



**PAIA Manual**

February 2022





## **PAIA Manual**

Promotion of Access to Information Act No. 2 of 2000

## Introduction and purpose

The purpose of the Promotion of Access to Information Act No. 2 of 2000 (PAIA) is to give effect to the constitutional right of access to any info held by the state, as well as info held by another person that's required for the exercise or protection of any right.

This manual was prepared in accordance with section 51 of PAIA, to address requirements of the Protection of Personal Information Act No. 4 of 2013 (POPIA). In terms of section 51 of the Act, all private bodies are required to compile an info manual (PAIA manual).

The motivation for giving effect of the right to access to info is to foster a culture of transparency and accountability both in public and private bodies and to promote a society in which the people of South Africa have effective access to info to enable them to exercise and protect all their rights more fully.

A guide has been compiled in terms of section 10 of PAIA by the South African Human Rights Commission. It contains info required by a person wishing to exercise any right, contemplated by PAIA.

Queries and guides to the PAIA and POPI Acts can be obtained from or directed to:

The Information Regulator

The contact details of the Information Regulator are:

Physical address	JD House, 27 Stiemens Street, Braamfontein, Johannesburg, Gauteng
Tel No.	+27 10 023 5200
Email	<a href="mailto:infoereg@justice.gov.za">infoereg@justice.gov.za</a>



**Details of Institution**

Company Name Freeworld Internet Access CC trading as Introduxion  
Company Reg No. 2006/048616/23  
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Corner Atlas Road & Park Road  
Parkhaven  
Gauteng, 1459  
Tel No. +27 10 448 7600  
Email info@introduxion.co.za

**Contact details of duly authorised persons****Head of Organisation in terms of Section 51(1)(a):**

Name	Roman Szulc
Designation	Managing Member
Email Address	roman@introduxion.co.za
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**Information Officer:**

Name	Roman Szulc
Designation	Managing Member
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**Deputy Information Officer:**

Name	Samantha Pollok
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The Act prescribes the appointment of an information officer for public bodies where such info officer is responsible to, *inter alia* assess request for access to info.

The head of a private body fulfils such a function in terms of section 51.

Introduxion has opted to appoint its' current Managing Member (Roman Szulc) as information officer to assess such a request for access to info, as well as to oversee its required functions in terms of the Act. The information officer may appoint, where it's deemed necessary, deputy information officers, as allowed in terms of section 17 of the Act as well as section 65 of POPIA.

This is in order to render Introduxion 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 POPIA.

### **Documents in the possession of Introduxion**

These documents and records are kept in accordance with various legislation that is applicable to Introduxion and may be requested in the prescribed format.

Note that the accessibility of the records may be subject to the grounds of refusal set out in this PAIA manual. Among others, records deemed confidential on the part of a third party, will necessitate permission from the third party concerned, in addition to normal requirements, before Introduxion will consider access.

#### Human Resources

- Employment contracts
- Policies and procedures
- Training manuals and records
- Medical aid and pension/provident fund records
- Salary records
- Disciplinary code and records
- Leave records

#### Admin:

- Documents of incorporation
- Memorandum and articles of association
- Minutes of meetings
- Records relating to the appointment of members/ directors/ auditor/company secretary/public officer, etc
- Share register and other statutory registers



## Finance

- Accounting and audit records
- Financial statements
- Assets inventory
- Tax returns and assessments
- Accounting officer's report
- IRP5 certificates

### Income tax records:

- PAYE and EMP 201 records
- Regional service levies
- Skills development levies
- UIF
- Workman's compensation

## Operations

- Complaints procedures and registers
- Register of key individuals
- Register of representatives
- Register of clients
- Legal agreements and records
- Internal and external correspondence

## Customer Related Records

- Records provided by a data subject or prospective client supplied to a third party, on behalf of whom Introduxion is engaging the market, as a function of contracted service delivery.
- Records provided by a third party
- Records generated by or within Introduxion relating to its' clients and prospective clients, including transactional records
- Relevant client correspondence

## **Processing of personal info**

Pursuant to promoting responsible info processing practices within the organisation, as well as in the capacity of responsible party contemplated in terms of the provisions of POPIA, Introduxion takes any activities relating to the protection and processing of personal info (as defined in terms of the provisions of section 1 of POPIA) very seriously.

