



PSIRA
Private Security Industry Regulatory Authority

PAIA MANUAL

Prepared in terms of Section 14 of the Promotion of Access to Information Act 2 of 2000, as amended, and incorporating provisions from the Protection of Personal Information Act 4 of 2013.

DOCUMENT CONTROL PAGE

Document Title:	PAIA MANUAL Prepared in terms of Section 14 of the Promotion of Access to Information Act 2 of 2000, as amended, and incorporating provisions from the Protection of Personal Information Act 4 of 2013.			
Last Approval Date:	26 August 2021			
Effective Date:				
Digital Location:	https://www.psira.co.za			
Status:	DRAFT:		FINAL:	x Version No: 02
Revision Frequency:				
Version No:	Revision Date:	Approval by EXCO:	Revision Details:	Revised by:
01	New	26 August 2021	New document	
02	31 March 2024	20 May 2024	Updated in line with guidance from Information Regulator and the POPIA Compliance assessment conducted at the Authority.	Legal Advisor: Compliance & Regulation.

Approval:


 Deputy Director: LE

21/05/2024
 Date


 Director

21/05/2024
 Date

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1. FOREWORD

Section 32 of the Constitution of the Republic of South Africa, 1996 (the Constitution) grants everyone the right to access any information held by the State or by another person and that is required for the exercise or protection of any right.

Whereas Section 14 of the Constitution provides that everyone has a right to privacy, the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) ("PAIA"), in realisation of these constitutional rights, specifically:


- Charges all public bodies with the responsibility to facilitate public access to information/record(s) under their custody.
- Provides a framework and procedures for the public to exercise their constitutional right to information as swiftly, inexpensively and effortlessly as reasonably possible.
- Stipulates mechanisms that governmental bodies must put in place to facilitate access to such information by members of the public.
- Outlines conditions under which restricted access applies, including those relating to personal, commercial, financial, technical or scientific information about a third party; information that may affect court or police proceedings.

The Protection of Personal Information Act, 2013 (Act 4 of 2013) ("POPIA"), on the other hand, seeks to give effect to the constitutional right to privacy, in particular the safeguarding of personal information subject to justifiable limitations aimed at balancing the right of privacy against other rights; particularly that of access to information.

There are undoubtedly limitations to public realisation of the rights as stipulated in section 36 of the Constitution and sections 33 to 45 of the PAIA Act, respectively.

In compliance with the statutory requirements of PAIA and to contribute to the promotion of organisations transparency, accountability and effective governance, the Private Security Industry Regulatory Authority (PSiRA) has produced a manual as a mechanism to facilitate public access to information/record(s) under its custody.

I hope that this manual will serve as an effective tool for providing the public with the relevant information to enable them to exercise their right of access to information under the custody of PSiRA.



MR MANABELA CHAUKE

DIRECTOR: PRIVATE SECURITY INDUSTRY REGULATORY AUTHORITY

2. DEFINITIONS

2.1 Access fee

Fee payable by a requester for search, preparation and reproduction of requested records, as prescribed in PAIA section 22 (6).

2.2 Act

The Promotion of Access to Information Act, 2000 (Act No. 2 of 2000). Also referred to as PAIA or 'the Act'.

2.3 PSiRA

The Private Security Industry Regulatory Authority, also referred to as the Authority.

2.4 Deputy Information Officer (DIO)

A person designated by the Director to render the public body as accessible as reasonably possible for requesters of its records as prescribed in PAIA section 17(1).

2.5 Guide

Document or book produced and updated by the Information Regulator for assisting any person who wishes to exercise any right in terms of PAIA as prescribed in section 10.

2.6 Information Officer (IO)

The Director of PSiRA as defined in PAIA section 1.

2.7 Internal appeal

An appeal against a decision to refuse access to information, as stipulated in PAIA section 74.

2.8 Personal information

Information about an identifiable individual, including, but not limited to, information relating to race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the individual as defined in PAIA section 1.

