



12 CYCLONITE ROAD, THE INTERCHANGE, SOMERSET WEST, 7130, SOUTH AFRICA  
+27 (0) 21 300 0160 | MARK@NEWSPACESYSTEMS.COM

NEWSPACE SYSTEMS (PTY) LTD

# **NSS-PAI-01 NEWSPACE SYSTEMS PROMOTION OF ACCESS TO INFORMATION (PAI) MANUAL**

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

12 Cyclonite Street,  
The Interchange  
Somerset West 7130  
Western Cape  
South Africa  
Tel: +27 213000160

Website: [www.newspacesystems.com](http://www.newspacesystems.com)

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## DOCUMENTED INFORMATION

APPROVAL	
<b>Approved By:</b>	Tanya Lerm
<b>Designation:</b>	Chief Operations Officer
<b>Signature:</b>	
<b>Date:</b>	31-Dec-2021
Signatories to this document certify that content has been reviewed and approved, that it complies with the NewSpace Systems' quality standards and releases this document for use.	

### I. Issue History

Issue	Date	Change details	Change Author (Designation)	Reviewer (Designation)	Affected sections
1	31 Dec 2021	First Release	L. Visagie (QA Coordinator)	Tanya Lerm (COO)	All

### II. Acronyms and Abbreviations

Term	Description
CCTV	Closed-Circuit Television
CEO	Chief Executive Officer
COO	Chief Operations Officer
DIO	Deputy Information Officer
IO	Information Officer
H&S	Health and Safety
HR	Human Resource(s)
Minister	Minister of Justice and Correctional Services
NSS	NewSpace Systems (Pty) Ltd.
PAI	Promotion of Access to Information
PAIA	Promotion of Access to Information Act No. 2 of 2000 (as amended)
POPI	Protection of Personal Information
POPIA	Protection of Personal Information Act No.4 of 2013
Regulator	Information Regulator
Republic /RSA	Republic of South Africa

## A. PURPOSE OF THE PAI MANUAL

This PAI Manual is useful for the public to:

1. Check the categories of records held by a body which are available without a person having to submit a formal PAI request.
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.
3. Know the description of the records of the body which are available in accordance with any other legislation.
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.
5. Know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it.
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.
7. Know the description of the categories of data subjects and of the information or categories of information relating thereto.
8. Know the recipients or categories of recipients to whom the personal information may be supplied.
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.
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.

## B. KEY CONTACT DETAILS FOR ACCESS TO REQUEST INFORMATION FROM NSS

Appointed Information Officer Information			
Aspect	CHIEF	Deputy	Deputy
Name	Tanya Lerm	Sunell Cronje	Lorrette Visagie
Telephone	+27 21 300 0160	+27 21 300 0160	+27 21 300 0160
Email	<a href="mailto:tl@newspacesystems.com">tl@newspacesystems.com</a>	<a href="mailto:sc@newspacesystems.com">sc@newspacesystems.com</a>	<a href="mailto:lv@newspacesystems.com">lv@newspacesystems.com</a>
Type	Executive and HR	Financial	All Other
National Office and General Contact Information			
Physical and Postal Address	NewSpace Systems Pty. Ltd. 12 Cyclonite Street The Interchange Somerset West, 7130 Western Cape		
Telephone	+27 21 300 0160		
Contact Email	<a href="mailto:mark@newspacesystems.com">mark@newspacesystems.com</a>		
Website	<a href="http://www.newspacesystems.com">www.newspacesystems.com</a>		

## C. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

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.
2. The Guide is available in each of the official languages and in braille.
3. The aforesaid Guide contains the description of:
  - a) The objects of PAIA and POPIA.
  - b) The postal and street address, phone number, and if available, electronic mail address of:
    - i - The Information Officer of every public body.
    - ii - Every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA<sup>1</sup> and section 56 of POPIA<sup>2</sup>.
  - c) The manner and form of a request for:
    - i - Access to a record of a public body contemplated in section 11<sup>3</sup>.
    - ii - Access to a record of a private body contemplated in section 50<sup>4</sup>.
  - d) The assistance available from the IO of a public body in terms of PAIA and POPIA.
  - e) The assistance available from the Regulator in terms of PAIA and POPIA.
  - f) 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:
    - i - An internal appeal.
    - ii - A complaint to the Regulator.
    - iii - 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.
    - iv - The provisions of sections 14<sup>5</sup> and 51<sup>6</sup> requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual.
    - v - The provisions of sections 15<sup>7</sup> and 52<sup>8</sup> providing for the voluntary disclosure of categories of records by a public body and private body, respectively.

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<sup>1</sup> 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.*

<sup>2</sup> 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.*

<sup>3</sup> 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.*

<sup>4</sup> 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.*

<sup>5</sup> 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.*

<sup>6</sup> 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.*

<sup>7</sup> 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*

<sup>8</sup> 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*

- vi - The notices issued in terms of sections 22<sup>9</sup> and 54<sup>10</sup> regarding fees to be paid in relation to requests for access.
  - vii - The regulations made in terms of section 92<sup>11</sup>.
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.
  5. The Guide can also be obtained:
    - a) Upon request to the Information Officer.
    - b) From the website of the Regulator (<https://www.justice.gov.za/inforeg/>).
  6. A copy of the Guide is also available in English official language, for public inspection during normal office hours.

