



Sawubona CI (Pty) Ltd.

# Promotion of Access to Information Act Manual

This manual is prepared in accordance with the  
Promotion of Access to Information Act, 2000 (PAIA)  
and addresses the requirements of the  
Protection of Information Act, 2013 (PoPIA)

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## 1. Statement

As a private body, it is Sawubona CI (Pty) Ltd.'s policy to ensure that all business operations are conducted in such a manner that adheres to and complies with the legal and regulatory requirements of the Republic of South Africa.

## 2. Purpose of the Manual

The purpose of the manual is to address the requirement of transparency as prescribed by the Protection of Personal Information Act, 2013 (PoPIA) and to provide guidance to individuals who seek to request access to information or records held by or otherwise under Sawubona CI (Pty) Ltd.'s control, as prescribed by the Promotion of Access to Information Act, 2000 (PAIA).

## 3. Relationship with existing policies

This manual forms part of the Sawubona CI (Pty) Ltd. (hereafter Sawubona) Information Security Management System (ISMS) as it regulates the access to information and records owned, held by, or otherwise under Sawubona's control.

## 4. Availability of the Manual

A copy of this manual is available at the offices of Sawubona and can be found on the website noted in section 5.1.

Sawubona will update this manual annually upon review provided that pertinent changes are required or sooner if required by law.

## 5. Company Introduction and Details of the Information Officer

### 5.1. Company Introduction

Sawubona is a data tech business operating within a network of companies in South Africa that collaborates with mainly Business-to-Consumer (B2C) businesses to build the most comprehensive, secure consumer data insights ecosystem. We enable businesses to drive real value for their customers by leveraging our Data Exchange platform to update and enrich their consumer insights using consented consumer data.

Sawubona provides tools and services to B2C businesses that help them with revenue generation, cost reduction, and risk mitigation. This helps our clients improve their offerings to their customers. Sawubona has developed a platform that gives clients access to a versatile array of applications that enable the effective utilization of consumer insights to improve customer service and address pressing business issues while safeguarding data privacy.

Company Details	
Registered Company Name	Sawubona CI (Pty) Ltd.
Trading As	Sawubona
Physical Address	42 Wierda Road West, Wierda Valley, Sandton, 2196 South Africa
Postal Address	PO BOX 71931 Bryanston Johannesburg Gauteng 2021
Contact Number	+27(0)11 305 7300
Email Address	info@sawubona.co.za
Website	<a href="http://www.sawubona.co.za/">http://www.sawubona.co.za/</a>

## 5.2. The Information Officer

In terms of both PoPIA and PAIA, any individual who would like to make a request for information or records held by or under the control of Sawubona may submit a request to the Information Officer as noted below.

For details on the request procedure, please see Section 8.

Details of the Information Officer and Deputy Information Officer(s)	
Head of Company	Mohit Narotam
Appointed Information Officer	Mohit Narotam
E-mail Address	informationofficer@sawubona.co.za
Deputy Information Officer(s)	Tamaryn Shalom
E-mail Address	tamaryn@sawubona.co.za

## 6. Collection and Processing of Information (PoPIA)

In terms of the PoPIA, personal information is any data that can be used to identify a person. It is defined as “information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person”.

The PoPIA prescribes eight conditions for the lawful processing of Personal Information (PI) by a Responsible Party (RP). These conditions must be reasonably adhered to as is required and deviation is prohibited unless exemptions specified in Chapter 4 of the PoPIA are applicable.

*Please refer to Annexure A for a list of the eight conditions along with a brief definition of each.*

The PoPIA makes provision for the right of the Data Subject (DS) to be informed of and consent to the collection, processing, and retention of their PI. The categories and details of which are provided below.

### 6.1. Collection and Processing

As a consumer insights and research company, Sawubona may receive and/or obtain records of PI primarily for the purposes of providing consumer insight services and solutions to our clients. Sawubona may also use PI relating to third party suppliers, contractors, service providers, employees, and clients for legitimate business purposes which are aligned with the business functions and activities.

