

# Manual

## Of

# AMB Engineers Pty Ltd (Private Body)

Prepared and compiled on 2024-09-23 in accordance with Section 51 of the Promotion of Access to Information Act, No 2 of 2000 (as amended) in respect of AMB Engineers Pty Ltd.

**Registration number:** 2017/140498/07

**Update:** 2024-09-23

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## **1. INTRODUCTION**

AMB Engineers is a competent medium enterprise offering specialised, quality engineering services, management consulting, development and training. Established in 2016, AMB Engineers has evolved over time, an evolution necessitated by the ever-changing environment. The Company has internalised the importance of being an organisation that is agile and versatile in response to the Volatile, Uncertain, Complex and Ambiguous environment it operates in.

The consulting firm offers the following services: programme and project management ,structural & civil engineering,geotechnical, electrical, mechanical and mining engineering

### **AMB MISSION**

Our company exists to provide excellent, efficient and sustainable engineering solutions for the benefit of our clients and communities by:offering specialised programme and project management servicesbusiness solutions customised to the clients architecturebuilding resilient and adaptable processes supported by cutting edge and latest technological systememploying highly skilled professionals with a bias to empowerment of young professions.

### **AMB Vision and Values**

An agile generational leader in multi-disciplinary engineering services driving growth globally and embracing technological excellence values: integrity, innovation, and collaboration.

## **2. THE ACT**

The Promotion of Access to Information Act, No 2 of 2000 ("The Act" or "PAIA") was enacted on 3 February 2000, giving effect to the right of access to any information held by Government, as well as any information held by another person who is required for the exercising or protection of any rights. This right is entrenched in the Bill of Rights in the Constitution of South Africa. Where a request is made in terms of The Act, the body to which the request is made is not obliged to release the information, except where The Act expressly provides that the information may or must be released. The Act sets out the requisite procedural issues attached to such request.

### **3. PURPOSE OF THE MANUAL**

**In order to promote effective governance of private bodies, it is necessary to ensure that everyone is empowered and educated to understand their rights in terms of The Act in order for them to exercise their rights in relation to public and private bodies.**

Section 9 of The Act, however, recognizes that such right to access to information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to:

- Limitations aimed at the reasonable protection of privacy;
- Commercial confidentiality; and
- Effective, efficient and good governance

And in a manner that balances that right with any other rights, including such rights contained in the Bill of Rights in the Constitution.

This PAIA Manual assist you to-

- 3.1 check the categories of records held by AMB Engineers Pty Ltd which are available without a person having to submit a formal PAIA request;
- 3.2 have a sufficient understanding of how to make a request for access to a record of AMB Engineers Pty Ltd, by providing a description of the subjects on which AMB Engineers Pty Ltd holds records and the categories of records held on each subject;
- 3.3 know the description of the records of AMB Engineers Pty Ltd which are available in accordance with any other legislation;
- 3.4 access all the relevant contact details of the Information Officer and Deputy Information Officer(s) who will assist you with the records you intend to access;
- 3.5 know the description of the guide on how to use PAIA, as updated by the Information Regulator, and how to obtain access to it;
- 3.6 know if AMB Engineers Pty Ltd processes personal information and the purpose of processing of personal information;
- 3.7 know the description of the categories of data subjects and the information or categories of information relating thereto;
- 3.8 know the recipients or categories of recipients to whom the personal information may be supplied;
- 3.9 know if AMB Engineers Pty Ltd plans 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
- 3.10 know whether AMB Engineers Pty Ltd has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

#### **4. CONTACT DETAILS:**

Information Officer:

Information Officer:

INFORMATION OFFICER: NOLUVUYO MATWA

DULY AUTHORIZED BY OWNER/DIRECTORS: Bheki Makhedama and Patrick Maisiri

Postal Address: 48 Stewart Drive, Baysville, East London

Physical Address: 48 Stewart Drive, Baysville, East London

Telephone No: 043 050 6925

E-mail: noluvuyom@ambholdings.co.za

Postal Address:

48 Stewart Drive, Baysville, East London, 5241

Physical Address:

48 Stewart Drive

Baysville

East London 5241

Telephone No:

043 050 6925

E-mail:

info@ambholdings.co.za

Deputy Information Officer:

N/A Due to size of the organisation

**GENERAL INFORMATION:**

Name of Private Body:

**AMB Engineers Pty Ltd**

Registration No:

2017/140498/07

Postal Address:

48 Stewart Drive, Baysville.East London.5241

Physical Address (or principal place of business):

48 Stewart Drive

Baysville

East London 5241

Telephone No:

043 050 6925

E-mail:

info@ambholdings.co.za

Website:

www.ambholdings.co.za

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

- 5.1. 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.
- 5.2. The Guide is available in each of the official languages and in braille.
- 5.3. The aforesaid Guide contains the description of-
  - 5.3.1. the objects of PAIA and POPIA;
  - 5.3.2. the postal and street address, phone and fax number and, if available, electronic mail address of-
    - 5.3.2.1 the Information Officer of every public body, and
    - 5.3.2.2 every Deputy Information Officer of every public and private body designated in terms of Section 17(1) of PAIA and Section 56 of POPIA;
  - 5.3.3 the manner and form of a request for-
    - 5.3.3.1 access to a record of a public body contemplated in Section 11 of PAIA; and
    - 5.3.3.2 access to a record of a private body contemplated in Section 50 of PAIA;
  - 5.3.4 the assistance available from the Information Officer of a public body in terms of PAIA and POPIA;

- 5.3.5 the assistance available from the Information Regulator in terms of PAIA and POPIA;
- 5.3.6 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-
  - 5.3.6.1 an internal appeal;
  - 5.3.6.2 a complaint to the Regulator; and
  - 5.3.6.3 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;
- 5.3.7 the provisions of Sections 14 and 51 of PAIA requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
- 5.3.8 the provisions of Sections 15 and 52 of PAIA providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
- 5.3.9 the notices issued in terms of Sections 22 and 54 of PAIA regarding fees to be paid in relation to requests for access; and
- 5.3.10 the regulations made in terms of Section 92 of PAIA.
- 5.4 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.
- 5.5 The Guide can also be obtained-

5.5.1 upon request to the Information Officer;

5.5.2 from the website of the Information Regulator (<https://inforegulator.org.za/>).

5.6 A copy of the Guide is also available in two official languages, for public inspection during normal office hours.

## **6. RECORDS AUTOMATICALLY AVAILABLE TO THE PUBLIC**

A section 52(2) notice regarding the categories of records, which are available without a person having to request access in terms of the Act, has to date not been published.

## 7. RECORDS OF THE PRIVATE BODY

This clause serves as a reference to the records that AMB Engineers Pty Ltd holds in order to facilitate a request in terms of The Act.

It is recorded that the accessibility of the documents listed herein below, may be subject to the grounds of refusal set out hereinafter.

This clause serves as a reference that **AMB Engineers** holds in order to facilitate a request in terms of The Act. It is recorded that the accessibility of the documents listed herein below, may be subject to the grounds of refusal set out hereinafter.

### General

- VAT Records
- Tax Records
- PAYE Records
- UIF Records
- SDL Records
- Management Accounts
- Asset Register Operating system
- Invoice
- Weekly / monthly / quarterly / annual statement
- Debit note
- Credit note Operational Documents and Records
- Promotional material
- Written policies regarding bussiness activities

## **8. RECORDS REQUIRED IN TERMS OF LEGISLATION**

Records are kept in accordance with legislation applicable to AMB Engineers Pty Ltd, which includes but is not limited to, the following –

Records are kept in accordance with legislation applicable to WG Retail Holdings CC, which includes but is not limited to, the following –

