



PART A

MANUAL

PREPARED IN TERMS OF SECTION 51 OF

THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000

(ACT NO. 2 OF 2000)

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1. GLOSSARY OF TERMS

- 1.1. In this document, clause headings are for convenience and shall not be used in its interpretation unless the context clearly indicates a contrary intention –
- 1.1.1. **Head** means the head of the Organization whose details are as set out in 3 above;
- 1.1.2. **Organization** means Cuppa Solutions (Pty) Ltd;
- 1.1.3. **Personal Information** means information relating to a person/or entity that identifies that person or entity i.e. contact details, physical address, company logo, medical and financial, employment and educational history, age, sex, race, ethnicity, email addresses, phone messages, biometric information of a person, personal opinions/views/preferences of the person etc.;
- 1.1.4. **Constitution** means the Constitution of the Republic of South Africa Act, 1996 (Act No. 108 of 1996);
- 1.1.5. **Request Liaison Officer** means person duly authorised by the head of the company and appointed by the company to facilitate or assist the head of the company with any request in terms of the Act; and
- 1.1.6. **PAIA** means the Promotion of Access to Information Act, 2000 (Act No.2 of 2000.
- 1.2. Any reference to any statute, regulation or other legislation shall be a reference to that statute, regulation or other legislation as at the signature date, and as amended or substituted from time to time.
- 1.3. If any provision in a definition is a substantive provision conferring a right or imposing an obligation on any party then, notwithstanding that it is only in a definition, effect shall be given to that provision as if it were a substantive provision in the body of this document.
- 1.4. Where any term is defined within a particular clause other than this, that term shall bear the meaning ascribed to it in that clause wherever it is used in this document.
- 1.5. Where any number of days is to be calculated from a particular day, such number shall be calculated as excluding such particular day and commencing on the next day. If the last day of such number so calculated falls on a day which is not a business day, the last day shall be deemed to be the next succeeding day which is a business day.

- 1.6. Any reference to days (other than a reference to business days), months or years shall be a reference to calendar days, months or years, as the case may be.
- 1.7. The use of the word "including" followed by a specific example/s shall not be construed as limiting the meaning of the general wording preceding it and the eiusdem generis rule shall not be applied in the interpretation of such general wording or such specific example.
- 1.8. Insofar as there is a conflict in the interpretation of or application of this document and the Act, the Act shall prevail.
- 1.9. This document does not purport to be exhaustive of or comprehensively deal with every procedure provided for in the Act. A requester is advised to familiarise his/her/itself with the provisions of the Act before lodging any request with the company.

2. PURPOSE

- 2.1. The purpose of this Manual is to facilitate the requests for access to records of the Organization as provided for in the Act.

3. DETAILS OF THE COMPANY

Full name :Cuppa Solutions (Pty) Ltd

Registration Number : 2016294007

Postal Address : Postnet Suite 026, Private Bag X81, Halfway House, Midrand, 1685

Physical Address : Workshop 17, West Street, Sandton, 2031

Telephone : 010 035 3442

Website :<https://www.cuppasolutions.co.za>

Email : Info@cuppasolutions.co.za

4. CONTACT DETAILS OF THE HEAD OF ORGANIZATION

- 4.1. The Head of Organisation is Mr **Kagisho Reid** . His contact details are:

Telephone: 010 035 3442

Email: info@cuppasolutions.co.za

5. INTRODUCTION

- 5.1. The Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) (“**the Act**”) gives effect to the **Constitutional** right of access to any information held by any public or private body that is required for the exercise or protection of any rights. The Act sets out the procedure attached to such request.
- 5.2. Section 9 of the Act, however, recognises that such right to access to information is subject to certain *justifiable limitations*, for instance limitations aimed at:
 - 5.2.1. The reasonable protection of privacy;
 - 5.2.2. Commercial confidentiality; and
 - 5.2.3. Effective, efficient and good governance.
- 5.3. Section 51 of the Act obliges an information officer of a Responsible Party to ensure that a PAIA manual is developed, monitored, maintained and available to any individual whose Personal Information is held by the Responsible Party.
- 5.4. The purpose of this manual is therefore to inform and describe how individuals may exercise their Constitutional right of access to information in the possession of the Organization and thereby giving effect to Section 51 of the Act.

