

A. WHAT IS AN INFORMATION MANUAL?

Our Information Manual is essentially a combination of:

- (i) the so-called "PAIA Manual" * that all businesses must prepare and submit; and
- (ii) the disclosures** that every person collecting personal information must make prior to collecting that personal information.

Notes:

* as required by section 51 of the Promotion of Access to Information Act, No. 2 of 2000 ("PAI Act");

** as required by section 18 the Protection of Personal Information Act, No. 4 of 2013 ("POPI Act").

B. WHO NEEDS ONE?

All Private Bodies, whether sole proprietors, partnerships, companies, trusts or otherwise, who conduct any business profession or trade as well as anyone who collects any personal information relating to individuals, companies or otherwise. We have created an easy-to-follow decision tree on the following page to assist you.

C. BY WHEN?

By 30 June 2021 maybe earlier depending on the category of Private Bodies that you fit into, being:

- (i) sole proprietors, partnerships, trusts and small private companies***, ("group A"); or
- (ii) large private companies**** and public companies ("group B").

Notes:

**** Group B is currently required to lodge their Information Manuals.

*** Group A has been given until 30 June 2021 to lodge their Information Manuals. The criterion distinguishing small and large companies can be found in Government Gazette Notice No. 44003.



START

ARE YOU ONE OF THESE ?

1. Sole proprietorship;
2. Partnership; and
3. Juristic person

(which includes companies, close corporations, trusts and otherwise) which carry on any business trade or profession?

NO

YES

YOU DO NOT NEED TO COMPLETE A SO-CALLED PAIA MANUAL

(You may still be required to make certain required POPI Act disclosures)

YOU NEED TO COMPLETE A SO-CALLED PAIA MANUAL

CONTACT US FOR A PRIVACY POLICY

YES

DO YOU COLLECT ANY PERSONAL INFORMATION OF ANY INDIVIDUAL, COMPANY, TRUST OR OTHERWISE ?

NO

YOU NEED TO COMPILE AN INFORMATION MANUAL
(combining the PAIA manual and the POPI Act disclosures into one document)

WHAT NOW ?

YOU DO NOT NEED TO MAKE THE POPI ACT DISCLOSURES

(contemplated in section 18 of the POPI Act)

DON'T WORRY WE ARE HERE TO HELP.

CONTACT US NOW

1. Publish the Information Manual on your Website,
2. Make the Information Manual available at your business premises; and
3. Submit the manual to the South African Human Rights Commission **ON OR BEFORE 30 JUNE 2021**

NEED HELP ?

Notes:

**** Group B is currently required to lodge their Information Manuals.

*** Group A has been given until 30 June 2021 to lodge their Information Manuals. The criterion distinguishing small and large companies can be found in Government Gazette Notice No. 44003.

In respect of both groups, the Information Manual must be lodged in the prescribed manner, as follows:

- (i) if submitted on or before 30 June 2021, with the Human Rights Commission; and
- (ii) if submitted on or after 1 July 2021, with the newly established Information Regulator.

I DON'T RUN A BUSINESS BUT I DO COLLECT PERSONAL INFORMATION:

Before collecting any personal information, you need to make certain disclosures to the person from whom you are collecting the information.

Contact us for assistance with an appropriately drafted disclosure manual, including a privacy policy.

WE ARE HERE TO ASSIST:

Should you need assistance preparing or lodging your Information Manual, please contact us, we are here to help.

**CONTACT US FOR
FURTHER INFORMATION**

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