



## **PART A**

### **PROMOTION OF ACCESS TO PERSONAL INFORMATION MANUAL**

(“PAIA Manual” or “this manual”)

for

### **EMNOTHWENI NETWORK**

**Registration number: 2014/004273/07**

Drafted in terms of the Promotion to Access to Information Act No. 2 of 2000 (hereinafter

Referred to as “PAIA”)



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## 1. DEFINITIONS:

- 1.1. **“The body”** refers to **EMNOTHWENI NETWORK (PTY) LTD** with registration nr 2014/004273/07, a Private Company duly registered as such in accordance with the laws of the Republic of South Africa and having its registered address situated at 34 Antbear Drive, Stand 751, Horse Shoe Island, Serengeti Golf & Wildlife Estate, Kempton Park, 1642
- 1.2. **“Business day”** means any days other than Saturdays, Sundays or public holidays.
- 1.3. **“Conditions for Lawful Processing”** means the conditions for the lawful processing of Personal Information as fully set out in chapter 3 of the POPI Act.
- 1.4. **“Constitution”** means the Constitution of the Republic of South Africa
- 1.5. **“Client/Customer/Consumer”** refers to any natural or juristic person that received or receives services from The Body
- 1.6. **“Data Subject”** has the meaning ascribed thereto in section 1 of the POPI Act
- 1.7. **“Information Officer”** means The Body’s appointed personnel as referred to in clause \_\_\_\_
- 1.8. **“Manual”** means this manual prepared in accordance with Section 51 of PAIA and regulation 4(1)(d) of the POPI Act Regulations
- 1.9. **“PAIA”** means Promotion of Access to Information Act, 2000
- 1.10. **“Personal Information”** has the meaning ascribed thereto in Section 1 of the POPI Act
- 1.11. **“Personnel”** refers to any person in the employ of who provides services to or on behalf of The Body and receives or is entitled to receive remuneration and any other person who assists in carrying out or conducting the business of The Body, which includes, without limitation, directors, all permanent, temporary and part-time staff as well as contract workers.

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- 1.12. **“POPI Act”** means the Protection of Personal Information Act, 2013
- 1.13. **“POPI Act Regulations”** mean the regulations promulgated in terms of section 11(2) of the POPI Act
- 1.14. **“Private Body”** has the meaning ascribed thereto in Section of both PAIA and the POPI Act
- 1.15. **“Processing”** has the meaning ascribed thereto in Section 1 of the POPI Act
- 1.16. **“Responsible Party”** has the meaning ascribed thereto in Section 1 of PAIA
- 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 the POPI Act
- 1.19. **“Request for Access”** has the meaning ascribed thereto in Section 1 of PAIA
- 1.20. **“SAHRC”** means the South African Human Rights Commission

Capitalized 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. INTRODUCTION:

- 2.1. The purpose of PAIA is to give effect to the constitutional right of access to any information held by another person or public or private body that is required for the exercise or protection of any rights, and to provide matters connected therewith.
- 2.2. The Body acknowledges that PAIA must be read with the Protections of Personal Information Act, No. 4 of 2013 (hereinafter referred to as “the POPI Act”) and abides thereby as well. As such, it acknowledges that the right to access to information cannot be unlimited and should be subject to justifiable limitations as imposed by, but not limited to, the POPI Act.

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- 2.3. In terms of Section 51 of PAIA there is a legal right to access information held by a private body, regardless of whether it is a natural or juristic person. However, these rights may be negated in circumstances set out in Chapter 4 of PAIA.
- 2.4. Subsequently, this manual gives effect to this legal right to access information held by The Body by detailing the procedure to be followed by a Requester and the manner in which a request for information to be accessed is to be facilitated.

### 3. PAIA AND THE SOUTH AFRICAN HUMAN RIGHTS COMMISSION:

- 3.1. PAIA prescribes in Chapter 3 which forms and/or fees are applicable when requesting information and documents from private bodies which would equally be applicable to this body.
- 3.2. The South African Human Rights Commission (SAHRC) has compiled a guide as Contemplated in Section 10 of the South African Human Rights Commission Act, 2013, which contains information to assist any person who wishes to exercise any right as contemplated in the South African Human Rights Commission Act.
- 3.3. The guide is available from the SAHRC at:

Address: PAIA Division, Unit 29  
Princess of Wales Terrace  
Cnr York & Andrew Streets  
Parktown

Tel: 011 877 3600

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

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



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#### 4. DETAILS OF THE BODY

4.1. The Body is a Private Company with registration number 2014/004273/07.

Physical address: 34 Antbear Street, Stand 751  
Serengeti Golf Estate,  
Kempton Park  
1642

Postal address: 34 Antbear Street, Stand 751  
Serengeti Golf Estate,  
Kempton Park  
1642

Telephone number: 011 354 2082

Email address: [info@mzansiway.com](mailto:info@mzansiway.com)

#### 5. DETAILS OF THE BODY'S INFORMATION OFFICER:

5.1. The Information Officer's contact details are as follow:

Name: Menzi Khumalo

Physical address: 34 Antbear Street, Stand 751  
Serengeti Golf Estate,  
Kempton Park  
1642

Postal address: 34 Antbear Street, Stand 751  
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## 6. CATEGORIES OF INFORMATION HELD BY THE BODY

6.1. Herewith a schedule of records that are held and/or processed by The Body and/or information held and/or processed by The Body for the purposes of PAIA and the POPI Act respectively:

| Subject                 | Documents / Information held by The Body                                    |
|-------------------------|-----------------------------------------------------------------------------|
| Client Services Records | Client correspondence                                                       |
|                         | Client fee files                                                            |
|                         | Client contracts                                                            |
|                         | Client business information                                                 |
|                         | Legal documentation                                                         |
|                         | Legal information                                                           |
|                         | Information regarding credit and credit accounts held with credit providers |
|                         | Accounts held with third parties                                            |
|                         | Banking accounts and information                                            |
|                         | FICA Documents                                                              |
|                         | Working papers                                                              |
|                         | Proposal and tender documents                                               |
|                         | Project plans                                                               |
|                         | Risk management records, solution methodologies                             |
|                         | Standard terms and condition of supply of goods and/or services             |
| Corporate Governance    | Codes of Conduct                                                            |
|                         | Corporate Social Investment Records                                         |
|                         | Board meeting minutes                                                       |
|                         | Executive committee meeting minutes                                         |
|                         | Legal compliance records                                                    |
|                         | Policies                                                                    |


