

PROMOTION OF ACCESS TO PERSONAL INFORMATION MANUAL

PROMOTION OF ACCESS TO PERSONAL INFORMATION MANUAL (PAIA).

Promotion of Access to Information
Act No.2 of 2000

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INTRODUCTION:

This manual was prepared in terms of the statutory obligations imposed on the Private Body in terms of Section 51 of the Promotion of Access to Information Act No.2 of 2000 (hereinafter referred to as “PAIA”) read together with the Protection of Personal Information Act No.4 of 2013 (hereinafter referred to as “POPI”). All requests for access to information records and documents must be made to the duly appointed information officer by making use of Annexure A which is attached to this manual.

This manual applies to:

ONE ONE INFINITY REWARDS (PTY) LTD

Registration number: 2009/012968/07

Duly registered in terms of the laws of the Republic of South Africa.

(hereinafter referred to as the “Private Body”)

PART A: PROMOTION OF ACCESS TO PERSONAL INFORMATION (PAIA).

1. Definitions.

- 1.1 **“biometrics”** means a technique of personal identification that is based on physical, physiological or behavioural characterisation including blood typing, fingerprinting, DNA analysis, retinal scanning and voice recognition;
- 1.2 **“Human Rights Commission”** means the South African Human Rights Commission referred to in section 181 (1) (b) of the Constitution;
- 1.3 **“information officer”** means of, or in relation to, a public body the chief executive officer, or equivalent officer, of that public body or the person who is acting as such and whose further particulars are in annexure B;
- 1.4 **“official”**, in relation to a public or private body, means—
(a) any person in the employ (permanently or temporarily and fulltime or parttime) of the public or private body, as the case may be, including the head of the body, in his or her capacity as such; or
(b) a member of the public or private body, in his or her capacity as such;
- 1.5 **“person”** means a natural person or a juristic person;
- 1.6 **“personal information”** means information relating to an identifiable natural person, including, but not limited to—
(a) information relating to the race, gender, sex, pregnancy, marital status, national, ethnic 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 assigned to the person;

(d) the biometric information of the person;

(e) the personal opinions, views or preferences of the person;

(f) correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;

(g) the views or opinions of another individual about the person; and

(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, but excludes information about an individual who has been dead for more than 20 years;

1.7 “**record**” of, or in relation to, a public or private body, means any recorded information—

(a) regardless of form or medium;

(b) in the possession or under the control of that public or private body, respectively; and

(c) whether or not it was created by that public or private body, respectively;

1.8 “**working days**” means any days other than Saturdays, Sundays or public holidays.

1.9 “**private body**” means One One Infinity Rewards (Pty) Ltd.

2. Introduction.

2.1 The purpose of PAIA is to promote the right of access to information, to promote transparency and accountability and by ensuring that any party with a right to information that is required for the exercise or protection of any such right has access to information to enable them to exercise and protect their rights afforded to them in terms of the Constitution and other legislation.

2.2 The Act however, recognises that the right to access information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to:

2.2.1 Limitations aimed at the reasonable protection of privacy;

2.2.2 Commercial confidentiality; and

2.2.3 Effective, efficient and good governance;

2.3 This PAIA Manual complies with the requirements as mentioned in section 9 and 10 of the Act and recognises that upon commencement of the Protection of Personal Information Act 4 of 2013, that the appointed Information Regulator will be responsible to regulate compliance with the Act and its regulations by private and public bodies, which further forms part of this manual and is dealt with in part 2 hereof.

3. Contact information of the Managing Director:

Name and Surname: Mr. Willem Petrus Stolz Victor.

Physical Address: The Campus, Corner of Sloane and Main,
Bryanston.

Telephone Number: 087 006 0011

4. Information Officer:

4.1 The appointed information officer is as per Annexure "B" to this document.

4.2 PAIA prescribes the appointment of an information officer, the Private Body has elected to appoint an information officer to ensure that all requests for access to information which are valid, lawful and in line with legislation can be adequately assessed and to oversee all relevant function in line with the act.

4.3 The Information Officer referred to herein above also refers to the Information Officer as referred to in the Protection of Personal Information Act 4 of 2013.

The Information Officer oversees the functions and responsibilities as required in terms of both this Act as well as the duties and responsibilities in terms of section 55 of the Protection of Personal Information Act 4 of 2013 after registering with the Information Regulator which registration is compulsory. The appointed information officer must ensure that the POPIA compliance framework is continually improved.

