

POPIA POLICY

Policy statement and manual of Protection of Personal, Information and the Retention of Documents for Umtshingo Trading 23(Pty) LTD (Registration number 2005/00179707). Hereinafter referred to as Avicom.

Last Updated: JULY 2021

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A: PROTECTION OF PERSONAL INFORMATION IN TERMS OF THE PROTECTION OF PERSONAL INFORMATION ACT OF 2013

PROTECTION OF PERSONAL INFORMATION ACT, 4 OF 2013 INSIGHT CONNECTION'S POPI POLICY 2018

INTRODUCTION

1. Avicom is a company functioning within the Audio Visual and Video Conferencing Sector, that is obligated to comply with The Protection of Personal Information Act 4 of 2013. POPI requires Avicom to inform their employees, suppliers' and clients as to the manner in which their personal information is used, disclosed and destroyed. Avicom is committed to protecting its employees, suppliers and client's privacy and ensuring that their personal information is used appropriately, transparently, securely and in accordance with applicable laws.

The Policy sets out the manner in which Avicom deals with their employees, suppliers and clients, personal information and stipulates the purpose for which said information is used. The Policy is made available on request from Avicom head office and on Avicom website www.avicom.co.za.

PERSONAL INFORMATION COLLECTED

2. **Section 9** of POPI states that *"Personal Information may only be processed if, given the purpose for which it is processed, it is adequate, relevant and not excessive."*
3. Avicom collect and processes employees, suppliers and client's personal information pertaining to employees, suppliers and client's requirements. The type of information will depend on the need for which it is collected and will be processed for that purpose only. Whenever possible, Avicom will inform employees, suppliers and clients as to the information required and the information deemed optional. Examples of personal information we collect include, but is not limited to:
 - i. The employees, suppliers and client's Identity number, name, surname, address, postal code, marital status, and number of dependants;
 - ii. Description of the employees, suppliers and client's residence and business addresses;
 - iii. Employment history
 - iv. Any other information required by Avicom in order to provide employees, suppliers and clients with an accurate analysis of the employees, suppliers and client's suitability for any specific role, profile, service or product.
4. Avicom aim to have agreements in place with all third-party service providers to ensure a mutual understanding with regard to the protection of the employees, suppliers and client's personal information.

Avicom suppliers will be subject to the same regulations as applicable to Avicom. With the employees, suppliers and client's consent, Avicom may also supplement the information

provided with information Avicom receives from other providers in order to offer a more consistent and personalised experience in the employees, suppliers and client's interaction with Avicom. For purposes of this Policy, employees, suppliers and client's include potential and existing employees, suppliers and clients.

THE USAGE OF PERSONAL INFORMATION

5. Employees, suppliers and clients' Personal Information will only be used for the purpose for which it was collected and as agreed.
6. This may include:
 - i. Providing products or services to employees, suppliers and clients and to carry out the transactions requested;
 - ii. Applications for open job opportunities;
 - iii. Confirming, verifying and updating employees and/or suppliers' details;
 - iv. Conducting market or customer satisfaction research;
 - v. For audit and record keeping purposes;
 - vi. In connection with legal proceedings;
 - vii. The provision of employment to employees, purchasing goods and or services from suppliers and providing goods and/or services; to render the services requested and to maintain and constantly improve the relationship;
 - viii. In connection with and to comply with legal and regulatory requirements or when it is otherwise allowed by law.
7. According to section 10 of POPI, personal information may only be processed if certain conditions, listed below, are met:
 - i. The employees, suppliers and clients consent to the processing: - consent is obtained from employees, suppliers and clients during the introductory, appointment and needs analysis stage of the relationship;
 - ii. The necessity of processing: in order to conduct an accurate analysis of the employees, suppliers and clients 's needs.
 - iii. Processing complies with an obligation imposed by law on Avicom;
 - iv. Processing protects a legitimate interest of the employees, suppliers and/or clients — it is in the employees, suppliers and/or clients' best interest to have a full and proper needs analysis performed in order to provide them with an applicable and beneficial product or service.
 - v. Processing is necessary for pursuing the legitimate interests of Avicom or of a third party to whom information is supplied — in order to provide Avicom employees with employment and, suppliers and clients with products and or services. Both Avicom and any of our product suppliers require certain personal information from the clients and/or suppliers in order to make an expert decision on the unique and specific product and or service required.

DISCLOSURE OF PERSONAL INFORMATION

8. Avicom may disclose an employee, suppliers and client's personal information to any of the Avicom subsidiaries, joint venture companies and or approved product supplier or third-party service providers whose services or products clients require use of. Avicom have agreements in place to ensure compliance with confidentiality and privacy conditions.
9. Avicom may also share employees and/or suppliers' personal information with, and obtain information about employees, suppliers and clients s from third parties for the reasons already discussed above.
10. Avicom may also disclose an employee, suppliers and client's information where it has a duty or a right to disclose in terms of applicable legislation, the law, or where it may be deemed necessary in order to protect Avicom rights.

SAFEGUARDING CLIENT INFORMATION

11. It is a requirement of POPI to adequately protect personal information. Avicom will continuously review its security controls and processes to ensure that Personal Information is secure.
 - i. Avicom INFORMATION OFFICER whose details are available below and who is responsible for the compliance with the conditions of the lawful processing of personal information and other provisions of POPI.
 - ii. THIS POLICY has been put in place throughout Avicom, and training on this policy and the POPI Act, has already taken place further training will be conducted during July 2021 by Avicom
 - iii. Each new employee will be required to sign an EMPLOYMENT CONTRACT containing relevant consent clauses for the use and storage of employee information, or any other action so required, in terms of POPI;
 - iv. Every employee currently employed within Avicom will be required to sign an addendum to their EMPLOYMENT CONTRACTS containing relevant consent clauses for the use and storage of employee information, or any other action so required, in terms of POPI;
 - v. Avicom archived employees, suppliers and clients 's information is stored on premises in a secured room and on Computer. Access to retrieve information is limited to authorised personal.
 - vi. Avicom product suppliers, insurers and other third-party service providers will be required to sign a SERVICE LEVEL AGREEMENT guaranteeing their commitment to the Protection of Personal Information; this is however an ongoing process that will be re-evaluated as needed.

