

Registration Number of Company:

2006/032069/07

KSB PUMPS AND VALVES (PTY) LTD

MANUAL

in terms of

Section 51 of

The Promotion of Access to Information Act

2/2000

(the "ACT")

REVISION: 1

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	NAME	POSITION	SIGNATURE	DATE
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1. INTRODUCTION

1.1 General

Section 32(1)(a) of the Constitution of the Republic of South Africa Act, No. 108 of 1996 (hereinafter referred to as "the Constitution") provides that everyone has a right of access to any information held by the state and any information held by another person that is required for the exercise or protection of any rights.

The Promotion of Access to Information Act, No. 2 of 2000 (hereinafter referred to as "PAIA", or "the Act" interchangeably) is the national legislation which was enacted to give effect to the constitutional right of access to information. PAIA came into operation on 9 March 2001, with the exception of sections 10, 14, 15 and 51, which came into operation on 15 February 2002

The Protection of Personal Information Act, 4 of 2013, ("POPIA") regulates and controls the processing, including the collection, use, and transfer of a person's personal information. In terms of POPIA, a person (Responsible Party) has a legal duty to collect, use, transfer and destroy (process) another's (Data Subject) personal information (Personal Information) in a lawful, legitimate and responsible manner and in accordance with the provisions and the 8 processing conditions set out under POPIA.

1.2 Purpose of the Manual

This manual is compiled not only to comply with the provisions of the Act, but is also intended to foster a culture of transparency and accountability by giving effect to the right to information that is required for the exercise or protection of any right and to actively promote a society in which the people of South Africa have effective access to information to enable them to more fully exercise and protect their rights. The manual will enable you to view the categories of information available.

KSB is one of the world's leading suppliers of pumps and valves and related services. The company is represented in South Africa since the early 1900 by agents. In 1959 KSB Pumps (SA) was established with the objective to be closer to the customer by having strong local sales, operations and service.

2. COMPANY CONTACT DETAILS (Section 51 (1) (a))

Persons designated/duly authorised persons:

Directors: S Baumgarten (Chairman)

P Weber (Managing Director)

R Kannefass (Director)

NP Ngwenya (Director)

MB Finca (Director)

Managing Director Mr. P Weber

Postal Address: P.O.Box 2938, Primrose, Germiston 1416

Street Address: Corner North Reef and Activia Road, Activia Park, Germiston

Telephone Number: 011 876 5600

Email: peter.weber@ksb.com

Information Officer Mr. CP Griffiths

Postal Address: P.O.Box 2938, Primrose, Germiston 1416

Street Address: Corner North Reef and Activia Road, Activia Park, Germiston

Telephone Number: 011 876 5600

Email: inforequest.za@ksb.com

3. THE ACT

- 3.1 The ACT grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.
- 3.2 Requests in terms of the ACT shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in paragraphs 6 and 7 of the Act.
- 3.3 Requesters are referred to the Guide in terms of Section 10 which has been compiled by the South African Human Rights Commission, which will contain information for the purposes of exercising Constitutional Rights. The Guide is available from the SAHRC. The contact details of the Commission are:

Postal Address:	Private Bag 2700, Houghton, 2041
Telephone Number:	+27-11-877 3600
Fax Number:	+27-11-403 0625
Website:	www.sahrc.org.za

3.4 Reasons for Processing Personal Information

KSB PUMPS AND VALVES (PTY) LTD does and will from time-to-time process Personal Information which belongs to or is held by a Data Subject.