- Labour Relations Act, 66 of 1995
- Employment Equity Act, 55 of 1998
- Basic Conditions of Employment Act, 75 of 1997
- Broad Based Economic Empowerment Act, 53 of 2003
- Compensation for Occupational Injuries and Diseases Act, 130 of 1993
- Constitution of the Republic of South Africa, 108 of 1996
- Companies Act, 61 of 1973
- Unemployment Insurance Act, 63 of 2001
- Consumer Protection Act, 68 of 2008
- Value Added Tax Act, 89 of 1991
- Skills Development Act, 9 of 1997
- Skills Development Levy Act, No. 9 of 1999
- Income Tax Act, 58 of 1962
- Financial Intelligence Centre Act, 38 of 2001
- Protection of Personal Information Act, 4 of 2013
- Intellectual Property Laws Amendment Act, 38 of 1997
- Trademarks Act, 194 of 1993

Reference to the above-mentioned legislation shall include subsequent amendments and secondary legislation to such legislation.

## **9. PROCESSING OF PERSONAL INFORMATION**

### **9.1 Purpose of Processing Personal Information**

**In order to promote effective governance of AMB Engineers, it is necessary to ensure that everyone is empowered and educated to understand their rights in terms of The Act in order for them to exercise their rights in relation to public and private bodies.**

Section 9 of The Act, however, recognizes that such right to access to information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to:

- Limitations aimed at the reasonable protection of privacy;
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- Effective, efficient and good governance

And in a manner that balances that right with any other rights, including such rights contained in the Bill of Rights in the Constitution.

This PAIA Manual assist you to-

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- 3.4 Access all the relevant contact details of the Information Officer who will assist you with the records you intend to access;
- 3.5 Know the description of the guide on how to use PAIA, as updated by the Information Regulator, and how to obtain access to it;
- 3.6 Know if AMB Engineers processes personal information and the purpose of processing of personal information;
- 3.7 Now the description of the categories of data subjects and the information or categories of information relating thereto;
- 3.8 Know the recipients or categories of recipients to whom the personal information may be supplied;
- 3.9 Know if AMB Engineers plans 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
- 3.10 Know whether AMB Engineers has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

**9.2 Description of the categories of Data Subjects and of the information or categories of information relating thereto**

<b>Categories of Data Subjects</b>	<b>Personal Information that may be processed</b>
Customers / Clients	name, address, registration numbers or identity numbers, employment status and bank details
Service Providers	names, registration number, vat numbers, address, trade secrets and bank details
Employees	address, qualifications, gender and race/ID,criminal checks ,drivers licence

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

<b>Category of personal information</b>	<b>Recipients or Categories of Recipients to whom the personal information may be supplied</b>
Identity number and names, for criminal checks	South African Police Services
Qualifications, for qualification verifications	South African Qualifications Authority
Credit and payment history, for credit information	Credit Bureaus

#### **9.4 Planned transborder flows of personal information**

We transfer information to the following countries:

- South Africa
- 

The following categories of information is transferred outside the borders of South Africa if applicable:

- Client contact details

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

The security safeguards implemented or under implementation to ensure the confidentiality and integrity of the personal information under the care of AMB Engineers is conducted as:

All information is stored  
locally/onsite/secured All servers have  
Firewall  
Anti-Virus  
All Password Protected

All Users/ those having access to/ the care of personal and confidential information have individual logon credentials and security pin details

## **10. REQUEST PROCEDURE FOR OBTAINING INFORMATION**

### **Access to records held by AMB Engineers Pty Ltd**

Records held by AMB Engineers Pty Ltd may be accessed by request only once the prerequisites for access have been met.

The requester must fulfil the prerequisites for access in terms of The Act, including the payment of a requested access fee.

The requester must comply with all the procedural requirements contained in The Act relating to the request for access to a record.

The requester must complete the prescribed Form 2 (Annexure B) and submit same as well as payment of a request fee and a deposit, if applicable, to the Information Officer at the postal or physical address, fax number or electronic mail address as stated herein.

The prescribed form must be filled in with enough particulars to at least enable the Information Officer to identify –

- The record or records requested;
- The identity of the requester,
- Which form of access is required, if the request is granted;
- The postal address or fax number or email address of the requester.

The requester must state that they require the information in order to exercise or protect a right, and clearly state what the nature of the right to be exercised or protected is. In addition, the requester must clearly specify why the record is necessary to exercise or protect such a right.

