

# **MANUAL**

as prescribed by the provisions of

**THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000**

**And**

**THE PROTECTION OF PERSONAL INFORMATION ACT, 2013**

## DEFINITIONS

- **Company** means Mindspring Computing (Pty) Ltd (registration number 2020/020809/07), a company duly registered and incorporated as a public company in accordance with the company laws of the Republic of South Africa and its principal place of business situated at Unit 5, Melomed Office Park, Punters Way, Kenilworth, Western Cape, Republic of South Africa.
- **Conditions for Lawful Processing** means the conditions for the lawful processing of Personal Information as fully set out in chapter 3 of POPIA;
- **Constitution** means the Constitution of the Republic of South Africa, 1996;
- **Customer** refers to any natural or juristic person that received or receives services from the Company;
- **Data Subject** has the meaning ascribed thereto in Section 1 of POPIA;
- **Head of the Company** means the “head” as defined in section 1 of PAIA;
- **Information Officer** means Mindspring Computing’s Chief Executive;
- **Manual** means this manual prepared in accordance with section 51 of PAIA and regulation 4(1) (d) of the POPIA Regulations;
- **PAIA** means the *Promotion of Access to Information Act, 2000*;
- **Personal Information** has the meaning ascribed thereto in section 1 of POPIA;
- **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 any other person who assists in carrying out or conducting the business of the Company, which includes, without limitation, directors, all permanent, temporary and part-time staff as well as contract workers;
- **POPIA** means the *Protection of Personal Information Act, 2013*;
- **POPIA Regulations** mean the regulations promulgated in terms of section 112(2) of POPIA;
- **Private Body** has the meaning ascribed thereto in sections 1 of both PAIA and POPIA;
- **Processing** has the meaning ascribed thereto in sections 1 of both PAIA and POPIA;
- **Responsible Party** has the meaning ascribed thereto in section 1 of POPIA;
- **Record** has the meaning ascribed thereto in section 1 of PAIA and includes Personal Information;
- **Requester** has the meaning ascribed thereto in section 1 of PAIA;
- **Request for Access** has the meaning ascribed thereto in section 1 of PAIA; and
- **SAHRC** means the South African Human Rights Commission.

Capitalised terms used in this Manual have meanings ascribed thereto in section 1 of POPIA and PAIA as the context specifically requires, unless otherwise defined therein.

## **1. Right of Access to information**

### **1.1 Introduction**

The 1996 South African Constitution, by providing a statutory right of access on request to any record held by the state as well as access to records held by private bodies, entrenches the fundamental right to access to information.

The Promotion of Access to Information Act 2 of 2000 (“the Act”), which came into effect on 9 March 2001, seeks to advance the values of transparency and accountability in South Africa and provides the mechanism for requesters to exercise and protect their constitutional right to request access to a record.

The Act establishes the following statutory rights of requesters to any record of a private body if:

- That record is required for the exercise or protection of any of his or her legal rights;
- That requester complies with all the procedural requirements; and
- Access is not refused in terms of any ground referred to in the Act.

In terms of the Act private bodies are required to publish a manual to assist requesters who wish to request access to a record.

### **1.2 Availability of the Mindspring Computing PAIA Manual and Entry Point for requests**

This document serves as the Mindspring Computing (Pty) Ltd PAIA Manual (“the Manual”) in accordance with the requirements of section 51 of the Act to facilitate access to records held by Mindspring Computing. A copy of this Manual is available to any person of the public in a PDF (“Portable Document Format”) version on the website of Mindspring Computing at [www.mindspring.co.za](http://www.mindspring.co.za) or on request from the Information Officer referred to in this Manual. Mindspring Computing endorses the spirit of the Act and believes that this Manual will assist requesters in exercising their rights.

In summary the Manual provides information on the:

- Contact details of the Information Officer;
- Structure and functions of Mindspring Computing;
- Subjects and categories of records that are held by Mindspring Computing; and
- Procedure that needs to be followed and criteria that have to be met by a requester to request access to
- a record

### **1.3 Who may request access to information**

The Act provides that a requester is only entitled to access to a record if the record is required for the exercise or protection of a right. Only requests for access to a record, where the requester has satisfied the Information Officer that the record is required to exercise or protect a right, will be considered. A requester may act in different capacities in making a request for a record. This will influence the amount to be charged when a request has been lodged.

