



**BUREAU
VERITAS**

BUREAU VERITAS GROUP SOUTH AFRICA

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PAIA AND POPIA MANUAL

**MANUAL PREPARED IN ACCORDANCE WITH SECTION 51 OF THE PROMOTION OF
ACCESS TO INFORMATION ACT 2 OF 2002 AND THE PROTECTION OF PERSONAL
INFORMATION ACT 4 OF 2013 FOR THE BUREAU VERITAS GROUP OF COMPANIES
IN SOUTH AFRICA**

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CORRECTION OR DELETION OF PERSONAL INFORMATION OR
DESTROYING OR DELETION OF RECORD OF PERSONAL INFORMATION IN
TERMS OF
SECTION 24(1) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013
(ACT NO. 4 OF 2013)**

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1 INTRODUCTION

- 1.1 This manual is published pursuant to sections 14 and 51 of the Promotion of Access to Information Act 2 of 2000 ("**PAIA**") which was promulgated in order to nurture an ethos which promotes transparency, accountability and effective governance of all private and public bodies. This Act gives effect to section 32 of the Constitution of the Republic of South Africa, 1996, which provides for the right of access to information in a manner that affords persons a means/platform to obtain the records of private and public bodies as promptly and as efficiently as reasonably possible to endorse, including but not limited to, mechanisms and procedures that empower and educate all persons.
- 1.2 PAIA requires organisations to compile a manual as a guide to requesters of information. The Manual also serves to indicate the types of records held by the South African entities within the Bureau Veritas Group of companies in South Africa ("**Bureau Veritas**") and the availability of such records from Bureau Veritas.
- 1.3 In addition, the manual explains how to access, or object to, or request correction or deletion of, personal information held by Bureau Veritas, in terms of sections 23, 24 and 25 of the Protection of Personal Information Act 4 of 2013 ("**POPIA**"), and the Regulations Relating to the Protection of Personal Information, 2017 ("**POPIA Regulations**").
- 1.4 This manual is not exhaustive of, nor does it comprehensively deal with, every procedure provided for in PAIA. Requestors are advised to familiarise themselves with the provisions of PAIA and POPIA before making any requests to Bureau Veritas in terms of these Acts. However, in terms of section 19 of PAIA, and Regulations 2 and 3 of the POPIA, Bureau Veritas will provide such assistance as is required in completing the necessary forms, by parties applying for access to information or personal information.



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1.5 Bureau Veritas makes no representation and gives no undertaking or warranty that the information in this manual or any information provided by it to a requestor is complete or accurate, or that such information is fit for any purpose. All users of any such information use such information entirely at their own risk, and Bureau Veritas will not be liable for any loss, expense, liability or claims, howsoever arising, resulting from the use of this manual or of any information provided by Bureau Veritas or from any error therein.


2 OVERVIEW OF BUREAU VERITAS GROUP GLOBALLY

Bureau Veritas on a global front is a company specialised in the testing, inspection and certification operating in various sectors including, building and infrastructure, agri-food and commodities, marine and offshore, industry, certification and consumer products. Bureau Veritas is present in 140 countries through a network of over 1 500 offices and laboratories.

3 INFORMATION OFFICER AND CONTACT DETAILS OF BUREAU VERITAS

3.1 The contact details of the South African Information Officer/s are as follows –

Name of BV Group entity	Details of the Information Officer
<ul style="list-style-type: none">Bureau Veritas Testing and Inspections South Africa (Pty) Ltd;Bureau Veritas South Africa (Pty) Ltd;Carab Technologies (Pty) Ltd;Bureau Veritas Inspectorate Laboratories (Pty) Ltd;	Name: Gavin Hefer Telephone number: +27 11 217 6300 E-mail: popia.za@bureauveritas.com
M&L Laboratory Services (Pty) Ltd	Name: Joanne Delia Barton Telephone number: +27 11 661 7900 E-mail: popia.za@bureauveritas.com
Bureau Veritas Gazelle (Pty) Ltd	Name: Erick Naidoo Telephone number: +27 21 425 1800 E-mail: popia.za@bureauveritas.com

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3.2 The contact details for the Head Office of Bureau Veritas in South Africa are as follows –

**Physical address
Head office**

Summit Office Par
1st Floor
495 Summit Road
Morningside
Johannesburg
2096
(+27) 11 217 6300

4 GUIDE ON HOW TO USE PAIA

4.1 As of 1 July 2021, the Information Regulator will assume the functions of the South African Human Rights Commission (“**SAHRC**”) and will be responsible for PAIA and POPIA queries.

