

**INFORMATION MANUAL**  
regarding  
**PROTECTION OF PERSONAL INFORMATION ACT SECTION 4 OF 2013 (“POPI”)**  
for  
**Lindsay Coutts Gardens - t/a Garden Greening (“Garden Greening” “We” “Us”)**  
**Company Registration No. 1995/009027/23**

**INTRODUCTION**

This Manual is published in terms of Protection of Personal Information Act Section 4 Of 2013 (“the Act”) and addresses the requirements of Protection of Personal Information Act (“POPIA”) in South Africa. The Act gives effect to the provisions of Section 32 of the South African Constitution, which provides for the right of access to information held by the State, as well as for information held by another person that is required for the exercise and / or protection of any right.

The reference to any information, in addition to that which is specifically required in terms of Section 4 of the Act, does not create any right or entitlement, either contractual or otherwise, to receive such information, other than is described in terms of the Act.

**OVERVIEW**

Garden Greening supplies garden services to private homes, companies, housing complexes, ambassadorial residence, flats, office complexes and health club grounds throughout the Cape Town Southern Suburbs (including Claremont, Constantia and Tokai), City Bowl, Sea Point and Camps Bay.

Garden Greening supports the constitutional right of access to information in South Africa. We are committed to providing the public access to our records in accordance with the provisions of the Act, the confidentiality we owe third parties and the principles of South African law.

**AVAILABILITY OF THIS MANUAL**

A copy of this Manual is available on our website [www.gardengreening.co.za](http://www.gardengreening.co.za) or by forwarding an email request for a copy to our Information Officer. The Manual may also be acquired from the South African Human Rights Commission (“SAHRC”) at the addresses set out below or from the Government Printers. This Manual will be updated from time to time, as and when required.

**HOW TO REQUEST ACCESS TO RECORDS HELD BY GARDEN GREENING?**

Any request for access to records held by Garden Greening must be made on the request forms that are available on our website or from headquarters, or from the SAHRC website ([www.sahrc.org.za](http://www.sahrc.org.za)) or the Department of Justice and Constitutional Development ([www.doj.gov.za](http://www.doj.gov.za)) (under “regulations”).

Any written request for access to records must be made to our Information Officer at the postal address or electronic mail address provided below.

The petitioner must provide sufficient detail in his or her request form to enable our Information Officer to identify the both record/s and the petitioner. In addition, the petitioner should indicate which form of access is required and indicate whether he or she wishes to be informed in any other manner, clearly stating the necessary particulars that pertain to being so informed.

The petitioner must identify the right that he or she is seeking to exercise, or protect, and so provide us with an explanation as to why the requested record is required for the exercise or protection of that right. If a request is made on behalf of another person, the petitioner must submit proof of the capacity in which the

petitioner is issuing the request, to the satisfaction of Garden Greening's Information Officer. The standard form that must be used for the making of requests can be accessed from [www.gardengreening.co.za](http://www.gardengreening.co.za) Failure to use this form could result in your request to be refused or otherwise delayed if you do not provide sufficient information.

Kindly note, all requests to Garden Greening will be evaluated and measured in accordance with the Act. Publication of this Manual and describing the categories and subject matter of information held by Garden Greening does not give rise to any rights, in contract or otherwise, to access such information or records, except in terms of the Act.

#### **CONTACT DETAILS**

Name of Private Body: Garden Greening  
Designated Information Officer: Lindsay Coutts  
Email address of Information Officer: [info@gardengreening.co.za](mailto:info@gardengreening.co.za)  
Postal address: P.O. Box 6919, Roggebaai 8012  
  
Physical address: c/o Woodlands & Ravenscraig Rds., Woodstock, Cape Town, 7925  
Phone numbers: 021 4485121 / 021 4485109

#### **HOW TO ACCESS THE GUIDE AS DESCRIBED IN SECTION 10 OF THE ACT?**

The Guide described in Section 10 of the Act was published in August 2003. From that date it has been available from the South African Human Rights Commission.

Please direct any queries to:

The South African Human Rights Commission:  
PAIA Unit  
The Research and Documentation Department  
Postal address: Private Bag 2700  
Houghton  
2041

Telephone: [+27 11 484-8300](tel:+27114848300)

Fax: +27 11 484-0582

Website: [www.sahrc.org.za](http://www.sahrc.org.za)

E-mail: [paia@sahrc.org.za](mailto:paia@sahrc.org.za)

#### **VOLUNTARY DISCLOSURE**

Garden Greening has not published a notice in terms of Section 52(2) of the Act, however, it should be noted that information relating to Garden Greening and its services are freely available on our website.

