LIXIL

Link to Good Living

PAIA MANUAL

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

DATE OF COMPILATION: UNKNOWN
DATE OF REVISION 3: 05/05/2026

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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. DESCRIPTION OF THE RECORDS OF LIXIL AFRICA (PTY) LTD WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION

No	Ref	Act
1	No 61 of 1973	Companies Act
2	No 98 of 1978	Copyright Act
3	No 55 of 1998	Employment Equity Act
4	No 95 of 1967	Income Tax Act
5	No 66 of 1995	Labour Relations Act
6	No 89 of 1991	Value Added Tax Act
8	No 75 of 1997	Basic Conditions of Employment Act
10	No 25 of 2002	Electronic Communications and Transactions Act
11	No 2 of 2000	Promotion of Access of Information Act (POPIA,2013)
12	No 30 of 1996	Unemployment Insurance Act
13	No 1 of 2017	FICA Act (Amended)

3. PURPOSE OF PAIA MANUAL

This PAIA Manual is useful for the public to:

3.1 check the categories of records held by a body 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 the body, by providing a description of the subjects on which the body holds records and the categories of records held on each subject;

3.3 know the description of the records of the body 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 who will assist the public with the records they intend to access;

3.5 know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;

3.6 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;

3.7 know the description of the categories of data subjects and of 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 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

3.10 know whether the body has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

4. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF LIXIL AFRICA (PTY) LTD

4.1. **Chief Information Officer**

Name: Rajendra Naidoo
Tel: 0860 212121
Email: raj.naidoo@lixil.com
Cell Number : 0828895877

4.2. **Deputy Information Officer**

Name: Michelle Lowe
Tel: 0860212121
Email: michelle.lowe@lixil.com
Cell Number: 072 130 3558

4.3 **Access to information general contacts**

Email: raj.naidoo@lixil.com

4.4 **Head Office**

Postal Address: Block F Saint Andrews Office Park, 0B Meadowbrook Lane

Epsom Downs Bryanston

Physical Address: Suite 8 & 9, Block F, Saint Andrews Office Park,

0B Meadowbrook Lane, Epsom Downs, Bryanston

Telephone: 0860 212121 Email: raj.naidoo@lixil.com

Website: www.lixil.com

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 English and other official languages.

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[1] and section 56 of POPIA[2];

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[3]; and

5.3.3.2. access to a record of a private body contemplated in section 50[4];

5.3.4. the assistance available from the IO of a public body in terms of PAIA and POPIA;

5.3.5. the assistance available from the 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

[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.

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[5] and 51[6] 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[7] and 52[8] 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[9] and 54[10] regarding fees to be paid in relation to requests for access; and

5.3.10. the regulations made in terms of section 92[11].

[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."

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

4.5.1. upon request to the Information Officer;

4.5.2. from the website of the Regulator (https://www.justice.gov.za/inforeg/).

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

5..6.1 English, Afrikaans

6. CATEGORIES OF RECORDS OF THE LIXIL AFRICA (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
Public Affairs	• Public Product Information • Media Releases	X	
Financial	• Financial Statements • Financial and TAX Records • Asset Register • Management Accounts		X

Marketing	• Market Information • Public Customer Information • Field Records • Performance Records • Marketing Strategies • Customer Database		X

7. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY THE LIXIL AFRICA (PTY) LTD

Subjects on which the body holds records	Categories of records
Finance	• Annual Financial Statements • Tax Returns • Accounting Records and financial dealings • Banking Records • Bank Statements • Paid Cheques • Electronic banking records • Asset Register • Rental Agreements • Invoices • Customer Details-Vat Numbers-delivery addresses-email addresses-client company details • Budgets • Management Accounts • Purchasing and Order Information • Stock Records • Tax Records (company and employee) • Client and Customer Registry

Human Resources	• HR policies and procedures • Advertised posts • Employment contracts • Employment Equity Plan • Disciplinary records • Salary records • SETA records • Disciplinary code • Leave records • Training records • Training Manuals • Employee Identity Numbers • Employee addresses • Employee names • Staff administration (employee records and information) • Staff includes potential and existing staff • General Correspondence • Information relating to Health and Safety Regulations • Performance Appraisals • Personnel Guidelines, Policies and Procedures • Remuneration Records and Policies
	• Skills Requirements • Staff Recruitment Policies • Training Records • Attendance registers • Correspondence
Legal & Compliance	• All Contracts • Insurance Policies • Lease Agreements • Building Layout & EHS
Marketing	• Marketing and Future Strategies • Marketing Records • Production Records • Sales Records • Suppliers Registry

IT	• Information Security Policies • Handover documents for IT resources • System Access Forms • Copy of onboarding document

8. PROCESSING OF PERSONAL INFORMATION

8.1 Purpose of Processing Personal Information

Processing of Personal Information is required by law. Processing is necessary to conclude an obligation imposed by a contract to which the Data Subject is a party. Processing is done to protect the legitimate interest of the Data Subject.

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, tax numbers
Service Providers	names, registration number, vat numbers, address, trade secrets and bank details
Employees	Identity numbers, address, qualifications, gender and race

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, Service Provider that do criminal checks, Other group companies, service providers eg. Pension fund, government bodies e.g. Department of Labour
Qualifications, for qualification verifications	South African Qualifications Authority, internal Group companies and Service Provider's, Advisor's
Credit and payment history, for credit information	Credit Bureaus for purposes of credit being granted to Lixil Africa (Pty) Ltd, Banks, Other group companies, FIC
Tax rebates	South African Revenue Service

8.4 Planned transborder flows of personal information

LIXIL Africa shares personal information of their employees, customers and suppliers, cross border with the consent in most instances of the said parties mainly amongst affiliated companies (China, Japan, UAE, Kenya and Germany) .Adequate Cyber Security measures are in place and documents are stored in google cloud. Usually stored in Cyber locations with data privacy laws being with equal stature.

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

8.5.1 A internal onsite firewall, which restricts access from external sources who are non LIXIL affiliated companies.

8.5.2 All end user devices are loaded with anti-virus software (Symantec endpoint protection) as well as data encrypting tool.

9. AVAILABILITY OF THE MANUAL

9.1 A copy of the Manual is available

9.1.1 on www.lixil.com , if any;

9.1.2 head office of the **LIXIL AFRICA(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 Information Officer for LIXIL AFRICA (PTY) LTD will on a regular basis update this manual.
Issued by

RAJ NAIDOO INFORMATION OFFICER

CORRIE ANN STRIDE LEADER - SOUTHERN AND EAST AFRICA, LIXIL, IMEA