

Manual
Of
Dannys Auto Body Parts Pty Ltd
(Private Body)

Prepared and compiled on 2022-10-25 in accordance with Section 51 of the Promotion of Access to Information Act, No 2 of 2000 (as amended) in respect of Dannys Auto Body Parts Pty Ltd.

Registration number: 1959/001487/07

3. PURPOSE OF THE MANUAL

In order to promote effective governance of private bodies, it is necessary to ensure that everyone is empowered and educated to understand their rights in terms of The Act in order for them to exercise their rights in relation to public and private bodies.

Section 9 of The Act, however, recognizes that such right to access to information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to:

- Limitations aimed at the reasonable protection of privacy;
- Commercial confidentiality; and
- Effective, efficient and good governance

And in a manner that balances that right with any other rights, including such rights contained in the Bill of Rights in the Constitution.

Wherever reference is made to "Private Body" in this manual, it will refer to Dannys Auto Body Parts Pty Ltd.

This PAIA Manual assist you to:

3.1 check the categories of records held by Dannys Auto Body Parts Pty Ltd which are available without a person having to submit a formal PAIA request;

3.2 have a sufficient understanding of how to make a request for access to a record of Dannys Auto Body Parts Pty Ltd, by providing a description of the subjects on which Dannys Auto Body Parts Pty Ltd holds records and the categories of records held on each subject;

3.3 know the description of the records of Dannys Auto Body Parts Pty Ltd which are available in accordance with any other legislation;

3.4 access all the relevant contact details of the Information Officer and Deputy Information Officer who will assist you with the records you intend to access;

3.5 know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;

3.6 know if Dannys Auto Body Parts Pty Ltd 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;

3.7 know the description of the categories of data subjects and of the information or categories of information relating thereto;

3.8 know the recipients or categories of recipients to whom the personal information may be supplied;

3.9 know if Dannys Auto Body Parts Pty Ltd 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

3.10 know whether Dannys Auto Body Parts Pty Ltd has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

4. CONTACT DETAILS:

Information Officer:

Information officer
Name Surname: Lee Thomson

Telephone number: 011 6825600
Email address: hr@dannysauto.co.za
Postal Address:
PO Box 61057
Marshalltown
2107

Physical Address:
77 Marlborough Road
Springfield
Johannesburg
2190

Telephone No:
011 682 5600
E-mail: customercare@dannysauto.co.za
orders@dannysauto.co.za

Deputy Information Officer:

Name Surname: Kuban Naidoo
Telephone number: 011 6825600
Email address: riaz.n@dannysauto.co.za

GENERAL INFORMATION:

Name of Private Body:

Dannys Auto Body Parts Pty Ltd
Registration No:
1959/001487/07

Postal Address:
PO Box 61057
Marshalltown
2107

Physical Address (or principal place of business):
77 Marlborough Road
Springfield

Registration number: 1959/001487/07

Johannesburg
2190

Telephone No:
011 682 5600
E-mail:
customercare@dannysauto.co.za
orders@dannysauto.co.za

Website:
www.dannysauto.co.za

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

5.1. 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.

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

5.3. The aforesaid Guide contains the description of-

5.3.1. the objects of PAIA and POPIA;

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

5.3.2.1 the Information Officer of every public body, and

5.3.2.2 every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA and section 56 of POPIA;

5.3.3 the manner and form of a request for-

5.3.3.1 access to a record of a public body contemplated in section 11 of PAIA; and

5.3.3.2 access to a record of a private body contemplated in section 50 of PAIA;

5.3.4 the assistance available from the IO of a public body in terms of PAIA and POPIA;

5.3.5 the assistance available from the Regulator in terms of PAIA and POPIA;

5.3.6 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-

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5.3.6.1 an internal appeal;

5.3.6.2 a complaint to the Regulator; and

5.3.6.3 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;

5.3.7 the provisions of sections 14 and 51 of PAIA requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;

5.3.8 the provisions of sections 15 and 52 of PAIA providing for the voluntary disclosure of categories of records by a public body and private body, respectively;

5.3.9 the notices issued in terms of sections 22 and 54 of PAIA regarding fees to be paid in relation to requests for access; and

5.3.10 the regulations made in terms of section 92 of PAIA.

