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EMS INDUSTRIES (PTY) LTD

PAIA MANUAL

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

Date of compilation 18 June 2026

DIRECTOR GD JORDAAN

Page 1 of 14

TABLE OF CONTENTS:

1. List of Acronyms and Abbreviations.
2. Purpose of Paia Manual.
3. Key Contact Details for Access to information.
4. Guide on how to use PAIA and how to obtain Access to the guide.
5. Categories of Records available without having to request access.
6. Description of Records available in accordance with any other legislation
7. Processing of personal information
8. Availability of the Manual
9. Updating of the Manual

1. LIST OF ACRONYMS AND ABBREVIATIONS

NB: please insert relevant applicable acronyms and abbreviations

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 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 THE EMS INDUSTRIES (PTY) LTD

3.1. Chief Information Officer

Name:	Gabriel Delport Jordaan
Tel:	012 348 7464
Email:	gjordaan@emsind.com

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:	N/A
Tel:	N/A
Email:	N/A
Fax Number:	N/A

3.3 Access to information general contacts

Email: sales@emsind.com

3.4 National or Head Office

Postal Address: PO Box 823 Oberon
Faerie Glen
0043

Physical Address: 83 Kariba Street
Lynnwood Glen
0081

Telephone: 012 348 7464

Email: sales@emsind.com

Website: www.emsind.com

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

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 English

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 PAIA 1 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-3.

The aforesaid Guide contains the description of-

- 4.3.6.1. an internal appeal;
 - 4.3.6.2. a complaint to the Regulator; and
 - 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

[\(https://www.justice.gov.za/infoereg/\)](https://www.justice.gov.za/infoereg/).

4.6 A copy of the Guide is also available in the following language, for public inspection during normal office hours-

4.6.1. ENGLISH

5. CATEGORIES OF RECORDS OF THE EMS INDUSTRIES (PTY) LTD WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

Category	Record	Available on Website	Available on request
Sales	Company Profile	X	X
Sales	Marketing Brochures		X
Legislative	B-BBEE Level	X	X
Legislative	B-BBEE Certificate		X
Legislative	Tax Compliance Status Pin Letter		X
Legislative	CIPC		X
Sales	Sales Terms & Conditions		X
Sales	Import / Export Certificate		X

5.1. Records of a public nature, typically those disclosed on the EMS Industries website and in its various annual reports, may be accessed without the need to submit a formal application.

5.2. Other non-confidential records, such as statutory records maintained at CIPC, may also be accessed without the need to submit a formal application, however, please note that an appointment to view such records will still have to be made with the Information Officer.

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

Category of Record	Applicable Legislation
MOI	Companies Act 71 of 2008;
Share Registers and certificates	Companies Act 71 of 2008;
B-BBEE Documentation	Companies Act 71 of 2008;
Minutes of board of directors and shareholder meetings	Companies Act 71 of 2008;
Proxy Forms	Companies Act 71 of 2008;
Records of directors, the secretary, and other officers	Companies Act 71 of 2008;
Annual Financial Reports and Statements	Financial and Tax Records (SARS)
Accounting and general ledger records	Financial and Tax Records (SARS)
Tax returns and supporting documents (VAT, PAYE, Skills Development Levies)	Financial and Tax Records (SARS)
Workman's Compensation	Financial and Tax Records (SARS)
Bank statements and asset registers	Financial and Tax Records (SARS)
Debtors / Creditors Invoices and statements	Financial and Tax Records (SARS)
Rental Agreements	Financial and Tax Records (SARS)
Policies and Procedures	Financial and Tax Records (SARS)
Employment Contracts	Employment & HR Records (BCEA & EEA)
Employment Equity Plans and Reports	Employment & HR Records (BCEA & EEA)
Payroll records and employee contracts	Employment & HR Records (BCEA & EEA)
Skills Development Plans	Employment & HR Records (BCEA & EEA)
Health and safety records	Employment & HR Records (BCEA & EEA)
Leave Records, Letters, Sick Leave, Training certificates, Medical Aid, Disciplinary Records	Employment & HR Records (BCEA & EEA)
Intellectual Property:	Other Sector-Specific Records
ISO 9001:2015 documents / policies	Other Sector-Specific Records
Marketing Material	Other Sector-Specific Records

6.1 Note that the accessibility of the records may be subject to the grounds of refusal set out in this PAIA manual. Amongst other, records deemed confidential on the part of a third party will necessitate permission from the third party concerned, in addition to normal requirements, before EMS Industries will consider access.

6.2. Where applicable to its operations EMS industries also retain records and documents in terms of the legislation above. Unless disclosure is prohibited in terms of legislation, regulations, contractual agreement or otherwise, records that are required to be made available in terms of these acts shall be made available for inspection by interested parties in terms of the requirements and conditions of the Act; the above-mentioned legislation and applicable internal policies and procedures, should such interested parties be entitled to such information. A request for access must be made in accordance with the prescriptions of the Act.

