



Sperosens

# PROMOTION OF ACCESS TO INFORMATION ACT MAUAL

Prepared in accordance with Section 51 of the Promotion of Access to Information Act, No. 2 of 2000 ("PAIA")

ORGANISATION	Sperosens
SCOPE OF POLICY	This manual applies to the business of Sperosens wherever it is conducted, but based at the registered office. It applies to paid employees.
OPERATIONAL DATE	03/10/2022
PREPARED BY	Marihette Hattingh, Marketing and Customer Care
DATE APPROVED BY INFORMATION OFFICER	03/10/2022
APPROVED BY	[Name & Signature]
NEXT REVIEW DATE	July 2021

## Contact Person

### Section 51(1)(a)

#### Contact Details

The responsibility for administration of, and compliance with the Act, has been delegated by the Chief Executive Officer (CEO) of Sperosens to the Chief Information Officer. Requests pursuant to the provisions of the Act should be directed as follows:

#### **CHIEF INFORMATION OFFICER**

Contact person:	Darren Kench
Postal address:	Private Bag X120, Centurion, 0046
Physical address:	Highway Business Park, 32 Park Avenue North, Rooihuiskraal, Centurion,
Phone number:	+27(12) 665 0317
E-mail:	info@Sperosens.co.za

## 1 INTRODUCTION

The Promotion of Access to Information Act, 2 of 2000 (hereinafter referred to as “the Act”) was enacted on 3 February 2000, to give effect to the provisions of section 32(2) of the Constitution which provides for the right of access to information held by the State and another person (or private body) when such privately held information is required to exercise or protect a right.

The Act 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. Requests in terms of the Act shall be made in accordance with the prescribed procedures at the rates provided.

This document serves as the Sperosens PAIA information manual and provides reference to the records held by Sperosens and the process to request access to such records.

## 2 SCOPE OF THE MANUAL

Sperosens is a private company being an established and respected provider of fire protection and telemetry solutions to the African mining and industrial sectors.

## 3 AVAILABILITY OF THE MANUAL

A copy of this manual is available to the public for inspection on the Sperosens website at [info@Sperosens.co.za](mailto:info@Sperosens.co.za)

or on request from the designated contact person referred to in this manual.

## 4 AUTOMATIC DISCLOSURE

### Section 51(1)(c)

#### 4.1 Records automatically available to the public

Any records that are required to be made available in terms of the Companies Act No. 71 of 2008 and the listing requirements as laid down by the JSE, as amended from time to time, shall be made available for

## 5 LEGISLATIVE RECORDS

### Section 51(1)(d)

#### 5.1 Records held in accordance with other legislation

Records are held in accordance with the following legislations:

Record Available	Applicable Legislation
Accounting Records	Revenue Laws Second Amendment Act 61 of 2008
BBBEE Compliance	The Broad-based Black Economic Empowerment Act 53 of 2003

Brand Protection	Counterfeit Goods Act, 37 of 1997
COIDA and OHS Act Records	Occupational Health and Safety Act 85 of 1993
Company registration documents, certificates, minutes, resolutions	Companies Act 71 of 2008
Compensation payments, assessments, and a letter of good standing	Compensation for Occupational Injuries and Disease Act 130 of 1993
Competition Commission Records and Merger Notices	Competition Act 89 of 1998
Consumer Records	The Consumer Protection Act 1987
Credit Agreements, credit checks	National Credit Act 34 of 2005
Employee Provident and Pension Fund Records	Pension Funds Act 24 of 1956
Employee Records	Basic Conditions of Employment Act 75 of 1997
Employee Records and Skills Development Levy Records	Skills Development Act 97 of 1998
Employee Records and Submissions	Unemployment Insurance Act 63 of 2001
Employment Records	Labour Relations Act 66 of 1995
FICA and Audit Records	Prevention of Organised Crime Act 121 of 1998
FICA Records	Financial Intelligence Centre Amendment Act 1 of 2017
Fire Brigade Services	Fire Brigade Services Act 99 of 1987Act99 of 1987G.11006GoN 2382 Amendment Act 83 of 1990Act83 of 1990G.12582GoN 1458 Amendment Act 14 of 2000Act14 of 2000G.21195GoN 500
Forest Act	Amendment Act 53 of 1991 [repealed]Act53 of 1991G.13254GoN 1140
Forestry Laws	Amendment Act 35 of 2005Act35 of 2005G.28602GoN 220
Inquests Act 58 of 1959Act58 of 1959G.6253GoN	Inquests Act 58 of 1959Act58 of 1959G.6253GoN
Income Tax returns; Clearance certificate	Income Tax Act 58 of 1962
Legal Records	Prescription Act 68 of 1969
Literary, artistic works and Records	Copyright Act 98 of 1978