Requesters may make a request as:

- A personal requester who requests a record about him/herself;
- An agent requester who requests a record on behalf of someone else with that person's consent and where it is required for the protection of that person's legal right;
- A third party requester who requests a record about someone else with that person's consent and where it is required for the protection of that person's legal right; and
- A public body who may request a record if:
  - It fulfills the requirements of procedural compliance;
  - The record is required for the exercise or protection of a right; and
  - No grounds for refusal exist.

### **1.4 Contact details of Mindspring Computing's Information Officer: Sec 51 (1) (a)**

The Chief Executive Officer of Mindspring Computing has delegated his powers to the Information Officer below in terms of the Act to handle all requests on Mindspring Computing's behalf and ensure that the requirements of the Act are administered in a fair, objective and unbiased manner.

**Mindspring Computing's Contact Details:**

**Information Officer:** Celento Saunders

**Information Co-ordinator:** Masonge Ngcaba

**Physical Address:**

Unit 5, Melomed Office Park

Punters Way

Kenilworth

7945

**Tel:** +27 (0) 21 657 1780

**E-mail:** [info@mindspring.co.za](mailto:info@mindspring.co.za)

**1.5 Policy with regard to Confidentiality and Access to Information**

Mindspring Computing will protect the confidentiality of information provided to it by third parties, subject to Mindspring Computing's obligations to disclose information in terms of any applicable law or a court order requiring disclosure of the information. If access is requested to a record that contains information about a third party, Mindspring Computing is obliged to attempt to contact this third party to inform them of the request.

This enables the third party the opportunity of responding by either consenting to the access or by providing reasons why the access should be denied. In the event that the third party furnish reasons for the support or denial of access, the Information Officer will consider these reasons in determining whether access should be granted, or not.

**1.6 SAHRC guidance to Requesters on how to use the Act: Sec 51 (1) (b)(i)**

The Information Regulator is required in terms of section 10 of the Act to update and make available the existing guide that has been compiled by the South African Human Rights Commission ("SAHRC") that contains information to assist a person wishing to exercise a right in terms of the Act and the Protection of Personal Information Act 4 of 2013 ("POPI Act") for requesters. It contains information to assist a person wishing to exercise a right in terms of the Act.

The SAHRC guide is available from the SAHRC website at

[www.sahrc.org.za/home/21/files/Reports/PAIA20%GUIDE%english.pdf](http://www.sahrc.org.za/home/21/files/Reports/PAIA20%GUIDE%english.pdf).

You may also request any additional information to assist you in making a request from the SAHRC.

**Please direct any queries to:** The South African Human Rights Commission: PAIA Unit

**Physical Address:**

Forum 3  
Braampark Office Park,  
Braamfontein

**Postal Address:**

Private Bag 2700  
Houghton,  
2041

**Tel:** +27 (0) 11 877 3600 (Head Office)

+27 (0) 11 877 3750 (GP Office)

**Fax:** +27 (0) 11 403 0684

**Email:** [info@sahrc.org.za](mailto:info@sahrc.org.za)

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

## **2. Purpose of the Manual**

### **2.1 Purpose**

This Manual has been prepared in respect of Mindspring Computing (Pty Ltd).

The purpose of this manual is as follows:

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

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.

### **3. Classes of Records**

#### **3.1 Automatic Disclosure: Sec 51 (1)(b)(ii) – Records automatically available to the Public**

No notice has been published in terms of section 52 of the Act. However, the following records are automatically available at the registered office of Mindspring Computing on payment of the prescribed fee for reproduction.

- Documentation and information relating to Mindspring Computing which is held by the Companies and Intellectual Properties
- Commission in accordance with the requirements set out in set out in section 25 of the Companies Act 71 of 2008.
- Product and Promotional Brochures
- News and other Marketing Information
- The annual integrated report and any other shareholder communications as published on Mindspring Computing's website.