## **D. CATEGORIES OF RECORDS OF NSS WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS**

1. Information that is obtainable via the NSS website about NSS is automatically available and need not be formally requested.
2. The following categories of records are automatically available for view, purchase, downloading or photocopying:
  - a) Press releases and publications i.e., upcoming events, media, and vacancies.
  - b) Products.
  - c) Quality documentation i.e., quality policy, cleanroom validation reports and certification.
  - d) Sales documentation i.e., terms and conditions.

## **E. DESCRIPTION OF THE RECORDS OF NSS WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION**

1. NSS keeps information and records in accordance with the following legislation, which includes, but is not limited to the following legislation:
  - a) Companies Act No. 71 of 2008.
  - b) The Value-Added Tax Act No. 89 of 1991.
  - c) Income Tax Act No. 58 of 1962.
  - d) South African Revenue Services Act, 34 of 1997.
  - e) Basic Conditions of Employment Act No. 75 of 1997.
  - f) Employment Equity Act No. 55 of 1998.
  - g) Labour Relations Act No. 66 of 1995.
  - h) Promotion of Equality and Prevention of Unfair Discrimination Act No. 4 of 2000.
  - i) The Occupational Health and Safety Act No. 85 of 1993.
  - j) Skills Development Act No. 97 of 1998.

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<sup>9</sup> 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.

<sup>10</sup> 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.

<sup>11</sup> 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."

- k) Skills Development Levies Act No. 9 of 1999.
  - l) Unemployment Insurance Contributions Act No. 4 of 2002.
  - m) Unemployment Insurance Fund Act No. 63 of 2001.
  - n) The Compensation for Occupational Injuries and Diseases Act No. 130 of 1993.
  - o) Customs and Excise Amendment Act, 45 of 1995.
  - p) Copyright Act No. 98 of 1978.
  - q) Trade Marks Act No. 194 of 1993.
  - r) Hazardous Substances Act No. 15 of 1973.
  - s) Electronic Communications and Transactions Act No. 25 of 2002.
  - t) Broad-Based Economic Empowerment Act No. 53 of 2003.
  - u) Promotion of Access to Information Act 2 of 2000.
  - v) Protection of Personal Information Act 4 of 2013.
  - w) Non-Proliferation of Weapons of Mass Destruction Act No. 87 of 1993.
2. From time to time, NSS may be required to comply with legislation as a result of the products being provided to customers in different geographical locations.

## F. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY NSS

1. This manual sets out a description of the subjects on which NSS holds records, and categories of records held on each subject. These include operational records utilised in the day to day running and administration of the business.
2. Access requests to the listed records/information below does not guarantee it will be approved/granted.

Information Officer – Executive and HR	
<b>Executive Business Information</b>	
Documents of Incorporation - Memorandum of Incorporation. Appointment of Directors/Auditors/Secretaries. Share Register and Other Statutory Registers. Annual Integrated Reports. Services and Products (incl. pricing). Records held in compliance to specific legislation, regulations, and codes.	Minutes of Board of Directors Meetings. Public Officer and other Prescribed Officers. Executive Management Reports. Strategic and Business Plans.
<b>Human Resources</b>	
Employee Personal Information: Employment Contracts. Training Records. Employment Equity Plan (if applicable).	Disciplinary Records. Background Check (criminal records, credit checks).
<b>Sales</b>	
Pricing Information. General Correspondence. Customer Complaints.	Sales Forecasts. Product Sales Records/ Statistics. Customer Information.
<b>Information Technology (IT)</b>	
Network Diagrams. User Manuals. General Correspondence. User Awareness. Privacy Program. Investment Plans and Budgets.	Configuration Setups. System Performance Records. Asset Registers - IT related hard- and software. Security Certifications. Project Plans. CCTV Footage.

Deputy Information Officer - Financial	
<b>Finance and Accounting</b>	
Annual Financial Statements. Accounting Records. Paid Cheques. Financial Asset Register. Contracts. General Correspondence. Management Accounts and Records. Insurance. Financial Transactions. Banking Records.	Tax Records (company and individual employees). Banking Records Banking Statements. Electronic Bank Records. Rental Agreements. Invoices. Financial Audit Records. Budgets. Share Register. Purchase and Order Records. Statutory Returns Records.
<b>Income Tax records</b>	
Pay As You Earn (PAYE) Records. Payments to SARS on Behalf of Employees.	Documents Issued to Employees for Income Tax. Statutory Records.
<b>Personnel Information</b>	
Employee Personal Information: Salary Records. Identity Documents.	Leave Records. Bank and Address Particulars.
Deputy Information Officer - Other	
<b>Environmental</b>	
Environmental Assessments. Safety Organizational Structures. Machinery Tests Records.	Accident Investigation Reports. Information Relating to the Fire Systems. Contractor Agreements.
<b>Logistics</b>	
Information Relating to Freight Agents. Shipping Information. General Correspondence.	Inventory. Delivery Plans. Customs Documentation.
<b>Marketing</b>	
Statistical Information on the Market. Historical Records of Promotions. Strategic Marketing Campaign Documents.	Customer Profiling / Purchase Information. Information on Promotions, Products and Suppliers.
<b>Business Management System</b>	
Quality Manual (BMS Manual): Health and Safety Manual: PAI Manual: POPI Aspects:	BMS Policies, Procedures, Work Instruction, Forms. H&S Policies, Procedures, Work Instruction, Forms. PAI Policies, Procedures, Work Instruction, Forms. POPI Policies, Procedures, Work Instruction, Forms.

