



PROMOTION OF ACCESS TO INFORMATION MANUAL FOR ORANGE REALTY (PTY) Ltd

Prepared in accordance with Section 51 of the Promotion of Access to Information Act, 2 of 2000, and incorporating the Protection of Personal Information Act, 4 of 2013

1. Introduction

This manual has been prepared in accordance with the Promotion of Access to Information Act (PAIA) and updated to reflect the requirements of the Protection of Personal Information Act (POPIA). It is intended to provide information about the records held by the Company and how to access them.

2. Company Details

Name of Business: Orange Realty (PTY) Ltd
Registration Number: 2015/084783/07
Nature of Business: Residential Property Sales, Rentals
Physical Address: 64 Rae Frankel Street, Brackenhurst
Postal Address: 64 Rae Frankel Street, Brackenhurst
Telephone: 011 867 4272
Email: info@orangerealty.co.za
Website: www.orangerealty.co.za

3. Information Officer Details

Information Officer: Estelle von Berg
Telephone: 011 867 4272
Email: estelle@orangerealty.co.za

4. Purpose of the Manual

This manual is intended to provide a record of the types of information held by the Company and to explain how individuals can access this information, in accordance with PAIA. It also reflects the Company's commitment to upholding the constitutional right of access to information while protecting the privacy and personal information of individuals, as required by POPIA.

5. Guide on how to use PAIA

The South African Human Rights Commission (SAHRC) and the Information Regulator have compiled a guide containing information to assist any person wishing to exercise any right contemplated in PAIA. The guide is available in all official languages from the Information Regulator's official website.

Website: <https://inforegulator.org.za/paia-guidelines/>
Tel: 010 023 5200
Email: complaints.IR@justice.gov.za

6. Schedule of Records Held by the Agency (Section 51 (1)(d))

The following categories of records are generated and stored by the Agency in its normal course of property practice operations. Records are grouped into the following categories:

6.1 Operational & Mandate Records:

- Exclusive, ERL and open mandates, landlord rental mandates
- Offers to Purchase and Lease Agreements
- FICA verification documentation (ID's, proof of residence, Tax and banking details)
- FICA risk profile checklists and compliance frameworks

5.2 Financial & Corporate Records

- Annual Financial Statements, tax returns and VAT recons
- Audit reports under the Property Practitioners Authority
- Asset registries and Insurance policies

5.3 Human Resources

- Employment contracts and independent contractor agent agreements
- Payroll profiles, PAYE records and performance tracking
- Personnel records
- Client records
- Supplier and contractor records

7. Applicable Legislation

The Company is subject to various legislation including, but not limited to, and maintains records and documentation in terms of the following legislation, which may be accessible under separate procedures defined within those specific laws:

- Promotion of Access to Information Act, 2 of 2000
- Protection of Personal Information Act, 4 of 2013
- Property Practitioners Act, 22 of 2019
- Companies Act, 71 of 2008
- Basic Conditions of Employment Act, 75 of 1997
- Employment Equity Act, 55 of 1998
- Unemployment Insurance Act, 63 of 2001
- Income Tax Act, 58 of 1962
- Financial Intelligence Centre Act, No 38 of 2001 (FICA)

8. POPIA Protection of Personal Information Framework

8.1 Purpose of Processing Personal Information:

The Agency processes personal information for the following specific purposes:

- Marketing, listing, selling and leasing residential and agricultural property
- Verification of consumer profiles under statutory requirements (FICA)
- Facilitating transactions with third-party suppliers (Conveyancers, Bond Originators)
- Managing employer-employee and independent contractor agent relationships

8.2 Categories of Data Subjects and Information Processes:

- **Clients** (Sellers/Buyers/Landlords/Tenants): Names, identity numbers, contact details, financial capacity details, physical addresses, bank details.
- **Agents and Staff:** Identity records, banking details, qualifications, commission structures, contact numbers.
- **Service Providers:** Invoice history, registration details, company profiles, service level agreements.

8.3 Recipients of Personal Information:

Information may be disclosed to the following entities if legally or contractually relevant:

- Appointed Conveyancers / Transferring Attorneys
- Mortgage or Bond Originators
- The Financial Intelligence Centre (FIC) or Property Practitioners Regulatory Authority (PPRA) under legal compulsion>

8.4 Information Security Measures

The Agency employs structural security safeguards to protect personal data from unauthorised access:

- Digital access controls via unique credentials and mandatory anti-virus suites.
- Physical lock-and-key storage safeguards for physical file archives.
- Confirmed POPIA compliance undertakings from all structural operators and data processors.

9. Request Procedure

To request access to a record held by the Agency, the requester must complete the prescribed Form 2 (available on the Information Regulator website and at Orange Realty's office) and submit it to the Information Officer email designated in Section 3.

The request must provide sufficient detail to enable the Information Officer to identify the record and the requester.

The following details must be provided:

- Full name and contact details of requester
- Description of the record requested
- Form of access required
- Explicitly specify the reason the record is required to exercise or protect a right

- Copy of ID or proof of authority if acting on behalf of another person

10. Grounds for Refusal of Access

Access may be refused in terms of PAIA if the information:

- Involves the unreasonable disclosure of personal or confidential information
- Is legally privileged
- Could harm the commercial or financial interests of the Company or third parties
- Is protected under legislation or agreements
- Would endanger individual safety or property
- Is frivolous or vexatious

11. Remedies for Refusals

If a request is refused, the requester may:

- Lodge a complaint with the Information Regulator
- Apply to a court of law for appropriate relief

This must be done within 180 days of the decision.

12. Fees

Fees may be charged as prescribed by the Department of Justice. These include:

- A request fee (non-refundable)
- An access fee (based on reproduction and time)

Fee details are available at: <https://www.justice.gov.za/paia/paia.htm> or <https://inforegulator.org.za/>

13. Availability of the Manual

This manual is available:

- At the Company's physical office
- On the Company website
- By request from the Information Officer