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|                                             |                                      |
|---------------------------------------------|--------------------------------------|
| Finance and Administration                  | Accounting records                   |
|                                             | Annual Financial Statements          |
|                                             | Agreements                           |
|                                             | Banking records                      |
|                                             | Correspondence                       |
|                                             | Purchase Orders                      |
|                                             | Remittances                          |
|                                             | Invoices and statements              |
|                                             | Tax records and returns              |
|                                             | Statistics SA returns                |
|                                             |                                      |
| Human Capital                               | BEE statistics                       |
|                                             | Career development records           |
|                                             | Personnel information                |
|                                             | Employment equity reports            |
|                                             | General terms of employment          |
|                                             | Letters of employment                |
|                                             | Leave records                        |
|                                             | PAYE Records                         |
|                                             | Performance management records       |
|                                             | Assessments                          |
|                                             | Policies and procedures              |
|                                             | UIF Returns                          |
|                                             | Retirement benefits                  |
|                                             | Medical Aid records                  |
|                                             |                                      |
| Information Management and Technology       | Agreements                           |
|                                             | Equipment registers                  |
|                                             | Information policies                 |
|                                             | Standards, procedures and guidelines |
| Learning and education                      | Training material                    |
|                                             | Training records and statistics      |
|                                             | Training agreements                  |
|                                             | Leadership Programmes                |
| Library and Information and Research Centre | External Publications                |
|                                             | Internal publications                |
|                                             | Reference works                      |
|                                             | Periodicals                          |
|                                             | Research files and articles          |


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|                             |                                                                                                                                   |
|-----------------------------|-----------------------------------------------------------------------------------------------------------------------------------|
| Marketing and Communication | Proposal Documents                                                                                                                |
|                             | New Business Development                                                                                                          |
|                             | Brand information management                                                                                                      |
|                             | Marketing strategies                                                                                                              |
|                             | Communication strategies                                                                                                          |
|                             | Agreements                                                                                                                        |
|                             | Client relationship programs                                                                                                      |
|                             | Marketing publications and brochures                                                                                              |
|                             | Sustainability programs                                                                                                           |
| Operations                  | Access control records                                                                                                            |
|                             | agreements                                                                                                                        |
|                             | Archival Administration Documentation                                                                                             |
|                             | Communication strategies                                                                                                          |
|                             | General correspondence                                                                                                            |
|                             | Patents and Trade Mark documents                                                                                                  |
|                             | 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                                                                                                    |
|                             | Cellular phone registration                                                                                                       |
| Secretarial Services        | 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                                                                                                               |
|                             | Resolutions passed.                                                                                                               |


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6.1 The Body further retains records which are required in terms of Legislation other than PAIA and same provides that private bodies shallow a Requester access to certain records. The Legislation which 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 PAIA, if the act is applicable to The Body, are:

|                                                                        |
|------------------------------------------------------------------------|
| Administration of Adjudication of Road Traffic Offences Act 46 of 1998 |
| Auditing Professions Act, No. 26 of 2005                               |
| Basic Conditions of Employment Act 75 of 1997                          |
| Bills of Exchange Act 34 of 1964                                       |
| Broad-Based Black Economic Empowerment Act 53 of 2003                  |
| 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                                      |
| Electronic Communication Act, No 36 of 2005                            |
| Electronic Communications and Transactions Act 2 of 2000               |
| Employment Equity Act 55 of 1998                                       |
| Financial Intelligence Centre Act 38 of 2001                           |
| Financial Sector Regulation Act 9 of 2017                              |
| 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                                                 |



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|                                                                                                                 |
|-----------------------------------------------------------------------------------------------------------------|
| Prescription Act 18 of 1943                                                                                     |
| Promotion of Access to Information Act 2 of 2000                                                                |
| Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000                                     |
| Protected Disclosures Act 26 of 2000                                                                            |
| Protection Of Personal Information Act 4 of 2013                                                                |
| Regulation of Interception of Communications and Provisions of Communication Related Information Act 70 of 2002 |
| Sales and Service Matters Act 25 of 1964                                                                        |
| Securities Services Act 36 of 2004                                                                              |
| Securities Transfer Act 25 of 2007                                                                              |
| Skills Development Act 97 of 1997                                                                               |
| Skills Development Levies Act 9 of 1999                                                                         |
| South African Reserve Bank Act 90 of 1989                                                                       |
| The Applicable Municipal By-Laws                                                                                |

6.2 The Body has endeavoured to supply a list of the applicable legislation. However, this list is not completed and the process of access to information held by The Body should not be limited thereto.

6.3 Should the Requester be of the opinion that another record, other than those mentioned herein, exists, the Requester is required to specify the record it requests access to in as much detail as possible and upon which basis this opinion exists. The Requester must grant the Information Officer and/or his deputy, reasonable time to consider such a request and to ascertain whether the record exists.

6.4 It must be noted that records of a public nature and non-confidential records such as statutory records maintained at CIPC may be accessed without a formal application being submitted by the Requester.

6.5 The discretion of the Information Officer will be applied in respect of the classification of requests for access to information and may request a formal application be made for access to the information when he/she deems fit.



