

kohde

KOHDE (PTY) LTD
REGISTRATION NUMBER: 2015/160531/07

PAIA MANUAL

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

DOCUMENT REF.	POPIA-3
VERSION:	1.0
DATE OF COMPILATION:	29/03/2022
DATE OF REVISION:	29/03/2022

Revision History

Version	Date	Revision Author	Summary of Changes

Distribution

Name	Title
Johan van der Walt	Information Officer
Grant Jubber	Deputy Information Officer
Jacobus Cronjé van Schalkwyk	Deputy Information Officer
The general public, through publication on company website	

Approval

Name	Position	Signature	Date
Johan van der Walt	Information Officer		29 March 2022

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1. DEFINITIONS

- 1.1 **"Client"** refers to any natural or juristic person that received or receives services from the Company;
- 1.2 **"Company"** means means Kohde (Pty) Ltd, a private company, duly incorporated in terms of the Companies Act, 2008, with Registration Number 2015/160531/07, as well as any of its current or future associated brands or entities, including, Kohde Ops (Pty) Ltd, Registration number: 2019/098603/07;
- 1.3 **"Conditions for Lawful Processing"** means the conditions for the lawful processing of Personal Information as fully set out in chapter 3 of POPIA;
- 1.4 **"Constitution"** means the Constitution of the Republic of South Africa, 1996;
- 1.5 **"Data Subject"** has the meaning ascribed thereto in section 1 of POPIA;
- 1.6 **"Head of the Company"** means the "head" as defined in section 1 of PAIA and referred to in clause 4;
- 1.7 **"Information Officer"** means the Chief Executive as referred to in clause 5;
- 1.8 **"Manual"** means this manual prepared in accordance with section 51 of PAIA and regulation 4(1) (d) of the POPIA Regulations;
- 1.9 **"PAIA"** means the Promotion of Access to Information Act, 2000;
- 1.10 **"Personal Information"** has the meaning ascribed thereto in section 1 of POPIA;
- 1.11 **"Personnel"** refers to any person who works for, or provides services to or on behalf of the Company, and receives or is entitled to receive remuneration and any other person who assists in carrying out or conducting the business of the Company, which includes, without limitation, directors (executive and non-executive), all permanent, temporary and part-time staff as well as contract workers;
- 1.12 **"POPIA"** means the Protection of Personal Information Act, 2013;
- 1.13 **"POPIA Regulations"** mean the regulations promulgated in terms of section 112(2) of POPIA;
- 1.14 **"Private Body"** has the meaning ascribed thereto in sections 1 of both PAIA and POPIA;
- 1.15 **"Processing"** has the meaning ascribed thereto in section 1 of POPIA;
- 1.16 **"Responsible Party"** has the meaning ascribed thereto in section 1 of POPIA;
- 1.17 **"Record"** has the meaning ascribed thereto in section 1 of PAIA and includes Personal Information;

- 1.18 **“Requester”** has the meaning ascribed thereto in section 1 of PAIA;
- 1.19 **“Request for Access”** has the meaning ascribed thereto in section 1 of PAIA; and
- 1.20 **“SAHRC”** means the South African Human Rights Commission.
- 1.21 Capitalised terms used in this Manual have the meanings ascribed thereto in section 1 of POPIA and PAIA as the context specifically requires, unless otherwise defined herein.

2. PURPOSE OF THE MANUAL

This Manual-

- 2.1 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
- 2.2 for the purposes of POPIA, 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.

3. INTRODUCTION

- 3.1 The main objective of the Company is to supply, administer and distribute dealer management software systems.
- 3.2 PAIA gives third parties the right to approach Private Bodies and the government to request information held by them, which is required in the exercise and/or protection of any rights. On request, the Private Body or government is obliged to release such information unless PAIA expressly states that the Records containing such information may or must not be released. This Manual informs Requestors of procedural and other requirements which a Request for Access must meet as prescribed by the PAIA.
- 3.3 POPIA provides for:
 - 3.3.1 promotion the protection of Personal Information processed by public and private bodies;
 - 3.3.2 certain conditions so as to establish minimum requirements for the processing of Personal Information;
 - 3.3.3 to provide for the establishment of an Information Regulator to exercise certain powers and to perform certain duties and functions in terms of the POPIA and the PAIA;
 - 3.3.4 to provide for the issuing of codes of conduct;

