible party's information system.

11. AVAILABILITY OF THE MANUAL

Copies of the manual are available for inspection, free of charge at the offices of Measured Ability Group, from the South African Human Rights Commission and at www.measuredability.com

Thus, signed and approved by:



WAYNE STAINFORTH
MANAGING DIRECTOR
MEASURED ABILITY GROUP

29 June 2021

DATE

FORM C

Request For Access To Record Of Private Body

(Section 53 (1) of the Promotion of Access to Information Act 2 of 2000)

[Regulation 10]

A. Particulars of Private Body

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 and/or e-mail address in the Republic to which the information is to be send 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: _____

Telephone Number: _____ Fax Number: _____

Cell 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 of 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 page and attach it to this form. The requestor must sign all pages and any additional page.

Description of record or relevant part of the record: _____

Reference number, if available: _____

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 upon submission of this form
- 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 a prepare a record
- d. If you qualify for exemption of 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 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.

If the record is in written or printed form:

- Copy of record * Inspection of record

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

- View the images Copy the images Transcription of the images

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)

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

- Printed copy of
readable record * Printed copy of information
information derived from
the record Copy in computer
form (flash drive)

G. Particulars of right to be exercised or protected

If the provided space is inadequate, please continue on a separate page and attach it to this form. The requester must sign all the additional pages.

Indicate which right it to be exercised or protected: _____

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**

ANNEXURE “B”**ACCESS FEE PAYABLE (IF APPLICABLE)**

Description	ZAR
A4 page photocopy (per page)	R 1.10
A4 Printing (per page)	R 0.75
Copy on a CD	R70.00
Transcription of visual images (per A4 page)	R40.00
Copy of a visual image	R60.00
Transcription of an audio recording (per A4 page)	R20.00
Copy of an audio recording	R30.00
Search and Preparation of the record for disclosure	R30.00 (per hour or part thereof)
Where a copy of the record has to be posted the actual postage fee is payable	R (depending on postal destination)

ANNEXURE "C"**REPRODUCTION FEE PAYABLE (IF APPLICABLE)**

Description	ZAR
A4 page photocopy (per page)	R 1.10
A4 Printing (per page)	R 0.75
Copy on a CD	R70.00
Transcription of visual images (per A4 page)	R40.00
Copy of a visual image	R60.00
Transcription of an audio recording (per A4 page)	R20.00
Copy of an audio recording	R30.00