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## 7 PROCEDURE FOR REQUESTING RECORDS:

- 7.1 A Requester must comply with the all the procedural requirements as set out in Section 53 of PAIA when making the request.
- 7.2 Attached hereto as Addendum “A” is the prescribed Request for Access Form to be completed by the Requester and to be submitted along with the prescribed fee and/or deposit, should a fee and/or deposit be applicable.
- 7.3 The aforementioned is to be submitted to the Information Officer at the postal address or physical address or email address stated in this manual.
- 7.4 The request form must contain sufficient detail to enable the Information Officer to identify:
  - 7.4.1 The Record(s) / information being requested;
  - 7.4.2 the identity of the requester;
  - 7.4.3 the form of access that is required, if the request is granted;
  - 7.4.4 the contact details of the requester; and
  - 7.4.5 the right that the Requester is seeking to protect or exercise and an explanation as to why the record(s)/information is necessary to protect or exercise this right.
  - 7.4.6 The Information Officer may request further reasonable information to assist him/her in obtaining and/or identifying the information/records.

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7.5.7 The failure to supply sufficient information as set out herein, may delay the processing of the request until such time that all required information is provided and the prescribed time period as indicated in clause 7.7 hereof, will not commence until the requester has furnished all the above mentioned information.

7.5 Proof of the capacity in which the Requester is making the request to must accompany the request for access should same be made on behalf of another person and the request must still comply with the requirements set out in paragraph 7.4 hereof. The proof must also be to the satisfaction of the Information Officer and therefore, the Information Officer may apply his/her discretion in accepting the proof as provided and may choose not to grant access the records/information should he/she have reason to believe that the Requester is not duly authorized to do so.

7.6 Should the Requester not be able to complete the access form due to illiteracy or disability, the request may be made orally to the Information Officer and the Information Officer is to keep a detailed record of the request.

7.7 Such a request will be processed by The Body within 30 (thirty) business days from receipt thereof, unless the Requester has stated special reasons to the satisfaction of the Information Officer that circumstances exist why the request requires special consideration and time frame.

7.7.1 The timeline of thirty (30) business days may be extended as per clause 7.4.7. Hereof.

7.8 The Body will inform the Requester in writing, unless the request was made in terms of clause 7.6 hereof in which case the Requester will be informed orally, whether the access has been granted or denied.

7.8.1 In the instance where the confirmation is given orally, the Information Officer is to keep detailed record thereof.

7.9 The prescribed fee as set out herein must be paid before the information / records can be processed further and/or made available to the Requester.

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## 8. GROUNDS FOR REFUSAL OF ACCESS TO INFORMATION:

8.1 Access to information may be refused by The Body upon formal or informal request.

8.2 The grounds for such refusal are as follow:

8.2.1 Mandatory protection of the privacy of a third party who is a natural person , including a deceased person, or a juristic person where a disclosure of the information held by The Body would be unreasonable.

8.2.2 Mandatory protection of personal information and for disclosure of any personal information to in relation to any legislative, regulatory or contractual agreements in order to comply with the provision of the POPI Act.

8.2.3 mandatory protection of the commercial information of a third party if the record contains:

8.2.3.1 financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party;

8.2.3.2 information disclosed in confidence by a third party to The Body or any of its representatives, if the disclosure could put the third party who provided the information or any other third party, at a disadvantage in negotiations or commercial competition;

8.2.3.3 trade secrets of that third party;

8.2.4 mandatory protection of confidential information of third parties if it is protected in terms of any agreement;

8.2.5 mandatory protection of the safety of individuals and the protection of property;

8.2.6 mandatory protection of records that would be regarded as privileged in legal proceedings;

8.2.7 protection of the commercial information of The Body, which may include:

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- 8.2.7.1. Trade secrets;
- 8.2.7.2. financial, commercial, scientific or technical information, the disclosure of which could likely cause harm to the financial or commercial interests of The Body;
- 8.2.7.3. information which, if disclosed, could put The Body at a disadvantage in contractual or other negotiations or prejudice The Body in commercial competition;
- 8.2.7.4. information which, if disclosed, could put The Body or any of its member or directors and/or any of its employees at risk; and
- 8.2.7.5. requests for information which are frivolous and vexatious, which may involve unreasonable diversion of resources;

8.3. Requests for records will be considered on their own merits and in accordance with the applicable legal principals and legislation.

## 9. INFORMATION / RECORD NOT FOUND

9.1. Should the Information Officer or The Body not be able to find the record or should the record not exist, the Information Officer will by way of affidavit, confirm to the requester that it is not possible for access to be given to the record or information.

9.1.1. The notice will be deemed a decision to refuse a request for access to the record in terms of the Act.

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## 10. REMEDIES AVAILABLE TO REQUESTER UPON REFUSAL OF REQUEST

10.1 It should be noted that, should a request for access to information/record(s) be refused on one of the grounds set out in clause 8 hereof, The Body does not have an internal appeal procedure and therefore, the decision made by the Information Officer will be final.

10.2 The Requester may therefore apply external remedies, i.e. approaching a court for the necessary relief within 30 days of notification as per Section 56(3)(c) and 78 of PAIA.

## 11. FEES PAYABLE

11.1 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.

11.2 Prescribed request fees are set out in Annexure “B”.

11.3 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.

11.4 The Information Officer will withhold a Record until the Requester has paid the fees as prescribed.

11.5 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.

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11.6 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.

## 12 AVAILABILITY OF THIS MANUAL

12.1 This manual is available at the premises of The Body and upon a request made to the information officer.

12.2 Copies hereof can be obtained from the Information Officer. A fee will be levied should hard copies be requested as per the fees set out in Addendum “B”.

## 13 PROTECTION OF PERSONAL INFORMATION THAT IS PROCESSED BY THE BODY

13.1 As already mentioned, The Body acknowledges that PAIA must be read with the POPI Act and abides thereby as well. As such, it acknowledges that the right to access to information cannot be unlimited and should be subject to justifiable limitations as imposed by, but not limited to, the POPI Act.