National Forest and Fire Laws Amendment Act	National Forest and Fire Laws Amendment Act 12 of 2001Act12 of 2001G.22479GoN 660
National Veld and Forest Fire Act	National Veld and Forest Fire Act 101 of 1998Act101 of 1998G.19515GoN 1536
National Forests Act	National Forests Act 84 of 1998Act84 of 1998G.19408GoN 1388
National Building Regulations and Building Standards Amendment Act	National Building Regulations and Building Standards Amendment Act 62 of 1989Act62 of 1989G.11901GoN 1053
Provincial and Local Authority Affairs Amendment Act	Provincial and Local Authority Affairs Amendment Act 134 of 1992Act134 of 1992G.14137GoN 1921
PAIA Manual	Promotion of Access to Information Act 2 of 2000
Patent Records	South African Patent Act 57 of 1978
POPIA Policy, PAIA Manual	Protection of Personal Information Act 4 of 2013
Quality Records	National Environmental Management Act 107 of 1998
Railways and Harbours Acts	Railways and Harbours Acts Amendment Act 57 of 1970Act57 of 1970G.2842GoN 1609
Recycling	National Environmental Management: Waste Act, 59 of 2008
Registered Intellectual Property Records	Intellectual Property Laws Amendment Act 28 of 2013
South African Transport Services Act	Legal Succession to the South African Transport Services Act 9 of 1989Act9 of 1989G.11743GoN 428 Amendment Act 6 of 1982Act6 of 1982G.8039GoN 330
Tax Records and Filings	Taxation Laws Amendment Act 23 of 2020
The Department of Trade, Industry & Competition	The South African Bureau of Standards (SABS) in terms of the Standards Act, 1945 (Act No. 24 of 1945)
Trade Mark Application and Registrations	Trade Marks Act 194 of 1993
Website Terms of Use, Privacy Policy	Electronic Communications and Transactions Act 25 of 2002
Workplace Skills Plan and Annual Training Report (ATR)	Employment Equity Act 55 of 1998
VAT returns for past 5 (five) years;	Value Added Tax Act 89 of 1991

Clearance certificate	
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## 6 RECORDS HELD

### Section 51(1)(e)

#### 6.1 Records subject and categories

##### 6.1.1 Client Records

Upon written notice or use of the prescribed forms, an appointment within reasonable company hours can be made by interested parties to view the records at: -

Sperosens International (Pty)Limited

Highway Business Park

32 Park Avenue North

Rooihuiskraal, Centurion

Records are subject to the below classifications and access requirements:

Classification No.	Access	Classification
1	May be disclosed	Public Access Document
2	May not be disclosed	Request after commencement of criminal or civil proceedings [s7]
3	May be disclosed	Subject to copyright
4	Limited disclosure	Personal information that belongs to the requester of that information [s61]
5	May not be disclosed	Unreasonable disclosure of personal information of Natural person [s63(1)]
6	May not be disclosed	Likely to harm the commercial or financial interests of third party [s64(1)(a) and (b)]
7	May not be disclosed	Likely to harm the Company or third party in contract or other negotiations [s64(1)(c)]
8	May not be disclosed	Would breach a duty of confidence owed to a third party in terms of an Agreement [s65]
9	May not be disclosed	Likely to compromise the safety of individuals or protection of property [s66]
10	May not be disclosed	Legally privileged documents [s67]

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11	May not be refused	Environmental testing / investigation which reveals public safety / environmental risks [s64(2); s68(2)]
12	May not be disclosed	Commercial information of Private Body [s68]
13	May not be disclosed	Likely to prejudice research and development information of the Company or a third party [s69]
14	May not be refused	Disclosure in public interest [s70]

## 7 ACCESS REQUEST

### Section 51(1)(e)

#### 7.1 Access Request Procedure

It is important to note that the successful completion and submission of an access request form does not automatically allow the requester access to the requested record. An application for access to a record is subject to certain limitations if the requested record falls within a certain category as specified within Part 3 Chapter 4 of the Act.

