

THINKMONEY (PTY) LTD T/A DATA INC. TECHNOLOGIES

(Registration Number: 2004/029728/07)



PAIA MANUAL

Published in terms of section 51 of the
Promotion of Access to Information Act 2 of 2000.



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1 INTRODUCTION

Thinkmoney (Pty) Ltd t/a Data Inc. Technologies (Registration Number: 2004/029728/07) is a private company registered in terms of the company laws of the Republic of South Africa and specialises in the provision and delivery of digital marketing and lead generation services (“Data Inc.”).

This manual is published in terms of section 51 of the Promotion of Access to Information Act 2 of 2000 (the “PAIA Act”) [the “Manual”] and provides an outline of the type of records and personal information which Data Inc. holds. The Manual also explains how to submit requests for access to these records in terms of the PAIA Act. In addition to explaining how to access, or object to, personal information held by Data Inc., or request correction of the personal information, in terms of sections’ 23 and 24 of the Protection of Personal Information Act 4 of 2013 (the “POPI Act”), the Manual also explains how to submit requests for access to these records in terms of the PAIA Act.

The objective of the PAIA Act is to give effect to the constitutional right to access to information, which information is held by a public or private body and which information is required for the exercise or protection of any rights. The PAIA Act recognises the right entrenched in section 32 of the Constitution of the Republic of South Africa, 1996 and aims to foster a culture of transparency and accountability in public and private bodies by giving effect to the right of access to information.

Accordingly, requests for access to information held by Data Inc. shall be made in accordance with the prescribed procedures and at the rates provided. The prescribed forms and fee tariffs are dealt with in Chapter 1 of Part 3 of the PAIA Act, as well as in section 5 below.

1.1 Availability of this PAIA Manual

This PAIA Manual is published on the Data Inc. website at <https://datainc.tech/> or <https://thinkmoney.co.za> or alternatively, a copy can be requested from the Information Officer or Deputy Information Officer (see contact details in paragraph 2 below).

1.2 Availability of guides to the PAIA and POPI Acts

Guides to the PAIA and POPI Acts can be obtained and queries directed to:

PAIA Act	POPI Act
<p>The South African Human Rights Commission:</p> <p><u>Physical Address:</u></p> <p>Braampark Forum 3 33 Hoofd Street Braamfontein Johannesburg Gauteng</p>	<p>The office of the Information Regulator:</p> <p><u>Physical Address:</u></p> <p>The Information Regulator (South Africa) Forum III 3rd Floor Braampark PO Box 31533 Braamfontein, Johannesburg, 2107 Mr. Marks Thibela Chief Executive Officer</p>
<p>Private Bag 2700, Houghton, 2041 Tel: +27 11 877 3600 Fax: +27 11 403 0625 Website: www.sahrc.org.za E-mail: PAIA@sahrc.org.za</p>	<p>Tel No: +27 010 023 5207 Cell No: 082 746 4173 E-mail: inforeg@justice.gov.za</p>

2 DATA INC. CONTACT DETAILS

Contact details in terms of section 51 of PAIA:

Thinkmoney (Pty) Ltd t/a Data Inc. (Reg. No: 2004/029728/07)
P.O. Box 653088
Benmore
2010

Physical Address:
2nd Floor
1 Melrose Boulevard
Melrose Arch
2196

Website: <https://datainc.tech/> or <https://thinkmoney.co.za>

Duly authorised persons:

Information Officer:	Deputy Information Officer:
Name: Gottfried Rautenbach Tel: 076 982 9111 E-mail: Gottfried@datainc.tech	Name: Ruan Schoeman Tel: 084 257 6384 E-mail: Ruan@datainc.tech

Applicable Legislation:

The following legislation, amongst others which may become applicable from time to time, is applicable to and observed by Data Inc. pursuant to undertaking its day-to-day operations:

Item No:	Legislative Reference:	Act:
1	No. 71 of 2008	The Companies Act
2	No. 75 of 1997	The Basic Conditions of Employment Act
3	No. 55 of 1998	The Employment Equity Act
4	No. 58 of 1962	The Income Tax Act
5	No. 66 of 1995	The Labour Relations Act
6	No. 89 of 1991	The Value Added Tax Act
7	No. 37 of 2002	The Financial Advisory and Intermediary Services Act
8	No. 25 of 2002	The Electronic Communications and Transactions Act
9	No. 2 of 2000	The Promotion of Access to Information Act
10	No. 4 of 2013	The Protection of Personal Information Act
11	No. 63 of 2001	The Unemployment Insurance Act
12	No. 53 of 2003	The Broad-Based Black Economic Empowerment Act