13.2 This manual protects a person’s right to have his/her/its personal information as per the requirements of the POPI Act. The POPI Act details the categorical purposes for which Personal Information may be processed and the categories of Data Subjects from whom information may be requested and subsequently processed. Further, it also specifies the recipients to whom this information may be supplied.

13.3 This manual must further be read with The Body’s Privacy Policy, which details the purposes for which The Body processes Personal Information and the categories of Data Subjects from which information is processed. The Privacy Policy also governs how this information may be shared and accessed.

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**PRIVACY POLICY**  
For data protection and information sharing

For

**EMNOTHWENI NETWORK**

**Registration number: 2014/004273/07**

(Hereinafter referred to as “The Body”)

Drafted in terms of the Protection of Personal Information Act No. 4 of 2013 (hereinafter  
referred  
To as “the POPI Act”)



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## 1. Definitions

- 1.1. **“Consent”** means the voluntary, specific and informed expression of will
- 1.2. **“Data Subject”** means the natural or juristic person to whom the Personal Information relates and includes owners, tenants, visitors, employees and any other natural person and/or juristic person
- 1.3. **“Direct Marketing”** means approaching a Data Subject personally for the purposes of selling a product or service, or requesting a donation
- 1.4. **“Personal Information”** means information relating to an identifiable, living person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to:
  - (a) information relating to the race, gender, sex, pregnancy, marital status, nationality, ethnicity or social origin, colour, sexual orientation, age, physical or mental health, wellbeing, disability, religion, conscience, belief, culture, language and birth of the person
  - (b) Information relating to the education or the medical, financial, criminal or employment history of the person
  - (c) Any identifying number, symbol, email address, physical address, telephone number, location information, online identifier or other particular assignment to the person
  - (d) The biometric information
  - (e) The personal opinions, views or preferences
  - (f) Correspondence sent by the person that is implicitly or explicitly private or confidential in nature or further correspondence that would reveal contents of the original correspondence
  - (g) The views or opinions of another individual about the person; and

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- (h) the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person.
- 1.5. **“Processing”** means any operation or activity or any set of operations, whether or not by automatic means, including –
- (a) The collection, receipt, recording, organization, collation, storage, updating or modification, retrieval, alteration, consultation or use
  - (b) Dissemination by means of transmission, distribution or making available in any other form; or
- Merging, linking, as well as restriction, degradation, erasure or destruction of information
- 1.6. **“Information Officer”** means the head of a private body as contemplated in section 1 of the POPI Act.
- 1.7. **“Electronic Communication”** means any text, voice, sound or image message sent over an electronic communications network which is stored in the network or in the recipient’s terminal equipment until it is collected by the recipient.
- 1.8. **“Broad Based Black Economic Empowerment”** means the viable economic empowerment of all black people, in particular women, workers, youth, people with disabilities and people living in rural areas, through diverse but integrated socio-economic strategies that include, but are not limited to-
- (a) Increasing the number of black people that manage, own and control enterprises and productive assets
  - (b) Facilitation ownership and management of enterprises and productive assets by communities, workers, co-operatives and other collective enterprises
  - (c) Human resource and skills development
  - (d) Achieving equitable representation in all occupational categories and levels in the workforce

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- (e) Preferential procurement from enterprises that are owned or managed by black people; and
  - (f) Investment in enterprises that are owned or managed by black people.
- 1.9. **“Operator”** means any third party who assist The Body in its daily functions of its business and service delivery.
- 1.10. **“POPI Act”** means the Protection of Personal Information Act, No. 4 of 2013.
- 1.11. **“Policy”** refers to this Privacy Policy drafted in terms of the POPI Act.

Capitalized 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. INTRODUCTION:

- 2.1. This Privacy Policy (hereinafter referred to as “the Policy” and/or “this Policy”) sets out the how The Body will meet its obligations and requirements imposed on it by the POPI Act and further how the Body uses, protects and processes any information that is collected from a Data Subject.
- 2.2. The requirements and the premise on which this Policy is founded is established in terms of the POPI Act and PAIA.
- 2.3. This Policy applies to the Body’s employees and/or any other person, including and without detracting from the generality thereof, any juristic or natural person, prospective employees, employment candidates, service providers, operators, clients/customers/consumers, governmental, provincial and municipal agencies or entities, regulators, Requesters of information or records as defined in the part A of this manual which was drafted in terms of PAIA, persons making enquiries and/or third parties, including all associated, relatives and/or family members of such Data Subjects or any person who may be acting on behalf of or in a representative capacity in respect of the Data Subject, and from whom the Company receives Personal Information.

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- 2.4. 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.
- 2.5. The Body needs Personal Information relating to both individual and juristic persons in order to carry out its business and organizational functions. The manner in which this information is Processed and the purpose for which it is processed is determined by The Body. The Body is accordingly a Responsible Party for the purposes of POPIA and will ensure that the Personal Information of a Data Subject:
- 2.5.1. is processed lawfully, fairly and transparently. This includes the provision of appropriate information to Data Subjects when their data is collected by the Body, in the form of privacy or data collection notices. The Body must also have a legal basis (for example, consent) to process Personal Information;
  - 2.5.2. is processed only for the purposes for which it was collected;
  - 2.5.3. will not be processed for a secondary purpose unless that processing is compatible with the original purpose.
  - 2.5.4. is adequate, relevant and not excessive for the purposes for which it was collected;
  - 2.5.5. is accurate and kept up to date;
  - 2.5.6. will not be kept for longer than necessary;
  - 2.5.7. is processed in accordance with integrity and confidentiality principles; this includes physical and organizational 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 Body, in order to protect against access and acquisition by unauthorized persons and accidental loss, destruction or damage;

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2.5.8. is processed in accordance with the rights of Data Subjects, where applicable

