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## Information Manual in Terms of the Promotion of Access to Information Act 2 of 2000

(IGSA PAIA Manual)

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Prepared by: Legal and Compliance

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## 1. Introduction

The Promotion of Access to Information Act No 2 of 2000 (PAIA) was enacted to give effect to the constitutional right of access to any information that is held by another person and that is required for the exercise or protection of any rights as well as to provide for matters connected therewith.

This manual is to assist potential requesters with the procedure to be followed when requesting access to information from the Innovation Group in terms of PAIA. A potential requester is any person who requires information for the exercise or protection of any rights.

This manual may be amended from time to time and any new versions of the manual will be made public.

### 1.1. The Protection of Personal Information Act

The Protection of Personal Information Act 4 of 2013 (POPIA) amends PAIA in a number of ways. One of the key ways in which POPIA changes PAIA relates to the role of the SAHRC. Under POPIA the SAHRC's functions in terms of PAIA will be transferred to the Information Regulator, an independent body which has been set up to monitor both POPIA and PAIA, and to handle complaints relating to access to information and the protection of personal information.

However, the SAHRC will still retain its Constitutional obligation to promote, protect and monitor the right of access to information as a right enshrined in the Bill of Rights.

### 1.2. The Information Regulator

The Information Regulator (SA) is empowered to monitor and enforce compliance by public and private bodies with the provisions of POPIA and PAIA. The Information Regulator may consider complaints against decisions that have been taken by public or private bodies in respect of requests for access to records of the bodies concerned.

#### Contact details:

<b>Postal address:</b>	P.O Box 31533 Braamfontein Johannesburg 2017
<b>Physical address:</b>	JD House 27 Stiemens Street Braamfontein Johannesburg 2001
<b>Email address:</b>	PAIAComplaints@inforegulator.org.za - should your PAIA request be denied or there is no response from a public or private bodies for access to records you may use this email address to lodge a complaint.  POPIAComplaints@inforegulator.org.za – should you feel that your personal information has been violated, you may use this e-mail address to lodge a complaint

## 2. Innovation Group South Africa contact

<b>Information Officer:</b>	Marcel De Klerk (Managing Director)
<b>Postal Address:</b>	Private Bag X99 Bryanston 2021
<b>Physical Address:</b>	155 West Street Sandown Sandton 2031
<b>Telephone:</b>	011 790 5050

E-mail Address:

[Information.Officer@innovation.group](mailto:Information.Officer@innovation.group)

### 3. South Africa Human Rights Commission: Guide on the Act

In terms of section 10 of the Promotion of Access to Information Act 2 of 2000, the Human Rights Commission has compiled a guide on the use of this Act. It is available from the Human Rights Commission at any of the following offices:

Office	Contact details
Johannesburg	Tel: 011 877 3600 Fax: 011 403 0684
Free State (Bloemfontein)	Tel: 051 447 1133 Fax: 051 447 1128
Eastern Cape (Port Elizabeth)	Tel: 043 722 7828 Fax: 043 722 7830
Northern Cape (Upington)	Tel: 054 332 3993/4 Fax: 054 332 7750
Western Cape (Cape Town)	Tel: 021 426 2277 Fax: 021 462 2875
KwaZulu-Natal (Durban)	Tel: 031 304 7323/4/5 Fax: 031 304 7323
Limpopo (Polokwane)	Tel: 015 291 3500 Fax: 015 291 3505
Mpumalanga (Nelspruit)	Tel: 013 752 8292 Fax: 013 752 6890
North West (Rustenburg)	Tel: 014 592 0694 Fax: 086 747 5111

### 4. Records held by Innovation Group South Africa

#### 4.1. Company record classification key

CLASSIFICATION NO	ACCESS	CLASSIFICATION
1	May be disclosed	Public Access Document
2	May be disclosed	Subject to Copyright
3	Limited disclosure	Personal information own to requester of information
4	May not be disclosed	Unreasonable disclosure of personal information
5	May not be disclosed	Request after commencement of criminal proceedings
6	May not be disclosed	Would breach duty of confidence owed to a third party
7	May not be disclosed	Could harm the commercial or financial interests of third party
8	May not be disclosed	Could harm the company or third party in contract or other negotiations
9	May not be disclosed	Could compromise the safety of individuals or protection of property
10	May not be disclosed	Legally privileged document

11	May not be disclosed	Commercial information of company
12	May not be disclosed	Could prejudice research and development information of the company or third party