To promote the constitutional right to privacy, as well as to play its part in promoting the rights protected in terms of POPIA, Introduxion undertakes, in so far as is required, to observe the requirements and conditions for the lawful processing of personal info.



### The purpose for which Introdution processes personal info

Introdution may process personal information/ personal data for a variety of purposes, which may include, but isn't limited to the following:

- To carry out market analysis and client profiling.
- To facilitate and manage the scheduling of meetings with prospective and existing clients, for Introdution and of behalf of the clients we represent.
- To facilitate the delivery of products/services to prospective and existing clients, for Introdution and of behalf of the clients we represent.
- To establish a data subject's needs, wants and preferences in relation to the products/services being marketed and promoted by Introdution, for Introdution and on behalf of our clients.
- To identify other products and services which might be of interest to both our clients and data subjects in general, as well as to inform them of such products/services.
- To provide or manage any information, products, or services requested by data subjects.
- To help Introdution identify data subjects when they contact Introdution.
- To allocate unique identifiers to clients for the purpose of securely storing, retaining and recalling such data subject's personal information/personal data from time to time.
- To maintain records of data subjects and specifically client records.
- To maintain third party records.
- For recruitment purposes.
- For employment purposes.
- For general administration purposes.
- For legal/contractual purposes.
- For health and safety purposes.
- To transact with and on behalf of third parties.
- To improve the quality of Introdution's products and services.
- To analyse the personal information/personal data collected for market research and statistical purposes.
- Where necessary, to obtain and share information about a data subject's creditworthiness and risk profile with any credit bureau, credit provider or industry body, which includes information pertaining to a data subject's credit history, financial history, judgements, default history and sharing information for purposes of financial risk analysis and related purposes.

### Categories of data subjects and personal info processed

The categories of data subjects and personal info processed by Introdution may include, but isn't limited to the following:

Who	What
Clients / Potential Clients / Prospective Clients	Personal Information
	Financial Information
Suppliers / Partners / Service Providers	Personal Information
	Financial Information
Employees	Personal Information
	Financial Information
	Special Personal Information



### **Recipients or categories of recipients with whom personal information is shared**

Subject to any relevant terms and conditions of use that may be applicable when a data subject engages with Introduxion, we may share the personal information of any data subject we process for any of the purposes outlined above, with the following third parties, whether such third parties qualify as responsible parties in terms of section 1 of POPIA or not:

- Any associated company of Introduxion.
- Any client of Introduxion, for whom Introduxion engages the market on behalf of, in the delivery of contracted Introduxion services.
- Any approved service provider, contractor, client or supplier with whom Introduxion has an agreement.
- Any consultant or advisor to Introduxion.
- Any relevant regulatory authorities who may govern Introduxion in undertaking its' operations or business.
- Any approved business partners who provide products and services to Introduxion.
- Any approved service providers or authorised agents who perform services on Introduxion's behalf.

Introduxion processes personal information in order to facilitate and enhance the delivery of products and services to its clients, foster a legally compliant workplace environment, as well as safeguard the personal information relating to any data subjects which it in fact holds. Introduxion undertakes to process any personal info in a manner that promotes the constitutional right to privacy and retains accountability and data subject participation.

### **Information security measures to protect personal information**

Introduxion has, and continues to, implement reasonable technical and organisational measures for the protection of personal info it processes. Introduxion at all times takes reasonable and appropriate security measures to secure the integrity and confidentiality of personal info in its possession in order to guard against the:

- Loss of, damage to, or unauthorised destruction of, personal info.
- Unlawful access or processing of personal info.
- Wilful manipulation of personal info.

### **Transfer of personal information outside of South Africa**

Introduxion may, under certain circumstances, transfer personal information/personal data to a jurisdiction outside of South Africa in order to achieve the purpose/s for which the personal information/personal data was collected and processed.

Introduxion will obtain the data subject's consent to transfer the personal information/personal data to such foreign jurisdiction unless consent isn't required by applicable law.