If it is reasonably suspected that the requester has obtained access through the submission of materially false or misleading information, legal proceedings may be instituted against such requester.

#### 7.2 Completion of Access Request Form

In order to facilitate a timeously response to requests for access, all requesters should take note of the following when completing the Access Request Form:

- The Access Request Form must be completed.
- Proof of identity is required to authenticate the identity of the requester. Therefore, in addition to the access form, requestors will be required to supply a copy of their identification document.
- Type or print in BLOCK LETTERS an answer to every question.
- If a question does not apply, state “N/A” in response to that question.
- If there is nothing to disclose in reply to a particular question state “Nil” in response to that question.
- If there is insufficient space on a printed form, additional information may be provided on an additional attached folio.
- When the use of an additional folio is required, precede each answer with the applicable title.

#### 7.3 Submission of Access Request Form

To request a document that does not fall within the ambit of the Act, the requester must direct the request to the Information Officer in writing, and request an appointment to view the documentation.

To request a document that does fall within the ambit of the Act, the requester must make use of the prescribed form. This must be directed to the CEO or the Information Officer of Sperosens at the address, or email address of the party concerned.

The requester must provide sufficient detail on the request form to facilitate identifying the record requested. The requester should also indicate which form of access is required, and indicate if any other method is to be used to respond to the requester.

The requester must identify the right being exercised or protected, and provide an explanation of why the requested record is necessary to exercise or protect that right.

If a request is made on behalf of another person, a consent form/letter of authority must accompany the request.



The completed Access Request Form together with a copy of the identity document must be submitted either via conventional mail, e-mail or fax and must be addressed to the contact person as indicated above.

## 7.4 Payment of Fees

Payment details can be obtained from the contact person as indicated above and can be made either via a direct deposit, by bank guaranteed cheque or by postal order (no credit card payments are accepted). Proof of payment must be supplied.

The access fee must be paid prior to access being given to the requested record. This fee is not applicable to Personal Requesters, referring to any person seeking access to records that contain their personal information.

An initial, request fee of R57.00 (fifty-seven Rand) (including VAT) is payable on submission.

If the request for access is successful an access fee may be required for the search, reproduction and/or preparation of the record(s) and will be calculated based on the Prescribed Fees. If a deposit has been paid in respect of a request for access, which is refused, then the information officer concerned must repay the deposit to the requester.

## 7.5 Access Requests

### Section 51(1)(e)

#### 7.5.1 Access Request Procedure

##### Notification

Sperosens will within 30 days of receipt of the request decide whether to grant it or not and give notice with reasons (if required) to that effect.

The 30-day period within which Sperosens must decide whether to grant or refuse the request, may be extended for a further period of not more than thirty days, if the request is for a large volume of information, or the request requires a search for information held at another office of Sperosens and the information cannot reasonably be obtained within the original 30-day period. Sperosens will notify the requester in writing should an extension be applied.

## 7.6 Grounds for refusal of access to records

The main grounds for refusal of a request for information are:

- Mandatory protection of the privacy of a third party who is a natural person, which would involve the unreasonable disclosure of personal information of that natural person;
  - Mandatory protection of 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 Sperosens, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition;
  - Mandatory protection of confidential information if the disclosure would constitute a breach of a duty or confidence to a third party in terms of any agreement;
  - Mandatory protection of the safety of individuals and the protection of safety of property;
  - Mandatory protection of records which would be regarded as privileged in legal proceedings;
  - The protection of the commercial activities of Sperosens, which includes: -
- trade secrets of Sperosens;
- financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of Sperosens; and
- information which if disclosed could put Sperosens at a disadvantage in negotiations or commercial competition;
- a computer program which is owned by Sperosens, and which is protected by copyright; and
  - The research information of Sperosens or a third party on behalf of Sperosens, if the disclosure would expose the third party, Sperosens or the researcher of the subject matter of the research to a serious disadvantage.

