



**BIL MANUAL IN TERMS OF THE PROMOTION OF ACCESS TO INFORMATION ACT AND
THE PROTECTION OF PERSONAL INFORMATION ACT**

Approved by the Managing Director of Bidvest International Logistics on
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1 INTRODUCTION

1.1 Overview

Safcor Freight (Pty) Ltd trading as Bidvest International Logistics ("BIL") is a member of the Bidvest Freight division of the Bidvest Group of Companies, and has a global partnership with EMO Trans. BIL is a dynamic international supply chain and logistics specialist. The company is a market leader in the clearing and forwarding sector, and operates out of various facilities in strategic locations across South Africa offering warehousing space and dedicated and variable transportation services.

1.2 Contact Details

Company Name:	Safcor Freight (Pty) Ltd trading as Bidvest International Logistics
Registration Number:	1969/008086/07
VAT Number:	4760151177
Head Office:	20 Wrench Road, Isando, 1609, Gauteng, South Africa
Postal Address:	PO Box 97, Isando, 1600, Gauteng, South Africa
Website:	www.bidvestil.com
Phone:	+27 11 570 6000
Fax:	+27 11 570 6407
Email:	info@bidvestil.com
Head of Company:	Craig Mountjoy (Managing Director)
Information Officer:	Alison Wixley (Head of Legal – Bidvest Freight)

2 MANUAL

2.1 The Promotion of Access to Information Act, No. 2 of 2000 ("the PAIA")

The PAIA gives effect to the constitutional right of access to any information held by any public or private body that is required for the exercise or protection of any rights.

The PAIA sets out the procedures attached to such request, and also recognises that such right to access to information is subject to certain justifiable limitations.

The PAIA obliges private bodies to compile a manual, which would assist a person to obtain access to information held by the private body and stipulates the minimum requirements with which a manual has to comply.

2.2 The Protection of Personal Information Act, No. 4 of 2013 ("the POPIA")

The POPIA gives effect to the constitutional right to privacy, in particular the protection against the unlawful collection, retention, dissemination and use of personal information.



Personal information means certain information relating to an identifiable living natural person or existing juristic person.

The POPIA requires people or companies to comply with eight principles regarding the processing of personal information.

2.3 BIL's Manual

BIL's manual is available for inspection at the Head Office (address as set out in 1.2 above), on the BIL website (address as set out in 1.2 above) and at the South African Human Rights Commission (address as set out in 2.3 below).

The Bidvest Group manual is available on:
http://www.bidvest.com/access_information.php.

2.4 South African Human Rights Commission ("SAHRC")

In terms of the PAIA, the SAHRC has compiled a guide, in an easily comprehensible form and manner, as to how a person may exercise any right contemplated in the PAIA. This guide is available in all the official languages from the SAHRC's PAIA Unit.

Physical Address:	The Research and Documentation Department, 29 Princess of Wales Terrace, Parktown, Johannesburg, Gauteng
Postal Address:	The Research and Documentation Department, Private Bag 2700, Houghton, 2041, Gauteng
Website:	www.sahrc.org.za
Phone:	+27 11 484 8300
Fax:	+27 11 484 7146/7
Email:	PAIA@sahrc.org.za

3 RECORDS

3.1 Records available without request

There are currently no records available without request.

3.2 Records kept in terms of other legislation (Acts and Regulations)

3.2.1 Corporate

Companies Act 71 of 2008
Competition Act 89 of 1998
Broad-Based Black Economic Empowerment Act 53 of 2003
Trade Marks Act, No 194 of 1993

3.2.2 Finance

National Credit Act 34 of 2005
Consumer Protection Act 68 of 2008
Financial Advisory and Intermediary Services Act 37 of 2002

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Short Term Insurance Act 53 of 1998
Financial Intelligence Centre Act 38 of 2001
Prevention and Combating of Corrupt Activities Act, No 12 of 2004
Prevention of Organised Crime Act 121 of 1998
Pension Funds Act 24 of 1956
Tax on Retirement Funds Act 38 of 1996

3.2.3 Tax & Duties

Income Tax Act, No. 58 of 1962
Value Added Tax Act 89 of 1991
Customs and Excise Act 91 of 1964
South African Revenue Service Act 34 of 1997

3.2.4 Human Resources

Labour Relations Act 66 of 1995
Basic Conditions of Employment Act 75 of 1997
Employment Equity Act, No. 55 of 1998
Manpower Training Act, 56 of 1981
Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000
Skills Development Act 97 of 1998
Skills Development Levies Act, No. 9 of 1999
Unemployment Insurance Contributions Act 4 of 2002
Unemployment Insurance Fund Act 63 of 2001

3.2.5 Safety, Health & Environment

Occupational Health and Safety Act 85 of 1993
Occupational Diseases Act, No 130 of 1993
Compensation for Occupational Injuries and Diseases Act 130 of 1993
Tobacco Products Control Act 83 of 1993
Medicines and Related Substances Control Act 101 of 1965
National Building Regulations and Building Standards Act 103 of 1977
National Environmental Management Act 107 of 1998
NEM Air Quality Act 39 of 2004
National Water Act 36 of 1998
Environmental Conservation Act 73 of 1989
Disaster Management Act 57 of 2002
Hazardous Substances Act 15 of 1973

