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R & A CELLULAR

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PAIA MANUAL

Date: 2021/12/07

www.racellular.com

Keep Talking, Keep Listening

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MANUAL IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000 ("PAIA") AS AMENDED BY THE PROTECTION OF PERSONAL INFORMATION ACT, 4 OF 2013 ("POPIA")

Introduction

- This Manual constitutes the Company PAIA manual.
- This Manual is compiled in accordance with section 51 of PAIA as amended by the Protection of Personal Information Act, 2013 ("POPIA"). POPIA promotes the protection of personal information processed by public and private bodies, including certain conditions so as to establish minimum requirements for the processing of personal information. POPIA amends certain provisions of PAIA, balancing the need for access to information against the need to ensure the protection of personal information by providing for the establishment of an Information Regulator to exercise certain powers and perform certain duties and functions in terms of POPIA and PAIA, providing for the issuing of codes of conduct and providing for the rights of persons regarding unsolicited electronic communications and automated decision making in order to regulate the flow of personal information and to provide for matters concerned therewith.
- This PAIA manual also includes information on the submission of objections to the processing of personal information and requests to delete or destroy personal information or records thereof in terms of POPIA.
- For purposes of this Manual, we refer to ourselves as "The Company", "we", "us" or "our".

Who Are We - About Us And Our Business

- Main business operations include: Wholesale of Airtime and Prepaid Electricity



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Our Contact Details

- All requests for access to records in terms of the Act for The Company must be in writing and must be addressed to the Chief Information Officer, at the contact details below;

Information Officer: Jaco Brits

Postal Address: Postnet Suite 180
Private Bag X7260
Witbank
1035

Street Address: Office 21, Retail City, C/O OR Tambo and Mandela Street, Witbank

Contact number: 013 656 6883

Email address: jaco@racellular.com

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 the South African official languages.
- If you have any queries, or need a copy of the Guide, please contact the Information Regulator directly at:

The Information Regulator (South Africa)

Office 21, Retail City, C/O OR Tambo and Mandela Street, Witbank, 1035

Postnet Suite 180, Private Bag X7260, Witbank, 1035

Complaint's email: jaco@racellular.com

General enquiries email: jaco@racellular.com

Information That Is Automatically Available Without A PAIA Request

- The information available on our website, may be automatically accessed by you without having to go through the formal PAIA request process.



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Records Kept In Terms Of The Other Legislation

- We are subject to many laws and regulations, some of which require us to keep certain records.
- These laws are detailed in Appendix E attached hereto:
- Note that the list is not exhaustive.

Description of Records held by R&A Cellular

Records held by R&A Cellular in accordance with legislation are as follows:

- Arbitration Act No. 42 of 1965
- Basic Conditions of Employment Act, No. 75 of 1997
- Broad-Based Economic Empowerment Act, No. 53 of 2008
- Companies Act, No. 73 of 1973 (as amended)
- Companies Act, No. 71 of 2008 (as amended)
- Compensation for Occupational Injuries and Diseases Act, No. 130 of 1993
- Competition Act, No. 89 of 1998 as amended
- Constitution of the Republic of South Africa 2008;
- Consumer Protection Act, No. 68 of 2008
- Copyright Act, No. 98 of 1978
- Currency and Exchanges Act, No. 9 of 1933
- Customs and Excise Act, No. 91 of 1964
- Electronics Communications Act, No. 36 of 2005
- Electronic Communications and Transactions Act, No. 25 of 2002
- Employment Equity Act, No. 55 of 1998
- Financial Markets Act, No. 19 of 2012
- Financial Advisory and Intermediary Services Act, No. 37 of 2002
- Income Tax Act, No. 95 of 1967
- Labour Relations Act, No. 66 of 1995
- Occupational Health and Safety Act, No. 85 of 1993
- Patents Act, No. 57 of 1987
- Prevention and Combating of Corrupt Activities Act, No. 12 of 2004
- Promotion of Access to Information Act, No. 2 of 2000
- Protection of Personal Information Act, No. 4 of 2013
- Promotion of Equality and Prevention of Unfair Discrimination Act, No. 4 of 2000
- Protected Disclosures Act, No. 26 of 2000
- Protection of Constitutional Democracy against Terrorist and related Activities Act, No. 33 of 2004
- Regulation of Interception of Communications and Provision of Communication Related Information Act, No. 70 of 2002
- Securities Transfer Tax Act, No. 25 of 2007
- South African Reserve Bank Act, No. 90 of 1989
- Skills Development Act, No. 97 of 1998
- Skills Development Levies Act, No. 9 of 1999



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- Tax Administration Act, No. 28 of 2011
- Trademarks Act, No. 194 of 1993
- Unemployment Contributions Act, No. 4 of 2002
- Unemployment Insurance Act, No. 63 of 2001
- Value Added Tax Act, No. 89 of 1991

Note the above list is not exhaustive and may be amended and/or updated from time to time as the business evolves.

