



Earth Mach

MINING AND CONSTRUCTION EQUIPMENT

STEYN ST 36, PO BOX 1446, CAROLINA 1185
TEL. (017) 843 2072 CELL. 083 232 8713
Comp Reg No. 2011/144515/07 VAT No. 4280260417
Email: chris@earthmach.co.za

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PAIA MANUAL

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



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DATE OF COMPILATION: 30/11/2022
DATE OF REVISION: 19/07/2023



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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 |



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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.



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3. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF Earth Mach Mining & Construction Equipment (Pty) Ltd

3.1. Chief Information Officer

Name: **Christiaan Johannes van der Westhuizen**
Tel: **(017) 843 2072**
Email: **chris@earthmach.co.za**
Fax number: **Not in use anymore**

3.2. Deputy Information Officer *(NB: if more than one Deputy Information Officer is designated, please provide the details of every Deputy Information Officer of the body designated in terms of section 17 (1) of PAIA.*

Name: **Petronella van der Westhuizen**
Tel: **(017) 843 2072**
Email: **petro@earthmach.co.za**
Fax Number: **Not in use anymore**

3.3 Access to information general contacts

Email: **petro@earthmach.co.za**

3.4 National or Head Office

Postal Address: **PO Box 1446
Carolina
Mpumalanga
1185**

Physical Address: **34 Steyn Street
Carolina
Mpumalanga
1185**

Telephone: **(017) 843 2072
083 232 8713**

Email: **chris@earthmach.co.za**



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Website: www.earthmach.co.za



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;

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.*



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- 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.

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 information listed in paragraph 4 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 4 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, on a voluntary basis, 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 a request for access 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 a request for access 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.”



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4.3.10.1. 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.

4.4. The Guide can also be obtained-

4.4.1. upon request to the Information Officer;

4.4.2. from the website of the Regulator (<https://www.justice.gov.za/infoereg/>).

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

4.6.1 English (We use only English as a communication language)

5. CATEGORIES OF RECORDS WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS OF Earth Mach Mining & Construction Equipment (Pty) Ltd

Category of records	Types of the Record	Available on Website	Available upon request
New Equipment	Sales brochures	Yes	Yes
Parts	Estimates & quotations	No	Yes

6. DESCRIPTION OF THE RECORDS WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION OF Earth Mach Mining & Construction Equipment (Pty) Ltd

Category of Records	Applicable Legislation
Memorandum of incorporation	Companies Act 71 of 2008
PAIA Manual	Promotion of Access to Information Act 2 of 2000



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7. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY Earth Mach Mining & Construction Equipment (Pty) Ltd

Subjects on which the body holds records	Categories of records
Strategic Documents, Plans, Proposals	Annual Reports, Strategic Plan, Annual Performance Plan.
Company	<ul style="list-style-type: none"> - Account records - Book writing records - Any records to be kept in terms of the act and other public regulation - Registration record - Memorandum of incorporation and alterations amendments - Rules and regulations - Securities register and uncertificated securities register - Register of company secretary and auditors - Notice and minutes of all shareholders meetings - Correspondence i.e., general, account related, agreements
Human Resources	<ul style="list-style-type: none"> - HR policies and procedures - Administrative, operational and human recourse records - Student record (i.e., academic, transcripts, degree certificates) - Staff records (i.e., employment contracts, disciplinary proceedings) - Advertised posts - Employees records (i.e., personal information, employment contracts, remuneration, disciplinary proceedings) - Health and safety records (i.e., record of time worked, health & safety committee, incidents, assessments, medical surveillance)
Finance	<ul style="list-style-type: none"> - Annual financial statements - Copies of accounting records as required by the Act - Financial reports - Auditors' records (i.e., statements, correspondence, and any documents kept by a registered auditor) - Customer invoices - Suppliers' invoices - Suppliers' quotations - Credit agreements