- 3.3.5 to provide for the rights of persons regarding unsolicited electronic communications and automated decision making;
- 3.3.6 to regulate the flow of Personal Information across the borders of the Republic; and to provide for matters connected therewith.
- 3.4 Section 14 of the Constitution provides that everyone has the right to privacy. The right to privacy includes a right to protection against the unlawful collection, retention, dissemination and use of Personal Information.
- 3.5 POPIA gives Data Subjects the right to, in the prescribed manner, request a Responsible Party to correct or delete Personal Information about the Data Subject in its possession or under its control that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading or obtained unlawfully; or destroy or delete a record of Personal Information about the Data Subject that the Responsible Party is no longer authorised to retain access and/or request the correction or deletion of any Personal Information held about them that may be inaccurate, misleading or outdated.
- 3.6 The Company endorses the spirit of the PAIA and POPIA and believes that this Manual will assist Requesters in exercising their rights. The Act seeks, *inter alia*, to give effect to the constitutional right of access to any information held by the state or by any other person where such information is required for the exercise or protection of any right.
- 3.7 This Manual was compiled in terms of Section 51 of the PAIA to facilitate access to records held by the Company. It contains information required by a person wishing to exercise any right, contemplated by the PAIA. It is available in English.

4. AVAILABILITY OF THE MANUAL

- 4.1 This Manual is made available in terms of PAIA and section 4 of the Regulations to POPIA.
- 4.2 This Manual is further available at the offices of SAHRC and the Company, as well as on the Company's website, for inspection during normal business hours. No fee will be levied for inspection as contemplated in this clause.
- 4.3 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 A.

5. COMPANY DETAILS

5.1 The details of the Company are as follows:

Persons designated/duly authorised persons:

Directors: Johan van der Walt

Grant Jubber

Physical address: 7 GUITAR STREET

RASLOUW MANOR

CENTURION

GAUTENG

0157

Postal address: 7 GUITAR STREET

RASLOUW MANOR

CENTURION

GAUTENG

0157

Telephone number: 083 226 4667

6. CONTACT DETAILS OF THE INFORMATION OFFICER

6.1 The Information Officer's contact details are as follows:

Mr. Johan van der Walt

Physical address: 7 Guitar Street, Raslouw Manor,

Centurion, Gauteng,

0157

Email address: popia@kohde.io

Telephone number: 083 226 4667

7. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

- 7.1 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.
- 7.2 The Guide is available in each of the official languages and in braille.
- 7.3 The Guide contains the description of-
 - 7.3.1 the objects of PAIA and POPIA;
 - 7.3.2 the postal and street address, phone and fax number and, if available,
 - 7.3.3 electronic mail address of-
 - 7.3.3.1 the Information Officer of every public body, and
 - 7.3.3.2 every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA;
 - 7.3.3.3 the manner and form of a request for-
 - 7.3.3.3.1 access to a record of a public body contemplated in section; and
 - 7.3.3.3.2 access to a record of a private body contemplated in section;
 - 7.3.4 the assistance available from the IO of a public body in terms of PAIA and POPIA;
 - 7.3.5 the assistance available from the Regulator in terms of PAIA and POPIA;
 - 7.3.6 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-
 - 7.3.6.1 an internal appeal;
 - 7.3.6.2 a complaint to the Regulator; and
 - 7.3.6.3 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;

- 7.3.7 the provisions of sections 14 and 51 requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
- 7.3.8 the provisions of sections 15 and 52 providing for the voluntary disclosure of categories of records by a public body and private body, respectively:
 - 7.3.8.1 the notices issued in terms of sections 22 and 54 regarding fees to be paid in relation to requests for access; and
 - 7.3.8.2 the regulations made in terms of section 92.
- 7.4 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.
- 7.5 The Guide can also be obtained-
 - 7.5.1 upon request to the Information Officer;
 - 7.5.2 from the website of the Regulator (<https://www.justice.gov.za/inforeg/>).
- 7.6 A copy of the Guide is also available in the following two official languages, for public inspection during normal office hours - English / Afrikaans.

