

Tarnica Eiendomme Pty Ltd

“Registered with the PPRA”

PAIA MANUAL

In terms of Section 51 of

The Promotion of Access to Information Act 2 of 2000

(as amended)

DATE OF COMPOSITION: 7 July 2025

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Contact details for access to information from Tarnica Eiendomme Pty Ltd**PAIA Chief Information Officer**

Name: Marthina Maria Steyn

Address: 387 Weir Street, Pretoria Gardens, Pretoria, 0082

Contact number: 072 061 6699

Email: Tania@tarnicaeiendomme.co.za

Deputy Information Officer *n/a***Access to information on general contacts**

Address: 387 Weir Street, Pretoria Gardens, Pretoria, 0082

Contact number: 072 061 6699

Email: Tania@tarnicaeiendomme.co.za

This PAIA Manual of Tarnica Eiendomme Pty Ltd is available at: 387 Weir Street, Pretoria Gardens, Pretoria, 0082, as well as our Website: <https://tarnicaeiendomme.co.za/>

LIST OF ABBREVIATIONS

“CEO”	Chief Executive Officer
“DIO”	Deputy Information Officer.
“CIO”	Chief Information Officer.
“PAIA”	Promotion of Access to Information Act No. 2 of 2000(as Amended;)
“POPIA”	Protection of Personal Information Act No.4 of 2013.

LIST OF ACRONYMS

“Constitution”	Constitution of the Republic of South Africa 108 of 1996
“PAIA Manual”	Information Manual
“Minister”	Minister of Justice and Correctional Services
“Regulator”	Information Regulator
“Republic”	Republic of South Africa

1. Introduction

The Promotion of Access to Information Act, No. 2 of 2000 (PAIA), gives effect to the constitutional right of all, in terms of section 32 of the Bill of Rights contained in the Constitution of the Republic of South Africa 108 of 1996 (“Constitution”), to access any information held by the state and any information that another person has and that is required for the exercise/protection of any rights.

Promoting the Promotion of Access to Information Act (PAIA) and the Protection of Personal Information Act (POPIA) can be a confusing process. They can be seen as "information" laws and were both enacted on 1 July 2021, enforced by the same Information Regulator. **PAIA is an "Access" law**, all about access to Information, and POPIA is a “Privacy” law, all about the privacy of personal information. They shouldn't be seen as competing; instead, both are there to **help ensure that data is managed correctly**.

2. Purpose of the PAIA manual

Under Section 51 of the PAIA, all private bodies are required to compile an Information Manual (the “PAIA Manual”), which is also helpful to the public.

- 2.1. Check the categories of records held by a business that are available without requiring a formal PAIA request.
- 2.2. Understand **how to request access** to a Business record by describing the subjects on which a Business holds records and the categories of documents held on each topic.
- 2.3. The description of a business's records is available under **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. Read the guide's description of how to use PAIA, as updated by the Regulator, **and how to obtain access to it**.
- 2.6. know if a business will process personal information, what the purpose of processing personal information is, and what the description of the categories of data subjects and the information or categories of information relating thereto is.
- 2.7. Know the description of the **categories of data subjects** and the information or categories relating thereto.
- 2.8. Know the **recipients or categories of recipients to whom the personal information may be supplied**.
- 2.9. know if a Business 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 a Business has appropriate security measures to ensure the confidentiality, integrity, and availability of the personal information to be processed.

3. Guide on how to use PAIA and how to obtain access to the guide

- 3.1. 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 contained in PAIA and POPIA**.
- 3.2. The Guide is available in English
- 3.3. The previously mentioned Guide contains the description of-
 - 3.3.1. The objects of PAIA and POPIA.
 - 3.3.2. the postal and street address, phone, and fax number and, if available, electronic mail address of-
 - 3.3.2.1 The Information Officer of every public body, and
 - 3.3.2.2 Every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA²;
- 3.3.3 The manner and form of a request for
 - 3.3.3.1. Access to a record of a public body contemplated in section 11³; and
 - 3.3.3.2. Access to a record of a private body contemplated in section 50⁴;

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.*

3.3.4. Assistance regarding PAIA and POPIA is available from the Information Officer (IO) of a public body.

3.3.5 The assistance available from the Regulator in terms of PAIA and POPIA.

3.3.6. 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-

3.3.6.1. An internal appeal.

3.3.6.2. a complaint to the Regulator; and

3.3.6.3. An application with a court against a decision by the information officer of a public body, a decision on internal appeal by the Regulator or a decision of the head of a private body.