### 3. APPLICATION

- 3.1. This Policy applies to all Data Subjects, including, its managements, its employees, its directors, third party operators and/or service providers, sub-contractors, agents, customers and/or clients, and/or any other person, whether natural or juristic, that has any dealings with The Body.
- 3.2. The Body collects and uses Personal Information of the individuals and/or corporate entities that with which it works and/or has any dealings with in order to carry out and conduct operations of its business and statutory obligations effectively and maintain satisfactory customer services.
- 3.3. The lawful collection of Personal Information is deemed as crucial in ensuring successful service delivery to The Body's clients, suppliers and distributors as well as in maintaining the confidentiality between The Body and all other stakeholders.
- 3.4. This Policy will be applicable upon the receipt of Personal Information by the Data Subject. The Data Subject may sign the relevant consent forms for the use and/or storage of information. However, the voluntary provision of Personal Information by the Data Subject to The Body will be deemed as agreeing to this policy and that the Data Subject consents to the processing of its personal information.
- 3.5. Current clients will be made aware of the Policy and will be advised to familiarize themselves with same. They will also be made aware of the fact that they may reasonably object to the processing of their Personal Information and be afforded an opportunity to do so. Should a client/customer/consumer not object as mentioned, The Body will deem same to be an acceptance of this Policy and consent to the Processing of its personal information.
- 3.6. Current employees will be made aware of the Policy and will be advised to familiarize themselves with same. They will also be made aware of the fact that they may reasonably object to the processing of their Personal Information and be afforded an opportunity to do so. Should an employee not object as mentioned, The Body will deem same to be an acceptance of this Policy and consent to the Processing of its personal information.

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- 3.6.1. All new employees will be informed of the Policy and will be requested to consent to same. The consent may be included in its employment contract.

#### 4. COLLECTION OF INFORMATION:

- 4.1. Personal Information is collected from the Data Subject directly. Same may be done as follow, without limitation:

4.1.1. By The Body requesting the information from the Data Subject in writing and/or verbally with the possibility of same being reduced to in writing and the Data Subject providing the Personal Information as requested.

4.1.2. Personal Information may also be collected when a Data Subject provides the Information voluntarily when it applies for employment, solicits services from The Body or to The Body, when it submits enquiries with The Body.

4.1.3. By The Body lawfully obtaining same from a third party during the course of rendering services to the third party as contractor and/or operator assisting it in conducting its business and rendering services. Subsequently, the Personal Information is received from the third party who is duly authorized to do so and who has obtained the consent from the Data Subject to do so. In such an event, this Policy will also apply to the information received from the third party and The Body will protect the Personal Information as set out herein and as if same was obtained from the Data Subject directly.

4.1.4. By way of “cookies” or similar technologies. Cookies are small software programs that install themselves on computers and mobile devices and they store data specific to a particular user and remembers the user’s preferences about The Body’s website. The cookies may be stored on the user’s computer or devices for various lengths of time and every time the user returns to the website, the cookies record this data which is then transmitted to The Body or to third parties with whom The Body works as specified herein.

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- 4.1.4.1. The Body may collect information about the user's computer, including where available, its operating system, browser type, third-party software installed on the user's device, installation and uninstallation rates, the language of the user's device, the computer manufacturer, screen size and model of the device and other technical information for system administration and to report aggregate information to The Body's advertisers. The statistical data about the user's browsing actions and patterns is derived from Personal Information, but is not considered Personal Information in law as it does not identify any individual.
  - 4.1.4.2. When a user visits the Body's website, it may place cookies onto the user's device, or read cookies already on the device, subject always to obtaining the user's consent, where requires, in accordance with applicable law. The Body uses cookies to record information about the user's device, browser, preferences and browsing habits.
  - 4.1.4.3. Subsequently, The Body may process Personal Information through cookies and similar technologies.
  - 4.1.4.4. Biometric information by way of facial and/or fingerprint recognition
- 4.2. In the event of The Body requesting information from the Data Subject as described in clause 4.1.1. The Body will apply its best endeavors to inform the Data Subject what information is required, and which information is optional.

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## 5. CATEGORIES OF DATA SUBJECTS

The Body will protect the following information of its directors, employees, customers, clients, consumers, service providers, employees and other Data Subjects set out below:

| Categories of Data Subjects and categories of Personal Information relating thereto | Personal Information Processed                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|-------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Natural Persons:</b>                                                             | <ul style="list-style-type: none"> <li>• Full names</li> <li>• Contact details</li> <li>• Physical and Postal Address</li> <li>• Identification numbers</li> <li>• Date of birth</li> <li>• Gender</li> <li>• Tax number (and other related tax information)</li> <li>• Confidential correspondence</li> <li>• Banking details as stated under Payment beneficiaries</li> <li>• Financial Statements</li> <li>• Credit scores</li> <li>• Credit accounts with third parties</li> <li>• Accounts held with third parties</li> <li>• Payment history in respect of credit and other accounts</li> </ul>                                                                                           |
| <b>Juristic Persons</b>                                                             | <ul style="list-style-type: none"> <li>• Full names of legal entity</li> <li>• names and details of contact persons</li> <li>• General contact details</li> <li>• Registration number and other registration details,</li> <li>• Physical and postal addresses</li> <li>• Financial information and details</li> <li>• Founding documents</li> <li>• Tax related information</li> <li>• VAT number and VAT related documents</li> <li>• Names and details of authorized signatories</li> <li>• Beneficiaries (where applicable)</li> <li>• Shareholder Information (where applicable)</li> <li>• Broad Based Black Economic Empowerment Information (where necessary and applicable)</li> </ul> |


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|-------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Payment beneficiaries:</b> | <ul style="list-style-type: none"> <li>• Bank Account Currency Code,</li> <li>• Bank Account Id, Bank Account Name,</li> <li>• Bank Account Number,</li> <li>• Bank Account Type;</li> <li>• beneficiary address,</li> <li>• transaction details;</li> <li>• payment narrative and,</li> <li>• for certain data transferred,</li> <li>• National Insurance numbers.</li> </ul> |
| <b>Personnel:</b>             | <ul style="list-style-type: none"> <li>• Full name;</li> <li>• ID numbers</li> <li>• Contact details (address/telephone number)</li> <li>• Race</li> <li>• Gender</li> <li>• Education</li> <li>• Physical and postal address</li> <li>• Income TAX numbers</li> </ul>                                                                                                         |

The body has applied its best efforts to provide a comprehensive list. However, this list may be updated from time to time.

