

**MANUAL IN TERMS OF SECTION 51 OF**

**THE PROMOTION OF ACCESS TO INFORMATION ACT, 2 OF 2000**

**(“PAIA”)**

**OF**

**COMPASS MEDICAL WASTE SERVICES PROPRIETARY LIMITED**

**(REG. NO: 2003/002007/07)**

**(“COMPASS”)**

Date of compilation: 02/08/2021

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## **1. INTRODUCTION**

- 1.1 Compass Medical Waste Services (“Compass”) Promotion of Access to Information Manual (“Manual”) is published in terms of Section 51 of the Promotion of Access to Information Act, No. 2 of 2000 (“PAIA) and section 23 to 25 of the Protection of Personal Information Act No. 4 of 2014 (“POPIA”).
- 1.2 PAIA gives effect to the provisions of Section 32 of the Constitution, which provides for the right of access to information. This is information held by the State but also information held by any another person. A person that is entitled to exercise a right or who needs information for the protection of any right, is entitled to access that information, subject to certain restraints.
- 1.3 Section 51 of PAIA creates a legal right to access records (as defined in section 1 of PAIA) of a private body (both natural and juristic), however this right may be negated in circumstances as set out under Chapter 4 of Part 3 of PAIA. In addition, in compliance with POPIA a responsible party who processes personal information must notify the person to whom personal information relates (“Data Subject”) of the manner in which the Data Subject can access their personal information held by the responsible party.

## **2. PURPOSE**

- 2.1 The purpose of this manual is to facilitate requests for access to records (including records containing Personal Information (as defined in terms of Compass’ Privacy Policy which can be accessed (<https://www.compasswasteservices.co.za/privacy-policy>) of Compass.
- 2.2 Where this Manual does not deal with a procedure provided for in PAIA, the Requester or any other interested party is to look at the Act for guidance in relation thereto. Same is to be included as part of the Manual.
- 2.3 A person requesting access to records from Compass (“the Requester”) is advised to familiarise themselves with the provisions of PAIA before making any requests to Compass in terms of PAIA.
- 2.4 Compass makes no representation and gives no undertaking or warranty that any record(s) provided by it to a Requester is complete or accurate, or that such record is fit for any purpose. All users of such records shall use such records entirely at their own risk, and Compass shall not be liable for any loss, expense, liability or claims, howsoever arising, resulting from the use of this Manual or of any record provided by Compass or any error therein.
- 2.5 All users and Requesters irrevocably agree to submit to the law of the Republic of South Africa and to the exclusive jurisdiction of the Courts of South Africa in respect of any dispute arising out of the use of this Manual or any records provided by Compass.

## **3. COMPANY OVERVIEW**

Compass Medical Waste Services Proprietary Limited is a professional company that provides products that are engineered to promote safety during handling of health care risk waste, leading to overall reduction in occupational hazards. We are also committed to taking care of your health care risk waste by safely removing and treating it in a manner that is healthier for our environment.

**4. INFORMATION REQUIRED UNDER SECTION 51 (1) (a) OF PAIA**

Head of Compass	Ian Campbell du Randt
Information Officer	Johan Steyn
Deputy Information Officer/s	
Email Address	informationofficer@compass.za.net
Postal Address	PO BOX 1690 Westville 3630
Street Address	8 Langford Road Westville 3629
Phone Number	031-2679700
Fax Number	031-2679732
Website	<a href="https://www.compasswasteservices.co.za/">https://www.compasswasteservices.co.za/</a>

**5. REQUIREMENTS IN TERMS OF PAIA**

## 5.1 Description of guide referred to in section 10: section 51(1)(b)

The South African Human Rights Commission (as provided for in section 10 of PAIA) has compiled and published a "Guide on How to Use the Promotion of Access to Information Act 2 of 2000". This Guide will assist persons in using and understanding PAIA. The Guide can be accessed via the South African Human Rights website ([www.sahrc.org.za](http://www.sahrc.org.za)).

## 5.2 Notice in terms of section 52(2) of the PAIA:

At this stage Compass does not have any categories of records which are automatically available, without a person having to request access in terms of PAIA, and as such no notice has been published. All categories of records of Compass, require a formal request to access such records.

## 5.3 Records available in terms of other Legislation: section 51(1)(d)

NO.	REF	ACT
1	No 93 of 1996	National Road Traffic Act
2	No 73 of 1989	Environmental Conservation Act
3	No 39 of 2004	Air Quality Act
4	No 59 of 2008	National Environmental Management: Waste Act
5	No 73 of 1989	Environmental Conservation Act
6	No 15 of 1973	Hazardous Substances Act
7	No 61 of 2003	National Health Act
8	No 65 of 1983	Human Tissue Act
9	No 61 of 1973	Companies Act
10	No 95 of 1967	Income Tax Act
11	No 66 of 1995	Labour Relations Act
12	No 89 of 1991	Value Added Tax Act
13	No 75 of 1997	Basic Conditions of Employment Act
14	No 30 of 1996	Unemployment Insurance Act
15	No 2 of 2000	Promotion of Access to Information Act
16	No 4 of 2013	Protection of Personal Information Act

17	No 53 of 2003	Broad-based Black Economic Empowerment Act
18	No 130 of 1993	Compensation for Occupational Injuries and Diseases Act
19	No 98 of 1978	Copyright Act
20	No 55 of 1998	Employment Equity Act
21	No 97 of 1998	Skills Development Act
22	No 25 of 2002	Electronic Communications and Transactions Act

Such records will be made available to only those individuals/entities authorised to request access to such records in terms of the particular legislation. Any other persons must follow the request for access of records procedure as outlined in this manual.