5.4 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.

5.5 The Guide can also be obtained-

5.5.1 upon request to the Information Officer;

5.5.2 from the website of the Regulator (<https://www.justice.gov.za/inforeg/>).

5.6 A copy of the Guide is also available in two official languages, for public inspection during normal office hours.

6. RECORDS AUTOMATICALLY AVAILABLE TO THE PUBLIC

Category of Records	Types of Records	Available on the website	Available upon request
Parts catalogue		Yes	Yes

7. RECORDS OF THE PRIVATE BODY

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This clause serves as a reference to the records that the **Private Body** holds in order to facilitate a request in terms of **The Act**.

The information is classified and grouped according to records relating to the following subject and categories: It is recorded that the accessibility of the documents listed herein below, may be subject to the grounds of refusal set out hereinafter.

Administration

- Minutes of meetings of directors
- Resolutions of the directors of Danny's Automotive
- Applicable statutory documents, including but not limited to certificates of incorporation and certificates to commence business
- Memorandum of Incorporation
- Statutory returns to relevant authorities

Corporate Governance

- Codes of Conduct
- Minutes of meetings of committees and sub committees
- Executive committee meeting minutes
- Legal compliance records
- Policies

Finance

- Accounting records
- Tax records
- VAT records
- PAYE records
- Debtors' records
- Creditors' records
- Insurance records
- Auditors' reports
- Interim and annual financial statements
- Bank statements and other banking records for business and trust accounts
- Invoices issued in respect of debtors and billing information
- Records regarding Danny's Automotive's financial commitments
- Statistic SA returns

Human Resources

- List of employees
- Statistics regarding employees
- Employment contracts
- Conditions of employment
- Information relating to prospective employees
- Personnel records including personal details, disciplinary records, performance and internal evaluation records
- Employee tax information

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- Records of Unemployment Insurance Fund contributions
- Records regarding group life assurance and disability income protection
- Provident fund records
- Payroll records
- Workplace skills plans
- Codes of conduct
- Disciplinary code and procedure
- Grievance procedure
- Appeal procedure
- Internal policies and procedures regarding dismissals, performance appraisal, recruitment, selection, advertising of positions, appointments, retirement, promotions, leave, extended sick leave, study leave, salaries, overtime, bonuses, medical aid, health and safety, adoption leave and benefits, BEE procurement, loans, working parents, black economic empowerment, smoking, use of company resources including telephones, motor vehicles and computers, sexual harassment,
- Training schedules and material
- Training records and statistics
- Training Agreements
- Learnership Programs
- Correspondence relating to personnel

Operations

- Supplier lists and details of suppliers
- Agreements with suppliers
- Access control records
- Health and safety records
- Insurance documentation
- Travel documentation

Information Technology

- Computer software
- Support and maintenance agreements
- Records regarding computer systems and programs

Property

property

- Asset registers
- Lease agreements in respect of immovable property
- Records regarding insurance in respect of movable property
- Records regarding insurance in respect of immovable property

Miscellaneous

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- Internal correspondence
- Policies required in terms of applicable licensing requirements

8. RECORDS REQUIRED IN TERMS OF LEGISLATION

Records are kept in accordance with legislation applicable to Danny's Auto Body Parts Pty Ltd, which includes but is not limited to, the following –

Category of Records Applicable Legislation

Memorandum of incorporation Companies Act 71 of 2008
 PAIA Manual Promotion of Access to Information
 Act 2 of 2000

Reference to the above-mentioned legislation shall include subsequent amendments and secondary legislation to such legislation.

9. PROCESSING OF PERSONAL INFORMATION

9.1 Purpose of Processing Personal Information

We only process personal information for:

The purpose of the processing

Danny's Automotive processes personal information for various lawful purposes permitted by section 11(1) of POPIA, authorised in Part B of Chapter 3 of POPIA governing the processing of Special Information and in Part C of Chapter 3 of POPIA governing the processing of Children's information This includes, but is not limited to the following:.