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

8.1 Schedule of Records

The Schedule of Records as contained in Appendix B 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 9 below.

8.2 List of applicable legislation

- 8.2.1 The Company retains records which are required in terms of legislation other than PAIA.
- 8.2.2 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 C.

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

9.1 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:

- 9.1.1 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;
- 9.1.2 mandatory protection of the commercial information of a third party, if the Records contain:
 - 9.1.2.1 trade secrets of that third party;
 - 9.1.2.2 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
 - 9.1.2.3 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;
- 9.1.3 mandatory protection of confidential information of third parties if it is protected in terms of any agreement;
- 9.1.4 mandatory protection of the safety of individuals and the protection of property;
- 9.1.5 mandatory protection of Records that would be regarded as privileged in legal proceedings;
- 9.1.6 protection of the commercial information of the Company, which may include:
 - 9.1.6.1 trade secrets;
 - 9.1.6.2 financial/commercial, scientific or technical information, the disclosure of which could likely cause harm to the financial or commercial interests of the Company;
 - 9.1.6.3 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
 - 9.1.6.4 computer programs which are owned by the Company, and which are protected by copyright and intellectual property laws;

9.1.6.5 research information of the Company or a third party, if such disclosure would place the research or the researcher at a serious disadvantage; and

9.1.6.6 Requests for Records that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources.

10. INFORMATION OR RECORDS NOT FOUND

10.1 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.

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

11.1 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.

11.2 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.

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

12.1 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.

12.2 A Requester must download and complete the prescribed Request for Access Form from the website of the Information Regulator, using the following link: <https://inforegulator.org.za/paia-forms/>, and submit the completed Request for Access Form as well as proof of payment of a request fee (if applicable) and a deposit (if applicable), to the Information Officer at the electronic mail address stated in clause 4 above.

12.3 The Request for Access form must be completed with enough detail so as to enable the Information Officer to identify the following:

12.3.1 the Record/s requested;

12.3.2 the identity of the Requester;

12.3.3 the form of access that is required, if the request is granted;

12.3.4 the postal address or fax number of the Requester; and

12.3.5 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.

- 12.4 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.
- 12.5 If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally.
- 12.6 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 13 below.

13. FEES

- 13.1 When the Request for Access is received by the Information Officer, the Information Officer will by notice require the Requester, to pay the prescribed request fee (if any), before further processing of the Request for Access.
- 13.2 Prescribed request fees are set out in Appendix A.
- 13.3 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.
- 13.4 The Information Officer will withhold a Record until the Requester has paid the fees set out in Appendix A.
- 13.5 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.
- 13.6 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.

14. DECISION TO GRANT ACCESS TO RECORDS

- 14.1 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.
- 14.2 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.
- 14.3 The Company will notify the Requester in writing should an extension of time as contemplated above be required.

14.4 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.

15. PROTECTION OF PERSONAL INFORMATION PROCESSED BY THE COMPANY

15.1 Chapter 3 of POPIA provides for the minimum Conditions for Lawful Processing of Personal Information by a Responsible Party. These conditions may not be derogated from unless specific exclusions apply as outlined in POPIA.

15.2 The Company needs Personal Information relating to both individual and juristic persons in order to carry out its business and organisational functions. The manner in which this information is Processed and the purpose for which it is Processed is determined by the Company. The Company is accordingly a Responsible Party for the purposes of POPIA and will ensure that the Personal Information of a Data Subject:

15.2.1 is processed lawfully, fairly and transparently. This includes the provision of appropriate information to Data Subjects when their data is collected by the Company, in the form of privacy or data collection notices. The Company must also have a legal basis (for example, consent) to process Personal Information;

15.2.2 is processed only for the purposes for which it was collected;

15.2.3 will not be processed for a secondary purpose unless that processing is compatible with the original purpose.

