



**MANUAL PREPARED IN ACCORDANCE WITH  
SECTION 51 OF  
THE PROMOTION OF ACCESS TO INFORMATION ACT  
(ACT NO. 2 OF 2000)  
(THE “ACT”)**

**FOR  
CLOUDFUSION (PTY) LTD  
(Registration Number: 2016/085328/07)  
 (“Cloudfusion”)**

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## Introduction

Cloudfusion is a private body conducting business as an online digital solutions provider in the corporate market.

This manual sets out the procedure to be followed by a requester when requesting access to information or documents from Cloudfusion as contemplated in terms of the Act. The Act requires us to make this manual available to a requester so that they:

- know what types of information Cloudfusion has; and
- can request access to such information.

Any requester is advised to contact the Information Officer should they require any assistance in respect of the utilisation of this manual and or the requesting of documents or information from Cloudfusion.

The reference to any information in addition to that specifically required in terms of Section 51 of the Act does not create any right or entitlement (contractual or otherwise) to receive such information, other than in terms of the Act.

In this manual, unless the context indicates otherwise:

|                       |                                                                                                                                                                                                                                                                                                        |
|-----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| “the Act”             | means the Promotion of Access to Information Act No. 2 of 2000 (as amended), together with all relevant regulations published;                                                                                                                                                                         |
| “the/this manual”     | means this manual together with all annexures hereto as available from the office or website of Cloudfusion as set out in paragraph 11 below and the SAHRC from time to time;                                                                                                                          |
| “requester”           | means any person or entity requesting information or documents from Cloudfusion as contemplated in terms of the Act;                                                                                                                                                                                   |
| “personnel”           | means any person who works for or provides services to or on behalf of Cloudfusion and receives or is entitled to receive any remuneration. This includes, without limitation, directors (both executive and non-executive), all permanent, temporary and part-time staff as well as contract workers; |
| “record”              | means any recorded information, regardless of form or medium, which is in the possession or under the control of Cloudfusion, irrespective of whether it was created by Cloudfusion;                                                                                                                   |
| “information officer” | means the person acting on behalf of Cloudfusion and discharging the duties and responsibilities assigned to the head of Cloudfusion by the Act;                                                                                                                                                       |
| “SAHRC”               | means the South African Human Rights Commission.                                                                                                                                                                                                                                                       |

Unless a contrary intention clearly appears, words signifying:

- the singular includes the plural and vice versa;
- any one gender includes the other genders and vice versa;
- and
- natural persons include juristic persons.

Terms defined in the Act will have the same meaning in this manual.

## 1. Information Required under Section 51(1) (a) of the Act

|                            |                                                                                                                      |
|----------------------------|----------------------------------------------------------------------------------------------------------------------|
| Name of Body:              | Cloudfusion (PTY) LTD                                                                                                |
| Directors:                 | Anton Vorster                                                                                                        |
| Information Officer:       | Cloudfusion CEO                                                                                                      |
| Information Officer email: | information.officer@cloudfusion.co.za                                                                                |
| Physical Address:          | 1 <sup>st</sup> Floor, Unit 1B Caledon Square Lifestyle Emporium,<br>85 Davidson Road, George,<br>Western Cape, 6529 |
| Postal Address:            | 1 <sup>st</sup> Floor, Unit 1B Caledon Square Lifestyle Emporium, 85<br>Davidson Road, George, Western Cape, 6529    |
| Telephone:                 | +27 (0) 81 044 5554                                                                                                  |
| Email:                     | hello@cloudfusion.co.za                                                                                              |
| Website:                   | <a href="https://www.cloudfusion.co.za/">https://www.cloudfusion.co.za/</a>                                          |

## 2. Description of Guide Referred to in Section 10: Section 51(1)(b)

If a requester would like further guidance on how to get access to information under the Act, a requester may contact the SAHRC to find out more information about the Act. The SAHRC has compiled a guide in terms of section 10 of the Act on how to exercise any right under the Act, and the guide is available in each official language of South Africa.