2.9 Personal requester

A person seeking access to information/records containing personal information about himself/herself as defined in PAIA section 1.

2.10 Public body

Any department of State or administration in the national or provincial sphere of government, any municipality in the local sphere of government or any institution performing a public function in terms of any legislation as defined in PAIA section.

2.11 Record

Any recorded information, in any form or medium under the custody of PSIRA as defined in PAIA Section 1.

2.12 Automatically available records

Records that can be accessed without a person having to request access in terms of the Act as stipulated in section 15(1)(a) of PAIA.

2.13 Records available on request

Records that can be accessed through following PAIA processes as stipulated in PAIA sections 11 and 18; access to these records may be refused based on sections 33 to 45 of the Act.

2.14 Relevant authority

Minister of Police or the person designated in writing by the Minister to deal with internal appeals as defined in PAIA Section 1.

2.15 Request fee

A non-refundable fee payable by a requester when submitting a request for access as per the provisions of PAIA section 22(1) (personal requester excluded from paying request fee).

2.16 Request for access

A request for access to a record or records held by PSIRA made in accordance with PAIA sections 8 and 11.

2.17 Requester

Any person making a request for access to information or records of PSIRA or a person acting on behalf of the person requesting information as defined in PAIA Section 1.

2.18 Third party

Any person, including, but not limited to, the government of a foreign state, an international organisation or an organ of that government or organisation other than the requester concerned and a public body as defined in PAIA Section 1.

2.19 Working days

Any days other than Saturdays, Sundays or public holidays as defined in PAIA Section 1.

3. PURPOSE OF THE PAIA MANUAL

This PAIA Manual is useful for the public to :

- check the nature of the records which may already be available at PSIRA, without the need for submitting a formal PAIA request;
- have an understanding of how to make a request for access to a record of the PSIRA;
- access all the relevant contact details of the persons who will assist the public with the records they intend to access;
- know all the remedies available from the PSIRA regarding request for access to the records, before approaching the Regulator or the Courts;
- the description of the services available to members of the public from the PSIRA, and how to gain access to those services;
- a description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- if the body 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;
- know if the PSIRA 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
- know whether the PSIRA has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

4. ESTABLISHMENT OF PSiRA

Private Security Regulatory Authority (PSIRA) was established in 2002, in terms of Section 2 of the Private Security Industry Regulation Act 56 of 2001. The strategic mandate of PSIRA emanates from the Act and the regulations issued in terms of the Act. The primary objectives of PSIRA are to regulate the private security industry and to exercise effective control over the practice of the occupation of security service provider in the public and national interest and in the interest of the private security industry itself.

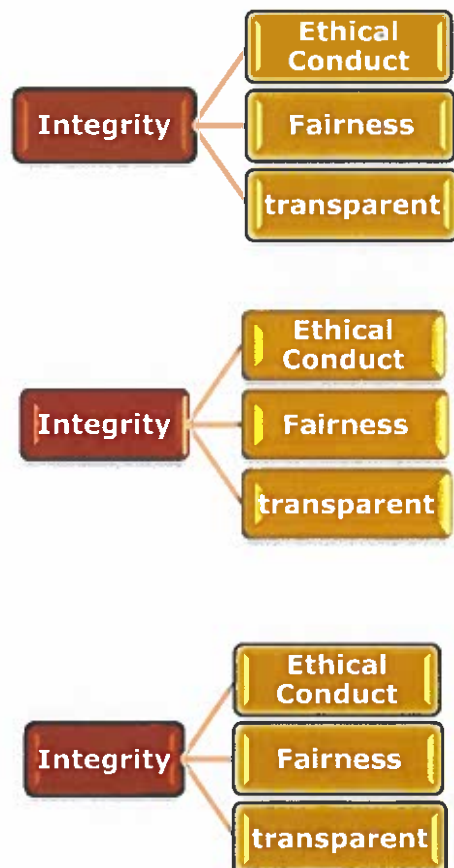
Our Mission

Effective regulation of the Private Security Industry to enable professional and respected security service providers.

