




MANUAL ON ACCESS TO INFORMATION


SUMMARY: THIS DOCUMENT IS PREPARED IN COMPLIANCE WITH THE PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000 ("PAIA") (AS AMENDED) AND THE PROTECTION OF PERSONAL INFORMATION ACT NO.4 OF 2013 ("POPIA") AND CONTAINS INFORMATION ON HOW TO ACCESS INFORMATION IN THE POSSESSION OF ARMSCOR

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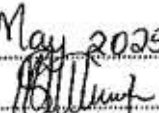

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1 SCOPE

The manual is prepared in terms of the provisions of the Promotion of Access to Information Act No. 2 of 2000 ("PAIA"), as amended as well the Protection of Personal Information Act No. 4 of 2013 ("POPIA") which gives effect to the constitutional right of access to any information held by the State and any information that is held by another person and that is required for the exercise or protection of any rights.

PAIA recognises certain limitations to the right of access to information, which limitations should be in a manner that balances that right of access to information with any other rights.

The main objective of POPIA is to promote the protection of personal information processed by public and private bodies. POPIA amended certain provisions of PAIA, balancing the need for access to information against the need to ensure the protection of personal information.

Armcor aims to foster a culture of transparency and accountability. This manual enables any member of the public to request information or access to records which are in possession of Armcor. It further outlines the request procedures for such records.

2 DOCUMENTS

2.1 Applicable Documents

- 2.1.1 Constitution of the Republic of South Africa of 1996
- 2.1.2 Act 51 of 2003 : Armaments Corporation of South Africa SOC Limited Act (Armcor Act)
- 2.1.3 Act 2 of 2000 : Promotion of Access to Information Act as amended
- 2.1.4 Act 4 of 2013 : Protection of Personal Information Act
- 2.1.5 Act 54 of 1997 : Legal Deposits Act
- 2.1.6 Act 75 of 1997 : Basic Conditions of Employment Act
- 2.1.7 Act 55 of 1998 : Employment Equity Act
- 2.1.8 Regulation No.187 of 15 February 2002: Regulations regarding the Promotion of Access to Information
- 2.1.9 Regulations relating to the Protection of Personal Information Act 2018

2.2 Reference Documents

- 2.2.1 Act 3 of 2000 : Promotion of Administrative Justice Act
- 2.2.2 Act 43 of 1996 : National Archives and Record Service of South Africa Act

2.2.3 A-PROC-10031 : Promotion of Access to Information Procedure

3 DEFINITIONS / ABBREVIATIONS

3.1 Definitions / Terminology / Word Descriptions

In the case of any inconsistency or contradictory definitions, the definitions in the applicable Acts shall take precedence.

3.1.1 Armscor

The Armaments Corporation of South Africa SOC Limited.

3.1.2 Access fee

A fee prescribed in terms of Sections 22 and 54 of PAIA, which a requester shall pay for the reproduction and search of a public record from Armscor.

3.1.3 Deputy Information Officer

The Group Executives as appointed by the Information Officer.

3.1.4 Information Officer

The Chief Executive Officer of Armscor or any other delegated/designated person.

3.1.5 Information Regulator

The Information Regulator established in terms of Section 39 of the Protection of Personal Information Act, 2013.

3.1.6 Nodal Point

The Armscor central point for the co-ordination and monitoring of requests received in terms of the PAIA.

3.1.7 Person

A natural or a juristic person.

3.1.8 Personal Requester

Any person seeking access to a record containing personal information about him/her in the possession or under the control of Armscor.

3.1.9 Processing of personal information

This will include any activity in which information is worked with, from the time that it is collected, up to the time that it is destroyed.

3.1.10 Public Body

Any other functionary or institution exercising a public power or performing a public function in terms of PAIA.

3.1.11 Readily Available Documents

Documents which have been declassified, and do not pose any danger to the safety and security of the Republic, and are available without a person having to request access to the documents in terms of the PAIA.

3.1.12 Record

Any recorded information, regardless of form or medium in the possession or under the control of that public or private body, respectively.