6. APPOINTMENT OF THE INFORMATION OFFICER

- 6.1. PAIA prescribes the appointment of an Information Officer for private bodies where such Information Officer is responsible to, inter alia, assess request for access to information. The head of a private body has fulfilled such a function by appointing an Information Officer to assess such a request for access to information as well as to oversee its required functions in terms of PAIA.
- 6.2. The Information Officer appointed in terms of PAIA also refers to the Information Officer as referred to in the POPIA. The Information Officer oversees the functions and responsibilities as required for in terms of both this Act as well as the duties and responsibilities in terms of section 55 of POPIA.

7. CONTACT DETAILS OF THE INFORMATION OFFICER AND THE DEPUTY INFORMATION OFFICER IN TERMS OF SECTION 14(1)(B):

7.1. Information Officer:

Information Officer:	Dinana Reid
Physical Address:	Workshop 17, West Street, Sandton, 2031

Telephone Number:	010 035 3442
Email:	info@cuppasolutions.co.za

8. DESCRIPTION OF GUIDE REFERRED TO IN SECTION 10

- 8.1. A Guide has been compiled in terms of Section 10 of PAIA by the South African Human Rights Commission (SAHRC). It contains information required by a person wishing to exercise any right, contemplated by PAIA. It is available in all of the official languages.
- 8.2. The Guide is available for inspection, inter alia, at the office of the offices of the Human Rights Commission and at www.sahrc.org.za.
- 8.3. For further information please contact the SAHRC:

Postal Address: PAIA Unit:

Street Address: PAIA Unit:

Th JD House, 27 Stiemens Street

Braamfontein, Johannesburg, 2001

Postal Address:

P.O Box 31533

Braamfontein, Johannesburg, 2017

e Research and Documentation Department

JohannesburgEmail: PAIA@sahrc.org.za

Street Address:

Information Regulator South Africa

JD House, 27 Stiemens Street

Braamfontein, Johannesburg, 2001

Postal Address:

P.O Box 31533

Braamfontein, Johannesburg, 2017

General enquiries email: inforeg@justice.gov.za .

9. RECORDS THAT ARE AUTOMATICALLY AVAILABLE TO EITHER EMPLOYEES ONLY OR THE GENERAL PUBLIC AND EMPLOYEES

9.1. The following records are automatically available to all employees and need not be requested in accordance with the procedure outlined in paragraph 11 –

9.1.1. personnel records are available to the employee whose file it is;

9.1.2. records of disciplinary hearings and related matters are available to the employee concerned;

9.1.3. the company's policies and procedures manual;

9.1.4. the company's document format manual.

9.2. The following records are automatically available to the general public and all employees and need not be requested in accordance with the procedure outlined in paragraph 9 –

9.2.1. General information about the Organization can be accessed via the internet at <http://ta-badira.co.za>, which is available to all persons who have access to the internet.

10. RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION AS CONTEMPLATED IN SECTION 51(1)(D) OF THE ACT

10.1. Records available in terms of other legislation are as listed below. These records are not automatically available without a request in terms of the Act:

1. Arbitration Act No. 42 of 1965
2. Basic Conditions of Employment Act No. 75 of 1997
3. Broad-based Black Economic Empowerment Act 53 of 2003
4. Companies Act No 71 of 2008 and Applicable Regulations
5. Compensation for Occupational Injuries and Health Diseases Act No. 130 of 1993
6. Consumer Protection Act 68 of 2008
7. Copyright Act No. 98 of 1978