ACCESS AND CORRECTION OF PERSONAL INFORMATION

12. Employees, suppliers and clients have the right to access the personal information Avicom holds about them. Clients also have the right to ask Avicom to update, correct or delete their personal information on reasonable grounds. Once a, supplier and/or clients object to the

processing of their personal information, Avicom may no longer process said personal information. Avicom will take all reasonable steps to confirm its, suppliers and client's identity before providing details of their personal information or making changes to their personal information.

a. The details of Avicom 's Information Officer and Head Office are as follows:

Information Officer:	Farieda Razack
Telephone Number:	021 531 3146
Fax number:	021 531 6266
E-Mail Address:	admin@avicom.co.za

Head Office Details

Telephone Number:	021 531 3146
Fax number:	021 531 6266
Postal Address:	P.O. Box 16279 Vlaeberg 8018
Physical Address:	A29 Pinelands Business Park Avonduur Road Pinelands
Mail Address:	admin@avicom.co.za

AMENDMENTS TO THIS POLICY

13. Amendments to, or a review of this Policy, will take place on an *ad hoc* basis or at least once a year. Employees, suppliers and clients are advised that amended documentation will be provided on request.

B: POLICY ON THE RETENTION & CONFIDENTIALITY OF DOCUMENTS, INFORMATION AND ELECTRONIC TRANSACTIONS

PURPOSE

14. To exercise effective control over the retention of documents and electronic transactions:

- a. as prescribed by legislation; and

- b. as dictated by business practice.
15. Documents need to be retained in order to prove the existence of facts and to exercise rights the Company may have. Documents are also necessary for defending legal action, for establishing what was said or done in relation to business of the Company and to minimise the Company's reputational risks.
 16. To ensure that the Company's interests are protected and that the Company's employees, suppliers and client's rights to privacy and confidentiality are not breached.
 - a. Queries may be referred to the Information Officer.

SCOPE & DEFINITIONS

17. All documents and electronic transactions generated within and/or received by the Company.
 - a. **Definitions:**
 - i. **Employees, suppliers and clients** includes, but are not limited to, shareholders, debtors, creditors as well as the affected personnel and/or departments related to a service division of the Company.
 - ii. **Confidential Information** refers to all information or data disclosed to or obtained by the Company by any means whatsoever.
 - iii. **Constitution:** Constitution of the Republic of South Africa Act, 108 of 1996.
 - iv. **Data** refers to electronic representations of information in any form.
 - v. **Documents** include books, records, accounts and any information that has been stored or recorded electronically, photographically, magnetically, mechanically, electro-mechanically or optically, or in any other form.
 - vi. **ECTA:** Electronic Communications and Transactions Act, 25 of 2002.
 - vii. **Electronic communication** refers to a communication by means of data messages.
 - viii. **Electronic signature** refers to data attached to, incorporated in, or logically associated with other data and which is intended by the user to serve as a signature.
 - ix. **Electronic transactions** include e-mails sent and received.
 - x. **PAIA:** Promotion of Access to Information Act, 2 of 2000.

ACCESS TO DOCUMENTS

18. All Company and employees, suppliers and client's information must be dealt with in the strictest confidence and may only be disclosed, without fear of redress, in the following circumstances (also see clause 20 b) below):
 - xi. where disclosure is under compulsion of law;
 - xii. where there is a duty to the public to disclose;

- xiii. where the interests of the Company require disclosure; and
- xiv. where disclosure is made with the express or implied consent of the client.

DISCLOSURE TO 3RD PARTIES

19. All employees have a duty of confidentiality in relation to the Company, clients and clients/shareholders and suppliers.

xv. Information on employees, suppliers and clients right to confidentiality is protected in the Constitution and in terms of ECTA. Information may be given to a 3rd party if the employees, suppliers and clients has consented in writing to that person receiving the information.

xvi. Requests for company information:

1. These are dealt with in terms of PAIA, which gives effect to the constitutional right of access to information held by the State or any person (natural and juristic) that is required for the exercise or protection of rights. Private bodies, like the Company, must however refuse access to records if disclosure would constitute an action for breach of the duty of secrecy owed to a third party.

2. In terms hereof, requests must be made in writing on the prescribed form to the Company Secretary, who is also the Information Officer in terms of PAIA. The requesting party has to state the reason for wanting the information and has to pay a prescribed fee.

xvii. Confidential company and/or business information may not be disclosed to third parties as this could constitute industrial espionage. The affairs of the Company must be kept strictly confidential at all times.

b. The Company views any contravention of this policy very seriously and employees who are guilty of contravening the policy will be subject to disciplinary procedures, which may lead to the dismissal of any guilty party.

STORAGE OF DOCUMENTS

20. Hard Copies

- i. Documents are stored in lockable storage at Avicom office at A29 Pinelands Business Park, Avonduur Road, Pinelands.
- ii. Electronic data is saved on "One drive" and hard drives.