### 6.2. Purpose of Data Processed

Sawubona collects, processes and where required retains the PI of the data subjects as described in section 6.4 below for the following purposes:

- 6.2.1. To render services and solutions to our clients.
- 6.2.2. To enable our service providers to carry out their services for/to us
- 6.2.3. Accounts and Record keeping
- 6.2.4. To comply with regulation such as Tax laws

### 6.3. Categories of data subjects and information processed

Data Subject Category	Information Processed
Personnel (Employees, Potential Employees, New Recruits and Contractors)	Personally identifiable information (PII) including but not limited to South African identity number (SAID), names, residential address, limited health information, other related PI such as date of birth, age, marital status, gender, bank details, ethnicity, education, and previous employment information.
Service Providers (including Outsourced/Hosted Services and Auditors)	Service provider information including but not limited to company registration details, BEE certificates, tax and VAT registration details, financial information, customer reviews, employee/s name and contact information for user/product support, contract information and

Data Subject Category	Information Processed
	information related to data protection mechanisms, policies, and processing activities.
Clients – entities (Current, Prospective, and Historic)	Entity information including but not limited to, entity name, registration number, tax-related information, company representative/s name and contact information, contract information related to the services to be provided, along with consumer data which comprises customer database/s as well as other related consumer data, such as product sell rates, popular items, transactional data and overall performance, among others.
Consumers– Juristic or Natural Persons (Data Subjects who form part our client databases)	PII including but not limited to SAID, names, contact information, consent status, and other related PI such as date of birth, age, ethnicity, marital status, asset data and other demographic data.

#### 6.4. Sharing of Personal Information

In the course of our operations as a consumer insights and research business, Sawubona may, share the information referred to in section 6.3 with Group Companies, our Clients, and other Third Parties as may be necessary. This sharing is essential for providing products and services to our clients, as well as processing payments to service providers, employees, and contractors. Furthermore, PI may be shared to fulfil other contractual obligations and to comply with any other legal obligations that we are bound to adhere to. Below is a non-exhaustive list of recipients with whom PI may be shared for purposes outside of our day-to-day operations:

- 6.4.1. Regulators and Law enforcement agencies
- 6.4.2. Banks
- 6.4.3. Audit Firm
- 6.4.4. The South African Revenue Service (SARS)
- 6.4.5. Medical Aid Companies
- 6.4.6. Insurers
- 6.4.7. Recruitment Agencies

#### 6.5. Trans-border/Cross Border Flow of Personal Information

Where necessary and with prior consent from the DS, Sawubona may at times further process PI with Third Parties situated in other countries. In such instances, Sawubona will ensure that the intended recipients of PI have adequate safeguards in place that align to Chapter 3 of the PoPIA for the protection and lawful processing of PI.

#### 6.6. Retention and Security

- 6.6.1. Sawubona adheres to data retention guidelines in compliance with the PoPIA. PI is retained for the duration necessary to fulfil the specific purpose for which it was received and, where applicable, collected. We are committed to not retaining data beyond what is required or mandated by law. Nevertheless, it is important to note that certain legal and regulatory obligations may occasionally necessitate an extended retention period in accordance with PoPIA.
- 6.6.2. Sawubona is dedicated to safeguarding the privacy and security of PI. We consistently assess, develop, and implement robust ISMS frameworks. This proactive approach ensures the reasonable protection of the confidentiality, integrity, and availability of PI. By continuously refining our security protocols, we uphold our commitment to maintaining the highest standards of data protection. Our vigilant efforts not only align with legal and regulatory requirements but also reflect our unwavering dedication to earning and maintaining the trust of our clients and

stakeholders. Through these measures, we prioritize the security of PI, reinforcing our commitment to responsible data management practices.

## 7. Related Records/Information Held and Applicable Legislation (PAIA)

PAIA grants any requester access to records held or controlled by a private body, on condition that the record of information is required for the exercise or protection of any rights, referencing in particular, PI rights as described in PoPIA.

This section serves as guidance to the records that are held by and includes records related to Sawubona's business operations.

Requestors must take into consideration applicable prescribed fees for reproduction where access is granted (see Section 10 of this document).