8. Electronic Communications Act, No. 36 of 2005;
9. Electronic Communications and Transactions Act No 25 of 2002
10. Employment Equity Act. No. 55 of 1998
11. Financial Intelligence Centre Act No. 38 of 2001.
12. Income Tax Act No 58 of 1962
13. Intellectual Property Laws Amendment Act No. 38 of 1997
14. Labour Relations Act No 66 of 1995
15. Occupational Health and Safety Act No. 85 of 1993
16. Prevention and Combating of Corrupt Activities Act No 12 of 2004
17. Promotion of Access to Information Act No.2 of 2000
18. Promotion of Equality and Prevention of Unfair Discrimination Act No. 4 of 2000
19. Protection of Personal Information Act 4 of 2013
20. Skills Development Act 97 of 1998
21. Skills Development Levies Act No 9 of 1999
22. Unemployment Insurance Act No. 63 of 2001
23. Unemployment Insurance Contributions Act No 4 of 2002
24. Value Added Tax Act No 89 of 1991

11. DATA SUBJECTS AND CATEGORIES OF OTHER RECORDS HELD BY THE ORGANIZATION IN TERMS OF SECTION 51(1)(C)

- 11.1. These records are not automatically available without a request in terms of the Act. A request in terms of this section is subject to section 63(1) of the Act, which provides that the head of a company must refuse a request for access to a record of the company if the disclosure of the record would involve the unreasonable disclosure of personal information about a third party including a deceased individual.
- 11.2. The Data Subjects on which the private body holds records and the categories on each Data Subject in terms of Section 51(1)(e) are as listed paragraph 14 below. Please

note that a requester is not automatically allowed access to these records and that access to them may be refused in accordance with Sections 62 to 69 of the Act:

11.3. **Organization Records**

1. Documents of Incorporation;
2. Index of names of members of Close Corporation;
3. Memorandum of Incorporation;
4. Minutes of meeting of the Board of Directors;
5. Minutes of meetings of Shareholders;
6. Proxy forms;
7. Register of directors' shareholdings;
8. Research and development;
9. Share certificates;
10. Share Register and other statutory registers and/or records and/or documents; and
11. Special resolutions/Resolutions passed at General and Class meetings.

11.4. **Records relating to the appointment of:**

1. Auditors;
2. Directors;
3. Prescribed Officer.
4. Public Officer; and
5. Secretary;

11.5. **Financial Records**

1. Accounting Records
2. Annual Financial Reports;
3. Annual Financial Statements

4. Asset Registers;
5. Bank Statements
6. Banking details and bank accounts;
7. Banking Records
8. Debtors / Creditors statements and invoices;
9. General ledgers and subsidiary ledgers;
10. General reconciliation;
11. Invoices;
12. Paid Cheques
13. Policies and procedures;
14. Rental Agreements; and
15. Tax Returns.

11.6. **Income Tax Records**

1. PAYE Records
2. Documents issued to employees for income tax purposes
3. Records of payments made to SARS on behalf of employees
4. All other statutory compliances:
 - ❖ VAT
 - ❖ Regional Services Levies
 - ❖ Skills Development Levies
 - ❖ UIF
 - ❖ Workmen's Compensation

11.7. **Personnel Documents and Records**

1. Accident books and records;

2. Address Lists;
3. Disciplinary Code and Records;
4. Employee benefits arrangements rules and records;
5. Employment Contracts;
6. Forms and Applications;
7. Grievance Procedures;
8. Leave Records;
9. Medical Aid Records;
10. Payroll reports/ Wage register;
11. Pension Fund Records;
12. Safety, Health and Environmental records;
13. Salary Records;
14. Standard letters and notices
15. Training Manuals;
16. Training Records; and
17. Workplace and Union agreements and records.

11.8. **Procurement Department**

1. Standard Terms and Conditions for supply of services and products;
2. Contractor, client and supplier agreements;
3. Lists of suppliers, products, services and distribution; and
4. Policies and Procedures.