### 7.7 Information or records not found

If all reasonable steps have been taken to find a record, and such record cannot be found or if the record does not exist, the Company will notify the requestor by way of an affidavit or affirmation, that it is not possible to give access to the requested record.

The affidavit or affirmation will provide a full account of all the steps taken to find the record or to determine the existence thereof, including details of all communications by the Company with every person who conducted the search. If the record in question should later be found, the requester shall be given access to the record in the manner stipulated by the requester unless access is refused by the company as permitted by PAIA.

## 8 RETENTION PERIODS

The following retention period shall apply to the below Records and access are subject to the availability denoted: <b>CCTV Records</b>		
Category	Availability	Retention Period
Images of customers and accompanied minors, images of employees	May not be disclosed - Commercial information of Private Body [s68]	1 Year

<b>Companies Act Records</b>		
Category	Availability	Retention Period

Documents of incorporation	May be disclosed - Public Access Document Available from (CIPC)	Indefinite
Memorandum and Articles of Association	May be disclosed - Public Access Document Available from (CIPC)	Indefinite
Minutes of Board of Directors meetings	May not be disclosed - Commercial information of Private Body [s68]	7 years
Records relating to the appointment of directors/ auditor/ secretary/ public officer and other officers	May be disclosed - Public Access Document Available from (CIPC)	7 years
Share register and other statutory registers	May be disclosed - Public Access Document Available from (CIPC)	Indefinite
Annual returns (CIPC)	May not be disclosed - Commercial information of Private Body [s68]	7 years

<b>Financial and Customer Development (Sales) Records</b>		
<b>Category</b>	<b>Availability</b>	<b>Retention Period</b>
Annual financial statements	May not be disclosed - Commercial information of Private Body [s68] unless permitted in terms of the JSE Listings Requirements	7 years
Tax returns	May not be disclosed - Commercial information of Private Body [s68]	15 years
Accounting records	May not be disclosed - Commercial information of Private Body [s68]	7 years
Banking records	May not be disclosed - Commercial information of Private Body [s68]	7 years
Bank statements	May not be disclosed - Commercial information of Private Body [s68]	4 years
Paid cheques (no longer relevant from 01 Jan 2021)	May not be disclosed - Commercial information of Private Body [s68]	4 years
Electronic banking records	May not be disclosed - Commercial information of Private Body [s68]	4 years
Asset register	May not be disclosed - Commercial information of Private Body [s68]	7 years
Lease (tenant) agreements	May not be disclosed - Commercial information of Private Body [s68]	4 years after expiry of latest lease/after tenant vacates,

		provided no
<b>Financial and Customer Development (Sales) Records</b>		
<b>Category</b>	<b>Availability</b>	<b>Retention Period</b>
		legal action exists
Rental (suppliers) agreements	May not be disclosed - Commercial information of Private Body [s68]	2 years after expiry provided no legal action exists
Invoices	May not be disclosed - Commercial information of Private Body [s68]	4 years
Information generated by the Group in relation to all service providers	May not be disclosed - Commercial information of Private Body [s68]	4 years
Information provided by other third parties in relation to services providers	May not be disclosed - Commercial information of Private Body [s68]	4 years

<b>Income Tax Records</b>		
<b>Category</b>	<b>Availability</b>	<b>Retention Period</b>
PAYE Records	May not be disclosed - Commercial information of Private Body [s68]	4 years
Documents issued to employees for income tax purposes	May not be disclosed - Commercial information of Private Body [s68]	4 years
Records of payments made to SARS on behalf of employees	May not be disclosed - Commercial information of Private Body [s68]	4 years
VAT	May be disclosed - Available from South African Receiver of Revenue website <a href="http://www.sars.gov.za">www.sars.gov.za</a>	4 years
Skills Development Levies	May not be disclosed - Commercial information of Private Body [s68]	4 years
UIF	May not be disclosed - Commercial information of Private Body [s68]	4 years

Workmen's Compensation	May not be disclosed - Unreasonable disclosure of personal information of Natural person [s63(1)]; Likely to compromise the safety of individuals or protection of property [s66]	4 years
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Human Resources Documents and Records		
Category	Availability	Retention Period
Employment contracts	May not be disclosed - Commercial information of Private Body [s68]	3 years after termination of employment

