

PAIA MANUAL

1. INTRODUCTION

The Promotion of Access to Information Act 2 of 2000 (the “**Act**” or “**PAIA**”) came into operation on 23 November 2001. Section 51 of the Act requires that we as a private body compile a manual, giving information to the public regarding the procedure to be followed in requesting information from us for the purpose of exercising or protecting their constitutional right to access to information.

The reference to any information in addition to that specifically required in terms of Section 51 of the Act does not create any right or entitlement (contractual or otherwise) to receive such information, other than in terms of the Act.

2. PURPOSE

The purpose of this manual is to provide guidelines to the public who wish to exercise their constitutional right to access to information. Below you will find information on how to lodge your request; a description of the types of information that will be made available, our grounds for refusal to provide information (where applicable), what procedure will be followed in considering your request, the applicable fee structure and information on the appeals procedure should you not be satisfied with the outcome of your request.

3. COMPANY DETAILS

Company Name:	Hello Konnekt Holdings (Pty) Ltd. t/a Hello Konnekt
Registered Address:	Willow Vale Office Park 15 Van Hoof Street Ruimsig Roodepoort, 1724
Telephone Number:	0861 777 555
Email Address:	legal@hello-konnekt.africa
Managing Director:	Mr. Mothusi Tsepo Letlaka
Website:	www.hello-konnekt.africa

Hello Konnekt Holdings (Pty) Ltd. t/a Hello Konnekt is a South African Internet Service Provider (ISP), based in Johannesburg, Gauteng Province, South Africa. Hello Konnekt has several subsidiaries within the Republic of South Africa which are also subject to this manual.

Hello Konnekt Holdings (Pty) Ltd, a private registered company, has compiled this manual, not only to comply with the provisions of the Act, but also to foster a culture of transparency and accountability in its environment and to ensure that members of the public have effective access to information in Hello Konnekt's possession which will assist them in the exercising the protection of their rights. A copy of this manual and the annexures are available on our website at www.hello-konnekt.africa.

The Act grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.

Requests in terms of the Act must be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with herein.

4. PAIA GUIDE

In order to assist those who are not familiar with PAIA or POPIA, a Guide that contains information to assist you in understanding how to exercise your rights under PAIA (the “**Guide**”) is available in all of the South African official languages.

The Guide can be obtained upon request to the Information Officer (<https://inforegulator.org.za>) in any of the official languages.

5. INFORMATION HELD BY HELLO KONNEKT

Hello Konnekt maintains records on, *inter alia*, the following categories and subject matters. However, please note that recording a category or subject matter in this Manual does not imply that a request for access to such records would be honoured. All requests for access will be evaluated on a case-by-case basis in accordance with the provisions of the Act.

INTERNAL RECORDS	PERSONNEL RECORDS	CLIENT RECORDS	OTHER RECORDS
<ul style="list-style-type: none"> • Statutory records. • Financial records. • Operational records. • Intellectual property. • Marketing records. • Product records. • Internal policies and procedures. • Licenses. • Internal correspondences. • Records held by company officials. 	<ul style="list-style-type: none"> • Any personal records provided to Hello Konnekt. • Any records that a 3rd Party has provided to the company. • Conditions of employment and other personnel-related records. • Internal evaluation records. • Other internal records and correspondences. • 	<ul style="list-style-type: none"> • Any records that a Client has provided to the company, or a 3rd Party acting for or on behalf of the company. • Client needs assessments. • Personal records of Clients. • Credit information and other research conducted in respect of Clients. • Any records a 3rd Party has provided to the company about Clients. • Confidential, privileged, contractual and quasi-legal records of Clients. • Records generated by or within the company pertaining to Clients, including transactional records. 	<ul style="list-style-type: none"> • Information relating to the company's own commercial activities.

If you wish to request access to any of the above categories of information, you are required to complete a request form (**Form C - REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY**).

This form is available from:

- Our Legal Department (whose contact details are provided in this manual);
- Our Website;
- The SAHRC website (www.sahrc.org.za); or
- The Department of Justice and Constitutional Development website (www.doj.gov.za).

The form must then be sent to Hello Konnekt's Legal Department at legal@hello-konnekt.africa. There is a prescribed fee (payable in advance) for requesting and accessing information in terms of the Act. Details of these fees are contained in Annexure A.