Unless disclosure is prohibited in terms of legislation, regulations, contractual obligations or otherwise, records that are required to be made available in terms of the above statutes shall be made available for inspection to interested parties in terms of the requirements and conditions determined by the prevailing laws and agreements.

Categories of records held by R&A Cellular:

Company Records

- Memorandum of Incorporation
- Directors' Names
- Other Documents of Incorporation
- Minutes of Board of Directors' meetings
- Proxy Forms
- Written Resolutions
- Records relating to appointment of company directors, auditors, secretary, public officers, and/or other officers
- Share Register, Share Certificates and other Statutory Registers
- Debt Securities, Share Incentives Schemes or Trusts
- Shareholders' Agreements
- Other statutory records

Financial Records

- Accounting Records
- Asset Register
- Bank Accounts
- Banking Records
- Financial Statements
- Financial Agreements
- Invoices
- Insurance Policies
- Rental Agreements
- Finance Policies and Procedures

Income Tax Records

- Customs Records
- Tax Returns
- VAT Records
- PAYE Records
- Documents issued to employees for income tax purposes



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- Records of payments made to SARS on behalf of employees
- Regional Services levies
- Skills Development levies
- UIF
- Workmen's Compensation

Personnel Records

- List of Employees
- Employee Personal Information
- Employment Contracts
- Employment Equity Plan
- Salaries of Employees
- Leave Records
- Internal Evaluations and Performance Reviews
- Disciplinary Codes and Records
- Training Records
- Personal Records provided by personnel
- Other Statutory Records
- Employment Policies and Procedures

Agreements and Contracts

- Standard Agreements
- Merchant Agreements
- Customer Contracts
- Third Party Contracts
- Non-Disclosure Agreements
- Memorandum of Understanding
- Office Management Contracts
- Supplier Contracts
- Tender Contracts
- Software Agreements

Customer and Merchant Records

- Customer details
- Merchant details
- Communications and/or correspondence with customers and merchants
- Transactional Information
- Marketing Records and Promotional Materials

Information Technology

- Computer / Mobile Device documentation
- Disaster Recovery Plans
- Hardware Asset Registers
- Information Security Policies, Standards and Procedures
- Information Technology Systems and User Manuals
- Information Usage Policy



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- Project Implementation Plans
- Software Licensing
- System Documentation and Manuals

Regulatory Permissions and Risk Management

- Permits
- Licences
- Local Authority Approvals
- Disaster Recovery Framework
- Health and Safety protocols
- Inquiries, inspections, examinations by authorities
- Risk Management Framework and Systems
- Policies and Procedures

Note that the above list is not exhaustive and may be amended from time to time.

Accessibility to the above records may be subject to the grounds of refusal as set out in this PAIA Manual. Furthermore, records deemed confidential on the part of a third party, will necessitate permission from the third party concerned, in addition to normal requirements, prior to R&A Cellular giving consideration to access.

Records of a public nature, such as those disclosed on R&A Cellular website as well as in its annual reports, may be accessed without the need to submit a formal application.

Other non-confidential records, such as statutory records maintained at the CIPC may also be accessed without the need to submit a formal application. Please schedule appointment to view such records with the Information Officer.

Grounds for Refusal

We will evaluate and consider all duly completed access requests received by R&A Cellular in terms of the regulatory provisions of PAIA and POPIA. Publication of this PAIA Manual does not give rise to any rights to access information records, save for the regulatory provisions set out in PAIA and POPIA.

We reserve the right to refuse you access to certain records in terms of PAIA and POPIA to protect:

- the privacy of another person;
- the commercial information of another company or third party;
- the confidential information of another person;
- the copyright, intellectual property or trade secrets of R&A Cellular;
- the safety and security of property and/or individuals;
- those records deemed privileged in terms of legal proceedings;
- research information; and/or
- refuse requests to access information that are patently frivolous or vexatious, and/or involve an unreasonable diversion of resources.

