

[dot]GOOD SPONSORSHIP & MARKETING

(A Private Body)

VAT NUMBER: 4870269505
REGISTRATION NUMBER: 2013/088663/07

**MANUAL PREPARED IN ACCORDANCE WITH SECTION 51 OF THE PROMOTION OF ACCESS TO
INFORMATION ACT NO 2 OF 2000**

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1 INTRODUCTION

- 1.1 This Manual has been prepared in accordance with section 51 of the Promotion of Access to Information Act No 2 of 2000 (“**PAIA**”).
- 1.2 The aim of the Manual is to assist potential Requesters in requesting access to information (documents, records and/or Personal Information) from [dot]GOOD as contemplated under PAIA.
- 1.3 The Manual may be amended from time to time and, as soon as any amendments have been effected, the latest version of the Manual will be published and distributed in accordance with PAIA.
- 1.4 A Requester is invited to contact the Information Officer should he or she require any assistance in respect of the use or content of this Manual.
- 1.5 The definitions provided in this Manual are solely for the purpose of this Manual and are not to be taken as applicable to PAIA.

2 DEFINITIONS

The following words or expressions will bear the following meanings in this Manual –

- 2.1 “**Client**” means a natural or juristic person who or which receives services and/or products from [dot]GOOD;
- 2.2 “**Correspondence**” means any written and/or electronic communication exchanged between two or more parties;
- 2.3 “**Data Subject**” has the meaning ascribed thereto under POPIA and, for purposes of this Policy, means [dot]GOOD’s Clients or suppliers, who may be natural or juristic persons, or any other person(s) in respect of whom [dot]GOOD Processes Personal Information;
- 2.4 “[dot]GOOD” means [dot]GOOD Sponsorship & Marketing, under company registration no. 2013/088663/07 with its physical address at The Business Exchange, Ground Floor, 116 Oxford Road, Rosebank, 2196 and telephonically contactable at +27 11 447 0427 and via its website at www.dotgood.co.za;
- 2.5 “**Employee**” means any person who works for, or provides services to or on behalf of [dot]GOOD, and receives or is entitled to receive remuneration;
- 2.6 “**Information Officer/s**” means [dot]GOOD’s designated Information Officer/s described in paragraph 6 of this Manual;
- 2.7 “**Manual**” means this Manual, together with all annexures thereto, as amended and made available on [dot]GOOD’s website and at its offices;
- 2.8 “**PAIA**” means the Promotion of Access to Information Act No 2 of 2000, together with any regulations published thereunder;
- 2.9 “**Personal Information**” has the meaning ascribed thereto under POPIA;
- 2.10 “**POPIA**” means the Protection of Personal Information Act No 4 of 2013, together with any regulations published thereunder;

- 2.11 **“Processing”** means any operation or activity or any set of operations, whether or not by automatic means, concerning Personal Information, including –
- 2.11.1 the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;
- 2.11.2 dissemination by means of transmission, distribution or making available in any other form by electronic communications or other means; or
- 2.11.3 merging, linking, blocking, degradation, erasure or destruction. For the purposes of this definition, **“Process”** has a corresponding meaning;
- 2.12 **“Requester”** means any person or entity (including any Data Subject) requesting access to a record that is under the control of [dot]GOOD;
- 2.13 **“SAHRC”** means the South African Human Rights Commission; and
- 2.14 **“Third Party”** means any independent contractor, supplier, agent, consultant, sub-contractor or other representative of [dot]GOOD.

3 **SCOPE OF THE MANUAL**

This Manual has been prepared in respect of, and applies to, [dot]GOOD.