4.2 As part of its functions, the Information Regulator will publish a guide on how to use PAIA and POPIA in the new dispensation. The Information Regulator has not yet published a guide to this effect.

4.3 The SAHRC has previously developed a guide in each of the country’s eleven languages, with information on how to use PAIA. This guide is available on the SAHRC website <https://www.sahrc.org.za>.

4.4 However, once the Information Regulator publishes a new guide, the current guide will be outdated. It is the responsibility of the requester to ensure that it makes use of the new guide (once published) in respect of obtaining guidance on how to use PAIA and POPIA to request information.

4.5 Any information or queries related to the guide, or to PAIA or POPIA should be directed to –



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Information Regulator

JD House
27 Stiemens Street
Braamfontein
Johannesburg
2001

Telephone number: (012) 406 4818
Fax number: (086) 500 3351
Website: www.justice.gov.za/inforeg
E-mail: inforeg@justice.gov.za

5 NOTICE IN TERMS OF SECTION 51(1)(C)

5.1 At this stage no notices have been published on the categories of records automatically available without a person having to request access thereto in terms of PAIA.

5.2 The records that are located on the Bureau Veritas website are however automatically available to any person requesting this information and it is therefore not necessary to apply for access thereto in terms all PAIA. The website address is <https://www.bureauveritas.co.za/>.

6 RECORDS AVAILABLE IN ACCORDANCE WITH LEGISLATION IN TERMS OF SECTION 51(1)(D)

Records are kept in accordance with legislation as is applicable to Bureau Veritas, which include (but may not be limited to) the following legislation –

- 6.1 Basic Conditions of Employment Act 75 of 1997;
- 6.2 Broad-Based Black Economic Empowerment Act 53 of 2003;
- 6.3 Companies Act 71 of 2008;



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- 6.4 Compensation for Occupational Injuries and Diseases Act 130 of 1993;
- 6.5 Employment Equity Act 55 of 1998;
- 6.6 Income Tax Act 58 of 1962;
- 6.7 Labour Relations Act 66 of 1995;
- 6.8 Occupational Health and Safety Act 85 of 1993;
- 6.9 Skills Development Act 9 of 1999;
- 6.10 Unemployment Insurance Act 63 of 2001;
- 6.11 Value Added Tax Act 89 of 1991.

7 INFORMATION REQUIRED IN TERMS OF SECTION 51(1)

The following table contains a description of the subjects on which Bureau Veritas holds and the categories of records held on each subject –

Subject	Description of record
Statutory records	<ul style="list-style-type: none">• Company incorporation documents• Share register• Memorandum of Incorporation• Minutes of meetings of the board of directors• Records relating to the appointment of directors, auditors, and other officers
Income tax	<ul style="list-style-type: none">• Pay-as-you-earn (PAYE) records



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	<ul style="list-style-type: none"> • Documents issued to employees for income tax purposes • Records of payments made to South African Revenue Services on behalf of employees • All or any statutory compliance • Value Added Tax • Skills development levies • Unemployment Insurance Fund
Labour and Employment relations records	<ul style="list-style-type: none"> • Personnel documents and records • Employment contracts • Medical aid records • Pension Fund records • Disciplinary records • Salary records • Disciplinary code and / or procedures • Leave records • Training records • Training manuals • Address lists • Internal telephone lists
Finance	<ul style="list-style-type: none"> • Receipts and payments • Bank statements • Budgets • Management accounts • Asset registers • Orders, quotes and invoices • Minutes of meetings • Correspondence
Risk and compliance	<ul style="list-style-type: none"> • Contracts • Testing certificates

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	<ul style="list-style-type: none"> • Policies and procedures • Risk assessment • Compliance records
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8 PROCESSING OF PERSONAL INFORMATION

8.1 POPIA

8.1.1 Chapter 3 of POPIA provides for the minimum conditions for lawful processing of Personal Information. These conditions may not be derogated from unless specific exclusions apply as outlined in POPIA.