This processing is required by the Company to allow it to perform the following:

- to pursue their business objectives and strategies;
- to comply with a variety of lawful obligations, including without detracting from the generality thereof;
- to carry out actions for the conclusion and performance of a contract as between the Company and Data Subjects;
- to put in place protective mechanisms to protect the Data Subject's and / or the Companies' legitimate interests including the performance of risk assessments and risk profiles;
- to obtain as required by law or to protect the respective party's legitimate interests, Personal Information from a credit bureau or credit provider or credit association information about certain Data Subject's credit record, including personal information about any judgement or default history;
- to provide as required by law or to protect the respective party's legitimate interests Personal Information to credit bureaus, credit providers or credit associations, information about certain Data Subject's credit record, including personal information about any judgement or default history;
- for the purposes of making contact with the Data Subject and attending to the Data Subject's enquiries and requests;
- for the purpose of providing the Data Subject from time to time with information pertaining to the Companies, their officers, employees, services and goods and other ad hoc business-related information;
- to pursue the Data Subject's and / or Companies' legitimate interests, or that of a third party to whom the Personal Information is supplied;
- for the purposes of providing, maintaining, and improving the Companies' Products and Services, and to monitor and analyse various usage and activity trends pertaining thereto;
- for the purposes of performing internal operations, including management of employees,

- employee wellness programs, the performance of all required HR and IR functions, call centres, customer care lines and enquiries, attending to all financial matters including budgeting, planning, invoicing, facilitating and making payments, making deliveries, sending receipts, and generally providing commercial support, where needed, requested or required; and
- for the purpose of preventing fraud and abuse of the Companies' processes, systems, procedures and operations, including conducting internal and external investigations and disciplinary enquiries and hearings.

3.4.1 Storage and retention and destruction of information

The Company will ensure that the Data Subject's Personal Information is stored electronically in a centralized data base, which, for operational reasons, will be accessible to all within the Company on a need to know and business basis, save that where appropriate, some of the Data Subject's Personal Information may be retained in hard copy.

All such Personal Information will be held and / or stored securely. In this regard the Company will ensure that they perform regular audits regarding the safety and the security of all Data Subject's Personal Information.

Once the Data Subject's Personal Information is no longer required due to the fact that the purpose for which the Personal Information was held has come to an end and expired, such Personal Information will be safely and securely archived for the required prescribed periods or longer should this be required by the Company. The Company thereafter will ensure that such Personal Information is permanently destroyed.

3.4.2 Access by others and cross border transfer

The Company may from time to time have to disclose a Data Subject's Personal Information to other parties, including other organs of state, other departments or subsidiaries, product or third party service providers, regulators and / or governmental officials, overseas service providers and / or agents, but such disclosure will always be subject to an agreement which will be concluded as between the Company and the party to whom it is disclosing the Data Subject's Personal Information to, which contractually obliges the recipient of this Personal Information to comply with strict confidentiality and data security conditions. Where Personal Information and related data is transferred to a country which is situated outside the borders of South Africa, the Data Subject's Personal Information will only be transferred to those countries which have similar data privacy laws in place or where the recipient of the Personal Information is bound contractually to a no lesser set of obligations THAN those imposed by POPIA.

- #### **3.4.3**
- Where a Data Subject is desirous of obtaining details of the Personal Information which the Company may hold of and which pertain to it, then it must make application as described below:

4. APPLICABLE LEGISLATION

No	Ref	Act
1	No 61 of 1973	Companies Act
2	No 98 of 1978	Copyright Act
3	No 55 of 1998	Employment Equity Act
4	No 95 of 1967	Income Tax Act
5	No 66 of 1995	Labour Relations Act
6	No 89 of 1991	Value Added Tax Act
7	No 37 of 2002	Financial Advisory and Intermediary Services Act
8	No 75 of 1997	Basic Conditions of Employment Act
9	No 69 of 1984	Close Corporations Act
10	No 25 of 2002	Electronic Communications and Transactions Act
11	No 2 of 2000	Promotion of Access of Information Act
12	No 30 of 1996	Unemployment Insurance Act

5. Schedule of Records

Records	Subject	Availability
Public Affairs	<ul style="list-style-type: none"> Public Product Information Public Corporate Records Media Releases 	1
Financial	<ul style="list-style-type: none"> Financial Statements Financial and Tax Records(Company & Employees) Asset Register Management Accounts Accounting and Banking records 	1,8 8 8 8 8
Marketing	<ul style="list-style-type: none"> Market Information Public Customer Information: Field Records Performance Records Product Sales Records Marketing Strategies Customer Database Dealer Franchise Documents 	8,13 1 8,2 8,2 8 8 8 8
Human Resources	<ul style="list-style-type: none"> Employee /Staff Records Employment Contracts Policies and Procedures Health and Safety Employment Equity plan 	3,4,7 3,4 3 3,4,6 8
Information Technology	<ul style="list-style-type: none"> Project plans Policies and procedures 	8 8