11.9. **Marketing Department**

1. Advertising and promotional material

11.10. **Risk Management and Audit**

1. Audit reports;
2. Risk management frameworks; and
3. Risk management plans.

11.11. **Safety, Health and Environment**

1. Complete Safety, Health and Environment Risk Assessment
2. Environmental Managements Plans
3. Inquiries, inspections, examinations by environmental authorities

11.12. **IT Department**

1. Computer / mobile device usage policy documentation;
2. Disaster recovery plans;
3. Hardware asset registers;
4. Information security policies/standards/procedures;
5. Information technology systems and user manuals
6. Information usage policy documentation;
7. Project implementation plans;
8. Software licensing; and
9. System documentation and manuals.

12. RECORDS AUTOMATICALLY AVAILABLE ON THE COMPANY WEBSITE

12.1. The Organization publishes a broad range of informative material both in print and on its website at <https://www.cuppasolutions.co.za>. The Data Subject may obtain Personal Information about themselves or information about the Organization on the website. The Organization will provide such information on request to the office where the records are held. A fee may be charged for copying of records depending on the volume requested.

13. PURPOSE OF PROCESSING OF PERSONAL INFORMATION

1. To support clients consulting services

2. To support recruitment and management of staff
3. To support engagement with suppliers
4. To support engagement with the general public
5. To support engagement with investors and the media

14. DATA SUBJECTS CATEGORIES AND THEIR PERSONAL INFORMATION

1. Employees: record of employee life cycle
2. Suppliers: record of supplier life cycle
3. General public: tracking general enquiries and web site visits
4. Investors: records as maintained by the Organization Secretary
5. Media: records of media interactions

15. PLANNED RECIPIENTS OF PERSONAL INFORMATION [

1. Statutory authorities
2. Law enforcement
3. Tax authorities
4. Financial institutions
5. Industry bodies

16. PLANNED TRANS-BORDER FLOWS OF PERSONAL INFORMATION

1. Flows to service providers/operators
2. Flows to business partners
3. Flows to suppliers
4. Flows through the use of social media

17. SECURITY MEASURES TO PROTECT PERSONAL INFORMATION

1. Physical security measures
2. Cyber security measures

3. Training in information security
4. Policies in information security
5. Audits of information security
6. Any particular security framework implemented

18. PROCESS OF MAKING A REQUEST FOR ACCESS

18.1. Form for Request:

- 18.1.1. The requester must complete Form C and submit this form together with a request fee, to the Head of the **Organization**. The form must be submitted to the Head of the **Organization**, at his address or electronic mail address as stated earlier in this manual [s 53(1)]. A copy of the form is attached and marked annexure A (the “prescribed form”). The form is also available from the website of the HRC, or the website of the Department of Justice and Constitutional Development at www.doj.gov.za.

18.2. Request Requirements:

- 18.2.1. The requester must use the prescribed form, to make the request for access to a record.
- 18.2.2. The requester must provide sufficient detail on the request form to enable the designated Head to identify the record and the requester.
- 18.2.3. The requester should indicate which form of access is required.
- 18.2.4. The requester should indicate if any other manner is to be used to inform the requester and state the necessary particulars to be so informed [s 53(2)(a) and (b) and (c)].
- 18.2.5. The requester must identify the right that is sought to be exercised or to be protected and provide an explanation of why the requested record is required for the exercise or protection of that right [s 53(2)(d)].
- 18.2.6. If a request is made on behalf of another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the designated Head of the private body [s 53(2)(f)] and follow the same process as stated in paragraph 18.1 above.
- 18.2.7. A requester who seeks access to a record containing Personal Information about that requester is not required to pay the request fee.

- 18.2.8. Every other requester, who is not a personal requester, must pay the required request fee.
- 18.2.9. The designated Head of the private body must notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed fee (if any) before further processing the request [s 54(1)].
- 18.2.10. The fee that the requester must pay to a private body is currently R50,00. The requester may lodge an application to the court against the tender or payment of the request fees [s 54(3)(b)].
- 18.2.11. After the designated Head of the Organization has made a decision on the request, the requester must be notified in the required form.
- 18.2.12. If the request is granted then a further access fee must be paid for the search, reproduction, preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure [s 54(6)].

