

WeaverWorx

Website Designers



PAIA

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

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WEAVERWORX: PAIA MANUAL

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1. Introduction

This Manual is published in terms of Section 51 of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) (commonly known as PAIA) hereinafter referred to as ("the Act"). The Act gives effect to the provisions of Section 32 of the South African Constitution, which provides for the right of access to information held by the State and to information held by another person, that is required for the exercise and/or protection of any right.

The reference to any information in addition to that specifically required in terms of Section 51 of the Act does not create any right or entitlement (contractual or otherwise) to receive such information, other than in terms of the Act.

The aim of this manual is to assist potential requesters, who intend to obtain documents or records from WeaverWorx in terms of the Act, by providing the processes to be followed in initiating such requests.

2. WeaverWorx Website Designers: Overview

Karen Nel (a sole proprietor) trading as WeaverWorx Website Designer ("WeaverWorx") provides website design, hosting and maintenance services to its customers. Further information about us are available on our website address disclosed in **point 3 "WeaverWorx Contact Details"** below.

WeaverWorx supports the constitutional right of access to information and we are committed to provide you access to our records in accordance with the provisions of the Act, the confidentiality we owe third parties, and the principles of South African law.

The Act¹ requires the information officer of a private body to compile a manual that contains information on the records it holds². We are a private body³.

¹ To read the Act, go to <https://access-to-information.co.za/>. For a plain language summary go to <https://www.michalsons.com/focus-areas/information-technology-law/access-to-information-paia/promotion-of-access-to-information-act>.

² Section 51(1)

³ A 'private body' means a natural person who carries or has carried on any trade, business or profession, but only in such capacity; a partnership which carries or has carried on any trade, business or profession; any former or existing juristic person; or a political party, but excludes a public body.

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3. WeaverWorx Contact Details

Information Officer: Karen Nel

Postal Address: Unit 18, Fish Eagle, Caro Ave, Sea Park, 4241

Street Address: Unit 18, Fish Eagle, Caro Ave, Sea Park, 4241

Telephone: 078 498 6341

Fax: None available

E-mail: designer@weaverworx.africa Website: www.weaverworx.africa

4. Further Guidance from The Information Regulator

For further guidance, contact the Information Regulator. They have compiled a PAIA Guide⁴ in each official language of South Africa on how to exercise your rights under the Act.

The Information Regulator can be contacted in one of the following ways:

- By visiting their website www.inforegulator.org.za
- By mail at P.O. Box 3153, Braamfontein, 2017
- In person at the following address: JD House, 27 Stiemens St. Braamfontein, Johannesburg, 2001
- By telephone at number: 010 023 5200
- (For general enquiries) via e-mail at enquiries@inforegulator.org.za
- (To lodge a complaint) via e-mail at PAIAComplaints@inforegulator.org.za

5. Schedule of Records

WeaverWorx maintains records on the following categories and subject matters. However, please note that recording a category or subject matter in this Manual does not imply that a request for access to such records would be honoured. All requests for access will be evaluated on a case-by-case basis in accordance with the provisions of the Act as indicated in brackets in the “Classification” column below.

⁴ <https://inforegulator.org.za/paia-guidelines/>

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5.1. Records Classification Key:

Classification Number	Access	Classification
1	May be disclosed	Public access document
2	May not be disclosed	Request for, or after commencement of, criminal or civil proceedings [s7]
3	May be disclosed	Subject to copyright
4	Limited disclosure	Personal information that belongs to the requester of that information [s61]
5	May not be disclosed	Unreasonable disclosure of personal information of natural person [s63(1)]
6	May not be disclosed	Likely to harm the commercial or financial interests of third party [s64(a)(b)]
7	May not be disclosed	Likely to harm a third party in contract or other negotiations [s64(c)]
8	May not be disclosed	Would breach a duty of confidence owed to a third party in terms of an agreement [s65]
9	May not be disclosed	Likely to compromise the safety of individuals or protection of property [s66]
10	May not be disclosed	Legally privileged document [s67]
11	May not be refused	Environmental testing / investigation which reveals public safety / environmental risks [s64(3)]
12	May not be disclosed	Commercial information of private body [s68]
13	May not be disclosed	Likely to prejudice research and development information of a third party or the private body [s69]
14	May not be refused	Disclosure in public interest [s70]

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5.2. WeaverWorx Records Availability:

