



Manual

Of

AquaCheck (Pty) Ltd (Private Body)

Prepared and compiled on 2025-06-24 in accordance with Section 51 of the Promotion of Access to Information Act, No 2 of 2000 (as amended) in respect of **AquaCheck (Pty) Ltd**.

Registration number: 2002/015316/07

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1. INTRODUCTION

AquaCheck (Proprietary) Limited trading as **AquaCheck** conducts business as a manufacturer of soil moisture and management equipment. We are an industry expert, ready to assist any client in providing soil moisture and management equipment.

2. THE ACT

The Promotion of Access to Information Act, No 2 of 2000 (“The Act” or “PAIA”) was enacted on 3 February 2000, giving effect to the right of access to any information held by Government, as well as any information held by another person who is required for the exercising or protection of any rights. This right is entrenched in the Bill of Rights in the Constitution of South Africa. Where a request is made in terms of The Act, the body to which the request is made, is not obliged to release the information, except where The Act expressly provides that the information may or must be released. The Act sets out the requisite procedural issues attached to such request.

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.

This PAIA Manual assist you to-

- 3.1 check the categories of records held by **AquaCheck (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 **AquaCheck (Pty) Ltd**, by providing a description of the subjects on which **AquaCheck (Pty) Ltd** holds records and the categories of records held on each subject;
- 3.3 know the description of the records of **AquaCheck (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(s) 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 Information Regulator, and how to obtain access to it;
- 3.6 know if **AquaCheck (Pty) Ltd** processes personal information and the purpose of processing of personal information;
- 3.7 know the description of the categories of data subjects and 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 **AquaCheck (Pty) Ltd** plans 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 **AquaCheck (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:

Henrico Smit

Postal Address:

Suite D1, First Floor
Cape Gate Corner
Nitida Avenue
Brackenfell
7560

Physical Address:

Suite D1, First Floor
Cape Gate Corner
Nitida Avenue
Brackenfell
7560

Telephone No:

0219705140

E-mail: henrico@aquacheck.co.za

Deputy Information Officer:

Christiaan Johannes Stals

GENERAL INFORMATION:

Name of Private Body:

AquaCheck (Pty) Ltd

Registration No:

2002/015316/07

Postal Address:

Suite D1, First Floor
Cape Gate Corner
Nitida Avenue
Brackenfell
7560

Physical Address (or principal place of business):

Suite D1, First Floor
Cape Gate Corner
Nitida Avenue
Brackenfell
7560

Telephone No:

+27 21 970 5140

E-mail:

henrico@aquacheck.co.za

Website:

www.aquacheck.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 Information Officer of a public body in terms of PAIA and POPIA;
 - 5.3.5 the assistance available from the Information 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-
 - 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 Information Regulator (<https://inforegulator.org.za/>).
 - 5.6 A copy of the Guide is also available in two official languages, for public inspection during normal office hours.
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6. RECORDS AUTOMATICALLY AVAILABLE TO THE PUBLIC

To date no notice in terms 52(2) of the Act has been published regarding the categories of Records that are automatically available without having to request access.

7. RECORDS OF THE PRIVATE BODY

This clause serves as a reference to the records that **AquaCheck (Pty) Ltd** holds, in order to facilitate a request in terms of The Act.

It is recorded that the accessibility of the documents listed below may be subject to the grounds of refusal set out hereinafter.

Subjects on which the body holds records	Categories of records
Human Resources	- HR policies and procedures - Advertised posts - Employees records - UIF Records - PAYE Records - SDL Records - Employment Contracts - Employment application Forms
Clients	- VAT Records - Quotations - Invoices - Distributor Agreements - Credit Applications
Suppliers	- Quotations - Invoices - Credit Applications

8. RECORDS REQUIRED IN TERMS OF LEGISLATION

Records are kept in accordance with legislation applicable to **AquaCheck (Pty) Ltd**, which includes but is not limited to, the following –

Companies Act 71 of 2008
Income Tax Act 58 of 1962 Tax
Administration Act, 2011
Labour Relations Act, 66 of 1995
Employment Equity Act, 55 of 1998
Electronic Communications and Transactions Act 36 of 2005 Basic
Conditions of Employment Act, 75 of 1997
Broad Based Economic Empowerment Act, 53 of 2003 Constitution of
the Republic of South Africa, 108 of 1996 Companies Act, 61 of 1973
Consumer Protection Act, 68 of 2008 Value
Added Tax Act, 89 of 1991 Income Tax Act,
58 of 1962
Protection of Personal Information Act, 4 of 2013

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

Record keeping purposes;
 Compliance purposes;
 Staff administration and job applicants;
 Service delivery purposes;
 Handling complaints;
 Procurement process;
 Health and Safety purposes;
 Monitor access, secure and manage our premises and facilities;
 Help improve quality products and services;
 To administer legal contractual purposes;
 To transact with suppliers.