19. GROUNDS FOR REFUSING A REQUEST

- 19.1. The Organization has the right to reject any request for information submitted in terms of Sections 62 to 70 of Chapter 4 of the PAIA Act.
- 19.2. If the request for access is refused, the Head of the Organization or the Request Liaison Officer shall advise the requester in writing of the refusal. The notice of refusal shall state –
 - 19.3. adequate reasons for the refusal;
 - 19.4. that the requester may lodge an appeal with a court of competent jurisdiction against the refusal of the request (including the period) for lodging such an appeal.
 - 19.5. Upon the refusal by the Head of the Organization or the Request Liaison Officer, the deposit paid by the requester will be refunded.
 - 19.6. If the Head of the Organization or the Request Liaison Officer fails to respond within 30 (thirty days) after a request has been received, it is deemed, in terms of section 58 read together with section 56(1) of the Act, that the Head of the Organization or the Request Liaison Officer has refused the request.
 - 19.7. The Head of the Organization may decide to extend the period of thirty days ("original period") for another period of not more than thirty days if –
 - 19.7.1. the request is for a large number of records;

- 19.7.2. the search for the records is to be conducted at premises not;
 - 19.7.3. the search for the records is to be conducted at premises not situated in the same town or city as the head office of the Organization;
 - 19.7.4. consultation among divisions or departments, as the case may be, of the Organization is required;
 - 19.7.5. the requester consents to such an extension in writing; and
 - 19.7.6. the parties agree in any other manner to such an extension.
- 19.8. Should the Organization require an extension of time, the requester shall be informed in the manner stipulated in the prescribed form of the reasons for the extension.
- 19.9. The requester may lodge an appeal with a court of competent jurisdiction against any extension or against any procedure set out in this section.

20. INFORMATION OR RECORDS NOT FOUND

- 20.1. If all reasonable steps have been taken to find a record, and such a record cannot be found or if the records do not exist, then the Head of the Organization or the Request Liaison Officer shall notify the requester, by way of an affidavit or affirmation, that it is not possible to give access to the requested record.
- 20.2. The affidavit or affirmation shall 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 Head of the Organization or the Request Liaison Officer with every person who conducted the search.
- 20.3. The notice, as set out in 20.1, shall be regarded as a decision to refuse a request for access to the record concerned for the purposes of the Act.
- 20.4. 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 in the prescribed form unless access is refused by the Head of the Organization or the Request Liaison Officer.
- 20.5. The attention of the requester is drawn to the provisions of Chapter 4 of Part 3 of the Act in terms of which the Organization may refuse, on certain specified grounds, to provide information to a requester.

21. INFORMATION REQUESTED ABOUT A THIRD PARTY

- 21.1. Section 71 of the Act makes provision for a request for information or records about a third party.

- 21.2. In considering such a request, the Organization will adhere to the provisions of sections 71 to 74 of the Act.
- 21.3. The attention of the requester is drawn to the provisions of Chapter 5 of Part 3 of the Act in terms of which the Organization is obliged, in certain circumstances, to advise third parties of requests lodged in respect of information applicable to or concerning such third parties. In addition, the provisions of Chapter 2 of Part 4 of the Act entitle third parties to dispute the decisions of the the Head of the Organization or the request liaison officer by referring the matter to the High Court.

22. APPEAL

- 22.1. A requestor may lodge an internal appeal against a decision of the Information Officer of the Organization:
- 22.1.1. To refuse a request for access; or
 - 22.1.2. Taken in terms of section 22, 26(1) or 29(3), in relation to that requester, with the Minister for Provincial and Local Government.
- 22.2. A third party may lodge an internal appeal against a decision of the Information Officer of the Organization to grant a request for access.
- 22.3. An internal appeal must be lodged in the prescribed form:
- 22.3.1. Within 60 days;
 - 22.3.2. If notice to a third party is required, within 30 days after notice is given to the appellant of the decision against;
 - 22.3.3. It must be delivered or sent to the Information Officer of the Organization at his or her addresses or fax number;
 - 22.3.4. It must identify the subject of the internal appeal and state the reasons for the internal appeal and may include any other relevant information known to the appellant;
 - 22.3.5. If, in addition of a written reply, the appellant wishes to be informed of the decision on the internal appeal in any other manner, must state that manner and provide the necessary particulars to be so informed;
 - 22.3.6. If applicable, must be accompanied by the prescribed appeal fee, and specify a postal address or fax number.

