

Merge Group (Pty) Ltd

2018/029741/07

Tax Number: 9114677231

Merge Group (Pty) Ltd

MANUAL in terms of Section 51 of The Promotion of Access to Information Act

2/2000

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1. INTRODUCTION

Merge Media (Pty) Ltd specializes in offering Web and Mobile Application Design and Development services.

We optimize our business to operate across a spectrum of disciplines including digital marketing, website development, application development, business optimization, financial analysis, accounting & auditing.

Merge Group (pty) Ltd, supports the constitutional right of access to information and we are committed to provide you access to our records in accordance with the provisions of the Act, the confidentiality we owe third parties and the principles of South African law.

2. COMPANY CONTACT DETAILS

Directors:	Mr. Ntsika Ngoma, Gomolemo Mohapi, Jacobus Kotze.
Postal Address:	P.O. Box 689, Hyper By The Sea, Durban North.
Street Address:	39 Pioneer Road, Kloof, 3610.
Telephone Number:	087 354 5406
Email:	info@mergegroup.co.za

3. THE ACT

- 3.1 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.
- 3.2 Requests in terms of the ACT shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in paragraphs 6 and 7 of the Act.

- 3.3 Requesters are referred to the Guide in terms of Section 10 which has been compiled by the South African Human Rights Commission, which will contain information for the purposes of exercising Constitutional Rights. The Guide is available from the SAHRC.

The contact details of the Commission are:

Postal Address: Private Bag 2700, Houghton, 2041
Telephone Number: +27-11-877 3600
Fax Number: +27-11-403 0625
Website: www.sahrc.org.za

4. APPLICABLE LEGISLATION

No	Ref	Act
1	No 61 of 1973	Companies Act
2	No 98 of 1978	Copyright Act
3	No 55 of 1998	Employment Equity Act
4	No 95 of 1967	Income Tax Act
5	No 66 of 1995	Labour Relations Act
6	No 89 of 1991	Value Added Tax Act
7	No 37 of 2002	Financial Advisory and Intermediary Services Act
8	No 75 of 1997	Basic Conditions of Employment Act
9	No 69 of 1984	Close Corporations Act
10	No 25 of 2002	Electronic Communications and Transactions Act
11	No 2 of 2000	Promotion of Access of Information Act
12	No 30 of 1996	Unemployment Insurance Act

5. SCHEDULE OF RECORDS

Merge Group (PTY) Ltd, maintains records on 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 honored. All requests for access will be evaluated on a case by case basis in accordance with the provisions of the Act.

5.1 Internal Records

- Memorandum and Articles of Association
- Financial records
- Operational records
- Intellectual property
- Marketing records
- Internal correspondence
- Product records
- Statutory records
- Internal policies and procedures

5.2 Personnel records

Personnel refers to any person who works for or provides services to or on behalf of Merge Group (Pty) Ltd, and receives or is entitled to receive any remuneration and any other person who assists in carrying out or conducting the business of Merge Group (pty) Ltd. This includes, without limitation, directors, executive directors, non-executive directors, all permanent, temporary and part-time staff as well as contract workers.

Personnel records include the following:

- Any personal records provided to Merge Group (Pty) Ltd by their personnel;
- Any records a third party has provided to Merge Group (Pty) Ltd about any of their personnel;
- Conditions of employment and other personnel-related contractual and quasi-legal records;
- Internal evaluation records; and
- Other internal records and correspondence.

5.3 Customer records

Please be aware that Merge Group (Pty) Ltd is very concerned about protecting the confidential information of its customers. Please motivate any request for customer information very carefully, having regard to Sections 63 to 67 of the Act. Customer information includes the following:

- Any records a customer has provided to Merge Group (Pty) Ltd or a third party acting for or on behalf of Merge Group (Pty) Ltd;
- Contractual information;
- Customer needs assessments;
- Personal records of customers;
- Credit information and other research conducted in respect of Merge Group (Pty) Ltd about customers;
- Confidential, privileged, contractual and quasi-legal records of customers;
- Customer evaluation records;
- Customer profiling;
- Performance research conducted on behalf of customers or about customers;
- Any records a third party has provided to Merge Group (Pty) Ltd either directly or indirectly; and
- Records generated by or within Merge Group (Pty) Ltd pertaining to customers, including transactional records.

5.4 Technical records

Technical records generated by, or within Merge Group (Pty) Ltd pertaining to customers.

Other Parties:

Records are kept in respect of other parties, including without limitation contractors, suppliers, joint ventures, service providers and general market conditions. In addition, such other parties may possess records, which can be said to belong to Merge Group (Pty) Ltd. The following records fall under this category:

- Personnel, customer or Merge Group (Pty) Ltd records which are held by another party as opposed to being held by Merge Group (Pty) Ltd; and
- Records held by Merge Group pertaining to other parties, including financial records, correspondence, contractual records, electronic mail, logs, cached information, records provided by the other party, and records third parties have provided about the contractors/suppliers or customer.

5.5 Other Records

Further records are held including:-

- Information relating to Merge Group's own commercial activities; and
- Research carried out on behalf of a client by Merge Group (Pty) Ltd, or commissioned from a third party for a customer;
- Research information belonging to Merge Group (Pty) Ltd, whether carried out itself or commissioned from a third party.

6. FORM OF REQUEST

(Section 51 (1) (e))

To facilitate the processing of your request, kindly:

- 6.1 Use the prescribed form, available on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at www.sahrc.org.za.
- 6.2 Address your request to the Head of the Company (CEO).
- 6.3 Provide sufficient details to enable the COMPANY to identify:
- (a) The record(s) requested;
 - (b) The requester (and if an agent is lodging the request, proof of capacity);
 - (c) The form of access required;
 - (d) (i) The postal address or fax number of the requester in the Republic;
(ii) If the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof;
 - (e) The right which the requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.

7. PRESCRIBED FEES

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

- 7.1 A requestor is required to pay the prescribed fees (R50.00) before a request will be processed;
- 7.2 If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted);
- 7.3 A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit;
- 7.4 Records may be withheld until the fees have been paid.
- 7.5 The fee structure is available on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at www.sahrc.org.za.

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