Human Resources Documents and Records		
Category	Availability	Retention Period
Employment equity plan (if applicable)	May not be disclosed - Commercial information of Private Body [s68]	3 years
Medical aid records	May not be disclosed - Personal information that belongs to the requester of that information [s61]; Unreasonable disclosure of personal information of Natural person [s63(1)]; Likely to compromise the safety of individuals or protection of property [s66]	3 years
Pension and provident fund records	May not be disclosed - Unreasonable disclosure of personal information of Natural person [s63(1)]; Likely to compromise the safety of individuals or protection of property [s66]	3 years
Disciplinary records	May not be disclosed - Unreasonable disclosure of personal information of Natural person [s63(1)]; Likely to compromise the safety of individuals or protection of property [s66]	3 years
Salary records	May not be disclosed - Unreasonable disclosure of personal information of Natural person [s63(1)]; Likely to compromise the safety of individuals or	4 years

	protection of property [s66]	
Disciplinary policy	May not be disclosed - Unreasonable disclosure of personal information of Natural person [s63(1)]; Likely to compromise the safety of individuals or protection of property [s66]	3 years
Leave records	May not be disclosed - Commercial information of Private Body [s68]	3 years
Training records	May not be disclosed - Unreasonable disclosure of personal information of Natural person [s63(1)]; Likely to compromise the safety of individuals or protection of property [s66]	3 years
Training manuals	May not be disclosed - Commercial information of Private Body [s68]	3 years
Internal evaluation information (IOs, IDP, PEP etc.)	May not be disclosed - Commercial information of Private Body [s68]	3 years
Organisational charts	May not be disclosed - Commercial information of Private Body [s68]	3 years

<b>Information Technology Records</b>		
<b>Category</b>	<b>Availability</b>	<b>Retention Period</b>
IP addresses	May not be disclosed - Commercial information of Private Body [s68]	1 year

<b>Legal Records</b>		
<b>Category</b>	<b>Availability</b>	<b>Retention Period</b>
Agreements with suppliers	May not be disclosed - Commercial information of Private Body [s68]	3 years
Agreements with customers (non-lease related)	May not be disclosed - Commercial information of Private Body [s68]	4 years after expiration/ termination, provided no legal action exists
Global brand protection app	May not be disclosed - Commercial information of Private Body [s68]	3 years

<b>Marketing and Consumer Affairs Records</b>		
<b>Category</b>	<b>Availability</b>	<b>Retention Period</b>
Product brochures	May be disclosed	1 year
Property sales records	May not be disclosed - Commercial information of Private Body [s68]	5 years
Marketing strategies	May not be disclosed - Commercial information of Private Body [s68]	1 year
Customer database	May not be disclosed - Commercial information of Private Body [s68]	3 years
Information of social media users	May not be disclosed - Commercial information of Private Body [s68]	3 years
Advertising events	May not be disclosed - Commercial information of Private Body [s68]	1 year
Promotional competitions	May not be disclosed - Commercial information of Private Body [s68]	1 year

<b>Public Relations Records</b>		
<b>Category</b>	<b>Availability</b>	<b>Retention Period</b>
Public product information	May be disclosed – Information in the public domain	3 years
Media releases	May be disclosed – Information in the public domain	3 years

<b>Regulatory</b>		
<b>Category</b>	<b>Availability</b>	<b>Retention Period</b>
Estate Agency Affair Board	May not be disclosed - Commercial information of Private Body [s68]	5 years

<b>Vendor, Customer Services and Logistics Records</b>		
<b>Category</b>	<b>Availability</b>	<b>Retention Period</b>
Products and services supplier information	May not be disclosed - Commercial information of Private Body [s68]	3 years

<b>Vendor, Customer Services and Logistics Records</b>		
<b>Category</b>	<b>Availability</b>	<b>Retention Period</b>
Third party information acting on behalf of the Company	May not be disclosed - Commercial information of Private Body [s68]	3 years
Third party service providers/ vendors	May not be disclosed - Commercial information of Private Body [s68]	3 years



## 9 FORMS

### Section 51(1)(e)

#### 9.1 Access Request Form

*(Section 53(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2001)) [Regulation 10]*

#### REQUEST IN TERMS OF POPIA

Where a data subject has requested access to personal information not falling within the above categories or where the data subject is requesting:

- to update his/her/its personal information;
- a list of the data subject's personal information Sperosens has in its possession or control;  
or
- the subscription or deletion of a data subject's personal information

Then the data subject, at no cost, must direct the request to the Information Officer of Sperosens.

