

Robert Bosch South Africa (Pty) Ltd



BOSCH

PAIA MANUAL

**Prepared in terms of section 51 of the
Promotion of Access to Information Act
2 of 2000 (as amended)**

DATE OF COMPILATION: 01/10/2021

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1. LIST OF ACRONYMS AND ABBREVIATIONS

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|-----|--------------------|---|
| 1.1 | “CEO” | Chief Executive Officer |
| 1.2 | “DIO” | Deputy Information Officer; |
| 1.3 | “IO“ | Information Officer; |
| 1.4 | “Minister” | Minister of Justice and Correctional Services; |
| 1.5 | “PAIA” | Promotion of Access to Information Act No. 2 of 2000(as Amended; |
| 1.6 | “POPIA” | Protection of Personal Information Act No.4 of 2013; |
| 1.7 | “Regulator” | Information Regulator; and |
| 1.8 | “Republic” | Republic of South Africa |

2. PURPOSE OF PAIA MANUAL

This PAIA Manual is useful for the public to-

- 2.1 check the categories of records held by a body which are available without a person having to submit a formal PAIA request;
- 2.2 have a sufficient understanding of how to make a request for access to a record of the body, by providing a description of the subjects on which the body holds records and the categories of records held on each subject;
- 2.3 know the description of the records of the body which are available in accordance with any other legislation;
- 2.4 access all the relevant contact details of the Information Officer and Deputy Information Officer who will assist the public with the records they intend to access;
- 2.5 know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- 2.6 know 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;
- 2.7 know the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.8 know the recipients or categories of recipients to whom the personal information may be supplied;
- 2.9 know if the body 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
- 2.10 know whether the body has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

3. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF ROBERT BOSCH (PTY) LTD

3.1. Chief Information Officer

Name: Dr. Markus Thill
Tel: +27 (11) 651-9831
Email: Markus.Thill@bosch.com
Fax number: +27 (79) 250-3022

3.2. Deputy Information Officer *(NB: if more than one Deputy Information Officer is designated, please provide the details of every Deputy Information Officer of the body designated in terms of section 17 (1) of PAIA.*

Name: Henry Pieters
Tel: +27 11 651 9600
Email: henry.pieters@za.boch.com
Fax Number: +27 12 250 3022

3.3 Access to information general contacts

Email: DPO.southafrica@za.bosch.com

3.4 National or Head Office

Postal Address: P.O. Box X118, MIDRAND. 1685

Physical Address: 96, 15th Road, Randjespark, MIDRAND, South Africa

Telephone: +27 11 651 9831

Email: Markus.Thill@bosch.com

Website: <https://www.bosch.africa/>

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

- 4.1. 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.
- 4.2. The Guide is available in each of the official languages and in braille.
- 4.3. The aforesaid Guide contains the description of-
 - 4.3.1. the objects of PAIA and POPIA;
 - 4.3.2. the postal and street address, phone and fax number and, if available, electronic mail address of-
 - 4.3.2.1. the Information Officer of every public body, and
 - 4.3.2.2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA²;
 - 4.3.3. the manner and form of a request for-
 - 4.3.3.1. access to a record of a public body contemplated in section 11³; and
 - 4.3.3.2. access to a record of a private body contemplated in section 50⁴;
 - 4.3.4. the assistance available from the IO of a public body in terms of PAIA and POPIA;
 - 4.3.5. the assistance available from the Regulator in terms of PAIA and POPIA;
 - 4.3.6. 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-
 - 4.3.6.1. an internal appeal;
 - 4.3.6.2. a complaint to the Regulator; and

¹ Section 17(1) of PAIA- *For the purposes of PAIA, each public body must, subject to legislation governing the employment of personnel of the public body concerned, designate such number of persons as deputy information officers as are necessary to render the public body as accessible as reasonably possible for requesters of its records.*