- 4.4 The Private Body have elected to appoint the person herein mentioned below as its Information Officer in terms of PAIA as well as POPI.
- 4.5 The Private Body further acknowledges the powers granted to the information officer in terms of Section 17 of PAIA read with section 56 of POPI which powers enables the appointed Information Officer to appoint, where it is deemed necessary, Deputy Information Officers, as allowed in terms of the abovementioned sections.
- 4.6 This is to ensure that the Private Body is as accessible as reasonably possible for requesters of its records and to ensure fulfilment of its obligations and responsibilities as prescribed in terms of section 55 of the Protection of Personal Information Act 4 of 2013.
- 4.7 All request for information in terms of this Act must be addressed to the Information Officer at the addresses so stated herein.
- 4.8 PAIA grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.
- 4.9 The act further 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 private body.

4.9.1 Requesters are referred to the Guide in terms of Section 10 of PAIA which has been compiled by the South African Human Rights

Commission (SAHRC), which will contain information for the purposes of exercising Constitutional Rights. The Guide is available from the SAHRC of who's details are as follows:

Body: South African Human Rights Commission.
 Address: PAIA Division Unit 29 Princess of Wales Terrace
 Cnr York and Andrew Streets
 Parktown
 Tel: 011 877 3600
 Email: PAIA@sahrc.org.za.
 Website: www.sahrc.org.za

5. Latest Notice published in Terms of Section 52(2) and Section 51(1)(c) (if any):

No notices have been published as at date of this manual.

6. Subjects and Categories of Records Available only on Request to Access in Terms of the Act (Section 51(1) (e)):

6.1 Records Held by the Private Body:

For the purposes of this clause 6.1, "personnel" refers to any person/entity who works for, or provides services to, or on behalf of the private body and receives or is entitled to receive remuneration and any other person/entity who assist in carrying out or conducting the business of the private body. This includes, without limitation, directors (executive and non-executive), trustees, all permanent, temporary and part-time staff, as well as contract workers and independent contractors.

6.2 This clause serves as a reference to the categories of information that the private body holds. The information is classified and grouped according to records relating to the following subjects and categories:

Subject		Documents / Information held by the Private Body.
Company Secretarial Records.		Memorandum of Incorporation and registration documents.
		Contracts.
		Directories.
		Insurance Policy Documents.
		Minutes of Meetings.
		Resolutions.
		Service Agreements.
		Special Resolutions.
Financial Records.		Annual Budgets.
		Annual Financial Statements.
		Banking Records.
		Banking statements.
		Debtor and Creditor Records.
		Financial Records.
		PAYE Records.
		Tax Returns (if any).
		Vat Returns (if any).
Intellectual Property.		Designs.
		Licenses.
		Unique systems and mode of operation.
Human Resources.		Internal policies and procedures.
		Employment agreements.
		Employee Records.
		Payroll.
		Disciplinary procedures and records.

Operations and Clients.	Agreements.
	Appointments.
	Approvals.
	Authorisations.
	Billing.
	Client Information.
	Contracts.
	Exemptions.
	Internal and external correspondence.
	Invoicing.
	Legal Records inclusive of litigation.
	Licenses.
	Mandates.
	Membership Documentation.
	Permits.
	Product and Services Catalogue.
	Project Records.
	Service Level Agreements.
	Service Providers.
	Sponsorship Documentation.
	Tariffs.
Logistics	Legal documentation in relation to fleet / company vehicles and or carts.
	Driver documentation.
	Insurance documentation.

6.3 The private body have used its best endeavors to supply a list of documents in its possession, it is possible that this list may be incomplete.

6.4 If a requester believes that a record other than records mentioned herein above exists, the requester is required to indicate what record the request is based on, to allow the Information Officer the opportunity to consider the request.

- 6.5 It's important to note that the accessibility of the records may be subject to the grounds of refusal set out in this manual. Amongst other, records deemed confidential on the part of a third party, will necessitate permission from the third party concerned, in addition to normal requirements, before the private body will consider the request.

7. Records available without a formal application for access in terms of the Act.

- 7.1 Records of a public nature may be accessed without the need to submit a formal application.
- 7.2 Other non-confidential records, such as statutory records maintained at CIPC, may also be accessed without the need to submit a formal application.
- 7.3 Please note that the discretion of classification of each request received by the information officer will remain in his or her sole discretion.

8. Description of Records in accordance with section 51(1)(d) of PAIA.

- 8.1 The private body also retains records and documents in terms of legislation.
- 8.2 Unless disclosure is prohibited in terms of legislation, regulations, contractual agreement or otherwise, records that are required to be made available in terms of these acts shall be made available for inspection by interested parties in terms of the requirements and conditions of the Act.
- 8.3 The below mentioned legislation and applicable internal policies and procedures may be applicable, should such interested parties be entitled to such information.
- 8.4 A request to access information must be done in accordance with the prescriptions of the Act's applicable.