## G. CATEGORIES OF REQUESTORS

1. The capacity under which a Requestor makes a request for records defines the category in which the Requestor will fall into.
2. There are three categories of Requestors:
  - a) Data Subject who makes requests about themselves.
  - b) Third Party who requests information about a Data Subject.
  - c) Public Body who requests information in the public interest.

## H. PROCESSING OF PERSONAL INFORMATION

### 1. Purpose of Processing Personal Information

- a) In terms of POPIA, personal information must be processed for a specified purpose.
- b) The purpose for which data is processed by NSS will depend on the nature of the data and the particular data subject.
- c) This purpose is ordinarily disclosed, explicitly or implicitly, at the time the data is collected.

## **2. Description of the Categories of Data Subjects and of the Information or Categories of Information Relating thereto**

- a) NSS may collect information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to:
  - i - Information relating to the 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 person.
  - ii - Information relating to the education or the medical, financial, criminal or employment history of the person.
  - iii - Any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier, or other particular assignment to the person.
  - iv - The biometric information of the person.
  - v - The personal opinions, views, or preferences of the person.
  - vi - Correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence.
  - vii - The views or opinions of another individual about the person.
  - viii - The name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person.

## **3. Categories of Data Subjects**

- a) NSS holds information and records on the following categories of data subjects:
  - i - Customers of NSS.
  - ii - Employees / personnel of NSS.
  - iii - Independent contractors of NSS.
  - iv - Suppliers of NSS.
  - v - Any third party with whom NSS conducts business.

## **4. Categories of Recipients to Whom Personal Information may be Supplied**

- a) Depending on the nature of the personal information, NSS may supply information or records to the following categories of recipients:
  - i - Statutory oversight bodies, regulators or judicial commissions of enquiry making a request for data.
  - ii - Any court, administrative or judicial forum, arbitration, statutory commission, or ombudsman making a request for data or discovery in terms of the applicable rules.
  - iii - South African Revenue Services, or another similar authority.
  - iv - Third party employment enquiries regarding employment status and period(s) at NSS.
  - v - Anyone making a successful application for access in terms of PAIA or POPIA.

## **5. Transborder Flows of Personal Information**

- a) NSS stores electronic information, including personal information of data subjects, in the 'cloud', the servers of which are located inside the borders of the Republic of South Africa ("RSA").
- b) Due care is taken in the selection of appropriate cloud service providers to ensure compliance with the POPIA and protect the privacy of data subjects.

- c) NSS is not planning to send any other personal information about any data subject to any other third party in a foreign country. Should this be required, the relevant data subject consent will be obtained, where possible, and transfers of such information will occur in accordance with the requirements of the law.
- d) Should NSS need to transfer a data subject's information to service providers in countries outside South Africa, these countries may not have data-protection laws which are similar to those of South Africa. Where this is done, NSS do so in accordance with applicable laws.

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

- a) NSS is committed to ensuring the security of the personal information in its possession or under its control, in order to protect it from unauthorised processing and access as well as loss, damage or unauthorised destruction.
- b) It continually reviews and updates its information protection measures to ensure the security, integrity, and confidentiality of this information in accordance with best practices.
- c) The measures NSS adopts to ensure the security of personal information, includes technical and organisational measures and internal policies to prevent unauthorised access, loss, or use of personal information, for example, the physical securing of the offices where information is held; locking of cabinets with physical records; password control to access electronic records; server access control; and off-site data back-ups.
- d) In addition, only staff members that requires access to the specific personal information are permitted access to the relevant information, and only if they have instructed authorization by NSS Executive Management by which they are informed to maintain the confidentiality of the information.
- e) An external IT service provider is contracted to comply with internal policies and requirements responsible for the anti-virus and anti-malware solutions. All security breaches are taken seriously and are addressed in accordance with the law.

## **I. AVAILABILITY OF THE MANUAL**

1. The latest copy of this manual is available:
  - a) On the company website.
  - b) On the company internal system database for PAIA/POPIA Management.
  - c) Can be requested from the Information Officer, or Deputy Information Officer in electronic form.
  - d) Office of NSS for public inspection during normal business hours,
  - e) To any person upon request and upon the payment of a reasonable prescribed fee as contemplated in Annexure B of the Regulations (as published by the Minister of Justice and Constitutional Development in the Government Gazette No. 23119, General Notice No. 187 of 15 February 2002) and shall be payable per each A4-size photocopy made.

## **J. UPDATING OF THE MANUAL**

This manual will be updated as required or when the relevant legislation changes.