## 4.2. Company Records

AREA	SUBJECT	CLASSIFICATION
Websites	Group and divisional profiles	2
	News and Publications	2
	Company Structure	2
Communication	Public Product Information	2
	Media Releases	2
	Promotion of Access to Information Act Manual	2
Human Resource	Staff Records	3, 4, 9
	Employment Contracts	3, 4, 10
	Policies and Procedures	3, 11
Human Resource	Information Pertaining to Provident Fund	3
	Information Pertaining to Medical Aid	3, 4
	Financial Statements	11
Financial Records	Financial and Tax Records (Company & Employee)	11
	Management Accounts	11
	Operational Financial Records	11
	Asset Register	11
	Trademarks	2
Legal Records	Statutory Records	11
	Records kept in Terms of Company Laws of RSA	11
	Agreements and Contracts	6, 7, 8, 11
	Policy Records	3, 11
Operational Records	Claim Records	3, 11
	Voice Recordings	3, 11
	Policy Documents	2
	Sales Records	3, 11

	Customer / Subscriber Records	11
	Security Records	9
	Internal Communication Records	3, 11
	Supplier Records	6, 7, 8, 11
<b>Quality</b>	ISO Documentation	11
	Customer Service Evaluation Records (CSI)	3, 11
	Quality Records	11

## 5. Access to records held by Innovation Group South Africa

To facilitate the processing of a request, the requester must:

- Use the prescribed form attached to this manual or on the Innovation Group website ([www.innovation.group](http://www.innovation.group));
- Address the request to the authorised person supplied within this manual, and e-mail the request form as per provided details;
- Provide sufficient particulars to enable the Information Officer of the organization to identify
- the record/s requested;
- the requester;
- Indicate which form of access is required;
- Specify a postal address or fax number of the requester;
- Identify the right the requester is seeking to exercise or protect and provide an explanation of why the requested record is required for the exercise or protection of that right;
- If the requester, in addition to a written reply, wish to be informed of the decision on the request in any other manner, state that manner and the necessary particulars to be so informed;
- If the request is made on behalf of a person, submit proof of the capacity in which the requester is making the request, to the reasonable satisfaction of the organization.

## 6. Prescribed Fees

Fees are regulated by the Regulations to the Act which provides for two types of fees:

- A request fee which is a non-refundable administration fee. This fee is payable by all requestors, save for personal requestors, before any request is considered. A personal requestor is a requestor seeking access to information about the requestor and such a request does not incur a request fee.
- An access fee which is payable by all requestors when the request to the information is granted. It is the cost involved in searching for the record and preparing the record for delivery to the requestor in the form prescribed by the requestor.

On request of access to information, the head, or duly authorized person, will by notice require the requester, other than a personal requester, to pay the prescribed fee as set out below before processing the request.

If the search for the record has been made and the preparation of the record for disclosure, including arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, the authorized person shall notify the requester to pay as a deposit, not being more than one third of the access fee that would be payable if the request is granted. The deposit shall be refunded if the request is declined.

A requester, whose request for access has been granted, must pay an access fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure including making arrangement to make it available in the request form.

Requesters are required to pay a fee for requesting access to records from both public and private bodies. This manual makes specific reference to fees for requesting documents from Innovation Group as a private body which is R50.00. It is important to note that people who are requesting access to their personal information are exempt from paying a fee. Furthermore, requesters who earn less than R14, 712 per year (if single) and R27,192 per year (if married or in a life partnership), are also exempt from paying the request fees.

## 6.1. Prescribed Fees

The fee for a copy of the manual is R1.10 for every photocopy of an A4-size page or part thereof.		
Fees for accessing records	Photocopy of A4-size page or part thereof (per page)	R1.10
	Printed copy of A4-size page or part thereof	R0. 75
	Compact Disc	R70.00
	For a transcription of visual images, A4-size page	R40.00
	For a copy of visual images	R60.00
	For a transcription of audio record, A4-size page	R20.00
	For a copy of an audio record	R30.00
	Search and preparation of the record for disclosure	R30.00 per hour or part thereof, excluding the first hour, reasonably required for the search and preparation.
<b>Exceptions:</b>		
<p>If the Information Officer or Deputy Information Officer of IGSA thinks that the collection and reproduction of documents will take longer than six hours, he/she must inform the requester (by formal notice) that one third of the access fee is payable upfront as a deposit.</p> <p>If the record is not provided in the form requested, the access fee that is charged to the requester must not exceed the fee that would have been charged if access was granted in the form requested. However, this rule does not apply when an alternative form is required because information had to be severed from the record.</p> <p>If the requester cannot read, view or hear the record in the form held by a private body because of a disability, the private body is required to provide the record in a form that is accessible to the requester. The access fee charged to the requester must not exceed the fee that would have been charged for the disability.</p>		