8.1.2 Bureau Veritas processes personal information in accordance with POPIA. In terms of our Group Personal Data Protection Policy, Bureau Veritas will ensure that all processing conditions of POPIA are complied with at the time of processing of personal information. Bureau Veritas processes personal information of both living and juristic persons.

8.2 Purpose for processing of personal information by Bureau Veritas

As stated in our Group Personal Data Protection Policy, Bureau Veritas processes personal information for a number of reasons including, but not limited to, –

- 8.2.1 providing requested services;
- 8.2.2 managing the commercial relationship with customers;
- 8.2.3 manage dispute resolution;
- 8.2.4 create and manage supplier relationships;



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- 8.2.5 manage contracts, orders, deliveries, invoices and accounting;
- 8.2.6 sending quotation estimates;
- 8.2.7 processing and managing customer subscriptions;
- 8.2.8 collect statistical information and run analytics in order to improve services understand customers better;
- 8.2.9 general human resource and finance functions including those obligations imposed by legislation;
- 8.2.10 sending marketing communications and managing a list of customers who wish to not receive marketing material; and
- 8.2.11 to allow proper functioning of the website which includes, amongst others, proper display of content, interface personalisation and ensuring that the website is safe and secure to protect against misuse.

8.3 Categories of data subjects

Bureau Veritas processes personal information relating to the following categories of data subjects –


- 8.3.1 customers;
- 8.3.2 shareholders;
- 8.3.3 board members;
- 8.3.4 directors;

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- 8.3.5 employees and job applicants;
- 8.3.6 juristic entities (i.e. service providers, contractors, consultants)
- 8.3.7 complainants and enquirers;
- 8.3.8 visitors to premises;
- 8.3.9 individuals captured by CCTV images; and
- 8.3.10 individuals who have an interest in the products and services of Bureau Veritas.

8.4 Types of information (and special personal information) processed

- 8.4.1 As stated in our Group Personal Data Protection Policy, Bureau Veritas processes the following types of personal information, amongst others, –
 - 8.4.1.1 name and surname;
 - 8.4.1.2 email address and postal address (invoicing);
 - 8.4.1.3 phone number;
 - 8.4.1.4 transaction information (details regarding the service subscribed, transaction number);
 - 8.4.1.5 services history;
 - 8.4.1.6 payment information;

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8.4.1.7 data relating to the commercial relationship and details regarding the service subscribed (including duration and any correspondence);

8.4.1.8 billing data; and

8.4.1.9 information collected by cookies or similar technologies.

8.4.2 Please refer to our Group Personal Data Protection Policy for further information.

8.5 Disclosure of your personal information


8.5.1 We may disclose your personal information to third parties who are involved in the delivery of products and services to you such as trusted service providers (sub-contractors).

8.5.2 Where Bureau Veritas discloses your personal information to any third party, the latter will be obliged to use that personal information for the reasons and purposes it was disclosed for. To this end, we have agreements in place with these third parties to ensure this and to ensure an adequate level of security and confidentiality for your personal information.

8.5.3 Bureau Veritas may be obliged to disclose your personal information where we have a duty to disclose in terms of law or where we believe it is necessary to protect our rights.

8.6 Trans-border/Cross border flows of personal information

8.6.1 Since Bureau Veritas Group has entities all over the world and since some of our service providers are located abroad, the personal information that we

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collect from you may be transferred from a country located within the European Economic Area (“**EEA**”) to a country located outside of the EEA.

8.6.2 Insofar as transfers of personal information outside South Africa is concerned, Bureau Veritas complies with section 72 of POPIA.