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Tax	<ul style="list-style-type: none"> - Income tax records (i.e., ledgers, cash books, journals, cheque books, bank statements, deposit slips, paid cheques, invoices, stock lists) - Electronic representation of information - Value added tax records and statements (i.e., Invoices, Tax invoices, credit notes, debit notes, bank statements, deposit slips, stock list, paid cheques) - Importation records (i.e., goods, equipment, documentation, bill of entry) -
Electronic communication	<ul style="list-style-type: none"> - Personal information records as prescribed by the Act - Personal data which has become obsolete.
Sales & Marketing	<ul style="list-style-type: none"> - Customer name list - Customer machine population list - Equipment sales record
Service	<ul style="list-style-type: none"> - Job records - Customer name list - Job costing records - Job invoice and credit records
Consumer protection	<ul style="list-style-type: none"> - Information record (i.e., supplied to a consumer, accounting supplied) - Advice supplied record - Written instructions record (i.e., Instructions send to consumers)



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8. PROCESSING OF PERSONAL INFORMATION

8.1 Purpose of Processing Personal Information

To establish guidelines and responsibilities, for the use of personal information and data in the company. The policy includes the basic protocols for regulating the use of the company's internet facilities, as well as general controls and associated services, to ensure business continuity, minimize business damage and maximize return on business opportunities with a view to protect the reliability and completeness of all personal information

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	Name, address, registration numbers or identity numbers, employment status and bank details, Vat numbers, Telephone numbers
Supplier's	Names, registration number, vat numbers, telephone numbers, address, trade secrets and bank details
Employees	Names, ID numbers, Address, telephone numbers, qualifications, age, gender, race, marital status and children, bank details,

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



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8.4 Planned transborder flows of personal information

Our operating system “Quick Books” are a cloud operating system. The system operates from the “United Kingdom”. All information is backed up and stored on three servers simultaneously and are secured by the use of username and password and standard virus protector software. Back-up repairs are only done by Quick Books personnel as and when needed with the consent of Earth Mach Mining & Construction Equipment (Pty) Ltd.

Information stored in this cloud system are, Customer names and addresses, customer invoices, financial information i.e., stock list, sales records, turnover records, quotations.

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

NB: Specify the nature of the security safeguards to be implemented or under implementation to ensure the confidentiality and integrity of the personal information under the care of the body. This may, for example, include Data Encryption; Anti-virus and Anti-malware Solutions.

9. AVAILABILITY OF THE MANUAL

- 9.1 A copy of the Manual is available-
- 9.1.1 on www.earthmach.co.za if any;
 - 9.1.2 head office of Earth Mach Mining & Construction Equipment (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 Earth Mach Mining & Construction Equipment (PTY) will on a regular basis update this manual on a as and when required basis.

Issued by

CJ van der Westhuizen



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Director



FORM 1

REQUEST FOR A COPY OF THE GUIDE

[Regulations 2 and 3]

Note:

1. Proof of identity must be attached by the requester.
2. If requests made on behalf of another person, proof of such authorisation, must be attached to this form.

To *The information officer

Email: chris@earthmach.co.za

C.J. Van Der Westhuizen
34 Steyn Street
Carolina
Mpumalanga
1185

I, Full names:			
In my capacity as (mark with "X"):		Information Officer	Other
Name of *Public/Private body (if applicable)			
Postal Address:			
Street Address:			
E-mail address:			
Facsimile:			
Contact numbers:		Tel (W)	Cell
Hereby request a copy(ies) of the Guide			
English		Number of copies	
Manner of collection (mark with "X")			
Personal Collection		Electronic Communication (Please Specify)	
Signed at this day of 20			
..... Signature of requester / person on whose behalf request is made			



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FORM 2

REQUEST FOR ACCESS TO RECORD

[Regulation 7]

Note:

1. Proof of identity must be attached by the requester.
2. If requests made on behalf of another person, proof of such authorisation, must be attached to this form.