3.1.13 Request Fee

A prescribed fee in terms of Section 22(1) of PAIA, which a requester other than a personal requester shall pay before a request is processed.

3.1.14 Request for Access

The request for access to a record in the possession or under the control of Armscor.

3.1.15 Third Party

Any person (including but not limited to the government of a sovereign state, an international organisation, or an organ of that government or organisation) other than the requester concerned.

3.2 Abbreviations / Acronyms

3.2.1	CEO	: Chief Executive Officer
3.2.2	DOD	: Department of Defence
3.2.3	IO	: Information Officer
3.2.4	IR	: Information Regulator (South Africa)
3.2.5	PAIA	: Promotion of Access to Information Act
3.2.6	POPIA	: Protection of Personal Information Act
3.2.7	SCM	: Supply Change Management

4 RESPONSIBILITIES**4.1 Process Owner**

The Senior Manager: Legal Services is the process owner of this manual.

4.2 Communication

This document will be communicated by Corporate Communications division to all Armscor employees via the applicable communication media.

4.3 Implementation

This document is applicable from the time of official approval and it is the responsibility of all Armscor employees to implement it.

4.4 Review

This document shall be reviewed by the appointed review group when necessary, but at least every third year.

4.5 Data Management

Records resulting from this document shall be filed by the process owner of the records on the official filing system.

5 ACCESS TO THE ARMSCOR PAIA MANUAL

This manual is produced and published in four languages: Afrikaans, English, Northern Sotho and Zulu, in an attempt to broaden access into Armscor's information by all South Africans.

The manual will be made available in the following manner:

- a) Submitted at the Information Regulator (South Africa);
- b) Published on the Armscor website at www.armscor.co.za;
- c) Armscor Head Office.

To promote easy and speedy access to Armscor's records, the Chief Executive Officer, being the Information Officer in terms of PAIA, has appointed seven Deputy Information Officers, as provided for in terms of section 17 (3) of PAIA.

6 PARTICULARS IN TERMS OF SECTION 14 OF PAIA

6.1 The Core Functions of Armscor and Services available

- 6.1.1 The objectives of Armscor are to meet the defence matériel requirements of the Department of Defence ("DOD") effectively, efficiently and economically, and manage the defence technology, research, development, analysis, test and evaluation requirements of the Department effectively, efficiently and economically. (Section 3 of the Armscor Act)

One of the primary missions of Armscor is to acquire Category 1 Defence matériel, products, systems, facilities and services for the DOD and other clients. This includes Technology Acquisition, Capital Acquisition, Product and System Support Acquisition and Procurement. All activities from the identification of requirements up to the phasing-out of a user system are included.

Armcor also has a mandate to acquire Category 2 Non-defence matériel, products, systems, facilities and services for the DOD and other clients where required and subject to approval from the Minister of Defence.

In support of the aforementioned, Armcor must also promote the maintenance of strategic defence capabilities and establishment of required defence technologies and promote the local Defence Industry.

6.1.2 In terms of the Armcor Act (Section 4), Armcor must -

- a) Acquire such defence matériel on behalf of the Department as the Department may require;
- b) Manage such technology projects as may be required by the Department;
- c) Establish a programme management system in support of the acquisition and technology projects contemplated in paragraphs (a) and (b);
- d) Provide for a quality assurance capability in support of-
 - i) the acquisition and technology projects contemplated in paragraphs (a) and (b); and
 - ii) any other service contemplated in this section required by the Department;
- e) Establish a system for tender and contract management in respect of defence matériel and, if required in a service level agreement or if requested in writing by the Secretary for Defence, the procurement of commercial matériel;
- f) Dispose of defence matériel in consultation with the person who originally manufactured the matériel;
- g) Establish a compliance administration system for the Department as required by applicable international law, the National Conventional Arms Control Act 2002 (Act No. 41 of 2002), and the Non-Proliferation of Weapons of Mass Destruction Act, 1993 (Act No. 87 of 1993);
- h) Support and maintain such strategic and essential defence industrial capabilities, resources and technologies as may be identified by the Department;
- i) Provide defence operational research;
- j) Establish a defence industrial participation programme management system;
- k) Provide marketing support to defence-related industries in respect of defence matériel, in consultation with the Department and the defence-related industries in question;
- l) Manage facilities identified as strategic by the Department in a service level agreement; and

- m) Maintain such special capabilities and facilities as are regarded by the Corporation not to be commercially viable, but which may be required by the Department for security or strategic reasons.