#### PARTICULAR OF BODY

Requests can be submitted either via conventional mail, e-mail or fax and should be addressed to the relevant contact person as indicated below:

#### **Sperosens International Proprietary Limited**

Contact person: Darren Kench

Postal address: Private Bag X120, Centurion, 0046

Physical address: Highway Business Park, 32 Park Avenue North, Rooihuiskraal, Centurion,

Phone number: +27(12) 665 0317

E-mail: info@Sperosens.co.za

## REQUEST FOR ACCESS TO THE RECORD OF A PRIVATE BODY

### Section 53(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000)

#### [Regulation 10]

#### A Particulars of a 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: \_\_\_\_\_

#### 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:

## 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:

Mark the appropriate box with an X

Notes:

- Compliance with your request in the specified form may depend on the form in which the record is available.
- 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.
- 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 written or printed form  
 Copy of record       Inspection of record
2. If the record consists of Sperosens images  
(This includes photographs, slides, video recordings, computer-generated images, sketches, etc.)  
 View the images       Copy of 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 the soundtrack
4. If record is held on computer or in an electronic or machine-readable form  
 Printed copy of record       Printed copy of information       Copy in computer readable form  
(compact disc)

* If you requested a copy of the transcription of a record (above), do you wish the copy or transcription to be posted to you? <b>(POSTAGE IS PAYABLE)</b>	<b>YES</b>	<b>NO</b>
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**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**

5. Indicate which right is to be exercised or protected: \_\_\_\_\_

6. 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 by alternative means, 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 access to the record?  
\_\_\_\_\_

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

SIGNATURE OF REQUESTER / PERSON ON BEHALF OF WHOM REQUEST IS MADE

## 10 FEES

### Section 51(1)(e)

#### 10.1 Prescribed Fees

*(Section 54(7) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2001)) [Regulation 11(3)]*

The fee for a copy of the manual as contemplated in regulation 9(2)(c) to the Act is R1,10 for every photocopy of an A4-size page or part thereof.

#### 1. The fee for reproduction referred to in regulation 11(1) to the Act are as follows

(a)	For every photocopy of an A4-size page or part thereof	R 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	R 0,75
(c)	For a copy in a computer-readable form on –	
	(i) stiffy disc	R 7,50
	(ii) compact disk	R70,00
(d)	(i) For a transcription of visual images, for an A4-size page or part thereof	R40,00
	(ii) For a copy of visual images	R60,00
(e)	(i) For a transcription of an audio record, for an A4-size page or part thereof	R20,00
	(ii) For a copy of an audio record	R30,00

*(Section 54(2) of the Promotion of Access of Information Act, 2000 (Act No. 2 of 2000)) [Regulation 11(3)]*

#### 2. The actual postal fee is payable when a copy of a record must be posted to a requester. For the purposes of section 54(2) of the Act, the following applies:

- (a) Six hours as the hours to be exceeded before a deposit is payable; and
- (b) One third of the access fee is payable as a deposit by the requester.

#### 10.2 Additional information

### Section 51(1)(f)

#### 10.3 Additional prescribed information

The Minister of Justice has prescribed no additional information to be contained in this Manual.

## 11 POPI REQUIREMENTS

### 11.1 Accountability

The scope of this aspect of the policy is defined by the provisions of the POPI Act, Condition 1, and Chapter 5, Part B.

The appointment of the Sperosens Information Officer will be authorised by the Designated Head.