To *The information officer

Email: chris@earthmach.co.za

C.J. Van Der Westhuizen
34 Steyn Street
Carolina
Mpumalanga
1185

Mark with an "X"

Request is made in my own name Request is made on behalf of another Person/Company

PERSONAL INFORMATION

Full Names & Surname			
Identity Number			
Capacity in which request is made (When made on behalf of another person)			
Postal address			
Street address			
E-Mail address			
Contact numbers	Tel No. (W)	Cell	
Full Names of person on which behalf request is made (If Applicable)			
Postal address			
Street address			
E-Mail address			
Contact numbers	Tel No. (W)	Cell	

PARTICULARS OF RECORD REQUESTED

Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)

Description of record or relevant part of the record	



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Reference number, if available:	
Any further particulars of record	
TYPE OF RECORD <i>(Mark the applicable box with an "X")</i>	
Record is in written or printed form	
Record comprises virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)	
Record consists of recorded words or information which can be reproduced in sound	
Record is held on a computer or in an electronic, or machine-readable form	
FORM OF ACCESS <i>(Mark the applicable box with an "X")</i>	
Printed copy of record (including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)	
Written or printed transcription of virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)	
Transcription of soundtrack (written or printed document)	
Copy of record on flash drive (including virtual images and soundtracks)	
Copy of record on compact disc drive (including virtual images and soundtracks)	
MANNER OF ACCESS <i>(Mark the applicable box with an "X")</i>	
Personal inspection of record at registered address of public/private body <i>(including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)</i>	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format <i>(including transcriptions)</i>	
E-mail of information <i>(including soundtracks if possible)</i>	
Preferred language: <i>(Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available)</i>	
PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED <i>If the provided space is inadequate, please continue on a separate page and attach it to this Form. The requester must sign all the additional pages.</i>	
Indicate which right is to be exercised or protected:	
Explain why the record requested is required for the exercise or protection of the aforementioned right:	



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FEES	
<p>a) A request for access to a record, other than a record containing personal information about yourself, will a) be processed only after a request fee has been paid. b) You will be notified of the amount required to be paid as the request fee. c) The fee payable for access to a record depends on the form in which access is required and the a) reasonable time required to search for and prepare a record. d) If you qualify for exemption of the payment of any fee, please state the reason for exemption</p>	
Reason	
<p>You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:</p>	
Postal address	
Electronic Communication <i>(Please specify)</i>	
<p>Signed at this day of 20 <i>Signature of requester / person on whose behalf request is made</i></p>	
FOR OFFICIAL USE	
Reference number:	
Request received by:	
<i>(State Rank, Name and Surname of Information Officer)</i>	
Date received:	
Access fees:	
Deposit (if any):	
<i>Signature of Information Officer</i>	
Date	



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FORM 3

LOGGING OF AN INTERNAL APPEAL

[Regulation 9]

PARTICULARS OF PUBLIC BODY

Name of Public Body	
Name and Surname of Information Officer	

PARTICULARS OF COMPLAINANT WHO LODGES THE INTERNAL APPEAL

Full Names			
Identity Number			
Postal Address			
Contact Numbers	Tel Number (W)	Cell No.	

Is the internal appeal lodged on behalf of another person?	Yes		No	
If answer is "yes", capacity in which an internal appeal on behalf of another person is lodged: <i>(Proof of the capacity in which appeal is lodged, if applicable, must be attached.)</i>				

PARTICULARS OF PERSON ON WHOSE BEHALF THE INTERNAL APPEAL IS LODGED

(If lodged by a third party)

Refusal of request for access	
Decision regarding fees prescribed in terms of section 22 of the Act	
Decision regarding the extension of the period within which the request must be dealt with in Terms of section 26(1) of the Act	
Decision in terms of Section 29(3) of the Act to refuse access in the form requested by the requester	
Decision to grant request for access	

GROUND FOR APPEAL

(If the provided space is inadequate, please continue on a separate page and attach it to this form. All the additional pages must be signed.)