### 7.1. Records relating to Sawubona are provided below

Records Held/Controlled	May Be Disclosed	May Not Be Disclosed	Limited Disclosure	May Not Be Refused
<b>Company Secretarial and Legal</b>				
Statutory Records		12		
Incorporation Documents	1			
Evidence of Executive, Board and Shareholder Decisions Taken		12		
Share Register		12		
General Contract Information		12		
<b>Financial Records</b>				
Audited Financial Statements		12		
Tax, VAT, and PAYE Records		12		
Management Accounts		12		
<b>Human Resources</b>				
Employee/Staff Records		5 & 9	4	
Employment Contracts		5	4	
Policies and Procedures		12		
Health and Safety Records		5, 8, & 9	4	
Employment Equity Plan		12		
Training and Development Records		12		
Medical Aid Records		8/9	4	
Payroll Records		5	4	
<b>Company Investment</b>				
Investment Policy Documents		12		
Economic Reports and Forecasts		12		
Research Reports		12		
Board Committee Submissions		12		
Property Investments		9 & 12		

Records Held/Controlled	May Be Disclosed	May Not Be Disclosed	Limited Disclosure	May Not Be Refused
<b>Sales and Marketing</b>				
Market Information		12 & 13		
Research Information		13		
Performance and Sales Records		12 & 2		
Client Databases		12	4	
Marketing and Product Strategies		12		
<b>Information Risk Management</b>				
Incident Response Plan		9 & 12		
Documented Information Security Controls		12		
<b>Product Development and management</b>				
Consumer database			4	
Insights databases		12		
Product utilization and access records		12		

## 7.2. Reason Key

Reason Code	Explanation
1	Publicly accessible
2	Request received after the commencement of legal proceedings (criminal or civil) – PAIA Section 7
3	Subject to copyright
4	Personal information that belongs to the requester of the information – PAIA Section 61
5	Unreasonable disclosure
6	Likely to harm the commercial or financial interests of third party – PAIA Section 64(a)(b)
7	Likely to harm the company or third party in contract or other negotiations – PAIA Section 64(c)
8	Would breach a duty of confidence owed to a third party in terms of an agreement – PAIA Section 65
9	Likely to compromise the safety of individuals or protection of property – PAIA Section 66
10	Legally privileged document – PAIA Section 67
11	Environmental testing: investigation which reveals public safety; environmental risks – PAIA Section 64(2) and Section 68(2)
12	Commercial information of private body – PAIA Section 68
13	Likely to prejudice research and development information of the company or a third party – PAIA Section 69
14	Disclosure in public interest – PAIA Section 70



### 7.3. Available Records in relation to Legislation

Sawubona hold records for the purposes of PAIA in relation to, among others, the below listed main laws. Requesters may request access to information in terms of the legislation provided below:

- 7.3.1. Basic Conditions of Employment Act 75 of 1997
- 7.3.2. Companies Act 71 of 2008
- 7.3.3. Companies Amendment Act 3 of 2011
- 7.3.4. Consumer Protection Act 68 of 2008
- 7.3.5. Income Tax Act 58 of 1962
- 7.3.6. Labour Relations Act of 1995
- 7.3.7. National Credit Act of 2005
- 7.3.8. Occupational Health and Safety Act 85 of 1993
- 7.3.9. Promotion of Access to information Act 2 of 2000
- 7.3.10. Protection of Personal Information Act 4 of 2013
- 7.3.11. Value Added Tax Act 89 of 1991

## 8. Access to Information and Records

### The Request Procedure

In accordance with the PAIA section 53 (2), the Personal Requester/Requester must comply with the below stated procedural requirements and pay the related fees when requesting access to information or records held by Sawubona.