#### **3.2 Legislative requirements: Sec 51 (1)(b)(iii) – Records available in accordance with other legislation**

Records are kept in accordance with such other legislation as applicable to Mindspring Computing, which includes, but is not limited to:

- Banks Act 94 of 1990
- Basic Conditions of Employment Act 75 of 1997
- Broad-Based Black Economic Empowerment Act 53 of 2003
- Civil Proceedings Evidence Act, 1965 (Act 25 of 1965)
- 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
- Copyright Act 98 of 1987
- Consumer Protection Act 68 of 2008
- Criminal Procedure Act 51 of 1977
- Customs and Excise Act, 1964
- Deeds Registries Act 57 of 1937
- Debt Collectors Act 114 of 1998
- Electronic Communications and Trans-actions Act 25 of 2002
- Employment Equity Act 55 of 1998
- Finance Act 2 of 2007

- Firearms Control Act 60 of 2000;
- Income Tax Act 58 of 1962
- Insider Trading Act 135 of 1998
- Insolvency Act 24 of 1936
- Labour Relations Act 66 of 1995
- Long Term Insurance Act 52 of 1998
- Magistrates Court Act 32 of 1944
- Non Profit Organisations Act 71 of 1997
- Occupational Health and Safety Act 85 of 1993
- Patents Act 57 of 1987
- Pension Funds Act 24 of 1956
- Prevention of Organised Crime Act 14 of 1998
- Protection of Information Act, No. 84 of 1982
- Regulation of Interception of Communications and Provision of Communication Related Information Act 70 of 2002
- Securities Services Act 36 of 2004
- Short Term Insurance Act. 53 of 1998
- Skills Development Act 97 of 1998
- Skills Development Levies Act 97 of 1999
- South African Revenue Service Act 34 of 1997
- Statistics Act 6 of 1999
- Tax on Retirement Funds Act No 38 of 1996
- Trust Property Control Act 57 of 1988
- Unemployment Insurance Act 63 of 2001
- Value Added Tax Act 89 of 1991

Although Mindspring Computing has used its best endeavours to supply you with a list of applicable legislation it is possible that the above list may be incomplete.

Wherever it comes to Mindspring Computing's attention that existing or new legislation allows a requester access on a basis other than that set out in the Act, we shall update the list accordingly.



### **3.3 Records held by Mindspring Computing: Sec 51 (1)(b)(iv) – Mindspring Computing Record Subjects and Categories**

#### **3.3.1 Corporate Secretariat and Governance**

- Applicable Statutory Documents
- Annual Reports
- Board of Directors and Board Committee Terms of Reference
- Codes of Conduct
- Executive Committee Meeting Minutes
- Legal Compliance Records
- Memoranda of Incorporation
- Minutes of Board of Directors and Board Committee Meetings
- Minutes of Shareholders' Meetings
- Group Policies and Procedures
- Share Certificates
- Shareholder Agreements
- Share Registers (Mindspring Computing's official share register is however maintained by its transfer secretary)
- Strategic plans
- Statutory Returns to Relevant Authorities

#### **3.3.2 Finance and Taxation**

- Policies and Procedures
- Accounting Records
- Annual Financial Statements
- Audit Reports
- Capital Expenditure Records
- Investment Records
- Invoices and Statements
- Management Reports
- Purchasing Records
- Sale and Supply Records
- Tax Records and Returns
- Treasury Dealing
- Transactional Records

### **3.3.3 Human Resources**

- Education and Training Records
- Employee Benefit Records
- Employment Contracts
- Employment Equity Records
- Employee Information
- Employee Share Option Scheme
- Policies and Procedures
- Group Life
- Leave Records
- Medical Records
- Pension and Retirement Funding Records
- Study assistance scheme/s
- Tax Returns of employees
- UIF Returns

### **3.3.4 Information Technology**

- Agreements
- Disaster Recovery
- Hardware and Software Packages
- Policies and Procedures
- Internal Systems Support and Programming
- Licenses
- Operating Systems
- Passwords and Login details

### **3.3.5 Intellectual Property**

- Trademark applications
- Agreements relating to intellectual property
- Copyrights

### **3.3.6 Legal**

- Complaints, pleadings, briefs and other documents pertaining to any actual or pending litigation, arbitration or investigation
- Material licenses, permits and authorizations