4 **HOW TO USE PAIA TO ACCESS INFORMATION**

(Information provided in terms of section 51(1) of PAIA)

- 4.1 PAIA 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 in terms of PAIA, the public body must be acting in the public interest.
- 4.2 Requests in terms of PAIA shall be made in accordance with the prescribed procedures, and at the prescribed fees.
- 4.3 A guide on how to use PAIA has been compiled by the SAHRC (and shall be updated by the Information Regulator from time to time) in terms of section 10 of PAIA and is available on the SAHRC website (www.sahrc.org.za). Any queries should be directed to:

The South African Human Rights Commission
PAIA Unit
Research and Documentation Department
Postal Address: Private Bag 2700, Houghton, 2041, South Africa
T +27 (0)11 484 8300
F +27 (0)11 484 0582
E PAIA@sahrc.org.za
W www.sahrc.org.za

5 **OVERVIEW OF THE STRUCTURE AND FUNCTIONS OF [DOT]GOOD**

- 5.1 [dot]GOOD is incorporated and registered in the Republic of South Africa under registration number 2013/088663/07.

5.2 [dot]GOOD is a leading for-good marketing and brand-activation agency that delivers purpose-driven campaigns. It produces strategic, results-focused activations and other below-the-line marketing solutions.

6 **[DOT]GOOD’S CONTACT DETAILS**

(Information required under section 51(1)(a) of PAIA)

Name of Body:	[dot]GOOD SPONSORSHIP & MARKETING
Physical & Postal Addresses:	<p>Physical: The Business Exchange Ground Floor 116 Oxford Road Rosebank 2196</p> <p>Postal: 7 1st Street Parkhurst 2193</p>
Head of Body	<p>Name: Michael Baretta – Managing Partner</p> <p>T: +27 11 447 0427</p> <p>E: michael@dotgood.co.za</p>
Information Officer	<p>Name: Shenaaz Hoosen – Office Manager</p> <p>T: +27 11 447 0427</p> <p>E: shenaaz@dotgood.co.za</p>

7 **[DOT]GOOD’S PROCESSING OF PERSONAL INFORMATION IN TERMS OF POPIA**

7.1 [dot]GOOD Processes Personal Information of Data Subjects in accordance with its POPIA Policy, which can be accessed online on [dot]GOOD’s website at **www.dotgood.co.za**.

7.2 Who [dot]GOOD shares a Data Subject’s Personal Information with, including any cross-border flows, is indicated in our POPIA Policy.

7.3 Security measures in place at [dot]GOOD and retention controls pertaining to Personal Information are also canvassed in our POPIA Policy.

8 **INFORMATION HELD BY [DOT]GOOD IN TERMS OF PAIA**

8.1 This section of the Manual sets out the categories and descriptions of records held by [dot]GOOD. The inclusion of any category of records should not be taken to mean that records

falling within that category will be made available under PAIA. In particular, certain grounds of refusal as set out in PAIA may be applicable to a request for such records. Among other things, records deemed confidential that [dot]GOOD possesses on Third Parties with whom it engages for purposes of fulfilling any contractual mandates in order to perform its product and service offering, will necessitate permission from the Third Party concerned, before [dot]GOOD will consider access.

8.2 **Private body records**

8.2.1 Company name documents, and registration details.

8.2.2 Financial and accounting records.

8.2.3 Operational records.

8.2.4 Databases.

8.2.5 Information technology records.

8.2.6 Marketing records.

8.3 **Client records**

8.3.1 Records of all dealings with Clients for purposes of [dot]GOOD providing marketing services to its Clients, including but not limited to records pertaining to promotions, brand activations and project-driven below-the-line marketing campaigns. The type of information we collect in this regard is also canvassed in our POPIA Policy, accessible at www.dotgood.co.za.

8.4 **Human Resources/Personnel records**

8.4.1 Employee policies.

8.4.2 Recruitment records.

8.4.3 Health and safety documentation.

8.4.4 Payroll records.

8.4.5 Employee contracts.

8.4.6 Contingent worker agreements.

8.4.7 ID/work permit records.

8.4.8 Performance-related feedback and disciplinary records.

8.5 **Other/Third Party records**

- 8.5.1 [dot]GOOD may possess records pertaining to other Third Parties – such other parties may in turn possess records that pertain to [dot]GOOD.