- to fulfil Danny's Automotive's responsibilities to customers, employees, suppliers and other natural or juristic persons across our four business segments, as set out in paragraph 1 above;
- to comply with legislative, regulatory, risk and compliance requirements (including directives, sanctions and rules), voluntary and involuntary codes of conduct and industry agreements or to fulfil reporting requirements and information requests;
- to maintain employees', customers' and suppliers' records;
- to respond to customers/suppliers' enquiries and complaints;
- to inform customers of new products and/or services;
- for recruitment, employment and/or apprenticeship purposes;
- for general administration, financial and tax purposes;
- for legal or contractual purposes;

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- for health and safety purposes;
- to secure and manage access to Danny's Automotive's premises and facilities;
- to transact with Danny's Automotive's suppliers and business partners;
- to help Danny's Automotive improve the quality of its products and/or services;
- to detect, prevent and report theft, fraud, money laundering and other crimes. This may include the processing of special personal information, e.g., alleged criminal behaviour, or the supply of false, misleading or dishonest information;
- to enforce and collect on any agreement when Dannys' Automotive needs to recover debts; and
- to identify products and services which might be of interest to data subjects and to inform them about Dannys' Automotive products and services.

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

Customers, potential customers and previous customers

- Personal information and special personal information
- including: name, identity number or passport number,
- date of birth, citizenship, residence status, telephone
- number(s), email address(es), income tax numbers,
- physical and postal addresses, financial information and
- banking information.
- Customer vehicle information
- Customer contracts, motor plans and warranties
- Customer contact information

Danny's distributor, wholesale and retail franchises

- Personal information of the dealer/partner/manager
- including: name, identity number, contact details
- Personal information of employees of the dealer/partner/manager including: name, identity
- number, contact details

Employees (previous and existing)

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- Personal information and special personal information
- including: name, identity number or passport number,
- date of birth, citizenship, residence status, telephone
- number(s), email address(es), income tax numbers,
- physical and postal addresses, financial information,
- banking information, medical information and beneficiary information
- Pension and provident fund information
- Payroll records
- Physical access records
- Time and attendance records
- Video records
- Performance records and disciplinary procedures
- Employment contracts
- Disability information
- Electronic access records
- Training records
- Employment history, background checks and criminal checks

Suppliers / service providers Supplier/service provider

- personal information including
- supplier contracts and bank details
- Personal information of supplier/service provider
- representatives including: name, identity number, contact details

Job applicants

- Curriculum vitae and application forms
- Background and criminal record checks
- Employee education and psychometrics records
- Visitors Physical access records

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

Category of Personal Information	Recipients or categories of recipients to whom the personal information may be supplied
Identity number and names, and fingerprints for criminal checks	South African Police Service
Qualifications, for qualification verifications	South African Qualifications Authority
Credit and payment history, for credit information	Credit Bureaus

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Addresses, Contact persons, name and surname and contact details.	Delivery Companies
Names and surnames, ID Numbers, Banking details, employment position, banking details	Skills Training service providers
Banking details, ID numbers, creditors details, sureties details and employees details	Accountants/bookkeepers and Lawyers

9.4 Planned transborder flows of personal information

The following categories of information is transferred outside the borders of South Africa:

N/A

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

Dannys' Automotive complies with POPIA in protecting the integrity and confidentiality of personal information. In doing so it has due regard to generally accepted information security practices and procedures, such as;

Access controlled measures to access the premises and buildings.

Computers and laptops are password protected, with antivirus softwares that are updated regularly.

10. Request procedure for obtaining information access to records held by the private body

Records held by the **Private Body** may be accessed by request only once the prerequisites for access have been met.

The requester must fulfil the prerequisites for access in terms of **The Act**, including the payment of a requested access fee.

The requester must comply with all the procedural requirements contained in **The Act** relating to the request for access to a record.

The requester must complete the prescribed Form and submit same as well as payment of a request fee and a deposit, if applicable, to the Information Officer at the postal or physical address, fax number or electronic mail address as stated herein.

