

# PAIA Policy

## 1 Introduction

This Manual is intended to assist persons wishing to access information in terms of the Promotion of Access to Information Act 2 of 2000 (“**PAIA**” or the “**Act**”).

A person requiring access to any information as contemplated in the Act should contact us at [info@kandua.com](mailto:info@kandua.com).

## 2 Background

Operating in the Information Technology sector, Kandua’s ordinary business activities are focused on the development and operation of a technical web-based application that connects suitably qualified and skilled artisans of various trades to anyone who requires such services.

## 3 Section 51(1)(a) information

<b>Name of Private Body</b>	Plus Ecosystem Ventures (Proprietary) Limited trading as Kandua
<b>Physical Address</b>	Network Space, Suite 32 & 33, 1 Sturdee Avenue, Rosebank, 2196
<b>Registered Address</b>	1 Sportica Crescent, Tygervalley, Bellville, Western Cape, 7500
<b>Contact</b>	Information Officer
<b>Email</b>	<a href="mailto:info@kandua.com">info@kandua.com</a>

## 4 Section 51(1)(b) information

### 1.1 SAHRC Guide

In terms of section 10 of the Act, the South African Human Rights Commission (“**SAHRC**”) has published a Guide containing information reasonably required by a person wishing to exercise or protect any right in terms of the Act. This guide is available from the SAHRC offices, the details of which appear below, or on the SAHRC website through the link below:

[SAHRC Guide](#)

The Guide contains the following information:

- the objects of the Act;
- particulars of the information officer of every public body;
- particulars of every private body are practicable;
- the manner and form of a request for access to information held by a body;
- assistance available from both the information officer and the SAHRC in terms of this Act;
- all remedies in law regarding acts, omissions, rights and duties, including how to lodge an internal appeal and a court application;
- schedules of fees to be paid in relation to requests for access to information;
- regulations made in terms of the Act.

## 1.2 Queries

Any queries regarding the Guide should be directed to:

The South African Human Rights Commission, PAIA Unit, the Research and Documentation Department:

<b>Postal Address</b>	Private Bag 2700, Houghton, 2041
<b>Physical Address</b>	Braampark Forum 3, 33 Hoofd Street, Braamfontein
<b>Website</b>	<a href="http://www.sahrc.org.za">www.sahrc.org.za</a>
<b>Contact telephone</b>	0118773600
<b>Email</b>	<a href="mailto:PAIA@sahrc.org.za">PAIA@sahrc.org.za</a>
<b>Fax</b>	0114030625

## 2 Section 51(1)(c) information

The Company has not published any notice in terms of section 52 of the Act in regard to the voluntary disclosure and automatic availability of certain records without a person having to request access.

## 3 Section 51(1)(d) information

The Company keeps records in accordance with all such legislation as is applicable to it, which includes but is not limited to, the legislation set out in *Schedule 1*.

Where records are kept in terms of any of the above legislation and same is of a public nature, these may, in certain circumstances, be available without the requirement of a request in terms of the Act.

## 4 Section 51(1)(e) information

This part of the Manual sets out a description of the subjects on which the Company holds records and the categories of records held on each subject. These include operational records of the Company, which it may utilise in the day to day running and administration of its business, including:

- client databases
- accounting information
- internal phone lists
- policies
- directives
- minutes of meetings
- administrative information

### 4.1 Records that may be requested

Subject to the provisions of the Act and paragraph 8.2, the Company retains the following records:

#### 4.1.1 Operational information

Such information as relates to the operational, commercial and financial interests of the relevant member, including (without limitation):

- accounting records;
- commercial contracts;
- company secretarial information, including, documents of incorporation, memorandum of incorporation, minutes of board of director's meetings, records relating to the appointment of

directors/auditors/secretary/public officer and other officers and share register and other statutory registers;

- customer database (consisting of customer personal information; commercial and financial information; information on contemplated, existing and past legal matters; information relating to agreements, proposals and intellectual and other property rights of customers);
- domain name registrations;
- employment contracts;
- human resource information (including internal policies and procedures; training records and manuals business employee records; and personal information relating to past, present and prospective employees and directors);
- information relating to the BBD Group's marketing, business plans, systems and procedures;
- insurance policies;
- internal phone list;
- internal policies and procedures; and
- records relating to information technology (hardware, software and data collection and storage).

#### **4.1.2 Communications**

Internal and external correspondence between each member of the Company, its staff and clients, including letters, faxes, memos, emails and the like, to the extent that same are not covered by the records described in paragraph 7.1.1.