8.7 General description of information security measures

8.7.1 Bureau Veritas takes reasonable and appropriate technical and organisational measures to ensure that personal information is kept secure and is protected against unauthorised or unlawful processing, accidental loss, destruction or damage, alteration disclosure or access. We contractually require that service providers who handle your personal information for us do the same.


8.7.2 Bureau Veritas, on a regular basis, reviews the security controls and related to processes to ensure that personal information is secure.

9 HOW TO REQUEST A RECORD

9.1 To request a record in terms of PAIA, the requestor must complete the prescribed form attached to this manual as **Annexure A**. This request must be sent to the Information Officer at the addresses provided at paragraph 3.1.

9.2 For POPIA-related requests to object to the processing of personal information, correct or delete personal information, the request must be made in writing on the applicable prescribed **Form 1** (objection) or **Form 2** (correction or deletion), which are attached to this Manual as **Annexure C**.

9.3 The requestor must provide sufficient detail to enable the Information Officer to identify the record(s) requested and the requestor. The requestor must indicate which form of access is required, identify the right that he/she is seeking to exercise

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or protect and provide an explanation of why the requested record is required for the exercise or protection of that right.

9.4 If the request is made on behalf of another person, the requestor must submit proof of the capacity in which the requestor is making the request, to the reasonable satisfaction of the Information Officer.

9.5 PAIA makes provision for certain grounds upon which a request for access to information must be refused. On this basis, the Information Officer will make a decision whether or not to grant a request for access to information.

10 PAYMENT OF FEES


10.1 The Act provides for two types of fees, namely –

10.1.1 a request fee, which will be a standard non-refundable administration fee, payable prior to the request being considered; and

10.1.2 an access fee, payable when access is granted which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs.

10.2 Subsequent to a request being made, the Information Officer, shall by notice require the requester, excluding personal requester, to pay the prescribed request fee (if any), before further processing of the request.

10.3 If the search for and preparation for disclosure of the record has been made, including arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, Bureau Veritas will request the requester to pay as a deposit the prescribed portion of the access fee which would be payable if the request is granted.

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10.4 Bureau Veritas may withhold a record until the requester has paid the fees as indicated in **Annexure B**.

10.5 A requester whose request has been granted must pay the applicable access fee for reproduction, search, preparation and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure including making arrangements to make it available in the request form.

11 APPLICABLE TIME-PERIODS

11.1 Bureau Veritas will inform the requester within 30 days after receipt of the request of its decision whether or not to grant the request.

11.2 The 30 day period may be extended by a further period of not more than 30 days if the request is for a large number of records or requires a search through a large number of records and compliance with the original period would unreasonably interfere with the activities of Bureau Veritas or the records are not located at Bureau Veritas.

12 OUTCOME OF THE REQUEST (GRANTING OR REFUSING)


Should the request be refused, the notice will state adequate reasons for the refusal, including the provisions of the PAIA relied upon; and that the requester may lodge an application with a Court against the refusal of the request.

13 GROUNDS FOR REFUSAL OF ACCESS TO RECORDS

13.1 In terms of Section 62 to 69 of the Act access granted to a record may be refused on one or more of the following grounds –

13.1.1 protection of privacy to a third party who is a natural person;

13.1.2 protection of the commercial information of a third party;

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- 13.1.3 protection of certain confidential information of a third person;
 - 13.1.4 protection of the safety of individuals and the protection of property;
 - 13.1.5 protection of records privileged from production and legal proceedings;
 - 13.1.6 the commercial information of Bureau Veritas;
 - 13.1.7 the protection of research information of a third party.
- 13.2 Despite any provisions of PAIA, a request must be granted if the disclosure of the record would reveal evidence of substantial contravention of, or failure to comply with, the law or imminent and serious public safety or environment risk, and the public interest in the disclosure of the record clearly outweighs the harm contemplated (section 70 of PAIA).

14 REMEDIES FOR REFUSAL


Should the requester be dissatisfied with the Information Officer’s decision to refuse access, that person may within 30 days after notification of the refusal apply to a Court for the appropriate relief.