21. The Basic Conditions of Employment Act requires a retention period of 3 years for the documents mentioned below:

c. Section 29(4):

- i. Written particulars of an employee after termination of employment;

d. Section 31:

- i. Employee's name and occupation;

- ii. Time worked by each employee;
 - iii. Remuneration paid to each employee;
 - iv. Date of birth of any employee under the age of 18 years.
 - v. Employment Equity Act, No 55 of 1998:
22. Section 26 and the General Administrative Regulations, 2009, Regulation 3(2) requires a retention period of 3 years for the documents mentioned below:
- e. Records in respect of the company's workforce, employment equity plan and other records relevant to compliance with the Act;
23. The Unemployment Insurance Act, applies to all employees and employers except:
- f. Workers working less than 24 hours per month;
 - g. Learners;
 - h. Public servants;
 - i. Foreigners working on a contract basis;
 - j. Workers who get a monthly State (old age) pension;
 - k. Workers who only earn commission.
24. Section 56(2)(c) requires a retention period of 5 years, from the date of submission, for the documents mentioned below:
- l. Employers must retain personal records of each of their current employees in terms of their names, identification number, monthly remuneration and address where the employee is employed.
 - i. 5.1.12 Tax Administration Act, No 28 of 2011:
25. Section 29 of the Tax Administration Act, states that records of documents must be retained to:
- m. Enable a person to observe the requirements of the Act;
 - n. Are specifically required under a Tax Act by the Commissioner by the public notice;
 - o. Will enable SARS to be satisfied that the person has observed these requirements.
26. Section 29(3)(a) requires a retention period of 5 years, from the date of submission for taxpayers that have submitted a return and an indefinite retention period, until the return is submitted, then a 5-year period applies for taxpayers who were meant to submit a return.
27. Section 29(3)(b) requires a retention period of 5 years from the end of the relevant tax period for taxpayers who were not required to submit a return, but had capital gains/losses or engaged in any other activity that is subject to tax or would be subject to tax but for the application of a threshold or exemption.
28. Section 32(a) and (b) require a retention period of 5 years but records must be retained until the audit is concluded or the assessment or decision becomes final, for documents indicating that a person has been notified or is aware that the records are subject to an audit or

investigation and the person who has lodged an objection or appeal against an assessment or decision under the TAA.

i. Income Tax Act, No 58 of 1962:

29. Schedule 4, paragraph 14(1)(a) - (d) of the Income Tax Act requires a retention period of 5 years from the date of submission for documents pertaining to each employee that the employer shall keep:

- p. Amount of remuneration paid or due by him to the employee;
- q. The amount of employee's tax deducted or withheld from the remuneration paid or due;
- r. The income tax reference number of that employee;
- s. Any further prescribed information;
- t. Employer Reconciliation return.

30. Schedule 6, paragraph 14(a)-(d) requires a retention period of 5 years from the date of submission or 5 years from the end of the relevant tax year, depending on the type of transaction for documents pertaining to:

- u. Amounts received by that registered micro business during a year of assessment;
- v. Dividends declared by that registered micro business during a year of assessment;
- w. Each asset as at the end of a year of assessment with cost price of more than R 10 000;
- x. Each liability as at the end of a year of assessment that exceeded R 10 000.

i. Value Added Tax Act, No 89 of 1991:

31. Section 15(9), 16(2) and 55(1)(a) of the Value Added Tax Act and Interpretation Note 31, 30 March requires a retention period of 5 years from the date of submission of the return for the documents mentioned below:

- y. Where a vendor's basis of accounting is changed the vendor shall prepare lists of debtors and creditors showing the amounts owing to the creditors at the end of the tax period immediately preceding the changeover period;
- z. Importation of goods, bill of entry, other documents prescribed by the Custom and Excise Act and proof that the VAT charge has been paid to SARS;
- aa. Vendors are obliged to retain records of all goods and services, rate of tax applicable to the supply, list of suppliers or agents, invoices and tax invoices, credit and debit notes, bank statements, deposit slips, stock lists and paid cheques;
- bb. Documentary proof substantiating the zero rating of supplies;
- cc. Where a tax invoice, credit or debit note, has been issued in relation to a supply by an agent or a bill of entry as described in the Customs and Excise Act, the agent shall maintain sufficient records to enable the name, address and VAT registration number of the principal to be ascertained.

ELECTRONIC STORAGE

32. The internal procedure requires that electronic storage of information: important documents and information must be referred to and discussed with the Information Officer for the indexing, storage and retrieval thereof.
33. Scanned documents: If documents are scanned, the hard copy must be retained for as long as the information is used or for 1 year after the date of scanning, with the exception of documents pertaining to personnel. Any document containing information on the written particulars of an employee, including: employee's name and occupation, time worked by each employee, remuneration and date of birth of an employee under the age of 18 years; must be retained for a period of 3 years after termination of employment.
34. Section 51 of the Electronic Communications Act No 25 of 2005 requires that personal information and the purpose for which the data was collected must be kept by the person who electronically requests, collects, collates, processes or stores the information and a record of any third party to whom the information was disclosed must be retained for a period of 1 year or for as long as the information is used. It is also required that all personal information which has become obsolete must be destroyed.

DESTRUCTION OF DOCUMENTS

35. Documents may be destroyed after the termination of the retention periods listed above. Registration will request departments to attend to the destruction of their documents and these requests shall be attended to as soon as possible.
36. Each department is responsible for attending to the destruction of its documents, which must be done on a regular basis. Files must be checked in order to make sure that they may be destroyed and also to ascertain if there are important original documents in the file. Original documents must be returned to the holder thereof, failing which, they should be retained by the Company pending such return.
37. After completion of the process in 37 above, the Information Officer shall, in writing, authorise the removal and destruction of the documents in the authorisation document. These records will be retained by Registration.
38. The documents are then made available for collection by the removers of the Company's documents, who will also ensure that the documents are shredded before disposal. This also helps to ensure confidentiality of information.
39. Documents may also be stored off-site, in storage facilities approved by the Company.