State the grounds on which the internal appeal is based	
State any other information that may be relevant in considering the appeal	

You will be notified in writing of the decision on your internal appeal. Please indicate your preferred manner of notification

Postal address	Electronic Communication <i>(Please specify)</i>
----------------	--

Signed at this day of 20

.....
Signature of requester / person on whose behalf request is made



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FORM 4
FOR OFFICIAL USE
OFFICIAL RECORD OF INTERNAL APPEAL

Appeal received by <small>(State rank, name and surname of Information officer)</small>				
Date received				
Appeal accompanied by the reasons for the information officer's decision and, where applicable, the particulars of any third party to whom or which the record relates, submitted by the information officer			Yes	
			No	
OUTCOME OF APPEAL				
Refusal of request for access. Confirmed?	Yes		New decision <i>(If not confirmed)</i>	
	No			
Fees (Sec 22). Confirmed?	Yes		New decision <i>(If not confirmed)</i>	
	No			
Extension (Sec 26(1)). Confirmed?	Yes		New decision <i>(If not confirmed)</i>	
	No			
Access (Sec 29(3)). Confirmed?	Yes		New decision <i>(If not confirmed)</i>	Mach
	No			
Request for access granted. Confirmed?	Yes		New decision <i>(If not confirmed)</i>	
	No			
Signed at this day of 20				
..... Relevant Authority				



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MINING AND CONSTRUCTION EQUIPMENT

STEYN ST 36, PO BOX 1446, CAROLINA 1185
TEL. (017) 843 2072 CELL. 083 232 8713
Comp Reg No. 2011/144515/07 VAT No. 4280260417
Email: chris@earthmach.co.za

B-BBEE RATING: LEVEL 2



FORM 5

LOGGING OF COMPLAINT

[Regulation 10]

This form is designed to assist the Requester (hereinafter referred to as “the Complainant”) in requesting a review of a public or private body’s response or non-response to a request for access to records under the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) (“PAIA”). Please fill out this form and send it to the Information Regulator or complete the online complaint form available at <https://www.justice.gov.za/inforeg/>.

PAIA gives a member of the public a right to file a complaint with the Information Regulator about any of the nature of complaints detailed in part E of this complaint form.

It is the policy of the Information Regulator to defer investigating or to reject a complaint if the Complainant has not first given the public or private body (herein after referred to as “the Body”) an opportunity to respond to and attempt to resolve the issue. To help the Body address your concerns prior to approaching the Information Regulator, you are required to complete the prescribed PAIA form and submit it to the Body.

A copy of this form will be provided to the Body that is the subject of your complaint. The information you provide on this form, attached to this form or that you supply later, will only be used to attempt to resolve your dispute, unless otherwise stated herein.

The Information Regulator will only accept your complaint once you confirm having complied with the prerequisites below.

Please attach copies of the following documents, if you have them:

- *Copy of the form to the Body requesting access to records;*
- *The Body’s response to your complaint or access request;*
- *Any other correspondence between you and the Body regarding your request;*
- *Copy of the appeal form, if your complaint relate to a public body;*
- *The Body’s response to your appeal;*
- *Any other correspondence between you and the Body regarding your appeal;*
- *Documentation authorizing you to act on behalf of another person (if applicable);*
- *Court order or court documents relevant to your complaint, if any.*

If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.



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To: The Information Regulator
Po box 1446
Carolina
1185

Email Address: chris@earthmach.co.za
Telephone No: (017) 843 2072

PARTICULARS OF PERSON ON WHOSE BEHALF THE INTERNAL APPEAL IS LODGED

Mark with an "X"

Complainant Personally

Representative of Complainant

Third party

PREREQUISITES

Did you submit request (PAIA form) for access to record of a public/private body?	Yes		No	
Has 30 days lapsed from the date on which you submitted your PAIA form?	Yes		No	
Did you exhaust all the internal appeal procedure against a decision of the Information officer of a public body?	Yes		No	
Have you applied to Court for appropriate relief regarding this matter?	Yes		No	

FOR INFORMATION REGULATOR'S USE ONLY

Received by (Full names)				
Position				
Signature				
Complaint Accepted	Yes		No	

Signed at this day of 20

.....
Relevant Authority



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PART A : PERSONAL INFORMATION OF COMPLAINANT

Full Names			
Identity Number			
Postal Address			
Street Address			
E-mail Address			
Contact Numbers	Tel (W)		Cell No

