



E S MOWAT
& SONS (PTY) LTD

PAIA MANUAL

PROMOTION OF ACCESS TO INFORMATION ACT, 2000

(ACT NO. 2 OF 2000, AS AMENDED)

Prepared in terms of Section 51 of the
Promotion of Access to Information Act,
2000 (Act No. 2 of 2000)

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1. LIST OF 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 of 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 ES MOWAT & SONS (PTY) LTD

3.1. Chief Information Officer

Name: P.A Algar
Tel: 031 335 1260
Email: trish@esmowat.co.za

3.2. Deputy Information Officer

Name: D. M Algar
Tel: 031 335 1260
Email: dean@esmowat.co.za

3.3 Access to information general contacts

Email: *info@esmowat.co.za*

3.3.1 Head Office

Physical Address: 51 Milne Street, Durban, 4001

Telephone: 031 335 1260

Email: trish@esmowat.co.za

Website: www.esmowat.com

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

- 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 each of the official languages and in braille.
- 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 PAIA¹ 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-
 - 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/inforeg/>).
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4.6 A copy of the Guide is also available in English, for public inspection during normal office hours.

5. CATEGORIES OF RECORDS OF ES MOWAT & SONS (PTY) LTD WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

Category of records	Types of the Record	Available on Website	Available upon request

6. DESCRIPTION OF THE RECORDS OF ES MOWAT & SONS (PTY) LTD WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION

Category of Records	Applicable Legislation
Memorandum of incorporation	Companies Act 71 of 2008
PAIA Manual	Promotion of Access to Information Act 2 of 2000
Labour	• Basic Conditions of Employment Act, No 57 of 1997 • Employment Equity Act, No 55 of 1998 • Skills Development Act, No 97 of 1998 • Skills Development Levy Act, No 9 of 1999 • Unemployment Insurance Act, No 30 of 1966

Legal	• Compensation for Occupational Injuries and Diseases Act, No 130 of 1993 • Protection of Personal Information Act, No 4 of 2013 • Consumer Protection Act, No 68 of 2008 • Copyright Act, No 98 of 1978 • Electronic Communications and Transactions Act, No 25 of 2002 •
Financial	• National Credit Act, No 34 of 2005 • Tax Administration Act, 28 of 2011 • Value Added Tax Act, No 89 of 1991
Compliance	• Occupational Health and Safety Act, No 85 of 1993 • Preferential Procurement Policy Framework Act, No 5 of 2000 • Various City By-Law

7. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY ES MOWAT & SONS (PTY) LTD

Subjects on which the body holds records	Categories of records
Strategic Documents, Plans, Proposals	Annual Reports, Strategic Plan, Annual Performance Plan.
Human Resources	- HR policies and procedures - Advertised posts - Employees records
Client related records	- Client engagement letters and agreements - Client due diligence records
Information technology	- Computer software, licensing - Maintenance agreements - IT usage policies
Financial and accounting records	- Annual financial statements - Accounting, Audits and tax records - Bank statements, Documents for creditors and debtors

8. PROCESSING OF PERSONAL INFORMATION

8.1 Purpose of Processing Personal Information

ES Mowat & Sons is required, in the normal exercise of its functions and obligations as a juristic business entity, to process the Personal Information of Data Subjects from time to time.

- To support engagement with service providers
- To support engagement with the general public
- To support engagement with industry bodies
- To support recruitment and management of staff
- To support relationships with statutory and other authorities
- To support sales and marketing activities
- To support customer requirements
- To support visits to/by international exchange partners.

8.2 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, employment status and bank details
Service Providers	names, registration number, vat numbers, address, trade secrets and bank details, contact information, financial information.
Employees	Full name and surname, address, qualifications, gender and race, contact information, background check
Visitors to premises	CCTV footage and other personal information for security and access management.

8.3 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 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
Tax and VAT information of clients, service providers, suppliers, and employees	South African Revenue Service
Employee information for legislative compliance and payroll	Department of labour Payroll service providers

8.4 Planned transborder flows of personal information

Generally, we do not transfer personal information to another country. However, in certain cases this may be necessary. For example, when our suppliers or customers are based outside south Africa. Such transfer will only take place if:

- They are essential to the nature of the transaction, and
- They comply with the requirements of POPIA and/or other applicable South African laws.

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

The following security measures are implemented to protect personal information:

Physical security measures

- Access controls

Internal security measures

Cyber security measures

- Anti-spam measures
- Anti-virus measures
- Firewalls
- Password control

Policies in information security

- Comprehensive coverage of all IT-related issues

Audits of information security

9. AVAILABILITY OF THE MANUAL

9.1 A copy of the Manual is available-

9.1.1 on www.esmowat.com

9.1.2 head office of ES MOWAT & SONS (PTY) LTD for public inspection during normal business hours;

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

9.1.4 to the Information Regulator upon request.

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

10. UPDATING OF THE MANUAL

The head of ES MOWAT & SONS will on a regular basis update this manual.

Issued by

A handwritten signature in black ink that reads "PA Algar". The signature is written in a cursive, flowing style.

PA Algar

Chief Executive Officer