Our Vision

South Africans have confidence in the legitimacy, occupational practices and transformation of the Private Security Industry.

Our Values



5. STRUCTURE OF THE PSiRA AND FUNCTIONS



The functions of PSiRA are as outlined in Section 4 of the Private Security Industry Regulation Act 56 Of 2001 and are aimed at ensuring efficient regulation of the private security industry and includes exercising such powers and performing such duties as may be given or assigned to the Authority in terms of the Act or any other law.

6. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF PSIRA

National / Head Office:

Private Security Industry Regulatory Authority,
Private Bag X81, Pretoria, 0001

Physical address:

Block B, Eco Glades 2 Office Park,
420 Witch-Hazel Avenue, Highveld Ext 70
Centurion, 0157
Telephone: (012) 337 5500
Email: paia@psira.co.za

INFORMATION OFFICER

Name: Mr. Manabela Sam Chauke
Tel No: (012) 003 0600
Position: Director
Email: Sam.chauke@psira.co.za

DEPUTY INFORMATION OFFICERS

Name	Tel no	Email address	Position
Mr. Hofney Moepi	(012) 003 0593	Hofney.moepi@psira.co.za	Senior Manager: Business and Information Systems
Adv. Howard Thwane	(012) 003 0586	Howard.THWANE@psira.co.za	Senior Manager: Legal Services

7. REMEDIES AVAILABLE IN RESPECT OF AN ACT OR A FAILURE TO ACT BY THE PSIRA

7.1. INTERNAL APPEALS

PSIRA is not a public body referred to in paragraph (a) of the definition of public body in section 1 of PAIA. Accordingly, PSIRA does not have an internal procedure in place to facilitate appeals against the decisions of the Information Officer or his/her deputies.

7.2. AGGRIEVED BY THE DECISION OF THE INFORMATION OFFICER

A person aggrieved by the decision of the Information Officer or Deputy Information Officers may lodge a complaint with the Information Regulator within 180 days of receipt of the decision from the PSIRA.

Alternatively, a person so aggrieved may within 180 days apply to the court for appropriate relief. On hearing the application, the court may grant an order that is just and equitable, including:

- Confirming, amending or setting aside the decision that is the subject of the application.
- Requiring the Information Officer or Deputy Information Officer to take some action or refrain from taking such action as the court considers necessary within the period mentioned in the Order.
- Granting an interdict, interim or specific relief, a declaratory order or compensation.
- Granting an order as to costs.
- Condoning non-compliance with the 180-day period within which to bring the application, where the interest of justice so requires.

7.3. COMPLAINT TO THE INFORMATION REGULATOR

The requestor can also lodge a complaint with the Information Regulator if they feel aggrieved by the decision of the Information Officer or his deputies.

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

- The Regulator has, in terms of section 10(1) of PAIA, 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.
- The Guide is available in each of the official languages.
- The aforesaid Guide contains the description of:
 - the objects of PAIA and POPIA;
 - the postal and street address, phone and fax number and, if available, electronic mail address of the Information Officer of every public body and every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA
- the manner and form of a request for –
 - access to a record of a public body contemplated in section 11; and
 - access to a record of a private body contemplated in section 50;
- the assistance available from the Information Officer of a public body in terms of PAIA and POPIA;
- the assistance available from the Regulator in terms of PAIA and POPIA;
- 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 –
 - an internal appeal;

- a complaint to the Information Regulator; and
 - 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;
- the provisions of sections 14 and 51 requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
 - the provisions of sections 15 and 52 providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
 - the notices issued in terms of sections 22 and 54 regarding fees to be paid in relation to requests for access; and
 - the regulations made in terms of section 92.
 - Members of the public can inspect or make copies of the Guide from the offices of the public or private bodies, including the office of the Regulator, during normal working hours. The Guide can also be obtained –
 - upon request to the Information Officer;
 - from the website of the Regulator (<https://www.justice.gov.za/infoereg/>).