- 22.4. If an appeal is lodged after the expiry of the period referred to, the Minister must, upon good cause shown, allow the late lodging of the appeal.
- 22.5. If the Minister disallows the late lodging of the appeal, he or she must give notice of that decision to the person appeal fee (if any).
- 22.6. A requestor lodging an appeal against the refusal of his or her request of an appeal, the decision on the appeal may be deferred until the fee is paid.
- 22.7. As soon as reasonably possible, but in any event within ten (10) working days after receipt of an appeal, the information Officer of the Organization must submit the following to the Minister:
- 22.7.1. The appeal together with his or her reasons for the decision concerned; and
- 22.7.2. If the appeal is against the refusal or granting of a request for access, the name, postal address, phone and fax number and electronic mail address, whichever is available, of any third party that must be notified of the request.

23. AVAILABILITY OF THE MANUAL

- 23.1. This manual is available for inspection at the office of the Organization free of charge.

24. UPDATING OF MANUAL

- 24.1. The Organization may update this manual every six months or at such intervals The Organization may update this manual every six months or at such intervals as may be necessary.

25. FEES IN RESPECT OF PRIVATE BODIES

- 25.1. The following is a breakdown of the fees structure for the purposes of determining the manner in which fees relating to a request for access to a record of a private body are to be calculated. Part III of Regulation 187 published in the Government Gazette on the 15 February 2002. The fees payable are as summarised below:
- 25.1.1. The fee for a copy of the manual as contemplated in regulation 9(2)(c) is R1,10 for every photocopy of an A4-size page or part thereof.
- 25.1.2. The fees for reproduction referred to in regulation 11(1) are as follows:
1. For every photocopy of an A4-size page or part thereof R1,10
 2. For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form R0, 75

3. For a copy in a computer-readable form on - (i) stifty disc R 7, 50; (ii) compact disc R 70,00
 4. For a transcription of visual images, for an A4-size page or part thereof R 40,00,
(ii) For a copy of visual images R 60,00
 5. For a transcription of an audio record, for an A4-size page or part thereof R 20,00;
(ii) For a copy of an audio record R 30,00
- 25.1.3. The request fee payable by a requester, other than a personal requester, referred to in Regulation 11(2) is R50,00.
- 25.1.4. The access fees payable by a requester referred to in Regulation 11(3) are as follows:
1. For every photocopy of an A4-size page or part thereof R 1,10;
 2. 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;
 3. For a copy in a computer-readable form on - (i) stifty disc R 7,50; (ii) compact disc R 70,00
 4. For a transcription of visual images, for an A4-size page or part thereof R 40,00;
(ii) For a copy of visual images R 60,00
 5. For a transcription of an audio record, for an A4-size page or part thereof R 20,00;
(ii) For a copy of an audio record R 30,00
- 25.1.5. To search for and prepare the record for disclosure, R30,00; for each hour or part of an hour reasonably required for such search and preparation.
- 25.1.6. For purposes of section 54(2) of the Act, the following applies:
1. Six hours as the hours to be exceeded before a deposit is payable; and
 2. one third of the access fee is payable as a deposit by the requester.
- 25.1.7. The actual postage is payable when a copy of a record must be posted to a requester.



