



PAIA AND POPI MANUAL

INFORMATION MANUAL IN TERMS OF SECTION 51
OF THE
PROMOTION OF ACCESS TO INFORMATION ACT, 2 OF 2000

(the "ACT")

2/2000



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1. INTRODUCTION

This information manual is in respect of iLiveit (Pty) Ltd all wholly or partially owned subsidiaries and associated juristic persons hereinafter referred to as “iLiveit”. This information manual (“Manual”) provides an outline of the types of records held by iLiveit and explains how one may submit requests for access to these records in terms of the Promotion of Access to Information Act, 2 of 2000 (the “Act”). The Act gives effect to everyone’s constitutional right of access to information held by private sector bodies (e.g. companies) or public bodies (i.e. Government institutions) that is required for the exercise and/or protection of the requester’s rights. A guide to the Act is available from the South African Human Rights Commission (“SAHRC”) website: www.sahrc.org.za. It describes, in each of official language:

- What the objective of this Act are.
- The details of each private body (where possible).
- The process that needs to be followed in order to make a request.
- How to get copies of the Guide at no charge.
- How to get access to the manual of a private body; and
- All the remedies available in law to you. Should you have any queries in this regard, please contact the SAHRC directly at:

The South African Human Rights Commission: PAIA Unit
The Research and Documentation Department
Postal address: Private Bag 2700 Houghton 2041
Tel: +27 11 887-3803
Fax: +27 11 403-0625
Website: www.sahrc.org.za
E-mail: paia@sahrc.org.za

2. AVAILABILITY OF THIS MANUAL

You, the requester, can access this Manual on our website (www.iliveit.co.za) or by requesting a copy by e-mail from the Data / Information Protection Officer (dpo@iliveit.co.za).

3. REQUESTS FOR INFORMATION

You may submit your request for information records to the Data / Information Protection Officer as provided in the Data / Information Protection Office Contact details below. It is recommended that you read this manual first, in particular paragraphs 6 through 9, before submitting any requests.

4. DATA PROTECTION / INFORMATION OFFICE CONTACT DETAILS

Data / Information Protection Officer
PO Box 685
Honeydew
2040

Tel: 011 794 5005

E-mail: dpo@iliveit.co.za

5. PRIVACY PRACTICES

5.1 We collect personal or other information to:

- Meet our responsibilities to our customers/client.
- Meet our responsibilities to our employees.
- Meet our responsibilities, juristic persons.

5.2 Personal information may be received from or provided to:

- Customer / Clients requesting us to personalize / distribute billing / marketing information.
- protect public interest.
- comply with any regulation passed under the relevant legislation or any legal process.
- protect and defend iLiveIt's rights and property.

5.3 Transborder information flows

iLiveIt may receive personal information outside of the Republic of South Africa, all operations are required to adhere to our policies, procedures, and guidelines.

Data processing / transfer will only be conducted within South Africa Data Centres or Countries that has Privacy / Data Protection / Electronica Transaction and Consumer Protection laws/legislation.

5.4 Our security practices

- We are committed and obliged to implement all reasonable controls to safeguard access to your personal information.
- Where third parties are required to process your personal information in relation to the purposes set out in this manual and for other legal requirements, we ensure that they are contractually bound to apply the appropriate security practices.
- All use of our website and transactions through it are protected by encryption (secret codes) in line with international standards.
- Firewalls.
- Virus protection software and update.
- Protocols Logical and physical access control.
- Secure setup of hardware and software making up the IT infrastructure.
- VA Scanning.

6. TYPES OF RECORDS HELD BY ILIVEIT

iLiveIt maintains records on the following categories and subject matters. However, please note that recording a category or subject matter in this Manual does not imply that a request for access to such records would be

granted. All requests for access will be evaluated on a case by case basis in accordance with the provisions of the Act.

6.1 Company Records

- Finance and accounting records
- Human Resources
- Strategy
- Shareholders
- Intermediaries
- Operational records
- Technology
- Compliance and Risk
- Subsidiary
- Contractors
- Directors

6.2 Types of personal information held by iLiveIT

Categories of data subjects	Categories of information held
Customers / Clients	Includes relevant personal information or special personal information as defined by the Protection of Personal Information Act, No. 04 of 2013, such as name, South African identity number or other identifying number (e.g. passport), date of birth, citizenship, telephone number(s), email address(es)
Directors	ID numbers, name, financial information as required for statutory reporting
Employees	Includes ID number, contact details, physical and postal address, date of birth, age, marital status, race, disability information, employment history, criminal / background checks, fingerprints, CVs, education history, banking details, income tax reference number, remuneration and benefit information (including medical aid, pension / provident fund information), details related to employee performance, disciplinary procedures.
Service Providers, including outsourced / hosted services, auditors	Includes company registration details, income tax and VAT registration details, BEE certificates, payment details including bank accounts, invoices, contractual agreements, addresses, contact details, any records a third party has provided to iLiveIT; and Records generated by or within the company

	pertaining to work or services, including transactional records.
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6.3 Records available in accordance with other legislation