² Section 56(a) of POPIA- *Each public and private body must make provision, in the manner prescribed in section 17 of the Promotion of Access to Information Act, with the necessary changes, for the designation of such a number of persons, if any, as deputy information officers as is necessary to perform the duties and responsibilities as set out in section 55(1) of POPIA.*

³ Section 11(1) of PAIA- *A requester must be given access to a record of a public body if that requester complies with all the procedural requirements in PAIA relating to a request for access to that record; and access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*

⁴ Section 50(1) of PAIA- *A requester must be given access to any record of a private body if-*

- a) *that record is required for the exercise or protection of any rights;*
- b) *that person complies with the procedural requirements in PAIA relating to a request for access to that record; and*
- c) *access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*

- 4.3.6.3. 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;
- 4.3.7. the provisions of sections 14⁵ and 51⁶ requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
- 4.3.8. the provisions of sections 15⁷ and 52⁸ providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
- 4.3.9. the notices issued in terms of sections 22⁹ and 54¹⁰ regarding fees to be paid in relation to requests for access; and
- 4.3.10. the regulations made in terms of section 92¹¹.
- 4.4. 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.
- 4.5. The Guide can also be obtained-
 - 4.5.1. upon request to the Information Officer;
 - 4.5.2. from the website of the Regulator (<https://www.justice.gov.za/inforeg/>).
- 4.6 A copy of the Guide is also available in the following two official languages, for public inspection during normal office hours-
 - 4.6.1 English and Zulu

⁵ Section 14(1) of PAIA- The information officer of a public body must, in at least three official languages, make available a manual containing information listed in paragraph 4 above.

⁶ Section 51(1) of PAIA- The head of a private body must make available a manual containing the description of the information listed in paragraph 4 above.

⁷ Section 15(1) of PAIA- The information officer of a public body, must make available in the prescribed manner a description of the categories of records of the public body that are automatically available without a person having to request access

⁸ Section 52(1) of PAIA- The head of a private body may, on a voluntary basis, make available in the prescribed manner a description of the categories of records of the private body that are automatically available without a person having to request access

⁹ Section 22(1) of PAIA- The information officer of a public body to whom a request for access is made, must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

¹⁰ Section 54(1) of PAIA- The head of a private body to whom a request for access is made must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

¹¹ Section 92(1) of PAIA provides that –“The Minister may, by notice in the Gazette, make regulations regarding-
(a) any matter which is required or permitted by this Act to be prescribed;
(b) any matter relating to the fees contemplated in sections 22 and 54;
(c) any notice required by this Act;
(d) uniform criteria to be applied by the information officer of a public body when deciding which categories of records are to be made available in terms of section 15; and
(e) any administrative or procedural matter necessary to give effect to the provisions of this Act.”

5. CATEGORIES OF RECORDS OF ROBERT BOSCH (PTY) LTD WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

NB: Please specify the categories of records held by the body which are available without a person having to request access by completing Form C, types of the records and how the records can be accessed. These are mostly records that maybe available on the website and a person may download or request telephonically or by sending an email or a letter.

Below is an example of the table that can be used.

Category of records	Types of the Record	Available on Website	Available upon request
Compliance	Internal reports		X
	Legislation compliance	X	
	Regulatory reports		X
Corporate Governance	Annual reports		X
	Board and committee administration		X
	Company Directorships		X
	Company Registrations		X
	Policies and procedures		X
Finance and Tax	Audit management		X
	Budgets		X

	Creditors control		X
	Debtors control		X
	Insurance		X
	Management accounts		X
	Tax management		X
	Treasury management		X
	Utilities management		X
Human Resources	Disciplinary actions		X
	Internal exchange visits/partnerships		X
	Job profiles	X	
	Performance management		X
	Salary administration		X
	Staff benefits and incentives		X
	Staff list		X
	Training and skills development		X
Information Technology	Information systems		X

	Network security		X
	Software licenses		X
	Technology assets		X
Procurement	Agreements		X
	Compliance documentation of service providers		X
	Procurement committee administration		X
	Procurement proposals and tenders		X
	Service provider records		X