PART B:

INFORMATION MANUAL

IN TERMS OF THE

PROTECTION OF PERSONAL INFORMATION ACT NO. 4 OF 2013

(POPIA)

1 GLOSSARY OF TERMS

- 1.1 In this document, clause headings are for convenience and shall not be used in its interpretation unless the context clearly indicates a contrary intention –
- 1.1.1 **Data Subject** means the individual or entity to whom the Personal Information relates, as fully described in section 1 of POPIA;
- 1.1.2 **Organization** means Cuppa Solutions;
- 1.1.3 **Personal Information** means information relating to a person/or entity that identifies that person or entity i.e. contact details, physical address, company logo, medical and financial, employment and educational history, age, sex, race, ethnicity, email addresses, phone messages, biometric information of a person, personal opinions/views/preferences of the person etc.;
- 1.1.4 **Responsible Party** means a public or private body or any other person which, alone or in conjunction with others, determines the purpose of and means for processing Personal Information, as fully described in section 1 of POPIA; and
- 1.1.5 **POPIA** means the Protection of Personal Information Act, 2013 (Act No. 4 of 2013).
- 1.2 Any reference to any statute, regulation or other legislation shall be a reference to that statute, regulation or other legislation as at the signature date, and as amended or substituted from time to time.
- 1.3 If any provision in a definition is a substantive provision conferring a right or imposing an obligation on any party then, notwithstanding that it is only in a definition, effect shall be given to that provision as if it were a substantive provision in the body of this document.
- 1.4 Where any term is defined within a particular clause other than this, that term shall bear the meaning ascribed to it in that clause wherever it is used in this document.
- 1.5 Where any number of days is to be calculated from a particular day, such number shall be calculated as excluding such particular day and commencing on the next day. If the last day of such number so calculated falls on a day which is not a business day, the last day shall be deemed to be the next succeeding day which is a business day.
- 1.6 Any reference to days (other than a reference to business days), months or years shall be a reference to calendar days, months or years, as the case may be.
- 1.7 The use of the word "including" followed by a specific example/s shall not be construed as limiting the meaning of the general wording preceding it and the eiusdem generis

rule shall not be applied in the interpretation of such general wording or such specific example.

1.8 Insofar as there is a conflict in the interpretation of or application of this document and the Act, the Act shall prevail.

1.9 This document does not purport to be exhaustive of or comprehensively deal with every procedure provided for in the Act. A requester is advised to familiarise his/her/itself with the provisions of the Act before lodging any request with the company.

2 SECTION 51(1)(c)(i) OF POPIA: PURPOSE OF THE PROCESSING

2.1 POPIA aims to regulate how Personal Information may be processed, by establishing conditions, in harmony with international standards, that prescribe the minimum threshold requirements for the lawful processing of Personal Information. In addition, all persons are afforded rights and remedies to protect their Personal Information from Processing that is not in accordance with POPIA (Section 2 of POPIA).

2.2 Legal Cuppa is a Responsible Party in terms of Section 1 of POPI as we, in conjunction with our authorised third party service providers, determine the purpose and means for Processing your Personal Information.

2.3 Legal Cuppa generally processes your Personal Information for the following non-exhaustive list of purposes:

2.3.1 to comply with our legislative obligations;

2.3.2 to comply with our contractual obligations;

2.3.3 to comply with our daily business operations;

2.4 Personal Information processed by Legal Cuppa shall fully comply with the provisions of POPI including but not limited to lawfully processing Personal Information solely for the purpose for which the information was collected, according to the rights of Data Subjects, and retaining the information for no longer than is necessary.