- Basic Conditions of Employment Act 57 of 1997
- Broad-based Black Economic Empowerment Act 53 of 2003 Companies Act 71 of 2008
- Companies Act 61 of 1973
- Compensation for Occupational Injuries and Diseases Act 130 of 1993 Copyright Act 98 of 1978
- Currencies and Exchanges Act 9 of 1993
- Electronic Communications and Transactions Act 25 of 2002 Employment Equity Act 55 of 1998
- Employment Equity Act 55 of 1998
- Financial Institutions (Protection of Funds) Act 28 of 2001 Financial Services Board Act 97 of 1990
- Financial Intelligence Centre Act 38 of 2001
- Income Tax Act 58 of 1962
- Inspection of Financial Institutions Act 80 of 1998 Labour Relations Act 66 of 1995
- Labour Relations Act 66 of 1995
- Occupational Health and Safety Act 85 of 1993
- Prevention and Combating of Corrupt Activities Act 12 of 2004 Promotion of Access to Information Act 2 of 2000
- Prevention of Organised Crime Act 121 of 1998
- Protected Disclosures Act 26 of 2000
- Protection of Constitutional Democracy against Terrorist and Related Activities Act 33 of 2004 Skills Development Act 97 of 1998
- Regulation of Interception of Communications and Provision of Communication- Related Information Act 70 of 2002
- Securities Transfer Tax Administration Act 26 of 2007 Trademarks Act 194 of 1993
- Skills Development Levy Act 9 of 1999 Securities Transfer Tax Act 25 of 2007
- Unemployment Insurance Contributions Act 4 of 2002 Value Added Tax Act 89 of 1991

7. THE FOLLOWING STEPS MUST BE CONSIDERED BEFORE SUBMITTING A REQUEST:

7.1 Are you requesting your own information?

7.2 Are you entitled to use the Act to request access?

Please take note of section 7(1) of the Act which states:

“This Act does not apply to a record of a public body or a private body if:

- (a) that record is requested for the purpose of criminal or civil proceedings.
- (b) so, requested after the commencement of such criminal or civil proceedings, as the case may be and
- (c) the production of or access to that record for the purpose referred to in paragraph (a) is provided for in any other law.”

If section 7(1) applies, you may not bring a request in terms of this Act. You must use the rules and procedures for discovery of information of the relevant legal forum and proceedings you are involved in. iLiveit reserves

the right to claim all expenses and other damages incurred as a result of a requester submitting a request in contravention of section 7(1).

7.3 Does the information requested exist in the form of a record?

Please note that the Act only applies to records that are in existence at the time of us receiving your request. The Act does not compel anyone to create a record which is not yet in existence at the time the request is made. For instance, the Act cannot be used to obtain reasons for a decision taken by iLiveIt if such reasons are not in the form of a record.

7.4 Is the record in the possession or under the control of iLiveIt?

The Act provides that the record requested must be in our possession or under our control. Therefore, even if a record was created by iLiveIt or at some point in iLiveIt's possession (but no longer in iLiveIt's control at the time of your request), you must seek access to the record from the party under whose possession or control it is.

8. TO SUBMIT REQUEST FOR ACCESS

Please consider the steps in paragraph 7 above before submitting your request. Once you are satisfied that none of the foregoing prohibitions apply to you, you may proceed to submit a request as follows:

8.1 Request form

Please complete the request form in Annexure 1 to this Manual (the "Request Form"), in full. Failure to do so, will result in the process being delayed until such additional information is provided. You can send the completed request form as is, or under cover of a separate letterhead or fax cover.

In the Request Form, you need to provide sufficient information to enable us to adequately identify –

- The record or records requested.
- The identity of the requester.
- Which form of access is required, if the request is granted.
- The postal address, fax number or email address of the requester.

8.2 Proof of identity

Proof of identity is required to authenticate the request and the requester. Therefore, in addition to the access form, requesters will be required to supply a certified copy of the identification document or any other legal means of identification.

8.3 Description of the right

Take care to adequately describe the right which you are seeking to protect or enforce by means of the records requested. Please note that the courts have indicated that access to the records must be "necessary" for the exercise or protection of the right so stated.

It is important to note that iLIVET may refuse you access to the records requested if the right is not clearly defined or where the right you claim to seek to exercise or protect does not qualify as a right as contemplated in the Act.

8.4 Representatives

If a request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of iLIVET.

8.5 Illiteracy or disability

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

8.6 Prescribed fees

Please take note that a request will not be processed until the request fee and the deposit (if applicable) have been paid. Requesters are advised that four (4) types of fees are provided for in terms of the Act.