You may also be called upon to pay the additional fees prescribed by regulations for searching for and compiling the information which you have requested, including copying charges.

It is important to note that access is not automatic but given on a need-to-know basis. You must identify the right you are seeking to exercise or protection of that right. The aim of the Act is to try and balance the right of access to information with all the other rights in the Constitution such as protecting privacy and confidential commercial information.

Considerations before submitting a request:

- Are you submitting the request to exercise or protect any of your legitimate rights?
- Is the information you require in record form and under the control of Hello Konnekt?
- Do you have a legitimate right to access the records?

Take note that the accessibility of the documents listed above may be subject to the grounds of refusal as set out in the Act, including but not limited to:

- Protecting the privacy of a third party who is a natural person, which would involve the unreasonable disclosure of personal information of that natural person.
- Protecting the commercial information of a third party, if the record contains:
 - Trade secrets of that third party.
 - Financial, commercial, scientific, or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party; or
 - Information disclosed in confidence by a third party to Hello Konnekt if the disclosure could put that third party at a disadvantage in negotiations or commercial competition;
- Protecting confidential information of third parties if it is protected in terms of any agreement or legislation.
- Protecting the safety of individuals and the protection of their property.
- Protecting records which would be regarded as privileged in legal proceedings.
- Protecting the commercial activities of Hello Konnekt, which may include:
 - Trade secrets.
 - Financial, commercial, scientific, or technical information which disclosure could likely cause harm to the financial or commercial interests of Hello Konnekt; or
 - Information which, if disclosed, could put Hello Konnekt at a disadvantage in negotiations or commercial competition.

- A computer programme which is owned by Hello Konnekt and which is protected by copyright. The research information of Hello Konnekt or a third party, if its disclosure would disclose the identity of the institution, the researcher or the subject matter of the research and would place the research at a serious disadvantage; and
- Requests for information that are clearly frivolous or vexatious or which involve an unreasonable diversion of resources shall be refused.

You will be notified in the manner indicated by you on the request form whether your request has been approved.

You may lodge an application with the Court, appealing Hello Konnekt's decision regarding the access fee and/or the form of access granted and or any requested time extensions within 180 days from receiving Hello Konnekt's decision.

ANNEXURE A: SCHEDULE OF FEES

	<u>DESCRIPTION</u>	<u>RAND</u>
1	The fee for a copy of the manual as contemplated in regulation 9(2)(c) – for every photocopy of an A4-size page or part thereof	1,10
2	The fees for reproduction referred to in regulation 11(1) are as follows:	
(a)	For every photocopy of an A4-size page or part thereof	1,10
(b)	For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,75
(c)	For a copy in computer-readable form on [USB drive]	60,00
(d) (i)	For a transcription of visual images, or an A4-size page or part thereof	40,00
(d) (ii)	For a copy of visual images	60,00
(e) (i)	For a transcription of an audio record, for an A4-size page or part thereof	20,00
(e) (ii)	For a copy of an audio record	30,00
3	The request fee payable by a requestor referred to in regulation 11(2) are as follows:	
(a)	For Public Bodies	100,00
(b)	For Private Bodies	140,00
4	The access fees payable by a requestor referred to in regulation 11(3) are as follows:	
4.1 (a)	For every photocopy of an A4-size page or part thereof	1,10
(b)	For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,75
(c)	For a copy in computer-readable form on [USB drive]	60,00
(d) (i)	For a transcription of visual images, for an A4-size page or part thereof	40,00

(ii)	For a copy of visual images	60,00
(e) (i)	For a transcription of an audio record, for an A4-size page or part thereof	20,00
(e) (ii)	For a copy of an audio record	30,00
(f)	To search for and prepare the record for disclosure R30,00 for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation	
4.2	For purposes of section 54(2) of the Act the following applies:	
(a)	Six hours as the hours to be exceeded before a deposit is payable; and	
(b)	One-third of the access fee is payable as a deposit by the requestor.	
4.3	The actual postage is payable when a copy of a record must be posted to a requestor	

Note: People who are requesting access to their personal information are exempt from paying a fee. Furthermore, people who earn less than R14 712.00 per annum (if single) and (R27 192.00 per annum (if married or in a life partnership) are also exempt from paying the request fees.