PAIA Policy

MANUAL

as prescribed by the provisions of

THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000

PURPOSE OF THE MANUAL

This Manual:

- 1.1. for the purposes of PAIA, details the procedure to be followed by a Requester and the manner in which a Request for Access will be facilitated; and
- 1.2. for the purposes of POPIA, amongst other things, details the purpose for which Personal Information may be processed; a description of the categories of Data Subjects for whom the Company Processes Personal Information as well as the categories of Personal Information relating to such Data Subjects; And the recipients to whom Personal Information may be supplied.

2. COMPANY DETAILS

- 2.1. The details of the Company are as follows:

Physical address: A29 Pinelands Business Park
Avonduur Road
Pinelands

Postal address: P.O. Box 16279
Vlaeberg
8018

Telephone number: 021 531 3146

3. CONTACT DETAILS OF THE INFORMATION OFFICER

- 3.1. The Information Officer's contact details are as follows:

Farieda Razack

Telephone number: 021 531 3146

Physical address A29 Pinelands Business Park
Avonduur Road
Pinelands

Postal address: P. O. Box 16279
Vlaeberg
8018

Email Address: admin@avicom.co.za

THE SOUTH AFRICAN HUMAN RIGHTS COMMISSION

3.2. The SAHRC has compiled a guide, as contemplated in section 10 of the South African Human Rights Commission Act, 2013 (“the Act”) containing information to assist any person who wishes to exercise any right as contemplated in the Act.

3.3. This guide is available from the SAHRC at

Postal address: Private Bag X2700
Houghton
2041

Website: www.sahrc.org.za

Telephone number: 011 877 3600

Fax number: 011 403 0668

4. PUBLICATION AND AVAILABILITY OF CERTAIN RECORDS IN TERMS OF PAIA

4.1. Schedule of Records

4.1.1. The Schedule of Records as contained in Appendix 1 of this Manual details the Records that are held and/or Processed by the Company for the purposes of PAIA and POPIA respectively. Such Access to such Records may not be granted if they are subject to the grounds of refusal which are specified in clause 7 below.

4.2. List of applicable legislation

4.2.1. The Company retains records which are required in terms of legislation other than PAIA.

4.2.2. Certain legislation provides that private bodies shall allow certain persons access to specified records, upon request. Legislation that may be consulted to establish whether the Requester has a right of access to a record other than in terms of the procedure set out in the PAIA are set out in Appendix 2.

5. GROUNDS FOR REFUSAL OF ACCESS TO RECORDS IN TERMS OF PAIA

The following are the grounds on which the Company may, subject to the exceptions contained in Chapter 4 of PAIA, refuse a Request for Access in accordance with Chapter 4 of PAIA:

5.1. mandatory protection of the privacy of a third party who is a natural person, including a deceased person, where such disclosure of Personal Information would be unreasonable;

- 5.2. mandatory protection of the commercial information of a third party, if the Records contain:
 - 5.2.1. trade secrets of that third party;
 - 5.2.2. financial, commercial, scientific or technical information of the third party, the disclosure of which could likely cause harm to the financial or commercial interests of that third party; and/or
 - 5.2.3. information disclosed in confidence by a third party to the Company, the disclosure of which could put that third party at a disadvantage in contractual or other negotiations or prejudice the third party in commercial competition;
- 5.3. mandatory protection of confidential information of third parties if it is protected in terms of any agreement;
- 5.4. mandatory protection of the safety of individuals and the protection of property;
- 5.5. mandatory protection of Records that would be regarded as privileged in legal proceedings;
- 5.6. protection of the commercial information of the Company, which may include:
 - 5.6.1. trade secrets;
 - 5.6.2. financial/commercial, scientific or technical information, the disclosure of which could likely cause harm to the financial or commercial interests of the Company;
 - 5.6.3. information which, if disclosed, could put the Company at a disadvantage in contractual or other negotiations or prejudice the Company in commercial competition; and/or
 - 5.6.4. computer programs which are owned by the Company, and which are protected by copyright and intellectual property laws;
- 5.7. Research information of the Company or a third party, if such disclosure would place the research or the researcher at a serious disadvantage; and
- 5.8. Requests for Records that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources.

6. INFORMATION OR RECORDS NOT FOUND

If the Company cannot find the records that the Requester is looking for despite reasonable and diligent search and it believes either that the records are lost or that the records are in its possession but unattainable, the Requester will receive a notice in this regard from the Information Officer in the

form of an affidavit setting out the measures taken to locate the document and accordingly the inability to locate the document.

7. REMEDIES AVAILABLE TO THE REQUESTER UPON REFUSAL OF A REQUEST FOR ACCESS IN TERMS OF PAIA

- 7.1. The Company does not have internal appeal procedures. As such, the decision made by the Information Officer is final, and Requesters will have to exercise such external remedies at their disposal if the Request for Access is refused.
- 7.2. In accordance with sections 56(3) (c) and 78 of PAIA, a Requester may apply to a court for relief within 180 days of notification of the decision for appropriate relief.