- Reproduction fee: this fee is payable with respect to all records that are automatically available.
- Request fee: this fee is an administration fee that must be paid by all requesters, except personal requesters (a personal requester is a requester seeking access to a record containing information about the requester him / herself), before the request is considered and is not refundable.
- Access fee: which is payable once access to a record is granted, this fee is intended to re-imburse KPMG for the costs involved in searching and preparing the record for delivery.
- Deposit: which is payable if KPMG receives a request for access to information held on a person other than the requester himself / herself and the preparation for the record will take more than six (6) hours.

a) Reproduction fees

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

	Rand
• For every photocopy of an A4-size page or part thereof	1.10
• For every print of an A4-size page or part thereof held on a computer or in electronic form	0.75
• For a copy in a computer readable form:	
USB Memory Stick 256GB	600.00
Compact disc:	70.00
• A transcription of visual images, for an A4-size page or part thereof	40.00
• For a copy of visual images	60.00
• A transcription of an audio record, for an A4-size page or part thereof	20.00
• For a copy of an audio record	30.00

b) Request fee

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

c) Access fees

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

	Rand
• For every photocopy of an A4-size page or part thereof	1.10
• For every print of an A4-size page or part thereof held on a computer or in electronic form	0.75
• For a copy in a computer readable form: USB Memory Stick 256GB	600.00
Compact disc:	70.00
• A transcription of visual images, for an A4-size page or part thereof	40.00
• For a copy of visual images	60.00
• A transcription of an audio record, for an A4-size page or part thereof	20.00
• For a copy of an audio record	30.00
• To search a record that must be disclosed, per hour of part of the hour	30.00
• Where a copy of the record needs to be posted that actual postal fee is payable	

d) Deposit

Where iLiveIT receives a request for access to information held on a person other than the requester himself / herself and the Information Officer is of the opinion that the preparation of the required record will take more than six (6) hours, a deposit of one third (1/3) of the amount of the applicable access fee is payable.

9. CONSIDERING YOUR REQUEST

- 9.1 iLiveIT will have deemed to have received your request when all of the requirements in respect of the Act have been met.
- 9.2 Subject to the provisions in the Act in respect of extension of time periods, iLiveIT will process the request within 30 days, unless you have stated special reasons which would satisfy iLiveIT that circumstances dictate that the above time periods not be complied with.
- 9.3 You will be informed in writing whether access has been granted or denied.
- 9.4 The main grounds for iLiveIT to refuse a request for information relate to the:
- mandatory protection of the privacy of a third party who is a natural person, who would involve the unreasonable disclosure of personal information of that natural person.
 - mandatory protection of the commercial information of a third party, if the record contains:
 - trade secrets of that third party.
 - financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party; and
 - information disclosed in confidence by a third party to iLiveIT, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition.
 - mandatory protection of confidential information of third parties if it is protected in terms of any agreement.
 - mandatory protection of the safety of individuals and the protection of property.
 - mandatory protection of records which would be regarded as privileged in legal proceedings.

- the commercial activities of iLIVet, which may include:
 - trade secrets of iLIVet.
 - financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of iLIVet; and
 - information which, if disclosed could put iLIVet at a disadvantage in negotiations or commercial competition.
 - a computer program which is owned by iLIVet, and which is protected by copyright.
- the research information of iLIVet or a third party, if its disclosure would disclose the identity of iLIVet, the researcher or the subject matter of the research and would place the research at a serious disadvantage.

10. YOUR REMEDIES

iLIVet does not have internal appeal procedures. As such, the decision made by the iLIVet is final. If your request is denied, you are entitled to apply to a court with appropriate jurisdiction for relief.

ANNEXURE 1 (the “Request Form”)

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)

A. PARTICULARS OF PRIVATE BODY

Head (as defined in the Act)	
Information Officer	
Postal Address	
Physical Address	
Telephone Number	

B. PARTICULARS OF PERSON REQUESTING ACCESS TO THE RECORD

- | |
|---|
| <p>(a) The particulars of the person who requests access to the record must be given below.</p> <p>(b) The address and/or fax number in the Republic to which the information is to be sent must be given.</p> <p>(c) Proof of the capacity in which the request is made, if applicable, must be attached.</p> <p>(d) If the request is made on behalf of another person, proof of the capacity in which the request is made also be presented with this request.</p> |
|---|

Surname	
Full Names	
Identity Number	
Postal Address	
Telephone Number	
Email 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.

Surname	
Full Names	
Identity Number	

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.

Description of record or relevant part of the record	
Reference number, if available	
Any further particulars of record	

E. FEES

- | |
|---|
| <ul style="list-style-type: none"> (a) A request for access to a record, other <i>than</i> a record containing personal information about yourself, will be processed only after a request fee has been paid. (b) You will be <i>notified of</i> the amount required to be paid as the request fee. (c) The fee payable for access to a record depends <i>on</i> the form <i>in which</i> access is required and the reasonable time <i>required</i> to search for and prepare a record. (d) If you qualify for exemption <i>of</i> the payment <i>of</i> any fee, please state the reason for exemption. |
|---|

Reason for exemption from payment of fees (if applicable):

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

Disability:	Form in which record is required

<p>Mark the appropriate box with an X.</p> <p>NOTES:</p> <ul style="list-style-type: none"> (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 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 for 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 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? A postal fee 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.

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.

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

Signed at this day of 20.....

SIGNATURE OF REQUESTER / PERSON ON WHOSE BEHALF REQUEST IS MADE