15.2.4 is adequate, relevant and not excessive for the purposes for which it was collected;

15.2.5 is accurate and kept up to date;

15.2.6 will not be kept for longer than necessary;

15.2.7 is processed in accordance with integrity and confidentiality principles; this includes physical and organisational measures to ensure that Personal Information, in both physical and electronic form, are subject to an appropriate level of security when stored, used and communicated by the Company, in order to protect against access and acquisition by unauthorised persons and accidental loss, destruction or damage;

15.2.8 is processed in accordance with the rights of Data Subjects, where applicable. Data Subjects have the right to:

15.2.8.1 be notified that their Personal Information is being collected by the Company. The Data Subject also has the right to be notified in the event of a data breach;

- 15.2.8.2 know whether the Company holds Personal Information about them, and to access that information. Any request for information must be handled in accordance with the provisions of this Manual;
- 15.2.8.3 request the correction or deletion of inaccurate, irrelevant, excessive, out of date, incomplete, misleading or unlawfully obtained personal information;
- 15.2.8.4 object to the Company's use of their Personal Information and request the deletion of such Personal Information (deletion would be subject to the Company's record keeping requirements);
- 15.2.8.5 object to the processing of Personal Information for purposes of direct marketing by means of unsolicited electronic communications; and
- 15.2.8.6 complain to the Information Regulator regarding an alleged infringement of any of the rights protected under POPIA and to institute civil proceedings regarding the alleged non-compliance with the protection of his, her or its personal information.

15.3 **Purpose of the Processing of Personal Information by the Company**

- 15.3.1 As outlined above, Personal Information may only be Processed for a specific purpose. The purposes for which the Company Processes or will Process Personal Information is set out in Part 1 of Appendix D.

15.4 **Categories of Data Subjects and Personal Information/special Personal Information relating thereto**

- 15.4.1 As per section 1 of POPIA, a Data Subject may either be a natural or a juristic person. Part 2 of Appendix D sets out the various categories of Data Subjects that the Company Processes Personal Information on and the types of Personal Information relating thereto.

15.5 **Recipients of Personal Information**

- 15.5.1 Part 3 of Appendix D outlines the recipients to whom the Company may provide a Data Subjects Personal Information.

15.6 **Cross-border flows of Personal Information**

- 15.6.1 Section 72 of POPIA provides that Personal Information may only be transferred out of the Republic of South Africa if the:
 - 15.6.1.1 recipient country can offer such data an "adequate level" of protection. This means that its data privacy laws must be

substantially similar to the Conditions for Lawful Processing as contained in POPIA; or

15.6.1.2 Data Subject consents to the transfer of their Personal Information; or

15.6.1.3 transfer is necessary for the performance of a contractual obligation between the Data Subject and the Responsible Party; or

15.6.1.4 transfer is necessary for the performance of a contractual obligation between the Responsible Party and a third party, in the interests of the Data Subject; or

15.6.1.5 the transfer is for the benefit of the Data Subject, and it is not reasonably practicable to obtain the consent of the Data Subject, and if it were, the Data Subject, would in all likelihood provide such consent.

15.6.2 Part 4 of Appendix D sets out the planned cross-border transfers of Personal Information and the condition from above that applies thereto.

15.7 Description of information security measures to be implemented by the Company

15.7.1 Part 5 of Appendix D sets out the types of security measures to be implemented by the Company in order to ensure that Personal Information is respected and protected. A preliminary assessment of the suitability of the information security measures implemented or to be implemented by the Company may be conducted in order to ensure that the Personal Information that is processed by the Company is safeguarded and Processed in accordance with the Conditions for Lawful Processing.

15.8 Objection to the Processing of Personal Information by a Data Subject

15.8.1 Section 11 (3) of POPIA and Regulation 2 of the POPIA Regulations provides that a Data Subject may, at any time object to the Processing of his/her/its Personal Information in the prescribed form attached to this manual as Appendix F subject to exceptions contained in POPIA.

15.9 Request for correction or deletion of Personal Information

15.9.1 Section 24 of POPIA and Regulation 3 of the POPIA Regulations provides that a Data Subject may request for their Personal Information to be corrected/deleted in the prescribed form available on the website of the Information Regulator at the following link: <https://info regulator.org.za/popia-forms/>.