6. DESCRIPTION OF THE RECORDS OF ROBERT BOSCH (PTY) LTD WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION

***NB:** Please specify all the records which are created and available in accordance with any of the South African legislation. Below is an example of the table that can be used in describing the records and applicable legislation.*

Category of Records	Applicable Legislation
Memorandum of incorporation	Companies Act 71 of 2008

Compliance	Promotion of Access to Information Act 2 of 2000
Labour	Basic Conditions of Employment Act, No 57 of 1997
Legal	Compensation for Occupational Injuries and Diseases Act, No 130 of 1993
Legal	Constitution of the Republic of South Africa Act, No 108 of 1996
Legal	Consumer Protection Act, No 68 of 2008
Legal	Copyright Act, No 98 of 1978
Legal	Electronic Communications and Transactions Act, No 25 of 2002
Labour	Employment Equity Act, No 55 of 1998
Financial	Financial Intelligence Centre Act, No 38 of 2001
Financial	Income Tax Act, No 58 of 1962
Legal	Labour Relations Act, No 66 of 1995
Legal	National Building Regulations and Buildings Standards Act, No 103 of 1977
Financial	National Credit Act, No 34 of 2005
	Non-Profit Organizations Act, No 71 of 1997
Compliance	Occupational Health and Safety Act, No 85 of 1993 Preferential Procurement Policy Framework Act, No 5 of 2000
Legal	Promotion of Equality & Prevention of Unfair Discrimination Amendment Act, No 52 of 2002
Legal	Protected Disclosures Act, No 26 of 2000

Legal	Protection of Personal Information Act, No 4 of 2013
Communications	Regulation of Interception of Communications and Provision of Communication Related Information Act, No 70 of 2002
Legal	Rental Housing Act, No 50 of 1999
Labour	Skills Development Act, No 97 of 1998
Labour	Skills Development Levy Act, No 9 of 1999
Legal	Social Housing Act, No 16 of 2008
Financial	Tax Administration Act, 28 of 2011
Labour	Unemployment Insurance Act, No 30 of 1966
Financial	Value Added Tax Act, No 89 of 1991
Legal	Various City By-Laws

7. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY THE ROBERT BOSCH (PTY) LTD

NB: Describe the subjects (i.e. Finance, SCM or HR), in respect of which the body holds records and the categories of records held on each subject. Below is an example of the table that can be used.

Subjects on which the body holds records	Categories of records
Strategic Documents, Plans, Proposals	Annual Reports, Strategic Plan, Annual Performance Plan.
Human Resources	- HR policies and procedures - Advertised posts

Subjects on which the body holds records	Categories of records
	- Employees records

8. REQUEST PROCEDURES

Access to information listed above must be made by following the procedures outlined below:

8.1 How to request for information from the ROBERT BOSCH (PTY) LTD?

Complete the applicable Form above. The request must be made in person or by e-mail, fax or post to the Information Officer listed in this document. If an acknowledgement of receipt for the request is not received within 14 days, please contact the Deputy Information Officer to ensure that the request has been received.

Some important points to remember when completing the request form:

- Each section of the form contains instructions that should be followed to improve the likelihood of the request being granted with minimal delay being experienced.
- Where a request is made for records relating to an organisation, it is strongly recommended that the organisation's public officer make or authorise the request.
- If records are requested on behalf of another person, please provide a copy of the mandate authorising you to act on behalf of another person.
- A detailed description of the records being requested must be provided to enable the Deputy Information Officer to identify it accurately.

If any difficulties are experienced in completing the request form or if a disability prevents the requester from completing it, please do not hesitate to contact the Deputy Information Officer for assistance.

8.2 How long must a requester wait before receiving the information requested?

The Deputy Information Officer is required to take a decision on the request within 30 days of receipt of the request, failing which the request is deemed to have been refused.