Certain additional information relating to Garden Greening may also be made available on our website from time to time. In addition, further information in the form of marketing and advertising material and other public communication may be made available from time to time.

#### **RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION**

Information is available in terms of the following legislation to the persons or entities specified in such legislation:

- Companies Act 61 of 1973
- Copyright Act No. 98 of 1978
- Basic Conditions of Employment No. 75 of 1997
- Income Tax Act 95 of 1967
- Value Added Tax Act 89 of 1991
- Labour Relations Act 66 of 1995
- Basic Conditions of Employment Act 75 of 1997

- Employment Equity Act 55 of 1998
- Skills Development Levies Act 9 of 1999
- Skills Development Act No. 97 of 1998
- Unemployment Insurance Act No. 63 of 2001
- Unemployment Contributions Act No. 4 of 2002
- Value Added Tax Act No. 89 of 1991
- Electronic Communications and Transactions Act 25 of 2002.
- Promotion of Access to Information Act No. 2 of 2000
- Telecommunications Act No. 103 of 1996
- Electronic Communications Act No. 36 of 2005
- ICASA Act No. 13 of 2000
- Film and Publications Act No. 65 of 1996 Regional Services Councils Act No. 109 of 1985
- Regulation of Interception of Communications and Provision of Communication-related Information Act No. 70 of 2002

### **RECORDS HELD BY GARDEN GREENING**

Garden Greening maintains records that fall into the following categories and subject matters. Please note, however, that recording said categories or the subject matter in this Manual does not imply that a request for access to such records will be satisfied. All requests for access will be evaluated on a case-by-case basis, in accordance with the provisions of the Act.

### **INTERNAL RECORDS**

The following are records pertaining to Garden Greening own affairs and those of its divisions:

- Memorandum and Articles of Association
- Financial records
- Operational records
- Licenses
- Intellectual property
- Marketing records
- Internal correspondence
- Product records
- Statutory records
- Internal policies and procedures
- Records held by the officials of Garden Greening

### **EMPLOYEE RECORDS**

The term, 'Employee', refers to any individual who works for, or provides services to, or on behalf of Garden Greening and who receives, or is entitled to receive, any remuneration, as well as any other person who assists in carrying out or conducting the business of Garden Greening. This includes, without limitation, the organisation's directors, executive directors, non-executive directors, all permanent, temporary and part-time employees as well as contract workers. Employee records include the following:

- Any personal records provided to Garden Greening by their employees;
- Conditions of employment and other employee-related contractual and quasi-legal records;
- Internal evaluation records;
- Other internal records and correspondence.

### **CLIENT RECORDS**

Please note, Garden Greening is dedicated to protecting the confidential information of its clients. Therefore, please motivate any request for client information thoroughly and with care, with regard to Sections 63 to 67 of the Act.

Client information includes the following:

- Any records a client has provided to Garden Greening or a third party acting for or on behalf of Garden Greening;
- Contractual information;
- Client needs assessments;
- Personal records of clients;
- Credit information and other research conducted in respect of clients;
- Any records a third party has provided to Garden Greening about clients;
- Confidential, privileged, contractual and quasi-legal records of clients;
- Client evaluation records;
- Client profiling;
- Performance research conducted on behalf of clients or about clients;
- Any records a third party has provided to Garden Greening either directly or indirectly;
- Records generated by or within Garden Greening pertaining to clients, including transactional records.

#### **OTHER PARTIES**

Records are retained by Garden Greening in respect of other parties, including without limitation the organisation's contractors, suppliers, joint ventures and service providers. In addition, such other parties may possess records, which can be said to belong to Garden Greening. The following records fall under this category:

- Employees, clients or Garden Greening's records that are held by another party, as opposed to being held by Garden Greening;
- Records held by Garden Greening that apply to other parties, including financial records, correspondence, contractual records, electronic mail, logs, cached information, records provided by the other party, and records third parties have provided about their contractors/suppliers or client.

#### **OTHER RECORDS**

Further records that are held include:

- Information relating to Garden Greening's own commercial activities; and
- Research carried out on behalf of a client by Garden Greening or commissioned from a third party for a client;
- Research information belonging to Garden Greening, whether carried out on behalf of itself or commissioned from a third party.