### **3.3.7 Sales, Marketing and Communication**

- Brochures, Newsletters and Advertising Material
- Client Information
- Marketing Brochures
- Marketing Strategies
- Product Brochures
- Policies and Procedures

## **4. Processing of Personal Information in terms of the POPI Act**

### **4.1 Mindspring Computing processes personal information of data subjects for the purposes of: Sec 51 (1)(c)(i)**

- Fulfilling its statutory obligations in terms of applicable legislation;
- Verifying information provided to Mindspring Computing;
- Obtaining information necessary to provide contractually agreed services to a customer;
- Monitoring, maintaining and managing Mindspring Computing's contractual obligations to customers, clients, suppliers, service providers, employees, directors and other third parties;
- Marketing and advertising;
- Resolving and tracking complaints;
- Monitoring and securing the assets, employees and visitors to the premises of Mindspring Computing;
- Historical record keeping, research and recording statistics necessary for fulfilling Mindspring Computing's business objectives.

**4.2 Mindspring Computing may process the personal information of the following categories of data subjects, which includes current, past and prospective data subjects: Sec 51 (1)(c)(ii)**

- Customer and employees, representatives, agents, contractors and service providers of such customers;
- Suppliers, service providers to and vendors of Mindspring Computing and employees, representatives, agents, contractors and service providers of such suppliers and service providers;
- Directors and officers of Mindspring Computing;
- Shareholders;
- Job applicants;
- Existing and former employees (including contractors, agents, temporary and casual employees);
- Visitors to any premises of Mindspring Computing; and
- Complaints, correspondents and enquiries.

**4.3 The nature of personal information processed in respect of the above data subjects may include, as may be applicable: Sec 51 (1)(c)(ii)**

- Name, identifying number, symbol, email address, physical address, telephone number, location information, online identifier or other particular assignment to the person;
- Biometric information;
- Information relating to the education or the medical, financial, criminal or employment history of the data subject;
- Information relating to the race, gender, marital status, national origin, age disability, language and birth of the data subject;
- The personal opinions, views or preferences of the data subject;
- Confidential correspondence sent by the data subject;
- The views of opinions of another individual about the data subject.

#### **4.4 Mindspring Computing may supply personal information to the following recipients:**

##### **Sec 51 (1)(c)(iii)**

- Regulatory, statutory and government bodies;
- Suppliers, service providers, vendors, agents and representatives of Mindspring Computing;
- Employees of Mindspring Computing;
- Shareholders and other stakeholders;
- Third party verification agencies and credit bureau;
- Collection agencies;
- Banks and other financial institutions.

#### **4.5 Planned or prospective transborder flow of personal information processed by Mindspring Computing in respect of the above categories of data subjects: Sec 51 (1)(c)(iv)**

Personal information of data subjects may be transferred across borders due to the hosting of some Mindspring Computing infrastructure and application in foreign jurisdictions. Current employees and consultants' information may also be transferred transborder where Mindspring Computing has a physical presence or may be providing services or performing in terms of its contractual obligations.

#### **4.6 Security measures implemented or to be implemented by Mindspring Computing to ensure the confidentiality, integrity and availability for the personal information which may be or is being processed by Mindspring Computing: Sec 51 (1)(c)(v)**

Mindspring Computing continuously establishes and maintains appropriate, reasonable technical and organisational measures to ensure that the integrity of the personal information in its possession or under its control is secure and that such information is protected against unauthorised or unlawful processing, accidental loss, destruction or damage, alteration or access by having regard to the requirements set forth in law, in industry practice and generally accepted information security practices and procedures which apply to Mindspring Computing.

## **5. Access Procedure and Request**

The purpose of this section is to provide requesters with sufficient guidelines and procedures to facilitate a request for access to a record held by Mindspring Computing.

It is important to note that an application for access to information can be refused in the event that the application does not comply with the procedural requirements of the Act. In addition, the successful completion and submission of an access request form does not automatically allow the requester access to the requested record. An application for access to a record is subject to certain limitations if the requested record falls within a certain category as specified within Part 3 Chapter 4 of the Act.

If it is reasonably suspected that the requester has obtained access to the Mindspring Computing's records through the submission of materially false or misleading information, legal proceedings may be instituted against such requester.