*\*All fees exclude VAT*

## 7. Grounds for refusal

There are various grounds under which an access to information request may or must be refused by an Information Officer of private body. These grounds are listed in PAIA under Chapter 4 of Part 3 for a private body:

- Protection of the privacy of a third party
- Protection of commercial information of a third Party
- Protection of confidential information
- Protection of the safety of individual and Property
- Protection of information in legal proceedings
- Protection of Research Information

All the protections afforded to information as detailed above falls away if the release of the information is in the public interest. In this way, the public interest test overrides all the other grounds of refusal of access to information.

## 8. Availability of the Manual

- This manual is available for inspection at the offices of the Innovation Group free of charge;
- Copies of the manual may be obtained by request at the prescribed fees from the Innovation Group;
- The manual can also be accessed on the Innovation Group website ([www.innovation.group](http://www.innovation.group)), the South African Human Rights Commission website ([www.sahrc.org.za](http://www.sahrc.org.za)) and will be published in the Government Gazette.

## 9. Subsidiary Companies of Innovation Group South Africa

1. Innovation FSP (Pty) Ltd
2. Innovation Group Services (Pty) Ltd
3. Innovation Group Distribution (Pty) Ltd
4. Innovation Legal (Pty) Ltd
5. Innovation Group Namibia (Pty) Ltd
6. Business Process Innovation Botswana (Pty) Ltd

*MN de Klerk*

For and on behalf of Innovation Group (Pty) Ltd

Name in Full: Marcel De Klerk

Capacity: Managing Director



## 10. ANNEXURES

### 10.1. ANNEXURE A - REQUEST FORM FOR ACCESS TO RECORDS 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

<b>Head:</b>	Marcel De Klerk (Managing Director)
<b>Postal Address:</b>	Private Bag X99 Bryanston 2021
<b>Physical Address:</b>	155 West Street Sandown Sandton 2031
<b>Telephone:</b>	0117905200
<b>E-mail Address:</b>	<a href="mailto:Information.Officer@innovation.group">Information.Officer@innovation.group</a>

#### B. PARTICULARS OF PERSON REQUESTING ACCESS TO THE RECORD

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

<b>Full names and surname</b>	
<b>Identity number</b>	
<b>Postal address</b>	
<b>Fax number</b>	
<b>Telephone number</b>	
<b>E-mail address</b>	
<b>Capacity in which request is made, when made on behalf of another person</b>	

#### 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.

<b>Full names and surname</b>	
<b>Identity number</b>	

#### D. PARTICULARS OF RECORD

- Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.
- If the provided space is inadequate, please continue on a separate folio and attach it to this form. THE REQUESTER MUST SIGN ALL THE ADDITIONAL FOLIOS.

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

#### E. FEES

- A request for access to a record, other than a record containing personal information about you will be processed only after a Request Fee has been paid.
- You will be notified of the amount required to be paid as the request fee.
- 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.
- If you qualify for exemption of the payment of any fee, please state the reason for exemption.

Reason for exemption from payment of fees	
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#### 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.

<b>IF THE RECORD IS IN WRITTEN OR PRINTED FORM:</b>			
<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	Inspection of record
<b>IF RECORD CONSISTS OF VISUAL IMAGES:</b> <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>			
<input type="checkbox"/>	view the images	<input type="checkbox"/>	copy of the images*
<input type="checkbox"/>		<input type="checkbox"/>	transcription of the images*
<b>IF RECORD CONSISTS OF RECORDED WORDS OR INFORMATION WHICH CAN BE REPRODUCED IN SOUND:</b>			
<input type="checkbox"/>	listen to the soundtrack	<input type="checkbox"/>	transcription of soundtrack*
<b>IF RECORD IS HELD ON COMPUTER OR IN AN ELECTRONIC OR MACHINE-READABLE FORM:</b>			
<input type="checkbox"/>	printer copy of record*	<input type="checkbox"/>	printed copy of information derived from record*
<input type="checkbox"/>		<input type="checkbox"/>	copy in computer readable form* <i>(USB stick or compact disc)</i>

*\*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 RIGHTS 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.

Indicate which right is to be exercised or protected	
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?	
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Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

**Signature of Requestor/Person on whose behalf request is made**