Records	Subject	Classification Number
Sales and Marketing	Service and product information	1
	Brochures, newsletters and marketing material	1
Financial Records	Bank statements and other banking records for business and trust accounts	12
	Invoices issued in respect of debtors and billing information	4, 12
Customer Records	<i>Please be aware that WeaverWorx is very concerned about protecting the confidential information of its customers. Please motivate any request for customer information very carefully, having regard to Sections 63 to 67 of the Act.</i>	
	Any records a customer has provided to WeaverWorx or a third party acting for or on behalf of WeaverWorx or the customer	5, 6, 7, 8
	Confidential, privileged, contractual and quasi-legal records of customers	5, 6, 7, 8, 10
	Records generated by or within WeaverWorx pertaining to customers, including transactional records	4, 5, 6, 8
	Any records a third party has provided to WeaverWorx either directly or indirectly	4, 5, 6, 8
	Logos, graphic designs, photos, fonts, icons, colour palettes and other branding material used in website designs and other artwork commissioned by the customer	3, 4, 5, 6, 7, 8
	Correspondence with clients	4, 5, 6, 7, 8
	Correspondence with third parties	4, 5, 6, 7, 8
	Data collected on customer's websites and applications, including logs, databases, analytics and caches	4, 5, 6, 7, 8, 10
Supplier Records	Supplier lists and details of suppliers	12
	Agreements with suppliers	7, 8, 12
	Computer/website/application software, license agreements and APIs	4, 6, 8, 12
Other Records	Information relating to WeaverWorx's own commercial activities	12
	Research carried out on behalf of a client by WeaverWorx, or commissioned from a third party for a customer	12, 13
	Research information belonging to WeaverWorx, whether carried out itself or commissioned from a third party	12, 13

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5.3. Voluntary Disclosure and Automatic Availability

WeaverWorx has not published a notice in terms of Section 52(2) of the Act, however, it should be noted that the information relating to WeaverWorx, and its services is freely available on our website referenced in **point 3 “WeaverWorx Contact Details”**.

6. Protection of Personal Information Act (PoPIA)

6.1. Purpose of Processing Personal Information

The purposes for which we process personal information includes but is not limited to:

- rendering of services to our customers;
- transacting with our suppliers and third-party service providers;
- maintaining records;
- general administration;
- to help us improve the quality of our services;
- to help us recover debts;
- financial requirements; and
- compliance with legal and regulatory requirements.

6.2. Categories of Data Subjects and Information Relating Thereto

The categories of Data Subjects and of the information or categories of information relating thereto includes but is not limited to those set out in our:

- Privacy Policy, available at: <https://www.weaverworx.africa/wp-content/uploads/2024/02/WeaverWorx-Privacy-Policy-Version-3.pdf>
- Cookies Policy, available at: <https://www.weaverworx.africa/cookies-policy/>

6.3. Recipients to Whom the Personal Information may be Supplied

The recipients or categories of recipients to whom the personal information may be supplied includes but is not limited to those set out in our:

- Privacy Policy, available at: <https://www.weaverworx.africa/wp-content/uploads/2024/02/WeaverWorx-Privacy-Policy-Version-3.pdf>
- Cookies Policy, available at: <https://www.weaverworx.africa/cookies-policy/>

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6.4. Planned Transborder Flows of Personal Information

WeaverWorx may transfer data trans-border in order to store data with third party cloud storage providers or hosting providers.

6.5. Protection of confidentiality, integrity and availability of information

The Act requires a general description of security measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information **which is to be processed**.

WeaverWorx employs up to date technology to ensure the confidentiality, integrity and availability of the Personal Information under its care. Measures include:

- Firewalls;
- Virus protection software;
- Logical and physical access control;
- Secure setup of software;

This is not an exhaustive list and is subject to change

7. How to Request Access to Records Held by WeaverWorx

Requests for access to records must be made to our Information Officer at the electronic mail (e-mail) address provided in **point 3 “WeaverWorx Contact Details”** of this manual.

Complete **Form 02 (Request for Access to a Record)[Regulation 7]** provided by the Information Regulator at this link <https://inforegulator.org.za/paia-forms/> or request the form our Information Officer at the e-mail address provided in **point 3 “WeaverWorx Contact Details”** of this manual. Please ensure that the completed form:

- has enough information for the information officer to identify you, the requested records, and the form of access you require
- specifies your email address, postal address, or fax number,
- describes the right that you seek to exercise or protect,
- explains why you need the requested record to exercise or protect that right,
- provides any other way you would like to be informed of our decision other than in writing, and
- provides proof of the capacity in which you are making the request if you are making it on behalf of someone else (we will decide whether this proof is satisfactory).