8. PROCEDURE FOR A REQUEST FOR ACCESS IN TERMS OF PAIA

- 8.1. A Requester must comply with all the procedural requirements as contained in section 53 of PAIA relating to a Request for Access to a Record.
- 8.2. A Requester must complete the prescribed Request for Access form attached as **Appendix 3**, and submit the completed Request for Access form as well as payment of a request fee (if applicable) and a deposit (if applicable), to the Information Officer at the postal or physical address, facsimile number or electronic mail address stated in clause 4 above.
- 8.3. The Request for Access form must be completed with enough detail so as to enable the Information Officer to identify the following:
 - 8.3.1. the Record/s requested;
 - 8.3.2. the identity of the Requester;
 - 8.3.3. the form of access that is required, if the request is granted;
 - 8.3.4. the postal address or fax number of the Requester; and
 - 8.3.5. the right that the Requester is seeking to protect and an explanation as to why the Record is necessary to exercise or protect such a right.
- 8.4. If a Request for Access is made on behalf of another person, the Requester must submit proof of the capacity in which the Requester is making the request to the reasonable satisfaction of the Information Officer.
- 8.5. If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally.

- 8.6. The Company will voluntarily provide the requested Records to a Personal Requester (as defined in section 1 of PAIA). The prescribed fee for reproduction of the Record requested by a Personal Requester will be charged in accordance with section 54(6) of PAIA and paragraph 11 below.

9. FEES

- 9.1. When the Request for Access is received by the Information Officer, the Information Officer will by notice require the Requester, other than a Personal Requester, to pay the prescribed request fee (if any), before further processing of the Request for Access.
- 9.2. Prescribed request fees are set out in PAIA and/or the regulations thereto.
- 9.3. If the search for a Record requires more than the prescribed hours for this purpose, the Information Officer will notify the Requester to pay as a deposit, the prescribed portion of the access fee (being not more than one third) which would be payable if the Request for Access is granted.
- 9.4. The Information Officer will withhold a Record until the Requester has paid the requisite fees in terms of PAIA.
- 9.5. A Requester whose Request for Access to a Record has been granted, must pay an access fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the Record for disclosure, including making arrangements to make it available in a requested form provided for in PAIA.
- 9.6. If a deposit has been paid in respect of a Request for Access which is refused, the Information Officer will repay the deposit to the Requester.

10. DECISION TO GRANT ACCESS TO RECORDS

- 10.1. The Company will decide whether to grant or decline the Request for Access within 30 days of receipt of the Request for Access and must give notice to the Requester with reasons (if required) to that effect.
- 10.2. The period referred to above may be extended for a further period of not more than 30 days if the Request for Access is for a large number of Records or the Request for Access requires a search for Records held at another office of the Company and the Records cannot reasonably be obtained within the original 30-day period.

- 10.3. The Company will notify the Requester in writing should an extension of time as contemplated above be required.
- 10.4. If, in addition to a written reply from the Information Officer, the Requester wishes to be informed of the decision on the Request for Access in any other manner, the Requester must state the manner and particulars so required.

11. AVAILABILITY OF THE MANUAL

- 11.1. This Manual is made available in terms of PAIA and section 4 of the Regulations to POPIA.
- 11.2. This Manual is also available on request.
- 11.3. This Manual is further available at the offices of SAHRC and at the offices of the Company for inspection during normal business hours. No fee will be levied for inspection as contemplated in this clause.
- 11.4. Copies of the Manual can be obtained from the Information Officer. A fee will be levied for copies of the manual in accordance with Appendix 5.

Appendix 1

Description of the subjects on which the Company holds records, and the categories of records held on each subject. Each of these records are available on request in terms of PAIA

1 Client Services Records

- | | |
|--|----------------------------------|
| 1.1 Client correspondence; | 1.2 Client fee files; |
| 1.3 Client contracts; | 1.4 Client business information; |
| 1.5 Legal documentation; | 1.6 Working papers. |
| 1.7 Proposal and tender documents; | 1.8 Project plans; |
| 1.9 Risk management records; Solution methodologies; | |
| 1.10 Standard terms and conditions of supply of goods and/or services; | |

2 Corporate Governance

- | | |
|--------------------------------|--|
| 2.1 Codes of conduct; | 2.2 Corporate social investment records; |
| 2.3 Board meeting minutes; and | 2.4 Executive committee meeting minutes; |
| 2.5 Legal compliance records; | 2.6 Policies. |

3 Finance and Administration

- | | |
|----------------------------------|----------------------------------|
| 3.1 Accounting records; | 3.2 Annual financial statements; |
| 3.3 Agreements; Banking records; | 3.4 Correspondence; |
| 3.5 Purchase orders. | 3.6 Remittances; |
| 3.7 Invoices and statements; | 3.8 Tax records and returns; |
| 3.9 Statistics SA returns; and | |

4 Human Capital

- | | |
|-------------------------------------|--|
| 4.1 BEE statistics; | 4.2 Career development records; |
| 4.3 Personnel information; | 4.4 Employment equity reports; |
| 4.5 General terms of employment; | 4.6 Letters of employment; |
| 4.7 Leave records. | 4.8 PAYE records and returns; |
| 4.9 Performance management records; | 4.10 Assessments; Policies and procedures; |
| 4.11 UIF returns; | 4.12 Retirement benefit |
| 4.13 Medical Aid records; and | |

5 Information Management and Technology

- | | |
|-------------------------------|---|
| 5.1 Agreements; | 5.2 Equipment register; |
| 5.3 Information policies; and | 5.4 standards, procedures and guidelines. |

6 Learning and Education

- 6.1 Training material;
- 6.2 Training records and statistics;
- 6.3 Learnership Programmes.
- 6.4 Training agreements; and

7 Library and Information and Research Centre

- 7.1 External publications;
- 7.2 Internal publications;
- 7.3 Reference works;
- 7.4 Periodicals; and
- 7.5 Research files and articles.

8 Marketing and Communication

- 8.1 Proposal documents;
- 8.2 New business development;
- 8.3 Brand information management;
- 8.4 Marketing strategies;
- 8.5 Communication strategies;
- 8.6 Agreements;
- 8.7 Client relationship programmes;
- 8.8 Marketing publications and brochures; and
- 8.9 Sustainability programmes.