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

Categories of Data Subjects	Personal Information that may be processed
Customers / Clients	name, address, contact details, registration numbers, vat numbers, identity numbers and bank details
Suppliers	names, registration number, vat numbers, address, contact details, product details and bank details
Employees	address, qualifications, gender and race, banking details, tax numbers, identity numbers, contact details

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

Payroll administrators
Training providers
Clock-in system
Administrators
Verification agencies
Provident fund
Administrators Auditing
Information Security service providers
Couriers
For delivery

9.4 Planned transborder flows of personal information

We transfer the following information to various countries:

- Client contact and billing details
-

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

The Company has implemented the following Information Security Measures to ensure the confidentiality, integrity and availability of all information residing on our IT Systems:

Confidentiality of all information is accomplished by limiting authorized access to all information to specified personnel only. This is done by means of secure logins by employees only from The Company managed devices. All backups of data are encrypted. The server physical access is limited to IT personnel only. Integrity is maintained with user access controls to limit all actions with data. We have local and cloud backups that is fully encrypted. The backups can only be accessed by authorized personnel. DLP (Data Loss Prevention) policies are in place to prevent misuse of data. Availability is achieved through advanced failover cluster servers, DR site and Cloud backups, and a local NAS containing all the backups. The Company is making use of ESET AntiVirus on all Computers and Servers. The firewall has IDS (Intrusion Detection system) and IPS (Intrusion prevention system) in place that protects the servers from being hacked and any data loss.

10. REQUEST PROCEDURE FOR OBTAINING INFORMATION

Access to records held by AquaCheck (Pty) Ltd

Records held by **AquaCheck (Pty) Ltd** 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 2 and submit the same, with 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 they require 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.

AquaCheck (Pty) Ltd 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 in the form of Form 3. If, in addition, the requester requires the reason for the decision in any other manner, they 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 requester is 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.

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.

The fees applicable to a request for information are set out in Annexure A hereto.

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

12. GROUNDS FOR REFUSAL OF ACCESS TO INFORMATION

The main grounds for **AquaCheck (Pty) Ltd** to refuse a request for information relate 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:
 - o Trade secrets of that third party;
 - o Financial, commercial, scientific or technical information, disclosure of which could likely cause harm to the financial or commercial interests of that third party;
 - o 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 for the protection of property;
- Mandatory protection of records that would be regarded as privileged in legal proceedings;
- The commercial activities of **AquaCheck (Pty) Ltd** which may include:
 - o Trade secrets of **AquaCheck (Pty) Ltd**
 - o Financial, commercial, scientific or technical information, disclosure of which could likely cause harm to the financial or commercial interest of **AquaCheck (Pty) Ltd**
 - o Information which, if disclosed, could put **AquaCheck (Pty) Ltd** at a disadvantage in negotiations or commercial competition;
 - o A computer program, owned by **AquaCheck (Pty) Ltd** and protected by copyright.
- The research information of **AquaCheck (Pty) Ltd** or a third party, if its disclosure would reveal the identity of **AquaCheck (Pty) Ltd**, 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. DECISION

AquaCheck (Pty) Ltd 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 requester shall be informed whether access has been granted or denied in the form of Form 3. If, in addition, the requester requires the reason for the decision in any other manner, they must state the manner and the particulars so required.

The 30-day period within which **AquaCheck (Pty) Ltd** has to decide whether to grant or refuse the request, may be extended for further period of not more than 30 days if the request is for a large amount of information, or the request requires a search for information held at another office of **AquaCheck (Pty) Ltd** and the information cannot reasonably be obtained within the original 30 day period. **AquaCheck (Pty) Ltd** will notify the requester in writing should an extension be sought.

AVAILABILITY OF THE MANUAL

The manual of **AquaCheck (Pty) Ltd** is available at the premises of **AquaCheck (Pty) Ltd** as well as on the website of **AquaCheck (Pty) Ltd**.

Signed by: _____

Date: _____

Note: Form 02 (Request for Access to Record) and Form 03 (Outcome of Request and Fees Payable) are prescribed government forms available from the Information Regulator's website. Before using these forms, confirm they are the current versions from <https://infoeregulator.org.za>.

ANNEXURE B: FORM 2 — REQUEST FOR ACCESS TO RECORD

(See separately attached government prescribed Form 02)

ANNEXURE C: FORM 3 — OUTCOME OF REQUEST AND FEES PAYABLE

(See separately attached government prescribed Form 03)

ANNEXURE A:

The table below sets out the fees applicable to any request for a record of information held by

Item	Description	Amount
1.	The request fee payable by every requester	R 140.00
2.	Photocopy/printed black & white copy of A4-size page	R 2.00 per page or part thereof
3.	Printed copy of A4-size page	R 2.00 per page or part thereof
4.	For a copy of computer-readable form on: (i) Flash drive (to be provided by the requestor) (ii) Compact Disk: a. If provided by requester b. If provided to the requester	R 40.00 R 40.00 R 60.00
5.	For a transcription of visual images per A4-size page	Service to be outsourced.
6.	For a copy of visual images	Will depend on quotation from service provider.
7.	Transcription of an audio record, per A4-size page	R 24.00
8.	For a copy of audio recording on: (i) Flash drive (to be provided by the requestor) (ii) Compact Disk: a. If provided by requester b. If provided to the requester	R 40.00 R 40.00 R 60.00
9.	To search for and prepare the record for disclosure, for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation. Not to exceed a total cost of	R 145.00 R 435.00
10.	Deposit: If search exceeds 6 hours	One third of the amount per request calculated in terms of items 2 to 8.
11.	Postage, email or any other electronic transfer	Actual expense, if any.