PART B : REPRESENTATIVE INFORMATION

(Complete only if you will be represented. A Power of Attorney must be attached if complainant is represented, failing which the complaint will be rejected)

Full names of representative			
Nature of representation			
Identity No./Registration No.			
Postal Address			
Street Address			
E-mail Address			
Contact Numbers	Tel (W)		Cell No

PART C : THIRD PARTY INFORMATION

(Please attach letter of authorisation)

Type of body Private Public	Public		Private
Name of *Public/Private body			
Registration number <i>(if any)</i>			
Name, surname and title of person authorised to lodge complaint			
Postal Address			
Street Address			
E-mail Address			
Contact Numbers	Tel (W)		Cell No

PART D : BODY AGAINST WHICH THE COMPLAINT IS LODGED

Type of body	Public		Private
Name of *Public/Private body			
Registration Number <i>(if any)</i>			
Name, Surname and Title of person you dealt with at the public or private body to try to resolve your complaint or request to access of information			
Postal Address			
Street Address			
E-mail Address			
Contact Numbers	Tel (W)		Cell No
Reference Number given			



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PART E : COMPLAINTS

Tell us about the steps you have taken to try to resolve your complaint (Complaints should first be submitted directly to the public body for response and possible resolution; there are limited exceptions)

Date on which request for access to records submitted	
Please specify the nature of the right(s) to be exercised or protected, if a complaint is against a private body	
Have you attempted to resolve the matter with the organisation?	
If yes, when did you receive it? <i>(Please attach the letter to this application)</i>	
Did you appeal against a decision of the information officer of the public body?	
If yes, when did you lodge an appeal?	
Have you applied to Court for appropriate relief regarding this matter?	
If yes, please indicate when was the matter adjudicated by the Court? Please attach Court Order, if there is any.	





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PART F : DETAILED TYPE OF ACCESS TO RECORDS

(Please select one or more of the following to describe your complaint to the Information Regulator)

Unsuccessful appeal: (Section 77A(2)(a) or section 77A(3)(a) of PAIA)	I have appealed against the decision of the public body and the appeal is unsuccessful.	
Unsuccessful application for condonation: (Sections 77A(2)(b) and 75(2) of PAIA)	I filed my appeal against the decision of the public body late and applied for condonation. The condonation application was dismissed.	
Refusal of a request for access: (Section 77A(2)(c)(i) or 77A(2)(d)(i) or 77A(3)(b) of PAIA)	I requested access to information held by a body and that request was refused or partially refused.	
The body requires me to pay a fee and I feel it is excessive: (Sections 22 or 54 of PAIA)	Tender or payment of the prescribed fee.	
Repayment of the deposit: (Section 22(4) of PAIA)	The tender or payment of a deposit.	
Disagree with time extension: (Sections 26 or 57 of PAIA)	The information officer refused to repay a deposit paid in respect of a request for access which is refused.	
Form of access denied: (Section 29(3) or 60(a) of PAIA)	The body decided to extend the time limit for responding to my request, and I disagree with the requested time limit extension or a time extension taken to respond to my access request.	
Deemed refusal: (Section 27 or 58 of PAIA)	I requested access in a particular and reasonable form and such form of access was refused.	
Inappropriate disclosure of a record: (Mandatory grounds for refusal of access to record)	It is more than 30 days since I made my request and I have not received a decision.	
No adequate reasons for the refusal of access: (Section 56(3)(a) of PAIA)	Extension period has expired and no response was received. Records (that are subject to the grounds for refusal of access) have inappropriately/unreasonable been disclosed.	
Partial access to record: (Section 28(2) or 59(2) of PAIA)	My request for access is refused, and no valid or adequate reasons for the refusal, were given, including the provisions of this Act which were relied upon for the refusal.	
Fee waiver: (Section 22(8) or 54(8) of PAIA)	Access to only a part of the requested records was granted and I believe that more of the records should have been disclosed.	
Records that cannot be found or do not exist: (Section 23 or 55 of PAIA)	I am exempt from paying any fee and my request to waive the fees was refused.	
Failure to disclose records:	The Body indicated that some or all of the requested records do not exist and I believe that more records do exist.	
No jurisdiction (exercise or protection of any rights): (Section 50(1)(a) of PAIA)	The Body decided to grant me access to the requested records, but I have not received them. The Body indicated that the requested records are excluded from PAIA and I disagree.	
Frivolous or vexatious request: (Section 45 of PAIA)	The Body indicated that my request is manifestly frivolous or vexatious and I disagree.	