9 **INFORMATION KEPT BY [DOT]GOOD IN ACCORDANCE WITH OTHER LEGISLATION AS REQUIRED UNDER PAIA**

- 9.1 Records are kept in accordance with legislation applicable to [dot]GOOD, which includes but is not limited to the following:

- 9.1.1 Basic Conditions of Employment Act 75 of 1997.
- 9.1.2 Companies Act 71 of 2008.
- 9.1.3 Compensation for Occupational Injuries and Diseases Act 130 of 1993.
- 9.1.4 Competition Act 89 of 1998.
- 9.1.5 Constitution of the Republic of South Africa, 1996.
- 9.1.6 Consumer Protection Act 68 of 2008.
- 9.1.7 Electronic Communications and Transactions Act 25 of 2002.
- 9.1.8 Employment Equity Act 55 of 1998.
- 9.1.9 Income Tax Act 58 of 1962 (Section 75).
- 9.1.10 Insolvency Act 24 of 1936.
- 9.1.11 Labour Relations Act 66 of 1995.
- 9.1.12 National Credit Act 34 of 2005.
- 9.1.13 Occupational Health and Safety Act 85 of 1993.
- 9.1.14 Promotion of Access to Information Act 2 of 2000.
- 9.1.15 Regulation of Interception of Communications and Provision of Communication-related Information Act 70 of 2002.
- 9.1.16 Skills Development Act 97 of 1998.
- 9.1.17 Tax Administration Act 28 of 2011.
- 9.1.18 Value-Added Tax Act 89 of 1991.

- 9.2 Records kept in terms of the above legislation may, in certain instances (and insofar as the information contained therein is of a public nature), be available for inspection without a person having to request access thereto in terms of PAIA.

10 **REQUEST PROCEDURES**

- 10.1 Records, whether specifically listed in this Manual or not, will only be made available subject to the provisions of PAIA.

10.2 Form of request

- 10.2.1 The Requester must use the prescribed form to make the request for access to a record, which form is attached hereto as Annexure "A". This must be made to the Information Officer at the address, or electronic mail address, of the body concerned (*see section 53(1) of PAIA*).
- 10.2.2 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, fax number in the Republic or e-mail address. 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 (*see section 53(2)(a) and (b) and (c) and (e) of PAIA*).
- 10.2.3 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 (*see section 53(2)(d) of PAIA*).
- 10.2.4 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 head of the private body (*see section 53(2)(f) of PAIA*).

10.3 Fees

10.3.1 Request fees:

- 10.3.1.1 The Information Officer must by notice require the Requester to pay the prescribed request fee (if any) before further Processing the request (*see section 54(1) of PAIA*).
- 10.3.1.2 The fee that the Requester must pay to a private body is R50. The Requester may lodge an application to the court against the tender or payment of the request fee (*see section 54(3)(b) of PAIA*).

10.3.2 Access fees and fees for reproduction:

- 10.3.2.1 If access to a record/s is granted by [dot]GOOD, the Requester may be required to pay an access fee for the search for and preparation of the records and for reproduction of the record/s.
- 10.3.2.2 The access fees which apply are set out below and are in accordance with PAIA. [dot]GOOD can refuse access until such access fees have been paid.

	Reproduction	Fee (Rand)
1.	Photocopy of an A4-size page or part thereof provided in hard copy or via scanned copy sent via e-mail	R1.10 per page
2.	Printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	R0.75 per page

3.	A copy, in a computer-readable form, on compact disc	R70.00
4.	Transcription of visual images on an A4-size page or part thereof	R40.00 per page
5.	Copy of visual images	R60.00
6.	Transcription of an audio record on an A4-size page or part thereof	R20.00
7.	Copy of an audio record	R30.00

10.4 Decision on request

10.4.1 After the Information Officer has made a decision on the request, the Requester will be notified using the required form.

10.4.2 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 (*see section 54(6) of PAIA*).

