

PAIA and POPIA MANUAL

OF

Inspirit Group

Version 1.0

Prepared in accordance with Section 51 of the Promotion of Access to Information Act, 2000 and requirements of the Protection of Personal Information Act, 2013.

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1 THE ACT

The Promotion of Access to Information Act, 2000 ("PAIA") gives effect to section 32 of the Constitution, which provides that everyone has the right to access information held by the State, as well as information held by another person (or private body) when such privately held information is required to exercise a right or to protect a right.

PAIA, provides that a person requesting information must be given access to any record of a private body, if that record is required for the exercise or the protection of a right. However, such request has to comply with the procedural requirements laid down by the Act.

2 COMPANY INFORMATION AND CONTACT DETAILS OF THE INFORMATION OFFICER

This Manual has been prepared in respect of the INSPIRIT Group of Companies, which includes related entities and / or wholly owned subsidiaries. The scope of this Manual will serve to provide a reference regarding the records held by Inspirit Group at its Registered Office and various operations.

Inspirit Group of companies include:

2.1 Inspirit Consulting

- Registration Number: K2016/062587/07
- Inspirit Consulting (Pty) Ltd is an enterprise software solutions provider that specializes in business process re-engineering
- www.inspirit.co.za

2.2. Inspirit Data Analytics Services

- Registration Number: K2017/653373/07
- Inspirit Data Analytics Services (Pty) Ltd is a privately held company that provides data management services in the form of data analytics.
- www.inspiritdata.co.za

2.3 Inspirit Earth

- Registration Number: K2020/842481/07
- Safety, Health, Environmental and Quality Consulting Services.

The manual may be amended from time to time and as soon as any amendments have been finalised the latest version of the manual will be made public.

Any requester is advised to contact our Information Officer(s) should he / she require any assistance in respect of the utilisation of this manual and/or requesting of documents / information from Inspirit Group

CONTACT DETAILS

Company Group: Inspirit Group

Information Officer: Mischa Naidoo
Deputy Information Officer: Bradley Poliah

Postal address: Brandfin House
4 Holwood Crescent, La Lucia Ridge
Umhlanga
4051

Physical address: Brandfin House
4 Holwood Crescent, La Lucia Ridge
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Tel: +27 31 584 7379
E-mail: informationofficer@inspirit.co.za
Website: www.inspiritdata.co.za

3 AVAILABILITY OF GUIDES TO PAIA AND POPIA

Copies of PAIA and POPIA, the relevant regulations and guides to these acts, can be obtained from the South African Human Rights Commission (SAHRC).

The South African Human Rights Commission
Private Bag X2700
Houghton
2041

Telephone: +27 11 877 3600
Facsimile: +27 11 403 0625
Website: www.sahrc.org.za

4 APPLICABLE LEGISLATION

Where applicable to Inspirit Group's operations, information is available in accordance with the following legislation, including but not limited to:

- Arbitration Act 42 of 1965
- Basic Conditions of Employment Act 75 of 1997
- Broad Based Black Economic Empowerment Act 53 of 2003
- Companies Act 71 of 2008 (As amended)
- Copyright Act 98 of 1978
- Consumer Protection Act 68 of 2008

- Electronic Communications and Transactions Act 25 of 2002
- Employment Equity Act 55 of 1998
- Financial Intelligence Centre Act 38 of 2001
- Income Tax Act 95 of 1967
- Insolvency Act 24 of 1936
- Labour Relations Act 66 of 1995
- Prevention of Organised Crime Act 121 of 1998
- Promotion of Access of Information Act 2 of 2000
- Trademarks Act 194 of 1993
- Unemployment Insurance Act 30 of 1996
- Value Added Tax Act 89 of 1991

5 ACCESS TO RECORDS HELD BY INSPIRIT GROUP

5.1 SUBJECTS AND CATEGORIES OF RECORDS HELD BY INSPIRIT GROUP

The inclusion of any subject or category of records should not be taken as an indication that records falling within those subjects and/or categories will be made available under the Act. In particular, certain grounds of refusal as set out in the Act may be applicable to a request for such records.

