



PAIA MANUAL

AVATAR AGENCY (PTY) LTD

This manual has been prepared in terms of the section 51 of the Promotion of Access to Information Act 2 of 2000 and to address the requirements of the Protection of Personal Information Act 4 of 2014.

November 2021

Version 1.0



1. DEFINITIONS

| | |
|----------------------------------|---|
| Client | any natural or juristic person that received or receives services from the Company |
| Conditions for Lawful Processing | the conditions for the lawful processing of Personal Information as fully set out in chapter 3 of POPI and in paragraph 12 of this Manual |
| Data Subject | the person to whom personal information relates |
| Information Officer | the individual who is identified in paragraph 3 of this manual |
| Manual | this manual |
| PAIA | the Promotion of Access to Information Act 2 of 2000 |
| Personal Information | means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to— <ol style="list-style-type: none">a. information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person; |



temporary and part-time staff as well as contract workers

POPI the Protection of Personal Information Act 4 of 2013

POPI Regulations the regulations promulgated in terms of section 112(2) of POPI

Private Body means—

- a. a natural person who carries or has carried on any trade, business or profession, but only in such capacity;
- b. a partnership which carries or has carried on any trade, business or profession; or
- c. any former or existing juristic person, but excludes a public body

Processing means any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including—

- a. the collection, receipt, recording, organisation, 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



4. GUIDE OF SAHRC

- 4.1. A guide to PAIA and how to access information in terms of PAIA has been published pursuant to section 10 of PAIA.
- 4.2. The guide contains information required by an individual who may wish to exercise their rights in terms of PAIA.
- 4.3. Should you wish to access the guide you may request a copy from the Information Officer by submitting **ANNEXURE A**, attached hereto, to the details specified above.
- 4.4. You may also inspect the guide at the Company's offices during ordinary working hours.
- 4.5. You may also request a copy of the guide from Information Regulator at the following details:

Information Regulator:

Postal Address: P.O. Box 31533, Braamfontein, Johannesburg, 2017

Telephone: (010) 023 5200

Website: www.justice.gov.za

Email: PAIACompliance.IR@justice.gov.za

5. LATEST NOTICES IN TERMS OF SECTION 52(2) OF PAIA

- 5.1. At this stage no Notice(s) has / have been published on the categories of records that are available without having to request access to them in terms of PAIA.

6. AVAILABILITY OF CERTAIN RECORDS IN TERMS OF PAIA

- 6.1. The Company holds and/or process the following records for the purposes of PAIA and POPI.



- Secretarial records
- Tradename registrations
- Company registration documents
- Statutory registers
- Minutes of Shareholder's meetings
- Minutes of Director's meetings
- Register of Directors
- Share Certificates

Financial:

- Accounting records
- Annual reports
- Interim reports
- Auditor details and reports
- Tax returns
- Insurance records

Client:

- Client database
- Credit applications
- Correspondence with Clients
- Documentation prepared for Clients.
- Invoices, receipts, credit and debit notes

Marketing:

- Published Marketing material

Miscellaneous:

- Internal Correspondence
- Information technology records
- Trade secrets

- 7.1.21. Unemployment Insurance Act, No. 63 of 2001
- 7.1.22. Unit Trust Control Act, No. 54 of 1981
- 7.1.23. Value Added Tax Act, No. 89 of 1991
- 7.1.24. Electronic Communication and Transactions Act, No. 25 of 2002
- 7.1.25. Financial Advisory and Intermediary Service Act, No. 37 of 2002
- 7.1.26. Patents, Designs and Copyright Merchandise Marks Act, No. 17 of 1941
- 7.1.27. Income Tax Act, No. 58 of 1962
- 7.1.28. Occupational Health and Safety Act No. 85 of 1993
- 7.1.29. Co-operatives Act No. 14 of 2005
- 7.1.30. Customs and Excise Act No. 91 of 1964
- 7.1.31. Prevention of Organised Crime Act No. 121 of 1998
- 7.1.32. Stock Exchanges Control Act No. 54 of 1995
- 7.1.33. Transfer Duty Act No. 40 of 1949
- 7.1.34. National Payment Systems Act No. 78 of 1998
- 7.1.35. Intellectual Property Laws Amendment Act No.38 of 1997
- 7.1.36. Financial Markets Act No. 19 of 2012