The Deputy Information Officer may extend the period for taking a decision to 60 days under the following circumstances:

8.2.1 If the request is for large number of records or requires a search through a large number of records and compliance with the original period would unreasonably interfere with the activities of the ROBERT BOSCH (PTY) LTD;

8.2.2 If the requested records are not situated in the same town or city as the ROBERT BOSCH (PTY) LTD offices that the request cannot reasonably be completed within 30 days;

8.2.3 Where consultation among the divisions of the **ROBERT BOSCH (PTY) LTD** or with another entity is necessary or desirable to decide upon the request and which consultation cannot be reasonably completed within 30 days; or

8.2.4 If the requester consents in writing to the extension.

Should the 30-day period be extended, the Deputy Information Officer will notify the requester of the extension as well as provide the requester with the reasons for the extension.

8.3 How will a requester be informed of the outcome of the request?

The requester will be notified of the Deputy Information Officer's decision in the manner specified in the request form.

8.4 Under which circumstances will the request for access to information be refused?

Access to a record is refused on one or more grounds of refusal specified in PAIA, which fall into the following categories: –

- Mandatory protection of privacy of a third party who is a natural person;
- Mandatory protection of certain records of ROBERT BOSCH (PTY) LTD;
- Mandatory protection of commercial information of a third party;
- Mandatory protection of certain confidential information and protection of certain other confidential information of a third party;

- Mandatory protection of safety of individuals and protection of property;
- Mandatory protection of police dockets in bail proceedings and protection of law enforcement and legal proceedings;
- Mandatory protection of records privileged from production in legal proceedings;
- Defence, security and international relations of the Republic;
- Economic interests and financial welfare of the Republic and commercial activities of public bodies;
- Mandatory protection of research information of a third party and protection of research information of a public body;
- Operations of public bodies; and
- Manifestly frivolous or vexatious requests or substantial and unreasonable diversion of resources.

8.5 What is deemed refusal of a request?

If the Deputy Information Officer does not give the decision on a request for access to the requester within the 30-day period or within any extended period, then the Deputy Information Officer will be regarded as having refused the request.

8.6 What can a requester do if the request for information is refused?

Should the requester not be satisfied with the decision of the Deputy Information Officer, the requester may apply to court for relief. The said application must be made within 180 days after the decision has been made by the Deputy Information Officer. On hearing such an application, the court may grant a just and equitable order including:

- Confirming, amending or setting aside the decision that is the subject of the application;
- Requiring the Information Officer to take some action or to 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; or
- Costs.

Such an application may be made at the Magistrates Court.

8.7 What if the request is successful?

The requester will be given access to a record if all procedural requirements have been complied with according to PAIA requirements, that is –

- The request is properly documented on the prescribed form;
- Proof of authority to act on another's behalf is furnished, if making the request on another person's behalf;
- The record that is requested is sufficiently described to enable the Deputy Information Officer to identify it; and
- Payment of all required fees.

8.8 Fees in respect of public bodies

It may be necessary to pay fees for access to records in terms of PAIA.

These fees are for the following:

12.8.1 Request fee –

If the request is to access a record containing personal information about the requester, he/she will not be required to pay the request fee. Any other request must be accompanied by the required request fee, which is prescribed in Annexure B hereto.

12.8.2 Exemptions from paying the access fee

The following persons are exempt from paying the access fee contemplated in Annexure B:

(i) A single person whose annual income, after permissible deductions, does not exceed

R14 712.00 per annum; and

(ii) Married persons or a person and his or her life partner whose annual income, after

permissible deductions, does not exceed R27 192, 00 per annum.

Further:

(i) Where the cost of collecting any fee contemplated in this Manual exceeds the amount charged, such fee does not apply; and

(ii) the fees in Annexure B do not apply to a record requested by a maintenance officer or maintenance investigator for purposes of a maintenance investigation or inquiry in terms of the provisions of the Maintenance Act, 1998 (Act No. 99 of 1998) or the regulations made under section 44 of that Act.