## 6. SPECIAL PERSONAL INFORMATION:

6.1. It may be that in the course of rendering services to a customer/client/consumer and/or for employment purposes, The Body may need to collect Special Personal Information as described in Section 26(a) and (b) of the POPI Act, which reads as follow:

- “(a) *the religious or philosophical belief, race or ethnic origin, trade union membership, political persuasion, health or sex life or biometric information of a data subject; or*
- (b) *the criminal behavior of a data subject to the extent that such information relates to –*
- (i) *the alleged commission by a data subject to any offence; or*
- (ii) *the proceedings in respect of any offence allegedly committed by a data subject or the disposal or such proceedings.”*



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- 6.2. The abovementioned information will only be processed for a legitimate purpose and only for the purposes specified by The Body.
- 6.3. The information will further only be processed by obtaining the Data Subject's prior consent.
- 6.4. It may be that The Body will request Special Personal Information from its employees for certain purposes such as, but not limited to, statistical purposes, access to its premises, ensuring that an employee/contractor can render a specific service or is qualified for the position for which it is being considered, association purposes which may affect The Body, etc. In this event, The Body will inform the Data Subject of the purpose for which same is being obtained and request consent to process same accordingly.

**7. PURPOSE OF PROCESSING PERSONAL INFORMATION:**

- 7.1. The Body is established and registered in terms of the applicable laws of the Republic of South Africa which laws imposes certain statutory obligations on The Body which must be complied with. These obligations may require the Body to process, store, keep and share personal information collected by it with third parties or to ensure that the Body complies with these obligations through the effective and necessary governance of The Body.
- 7.2. As set out herein, the Personal Information may only be Processed for a specific purpose and the purpose(s) for which the Company processes information is set out here:

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| Data Subject                                                    | Reason/Purpose                                                                                                                                                            |
|-----------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| For Clients / Consumers / Customers and any other third parties | To provide services to the Client in accordance with terms agreed to by the Client;                                                                                       |
|                                                                 | To verify the Identity of the Client or the client's representative(s) who contact The Body or may be contacted by the Body                                               |
|                                                                 | To monitor and/or record calls and electronic communications with the client for quality, training, investigation and/or fraud prevention purposes                        |
|                                                                 | For crime detection, prevention, investigation and prosecution                                                                                                            |
|                                                                 | To manage the Company's relationship with the Client                                                                                                                      |
|                                                                 | The purposes related to any authorized disclosure made in terms of agreement, law or regulation.                                                                          |
|                                                                 | To identify payments received from and made to clients                                                                                                                    |
|                                                                 | Verifying and updating information of clients                                                                                                                             |
|                                                                 | Conducting marketing and satisfaction research and reviews;                                                                                                               |
|                                                                 | Recovering and collecting of outstanding payments due and owing to The Body                                                                                               |
|                                                                 | To form a view of residents as individuals and to identify, developer improve The Body                                                                                    |
|                                                                 | Communicating with clients by email, SMS, letter, telephone or in any other way relating to The Body's affairs in general as well as in relation to the client personally |
|                                                                 | Security purposes                                                                                                                                                         |
|                                                                 | To enforce or defend the Company's rights                                                                                                                                 |
|                                                                 | Performing checks and background checks                                                                                                                                   |
|                                                                 | For any legal proceedings that need to be instituted or defended                                                                                                          |
|                                                                 | Verifying banking accounts and banking information to authorise debits from account                                                                                       |
|                                                                 | Verifying credit or other accounts with third parties                                                                                                                     |
|                                                                 | Complying with The Body's Regulatory and other obligations                                                                                                                |
|                                                                 | For any legal proceedings that need to be instituted or defended                                                                                                          |
| For Employees                                                   | Verifying and updating information                                                                                                                                        |
|                                                                 | Performing duties in terms of any agreement                                                                                                                               |
|                                                                 | Verification of prospective employees' information                                                                                                                        |
|                                                                 | General matters relating to employees                                                                                                                                     |
|                                                                 | Payroll                                                                                                                                                                   |
|                                                                 | Disciplinary action                                                                                                                                                       |



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|                                                                                                       |
|-------------------------------------------------------------------------------------------------------|
| Training                                                                                              |
| Any other reasonably required purpose relating to the employment or possible employment relationship  |
| Security purposes                                                                                     |
| Any other reasonably required purpose relating to The Body's business and access protocols            |
| Staff administration                                                                                  |
| Conducting marketing and satisfaction research and reviews                                            |
| For any legal proceedings that need to be instituted or defended.                                     |
| For the purpose of enabling The Body to fulfill its obligations as set out in the Employment contract |

7.2.1 The Body has applied its best efforts in supplying all the reasons for which Personal Information is processed. However, this list may be updated from time to time.

7.3. Personal Information will also only be processed in the ordinary course of business and for the purposes set out herein.

7.4. Further to this, the Body will only use the information for the purposes for which it was obtained.

7.5. The information will only be used for secondary purpose if such purpose constitutes a legitimate interest and is closely related to the original or primary purpose for which the Personal Information was collected and/or if you consent has been obtained.

## 8. CATEGORIES OF RECIPIENTS FOR PROCESSING PERSONAL INFORMATION:

8.1. The Body may share the Personal Information with its affiliates, associated companies, agents and any other person that may use this information to send the Data Subject information in relation to The Body.