11 TIMELINES FOR CONSIDERATION OF A REQUEST

11.1 Requests for access by a Requester will be Processed within 30 days, unless the request contains considerations that are of such a nature that an extension of the 30-day time limit is necessary. Such considerations include –

11.1.1 where the request is for a large number of records or requires a search through a large number of records (including where records that have been archived electronically need to be restored);

11.1.2 where the request requires a search for records in, or collection of such records from, an office that is located far away from Johannesburg;

11.1.3 where consultation among divisions of [dot]GOOD or with another private body is necessary or desirable to decide upon the request that cannot reasonably be completed within the original 30-day period;

11.1.4 where more than one of the circumstances contemplated in paragraphs 11.1.1, 11.1.2 and 11.1.3, exist in respect of the request, making compliance with the original period not reasonably possible; or

11.1.5 where the Requester consents in writing to such extension.

11.2 If an extension is necessary, you will be notified with reasons for the extension. If the Information Officer fails to communicate a decision on a request, such a request is then deemed to have been refused.

12 GROUNDS FOR REFUSAL OF ACCESS TO RECORDS

12.1 Requests for access by a Requester **must** be refused by the Information Officer if –

- 12.1.1 the disclosure would involve the unreasonable disclosure of Personal Information about a Third Party (natural person), including a deceased individual (*see section 63 of PAIA*);
- 12.1.2 the record contains (a) trade secrets of a Third Party, (b) financial, commercial, scientific or technical information, other than trade secrets, of a Third Party, the disclosure of which would be likely to cause harm to the commercial or financial interests of that Third Party, or (c) information supplied in confidence by a Third Party, the disclosure of which could reasonably be expected to put that Third Party at a disadvantage in contractual or other negotiations; or to prejudice that Third Party in commercial competition (*see section 64 of PAIA*);
- 12.1.3 the disclosure of the record would constitute an action for breach of a duty of confidence owed to a Third Party in terms of an agreement (*see section 65 of PAIA*);
- 12.1.4 the disclosure could reasonably be expected to endanger the life or physical safety of an individual (*see section 66(a) of PAIA*);
- 12.1.5 the record is privileged from production in legal proceedings unless the person entitled to the privilege has waived the privilege (*see section 67 of PAIA*); or
- 12.1.6 the record contains information about research being or to be carried out by or on behalf of a Third Party, the disclosure of which would be likely to expose: (a) the Third Party; (b) a person that is or will be carrying out the research on behalf of the Third Party; or (c) the subject matter of the research, to serious disadvantage (*see section 69 of PAIA*).
- 12.2 Requests for access by a Requester may be refused by the Information Officer if –
- 12.2.1 the disclosure would be likely to prejudice or impair: (i) the security of: (aa) a building, structure or system, including, but not limited to, a computer or communication system; (bb) a means of transport; or (cc) any other property; or (ii) methods, systems, plans or procedures for the protection of: (aa) an individual in accordance with a witness protection scheme; (bb) the safety of the public, or any part of the public; or (cc) the security of property contemplated in subparagraph (i) (aa), (bb) or (cc) (*see section 66(b)*);
- 12.2.2 the record:
- (a) contains trade secrets of [dot]GOOD;
 - (b) contains financial, commercial, scientific or technical information, other than trade secrets, the disclosure of which would be likely to cause harm to the commercial or financial interests of [dot]GOOD;
 - (c) contains information, the disclosure of which could reasonably be expected:
 - (i) to put [dot]GOOD at a disadvantage in contractual or other negotiations; or
 - (ii) to prejudice [dot]GOOD in commercial competition; or
 - (d) is a computer program, as defined in section 1(1) of the Copyright Act No 98 of 1978, owned by [dot]GOOD, except insofar as it is required to give access to a record to which access is granted in terms of PAIA; or
- 12.2.3 the record contains information about research being or to be carried out by or on behalf of [dot]GOOD, the disclosure of which would be likely to expose: (a) [dot]GOOD; (b) a person that is or will be carrying out the research on behalf of [dot]GOOD; or (c) the subject matter of the research, to serious disadvantage.

13 REMEDIES AVAILABLE TO A REQUESTER ON REFUSAL OF ACCESS

- 13.1 [dot]GOOD does not have any internal appeal procedures that may be followed once a request to access information has been refused.
- 13.2 The decision of the Information Officer or Deputy Information Officer is final.
- 13.3 If you are not satisfied with the outcome of your request, you are entitled to apply to a court of competent jurisdiction to take the matter further.