### **5.1 Guidance on Completion of Prescribed Access Form: Sec 51 (1) (b)(iv)**

In order for Mindspring Computing to facilitate your access to a record you need to complete the attached prescribed access form attached as Annexure B. Please take note that the prescribed access form must be completed in full, failure to do so will result in the process being delayed until such additional information is provided. Mindspring Computing will not be held liable for delays due to receipt of incomplete forms. Due cognisance should be taken of the following instructions when completing the Access Request Form because the Information Officer shall not process any request for access to a record until satisfied that all requirements have been met:

- The Access Request Form must be completed in the English language.
- Proof of identity is required to authenticate the requester's identify. If the requester acts as an agent requester, the requester shall provide proof of the identity of the person on whose behalf the request is made, the authority or mandate given to the requester by such person and proof of the identity of the requester as provided above.
- Type or print in BLOCK LETTERS an answer to every question.
- If a question does not apply, state "N/A" in response to that question.
- If there is nothing to disclose in reply to a particular question, state "nil" in response to that question.
- If there is insufficient space on a printed form in which to answer a question, additional information may be provided on an additional attached folio.
- When the use of an additional folio is required, precede each answer thereon with the title applicable to that question.

## 5.2 Submission of Prescribed Access Form

The completed Access Request Form must be submitted either via conventional mail, e-mail or fax and must be addressed to the Information Officer.

## 5.3 Payment of Prescribed Fees

Payment details can be obtained from the Information Officer and payment can be made either via a direct deposit, by bank guaranteed cheque or by postal order (no credit card payments are accepted). Proof of payment must be supplied. Four types of fees are provided for in terms of the Act:

- **Request fee:** An initial, non-refundable R57.00 (incl. VAT) is payable on submission. This fee is not applicable to Personal Requesters, referring to any person seeking access to records that contain their personal information.
- **Reproduction fee:** This fee is payable with respect to all records that are automatically available.
- **Access fee:** If the request for access is successful an access fee may be required to re-imburse Mindspring Computing for the costs involved in the search, reproduction and/or preparation of the record and will be calculated based on the Prescribed Fees.
- **Deposit:** A deposit of one third (1/3) of the amount of the applicable access fee, is payable if Mindspring Computing receives a request for access to information held on a person other than the requester himself/herself and the preparation for the record will take more than six (6) hours. In the event that access is refused to the requested record, the full deposit will be refunded to the requester.

## 5.4 Notification

Mindspring Computing will within thirty (30) days of receipt of the request decide whether to grant or decline the request and give notice with reasons (if required) to that effect.

The thirty (30) day period within which Mindspring Computing has to decide whether to grant or refuse the request, may be extended for a further period of not more than thirty (30) days, if the request is for a large volume of information, or the request requires a search for information held at another office of Mindspring Computing and the information cannot be reasonably be obtained within the original thirty (30) day period. Mindspring Computing will notify the requester in writer should an extension be sought.

If the request for access to a record is successful the requester will be notified of the following:

- The amount of the access fee payable upon gaining access to the record;
- An indication of the form in which the access will be granted; and
- Notice that the requester may lodge an application with a court against the payment of the access fee and the procedure, including the period, for lodging the application.

If the request for access to a record is not successful the requester will be notified of the following:

- Adequate reasons for the refusal (refer to Third Party Information and Grounds for Refusal); and
- That the requester may lodge an application with a court against the refusal of the request and the procedure, including the period, for lodging the application.

### **5.5 Records that cannot be found or do not exist**

If Mindspring Computing has searched for a record and it is believed that the record either does not exist or cannot be found, the requester will be notified by way of an affidavit or affirmation. This will include the steps that were taken to try to locate the record.

## **6. Grounds for refusal of access to records and appeal**

### **6.1 Grounds for Refusal Chapter 4**

The thirty (30) day period within which the Information Officer is required to reply to a request, as stipulated in the Act, shall commence only once a requester has complied with all the requirements of the Act in requesting access to a record, to the satisfaction of the Information Officer.