- Statutory Company Information
 - Memorandum of Incorporation
 - Certificate of Incorporation
 - Records of all subsidiary companies
 - The shares register of INSPIRIT GROUP.
 - Shareholders' agreements of INSPIRIT GROUP.
 - Register or list of directors of INSPIRIT GROUP.
 - Minute books and internal resolutions of INSPIRIT GROUP.
 - Power of attorney agreements and a list of persons authorised to bind INSPIRIT GROUP.
- Financial and Tax Records of INSPIRIT GROUP
 - Accounting records, books and documents of INSPIRIT GROUP.
 - Interim and annual financial reports of INSPIRIT GROUP.
 - Details of auditors of INSPIRIT GROUP.
 - External auditors' reports in respect of audits conducted on INSPIRIT GROUP.
 - Tax returns of INSPIRIT GROUP.
 - PAYE records
 - Skills Development Levies records
 - Other documents and agreements relating to taxation.
- Banking Details of INSPIRIT GROUP
 - Bank facilities and account details.
 - Bank statements.
 - Guarantees given by, or in respect of, INSPIRIT GROUP.
- Human Resources / Employment Records
 - List of employees.
 - Contracts of employment with directors, officers and employees of INSPIRIT GROUP.
 - Expenditure or reimbursement agreements with directors of INSPIRIT GROUP.
 - Documents relating to employee benefits.
 - Compensation or redundancy payments.
 - Personnel files.
 - Employee code of conduct.
 - Employment equity plan of INSPIRIT GROUP.
 - Procedural agreements and policies of INSPIRIT GROUP.

- Disciplinary records and documentation pertaining to disciplinary proceedings.
 - CCMA records
 - Training manuals.
 - Other information relating to employees of INSPIRIT GROUP.
 - Confidentiality agreements
- Intellectual Property
 - Trademarks, patents, copyrights, designs held by INSPIRIT GROUP.
 - Licences relating to intellectual property rights.
 - Other agreements relating to intellectual property rights.
- Permits
 - Licences, material permits, consents, approvals, authorisations and certificates.
 - Applications for permits and licences.
 - Registrations and declarations of permits.
- Insurance Records
 - Insurance policies taken out for the benefit of INSPIRIT GROUP and its employees.
 - Claims records
- Immovable and Movable Property
 - Title deeds of land owned by INSPIRIT GROUP.
 - Agreements for the lease or sale of land and/or other immovable property by INSPIRIT GROUP.
 - Agreements for the lease or sale of movable property by INSPIRIT GROUP.
 - Mortgage bonds, liens, notarial bonds or security interests on property.
 - Other agreements for the purchase, ordinary sale, conditional sale, or hire of assets.
- Information Technology
 - Computer software support and maintenance agreements.
 - Web site development, support and maintenance agreements.
 - Computer software licence agreements.
 - Agreements in respect of computer hardware used by INSPIRIT GROUP.
 - Agreements with Internet Service Providers, and other telecommunications entities.
 - Leased line agreements.
 - Other documentation pertaining to computer systems and computer programs held by INSPIRIT GROUP.
 - Individual contracts in respect of usage of cellular telephones.
- Specific Agreements Relating to the Business Activities of INSPIRIT GROUP
 - Indemnity, confidentiality and non-disclosure agreements.
 - Regulatory agreements.
 - Agreements relating to transactions.
 - Presentations to clients.
 - Research information.
- Policy Documents
 - Corporate governance.
 - Ethics policy.
- Miscellaneous agreements of INSPIRIT GROUP
 - Loans to/from third parties (including banks).
 - Suretyship agreements.
 - Agreements restricting the trading activities of INSPIRIT GROUP

- Agency, management and distribution agreements.
 - Royalty agreements.
 - Agreements in terms of which INSPIRIT GROUP is a member of a joint venture, consortium, partnership, incorporated or unincorporated association, and shareholders' agreements of another entity which INSPIRIT GROUP is a party to.
 - Any other agreements.
- Correspondence
 - Correspondence of INSPIRIT GROUP, including internal and external memoranda.
- Information Relating to Legal proceedings
 - Records relating to legal proceedings involving INSPIRIT GROUP.
 - Records relating to arbitration matters involving INSPIRIT GROUP
- Records pertaining to clients of INSPIRIT GROUP
 - Agreements with clients of INSPIRIT GROUP
 - Service Level Agreements
 - Agency Agreements.
 - Business strategies
 - Creative (artwork)
 - Signed Cost Estimates
 - Organograms
 - Contact lists
 - Brand/Corporate Identity documents
 - Contact/Status Reports
 - Marketing plans
 - Sales results
 - Dealer letters/sheets
 - Client briefs
 - Media schedules/chase lists
 - Client E-mails
 - Client's supplier lists
 - Sponsorship plans
 - Image library
 - Lists of Purchase Order numbers
 - Legal clauses

6 THE REQUEST PROCEDURE AND FEES

- The requester must use the prescribed form (Annexure A) to make the request for access to a record. This must be made to the Information Officer of INSPIRIT GROUP. This request must be made to the address or electronic mail address of the Information Officer of INSPIRIT GROUP.
- The requester must provide sufficient detail on the request form to enable the Information Officer to identify the record and the requester. The requester should also indicate which form of access is required. The requester should also indicate if he or she wishes to be informed in any other manner and state the necessary particulars to be so informed.
- The requester must identify the right that he or she is seeking to exercise or protect and provide an explanation as to why the requested record is required for the exercise or protection of that right.
- If a request is made on behalf of a person, the requester must submit proof of the capacity in which the requester is making the request to the satisfaction of the Information Officer.