	<ul style="list-style-type: none"> • Disaster Recovery • IT Governance records • Licensing and procurement 	8 8 8
Company Secretarial and Legal	<ul style="list-style-type: none"> • Statutory Records not available at CIPC • Minutes and related meeting information • Documents of incorporation • Trade mark information • General contract documentation 	8 8 1 1 5,8

These records include, but are not limited to, the records which pertain to KSB Pumps and Valves (Pty) Limited.

Key:

1	May be disclosed	
2	May not be disclosed	Request after the commencement of legal proceedings(criminal or civil) – Section 7
3	Limited disclosure	Personal information that belongs to the requester of the information –Section 61
4	May not be disclosed	Unreasonable disclosure
5	May not be disclosed	Likely to harm the commercial or financial interests of third party- Section 64(a)(b)
6	May not be disclosed	Breach duty of confidence owed to a third party in terms of an agreement – Section 65
7	May not be disclosed	Likely to compromise safety of individuals or protection of property-Section 66
8	May not be disclosed	Commercial information of Private Body – Section 68
9	May not be disclosed	Likely to prejudice research and development of a company or third party –Section 69

6. Other Records

- 6.1 KSB Pumps and valves (Pty) Ltd may possess records pertaining to other parties, including without limitation contractors, suppliers, subsidiary/holding/sister companies, joint venture companies and service providers. Alternatively, such other parties may possess records that can be said to belong to KSB Pumps and Valves (Pty) Limited.
- 6.2 Personnel, client and other records relating to KSB which are held by another party, as opposed to records held by KSB itself
- 6.3 Records held by KSB pertaining to other parties, including without limitation, financial records, correspondence, contractual records, records provided by the other party, and records third parties have provided about the contractors/suppliers.

7. FORM OF REQUEST

To facilitate the processing of your request, kindly:

- 7.1 Use the prescribed form C, available on the website of the South African Human Rights Commission at www.sahrc.org.za. (a copy included herein for ease of reference)
- 7.2 Address your request to the Information Officer, and submit it by hand or email to the Information Officer.
- 7.3 Provide sufficient details to enable the COMPANY to identify:
 - (a) The record(s) requested;

- (b) The identity of requester (and if an agent is lodging the request, proof of capacity);
- (c) The form of access required;
- (d) (i) The postal address or fax number of the requester in the Republic;
(ii) If the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof;
- (e) The right which the requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.

7.4 Your request for information will be processed within 30 days, unless request contains considerations that are of such a nature that an extension of the thirty day time limit is necessitated.

7.5 Where an extension of the thirty day time limit is required, the requester shall be notified, together with reasons explaining why such extensions is necessitated.

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

7.7 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.

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

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

8. PRESCRIBED FEES

The following applies to requests (other than personal requests):

- 8.1** A requestor is required to pay the prescribed fees (R50.00) before a request will be processed; The Requester in this regard must make contact with the Information Officer to obtain the relevant banking details where the above fees are to be paid into.
- 8.2** If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted);
- 8.3** A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit;
- 8.4** Records may be withheld until the fees have been paid.
- 8.5** The fee structure is available on the website of the South African Human Rights Commission at www.sahrc.org.za.

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- The SAHRC does not endorse any third party private service provider and will not bear any costs related to your transaction to compile the manual on your behalf.
- Submission to the SAHRC is free and the SAHRC does not charge any fees for advice or administration however all cost to lodge manuals is at the relevant private entities own cost e.g. registered mail etc.
- Manuals are subject to review and comment with the possibility of manuals being rejected on the basis of not meeting the minimum requirements and the SAHRC is not liable for the amendment costs if any and resubmission if any of any