- 8.1. The Requester must complete the prescribed form 2 as found on the Information Regulator website as well as the Sawubona website and submit the completed form to the Information Officer noted in Section 5.2.
- 8.2. The Requester must also supply sufficient details in the request to enable the Information Officer to identify the Requester and to locate the requested information or record. The Requester must also state which form of access is required and how they wish to be informed of the decision.
- 8.3. The Requester must also specify the right that they are seeking to exercise or protect and explain why access to the requested information, record(s), or other details is necessary to exercise or protect the specified right.
- 8.4. The Requester must supply proof of identity when submitting a request for access to information or records.
- 8.5. If a request is made on behalf of another person, the Requester must submit satisfactory proof of the capacity in which the request is being made.
- 8.6. The Information Officer must inform the Requester of the required non-refundable fee to be paid before the request is processed further.
- 8.7. Should the Requester dispute the payment of a fee, the Requester may lodge a complaint with the Information Regulator or an application to court against the tender or payment of the request fee.
- 8.8. Should a Requester require assistance with or have queries regarding this procedure, they may contact the Information Officer on the details provided in Section 5.2.

## 9. The Decision-Making Process

### 9.1. Processing Time

- 9.1.1. The Information Officer must process the request within 30 days.
- 9.1.2. The processing time will only commence once the Requester has supplied all the required information in clauses 8.1 through 8.4., where applicable 8.5. to the Information Officer.
- 9.1.3. The Information Officer within the initial 30 days may request for an extension not exceeding an additional 30 days if:

- 9.1.3.1. The request is for a large number of records/information or requires a search through a large number of records.
- 9.1.3.2. The request requires consultation with a third party before a decision can be made.

9.2. Notification Process

- 9.2.3. If the request for access is granted; the Information Officer must give written notification to the Requester of the decision, the form of access that has been granted and the related fees that are due (See Section 10).
- 9.2.4. If the request for access is declined; the Information Officer must give written notification to the Requester of the decision and provide the reason for refusal as well as the provisions in Chapter 4 of the PAIA whereupon the decision was based.
- 9.2.5. Requesters may contact the Information Officer for further information regarding:
  - 9.2.5.1. The reason for the refusal or
  - 9.2.5.2. The manner of access if the request is granted.

## 10. Request Fees

The applicable fees will be calculated according to the below:

General Fee Structure	
Activity	Applicable Fees excl. VAT
Request Fee	R140,00
Location and preparation for disclosure	R145,00 per hour excluding the first hour
Deposit Fee [Required only when records location exceeds 6 hours]	1/3 the of the total cost per form of access
Postage, Courier, Email, or any other electronic transfer	Actual expense will be given, if any incurred
Reproduction Fee Structure	
Activity	Applicable Fees excl. VAT
Photocopy/printed black & white copy of A4-size page	R2,00 per page or part thereof
Printed copy of A4-size page	R2,00 per page or part thereof
Copies in a Computer Readable Form	
- Flash drive (to be provided by requestor)	R40,00
- Compact disc	
o If provided by requestor	R40,00
o If provided to the requestor	R60,00
Transcription of Visual Images per A4 Page	Service outsourced. Cost depends on quote from Service provider.
Copy of a Visual Image	
Transcription of an Audio Recording per A4 Page	R24,00
Copy of an Audio Recording in a Computer Readable Form	
- Flash drive (to be provided by requestor)	R40,00
- Compact disc	
o If provided by requestor	R40,00
o If provided to the requestor	R60,00

## 11. Right to Complain

Both PAIA and PoPIA makes provision for DS/Requester to lodge a complaint with the Information Regulator

### 11.1. In Respect of PoPIA

A DS may lodge a complaint with the Information Regulator for the interference with the protection of PI, or regarding the determination of an adjudicator.

The DS may complete Form 5 which may be found on the Information Regulator's website as well as the Sawubona website. Once completed the DS may submit the form to the Information Regulator using the applicable email address noted in Section 13 of this PAIA Manual

### 11.2. In Respect of PAIA

A Requester may lodge a complaint with the Information Regulator for disputing the decision to deny a request for access, or if there has been no response from Sawubona's Information Officer. Should a Requester determine it is in his/her/its best interest to lodge a complaint, the Requester may complete Form 5 which may be found on the Information Regulator's website as well as the Sawubona website. Once completed the DS may submit the form to the Information Regulator using the applicable email address noted in Section 13 of this PAIA Manual.

## 12. Right of Appeal

Dissatisfied Personal Requesters/Requesters and Third Parties have the right to appeal the decision of the Information Officer.