3 COMPANY RECORDS

3.1 Availability of Data Inc. 's Records

Departmental Records	Subject	Classification No.
Human Resources Division	Employee Records	5
	Employment Contracts	5
	Personnel Guidelines, Policies and Procedures	10
	Employee Medical Records	5
	Employee Disability Insurance Records	5
	Employee Pension and Provident Fund Records	5
	Payroll Records	5
	Recruitment Records	5
Financial /Procurement Division	Audited Financial Statements	14
	Tax Records (Data Inc. & Employees)	5 & 10
	Health Industry Development Programme Records	1
	Asset Register	10
	Supplier Records	7
	Management Accounts	10
Legal Services and Corporate Governance Division	General Contract Documentation	7
	Company Guidelines, Policies and Procedures	10
	Intellectual Property Records	10
	Employee, Member and Supplier Information	5 & 7
	Immovable Property Records	10
	Statutory Records	1
Sales and Marketing Division	Product / Service Brochures	1
	User Guides	10
	Customer History Records	7
	Product Sales Records	7
	Marketing and Future Product / Plan Strategies	10
	Customer Information and Database	7
	Third Party Agreements and Documents	7
Information Technology Division	Processing, Administrative and Development Records	10

3.2 Data Inc. record classification key

Classification No.	Access	Classification [PAIA section]
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 of natural persons that belongs to the requester of that information, or personal information of juristic persons represented by the requestor of that information [s61]
5	May not be Disclosed	Unreasonable disclosure of personal information or of natural person [s63]
6	May not be Disclosed	Likely to harm the commercial or financial interests of a 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 document [s67]
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]

4 PROCESSING OF PERSONAL INFORMATION

Pursuant to promoting responsible information processing practices within its organisation, as well as in its capacity as responsible party contemplated in terms of the provisions of the POPI Act, Data Inc. takes any activities relating to the protection and processing of personal information (as defined in terms of the

provisions of section 1 of the POPI Act) very seriously. To promote the constitutional right to privacy, as well as to play its part in promoting the rights protected in terms of the POPI Act, Data Inc. undertakes to, in so far as is required of it, observe the requirements and conditions for the lawful processing of personal information.

4.1 The purposes for which Data Inc. processes personal information

Data Inc. may process personal information for a variety of purposes, which may include, but is not limited to, the following purposes:

- to provide or manage any information, products and/or services requested by data subjects in general and our customers;
- to help us identify data subjects when they contact us or we contact them;
- to facilitate the delivery of products and/or services to our customers;
- to maintain customer records;
- to maintain supplier records;
- for recruitment purposes;
- for employment purposes;
- for apprenticeship purposes;
- for general administration, financial and tax purposes;
- for legal or contractual purposes;
- for health and safety purposes;
- to retain the records of our consultants and/or contractors;
- to monitor access, secure and manage any of our office premises and facilities we manage, regardless of location in South Africa;
- to transact with our suppliers and business partners, group companies including any affiliates;
- to help us improve the quality of our products and services;
- to analyse the personal information collected for research and statistical purposes;
- to help us recover debts;
- to transfer personal information to third parties, including, but not limited to our suppliers, contractors, customers, group companies and/or affiliates;
- transmitting marketing material to data subjects in respect of any third party products/services marketed by Data Inc. or any customer of Data Inc. from time to time through or by means of any marketing channel deployed by Data Inc., specifically sms marketing channels;
- to carry out analysis and customer profiling; and
- to identify other products and services which might be of interest to our customers and data subjects in general, as well as to inform them of our products and services.

4.2 Categories of data subjects and personal information processed by Data Inc.

The categories of data subjects and personal information processed by Data Inc. may include, but is not limited to, the following:

Customer and Potential Customers	Customer personal and special personal information
	Customer insurance information
	Customer financial information
	Customer biometric information
	Customer dependent personal and special personal information
Suppliers	Supplier personal information
	Personal information of supplier representatives
Employees	Employee personal information
	Employee special personal information

4.3 Recipients or categories of recipients with whom personal information is shared

Subject to any relevant terms and conditions of use which may be applicable when a data subject engages with Data Inc. , we may share the personal information of any data subject we process for any of the purposes outlined in section 4.1 above, with the following third parties, whether such third parties qualify as “responsible parties” in terms of section 1 of the POPI Act or not:

- any associated or group company of Data Inc.;
- any relevant service providers;
- any relevant regulatory authorities who may govern Data Inc. in undertaking its operations;
- any approved service provider, contractor or supplier with whom Data Inc. has an agreement;
- any approved business partners and/or affiliates who provide products and services to Data Inc. ; and
- any approved service providers or authorised agents who perform services on Data Inc. ’s behalf.