16. THIRD PARTIES

- 16.1 If the request is for the record pertaining to the third party, the Deputy Information Officer of the Company must take all reasonable steps to inform the third party of the request. This must be done within 21 (twenty one) days of receipt of the request. The manner in which this is done must be by the fastest means reasonably possible, but if orally, the Deputy Information Officer of the Company must thereafter give the third party a written confirmation of the notification.
- 16.2 The third party may within 21 (twenty one) days thereafter either make representation to the Company as to why the request should be refused; alternatively grant written consent to the disclosure of the record.
- 16.3 The third party must be advised of the decision taken by the Deputy Information Officer of the Company whether to grant or to decline the request. A third party who is dissatisfied with the Deputy Information Officer of the Company's decision to grant a request for a record may approach a Court with jurisdiction for appropriate relief.

APPENDIX A: 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:
- 3.

a)	For every photocopy of an A4-size page or part thereof	R 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	R 0,75
c)	For a copy in a computer-readable form on -	
	i) stiffy disc	R 7,50
	ii) compact disc	R 70,00
d)	For a transcription of visual images -	
	i) for an A4-size page or part thereof	R 40,00
	ii) For a copy of visual images	R 60,00
e)	For a transcription of an audio record -	
	i) for an A4-size page or part thereof	R 20,00
	ii) For a copy of an audio record	R 30,00

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

1)	a)	For every photocopy of an A4-size page or part thereof	R 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	R 0,75
	c)	For a copy in a computer-readable form on -	
		iii) stiffy disc	R 7,50
		iv) compact disc	R 70,00
	d)	For a transcription of visual images -	
		iii) for an A4-size page or part thereof	R 40,00
		iv) For a copy of visual images	R 60,00
	e)	For a transcription of an audio record -	
		iii) for an A4-size page or part thereof	R 20,00
		iv) For a copy of an audio record	R 30,00

	f)	To search for and prepare the record for disclosure, for each hour or part of an hour reasonably required for such search and preparation	R30,00
2)		For purposes of section 54(2) of the Act, the following applies:	
	a)	Six hours as the hours to be exceeded before a deposit is payable; and	
	b)	one third of the access fee is payable as a deposit by the requester.	
3)		The actual postage is payable when a copy of a record must be posted to a requester.	

The Company accepts the following methods of payment:

- Direct Transfer (EFT)
- Bank Deposit

Banking details will be provided upon request.

APPENDIX B: SCHEDULE OF RECORDS

The list(s) below depict records of information which the Company has available in terms of laws applicable to the Company and its Subsidiary companies listed under section 5 above (jointly referred to as the Company):

Records	Title/Subject	Availability
1. Client Services Records	<ul style="list-style-type: none"> • Client correspondence; • Client files; • Client accounts and banking details; • Client contracts; • Client business information; • Proposal and tender documents; • Project plans; • Risk management records; • Solution methodologies; • Standard terms and conditions of supply of goods and/or services; • Working papers. 	Request in terms of PAIA unless privileged or confidential in nature.
2. Corporate Governance	<ul style="list-style-type: none"> • Codes of conduct; • Corporate social investment records; • Board meeting minutes; and • Executive committee meeting minutes; • Legal compliance records; • Policies. • Applicable statutory documents, including but not limited to, certificates of incorporation and certificates to commence business; • Corporate structure documents; • Memoranda and Articles of Association; • Share registers; • Statutory Returns to relevant authorities; • Share certificates; • Shareholder agreements; • Minutes of meetings; and • Resolutions passed. 	Request in terms of PAIA
3. Finance and Administration	<ul style="list-style-type: none"> • Accounting records; • Annual financial statements; • Agreements; • Banking records; • Correspondence; • Purchase orders. • Remittances; • Invoices and statements; • Tax records and returns; • Statistics SA returns; 	Request in terms of PAIA