3.3.7. The provisions of sections 14⁵ and 51⁶ Requiring a public body and a private body, respectively, to compile a manual and how to obtain access to a manual.

3.3.8. The provisions of sections 15⁷ and 52⁸ Providing for the voluntary disclosure of categories of records by public and private bodies, respectively.

3.3.9. The notices issued in terms of sections 22⁹ and 54¹⁰ Regarding fees to be paid concerning requests for access and

3.3.10. The regulations made in terms of section 92¹¹.

3.4. Members of the public can inspect or make copies of the Guide from the offices of public and private bodies, including the Regulator's office, during regular working hours.

3.5. The Guide can also be obtained-

3.5.1. Upon request to the Information Officer.

3.5.2. From the website of the Regulator (<https://info regulator.org.za/>).

3.6. A copy of the Guide is also available in the following two official languages for public inspection during regular office hours-

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 the information listed in paragraph 3 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 3 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, voluntarily, 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 an access request 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 an access request 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.”

- 3.6.1 English
3.6.2 Afrikaans

The SA Information Regulator Address: P.O Box 31533, Braamfontein, Johannesburg, 2017 or JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001

From 1 August 2025, the SA Information Regulator Address: P.O. Box 31533, Braamfontein, Johannesburg, 2017 or Woodmead North Office Park, 54 Maxwell Drive, Woodmead, Johannesburg, 2001

General enquiries email: inforeg@justice.gov.za.

Complaint's email: POPIAComplaints@inforegulator.org.za & PAIAComplaints@inforegulator.org.za

4. Categories of records at Tarnica Eiendomme Pty Ltd are available without requiring a person to request access by completing a form.

Category of records	Types of Records	Available on the Website	Available upon request
PAIA Manual	Guidance for Property Practitioners & Clients	x	x
POPIA Compliance Framework	Guidance for Property Practitioners		x
FICA Manual	Guidance for Property Practitioners		x
Code of Conduct: AUTHORITY	Guidance for Property Practitioners		x

5. Description of the records of Tarnica Eiendomme Pty Ltd, which are available under any other legislation

Category of Records	Applicable Legislation
PAIA Manual	Promotion of Access to Information Act 2 of 2000
POPIA Compliance Framework	Protection of Personal Information Act of 2013
FICA Manual & records	Financial Intelligence Centre Act 38 of 2001
Code of Conduct: AUTHORITY	Property Practitioners Act, 2019 (Act 22 of 2019) & PP Regulations 2022
Memorandum of incorporation	Companies Act 71 of 2008

6. Description of the subjects on which the body holds records and categories of records held on each topic by Tarnica Eiendomme Pty Ltd.

Subjects on which a Business holds records	Categories of records
Strategic Documents, Plans, Proposals	Strategic Plan, Annual Performance Plan.
Companies Act Records	<ul style="list-style-type: none"> ✓ All trust deeds / Documents of Incorporation /Index of names of Directors / Memorandum of Incorporation ✓ Minutes of meetings of the Board of Directors / Shareholders / Proxy forms / ✓ Share certificates/Registers and other statutory registers. ✓ Records relating to the appointment of: ✓ Auditors / Directors / Public Officer / Secretary ✓ Resolutions / Special Resolutions
Income Tax Records	<ul style="list-style-type: none"> ✓ PAYE Records- Documents to employee's income tax and payments made to SARS on behalf of employees ✓ Regional UIF / Workmen's Compensation
Financial Records	<ul style="list-style-type: none"> ✓ Annual Financial Reports / Statements ✓ Banking details and bank accounts / Statements /Accounting & Banking Records ✓ Debtors / Creditors statements & invoices / Reconciliations ✓ Policies and procedures ✓ Tax Returns / Audit reports ✓ Risk management frameworks/plans. ✓ Standard Terms and Conditions for the supply of services and products ✓ Contractor, client and supplier agreements ✓ Lists of suppliers, products, and services
AUTHORITY & Training Records	<ul style="list-style-type: none"> ✓ FFCs / Payments to AUTHORITY ✓ Outdoor advertising application and stickers for boards ✓ Training Manuals / Records