8.2. As such, the Body may supply the Personal Information collected by it to any party whom The Body may have assigned or delegated or transferred any of its rights and obligations in terms of and/or under any service provider that renders the following services:



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- 8.2.1. Administration and management functions, including internal operating services;
- 8.2.2. Data hosting services;
- 8.2.3. IT services;
- 8.2.4. Customer services;
- 8.2.5. Banking services;
- 8.2.6. Credit Bureaus;
- 8.2.7. Sending of emails and other correspondence to customers/consumers/clients;
- 8.2.8. Administration of medical aid's, pension schemes or trade unions;
- 8.2.9. General maintenance services;
- 8.2.10. Security services;
- 8.2.11. Insurance companies;
- 8.2.12. Enforcing The Body's rules;
- 8.2.13. Legal and collection purposes;
- 8.2.14. Providing the Body with biometric security services;
- 8.2.15. document review and technology services;

8.3. The Body may further disclose the information a competent Court or authority upon request or when receiving a subpoena to do so, and/or for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, including, but not limited to, safeguarding against, and the prevention of threats to, public security.

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8.4. Should The Body engage a third-party Operator to process any Personal Information it recognises that any Operator who is in a foreign country must be subject to a law, binding corporate rules or binding agreement which provide an adequate level of protection similar to the POPI Act.

8.4.1. In such an event, the Body will ensure that the Operator/third party undertakes to protect the Personal Information in line with applicable data protection legislation and the transfer is necessary in order to provide The Body's products and/or services.

8.5. The Body will review its relationships with Operators it is already engaged or to be engaged with and, to the extent required by any applicable law, require such an Operator to be bound by contractual and/or legal obligations to:-

8.5.1. only process such Personal Information in accordance with prior written consent; and

8.5.2. use appropriate measures to protect the confidentiality and security of such Personal Information.

8.6. 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.

8.6.1. In all or most instances The Body will attempt to ensure that the third party outside of the Republic of South Africa has adopted a law that provides for an adequate level of protection substantially similar to the POPI Act and The Body will request that third party undertakes in writing to protect the Personal Information in line with applicable data protection legislation and the transfer is necessary in order to provide The Body's products and services.

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8.6.2. However, The Body accepts that clause 8.6.1. may not always be possible and as such The Body will obtain your consent before transferring your Personal Information. The Body will further request that third party undertakes in writing to protect the Personal Information in line with applicable data protection legislation of South Africa.

## 9. ACCESS TO PERSONAL INFORMATION:

9.1. This section must be read with The Body's PAIA Manual which promotes the access to information.

9.2. Any Natural or Juristic Person may request access, deletion or amendments to their Personal Information held by The Body and/or its agents. Same is to be done by completing the applicable forms annexed hereto and adhering to the procedure set out in the PAIA Manual and to be sent to the Information Officer. The Information Officer may accept or deny the request for access.

9.2.1. Upon acceptance of the request, the timeline stipulated in paragraph 7.7 of the PAIA manual will apply for the processing of the application.

9.3. In the event that the application for Personal Information is denied, the Information Officer is to provide written reasons as to why same is denied and same is to be kept on record.

9.3.1. The Requester may then appeal his request to the Information Regulator.

9.3.2. Should the Information Regulator also deny the request for access to the Personal Information, the Requester may approach a competent Court for the appropriate and/or necessary relief within 30 days of notification of the decision.

9.3.3. The Requester may upon denial of his/her/its request by the Information Officer, approach a competent Court for the appropriate and/or necessary relief within 30 days of notification of the decision.

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- 9.4. In the event that the information requested cannot be found and/or the Body believes that the record does not exist or cannot be found, after a reasonable search was conducted, the Requester will be notified by way of an affidavit, which will set out the steps to be taken to obtain the information, sworn to by the Information Officer within 30 days of completing the reasonable search.
- 9.5. The request for access to Personal Information may be refused on the following grounds, without being limited thereto:
- 9.5.1. To protect Personal Information that the Body hold in relation to third parties (where natural or juristic persons including deceased persons) from unreasonable disclosure;
  - 9.5.2. To protect commercial and proprietary information that The Body holds about or in relation to a third party which may or may not include trade secrets, financial, commercial, labour, technical or scientific information that may, if revealed, will bring about loss and/or harm to the third party in question;
  - 9.5.3. In the event that disclosure will breach duties of confidentiality to that third party in terms of an agreement;
  - 9.5.4. Disclosure of the Information would result in endangering the life or physical safety and security of an individual;
  - 9.5.5. Disclosure of the information would result in the prejudice or impairing the protection or safety of the public;
  - 9.5.6. The disclosure of information is privileged from production in legal proceedings, unless the legal privilege is waived;
  - 9.5.7. Disclosure of such information would harm the commercial and financial interests of The Body;
  - 9.5.8. The record is contained as a computer or software program; and
  - 9.5.9. The record contains any research that has been conducted or will be conducted on behalf of The Body.

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## 10. DATA ACCURACY & SECURITY

- 10.1. The Body will restrict the processing of Personal Information to data which is sufficient for the fulfilment of the primary purpose and applicable legitimate purpose for which it was collected.
- 10.2. The Body has and will continue to implement appropriate technical and organizational security measures to protect Personal Information in its possession against accidental or unlawful destruction, loss, alteration, unauthorized disclosure, unauthorized access, in accordance with applicable law.
- 10.3. 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.

### 10.3.1. 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.

### 10.3.2. 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 Clients.

### 10.3.3. 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.

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#### 10.3.4. 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.

#### 10.3.5. 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).

#### 10.3.6. 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.

#### 10.3.7. 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.

#### 10.3.8. Organization Control

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

- 10.4. Should there be reasonable grounds to suspect that the Personal Information of a Data Subject has been accessed or acquired by any unauthorised third party, the Body will notify the Regulator and the Data Subject, unless a public body responsible for the detection, prevention or investigation of offences or the relevant regulator informs The Body that notifying the Data Subject will impede a criminal investigation.

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- 10.5. Due to the fact that the internet is an open system, the transmission of information via the internet is not completely secure and even though The Body implements all reasonable security measures to ensure the protection of the Data Subject's Personal Information, it cannot guarantee the security of any information transmitted using the internet or internet related services, and The Body cannot be held liable for any loss of privacy occurring during the course of such transmission.