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Not using this form, or not completing all the information required, could cause your request to be refused, or delayed. The requester must provide sufficient detail on the request form to enable the Information Officer to identify the record and the requester.

Kindly note that all requests to WeaverWorx will be evaluated and considered in accordance with the Act. Publication of this manual and describing the categories and subject matter of information held by WeaverWorx does not give rise to any rights (contractual or otherwise) to access such information or records except in terms of the Act.

8. How Access Will be Given by WeaverWorx

We will evaluate and consider all requests we receive. If we approve your request, we will decide how to provide access to you, unless you have asked for access in a specific form.

Publication of this manual does not give rise to any rights to access information records, except in terms of the Act.

9. Grounds for Us to Refuse Access

WeaverWorx may legitimately refuse to grant access to a requested record that falls within a certain category, in terms of the Act. Grounds on which the company may refuse access, includes, but is not limited to the below:

- Protecting personal information that WeaverWorx holds about a third person (who is a natural person), including a deceased person, from unreasonable disclosure (**Section 63**);
- Protecting commercial information a third party (for example trade secrets, financial, commercial, scientific or technical information that may harm the commercial or financial interests the third party (**Section 64**);
- If disclosure of the record would result in a breach of a duty of confidence owed to a third party in terms of an agreement (**Section 65**);
- If disclosure of the record
 - would endanger the life or physical safety of an individual;

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- or would prejudice or impair the security of a building, structure or system, including, but not limited to a computer or communication system, a means of transport; or any other property or;
- if the record contains methods, systems, plans or procedures for the protection of an individual in accordance with a witness protection scheme, or the safety of the public, or any part of the public, or the security of property contemplated in the applicable subparagraph above **(Section 66)**
- If the record is privileged from production in legal proceedings unless the person entitled to the privilege has waived the privilege **(Section 67)**.
- Disclosure of the record would put WeaverWorx at a disadvantage in contractual or other negotiations or prejudice it in commercial competition **(Section 78)**

10. Remedies Available if We Refuse to Give Access

WeaverWorx does not have internal appeal procedures regarding PAIA and PoPI Act requests. As such, the decision made by the Information Officer is final. If a request is denied, the requester is entitled to

- apply to a court with appropriate jurisdiction, or
- approach the Information Regulator on PAIAComplaints@inforegulator.org.za for the necessary relief within 180 calendar days of us notifying you of our decision.

11. Fees Payable to Us

You will receive a notice from our information officer upon your request, setting out the application procedure and the applicable fees on **Form 03 (Outcome of Request and of Fees Payable [Regulation 7])** provided by the Information Regulator at this link <https://inforegulator.org.za/paia-forms/>. The prescribed fees must be paid to us before you will be given access to the requested record.

11.1 Request fees

When submitting your request, you must pay us a request fee **(Section 54(1))** as prescribed.

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11.2 Access fees

If we grant the request, you will have to pay us a further access fee as the law prescribes (**Section 54(3)(c)**), that includes a fee for the time it takes us to handle your request, or if the time has exceeded the prescribed hours to search and prepare the record for disclosure. Our information officer will notify you if you need to pay a deposit for the access fee. The deposit may be up to one third of the prescribed access fee.

The access fee will provide for:

- The costs of making or transcribing the record;
- A postal cost (if applicable);
- The reasonable time we need to search for the record and prepare the record for you.

Fees are charged in accordance with the minimum prescribed fees. WeaverWorx is not a registered VAT vendor and no VAT is charged.

12. Availability of the Manual

12.1 A copy of the Manual is available-

- On our website <https://www.weaverworx.africa/wp-content/uploads/2024/03/PAIA-Manual-WeaverWorx-Version-3.pdf>
- In hard copy:
 - to be viewed by appointment during normal business hours at the premises of WeaverWorx;
 - to any person upon request and upon the payment of a reasonable prescribed fee; and
- to the Information Regulator upon request.

12.2 A prescribed fee for a hard copy of this Manual, shall be payable per each A4-size photocopy, in accordance with our fees schedule which will be provided by our Information Officer upon request.

13. Updating of the Manual

This Manual will be updated from time to time, as and when required.