7 AVAILABILITY OF THE MANUAL

The manual is available on the INSPIRIT GROUP website – www.inspiritdata.co.za

8 PRESCRIBED FEES

The applicable fees are prescribed in terms of the Regulations promulgated under the Act. There are two types of fees payable:

- **Request fee:** A non-refundable request fee of R50 (excluding VAT) is payable on submission of any request for access to any record. This does not apply if the request is for personal records of the person requesting – in this instance no fee is payable.
- **Access fee:** An access fee is payable prior to being granted access to the records in the form required. These fees are prescribed in Part III of Annexure A as defined in Government gazette Notice No. 187, Regulation 11.

9 GROUNDS FOR REFUSAL TO ACCESS RECORDS

The Promotion of Access to Information Act provides several grounds on which a request for access to information must be refused. These grounds mainly concern instances where the privacy and interests of other individuals are protected, where such records are already otherwise publicly available, where public interests are not served, the mandatory protection of commercial information of a third party, and the mandatory protection of certain confidential information of a third party. A complete list of the grounds for refusal is available in Chapter 4 of the Act.

10 PROTECTION OF PERSONAL INFORMATION ACT (POPIA)

Purpose of processing:

- Rendering service according to instructions given by clients
- Provision of value-added services
- Maintain our accounts and records
- Support and manage our employees
- Fraud prevention & detection
- Market research and statistical analysis
- Compliance with legal and regulatory requirements
- Verifying identity

Categories of data subjects:

- Shareholders
- Directors
- Employees
- Consultants
- Complainants & enquirers
- Trustees
- Employers and employees of other organisations
- Subsidiary companies
- External companies / contractors
- Suppliers and service providers
- Clients and their members / subscribers
- Individuals who have indicated an interest in our products / services

Types / classes of information processed:

- Personal details
- Lifestyle and social circumstances
- Business activities
- Goods / services provided
- Personal views / preferences
- Family details
- Education & employment details
- Financial details

Types / classes of special information processed:

- None

Who the information may be shared with:

We sometimes need to share the personal information we process with the individual themselves and/or with other organisations. Where this is necessary, we are required to comply with all aspects of the Protection of Personal Information Act. What follows is a description of the types of organisations we may need to share some of the personal information we process with for one or more reasons. Where necessary or required we share information with:

- Employment and recruitment agencies
- Credit reference agencies
- Police / courts where necessary
- Business associates
- Persons making an enquiry / complaint
- Suppliers and service providers
- Debt collection and tracing agencies
- Auditors
- Security organisations

General

INSPIRIT GROUP has a comprehensive Data Management Framework in place in order to comply with POPIA and ensure that the best efforts are employed to ensure the protection of personal information. The Company employs up to date technology to ensure the confidentiality, integrity and availability of the Personal Information under its care.

11 HOW LONG IS PERSONAL INFORMATION RETAINED?

INSPIRIT GROUP will keep customers' personal information for as long as:

- the law requires it to be kept;
- a contract between the customer and the company exists;
- the customer has consented to the company keeping it;
- the company requires it for statistical or research purposes;
- the company requires it for lawful business purposes.

TAKE NOTE: The company may keep customers' personal information even if they no longer have a relationship with the company, if the law permits or requires.

ANNEXURE A**REQUEST FOR INFORMATION FORM****1. PARTICULARS OF PERSON REQUESTING ACCESS TO INFORMATION**

Full Names & Surname: _____

Identification Number: _____

Telephone Number: _____

Fax Number: _____

E-Mail Address: _____

Postal Address: _____

2. PARTICULARS OF PERSON ON WHOSE BEHALF THE REQUEST IS MADE

Only complete this section if a request for information is made on behalf of another person.

Full Names & Surname: _____

Identification / Company Number: _____

3. PARTICULARS OF REQUESTED INFORMATION

Provide full particulars of the information to which access is requested. If the provided space is not sufficient, please continue on a separate page and attach it to this form. Any additional pages submitted must be signed.

4. FORMAT IN WHICH INFORMATION IS REQUESTED

Indicate the format in which the information requested is required. Please note that the request for access in the specified format may depend on the format in which the record is available and access in the requested format may be refused under certain circumstances.

5. RIGHT TO BE EXERCISED OR PROTECTED

Indicate what right is to be exercised and/or protected and why the information is required to protect and/or to exercise this right.

6. NOTICE OF APPROVAL / REJECTION OF REQUEST

You will be notified via e-mail and/or post whether your request has been approved or denied. If you wish to be informed in another manner, please specify the manner and provide the necessary details:

Signed at: _____ on this _____ day of _____ 20____

Signature of person submitting the request