The prescribed form must be filled in with enough particulars to at least enable the Information Officer to identify –

- The record or records requested;
- The identity of the requester,
- Which form of access is required, if the request is granted;
- The postal address or fax number or email address of the requester.

The requester must state that he/she requires the information in order to exercise or protect a right, and clearly state what the nature of the right to be exercised or protected is. In addition, the requester must clearly specify why the record is necessary to exercise or protect such a right.

The **Private Body** will process the request within 30 days, unless the requester has stated a special reason that would satisfy the Information Officer that circumstances dictate that the above time periods are not complied with.

The requester shall be informed whether access has been granted or denied. If, in addition, the requester requires the reason for the decision in any other manner, he /she must state the manner and the particulars so required.

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

If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally.

The requester must pay the prescribed fee before any further processing can take place.

11. FEES

When the Information Officer receives the request, such Officer shall by notice require the requester to pay the prescribed request fee (if any), before any further processing of the request.

If the search for the record has been made in the preparation of the record for disclosure, including arrangements to make it available in the requested form, and it requires more than the hours prescribed in the regulation 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 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 requested form.

If a deposit has been paid in respect of a request for access, which is refused, then the Information Officer concerned must repay the deposit to the requester.

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12. GROUNDS FOR REFUSAL OF ACCESS TO INFORMATION

The main grounds for the **Private Body** to refuse a request for information relates to the:

Mandatory protection of the privacy of a third party that is a natural person that would involve the unreasonable disclosure of personal information of that natural person;

Mandatory protection of the commercial information of a third party, if the record contains:

- Trade secrets of that third party;
- Financial, commercial, scientific or technical information, disclosure of which could likely cause harm to the financial or commercial interests of that third party,;
- Information disclosed in confidence by a third party to the Private Body, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition

Mandatory protection of confidential information of third parties if it is protected in terms of any agreement;

Mandatory protection of confidential information of the protection of property;

Mandatory protection of records that would be regarded as privileged in legal proceedings;

The commercial activities of the **Private Body**, which may include:

- Trade secrets of the **Private Body**;
- Financial, commercial, scientific or technical information, disclosure which could
- likely cause harm to the financial or commercial interest of the **Private Body**;
- Information which, if disclosed could put the **Private Body** at a disadvantage
- in negotiations or commercial competition;
- A computer program, owned by the **Private Body**, and protected by copyright.
- The research information of the **Private Body** or a third party, if its disclosure would
- reveal the identity or the **Private Body**, the researcher or the subject matter of the
- research and would place the research at a serious disadvantage;
- Requests for information that are clearly frivolous or vexatious, or which would involve an unreasonable diversion of resources shall be refused.

13. Rights of the data subjects

Depending on the category of personal information processed, a data subjects right to that category of personal information may include:

- The right to request a confirmation, free of charge, of whether or not Danny's hold personal information from the data subject.
- The right to access personal Information;
- The right to correct personal information that is found to be inaccurate;
- The right to object to the processing of personal information should it be determined that the Danny's cannot justify the processing of such or processing is unlawful;
- The right to transfer personal information from one organisation to another.
- The right to have personal information destroyed if;
 - It is no longer necessary in relation to why it was originally collected or processed;
 - Where personal information is being processed for purposes of direct marketing
 - It is required to comply with a legal obligation.

14. DECISION

The **Private Body** will within 30 days of receipt of the request, decide whether to grant or decline the request and give notice with reasons (if required) to that effect. The 30 day period within which the **Private Body** has to decide whether to grant or refuse the request, may be extended for further period of not more than thirty days if the request is for a large amount of information, or the request requires a search for information held at another office of the **Private Body** and the information cannot reasonably be obtained within the original 30 day period. The **Private Body** will notify the requester in writing should an extension be sought

AVAILABILITY OF THE MANUAL

The manual of the **Private Body** is available at the premises of the Private body as well as on the website of the **Private Body**.

Signed by: 

Date: 9-11-22



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