AMB Engineers Pty Ltd will process the request within 30 days, unless the requester has stated a special reason that would satisfy the Information Officer that circumstances dictate that the above time periods are not complied with.

The requester shall be informed whether access has been granted or denied in the form of Form 3 (Annexure C). If, in addition, the requester requires the reason for the decision in any other manner, they must state the manner and the particulars so required.

If a request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request, to the reasonable satisfaction of the Information Officer.

If an individual is unable to complete the prescribed Form because of illiteracy or disability, such a person may make the request orally.

## **11. FEES**

When the Information Officer receives the request, such Officer shall, by notice, require the requester to pay the prescribed request fee (if any), before any further processing of the request.

If the search for the record has been made in the preparation of the record for disclosure, including arrangements to make it available in the requested form, and it requires more than the hours prescribed in the regulation for this purpose, the Information Officer shall notify the requester to pay as a deposit the prescribed portion of the access fee which would be payable if the request is granted.

The Information Officer shall withhold a record until the requester has paid the Fees as indicated.

A requester, whose request for access to a record has been granted, must pay an access fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure, including making arrangements to make it available in the requested form.

If a deposit has been paid in respect of a request for access, which is refused, then the Information Officer concerned must repay the deposit to the requester.

The fees applicable to a request for information are set out in Annexure A hereto.

The requester must pay the prescribed fee before any further processing can take place.

## **12. GROUNDS FOR REFUSAL OF ACCESS TO INFORMATION**

The main grounds for AMB Engineers Pty Ltd to refuse a request for information relates to the:

- Mandatory protection of the privacy of a third party that is a natural person that would involve the unreasonable disclosure of personal information of that natural person;
- Mandatory protection of the commercial information of a third party, if the record contains:
  - o Trade secrets of that third party;
  - o Financial, commercial, scientific or technical information, disclosure of which could likely cause harm to the financial or commercial interests of that third party;
  - o Information disclosed in confidence by a third party to the Private Body, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition;
- Mandatory protection of confidential information of third parties if it is protected in terms of any agreement;
- Mandatory protection of confidential information of the protection of property;
- Mandatory protection of records that would be regarded as privileged in legal proceedings;
- The commercial activities of AMB Engineers Pty Ltd which may include:
  - o Trade secrets of AMB Engineers Pty Ltd
  - o Financial, commercial, scientific or technical information, disclosure which could likely cause harm to the financial or commercial interest of AMB Engineers Pty Ltd ;
  - o Information which, if disclosed could put AMB Engineers Pty Ltd at a disadvantage in negotiations or commercial competition;
  - o A computer program, owned by AMB Engineers Pty Ltd and protected by copyright.
- The research information of AMB Engineers Pty Ltd or a third party, if its disclosure would reveal the identity of AMB Engineers Pty Ltd, the researcher or the subject matter of the research and would place the research at a serious disadvantage;

Requests for information that are clearly frivolous or vexatious, or which would involve an unreasonable diversion of resources shall be refused.

### **13. DECISION**

AMB Engineers Pty Ltd will within 30 days of receipt of the request, decide whether to grant or decline the request and give notice with reasons (if required) to that effect.

The requester shall be informed whether access has been granted or denied in the form of Form 3 (Annexure C). If, in addition, the requester requires the reason for the decision in any other manner, they must state the manner and the particulars so required.

The 30 day period within which AMB Engineers Pty Ltd has to decide whether to grant or refuse the request, may be extended for further period of not more than 30 days if the request is for a large amount of information, or the request requires a search for information held at another office of AMB Engineers Pty Ltd and the information cannot reasonably be obtained within the original 30 day period. AMB Engineers Pty Ltd will notify the requester in writing should an extension be sought.

### **AVAILABILITY OF THE MANUAL**

The manual of AMB Engineers Pty Ltd is available at the premises of AMB Engineers Pty Ltd as well as on the website of AMB Engineers Pty Ltd.

Signed by:  \_\_\_\_\_

Date 27/09/2024