**Requests may be refused on the following grounds, as set out in the Act:**

- Mandatory protection of privacy of a third party who is a natural person, including a deceased person, which would involve the unreasonable disclosure of personal information of that natural person;
- Mandatory protection of commercial information of a third party or Mindspring Computing, if the record contains:
- Trade secrets of the third party or Mindspring Computing;
- Financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of the third party or Mindspring Computing; and
- Information disclosed in confidence by a third party to Mindspring Computing if the disclosure could put that third party to a disadvantage or commercial competition.
- Mandatory protection of certain confidential information of a third party if disclosure of the record would result in a breach of a duty of confidence owed to that party in terms of an agreement;
- Mandatory protection of the safety of individuals, and the protection of property;
- Mandatory protection of records privileged from production in legal proceedings, unless the legal privilege has been waived; and
- Mandatory protection of research information of a third party and of Mindspring Computing.

**6.2 Appeal**

If a requester is aggrieved by the refusal of the Information Officer to grant a request for a record, the requester may, within thirty (30) days of notification of the Information Officer's decision, apply to court for appropriate relief.

## 7. Prescribed Fees: Sec 92

### 7.1 Reproduction Fees

The applicable fees (excluding VAT) for reproduction as referred to above are:

Category	Rand
For every photocopy of an A4-size page or part thereof	1.10
For every printed copy of an A4-size page or part thereof held on a computer or in electronic	0.75
For a copy in a computer readable form: Compact disc	70.00
A transcription of visual images, for an A4-size page or part thereof	40.00
i. For a copy of visual images	60.00
ii. A transcription of an audio record, for an A4-size page or part thereof	20.00
iii. For a copy of an audio record	30.00

### 7.2 Request Fee

A request fee of R50.00 (excluding VAT) is payable upfront where a requester submits a request for access to information on anybody else other than a requestor.

### 7.3 Access Fee

The applicable fees (excluding VAT) which will be payable are:

Category	Rand
i. For every photocopy of an A4-size page or part thereof	1.10
ii. For every printed copy of an A4-size page or part thereof held on a computer or in electronic form	0.75
iii. For a copy in a computer readable form: a. Compact disc	70.00
iv. A transcription of visual images, for an A4-size page or part thereof	40.00
v. For a copy of visual images	60.00
vi. A transcription of an audio record, for an A4-size page or part thereof	20.00
vii. For a copy of an audio record	30.00

## **7.4 Postage Fee**

Where a copy of the record needs to be posted the actual postal fee is payable in addition to the applicable fees.

## **8. Protection of Personal Information that is processed by the Company**

8.1 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.

8.2 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:

- 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. Mindspring Computing (Pty) Ltd must also have a legal basis (for example, consent) to process Personal Information;
- 2.) Is processed only for the purposes for which it was collected;
- 3.) Will not be processed for a secondary purpose unless that processing is compatible with the original purpose.
- 4.) Is adequate, relevant and not excessive for the purposes for which it was collected;
- 5.) Is accurate and kept up to date;
- 6.) Will not be kept longer than necessary;
- 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;
- 8.) Is processed in accordance with the rights of Data Subjects, where applicable. Data Subjects have the right to:
  - a) 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;
  - b) 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;

- c) Request the correction or deletion of inaccurate, irrelevant, excessive, out of date, incomplete, misleading or unlawfully obtained personal information;
- d) 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);

## **ANNEXURE A**

### **ACCESS REQUEST FORM – RECORD OF PRIVATE BODY** (Section 53(1) of the Promotion of Access to Information Act, 2000)

#### **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 printed on the form, additional information may be provided on an attached folio, and each answer on such folio reflect the applicable title.

**REQUEST FOR ACCESS TO A RECORD IN TERMS OF SEC 53(1) of the PROMOTION OF ACCESS TO INFORMATION ACT 2 of 2000**

**1. Particulars of Private Body requesting access to the record**

Contact details:	
Chief Executive Office (as defined in the Act)	
Information Officer	
Postal Address	
Physical Address	
Phone number	
Fax number	
E-mail address	
Website address	

**2. Particulars of Requester (if natural person):**

- The particulars of the person who requests access to the record must be recorded below.
- Furnish an address and/or fax number in the Republic of South Africa to which information must be sent.
- Proof of identity is required from both the requester and any person or any party acting on behalf of the requester.

The original identity document or such other proof satisfactory to the Chief Executive Officer or Information Officer will need to be presented with this request by the requester or the requester's representative before the request will be processed.