14 OTHER INFORMATION HELD BY [DOT]GOOD AS PRESCRIBED

The Minister of Justice and Constitutional Development has to date not made any regulations regarding disclosure of other information to the best of our knowledge.

15 AVAILABILITY OF THE MANUAL

(Availability of Manual under section 51(3))

- 15.1 This Manual is available for inspection by the general public upon request, during office hours and free of charge, at the offices of [dot]GOOD. Copies of the Manual may be made, subject to the prescribed fees.
- 15.2 Copies may also be requested from the South African Information Regulator.
- 15.3 The Manual is also posted on [dot]GOOD's website at www.dotgood.co.za.

16 PRESCRIBED FORMS AND FEE STRUCTURE

(Prescribed forms and fee structure in respect of private bodies)

The forms and fee structure prescribed under PAIA are available from the *Government Gazette*, or on the website of the Department of Justice and Constitutional Development (www.justice.gov.za), under the "regulations" section, as well as on the SAHRC website (www.sahrc.org.za).

**ANNEXURE "A" – FORM C – PRESCRIBED FORM TO MAKE REQUEST FOR ACCESS
FORM C**

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY
(Section 53(1) of the Promotion of Access to Information Act, 2000
(Act No 2 of 2000)

[Regulation 10]

A. Particulars of private body

The Head:

B. Particulars of person requesting access to the record

- (a) The particulars of the person who requests access to the record must be given below.
- (b) The address and/or fax number in the Republic to which the information is to be sent must be given.
- (c) Proof of the capacity in which the request is made, if applicable, must be attached.

Full names and surname:

Identity number:

Postal address:

Fax number:

Telephone number:

E-mail address:

Capacity in which request is made, when made on behalf of another person:

C. Particulars of person on whose behalf request is made

This section must be completed *ONLY* if a request *for information* is made on behalf of *another* person.

Full names and surname:

Identity number:

D. Particulars of record

- (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.
- (b) 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 Description of record or relevant part of the record:
- 2 Reference number, if available:
- 3 Any further particulars of record:

E. Fees

- | |
|--|
| <p>(a) A request for access to a record, other <i>than</i> a record containing Personal Information about yourself, will be Processed only after a request fee has been paid.</p> <p>(b) You will be <i>notified of</i> the amount required to be paid as the request fee.</p> <p>(c) The fee payable for access to a record depends <i>on</i> the form <i>in which</i> access is required and the reasonable time <i>required</i> to search for and prepare a record.</p> <p>(d) If you qualify for exemption <i>of</i> the payment <i>of</i> any fee, please state the reason for exemption.</p> |
|--|

Reason for exemption from payment of fees:

F. Form of access to record

<p>If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.</p>
--

Disability:	Form in which record is required
Form in which record is required:	
<p>Mark the appropriate box with an X.</p> <p>NOTES:</p> <p>(a) Compliance with your request in the specified form may depend on the form in which the record is available.</p> <p>(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.</p> <p>(c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.</p>	

1. If the record is in written or printed form:			
<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record
2. If record consists of visual images this includes photographs, slides, video recordings, computer-generated images, sketches, etc			
<input type="checkbox"/>	view the images	<input type="checkbox"/>	copy of the images"
<input type="checkbox"/>		<input type="checkbox"/>	transcription of the images*
3. If record consists of recorded words or information which can be reproduced in sound:			
<input type="checkbox"/>	listen to the soundtrack audio cassette	<input type="checkbox"/>	transcription of soundtrack* written or printed document
4. If record is held on computer or in an electronic or machine-readable form:			
<input type="checkbox"/>	printed copy of record*	<input type="checkbox"/>	printed copy of information derived from the record"
<input type="checkbox"/>		<input type="checkbox"/>	copy in computer-readable form* (stiffy or compact disc)
<p>'If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.</p>			<p>YES NO</p>

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