### 12.1. Remediation Available

12.1.3. The decision of the Information Officer is final. Sawubona does not have an internal appeal procedure.

12.1.4. Within 30 days of receiving notice of the decision, a dissatisfied Personal Requester/Requester may lodge a complaint with the Information Regulator or apply to a Court for relief against the decision of the Information Officer.

12.1.5. Within 30 days of receiving notice of the decision to grant access to information or records, where such information/records relate to a third party, the third party may lodge a complaint to the Information Regulator or apply to a Court for relief.

12.1.6. For the purposes of PAIA and PoPIA, the Courts that have jurisdiction over these applications are:

12.1.6.1. Constitutional Courts,

12.1.6.2. High Courts,

12.1.6.3. Another Court of similar status and

12.1.6.4. A Magistrates Court designated by the Minister of Justice and Constitutional Development, and which is presided over by a designated Magistrate.

### 13. The Information Regulator

In terms of PoPIA, should a DS believe that their PI is being unlawfully collected, processed and/or retained, the DS may lodge a complaint with the Information Regulator.

In terms of PAIA, should a Personal Requester/Requester be dissatisfied with the decision of the Information Officer regarding a request for access, the Personal Requester/Requester may lodge a complaint to the Information Regulator.

A guide on how to use The Acts has been published by the Information Regulator and is available on the Information Regulator’s website noted below.

Data Subjects/Requesters can direct queries pertaining to The Acts to the Information Regulator using the contact information provided below:

The Office of the Information Regulator	
Chief Executive Officer	Mr Mosalanyane Mosala
Physical Address	JD House 27 Stiemans Street Braamfontein Johannesburg, 2001
Postal Address	P.O Box 31533 Braamfontein, Johannesburg 2017
Website	<a href="https://inforegulator.org.za/">https://inforegulator.org.za/</a>
Contact Number	+27 (0) 10 023 5200
Email Addresses	<a href="mailto:enquiries@inforegulator.org.za">enquiries@inforegulator.org.za</a> <a href="mailto:POPIAComplaints@inforegulator.org.za">POPIAComplaints@inforegulator.org.za</a> <a href="mailto:PAIAComplaints@inforegulator.org.za">PAIAComplaints@inforegulator.org.za</a>

### 14. Glossary

Term	Description/Definition
PAIA	Promotion of Access to Information Act
PoPIA	Protection of Personal Information Act
ISMS	Information Security Management System
PI	Personal Information
RP	Responsible Party
DS	Data Subject
Private Body	A natural person who carries or has carried on any trade, business, or profession.
Requester	Any juristic or natural person requesting access to information, records, or other details to exercise or protect a right.
Personal Requester	A person seeking access to a record containing their own PI.
Juristic Person	A body recognized by the law as being entitled to rights and duties in the same way as a natural person, the common example being a company.
Natural Person	An identifiable, living individual human being entitled to certain rights and duties.
SARS	South African Revenue Service

## Annexure A

### PoPIA – The 8 Conditions

Chapter 3 of PoPIA defines the eight conditions for the lawful processing of personal information.

For ease of reference a brief definition of each condition is provided below:

1. **Accountability:**  
The Responsible Party must ensure the conditions stipulated in the Act are complied with.
2. **Processing Limitation:**  
Personal information must be processed lawfully and in a reasonable manner that does not infringe upon the privacy of the Data Subject.
3. **Purpose Specification:**  
Personal information must be collected for a specific, explicitly defined, and lawful purpose related to the function or activity of the Responsible Party.
4. **Further Processing Limitation:**  
Further processing of personal information must be in accordance or compatible with the initial purpose for which it was collected.
5. **Information Quality:**  
A Responsible Party must take reasonable and practical steps to ensure that the personal information is complete and accurate, updated where necessary and must not be misleading.
6. **Openness:**  
When collecting personal information, the Responsible Party must take reasonable and practical steps to ensure that the Data Subject is aware of the collection and the purpose of collection.
7. **Security Safeguards:**  
The Responsible Party must secure the confidentiality, integrity, and availability of personal information in its possession or under its control.
8. **Data Subject Participation:**  
Data Subjects have the right to know whether a Responsible Party holds any of their personal information.