6.1.3 Armscor MAY, with the approval of the Minister -

- a) Exploit such commercial opportunities as may arise out of the Corporation's duty to acquire defence matériel or to manage technology projects;
- b) Procure commercial matériel on behalf of any organ of state at the request of the organ of state in question; and
- c) Subject to the National Conventional Arms Control Act, 2002 (Act No. 41 of 2002), the Regulation of Foreign Military Assistance Act, 1998 (Act No. 15 of 1998), and the Non-Proliferation of Weapons of Mass Destruction Act, 1993 (Act No. 87 of 1993), perform any function which the Corporation may perform for or on behalf of the Department in terms of this Act for or on behalf sovereign any of State. Armscor renders services to the Department of Defence. Therefore as such the mandate of Armscor involves the defence of the Republic and demands that security considerations are of utmost importance. There is no arrangement or provision for a person by consultation, making representations or otherwise, to participate in or influence the formulation of public policy or the exercise of powers or performance of Armscor's duties.

6.2 The Contact Details of Armscor's Information Officer

The responsibility for administration of any information requests lies with the Armscor's Information Officer.

The contact details of Armscor's Information Officer and the deputy information officers are as follows:

6.2.1 Information Officer (IO)

Designation : Chief Executive Officer

Postal Address : Private Bag X337

Pretoria

0001

Telephone No. : 012 428 2188

E-mail Address : CEO@armscor.co.za

Street Address : 370 Nossob Street, cnr. Delmas Drive and Nossob Str

6.2.2 Deputy Information Officer (Delegated Section 17(3) PAIA)

Designation : Group Executive : Business Assurance (Delegated Section 17(3) PAIA)

Postal Address : Private Bag X337
Pretoria
0001

Telephone No. : 012 428 3270

E-mail Address : GE-BA@armscor.co.za

Street Address : 370 Nossob Street, cnr. Delmas Drive and Nossob Str

6.2.3 Deputy Information Officer (Delegated Section 17(3) PAIA)

Designation : Chief Financial Officer (Delegated Section 17(3)- PAIA)

Postal Address : Private Bag X337
Pretoria
0001

Telephone No. : 012 428 3661

E-mail Address : CFO@armscor.co.za

Street Address : 370 Nossob Street, cnr. Delmas Drive and Nossob Str

6.2.4 Deputy Information Officer (Designated Section 17(1) PAIA)

Designation : Group Executive : Research and Development (Designated Section 17(1) PAIA)

Postal Address : Private Bag X337
Pretoria
0001

Telephone No. : 012 428 2899

E-mail Address : GE-RnD@armscor.co.za

Street Address : 370 Nossob Street, cnr. Delmas Drive and Nossob Str

6.2.5 Deputy Information Officer (Designated Section 17(1) PAIA)

Designation : Group Executive : Corporate Support (Designated Section 17(1) PAIA)

Postal Address : Private Bag X337
Pretoria
0001

Telephone No. : 012 428 3515

E-mail Address : GE-CS@armscor.co.za

Street Address : 370 Nossob Street, cnr. Delmas Drive and Nossob Str

6.2.6 Deputy Information Officer (Designated Section 17(1) PAIA)

Designation : Executive Manager : Human Resources (Designated Section 17(1) PAIA)

Postal Address : Private Bag X337

Pretoria

0001

Telephone No. : 012 428 2120

E-mail Address : EM-HR@armscor.co.za

Street Address : 370 Nossob Street, cnr. Delmas Drive and Nossob Str

6.2.7 Deputy Information Officer (Designated Section 17(1) PAIA)

Designation : Senior Manager : Finance (Designated Section 17(1) PAIA)