- If the request is made on behalf of another person, proof of the capacity in which the request is made, is also to be presented with this request

Surname	
---------	--

Full names	
Identity number	
Postal address	
Telephone number	
E-mail address	
Capacity in which request is made, when made on behalf of another person:	

If a request is made on behalf of another person the requester is obliged to identify him/herself and to provide proof of the mandate under which the request is made, to the satisfaction of the Information Officer.

**3. Particulars of Requester (if a legal entity)**

Surname	
Name	
Registration Number	
Postal Address	
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**

- 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.
- 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.
- The requester’s attention is drawn to the grounds on which the private body must or may refuse access to a record (in certain instances this may be mandatory, in others it may be discretionary):

- Mandatory protection of the privacy of a third party who is a natural person (human being);
- Mandatory protection of certain confidential information of a third party;
- Mandatory protection of commercial information of third party;
- Mandatory protection of the safety of individuals, and the protection of property;
- Mandatory protection of records privileged from production in legal proceedings;
- Commercial information of a private body;
- Mandatory protection of research information of a third party and a private body.

**DESCRIPTION OF RECORD AND/OR PART OF RECORD**

Category	Description of record

Reference number, if available: .....

Any further particulars of record: .....

Notes to Particular of record:

- Your indication as to the required form of access depends on the form in which the record is available.
- Access in the form requested may be refused in certain circumstances. In such a case you will be informed if
- access will be granted in another form.
- The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.



<b>Mark the appropriate box with an 'X.'</b>					
1. If the record is in written or printed form -					
Copy of record*		Inspection of record			
2. If record consists of visual images –  (This includes photographs, slides, video recordings, computer-generated images, sketches, etc.)					
View the images		Copy of the images*		Transcription of the images*	
3. If the record consists of recorded words or information which can be reproduced in sound -					
Listen to the soundtrack (audio cassette)				Transcription of soundtrack* (written or printed document)	
4. If the record is held on computer or in an electronic or machine-readable form -					
Printed copy of record*		Printed copy of information derived		Copy in computer readable format*	
Do you wish the copy or transcription to be posted to you?  Note: If you requested a copy or transcription of a record (above), a postal fee is payable.				Yes	No

## 5. Fees

- A request for access to a record, other than record containing personal information about yourself, will be processed only after a request fee (currently R50.00) has been paid.
- If the prescribed request fee is amended you will be notified of the amount required to be paid as the request fee.
- 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.
- If you qualify for exemption of the payment of any fee, please state the reason therefore.

**For Office Use**

<b>The requester qualifies for an exemption in payment fees (mark the appropriate box)</b>	<b>Yes</b>	<b>No</b>
<b>Reason</b>		

## 6. Form of access to record

Notes to Particular of record:

- Your indication as to the required form of access depends on the form in which the record is available.
- Access in the form requested may be refused in certain circumstances. In such a case you will be informed if
- access will be granted in another form.
- The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

<b>Mark the appropriate box with an 'X.'</b>					
1. If the record is in written or printed form -					
Copy of record*		Inspection of record			
2. If record consists of visual images –  (This includes photographs, slides, video recordings, computer-generated images, sketches, etc.)					
View the images		Copy of the images*		Transcription of the images*	
3. If the record consists of recorded words or information which can be reproduced in sound -					
Listen to the soundtrack (audio cassette)				Transcription of soundtrack* (written or printed document)	
4. If the record is held on computer or in an electronic or machine-readable form -					
Printed copy of record*		Printed copy of information derived		Copy in computer readable format*	
Do you wish the copy or transcription to be posted to you?				Yes	No
Note: If you requested a copy or transcription of a record (above), a postal fee is payable.					

**7. 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?	

**8. Details of the right to be exercised and/or protected.**

Indicate which right is to be exercised or protected\*


Explain why the requested record is required for the exercising or protection of the aforementioned right\*


**\*NOTE:**

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.

**9. 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 thereof 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?


**Signatures**

Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

\_\_\_\_\_

SIGNATURE OF REQUESTER

*(sign & print name)*

\_\_\_\_\_

SIGNATURE OF REPRESENTATIVE

*(sign & print name)*