3.2.6 Information

Promotion of Access to Information Act, No 54 of 2002
Electronic Communications and Transactions Act 25 of 2002
Regulation of Interception of Communications and Provision of Communication-Related Information Act 70 of 2002

3.2.7 Transport

Administrative Adjudication of Road Traffic Offences Act 46 of 1998
Cross-Border Road Transport Act 4 of 1998
National Land Transport Act 5 of 2009
Road Traffic Act 29 of 1989

3.3 Other Records

3.3.1 Corporate

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- Statutory information
- Agendas and minutes of internal meetings
- Internal policies and procedures
- 3.3.2 Finance**
 - Accounting and taxation records
 - Annual financial statements
 - Banking statements
 - Insurance records
 - Client contracts and related information
 - Service provider contracts and vendor details
- 3.3.3 Tax & Duties**
 - Customs documentation
- 3.3.4 Human Resources**
 - Employee files contracts
 - Payroll records
 - Employment equity reports
 - UIF records
 - Medical aid details
- 3.3.5 Safety, Health & Environment**
 - Property lease files
- 3.3.6 Information**
 - Various reports

4 REQUESTS AND FEES

4.1 What can be requested?

- 4.1.1** A requester must be given access to any BIL record if:
 - 4.1.1.1 that record is required for the exercise or protection of any rights;
 - 4.1.1.2 the requester complies with the procedural requirements in the PAIA relating to a request for access to that record; and
 - 4.1.1.3 access to that record is not refused in terms of any ground set out below.
- 4.1.2** BIL has the right to refuse requests for information that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources. The other main grounds on which BIL has the right in terms of the PAIA or the POPIA to refuse a request for information are the mandatory protection of:
 - 4.1.2.1 the privacy of a third party who is a natural person, which would involve the unreasonable disclosure of personal information of that natural person;
 - 4.1.2.2 the commercial information of a third party, if the record contains trade secrets, financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party;
 - 4.1.2.3 information disclosed in confidence by a third party to BIL, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition.



- 4.1.2.4 confidential information of third parties if it is protected in terms of any agreement;
- 4.1.2.5 the safety of individuals and the protection of property and the operations of BIL;
- 4.1.2.6 records which would be regarded as privileged in legal proceedings;
- 4.1.2.7 the commercial activities of BIL, which may include trade secrets, financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of BIL, information which, if disclosed could put BIL at a disadvantage in negotiations or commercial competition; a computer programme which is owned by BIL, and which is protected by copyright;
- 4.1.2.8 the research information of BIL or a third party, if its disclosure would disclose the identity of BIL, the researcher or the subject matter of the research and would place the research at a serious disadvantage.

4.2 How is it requested?

- 4.2.1 A requester wishing to access information held by BIL as listed in 3.2 or 3.3 above must complete the prescribed form as set out in 4.3 below.
- 4.2.2 The completed request form must be submitted to the BIL Information Officer at the address as set out in 1.2 above by hand, post or fax.
- 4.2.3 The request form must be accompanied by the prescribed fee (Annexure A Part 3 of the PAIA – available on request from the SAHRC) or proof of payment thereof into BIL's bank account (as set out in 1.2 above).
- 4.2.4 The BIL Information Officer will consider the request to see whether the required information is available within BIL.
- 4.2.5 The requester will be notified within 10 business days of receipt of the request as to whether it has been accepted or rejected.
- 4.2.6 If the request is accepted, the requester will be advised of the time required to gather and prepare the information and the cost involved (calculated in line with Annexure A Part 3 of the PAIA). Once time period required has passed and the requester has made payment of the required amount, the information will be released to the requester.
- 4.2.7 If the request is rejected, the requester will be advised of the reasons for the rejection.

4.3 Request Form

- 4.3.1 See pages 7 and 8 for the form



REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY
(Section 53(1) of the Promotion of Access to Information Act)
(Act No. 2 of 2000) [Regulation 10]

A. Particulars of private body

The Information Officer
Bidvest International Logistics

B. Particulars of person requesting access to the record

Full names and surname:
Identity number:
Postal address:
Fax number:
Telephone number:
E-mail address:
Capacity in which request is made:

C. Particulars of person on whose behalf request is made

This section must be completed ONLY if a request for information is made on behalf of another person.

Full names and surname:
Identity number:

D. Particulars of record

Description of record or relevant part of the record:
.....
Reference number, if available:
Any further particulars of record:
.....
.....



.....
.....
.....

E. Provision of record

Indicate in which form you would like to view the record:

- ☐ photocopy of record
- ☐ printed copy of record
- ☐ inspection of record
- ☐ printed copy of information derived from the record
- ☐ in computer readable form
- ☐ listen to the soundtrack
- ☐ transcription of soundtrack

G Particulars of right to be exercised or protected

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:

.....
.....
.....

H. Notice of decision regarding request for access

Indicate in which manner you would like to be advised of the outcome of your request:

- ☐ Post
- ☐ Email
- ☐ Fax

Signed at..... this..... day of20.....

.....
SIGNATURE OF REQUESTER / PERSON ON
WHOSE BEHALF REQUEST IS MADE