9 Operations

- 9.1 Access control records;
- 9.2 Agreements;
- 9.3 Archival administration documentation;
- 9.4 Communication strategies;
- 9.5 General correspondence;
- 9.6 Patents and Trade Mark documents;
- 9.7 Insurance documentation;
- 9.8 PABX management information;
- 9.9 Service level agreements;
- 9.10 Standard trading terms and conditions of supply of services and goods;
- 9.11 Travel documentation;
- 9.12 Procurement agreements and documentation;
- 9.13 Used order books;
- 9.14 Vehicle registration documents; and
- 9.15 Cellular phone registration documents, including RICA.

10 Secretarial Services

- 10.1 Applicable statutory documents, including but not limited to, certificates of incorporation and certificates to commence business;
- 10.2 Corporate structure documents;
- 10.3 Memoranda and Articles of Association;
- 10.4 Share registers;
- 10.5 Statutory Returns to relevant authorities;
- 10.6 Share certificates;
- 10.7 Shareholder agreements;
- 10.8 Minutes of meetings; and
- 10.9 Resolutions passed.

LIST OF APPLICABLE LEGISLATION

Administration of Adjudication of Road Traffic Offences Act 46 of 1998 Advertising on Roads & Ribbon Development Act 21 of 1940
Basic Conditions of Employment Act 75 of 1997
Bills of Exchange Act 34 of 1964
Broad-Based Black Economic Empowerment Act 53 of 2003 Broadcasting Act 4 of 1999
Companies Act 71 of 2008
Compensation for Occupational Injuries and Diseases Act 130 of 1993 Competition Act 89 of 1998
Constitution of South Africa Act 108 of 1996
Consumer Protection Act 68 of 2009
Copyright Act 98 of 1987
Criminal Procedure Act 51 of 1977
Currency & Exchanges Act 9 of 1933
Customs and Excise Act 91 of 1964
Electronic Communications and Transactions Act 2 of 2000 Employment Equity Act 55 of 1998
Environment Conservation Act 73 of 1989
Financial Advisory & Intermediary Services Act 37 of 2002 Financial Intelligence Centre Act 38 of 2001
Firearms Control Act 60 of 2000
Formalities in Respect of Leases of Land Act 18 of 1969 Health Act 63 of 1977
Income Tax Act 58 of 1962
Labour Relations Act 66 of 1995
Long Term Insurance Act 52 of 1998
National Building Regulations and Building Standards Act 103 of 1997 National Credit Act 34 of 2005
National Environmental Management Act 107 of 1998
National Environmental Management: Air Quality Act 39 of 2004 National Environmental Management: Waste Act 59 of 2008 National Water Act 36 of 1998
National Road Traffic Act 93 of 1996
Occupational Health and Safety Act 85 of 1993
Patents Act 57 of 1987
Pension Funds Act 24 of 1956
Prescription Act 18 of 1943

Prevention & Combating of Corrupt Activities Act 12 of 2004
Prevention of Constitutional Democracy Against Terrorist & Related Activities Act 33 of 2004
Prevention of Organised Crime Act 121 of 1998
Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000 Protected Disclosures Act 26 of 2000
Regulation of Interception of Communications and Provisions of Communication Related Information Act 70 of 2002
Sales and Service Matters Act 25 of 1964
Second-Hand Goods Act 23 of 1955
Securities Services Act 36 of 2004
Securities Transfer Act 25 of 2007
Short-Term Insurance Act 53 of 1998
Skills Development Act 97 of 1997
Skills Development Levies Act 9 of 1999
South African Reserve Bank Act 90 of 1989
The South African National Roads Agency Limited & National Roads Act 7 of 1998 Tobacco Products Control Act 12 of 1999
Trade Marks act 194 of 1993
Transfer Duty Act 40 of 1949
Unemployment Insurance Act 63 of 2001
Unemployment Insurance Fund Contributions Act 4 of 2002 Value-Added Tax Act 89 of 1991

Although we have used our best endeavours to supply a list of applicable legislation, it is possible that this list may be incomplete. Whenever it comes to our attention that existing or new legislation allows a Requester access on a basis other than as set out in PAIA, we shall update the list accordingly. If a Requester believes that a right of access to a record exists in terms of other legislation listed above or any other legislation, the Requester is required to indicate what legislative right the request is based on, to allow the Information Officer the opportunity of considering the request in light thereof

ACCESS REQUEST FORM - RECORD OF PRIVATE BODY

(Section 53(1) of the Promotion of Access to Information Act, 2000) [Regulation 10]

COMPLETION OF ACCESS REQUEST FORM

1. The Access Request Form must be completed.
2. Proof of identity is required to authenticate the identity of the requester. Attach a copy of the requester's identification document.
3. Type or print in BLOCK LETTERS an answer to every question.
4. If a question does not apply, state "N/A".
5. If there is nothing to disclose in reply to a question, state "nil".
6. When there is insufficient space on a printed form, additional information may be provided on an attached folio, and each answer on such folio must reflect the applicable title

1. Particulars of Private body

The Information Officer:

Physical address:

Postal address:

Email Address:

2. Particulars of Requester (if natural person)

a) The particulars of the person who requests access to the record must be given below.
--

b) The address and/or fax number in the Republic to which the information is to be sent must be given.

c) Proof of the capacity in which the request is made, if applicable, must be attached

Full names and surname: _____

Identity number: _____

Postal address: _____

Fax number: _____

Telephone number: _____

Email address: _____

Capacity in which request is made, when made on behalf of another person:

3. Particulars of Requester (if a legal entity)

a) The particulars of the entity that requests access to the record must be given below.

b) The address and/or fax number in the Republic to which the information is to be sent.

c) Proof of the capacity in which the request is made, if applicable, must be attached.
--

Name: _____

Registration number: _____

Postal address: _____

Fax number: _____

Telephone number: _____

Email address: _____

4. Particulars of person on whose behalf request is made

This section must be completed ONLY if a request for information is made on behalf of another person.