9. RECORDS AND INFORMATION THAT MUST BE FORMALLY REQUESTED (PAIA)

This section contains the detail of records that may be obtained on request from PSIRA. The purpose of the detail is to facilitate a simple access to the records of PSIRA. The detail encompasses a full description of the records held by PSIRA. The records are categorised per unit/department under which the record is held, so as to assist information requesters to easily identify the unit under whose custody and control the record is held.

Where Record is Held	Description of Subject of Record
1. Legal Services	<ul style="list-style-type: none"> • Legal opinions (internal and external). • Documents relating to litigation for and against the organisation
2. Operations	Particulars of security service providers as contained in the register, registration sub-committee minutes, strategic planning, and related matters, organisational and business plans, occupational health and safety plan, evacuation procedures
3. Business Information Technology	Incidents and service requests, system event logs, system performance logs, system performance checklist, monthly operations reports, service level agreements, ICT policies and procedure manuals, network maintenance
4. Human Resources	HR policies and procedures, advertised posts, learning and development (skills development and training plans), employment equity plans and statistics

5. Procurement	Tender invitations, tenders' specifications and terms of reference, tender documents containing responses and proposals to tender invitations, requests for quotations to service providers and suppliers, contracts with service providers and suppliers
6. Finance	Financial accounting, financial reporting, asset management, management accounting

10. AUTOMATICALLY AVAILABLE RECORDS.

PSIRA has voluntarily made available information on the website www.psira.co.za voluntarily, which is generally available to anyone who has access to the Internet. The website has the following information/records:

- About PSIRA
- News
- Policies
- Publications
- Services
- Statistics
- Archive
- Annual reports

11. PUBLIC INVOLVEMENT IN THE FORMULATION OF POLICY OR THE EXERCISE OF POWERS OR PERFORMANCE OF DUTIES BY PSIRA

PSIRA sends invitations to the public for their comments on draft regulations and/or policies through the government gazette.

12. PROCESSING OF PERSONAL INFORMATION

- **Purpose of processing**
PSIRA needs personal information relating to data subjects in order to carry out its statutory mandate and other business and organisational functions. The manner in which this information is processed and the purpose for which it is processed is determined by PSIRA.
- **Categories of Data Subjects and of the information or categories of information relating thereto**

Category of data subjects	Personal Information that may be processed
Security Service Providers and applicant security service providers	Postal and/or street address; title and name; contact numbers and/or e-mail address; ethnic group; biometric information f.

	employment history; training information/qualifications; age; gender; marital status; nationality; language; financial information; CIPC registration; identity or passport number including documents; browsing habits and click patterns on PSiRA websites/App.
PSIRA Employees	Name, address and any other contact details; Identity number and identity documents including passports; Employment history and references; Banking and financial details; Details of payments to third parties (deductions from salary); Employment contracts; Employment equity plans; Medical aid records; Pension Fund records; Remuneration/salary records; Performance appraisals; Disciplinary records; Leave records; and Training records/qualifications
PSIRA Vendors /suppliers /other businesses:	Name, address and any other contact details; Identity and/or company information and directors' information; Banking and financial information; Information about products or services; Other information not specified, reasonably required to be processed for business operations

- **Recipients of Personal Information**

- Any entity, organisation or person that PSIRA uses to assist in the verification of compliance to registration requirements as contemplated in the PSIR Act, which includes but are not limited to biometric verifications against the Automated Fingerprint Identification System of the SAPS, biometric and ID verification against the Department of Home Affairs HANIS;
- Any firm, organisation or person that the PSIRA uses to collect payments and recover debts or to provide a service on its behalf;
- Any firm, organisation or person that/who provides PSIRA with products or services;
- Any payment system the PSIRA uses;
- Regulatory and governmental authorities or ombudsmen, or other authorities, including tax authorities, where PSIRA has a duty to share information;
- Other state law enforcement agencies to advance the regulation of the private security industry;

- Third parties to whom payments are made on behalf of employees;
- Financial institutions from whom payments are received on behalf of data subjects;
- Any other operator not specified; and
- Employees, contractors and temporary staff.