Data Inc. processes personal information in order to facilitate and enhance the delivery of products and services to its customers, foster a legally compliant workplace environment, as well as safeguard the personal information relating to

any data subjects which it in fact holds. We undertake to process any personal information in a manner which promotes the constitutional right to privacy, retains accountability and data subject participation.

4.4 Information security measures to protect personal information

We have, and continue to, implement reasonable, technical and organisational measures for the protection of personal information processed by Data Inc. . We at all times take reasonable and appropriate security measures to secure the integrity and confidentiality of personal information in our possession in order to guard against:

- the loss of, damage to or unauthorised destruction of personal information;
- the unlawful access or processing of personal information; or
- the wilful manipulation of personal information.

We will take steps to ensure that any third-party process operators (as defined in terms of section 1 of the POPI Act) who process personal information on behalf of Data Inc. apply adequate safeguards as outlined above.

4.5 Trans-border flows of personal information

Data Inc. will only transfer personal information across South African borders if the relevant business transactions or situation requires trans-border processing, and will do so only in accordance with South African legislative requirements or if the relevant data subject consents to the transfer of their personal information to third parties in any foreign jurisdictions.

We will take reasonable steps to ensure that any third-party process operators are bound by laws, binding corporate rules or binding agreements that provide an adequate level of protection and uphold the principles for reasonable and lawful processing of personal information as contemplated in terms of the POPI Act.

4.6 Personal information received from third parties

When Data Inc. receives personal information from any third party on behalf of a data subject, we require confirmation that such a third party has written consent from the data subject, that they are aware of the contents of this PAIA Manual and the Data Inc. Privacy Policy, and do not have any objection to our processing their personal information accordingly.

5 PRESCRIBED REQUEST FORMS AND FEES

5.1 How to gain access to records not automatically disclosed

Information which is automatically available, without having to complete the prescribed Form A and paying the requester's fee, will be made available at the offices of Data Inc. (the particulars of which appear in section 2 above) or in the manner requested, should this be reasonable and possible. The manner of access will include:

- Perusal with copying of material if needed and at the prescribed fee for copies;
- Access to visual, audio visual material with a transcription, dubbing, copying or both, if required.

To facilitate the processing of any request by a requester, kindly follow the procedure set forth herein below:

- i. Use the prescribed Form A attached hereto as **Annexure A**, alternatively found on Data Inc. 's website – <https://datainc.tech/> or <https://thinkmoney.co.za>
- ii. Address your request to the Information Officer/Deputy Information Officer.
- iii. Provide sufficient detail to enable Data Inc. or any authorised person dealing with a request to identify:
 - a. The record(s) requested;
 - b. The requestor (and, if an agent is lodging the request or behalf of someone, proof of capacity and authorisation);
 - c. The South African postal address, email address or fax number of the requestor;
 - d. The form of access required;
 - e. If the requester wishes to be informed of the decision in any manner (in addition to being informed in writing) the manner and particulars thereof;
 - f. The right which the requestor is seeking to exercise or protect with an explanation of the reason the record is required in order to exercise or protect the right.

5.2 Prescribed fees

The following applies to requests (other than personal requests):

- i. A requestor is required to pay the prescribed fees (R50.00) before a request will be processed.
- ii. If the preparation of the record requested requires more than the prescribed hours, a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted).
- iii. A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit.
- iv. Records may be withheld until the fees have been paid.

The detailed Fee Structure as prescribed in terms of section 54 of the PAIA Act is attached hereto as **Annexure B** and is also available on Data Inc. 's website – <https://datainc.tech/> or <https://thinkmoney.co.za>

5.3 Access to prescribed forms and fees

Prescribed forms and fees are published on Data Inc. 's website or, alternatively, copies can be requested from the Information Officer or Deputy Information Officer (see contact details in section 2). Prescribed forms and fees can be found on Data Inc. 's website as follows:

Annexure A – Form A: Form of Request

<https://datainc.tech/> or <https://thinkmoney.co.za>

Annexure B – Prescribed Fee Tariff

<https://datainc.tech/> or <https://thinkmoney.co.za>

6 REMEDIES

Data Inc. does not have an internal appeal procedure regarding the PAIA and POPI Act requests for access to information. As such, the decision made by the duly authorised persons whose particulars appear in section 2, is final.