Full names and surname: _____

Identity number: _____

5. Particulars of record

a) 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.

b) If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

1. Description of record or relevant part of the record:

2. Reference number, if available:

3. Any further particulars of record

6. Fees

a) A request for access to a record, other than a record containing personal information about yourself, will be processed only after a non-refundable request fee of R57,00 has been paid.

b) The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.

c) You will be notified of the amount required to be paid as the access fee.

d) If you qualify for exemption of the payment of any fee, please state the reason for exemption.

Reason for exemption from payment of fees:

7. Form of access to record

Mark the appropriate box with an X.

NOTES:

(a) Compliance with your request in the specified form may depend on the form in which the record is available.

(b) Access in the form requested may be refused under certain circumstances. In such a case you will be informed whether access will be granted in another form.

(c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

1. If the record is in written or printed form:					
<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of a record		
2. If record consists of visual images. (photographs, slides, video recordings, computer-generated images, sketches, etc):					
<input type="checkbox"/>	view the images copy of the images	<input type="checkbox"/>	transcription of the images*		
3. If record consists of recorded information that can be reproduced in sound:					
<input type="checkbox"/>	listen to the soundtrack (audio cassette)	<input type="checkbox"/>	transcription of soundtrack* (written or printed document)		
4. If record is held on computer or in an electronic or machine-readable form:					
<input type="checkbox"/>	printed copy of record*	<input type="checkbox"/>	in computer readable form* (compact disc)		
*If you are requesting a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable			<table border="1"> <tr> <td>YES</td> <td>NO</td> </tr> </table>	YES	NO
YES	NO				

8. In the event of disability

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.

Disability:	Form in which record is required:

9. Particulars of right to be exercised or protected

If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

1. Indicate which right is to be exercised or protected:

2. Explain why the record requested is required for the exercise or protection of the aforementioned right:

10. Notice of decision regarding request for access

You will be notified in writing whether your request has been approved/denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

Signed at _____ on this _____ day of _____ 20__

SIGNATURE OF REQUESTER/ PERSON ON WHOSE BEHALF THE REQUEST IS MADE

FEES

1. The fee for a copy of the manual as contemplated in regulation 9(2)(c) is R1,10 for every photocopy of an A4-size page or part thereof.
2. The fees for reproduction referred to in regulation 11(1) are as follows:

			R
(a)		For every photocopy of an A4-size page or part thereof	1,10
(b)		For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,75
(c)		For a copy in a computer-readable form on -	
(d)	(i)	For a transcription of visual images, for an A4-size page or part thereof	40,00
	(ii)	For a copy of visual images	60,00
(e)	(i)	For a transcription of an audio record, for an A4-size page or part thereof	20,00
	(ii)	For a copy of an audio record	30,00

3. The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2) is R50,00.
4. The access fees payable by a requester referred to in regulation 11(3) are as follows:

			R
(1) (a)		For every photocopy of an A4-size page or part thereof	1,10
(b)		For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,75
(c)		For a copy in a computer-readable form on -	
(d)	(i)	For a transcription of visual images, for an A4-size page or part thereof	40,00
	(ii)	For a copy of visual images	60,00
(e)	(i)	For a transcription of an audio record, for an A4-size page or part thereof	20,00
	(ii)	For a copy of an audio record	30,00

- 5 For purposes of section 54(2) of PAIA, the following applies:
 - 5.1 Six hours as the hours to be exceeded before a deposit is payable; and
 - 5.2 one third of the access fee is payable as a deposit by the requester.
- 6 The actual postage is payable when a copy of a record must be posted to a requester

Part 1

PROCESSING OF PERSONAL INFORMATION IN ACCORDANCE WITH POPIA

Purpose of the Processing of Personal Information	Type of Processing
<ol style="list-style-type: none"> 1. To provide services to the Customer in accordance with terms agreed to by the Customer; 2. To undertake activities related to the provision of services and transactions, including: <ol style="list-style-type: none"> 2.1. to fulfil foreign and domestic legal, regulatory and compliance requirements and comply with any applicable treaty or agreement with or between foreign and domestic governments applicable to the Company 2.2. to verify the identity of Customer representatives who contact the Company or may be contacted by the Company; 2.3. for risk assessment, information security management, statistical, trend analysis and planning purposes; 2.4. to monitor and record calls and electronic communications with the Customer for quality, training, investigation and fraud prevention purposes; 2.5. for crime detection, prevention, investigation and prosecution; 2.6. to enforce or defend the Company's rights; and 2.7. to manage the Company's relationship with the Customer. 3. The purposes related to any authorised disclosure made in terms of agreement, law or regulation; 4. Any additional purposes expressly authorised by the Customer; and 5. Any additional purposes as may be notified to the Customer or Data Subjects in any notice provided by the Company 	<p>Collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction</p>

Categories of Data Subjects and categories of Personal Information relating thereto