On receipt of a duly completed access request form, we will endeavour to notify you in writing within 30 days as to whether your request has been approved or declined. If we cannot find any requested record and/or where it is determined that no such record exists, we shall formally notify you that it is not possible to provide access to that particular record.



Access Request Procedure

A requester requiring access to information held by R&A Cellular must complete the prescribed form, enclosed herewith as Annexure A and submit same to the Information Officer as per the contact details stated in paragraph 4 above as well as pay the applicable request fees.

In order to enable ourselves to provide a timely response to requests for access, all requesters should take note of the following when completing the Access Request Form:

- the Access Request Form must be completed in full;
- a full description of the records requested must be provided;
- Proof of Identity to authenticate the identity of the requester must be provided;
- the requester must state that they require the information in order to exercise or protect a right;
- the requester must clearly state the nature of the right to be exercised or protected; and
- they must specify why the record is necessary to exercise or protect such a right.

If a request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of the Information Officer.

On receipt of a duly completed access request form, we will endeavour to notify you in writing within 30 days as to whether your request has been approved or declined. If we cannot find any requested record and/or where it is determined that no such record exists, we shall formally notify you that it is not possible to provide access to that particular record.

Access Request Fees

We must be in receipt of the applicable fees in full prior to any information and records being processed and handed over to you. The Information Officer shall withhold the information and/or records until the requester has paid all outstanding fees in full.

PAIA provides for two types of fees, namely:

- A request fee, which is a form of administration fee to be paid by all requesters except personal requesters, before the request is considered and is not refundable; and
- An access fee, which is paid by all requesters in the event that a request for access is granted. This fee is inclusive of costs involved by the private body in obtaining and preparing a record for delivery to the requester.

The schedule of fees payable is enclosed herewith in Annexure B.



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Complaints to the Information Regulator

The requester may submit a complaint in writing to the Information Regulator, within 180 days of the decision, alleging that the decision was not in compliance with the provisions of PAIA. The Information Regulator will investigate the complaint and reach a decision which may include a decision to investigate, to take no further action or to refer the complaint to the Enforcement Committee established in terms of POPIA. The Information Regulator may serve an enforcement notice confirming, amending, or setting aside the impugned decision, which must be accompanied by reasons.

Application to Court

An application to court may be brought in the ordinary course of business. For purposes of PAIA, any reference to an application to court includes an application to a Magistrates' Court.

The Protection of Personal Information

R&A Cellular endeavour to process personal information lawfully and for specific purposes as set out below. In the first instance, we process personal information for the following categories of people:

- Customers
- Merchants
- Third Parties
- Suppliers, Vendors or Service Providers
- Prospects or Leads
- Employees
- Contractors, Agents or Intermediaries
- Debtors and Creditors
- Directors and Shareholders

We process personal information to:

- provide our goods or supply our services;
- better understand our data subjects' needs when doing so;
- keep our data subject records up-to-date;
- manage employees;
- manage supplier contracts;
- manage merchant relationships;
- manage customers in general;
- market to customers;
- enforce outstanding debts;
- market goods and services to prospects;
- run promotional competitions and offers;
- process customer requests or complaints; and to
- process personal information of employees.



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We process many different categories of personal information, including:

- contact details, i.e. telephone numbers; physical, postal and email addresses;
- personal details, i.e. names and dates of birth;
- biometrics;
- demographic details;
- GPS co-ordinates;
- contract information;
- account numbers;
- background and/or supporting information;
- financial information, i.e. banking and/or payment details;
- transactional information;
- market intelligence information;
- browsing habits via our websites visited; and
- any other information not specified herein for the purposes of administration and business operations.

We provide the following contracted people and/or third parties personal information that we process during the ordinary course of business to fulfil our legal obligations to our customer and/or merchant base:

- contractors, vendors, or suppliers;
- agents, distributors, retailers and/or other resellers;
- operators, other responsible parties, or co-responsible parties; and
- other contracted third party vendors to assist with maintaining our product offerings and services.

We endeavour to take all practical and reasonable measures to protect and secure personal data from damage, loss or theft, misuse through unauthorised access or disclosure, as well as unlawful processing and/or destruction. Furthermore, we take appropriate steps to maintain personal information in an accurate, complete and up-to date format as per its intended use.

Published Date

This PAIA Manual is made available in terms of Regulation Number R.187 of 15 February 2002 and available to view at our premises and website.

Last updated: 3 November 2021