Information Officer Responsibilities:

- Developing, publishing and maintaining a POPI Policy which addresses all relevant provisions of the POPI Act
- Reviewing the POPI Act and periodic updates as published
- Ensuring that POPI Act induction training takes place for all staff
- Ensuring that periodic communication awareness on POPI Act responsibilities takes place
- Ensuring that Privacy Notices for internal and external purposes are developed and published
- Handling data subject access requests
- Approving unusual or controversial disclosures of personal data
- Approving contracts with Data Operators
- Ensuring that appropriate policies and controls are in place for ensuring the Information Quality of personal information
- Ensuring that appropriate Security Safeguards in line with the POPI Act for personal information are in place
- Handling all aspects of relationship with the Regulator as foreseen in the POPI Act
- Provide direction to any Deputy Information Officer if and when appointed
- Reviewing the Sperosens POPI policy annually

Consideration will be given on an annual basis of the re-appointment or replacement of the Information Officer or the need for any Deputy to assist the Information Officer.

### 11.2 Processing Limitation

The scope of this aspect of the policy is defined by the provisions of the POPI Act, Condition 2.

Sperosens undertakes to comply with the POPI Act, Conditions 2 in terms of processing limitation, sections 13 and 14, subject to the following stipulation (Retention periods).

- Personal information can only be collected directly from the data subject or from public records. The key exceptions (avoiding prejudicing criminal investigations) don't usually apply to businesses.
- Sperosens undertakes to comply with the POPI Act, Conditions 2 in terms of processing limitation, sections 9 to 12, subject to the following stipulation (Forms of Consent).
- Sperosens undertakes to gain written consent where appropriate.
- Only processing personal information that is relevant and only to the point needed for the stated purpose.
- The data subject can withdraw consent at any time.

All relevant privacy clauses are filled with the POPI Act policy.

### 11.3 Purpose specification

The scope of this aspect of the policy is defined by the provisions of the POPI Act, Condition 3.

Sperosens undertakes to comply with the POPI Act, Conditions 2 in terms of processing limitation, sections 13 and 14, subject to the following stipulation (Retention periods).

Sperosens will establish retention periods for at least the following categories of data:

- Directors
- Staff
- Customers
- Suppliers

### 11.4 Further processing limitation

The scope of this aspect of the policy is defined by the provisions of the POPI Act, Condition 4.

Sperosens undertakes to comply with the POPI Act, Conditions 2 in terms of processing limitation, section 15.

After collecting the personal information, Sperosens will only process it in a way that's necessary for, and relevant to, the original stated purpose.

### 11.5 Information Quality

The scope of this aspect of the policy is defined by the provisions of the POPI Act, Condition 5.

Sperosens will comply with all of the aspects of Condition 5, section 16.

Sperosens will ensure make sure the personal information is "*complete, accurate, not misleading and updated where necessary.*"

Sperosens will regularly review its procedures for ensuring that its records remain accurate and consistent and, in particular:

- ICT systems will be designed, where possible, to encourage and facilitate the entry of accurate data.
- Data on any individual will be held in as few places as necessary, and all staff will be discouraged from establishing unnecessary additional data sets.
- Effective procedures will be in place so that all relevant systems are updated when information about any individual changes.
- Staff who keep more detailed information about individuals will be given additional guidance on accuracy in record keeping.

Accuracy:

Sperosens will review all personal information on an annual basis.

Archiving:

Archived electronic records of Sperosens are stored securely off site at an independent third-party service provider.

Paper record archiving takes place through the use of an independent third-party service provider. A certificate of destruction will be obtained for each batch of archived documents destroyed.

### 11.6 Openness

The scope of this aspect of the policy is defined by the provisions of the POPI Act, Condition 6.

In line with Conditions 6 and 8 of the Act, Sperosens is committed to ensuring that in principle Data Subjects are aware that their data is being processed and

- for what purpose it is being processed;
- what types of disclosure are likely; and
- how to exercise their rights in relation to the data.

Data Subjects will generally be informed in the following ways:

- Staff: through this policy
- Customers and other interested parties: through the clauses contained in all Sperosens communications and documentation

Whenever data is collected, the number of mandatory fields will be kept to a minimum and Data Subjects will be informed which fields are mandatory and why.

### 11.7 Security Safeguards

The scope of this aspect of the policy is defined by the provisions of the POPI Act, Condition 7, section 19 to 22.

This section of the policy only addresses security issues relating to personal information. It does not cover security of the building, business continuity or any other aspect of security.