## 11. DATA MINIMISATIONS

- 11.1. The Body will restrict its Processing of Personal Information to data which is sufficient for the fulfilment of the primary purpose and applicable legitimate purpose for which it was collected.

## 12. CONDITIONS FOR LAWFUL PROCESSING

- 12.1. The Body endeavors to comply with the conditions under which personal information may be processed lawfully in terms of Chapter 3 of the POPI Act, which are as follows:

- 12.1.1. Condition 1: Accountability
- 12.1.2. Condition 2: Processing Limitation
- 12.1.3. Condition 3: Purpose specification
- 12.1.4. Condition 4: Further processing limitation
- 12.1.5. Condition 5: Information quality
- 12.1.6. Condition 6: Openness
- 12.1.7. Condition 7: Security safeguards
- 12.1.8. Condition 8: Data Subject participation

- 12.2. The Body further endeavours to comply with all sections thereunder to ensure that Personal Information collected by it duly complies with these conditions.

**Email**

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### 13. DATA RETENTION

- 13.1. The Body will retain and store Personal Information for the period for which the data is required to serve its primary purpose or a legitimate interest or for the period required to comply with an applicable legal requirement imposed by law, whichever is longer.

### 14. RIGHTS OF THE DATA SUBJECT

- 14.1. A Data Subject may have rights under the South African and other laws to have access to its Personal Information and to request the Body to rectify, delete or restrict use of same.
- 14.2. The Body acknowledges that a Data Subject may also have rights to object to its personal Information being used.
- 14.3. The Body acknowledges that a Data Subject may also have the right to ask for the transfer of Personal information made available to The Body and to withdraw its consent to use the Personal Information.
- 14.4. The abovementioned may be done by submitting the forms attached hereto and marked as Addendums C and D respectively, to the Information Officer, who will consider such a request accordingly and may adhere to or reject the request and provide reasons for its decision if necessary. Should the Information Officer reject such a request, the Data Subject may approach the Regulator and/or Competent Court for the necessary relief.

### 15. DIRECT MARKETING

- 15.1. The Body may process a Data Subject's Personal Information for the purposes of providing it with information regarding services which may be of interest to it. As such, same may be done by direct marketing which may be done electronically or telephonically.
- 15.2. The Data Subject will be given the opportunity to unsubscribe or opt-out of this marketing and The Body undertakes to adhere to the request.

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## 16. DESTRUCTION OF RECORDS/DOCUMENTS/INFORMATION

- 16.1. Documents may be destroyed after the termination of the retention period specified herein, or as determined by The Body from time to time.
- 16.2. Files are to be checked to ensure that they may be destroyed and also to ascertain if there are important original documents in the file.
- 16.3. Original Documents must be returned to the holder thereof, failing which, they should be retained by the Company pending such return.
- 16.4. Deletion of electronic records must be done in consultation with the IT department and/or IT services, to ensure that deleted information is incapable of being reconstructed/recovered.

## 17. AVAILABILITY OF THE PAIA MANUAL AND PRIVACY POLICY

- 17.1. The Body will update the PAIA Manual at such intervals as may be deemed necessary.
- 17.2. Both the PAIA Manual and Privacy Policy is available to view at the premises of The Body and/or upon request from the Information Officer and/or Deputy Information Officer, whose details are repeated here:

The Information Officer's contact details are as follow:

Name: Menzi Khumalo

Physical address: 34 Antbear Street, Stand 751  
Serengeti Golf Estate,  
Kempston Park



### Email

Info@mzansiway.com



### Phone

0113542082



### Website

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Postal address: 34 Antbear Street, Stand 751  
Serengeti Golf Estate,  
Kempton Park  
1642

Telephone number: 011 354 2082

Email address: [info@mzansiway.com](mailto:info@mzansiway.com)



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### Addendum A

#### **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.

**Email**

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1 Particulars of Private body  
The Information Officer:

|                   |                                                                                 |
|-------------------|---------------------------------------------------------------------------------|
| Name:             | Menzi Khumalo                                                                   |
| Physical address: | 34 Antbear Street, Stand 751<br>Serengeti Golf Estate,<br>Kempton Park          |
| Postal address:   | 34 Antbear Street, Stand 751<br>Serengeti Golf Estate,<br>Kempton Park<br>01642 |
| Telephone number: | 011 354 2082                                                                    |
| Email address:    | info@mzansiway.com                                                              |

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## 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.**

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**Website**[www.mzansiway.com](http://www.mzansiway.com)

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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: \_\_\_\_\_

1 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.**

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

---

---

2. Reference number, if available:

---

3. Any further particulars of record

---

---

4 .Fees



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- 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 R35,00 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.

5. Reason for exemption from payment of fees:

6. 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.



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


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## 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 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:

---

---

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### 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 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 THE \_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_

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

**Email**

Info@mzansiway.com

**Phone**

0113542082

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## Addendum B

### 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:



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|     |     |                                                                                                                                                   | 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 |
|     | (f) | To search for and prepare the record for disclosure, R30,00 for each hour or part of an hour reasonably required for such search and preparation. |                                                                             |       |

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.


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### Addendum C

## 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

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


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|          |                                                                                                                                  |
|----------|----------------------------------------------------------------------------------------------------------------------------------|
| <b>C</b> | <b>REASONS FOR OBJECTION IN TERMS<br/>OF<br/>SECTION 11(1)(d) to (f) (Please provide<br/>detailed reasons for the objection)</b> |
|----------|----------------------------------------------------------------------------------------------------------------------------------|

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

Signature of data subject

\_\_\_\_\_

**Email**

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0113542082

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### Addendum D

## 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.**

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


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|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>D</b> | <b>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)</b> |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

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

\_\_\_\_\_  
Signature of data subject/designated person

**Email**

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**Phone**

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