- a. Auditing Professions Act, No 26 of 2005;
- b. Basic Conditions of Employment Act, No 75 of 1997;
- c. Companies Act, No 71 of 2008;
- d. Constitution of the Republic of South Africa 2008;
- e. Electronic Communications Act, No 36 of 2005;
- f. Electronic Communications and Transactions Act, No 25 of 2002;
- g. Labour Relations Act, No 66 of 1995;
- h. Long Term Insurance Act, No 52 of 1998;
- i. Short-term Insurance Act No. 53 of 1998;
- j. Promotion of Access to Information Act, No 2 of 2000;
- k. Protection of Personal Information Act, No. 4 of 2013;
- l. The Applicable municipal By-Laws;
- m. National Road Traffic Act, No. 93 of 1996.
- n. Occupational Health and Safety Act, No. 95 of 1993.

The private body have used its best endeavors to supply a list of applicable legislation, it is possible that this list may be incomplete. If a requester believes that a right of access to a record exists in terms of other legislation listed above or any other legislation, the requester is required to indicate what legislative right the request is based on, to allow the Information Officer the opportunity to consider the request.

- 8.5 Requests for accessibility of documents and records may be subject to the grounds of refusal set out in this PAIA Manual as well as any other legislation and/or regulations.

9. Facilitation of requests for access to records and documents held by the Private Body as well as refusal and available remedies.

a) *Facilitation of Request:*

- 9.1. The requester must comply with all the procedural requirements as prescribed in the Act relating to the request for access to a record.

- 9.2. The requester must complete the prescribed form attached hereto and submit same as well as payment of a request fee and a deposit (if applicable) to the Information Officer or the Deputy Information Officer at the postal or physical address, fax number or electronic mail address as noted in annexure “B ” herein above.
- 9.3. The prescribed form must be filled in with sufficient information and particularity to enable the Information Officer to identify:
- a. the record or records requested; and
 - b. the identity of the requester.
- 9.4. The requester should indicate which form of access is required and specify the manner in which delivery should be provided.
- 9.5. The requester must state that he/she/it requires the information in order to exercise or protect a right, and clearly state what the nature of the right is so to be exercised or protected.
- 9.6. The requester must clearly specify why the record is necessary to exercise or protect such a right.
- 9.7. The private body will process the request within 30 (thirty) days, unless the requester has stated special reasons to the satisfaction of the Information Officer that circumstances exist why the request should enjoy special consideration as well as what the requested time frame is.
- 9.8. The requester shall be advised whether access is granted or denied in writing.
- 9.9. If, in addition, the requester requires the reasons for the decision in any other manner, the requester will be obliged to state which manner and the particulars required.

- 9.10. If a request is made on behalf of another person, then the requester must submit sufficient proof of the capacity in which the requester is making the request to the satisfaction of the Information Officer accompanied by all the relevant documents which may be requested by the Information officer.
- 9.11. Should a requester be unable to complete the prescribed form or lodge its request in the prescribed format because of illiteracy or disability, such a person may make the request orally in person with prior arrangement with the Information Officer of his/her Deputy.
- 9.12. The prescribed fee must be paid before any further processing can take place.
- 9.13. All information as listed in clause 11 herein should be provided and failing which the process will be delayed until the required information is provided.
- 9.14. The prescribed time periods will not commence until the requester has furnished all the necessary and required information.

b) Grounds for refusal:

- 9.15. The private body is entitled to refuse a request for information.
- 9.16 The grounds for the private body to refuse a request for information relates to, but is not limited to, the:
- 9.16.1 mandatory protection of the privacy of a third party who is a natural person or a deceased person as per section 63 or a juristic person, as included in the Protection of Personal Information Act 4 of 2013, which would involve the unreasonable disclosure of personal information of that natural or juristic person;
 - 9.16.2 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 provisions of the Protection of Personal Information Act 4 of 2013;

- 9.16.3 mandatory protection of the commercial information of a third party (section 64) if the record contains:
- a) financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party;
 - b) information disclosed in confidence by a third party to the private body or any of its representatives, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition;
- 9.16.4 financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party;
- 9.16.5 mandatory protection of confidential information of third parties, if it is protected in terms of any agreement;
- 9.16.6 mandatory protection of the safety of individuals and the protection of property (section 66);
- 9.16.7 mandatory protection of records which would be regarded as privileged in legal proceedings (section 67).
- 9.16.8 The commercial activities (section 68) of a private body, which may include:
- a) financial, commercial or technical information which disclosure could likely cause harm to the financial or commercial interests of the private body and/or its members;

- b) information which, if disclosed could put the private body or its members;
- c) requests for information that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources shall be refused.
- d) requests for information will be considered on their own merits and in accordance with the applicable legal principles and legislation.