Sperosens has identified the following risks:

- Staff with access to personal information could misuse it.
- Access to information on the R: drive.

Sperosens will ensure that all necessary controls are in place in terms of access to personal information.

Sperosens will ensure that all necessary controls are in place in terms of access to personal information.

### 11.8 Data Subject Participation

The scope of this aspect of the policy is defined by the provisions of the POPI Act, Condition 8, sections 23 to 25.

Any subject access requests will be handled by the POPI Act Information Officer in terms of Condition 8.



Subject access requests must be in writing. All staff are required to pass on anything which might be a subject access request to the POPI Act Information Officer without delay.

Where the individual making a subject access request is not personally known to the POPI Act Information Officer their identity will be verified before handing over any information.

## 12 PROCESSING OF SPECIAL PERSONAL INFORMATION

The scope of this aspect of the policy is defined by the provisions of the POPI Act, Part B, sections 26 to 33.

Sperosens has the policy of adhering to the process of Special Personal Information which relates to the religious or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, health or sex life or biometric information of a data subject.

Special personal information includes criminal behaviour relating to alleged offences or proceedings dealing with alleged offences.

Unless a general authorisation, alternatively a specific authorisation relating to the different types of special personal information applies, a responsible party is prohibited from processing special personal information.

## 13 DIRECT MARKETING, DIRECTORIES AND AUTOMATED DECISION MAKING

The scope of this aspect of the policy is defined by the provisions of the POPI Act, Chapter 8.

Sperosens undertakes to comply with the POPI Act Chapter 8, sections 69 to 71.

### 13.1 Collection of Personal Information

Whenever data is first collected which might be used for any marketing purpose, this purpose will be made clear, and the Data Subject will be given a clear opportunity to opt in by means of i.e. subscription, accepted invitation or completing of an attendance register.

Sperosens has the policy against sharing lists (or carrying out joint or reciprocal mailings). Mailings only takes place on an occasional and tightly-controlled basis. Details will only be used for any of these purposes where the Data Subject has been informed of this possibility, along with an option to opt out/un-subscribe, and has not exercised this option.

Sperosens undertakes to obtain external lists only where it can be guaranteed that the list is up to date and those on the list have been given an opportunity to opt out.

Whenever e-mail addresses are collected, any future use for marketing will be identified, and the provision of the address made optional.

We collect and process your Personal Information mainly to provide you with access to our services and products, to help us improve our offerings to you and for certain other purposes explained below. The type of information we collect will depend on the purpose for which it is collected and used. We will only collect information that we need for that purpose.

We collect information directly from you where you provide us with your personal details, for example when you purchase a product or services from us or when you submit enquiries to us or contact us. Where possible, we will inform you what information you are required to provide to us and what information is optional.

### 13.2 Collection of Non-Personal Information

We may automatically collect non-Personal Information about you such as the type of internet browsers you use or the website from which you linked to our website. We may also aggregate details which you have submitted to the site (for example, the products or services you are interested in).

*You cannot be identified from this information and it is only used to assist us in providing an effective service on our web site.*

### 13.3 Cookies policy

We use cookies on our website. Some of them are essential for the operation of the site, while others help us to improve the site and the user experience (tracking cookies). You can decide for yourself whether you want to allow cookies or not. Please note you have the option to block the use of cookies on our landing page. If you reject them you may not be able to use all the functionalities on the site.

Cookies are small data files that your browser places on your computer or device. Cookies help your browser navigate a website and the cookies themselves cannot collect any information stored on your computer or your files. When a server uses a web browser to read cookies they can help a website deliver a more user-friendly service. To protect your privacy, your browser only gives a website access to the cookies it has already sent to you.

## 14 STAFF TRAINING & ACCEPTANCE OF RESPONSIBILITIES

The scope of this aspect of the policy is written in support of the provisions of the POPI Act, Chapter 5, Part B.

The Sperosens Information Officer will ensure that all staff who have access to any kind of personal information will have their responsibilities outlined during their induction procedures.

Sperosens will provide opportunities for staff to explore POPI Act issues through training, team meetings, and supervisions.

Sperosens will ensure that all staff sign acceptance of this policy once they have had a chance to understand the policy and their responsibilities in terms of the policy and the POPI Act.