Postal Address : Private Bag X337

Pretoria

0001

Telephone No. : 012 428 3064

E-mail Address : SM-FM@armscor.co.za

Street Address : 370 Nossob Street, cnr. Delmas Drive and Nossob Str

6.2.8 Deputy Information Officer (Designated Section 17(1) PAIA)

Designation : Chief Information & Technology Officer (Designated Section 17(1) PAIA)

Postal Address : Private Bag X337

Pretoria

0001

Telephone No. : 012 428 2788

E-mail Address : CITO@armscor.co.za

Street Address : 370 Nossob Street, cnr. Delmas Drive and Nossob Str

6.2.9 Armcor PAIA and POPIA Nodal Point

Designation : Armcor Legal Services
 Postal Address : Private Bag X337
 Pretoria
 0001
 Telephone No. : 012 428 2202
 E-mail Address : LegalS@armcor.co.za
 Street Address : 370 Nossob Street, cnr. Delmas Drive and Nossob Str

6.3 **Guide Issued by the Information Regulator (South Africa) (“Information Regulator”)**

The Information Regulator compiled a Guide that contains information to assist a person wishing to exercise their right of access to information in terms of PAIA. The same process applies to information sought in terms of POPIA.

The Guide is available on the Armcor website and Armcor Head Office (“HO”) in at least 3 official languages, the Information Regulator website <https://infoeregulator.org.za/paia-guidelines> or www.justice.gov.za. The contact details of the Information Regulator are as follows:

The Information Regulator (South Africa)

PAIA Unit

JD House

27 Stiemens Street

Braamfontein, Johannesburg

2001

P.O Box 31533, Braamfontein, Johannesburg, 2001

Telephone No : 010 023 5200

Website : www.infoeregulator.org.za

Email address : Enquiries@infoeregulator.org.za/

PAIAComplaints@infoeregulator.org.za

6.4 Readily Available Documents

6.4.1 These are documents which have been declassified, and do not pose any danger to the safety and security of the Republic, and are available without a person having to request access to them in terms of the PAIA.

The below records are automatically available:

- a) Armscor General Conditions of Contract;
- b) Armscor Management documents;

The list is a non-exhaustive list.

6.4.2 A requester may also request information that is available in terms of other legislation or request access for inspection of documents. This includes the following:

- a) Armscor Management Documents;
- b) Armscor Human Resources Documents;
- c) Armscor Finance and Administration Documents;
- d) Armscor Liaison and Relationship Management Documents;
- e) Armscor Operations Documents;
- f) Armscor Governance Documents;

The list is a non-exhaustive list.

6.5 Request Procedure

6.5.1 The requester must send a formal request for access to a record/information to the Nodal Point (contact details in paragraph 6.2.8). Should the requester be unable to send a written request, such a request will be made in accordance with paragraph 6.5.6.

Armscor retains records in the following subjects and categories:

Categories of Data Subjects	Personal Information that may be Processed
Natural Persons	Names and surnames, contact details (contact number(s), fax number, email address), Residential, postal or business address, Unique Identifier/Identity Number and confidential correspondence
Juristic Persons	Names of contact persons, Name of legal entity, physical and postal address, contact details (contact number(s), fax number, email address), registration number, financial, commercial, scientific or technical information and trade secrets

Categories of Data Subjects	Personal Information that may be Processed
Employees	Gender, pregnancy status, marital status, race, age, language, educational information (qualifications), financial information, employment history, ID number, physical and postal address, contact details (contact number(s), fax number, email address), criminal background, well-being and their relatives (family members), medical, nationality, ethnic or social origin, physical or mental health, well-being, disability, religion, biometric information of the person

Categories of subjects and categories of personal information relating thereto

Subjects on which the Armscor holds records	Categories of records held on each subject
Human Resources	HR policies and procedures, advertised posts, employees records, learning and development, employment equity plan and statistics, previous employees details
Contractors/service providers	Company registration details, contact details and banking details, details of services rendered and fees paid, demographic information
Strategic documents, Plans, Proposals	Annual Reports, Strategic Plans