9.16.9 If a requested record cannot be found or if the record does not exist, the Information Officer shall, by way of affirmation, notify the requester that it is not possible to give access to the requested record. Such a notice will be regarded as a decision to refuse a request for access to the record concerned for the purpose of the Act.

9.16.10 If the record should later be found, the requester shall be given access to the record in the manner stipulated by the requester in the prescribed form, unless the Information Officer refuses access to such record.

C) Available Remedies when access is refused.

9.17 The private body has no remedies available beyond a request and subsequent refusal.

9.18 The act however provides a requester which has been refused access to information with the following options:

- a) Apply to court, within 30 days after notification of refusal of the request by the Information officer for the relief sought.

9.19 In considering any request, the private body will adhere to the provisions of PAIA. Section 71 of PAIA read with POPI requires that the Information Officer take all reasonable steps to inform a third party to whom the requested record relates of the request, informing him/her/it that he/she/it may make a written or oral representation to the Information Officer why the request should be refused or, where required, give written consent for the disclosure of the Information.

9.20 The private body is not obliged to voluntarily grant access to such records.

9.20.1 The requester must fulfil the prerequisite requirements, in accordance with the Act and in accordance with this manual.

10 Prescribed Fees.

In terms of the PAIA prescribed fees are payable when a request for a record and/or document is made to an Information Officer. These fees are payable in advance and without proof of payment the Information Officer will not initiate the process to obtain the said document. These fees are further not refundable. Responsible parties can arrange to pay administrative fines in instalments based on financial circumstances.

11 Availability of the Manual.

This PAIA Manual is available to view at the premises of the Private Body and upon a request made to the information officer.

Annexure A**FORM C – Page 1****REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY****(Section 53(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))****[Regulation 10]****A. Particulars of private body**

The Head:

B. Particulars of person requesting access to the record

- (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:

Telephone number: (.....) Fax number: (.....)

E-mail address:

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

C. 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:

Form C – Page 2

D. Particulars of record

- (a) Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.
- (b) If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

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

.....

.....

.....

.....

2. Reference number, if available:

.....

.....

.....

.....

3. Any further particulars of record:

.....

.....

.....

.....

E. Fees

- (a) A request for access to a record, other than a record containing personal information about yourself, will be processed only after a request fee has been paid.
- (b) You will be notified of the amount required to be paid as the request fee.
- (c) 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.
- (d) If you qualify for exemption of the payment of any fee, please state the reason for exemption.
- Reason for exemption from payment of fees:

.....

.....

.....

Form C – Page 3

F. Form of access to record

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 below, state your disability and indicate in which form the record is required.

NOTES:

Disability: _____.

Form in which record is required: _____.

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

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

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

1. If the record is in written or printed form:

Copy of record: _____; Inspection of record _____.

2. If record consists of visual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):

View the images _____; Copy of the images _____.

Transcription of the images: _____.

3. If record consists of recorded words or information which can be reproduced in sound:

Listen to the soundtrack (audio cassette): _____.

Transcription of soundtrack (written or printed document): _____.

4. If record is held on computer or in an electronic or machine-readable form:

Printed copy of record: _____.

Printed copy of information (derived from the record): _____.

Copy in computer readable form (stiffy or compact disc): _____.

*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you?

Postage is payable. YES / NO

G. 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.

Form C – page 4

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:

.....

H. 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.

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

.....

Signed at this day..... ofyear

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

Annexure B**APPOINTMENT OF INFORMATION OFFICER AND DEPUTY INFORMATION****A) APPOINTED INFORMATION OFFICER:**

NAME AND SURNAME:	WILLEM PETRUS STOLZ VICTOR
REGISTERED ADDRESS:	1 ST FLOOR WRIGLEY FIELD, BRYANSTON
POSTAL ADDRESS:	2021
TELEPHONE NUMBER:	087 006 0030
FAX NUMBER:	086 557 4484
EMAIL ADDRESS:	071 586 1371

B) APPOINTED DEPUTY INFORMATION OFFICER

NAME AND SURNAME:	KERRY OLIVIER
REGISTERED ADDRESS:	1 ST FLOOR WRIGLEY FIELD, BRYANSTON
POSTAL ADDRESS:	2021
TELEPHONE NUMBER:	087 006 0030
FAX NUMBER:	0865574484
EMAIL ADDRESS:	071 372 5098