8. REQUEST PROCESS

- 8.1. An individual who wishes to place a request must comply with all the procedures laid down in PAIA.
- 8.2. The requester must complete **ANNEXURE B**, which is attached hereto and submit it to the Information Officer at the details specified above.
- 8.3. The prescribed form must be submitted as well as payment of a request fee and a deposit, if applicable to the information officer at the postal or physical address, fax number or electronic mail as is stated herein.



- 8.10. Should the requestor have any difficulty with the form or the process laid out herein, the requestor should contact the Information Officer for assistance.
- 8.11. An oral request can be made to the Information Officer should the requestor be unable to complete the form due to illiteracy or a disability. The Information Officer will complete the form on behalf of the requestor and provide a copy of the form to the requestor.

9. GROUNDS FOR REFUSAL

- 9.1. The following are grounds upon which the Company may, subject to the exceptions in Chapter 4 of PAIA, refuse a request for access in accordance with Chapter 4 of PAIA:
 - 9.1.1. Mandatory protection of the privacy of a third party who is a natural person, including a deceased person, where such disclosure of Personal Information would be unreasonable
 - 9.1.2. Mandatory protection of the commercial information of a third party, if the Records contain:
 - 9.1.2.1. Trade secrets of that third party;
 - 9.1.2.2. Financial, commercial, scientific or technical information of the third party, the disclosure of which could likely cause harm to the financial or commercial interests of that third party; and/or
 - 9.1.2.3. Information disclosed in confidence by a third party to The Company, the disclosure of which could put that third party at a disadvantage in contractual or other negotiations or prejudice the third party in commercial competition;
 - 9.1.3. Mandatory protection of confidential information of third parties if it is protected in terms of any agreement;



11. Fees

11.1. The following fees shall be payable upon request by a requestor:

| | |
|---|---|
| Request fee (payable on every request) | R140.00 |
| Photocopy of an A4 page or part thereof | R2.00 |
| Printed copy of an A4 page or part thereof | R2.00 |
| Hard copy on flash drive (flash drive to be provided by requestor) | R40.00 |
| Hard copy on a compact disc (compact disc to be provided by requestor) | R40.00 |
| Hard copy on a compact disc (compact disc to be provided by the Company) | R60.00 |
| Transcription of visual images per A4 page | As per quotation of service provider |
| Copy of visual images | As per quotation of service provider |
| Transcription of an audio record per A4 page | R24.00 |
| Copy of an audio record on flash drive (flash drive to be provided by requestor) | R40.00 |



12.1.1.7. Security safeguards

12.1.1.8. Data subject participation

12.1.2. The Company is involved in the following types of processing:

12.1.2.1. Collection

12.1.2.2. Recording

12.1.2.3. Organization

12.1.2.4. Structuring

12.1.2.5. Storage

12.1.2.6. adaptation or alteration

12.1.2.7. retrieval

12.1.2.8. consultation

12.1.2.9. use

12.1.2.10. disclosure by transmission

12.1.2.11. dissemination or otherwise making available

12.1.2.12. alignment or combination

12.1.2.13. restriction

12.1.2.14. erasure

12.1.2.15. destruction

12.1.3. The Company processes information for the following purposes:

12.1.3.1. to fulfil agreements in relation to its employees;

12.1.3.2. to provide services to its Clients in accordance with terms agreed to by the Clients;

12.1.3.3. to undertake activities related to the provision of services, such as

12.1.3.3.1. to fulfil domestic legal, regulatory and compliance requirements

12.1.3.3.2. to verify the identity of Customer representatives who contact the Company or may be contacted by The Company;