3 SECTION 51(1)(c)(ii) OF POPIA: CATEGORIES OF DATA SUBJECTS AND APPLICABLE INFORMATION

3.1 Categories of Data Subjects include but are not limited to:

3.1.1 Legal Cuppa clients;

- 3.1.2 Legal Cuppa employees, temporary staffs, and independent contractors;
 - 3.1.3 Legal Cuppa suppliers and service providers; and
 - 3.1.4 Third parties who conduct with Legal Cuppa.
- 3.2 Categories of Personal Information processed may include but are not limited to:

Natural Persons	Juristic Person
<p>names, identity or passport number, date of birth, citizenship, age, race, gender, sex, marital status, fingerprint, language, medical information, physical or mental health information, pregnancy, disability, history of education, criminal or employment history, contact details (including telephone numbers, email addresses, physical and postal addresses), bank account details, income tax numbers, background checks, curriculum vitae, personal opinions, views or preferences and confidential information.</p>	<p>Registered names, registration number, companies' information, identities of directors or partners or trustees or sole proprietor, authorized signatories, beneficiaries, ultimate beneficial owners, contact details (including registered, physical and postal addresses), founding documents, income tax numbers, VAT registration numbers, banking information, and information of services or goods offerings,</p>

4 SECTION 51(1)(c)(iii) OF POPIA: RECIPIENTS OR CATEGORIES OF RECIPIENTS WHOM PERSONAL INFORMATION MAY BE SUPPLIED

The recipients or categories of such Personal Information include:

- 4.1 Legal Cuppa employees, temporary staffs, and independent contractors;
- 4.2 All natural and juristic persons who provide products and/or services to Legal Cuppa and/or its employees, temporary staffs and independent contractors;
- 4.3 All regulatory and governmental authorities or similar bodies or authorities with whom Legal Cuppa is required to share information in terms of the applicable legislation; and
- 4.4 Registered financial institutions who provide products and services to Legal Cuppa.

5 SECTION 51(1)(c)(iv) OF POPIA: PLANNED TRANSBORDER FLOW OF PERSONAL INFORMATION

5.1 Legal Cuppa may transmit Personal Information to its authorised third parties and/or other companies and store Personal Information on data servers situated outside the Republic of South Africa. Legal Cuppa undertakes to ensure compliance with POPIA and any other applicable data privacy legislation in the jurisdiction of the authorised thirdparties.

6 SECTION 51(1)(c)(v) OF POPIA: PRELIMINARY ASSESSMENT OF SUITABILITY OF SECURITY MEASURES

6.1 Legal Cuppa acknowledges the sensitivity and confidential nature of your Personal Information and has taken all appropriate, reasonable technical and organisational measures to ensure that the Personal Information processed is safeguarded in terms ofthe provisions of POPIA.

7 REGULATION 2 OF POPIA: OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION BY DATA SUBJECTS

7.1 In terms of Section 11 (3) of POPIA read with Regulation 2 of the POPIA Regulations, a Data Subject may, at any time, object to the Processing of theirPersonal Information, subject to exceptions set out in POPIA.

7.2 All such requests must be submitted by completing the prescribed form annexed hereto as **Form 1**

8 REGULATION 3 OF POPIA: REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION

8.1 Section 24 of POPIA read with Regulation 3 of the POPI Regulations makes provision for a Data Subject to request for their Personal Information to be corrected or deleted. All such requests must be submitted by completing the prescribed form annexed hereto as **Form 2**.

FORM C

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY

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

[Regulation 10]

A. Particulars of private body

The Head:

B. Particulars of person requesting access to the record

- (a) The particulars of the person who requests access to the record must be given below.*
- (b) The address and/or fax number in the Republic to which the information is to be sent must be given.*
- (c) Proof of the capacity in which the request is made, if applicable, must be attached.*

Full names and surname: _____

Identity number: _____

Postal _____ address:

Fax number: _____

Telephone 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:

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

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

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

If the record is in written or printed form:

	copy of record*		inspection of record
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If the 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*
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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)
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If record is held on computer or in an electronic or machine-readable form:

	printed copy of record*		printed copy of information derived from the record*		copy in computer readable form* (stiffy
--	-------------------------	--	--	--	---

					or compact disc)
--	--	--	--	--	------------------

*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.	YES	NO

G. Particulars of right to be exercised or protected

If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

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 _____ **ON THIS** _____ **DAY OF** _____

SIGNATURE OF REQUESTER / PERSON ON WHOSE

BEHALF REQUEST IS MADE