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Other: (Please explain):

PART G : EXPECTED OUTCOME

(How do you think the Information Regulator can assist you? Describe the result or outcome that you seek.)

PART H : AGREEMENTS

The legal basis for the following agreements is explained in the Privacy Notice on how to file your complaint document. In order for the Information Regulator to process your complaint, you need to check each one of the checkboxes below to show your agreement:

I agree that the Information Regulator may use the information provided in my complaint to assist it in researching issues relating to the promotion of the right of access to information as well as the protection of the right to privacy in South Africa. I understand that the Information Regulator will never include my personal or other identifying information in any public report, and that my personal information is still protected by the Protection of Personal Information Act, 2013 (Act No. 4 of 2013). I understand that if I do not agree, the Information Regulator will still process my complaint.

The information in this Complaint Form is true to the best of my knowledge and belief. I authorize the Information Regulator to collect my personal complaint information (such as the information about me in this complaint form) and use it to process my human rights complaint relating to the right of access to information and / or the protection of the right to privacy.

I authorise anyone (such as an employer, service provider, witness) who has information needed to process my complaint to share it with the Information Regulator. The Information Regulator can obtain this information by talking to witnesses or asking for written records. Depending on the nature of the complaint, these records could include personnel files or employer data, medical or hospital records, and financial or taxpayer information.

If any of my contact information changes during the complaint process, it is my responsibility to inform the Information Regulator; otherwise, my complaint could experience a delay or even be closed.

Signed at this day of 20

.....
Complainant/Representative/Authorised Person of Third party

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ANNEXTURE “A” [Fees]

Fees in Respect of Public Bodies		
No	Description	Amount
1	The request fee payable by every requester	R200.00
2	Photocopy of A4-size page	R5.00 per page or part thereof.
3	Printed copy of A4-size page	R5.00 per page or part thereof.
4	For a copy in a computer-readable form on: (i) Flash drive (to be provided by requestor) (ii) Compact disc • If provided by requestor	R450.00 R450.00 R460.00
5	For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on quotation from Service provider.
6	Copy of visual images	
7	Transcription of an audio record, per A4-size page	R250.00
8	Copy of an audio record on: (i) Flash drive (to be provided by requestor) (ii) Compact disc • If provided by requestor	R450.00 R450.00 R460.00
9	To search for and prepare the record for disclosure for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation. To not exceed a total cost of	R650.00 R5000.00
10	Deposit: If search exceeds 6 hours	One third of amount per request calculated in terms of items 2 to 8.
11	Postage, e-mail or any other electronic transfer	Actual expense + 30%, if any.
Fees in Respect of Private Bodies		
No	Description	Amount
1	The request fee payable by every requester	R200.00
2	Photocopy/printed black & white copy of A4-size page	R5.00 per page or part thereof.
3	Printed copy of A4-size page	R5.00 per page or part thereof.
4	For a copy in a computer-readable form on: (i) Flash drive (to be provided by requestor) (ii) Compact disc • If provided by requestor	R450.00 R450.00 R460.00
5	For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on quotation from Service provider.
6	Copy of visual images	
7	Transcription of an audio record, per A4-size page	R250.00
8	Copy of an audio record on: (i) Flash drive (to be provided by requestor) (ii) Compact disc • If provided by requestor	R450.00 R450.00 R460.00
9	To search for and prepare the record for disclosure for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation. To not exceed a total cost of	R650.00 R5000.00
10	Deposit: If search exceeds 6 hours	One third of amount per request calculated in terms of items 2 to 8.
11	Postage, e-mail or any other electronic transfer	Actual expense + 30%, if any.