- 12.3.1. Client profile information;
- 12.3.2. Bank account details;
- 12.3.3. Payment information;
- 12.3.4. Client representatives;
- 12.3.5. Names;
- 12.3.6. Email Addresses;
- 12.3.7. Telephone numbers;
- 12.3.8. Facsimile numbers;
- 12.3.9. Physical addresses;
- 12.3.10. Tax numbers;
- 12.3.11. Identity Numbers;
- 12.3.12. Passport Numbers;
- 12.4. Recipients of Personal Information:
 - 12.4.1. The Company, the Company's affiliates, their respective representatives
- 12.5. When making authorised disclosures or transfers of personal information in terms of Section 72 of POPI, personal information may be disclosed to recipients in countries that do not have the same level of protection for personal information as South Africa does.
- 12.6. The following Security measures are implemented by the Company:
- 12.7. The Company implements numerous Security measures to protect personal information that is stored electronically and physically.
 - 12.7.1.1. The Company ensures that appropriate security measures are taken and updates these measures on a regular basis.
 - 12.7.1.2. The Company have also implemented various policies for additional security for personal information stored both physically and electronically.



ANNEXURE A

FORM 1
REQUEST FOR A COPY OF THE GUIDE
[Regulations 3]

TO: The Information Officer

Four horizontal blue bars representing redacted information.

Form I. Fields include: Full names, In my capacity as (Information officer/Other), Name of public/private body, Postal Address, Street Address, E-mail Address, Facsimile, Contact numbers (Tel./Cellular).

Hereby request the following copy (ies) of the Guide:

Table with 4 columns: Language (mark with 'X'), No of copies, Language (mark with 'X'), No of copies. Rows include Sepedi, Setswana, Tshivenda, Afrikaans, isiNdebele, isiZulu, Sesotho, siSwati, Xitsonga, English, isiXhosa.

Manner of collection (mark with 'x'):

Table with 4 columns: Personal collection, Postal address, Facsimile, Electronic communication (Please specify).

Signed at Melrose Estate this 06 day of December 20 21

Signature of requester (handwritten signature)



| | | | |
|--|----------|--|-----------|
| Street Address | | | |
| E-mail Address | | | |
| Contact Numbers | Tel. (B) | | Facsimile |
| | Cellular | | |
| PARTICULARS OF RECORD REQUESTED | | | |
| <i>Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)</i> | | | |
| Description of record or relevant part of the record: | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| Reference number, if available | | | |
| Any further particulars of record | | | |
| | | | |
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| | | | |
| TYPE OF RECORD <i>(Mark the applicable box with an "X")</i> | | | |
| Record is in written or printed form | | | |
| Record comprises virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i> | | | |
| Record consists of recorded words or information which can be reproduced in sound | | | |
| Record is held on a computer or in an electronic, or machine-readable form | | | |



| | |
|--|--|
| Explain why the record requested is required for the exercise or protection of the aforementioned right: | |
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| | |

| FEES | |
|--------|---|
| a) | A request fee must be paid before the request will be considered. |
| b) | You will be notified of the amount of the access fee to be paid. |
| 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 | |
| | |
| | |

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

| Postal address | Facsimile | Electronic communication (Please specify) |
|----------------|-----------|--|
| | | |

Signed at _____ this _____ day of _____ 20 _____

Signature of Requester / person on whose behalf request is made

FOR OFFICIAL USE

| | |
|---|--|
| Reference number: | |
| Request received by: (State Rank, Name And Surname of Information Officer) | |
| Date received: | |
| Access fees: | |
| Deposit (if any): | |

Signature of Information Officer



| | |
|-----------------------------|--|
| Fax number/ E-mail address: | |
| C | INFORMATION TO BE CORRECTED/DELETED/ DESTROYED/ DESTROYED |
| | |
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| | |
| D | REASONS FOR *CORRECTION OR DELETION OF THE PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(a) WHICH IS IN POSSESSION OR UNDER THE CONTROL OF THE RESPONSIBLE PARTY ; and or REASONS FOR *DESTRUCTION OR DELETION OF A RECORD OF PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(b) WHICH THE RESPONSIBLE PARTY IS NO LONGER AUTHORISED TO RETAIN. (Please provide detailed reasons for the request) |
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Signed at this day of 20.....

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Signature of data subject/ designated person