Categories of Data Subjects of and categories of Personal Information relating thereto	Data Subject	Personal Information Processed
<p>Customer:</p> <ul style="list-style-type: none"> ▪ Corporate <p>Customer Profile information including: account details, payment information, corporate structure, customer risk rating and other customer information including to the extent the categories of information relate to individuals or representatives of customers (e.g., shareholders, directors, etc.) required for the above-mentioned purposes.</p> <ul style="list-style-type: none"> ▪ Individual; <p>Name; contact details (Company E-Mail Address, Company Telephone Number), client details (Home Facsimile Number, Home Postal Address, Home Telephone Number, Personal Cellular, Mobile or Wireless Number, Personal E-Mail Address); regulatory identifiers (e.g., tax identification number); Account information (Bank Account Currency Code, Bank Account Id, Bank Account Name, Bank Account Number, Bank Account Type, Bank account balance); transaction details and branch details; “know-your customer” data, photographs; other identification and verification data as contained in images of ID card, passport and other ID documents; images of customer signatures)</p>	<ul style="list-style-type: none"> • Natural Persons; • Juristic Persons. 	<p>Personal data relating to a Data Subject received by or on behalf of the Company from the Customer, Customer affiliates and their respective representatives and related parties in the course of providing accounts and services to the Customer or in connection with a transaction or services.</p> <p>Customer personal data may include names, contact details, identification and verification information, nationality and residency information, taxpayer identification numbers, voiceprints, bank account and transactional information (where legally permissible), to the extent that these amount to personal data under POPIA.</p>
<p>Payment beneficiaries:</p> <p>Bank Account Currency Code, Bank Account Id, Bank Account Name, Bank Account Number, Bank Account Type; beneficiary address, transaction details; payment narrative and, for certain data transferred from the UK only, National Insurance numbers.</p>		
<p>Personnel:</p> <p>Name; employee ID number; business contact details (address/telephone number/email address)</p>		

Recipients of Personal Information

The Company, its affiliates and their respective representatives

Part 4

Cross border transfers of Personal Information

When making authorized disclosures or transfers of personal information in terms of section 72 of POPIA, Personal Data may be disclosed to recipients located in countries which do not offer a level of protection for those data as high as the level of protection as South Africa.

Part 5

Description of information security measures

The Company undertakes to institute and maintain the data protection measures to accomplish the following objectives outlined below. The details given are to be interpreted as examples of how to achieve an adequate data protection level for each objective. The Company may use alternative measures and adapt to technological security development, as needed, provided that the objectives are achieved.

1. Access Control of Persons

The Company shall implement suitable measures in order to prevent unauthorized persons from gaining access to the data processing equipment where the data are processed.

2. Data Media Control

The Company undertakes to implement suitable measures to prevent the unauthorized manipulation of media, including reading, copying, alteration or removal of the data media used by the Company and containing personal data of Customers.

3. Data Memory Control

The Company undertakes to implement suitable measures to prevent unauthorized input into data memory and the unauthorized reading, alteration or deletion of stored data.

4. User Control

The Company shall implement suitable measures to prevent its data processing systems from being used by unauthorized persons by means of data transmission equipment.

5. Access Control to Data

The Company represents that the persons entitled to use the Company's data processing system are only able to access the data within the scope and to the extent covered by their respective access permissions (authorization).

6. Transmission Control

The Company shall be obliged to enable the verification and tracing of the locations / destinations to which the personal information is transferred by utilization of the Company's data communication equipment / devices.

7. Transport Control

The Company shall implement suitable measures to prevent Personal Information from being read, copied, altered or deleted by unauthorized persons during the transmission thereof or during the transport of the data media.

8. Organization Control

The Company shall maintain its internal organization in a manner that meets the requirements of this Manual

OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION IN TERMS OF SECTION 11(3) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013

REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018

Note:

1. Affidavits or other documentary evidence as applicable in support of the objection may be attached.
2. If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.
3. Complete as is applicable.

A	DETAILS OF DATA SUBJECT
Name(s) and surname/ registered name of data subject:	
Unique Identifier/ Identity Number	
Residential, postal or business address:	
Contact number(s):	
Fax number / E-mail address:	
B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname/ registered name of data subject:	
Residential, postal or business address:	
Contact number(s):	
Fax number / E-mail address:	
C	REASONS FOR OBJECTION IN TERMS OF SECTION 11(1)(d) to (f) (Please provide detailed reasons for the objection)

Signed at _____ this _____ day of _____ 20_____

Signature of data subject/designated person

REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION OR DESTROYING OR DELETION OF RECORD OF PERSONAL INFORMATION IN TERMS OF SECTION 24(1) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013

REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018 [Regulation 3]

Note:

1. Affidavits or other documentary evidence as applicable in support of the request may be attached.
2. If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.
3. Complete as is applicable.

Mark the appropriate box with an "X".

Request for:

Correction or deletion of the personal information about the data subject which is in possession or under the control of the responsible party.

Destroying or deletion of a record of personal information about the data subject which is in possession or under the control of the responsible party and who is no longer authorised to retain the record of information.

A	DETAILS OF DATA SUBJECT
Name(s) and surname/ registered name of data subject:	
Unique Identifier/ Identity Number	
Residential, postal or business address:	
Contact number(s):	
Fax number / E-mail address:	
B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname/ registered name of data subject:	
Residential, postal or business address:	
Contact number(s):	

Fax number / E-mail address:	
C	REASONS FOR OBJECTION IN TERMS OF SECTION 11(1)(d) to (f) (Please provide detailed reasons for the objection)
D	REASONS FOR *CORRECTION OR DELETION OF THE PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(a) WHICH IS IN POSSESSION OR UNDER THE CONTROL OF THE RESPONSIBLE PARTY; and or REASONS FOR *DESTRUCTION OR DELETION OF A RECORD OF PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(b) WHICH THE RESPONSIBLE PARTY IS NO LONGER AUTHORISED TO RETAIN. (Please provide detailed reasons for the request)