6.3 Grounds for refusal of access and protection of information

There are various grounds upon which a request for access to a record may be refused. These grounds include:

- the protection of personal information of a third person (who is a natural person) from unreasonable disclosure;
- the protection of commercial information of a third party (for example: trade secrets; financial, commercial, scientific, or technical information that may harm the commercial or financial interests of a third party);
- if disclosure would result in the breach of a duty of confidence owed to a third party;
- if disclosure would jeopardize the safety of an individual or prejudice or impair certain property rights of a third person;
- if the record was produced during legal proceedings, unless that legal privilege has been waived;
- if the record contains trade secrets, financial or sensitive information or any information that would put EMS Industries (Pty) Ltd (at a disadvantage in negotiations or prejudice it in commercial competition); and/or
- if the record contains information about research being carried out or about to be carried out on behalf of a third party or by EMS Industries (Pty) Ltd.

Section 70 PAIA contains an overriding provision. Disclosure of a record is compulsory if it would reveal (i) a substantial contravention of, or failure to comply with the law; or (ii) there is an imminent and serious public safety or environmental risk; and (iii) the public interest in the disclosure of the record in question clearly outweighs the harm contemplated by its disclosure.

If the request for access to information affects a third party, then such third party must first be informed within 21 (twenty-one) days of receipt of the request. The third party would then have a further 21 (twenty-one) days to make representations and/or submissions regarding the granting of access to the record.

6.4 REMEDIES AVAILABLE TO A REQUESTER ON REFUSAL OF ACCESS

If the Information Officer decides to grant you access to the particular record, such access must be granted within 30 (thirty) days of being informed of the decision.

There is no internal appeal procedure that may be followed after a request to access information has been refused. The decision made by the Information Officer is final. In the event that you are not satisfied with the outcome of the request, you are entitled to apply to the Information Regulator or a court of competent jurisdiction to take the matter further.

Where a third party is affected by the request for access and the Information Officer has decided to grant you access to the record, the third party has 30 (thirty) days in which to appeal the decision in a court of competent jurisdiction. If no appeal has been lodged by the third party within 30 (thirty) days, you must be granted access to the record.

7. PROCESSING OF PERSONAL INFORMATION

7.1 Purpose of Processing Personal Information

In terms of POPIA, personal information must be processed for a specified purpose. The purpose for which personal information is processed by the Company will depend on the nature of the personal information and the particular data subject.

Human Resources & Employment:

Managing staff administration, recruitment, payroll, performance, and legal compliance.

Customer & Client Management:

Fulfilling contracts, managing client records, responding to inquiries, and providing requested products or services.

Suppliers & Service Providers:

Procuring goods and services, and managing contractor/supplier relationships.

7.2 Description of the categories of Data Subjects and of the information or categories of information relating thereto

Categories of Data Subjects	Personal Information that may be processed
Customers / Clients	Name, Address, Registration numbers or identity numbers, VAT number,
Service Providers	Name, Address, Registration numbers or identity numbers, VAT number, drawings, bank details
Employees	Address, Identity numbers, qualifications, gender and race

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

Category if 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 verification	South African Qualifications Authority
Credit and payment history, for credit information	Credit Bureaus

7.4 Planned transborder flows of personal information

EMS Industries (Pty) Ltd performs transborder flows of information, only where necessary and for any lawful purposes. EMS Industries (Pty) Ltd will ensure that anyone to whom it passes personal information is subject to a law, binding corporate rules or binding agreement which provides an adequate level of protection, and the third party agrees to treat that personal information with the same level of protection as EMS Industries (Pty) Ltd is obliged under POPIA.

We transfer personal information abroad as follows:

- Some personal Information stored on the cloud via Google: Country: Data is transferred to **Google LLC** and its affiliate entities via Google Workspace. Google maintains a cloud region in South Africa, global routing, failover protocols, and specific Workspace applications utilize Google's global server network. Data may therefore be hosted or processed in the **United States of America (USA)**, the **European Union (EU)**, and other global regions where Google maintains data centers.

Safeguards, Legal Justifications, and Compliance

In accordance with Section 72 of the Protection of Personal Information Act (POPIA), the Company ensures that all transborder data transfers are legally compliant through the following mechanisms:

- **Contractual Commitments:** The Company has entered into the mandatory Google Cloud Data Processing Addendum (DPA). This agreement legally binds Google to process personal data strictly on our instructions and to maintain stringent privacy protections that align with POPIA expectations.
- **Adequate Level of Protection:** The data is transferred to jurisdictions or entities bound by framework principles (such as the EU GDPR) that offer an adequate level of data protection substantially similar to POPIA.
- **Technical Security Safeguards:** All personal data transferred to Google services is secured using enterprise-grade technical measures, including data encryption in transit (using HTTPS/TLS) and encryption at rest.

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

The Company takes extensive information security measures to ensure the confidentiality, integrity and availability of personal information in our possession. The Company takes appropriate technical and organisational measures designed to ensure that personal information remains confidential and secure against unauthorised or unlawful processing and against accidental loss, destruction or damage.

8. AVAILABILITY OF THE MANUAL

8.1 A copy of the Manual is available-

8.1.1 on www.emsind.com;

8.1.2 head office of the EMS INDUSTRIES (PTY) LTD for public inspection during normal business hours;

8.1.3 to any person upon request and upon the payment of a reasonable prescribed fee; and

8.1.4 to the Information Regulator upon request.

8.2 A fee of R140 for a copy of the Manual, as contemplated in annexure B of the Regulations, shall be payable per each A4-size photocopy made.

9. UPDATING OF THE MANUAL

The head of EMS INDUSTRIES (PTY) LTD will on a regular basis update this manual.

Issued by



Gabriel Delpont Jordaan
(Chief Executive Officer)