#### 5.4 Subjects and categories of records held by Compass: Section 51(1)(e)

PAIA requires that sufficient detail be provided to facilitate a request for access to a record of Compass. The subjects on and categories of records kept by Compass are:

- 5.4.1 records relating to our services and our performance of those services including but not limited to application to regulatory authorities and related correspondence;
- 5.4.2 property and lease related records;
- 5.4.3 asset registers and other records relating to our assets;
- 5.4.4 software licences;
- 5.4.5 records of and relating to our customers and potential customers including contracts, reports and correspondence;
- 5.4.6 records relating to our suppliers and potential suppliers including quotes, proposals, contracts, invoices and correspondence;
- 5.4.7 financial and tax records including audited and other annual financial statements, management accounts, tax returns, invoices;
- 5.4.8 compliance records including applications for and copies of licences, registrations and authorisations and records of correspondence with regulators and others relating to compliance;
- 5.4.9 records relating to our employees, their dependants and beneficiaries and job applicants including recruitment records, employment contracts, payroll records, records relating to employment benefits, disciplinary and performance records, training and assessment records, occupational health and safety, unemployment insurance and skills development records;
- 5.4.10 records relating to transformation;
- 5.4.11 correspondence and other records relating to interaction with regulators;
- 5.4.12 records relating to claims against, by or involving us including correspondence, advice and records relating to legal proceedings, pleadings and similar documents in any forum;
- 5.4.13 documents relating to assessment of risk and insurance cover;
- 5.4.14 marketing records including product and service brochures.

#### 6. DESCRIPTION OF THE INFORMATION REQUIRED TO BE INCLUDED IN THIS MANUAL IN TERMS OF POPIA AND SECTION 51 (1) (c) of PAIA

Kindly refer to the Compass Privacy Policy available on [www.compasswasteservices.co.za](http://www.compasswasteservices.co.za), which describes:

- 6.1 what personal information or categories of personal information we process;
- 6.2 the purposes for which we process that personal information;
- 6.3 the categories of data subjects whose personal information we process;
- 6.4 the recipients or categories of recipients to whom the personal information may be supplied;

- 6.5 planned transborder flows of personal information;
- 6.6 a general description of the information security measures we implement as a responsible party to ensure the confidentiality, integrity and availability of the personal information we process.

## **7. REQUESTING INFORMATION THAT IS NOT AUTOMATICALLY AVAILABLE**

To facilitate the processing of your request, kindly:

- 7.1 use the prescribed form, available on the South African Human Rights Commission's website at [www.sahrc.org.za](http://www.sahrc.org.za);
- 7.2 address your request to the Information Officer, Compass Medical Waste Services;
- 7.3 provide sufficient details to enable Compass to identify:
  - 7.3.1 the record(s) requested;
  - 7.3.2 the requester (and if an agent is lodging the request, proof of authority);
  - 7.3.3 the form of access required;
  - 7.3.4 the requester's postal address or fax number in South Africa;
- 7.4 if the requester wishes to be informed of Compass' decision about your request in any manner in addition to in writing, please advise the manner and particulars thereof; and
- 7.5 please advise on which right the requester is seeking to exercise or protect including an explanation of the reason the record is required to exercise or protect the right.

## **8. PRESCRIBED FEES**

- 8.1 A requester must pay the prescribed fees before a request will be processed.
- 8.2 If searching for and preparing the record requested will, in Compass's opinion, take more than 6 hours (the prescribed number of hours), Compass must notify the requester to pay as a deposit, the prescribed portion (being not more than one third) of the access fee payable if the request is granted. Compass will refund this deposit if the request for access is refused.
- 8.3 A requester may lodge a complaint to the Information Regulator or an application with a court against the tender or payment of the request fee in terms of section 54 (1) of PAIA or the tender or payment of a deposit in terms of section 54 (2) of PAIA.
- 8.4 Records may be withheld until the prescribed fees have been paid.
- 8.5 The prescribed fees are available on the website of the South African Human Rights Council at [www.sahrc.org.za](http://www.sahrc.org.za).

## **9. UPDATING AND AVAILABILITY OF MANUAL**

- 9.1 Compass will update this Manual from time to time.
- 9.2 This Manual is available:
  - 9.2.1 on Compass' website at [www.compasswasteservices.co.za](http://www.compasswasteservices.co.za)
  - 9.2.2 at our principal place of business set out in clause 4;
  - 9.2.3 upon request and payment of a reasonable amount;
  - 9.2.4 from the Information Regulator on request.