7. Processing of personal information

7.1. Purpose of Processing Personal Information

We only collect the minimum amount of information relevant to the purpose. If you interact with us online, the personal information we collect depends on whether you visit our website or require our services. When you visit our website, your browser automatically transmits specific data, including the time of your visit, the data transmitted, and your IP address.

| *If you use our services, we require personal information to fulfil the requirements of that service. (Including FICA documents, when applicable)*

| *We typically collect only the buyer's name and contact details, financial qualification (if provided by the buyer), and property needs and requirements when assisting them in finding a property.*

| *When estimating a property's price for listing on the market, we require basic information, which we can obtain from the deeds office THE VIRTUAL AGENT*

| *To assist in selling the property, we require basic personal and financial information to determine if the sellers are eligible to sell the property, cancel the bond, pay all fees, and relocate to another property.*

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
Sellers / Purchasers	Full names & Surname, Identification Number/s Married/Single Status. E-Mail Address Physical / Postal Address / Erf Number / Complex Details Telephone Number/s Financial & Banking Details (For Bond Qualification - Buyers And Bond Cancellations -Sellers
Service Providers	Names, Registration Numbers, Addresses And Bank Details
Employees	Address, Qualifications, Gender And Race, copy of ID, contact information, Banking details

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

Category of personal information	Recipients or Categories of Recipients to whom the personal information may be supplied
Identity numbers and names for criminal checks	FIC (Financial Intelligence Center)
Credit and payment history for credit information	Credit Bureaus
Name, Surname, Identification Number/S Married/Single Status. E-Mail Address Physical / Postal Address / Erf Number / Complex Details Telephone Number/S Financial & Banking Details (For Bond Qualification - Buyers And Bond Cancellations -Sellers	Colleague's Or Other Property Practitioner Business, Attorneys, Bond Consultants, Compliance Inspectors, Trustees, In some cases, it is public or legal authorities.

7.4. Planned transborder flows of personal information

Type of personal information	Transborder flows / storage.
Name, Surname, Identification Number/S Married/Single Status. E-Mail Address Physical / Postal Address / Erf Number / Complex Details Telephone Number/S	OneDrive: Cloud Storage

Type of personal information	Transborder flows / storage.
Financial & Banking Details (For Bond Qualification - Buyers And Bond Cancellations -Sellers Photos	

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

We restrict, secure, and control all our information against unauthorised access, interference, modification, damage, loss, or destruction, whether physical or electronic.

| We will periodically conduct a safety and security risk assessment to ensure compliance with the requirements, which will be discussed at our monthly staff meeting to gather input from all personnel.

| Our staff must be informed and trained to comply with the POPI Act, and this training must be ongoing and current.

| We take every precaution to prevent personal information from being stolen.

| Our business premises, where records are stored, must be protected by access control, security gate, Trellidor burglar proof, lockable cabinets, lockable offices

| All our laptops, phones and computer networks are protected by passwords, which we change regularly.

| We are using Office 2013/ Windows 11, which complies with industry-standard security safeguards

| We are a small Business, so it is easy to determine which employees are permitted access to personal information and what information they can access.

| Personal information can only be accessed or modified by those employees with the passwords authorising them to do so.

| The online profiles and access of staff who left the Property Practitioner Business must be properly deleted.

| When we use an external operator, our principal (the responsible party) will, under a written contract between our Property Practitioner Business and the operator, ensure that the operator establishes and maintains the required security measures.

| The operator must advise immediately if there is the possibility that personal data has been accessed or acquired by any unauthorised person.

| If it is suspected that unauthorised persons have accessed the data, the data subject will be advised immediately via e-mail or in writing. Sufficient information will be provided to allow the Data Subject to take measures to safeguard themselves against potential consequences of the security compromise.

| The Information Regulator will be informed in the event of a security breach where personal information could be compromised. The Principal must ensure this process is followed.

8. Availability Of The Manual

8.1. A copy of the Manual is available-

8.1.1. on <https://tarnicaeiendomme.co.za/>

- 8.1.2. Office of Tarnica Eiendomme 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.

A fee for a copy of the Manual, as contemplated in Annexure B of the Regulations, shall be payable for each A4-size photocopy.

Updating Of The Manual

The principal of TARNICA EIENDOMME (PTY) Ltd will regularly update this manual.

Issued by

Marthina Maria Steyn