- **Transborder flows of personal information.**

Personal information may be stored in data servers hosted outside South Africa, which may not have adequate data protection laws. PSIRA will endeavour to ensure that its suppliers will make all reasonable efforts to secure said data and Personal Information. Personal information may also be shared cross borders for purposes of verification of the requirements of registration as a security service provider as contemplated in the PSIR Act, including training qualifications.

- **General Description of Information Security Measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information.**

PSIRA undertakes to institute and maintain the data protection measures to accomplish the following objectives outlined below. The details given are to be interpreted as examples of how to achieve an adequate data protection level for each objective. PSIRA may use alternative measures and adapt to technological security development, as needed, provided that the objectives are achieved.

- **Access Control of Persons**

PSIRA shall implement suitable measures in order to prevent unauthorized persons from gaining access to the data processing equipment where the data are processed.

- **Data Media Control**

PSIRA undertakes to implement suitable measures to prevent the unauthorized manipulation of media, including reading, copying, alteration or removal of the data media used by PSIRA and containing personal data of security service providers.

- **Data Memory Control**

PSIRA Advisory undertakes to implement suitable measures to prevent unauthorized input into data memory and the unauthorised reading, alteration or deletion of stored data.

- **User Control**

PSIRA shall implement suitable measures to prevent its data processing systems from being used by unauthorised persons by means of data transmission equipment.

➤ **Access Control to Data**

PSIRA represents that the persons entitled to use PSIRA's data processing system are only able to access the data within the scope and to the extent covered by their respective access permissions (authorisation).

➤ **Transmission Control**

PSIRA shall be obliged to enable the verification and tracing of the locations/destinations to which the personal information is transferred by utilization of PSIRA data communication equipment / devices.

➤ **Transport Control**

PSIRA shall implement suitable measures to prevent Personal Information from being read, copied, altered or deleted by unauthorized persons during the transmission thereof or during the transport of the data media.

➤ **Organisation Control**

PSIRA shall maintain its internal organisation control in a manner that meets obligations in terms of the POPI Act and as per this policy.

13. REQUEST PROCEDURE AND FEES

- **Prescribed access form**

In order for us to facilitate your access to a record you need to complete the attached prescribed access form (Annexure A). Please take note that the prescribed access form must be completed in full and that a failure to do so may result in the process being delayed until such additional information is provided.

- **Prescribed fees**

The following fees have been prescribed in the Regulations promulgated in terms of PAIA and must be paid by a requester before PSIRA can make any records requested available to the requester.

Fees in Respect of Public Bodies		
Item	Description	Amount
1.	The request fee payable by every requester	R100.00
2.	Photocopy of A4-size page	R1.50 per page or part thereof.
3.	Printed copy of A4-size page	R1.50 per page or part thereof.
4.	For a copy in a computer-readable form on: (i) Flash drive (to be provided by requestor) (ii) Compact disc • If provided by requestor • If provided to the requestor	R40.00 R40.00 R60.00
5.	For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on quotation from Service provider.
6.	Copy of visual images	
7.	Transcription of an audio record, per A4-size page	R24.00
8.	Copy of an audio record on: (i) Flash drive (to be provided by requestor) (ii) Compact disc • If provided by requestor • If provided to the requestor	R40.00 R40.00 R60.00
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. To not exceed a total cost of	R100.00 R300.00
10.	Deposit: If search exceeds 6 hours	One third of amount per request calculated in terms of items 2 to 8.
11.	Postage, e-mail or any other electronic transfer	Actual expense, if any.