9. PROCESSING OF PERSONAL INFORMATION

a. Purpose of Processing Personal Information

Bosch is required, in the normal exercise of its functions and obligations as a juristic business entity, to process the Personal Information of Data Subjects from time to time.

- To support engagement with the media
- To support engagement with service providers
- To support engagement with the general public
- To support engagement with industry bodies
- To support recruitment and management of staff
- To support relationships with statutory and other authorities
- To support sales and marketing activities
- To support servicing tenant requirements
- To support visits to/by international exchange partners

b. Description of the categories of Data Subjects and of the information or categories of information relating thereto

NB: Specify the categories of data subjects in respect of whom the body processes personal information and the nature or categories of the personal information being processed.

Below is the template that can be used to set out the categories of data subjects and the description of the nature or categories of the personal information to be processed. Note that the nature or categories of the personal information is dependent on the purpose of the body in performing its functions or services.

Categories of Data Subjects	Personal Information that may be processed
Customers / Clients	name, address, registration numbers or identity numbers, employment status and bank details
Service Providers	names, registration number, vat numbers, address, trade secrets and bank details
Employees	address, qualifications, gender and race
General Public	names, address
Industry Bodies	name, address, registration numbers or identity numbers, employment status and bank details
International Exchange Partners	
Statutory / other Authorities	name, address, registration numbers or identity numbers, employment status and bank details

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

NB: Specify the person or category of persons to whom the body may disseminate personal information. Below is an example of the category of personal information which may be disseminated and the recipient or category of recipients of the personal information.

Category of personal information	Recipients or Categories of Recipients to whom the personal information may be supplied
Identity number and names, for criminal checks	South African Police Services
Qualifications, for qualification verifications	South African Qualifications Authority
Credit and payment history, for credit information	Credit Bureaus

d. Planned transborder flows of personal information

NB: Indicate if the body has planned transborder flows of personal information. For example, some personal information may be stored in the cloud outside the Republic. Please specify the country in which personal information will be stored and categories of personal information.

The transborder flow of personal information will take place for:

- Flows to operators (service providers)
- Flows using social media
- Flows to international exchange partners and other Group companies
- Flows to Germany for purposes of backup information

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

The following security measures are implemented to protect personal information:

- Physical security measures
 - o Access controls
 - Home and mobile measures
 - Internal security measures
- Cyber security measures
 - o Anti-spam measures
 - Anti-virus measures
 - Firewalls
 - Password control
 - Training in information security
 - Selective training of key staff
- Policies in information security
 - o Comprehensive coverage of all IT-related issues
- Audits of information security

10. AVAILABILITY OF THE MANUAL

- a. A copy of the Manual is available-
 - i. on <https://www.bosch.africa/>, if any;
 - ii. head office of Robert Bosch (Pty) Ltd for public inspection during normal business hours;
 - iii. to any person upon request and upon the payment of a reasonable prescribed fee; and
 - iv. to the Information Regulator upon request.
- b. A fee for a copy of the Manual, as contemplated in annexure B of the Regulations, shall be payable per each A4-size photocopy made.

11. UPDATING OF THE MANUAL

The head of Robert Bosch (Pty0 Ltd will on a regular basis update this manual.

Issued by

Markus Thill

President Region Africa of the Bosch group

Annexure "B"

Fees in respect of private Bodies

Item	Description	Amount
1.	The request fee payable by every requester	R140.00
2.	Photocopy/printed black & white copy of A4-size page	R2.00 per page or part thereof
3.	Printed copy of A4-size page	R2.00 per page or part thereof
4.	For a copy in a computer-readable form on: (iii) Flash drive (to be provided by requester) (iv) Compact disc <ul style="list-style-type: none"> • If provided by requester • If provided to the requester 	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: (v) Flash drive (to be provided by requester) (vi) Compact disc <ul style="list-style-type: none"> • If provided by requester • If provided to the requester 	R40.00 R40.00

		R60.00
9.	<p>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.</p> <p>To not exceed a total cost of</p>	<p>R145.00</p> <p>R435.00</p>
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.”.