4. Human Capital	<ul style="list-style-type: none"> • BEE statistics; • Career development records; • Personnel information; • Employment equity reports; • General terms of employment; • Letters of employment; • Leave records; • PAYE records and returns; • Performance management records; • Assessments; • Policies and procedures; • UIF returns; • Retirement benefit • Medical Aid records; • Records of grievances and disciplinary proceedings • Biometric data records • Timesheets • Attendance and absenteeism records 	Request in terms of PAIA
5. Information Management and Technology	<ul style="list-style-type: none"> • Agreements; • Equipment register; • Information policies; • Standards, procedures and guidelines. • Disaster Recovery Policy and Plans • Root Cause Analyses • Facilities • Security Access • ICT Policies, Standards, Procedures and Templates • Software Licences • Information, Communication and Technology • CCTV and audio records 	Request in terms of PAIA
6. Learning and Education	<ul style="list-style-type: none"> • Training material; • Training records and statistics; • Training agreements; • Attendance registers. 	Request in terms of PAIA
7. Information and Research	<ul style="list-style-type: none"> • External publications; • Internal publications; • Reference works; • Periodicals; and • Research files and articles • Newsletters 	Request in terms of PAIA
8. Marketing and Communication	<ul style="list-style-type: none"> • Proposal documents; • New business development; • Brand information management; • Marketing strategies; • Communication strategies; • Agreements; 	Request in terms of PAIA

	<ul style="list-style-type: none"> • Client relationship programmes; • Marketing publications and brochures; and • Sustainability programmes. 	
9. Operations	<ul style="list-style-type: none"> • Access control records; • Agreements; • Archival administration documentation; • Communication strategies; • General correspondence; • Insurance documentation; • Service level agreements; • Standard trading terms and conditions of supply of services and goods; • Travel documentation; • Procurement agreements and documentation; • Used order books; • Vehicle registration documents; and • Cellular phone registration documents, including RICA. 	Request in terms of PAIA
10. Intellectual Property:	<ul style="list-style-type: none"> • Patents and Trade Mark documents; • Intellectual property pertaining to solutions and products developed • Know-how 	Request in terms of PAIA
11. Business Interactions with other entities:	<ul style="list-style-type: none"> • Agreements with third parties (Clients, Vendors and Suppliers) • Licensing and Support Agreements • Customer Satisfaction Surveys • Service Level Agreements 	Request in terms of PAIA
12. Insurance:	<ul style="list-style-type: none"> • Insurance Declarations • Insurance Claim Files • Insurance Policies 	Request in terms of PAIA
13. Regulatory:	<ul style="list-style-type: none"> • Applications • Registrations • Licenses • Submissions 	Request in terms of PAIA

APPENDIX C: APPLICABLE LEGISLATION

No	Ref	Act
1.	No 68 of 1981	Alienation of Land Act
2.	No 75 of 1997	Basic Conditions of Employment Act
3.	No 71 of 2008	Companies Act
4.	No 130 of 1993	Compensation for Occupational Injuries and Diseases Act
5.	No 108 of 1996	Constitution of South Africa Act
6.	No 68 of 2009	Consumer Protection Act
7.	No 98 of 1978	Copyright Act
8.	No 25 of 2002	Electronic Communications and Transactions Act
9.	No 55 of 1998	Employment Equity Act
10.	No 37 of 2002	Financial Advisory and Intermediary Services Act
11.	No 38 of 2001	Financial Intelligence Centre Act
12.	No 95 of 1967	Income Tax Act
13.	No 66 of 1995	Labour Relations Act
14.	No 34 of 2005	National Credit Act
15.	No 85 of 1993	Occupational Health and Safety Act
16.	No 2 of 2000	Promotion of Access of Information Act
17.	No 4 of 2013	Protection of Personal Information Act
18.	No 40 of 1949	Transfer Duty Act
19.	No 30 of 1996	Unemployment Insurance Act
20.	No 89 of 1991	Value Added Tax Act

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.

APPENDIX D:

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>

Part 2

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>Clients:</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>	<p>Natural Persons; Juristic Persons.</p>	<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. 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>

Payment beneficiaries: 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.		
Personnel: Name; employee ID number; business contact details (address/telephone number/email address)		

Part 3

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.