The data subject should also take note that, where the personal information/personal data is transferred to a foreign jurisdiction, the processing of personal information/personal data in the foreign jurisdiction may be subject to the laws of that foreign jurisdiction.

### **Personal information received from third parties**

When Introduxion receives personal information from any third party on behalf of a data subject, it requires confirmation that such a third party has written consent from the data subject, that they're aware of the contents of this PAIA manual and the Introduxion data protection & privacy policy, and don't have any objection to Introduxion processing their personal information accordingly.





## Request procedures

Access to records held by Introdution may be accessed by requesters only once the prerequisite requirements for access have been met. The requester must comply with all the procedural requirements contained in the Act relating to the request for access to a record.

### Personal requester

A personal requester is a requester who is seeking access to a record containing personal information about the requester. Introdution will voluntarily provide the requested information or give access to any record with regard to the requester's personal information.

Introdution may require the requester to pay an access fee, and such fee will include fees associated with the search for, preparation of, and reproduction of documents. Such fees won't exceed the maximum applicable published by the Minister of Justice and Constitutional Development in the Government Gazette.

### Other requester

This requester (other than a personal requester) is entitled to request access to information on third parties. However, Introdution is not obliged to voluntarily grant access.

Introdution may require the requester to pay an access fee, and such fee will include fees associated with the search for, preparation of, and reproduction of, documents. Such fees won't exceed the maximum applicable published by the Minister of Justice and Constitutional Development in the Government Gazette.

### Form of request

The requester must comply with all the procedural requirements contained in the Act relating to the request for access to a record being:

The requester must use the prescribed form to make the request for access to a record. The prescribed form can be obtained directly from Introdution's information officer at the address or email address stated herein.

The prescribed form must be filled in with sufficient detail to enable the information officer to identify the following:

- The record or records requested.
- The identity of the requester.
- Contact information of the requester including telephone number, email address, etc.
- Which form of access is required.
- The postal address of the requester.
- The requester must identify the right that's sought to be exercised or protected and provide an explanation of why the requested record is required for the exercise or protection of that right.

Introdution will process the request within 30 days, unless the requester has stated special reasons that satisfy the information officer that circumstances dictate that the above time period not be complied with.

The requester will be informed in writing whether access has been granted or denied. If, in addition, the requester requires the reasons for the decision in any other manner, the requester must state the manner, and the particulars so required.

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

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



## Decision

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

The 30-day period with which Introduxion has to decide whether to grant or refuse the request, may be extended for a further period, but not more than 30 days, if the request is for a large amount of info, or the info can't reasonably be obtained within the initial 30-day period.

Introduxion will notify the requester in writing if an extension is sought.

## Ground for refusal

There are various grounds upon which a request for access to a record may be refused. These grounds include:

- The protection of personal information of a third person (who is a natural person) from unreasonable disclosure;
- The protection of commercial information of a third party (for example: trade secrets; financial, commercial, scientific or technical information that may harm the commercial or financial interests of a third party);
- If disclosure would result in the breach of a duty of confidence owed to a third party;
- If disclosure would jeopardise the safety of an individual or prejudice or impair certain property rights of a third person;
- If the record was produced during legal proceedings, unless that legal privilege has been waived;
- If the record contains trade secrets, financial or sensitive information or any information that would put Introduxion at a disadvantage in negotiations or prejudice it in commercial competition; and/or
- If the record contains information about research being carried out or about to be carried out on behalf of a third party or by Introduxion.
- Mandatory protection of confidential info of third parties if it's 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.

Remedies available when access to information is denied

### Internal remedies

Requests which are refused may be escalated to the info officer by sending an email to [info@introduxion.co.za](mailto:info@introduxion.co.za)

Any decision made by the information officer is final. If the requester isn't satisfied with the answer supplied by the information officer, he/she should exercise the external remedies at their disposal.

### External remedies

A requester being either a personal requester or any other requester that's dissatisfied with the information officer's refusal to disclose info, may, within 30 days of notification of the decision, apply to a court having jurisdiction or contact the Information Regulator for relief.

### Availability of this manual

This manual is available for inspection, during office hours and free of charge at the offices of Introduxion. It is also published on [www.introduxion.co.za](http://www.introduxion.co.za)