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

Category of personal information	Recipients or Categories of Recipients
Identity number and names, for criminal checks	South African Police Services
Qualifications, for qualification verification	South African Qualifications Authority
Credit and payment history, for credit information	Credit Bureaus

6.5.2 The Nodal Point will supply the requester with a form to be completed.

- 6.5.3 The prescribed form must be completed to enable the Nodal Point to identify –
- a) The record or records requested;
 - b) The identity of the requester;
 - c) The capacity in which the request is made;
 - d) Which form of access is required, if the request is granted; and
 - e) The contact details of the requester.
- 6.5.4 The completed form must be submitted, together with proof of payment to the Nodal Point.
- 6.5.5 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.
- 6.5.6 If an individual is unable to complete the prescribed form because of illiteracy or disability, such person may make the request orally and it will be reduced to writing on the prescribed form by the Nodal Point and a copy provided to the requester.
- 6.5.7 The requester must where applicable, pay the prescribed request fee before any further processing of the request can take place. The request fee will be determined by taking into account reproduction costs, search and preparation time and costs, as well as courier costs.

Arm Scor's banking details:

Beneficiary : Arm Scor
 Bank : ABSA Bank
 Branch : Menlyn, Pretoria Branch
 Branch Code : 632005
 Account No : 2310143807
 Deposit Ref : SP 180204040149081200

- 6.5.8 The requester shall be informed whether access is granted or denied. If, in addition, the requester wishes to be informed of the decision on the request, the requester must state the manner and the necessary particulars so required.
- 6.5.9 The Nodal Point shall withhold a record until the requester has paid the request fees.
- The 30 (thirty) day period may be extended for a further period of not more than 30 (thirty) days if the request entails a large amount of information, or the request requires a search for information held at another location and the information cannot reasonably be obtained within the original 30 (thirty) day period.
- 6.5.10 Arm Scor is entitled to refuse a request for information in terms of PAIA. Records deemed confidential on the part of a third party, will require permission from the

third party concerned, in addition to normal requirements, before the granting of access may be considered.

- 6.5.11 The grounds for Armscor to refuse a request for information are the prohibition on the processing of special personal information, if the records are classified as special personal information in terms of POPIA and the protection of the privacy of a third party who is a natural person or a deceased or a juristic person, as included in POPIA, which involve the reasonable disclosure of personal information of that natural or juristic record.
- 6.5.12 In the event that a requested record cannot be found or if the record does not exist, the Information Officer shall by way of an affidavit or affirmation, notify the requester that it is not possible to give access to the requested record.
- 6.5.13 Should the record be found later, the requester shall be given access to the record in the manner stipulated by the requester in the prescribed form, unless the Information Officer refuses access to such record.
- 6.5.14 In the event that access to a record or information is not granted, the requester may seek an appropriate remedy namely that the requester may lodge an internal appeal or complaint to the Information Regulator and/or an application with a court of law.
- 6.5.15 **Purpose Of Processing**
The purpose for processing personal information is in compliance with Section 14(1)(c) of PAIA and Section 17 of POPIA, and any other legislation and regulation i.e Employment Equity Act 55 of 1998, business administration purposes.
- 6.5.16 **Transborder Flows Of Personal Information**
Armscor may transfer personal information in countries outside the Republic of South Africa subject to POPIA, and provided that the third party who is the recipient of the information is subject to a law, binding corporate rules or binding agreement which provide an adequate level of protection equivalent to that of POPIA.
- 6.5.17 **Security Measures**
Armscor takes extensive information security measures to ensure that the information is processed lawfully and in a reasonable manner that does not infringe the privacy of the data subject. It treats the personal information which comes to its knowledge as confidential and does not disclose it, unless required by law or in the course of the proper performance of its duties. Armscor takes appropriate technical and organisational measures designed to ensure that personal data remains protected and secure against unauthorised or unlawful processing or access, and against accidental loss, destruction or damage.

7 ARMSCOR'S ORGANISATIONAL STRUCTURE