If a request is denied, the requestor is entitled to apply to a court with appropriate jurisdiction, or the Information Regulator (once established), for relief.

ANNEXURE A

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

Thinkmoney (Pty) Ltd t/a Data Inc. (Reg. No: 2004/029728/07)
2nd Floor, 1 Melrose Boulevard, Melrose Arch, 2196
P.O. Box 653088, Benmore, 2010

Website: <https://datainc.tech/> or <https://thinkmoney.co.za>

Request to be address to:

The Information Officer / Deputy Information Officer:

Mr. Gottfried Rautenbach

Mr. Ruan Schoeman

E-mail: Gottfried@datainc.tech

E-mail: Ruan@datainc.tech

B. Particulars of person requesting access to the record

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 only be completed if a request for information is being made on behalf of another person.

Full names and surname: _____

Identity number: _____

D. Particulars of record

The requestor must provide full particulars of the record to which access is requested, including any reference number if that is known to the requestor, to enable the record to be located. You are welcome to attach an annexure (which must be signed) to this request form should the space provided herein be insufficient.

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 yourself, will be processed only after a request fee has been paid. Data Inc. will, upon receipt of your request, notify you 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.

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**.

- (a) Compliance with your request in the specified form may depend on the form in which the record is available.
- (b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.
- (c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

1. If the record is in written or printed form:

	copy of record*		inspection of record
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2. If record consists of visual images

(this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):

	View the images		copy of the images*		transcription of the images*
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3. If record consists of recorded words or information which can be reproduced in sound:			
	Listen to the soundtrack (audio cassette)		Transcription of soundtrack* (written or printed document)
4. If record is held on computer or in an electronic or machine-readable form:			
	printed copy of record*		printed copy of information derived from the record* copy in computer readable form* (stiffy or compact disc)
If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.			YES NO

G. Particulars of right to be exercised or protected

You are welcome to attach an annexure (which must be signed) to this request form should the space provided herein be insufficient.

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? _____

Signed at _____ this _____ day of _____ 20____

SIGNATURE OF REQUESTER / PERSON
ON WHOSE BEHALF REQUEST IS MADE

ANNEXURE B

PRESCRIBED FEE TARIFF

GENERAL

The following applies to requests (other than personal requests):

1. A requester is required to pay the prescribed fees before a request will be processed;
2. If the preparation of the record requested requires more than the prescribed hours determined by Data Inc. 's Information Officer, a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted);
3. A requester may lodge an application with a court against the tender/payment of the request fee and/or deposit;
4. Records may be withheld until the fees have been paid. Payments should be made to the business account of Data Inc. , the particulars of which account details will be made available to a requestor upon lodging a request for access to information.

FEES IN RESPECT OF PRIVATE BODIES SUCH AS DATA INC.

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.
2. The fees for reproduction referred to in regulation 11(1) are as follows:

For every photocopy of an A4-size page or part thereof	R1.10
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
For a copy in a computer-readable form on – (i) Stiffy disc (ii) Compact disc	R7.50 R70.00
For a transcription of visual images, for an A4-size page or part thereof	R40.00
For a copy of visual images	R60.00
For a transcription of an audio record, for an A4-size page or part thereof	R20.00
For a copy of an audio record	R30.00

3. The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2) is R50,00.
4. The access fees payable by a requester referred to in regulation 11(3) are as follows:

For every photocopy of an A4-size page or part thereof	R1.10
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
For a copy in a computer-readable form on –	
(i) Stiffy disc	R7.50
(ii) Compact disc	R70.00
For a transcription of visual images, for an A4-size page or part thereof	R40.00
For a copy of visual images	R60.00
For a transcription of an audio record, for an A4-size page or part thereof	R20.00
For a copy of an audio record	R30.00

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.
6. For purposes of section 54(2) of the Act, the following applies:

6 hours as the hours to be exceeded before a deposit is payable; and
One third of the access fee is payable as a deposit by the requester.

7. Postage fees are payable when a copy of a record must be posted to a requester.