15 AVAILABILITY OF THE MANUAL

This manual is available in electronic and hard copies in English. The hard copies are available at the head office of Bureau Veritas as contained in paragraph 3.2. The electronic version of this manual is available on the website of Bureau Veritas (<https://www.bureauveritas.co.za/>).

16 UPDATING OF THIS MANUAL

This manual will be reviewed and updated, if necessary, on a periodic basis but no less than once each year.

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ANNEXURE A

FORM 02: REQUEST FOR ACCESS TO RECORD [REGULATION 7]- Public & Private Bodies

Please follow the hyperlink below which will take you directly to the Information Regulator’s Website in order to access the Form. In the alternative, the Form is available on the Bureau Veritas Website: <https://www.bureauveritas.co.za/>

Hyperlink to Information Regulator’s website:

<https://inforegulator.org.za/wp-content/uploads/2020/07/InfoRegSA-PAIA-Form02-Reg7.pdf>

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ANNEXURE B

**FORM 03: OUTCOME OF REQUEST AND OF FEES PAYABLE [REGULATION 8] -
Public & Private Bodies**

Please follow the hyperlink below which will take you directly to the Information Regulator’s Website in order to access the Form. In the alternative, the Form is available on the Bureau Veritas Website: <https://www.bureauveritas.co.za/>

Hyperlink to Information Regulator’s website:

<https://inforegulator.org.za/wp-content/uploads/2020/07/Form-3-PAIA.pdf>



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ANNEXURE C

FORM 1

OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION IN TERMS OF SECTION 11(3) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)

REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2017 [Regulation 2(1)]

Note:

- Affidavits or other documentary evidence in support of the objection must be attached.*
- If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.*

Reference Number.....

A	DETAILS OF DATA SUBJECT
Name and surname of data subject:	
Residential, postal or business address:	
Contact number(s):	
FAX number:	
E-mail address:	
B	DETAILS OF RESPONSIBLE PARTY
Name and surname of responsible party (if the responsible party is a natural person):	
Residential, postal or business address:	
Contact number(s):	
FAX number:	
E-mail address:	
Name of public or private body (if the responsible party is not a natural person):	
Business address:	



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Contact number(s):	
FAX number:	
E-mail address:	
C	REASONS FOR OBJECTION (Please provide detailed reasons for the objection)

Signed at this day of 20.....

Signature of Data subject (applicant)



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FORM 2

**REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION OR
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SECTION 24(1) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013
(ACT NO. 4 OF 2013)**

**REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2017
[Regulation 3(2)]**

Note:

Affidavits or other documentary evidence in support of the request must be attached.

If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.

Reference Number.....

Mark the appropriate box with an "x".

Request for:

Correction or deletion of the personal information about the data subject which is in possession or under the control of the responsible party.

Destroying or deletion of a record of personal information about the data subject which is in possession or under the control of the responsible party and who is no longer authorised to retain the record of information.

A	DETAILS OF DATA SUBJECT
Surname:	
Full names:	
Identity number:	
Residential, postal or business address:	
Contact number(s):	
FAX number:	
E-mail address:	
B	DETAILS OF RESPONSIBLE PARTY
Name and surname of responsible party (if the responsible party is a natural person):	



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Residential, postal or business address:	
Contact number(s):	
FAX number:	
E-mail address:	
Name of public or private body <i>(if the responsible party is not a natural person):</i>	
Business address:	
Contact number(s):	
FAX number:	
E-mail address:	
C	REASONS FOR *CORRECTION OR DELETION OF THE PERSONAL INFORMATION ABOUT THE DATA SUBJECT / *DESTRUCTION OR DELETION OF A RECORD OF PERSONAL INFORMATION ABOUT THE DATA SUBJECT WHICH IS IN POSSESSION OR UNDER THE CONTROL OF THE RESPONSIBLE PARTY. (Please provide detailed reasons for the request)

*Delete whichever is not applicable

Signed at this day of 20.....

_____ Signature of Data subject



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