#### **4.1.3 Website**

The Company's website address is [www.kandua.com](http://www.kandua.com) and is accessible via the internet. The website contains various categories of information relating to the Company, including a description of the services provided and a background to the business, amongst others.

### **4.2 The request procedures**

It should be noted that any and all records, whether specifically listed herein or not, shall only be made available subject to the provisions of the Act.

#### **4.2.1 Form of request**

Internal and external correspondence between each member of the Company, its staff and customers, including letters, faxes, memos, emails and the like, to the extent that same are not covered by the records described herein.

- A requester must use the form set out in *Schedule 2* to make a request for access to a record. This form must be submitted to the Information Officer. This request may be made to any of the contact details set out in paragraph 3.
- 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 and specify a postal address or fax number in the Republic of South Africa. The requester should also indicate if, in addition to a written reply, any other manner is to be used to inform the requester and state the necessary particulars to be so informed.
- The requester must identify the right that is sought to be exercised or protected and provide an explanation of why the requested record is required for the exercise or protection of that right.
- If a request is made on behalf of another person, the requester must submit proof of the capacity in which the requester is making the request to the satisfaction of the Information Officer.

#### **4.2.2 Fees**

A requester who seeks access to a record containing personal information about that requester is not required to pay the request fee. Every other requester, who is not a personal requester, must pay the required request fee:

- The Information Officer will by written notice require each requester (other than a personal requester) to pay the prescribed request fee (if any) before further processing any request.
- The fee that the requester must pay to a private body is R50, provided that the requester may lodge an application to the court against the tender or payment of the request fee.
- After the Information Officer has made a decision on the request, the requester will be notified in the required form. If the request is granted, then a further access fee must be paid for reproduction and for search and preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

## **5 Availability of Manual**

This Manual is available for inspection by the general public upon request, during office hours and free of charge, at the offices of the Company. Copies of the Manual may be made, subject to the prescribed fees. This Manual is also posted on Kandua's website.

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**Schedule 1 – Legislation of General Application**

**Basic Conditions of Employment Act**

**Companies Act**

**Compensation for Occupational Injuries and Diseases Act**

**Competition Act**

**Consumer Protection Act**

**Copyright Act**

**Electronic Communications and Transactions Act**

**Employment Equity Act**

**Income Tax Act**

**Insolvency Act**

**Interception and Monitoring Prohibition Act**

**Intellectual Property Laws Amendments Act**

**Labour Relations Act**

**National Credit Act**

**Occupational Health and Safety Act**

**Prevention of Organised Crime Act**

**Protection of Personal Information Act**

**Skills Development Act**

**Skills Development Levies Act**

**Trade Marks Act**

**Unemployment Insurance Act**

**Unemployment Insurance Contributions Act**

**Value Added Tax Act**

**Schedule 2 – Form of request**

Request for Access to record of a Private Body in terms of Section 53 (1) of the Promotion of Access to the Information Act 2 of 2000 - Regulation 10

<b>A. Particulars of private body</b>	
The Head:	
<b>B. Particulars of person requesting access to the record</b>	
<p>a. The particulars of the person who requests access to the record must be given below.</p> <p>b. The address and/or fax number in the Republic to which the information is to be sent must be given.</p> <p>c. Proof of the capacity in which the request is made, if applicable, must be attached.</p>	
Full names and surname:	
Identity number:	
Postal address:	
Fax number:	
Telephone number:	
Email address:	
Capacity in which request is made, when made on behalf of another person:	
<b>C. Particulars of person on whose behalf request is made</b>	
This section must be completed ONLY if a request for information is made on behalf of another person.	
Full names and surname:	
Identity number:	
<b>D. Particulars of record</b>	
<p>a. Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.</p> <p>b. If the provided space is inadequate, please continue on a separate folio and attach it to this form.</p> <p><b>The requester must sign all the additional folios.</b></p>	
1. Description of record or relevant part of the record:	
2. Reference number/s if available:	

3. Any further particulars of record:

**E. Fees**

- a. 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.
- b. You will be notified of the amount required to be paid as the request fee.
- c. 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.
- d. If you qualify for exemption of the payment of any fee, please state the reason for exemption.

Reason for exemption from payment of fees:

**F. Form of access to record**

Indicate in which form the record is required.

Mark the appropriate box with an **X**.

**NOTES:**

- 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 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* (CD or DVD)
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\*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage payable.

**YES**

**NO**

**G. Particulars of right to be exercised or protected**

If the provided space is inadequate, please continue on a separate folio and attach it to this form.

**The requester must sign all the additional folios.**

1. Indicate which right is to be exercised or protected:

2. 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**