Please note that PSIRA can request a deposit from the requester, but only if they believe that the information or records requested will take more than six (6) hours to search, but the deposit amount cannot be more than one-third of the prescribed fee.

- **Payment method**

The requester must pay the prescribed fee if due and when requested to do so by making a deposit in the account number provided below:

Account Name	Private Security Industry Regulatory Authority
Bank	Nedbank
Account Number	1633366200
Branch Name	Business Banking, Midrand
Branch Code	198765
Reference	Promotion of Access to Information Act

14. AVAILABILITY OF THE MANUAL

- This Manual is made available in the following three official languages:
 - English
 - Zulu
 - Setswana
- A copy of this Manual or the updated version thereof, is also available as follows:
 - PSIRA website (www.psira.co.za);
 - at the head office of PSiRA for public inspection during normal business hours;
 - to any person upon request and upon the payment of a reasonable prescribed fee; and
 - to the Information Regulator upon request.

15. UPDATING OF THE MANUAL

PSIRA will, if necessary, update and publish this Manual annually.

ANNEXURE A

REQUEST FOR ACCESS TO RECORD

[Regulation 7]

NOTE:

1. *Proof of identity must be attached by the requester.*
2. *If requests made on behalf of another person, proof of such authorisation, must be attached to this form.*

TO: The Information Officer

_____ (Address)

E-mail address: _____

Fax number: _____

Mark with an "X"

Request is made in my own name

Request is made on behalf of another person

PERSONAL INFORMATION	
Full Names	
Identity Number	
Capacity in which request is made (when made on behalf of another person)	
Postal Address	
Street Address	
E-mail Address	
Contact Numbers	Tel. (B): _____ Facsimile: _____
	Cellular: _____

Full names of person on whose behalf request is made (if applicable):	
Identity Number	
Postal Address	

Street Address			
E-mail Address			
Contact Numbers	Tel. (B)		Facsimile
	Cellular		

PARTICULARS OF RECORD REQUESTED

Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)

Description of record or relevant part of the record:	
Reference number, if available	

Any further particulars of record	

TYPE OF RECORD
(Mark the applicable box with an "X")

Record is in written or printed form	
Record comprises virtual images (<i>this includes photographs, slides, video recordings, computer-generated images, sketches, etc</i>)	
Record consists of recorded words or information which can be reproduced in sound	
Record is held on a computer or in an electronic, or machine-readable form	

FORM OF ACCESS
(Mark the applicable box with an "X")

Printed copy of record (<i>including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form</i>)	
Written or printed transcription of virtual images (<i>this includes photographs, slides, video recordings, computer-generated images, sketches, etc</i>)	
Transcription of soundtrack (<i>written or printed document</i>)	
Copy of record on flash drive (<i>including virtual images and soundtracks</i>)	
Copy of record on compact disc drive (<i>including virtual images and soundtracks</i>)	
Copy of record saved on cloud storage server	

MANNER OF ACCESS
(Mark the applicable box with an "X")

Personal inspection of record at registered address of public/private body <i>(including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)</i>	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format <i>(including transcriptions)</i>	
E-mail of information <i>(including soundtracks if possible)</i>	
Cloud share/file transfer	
Preferred language <i>(Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available)</i>	

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 is to be exercised or protected	
Explain why the record requested is required for the exercise or protection of the aforementioned right:	

FEES	
a) <i>A request fee must be paid before the request will be considered.</i> b) <i>You will be notified of the amount of the access fee to be paid.</i> c) <i>The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.</i> d) <i>If you qualify for exemption of the payment of any fee, please state the reason for exemption</i>	
Reason	

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

Postal address	Facsimile	Electronic communication (<i>Please specify</i>)

Signed at _____ this _____ day of _____ 20 _____

Signature of Requester / person on whose behalf request is made

FOR OFFICIAL USE

Reference number:	
Request received by: (State Rank, Name And Surname of Information Officer)	
Date received:	
Access fees:	
Deposit (if any):	

Signature of Information Officer