The guide can be obtained from, and queries can be directed to:

|                   |                                                                            |
|-------------------|----------------------------------------------------------------------------|
| Telephone number: | 011 877 3600                                                               |
| Fax number:       | 011 403 0668                                                               |
| Postal address:   | Private Bag X2700, Houghton,<br>2041                                       |
| Physical address: | Braampark Forum 3, 33 Hoofd<br>Street, Braamfontein,<br>Johannesburg, 2017 |
| Website:          | <a href="http://www.sahrc.org.za">www.sahrc.org.za</a>                     |

### **3. The Latest Notice in Terms of Section 52(2) (If any):**

At this stage, no notice has been published on the categories of records that are automatically available without a person having to request access in terms of PAIA.

### **4. Records available in terms of Other Legislation: Section 51(1)(d)**

Records available in terms of other legislation are as follows, if and where available:

- Basic Conditions of Employment No. 75 of 1997
- Closed Corporation Act No. 69 of 1984
- Companies Act 61 of 1973
- Electronic Communications and Transactions Act 25 of 2002.
- Labour Relations Act 66 of 1995
- Promotion of Access to Information Act No. 2 of 2000
- Regional Services Councils Act No. 109 of 1985
- Skills Development Levies Act No. 9 of 1999
- Skills Development Act No. 97 of 1998
- Unemployment Contributions Act No. 4 of 2002
- Unemployment Insurance Act No. 63 of 2001
- Value Added Tax Act No. 89 of 1991

\*Please note that the above is not an exhaustive list

## **5. Subjects and Categories of Records held by Cloudfusion (PTY) LTD: Section 51(1)(e)**

We maintain records on the following categories and subject matters, if and where possible. **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 honoured. In particular, certain grounds of refusal (as set out in paragraph 7 of this manual below) may be applicable to a request for such records.**

All requests for access will be evaluated on a case by case basis in accordance with the provisions of the Act.

### **1. Cloudfusion Webpages**

- Information accessible to anyone with access to the internet includes but are not limited to the following categories:
  - i. Company profile and information (including the company profile and description of services, career opportunities and company contact details).
  - ii. Online retail products (including product images, product information and specifications, prices, special offers, customer reviews and delivery information)
  - iii. Secured personal user account (including the login page, personal details, order history, order tracking, saved addresses, invoices and email correspondence)
  - iv. Terms and policies (including terms and conditions of use, privacy notice and help center).

### **2. Other**

- Personnel Documents and Records:
  - i. List of employees
  - ii. Employee personal information
  - iii. Standard employment contracts
  - iv. Employment policies and procedures
  - v. Employment Equity Plan (if applicable)
  - vi. Medical Aid records
  - vii. Disciplinary records
  - viii. Salary records
  - ix. SETA records
  - x. Disciplinary code
  - xi. Disciplinary records
  - xii. Internal evaluations
  - xiii. Leave records
  - xiv. Training records
  - xv. Training manuals
  - xvi. Operational manuals
  - xvii. Other statutory records

- xix. Related correspondence
- Income Tax Records:
  - i. PAYE Records
  - ii. Corporate tax records
  - iii. Customs tax
  - iv. Documents issued to employees for income tax purposes
  - v. Records of payments made to SARS on behalf of employees
  - vi. All other records in relation to statutory compliance for:
    - 1. VAT
    - 2. Regional Services Levies
    - 3. Skills Development Levies
    - 4. UIF
    - 5. Workmen's Compensation
- Companies Act Records:
  - i. Memorandum of incorporation
  - ii. Directors' names
  - iii. Documents of incorporation
  - iv. Minutes of Board of Directors meetings
  - v. Written resolutions
  - vi. Records relating to the appointment of directors/ auditor/ secretary/ public officer and other officers
  - vii. Share Register and other statutory registers
  - viii. Other statutory records
- Financial Records:
  - i. Annual Financial Statements
  - ii. Tax Returns
  - iii. Other documents relating to the taxation of the company
  - iv. Accounting Records
  - v. Banking Records
    - 1. Bank Statements
    - 2. Paid Cheques
    - 3. Electronic banking records
  - vi. Asset Register
  - vii. Rental Agreements
  - viii. Invoices
  - ix. Financial agreements
- Business records:
  - i. Operational records
  - ii. Databases
  - iii. Published works
  - iv. Internal correspondence
  - v. Product records
- Insurance records:
  - i. Insurance policies held by the company
  - ii. Register of all immovable property owned by the company
- Policies and directives:

- i. Internal relating to employees and the company
  - ii. External relating to clients and other third parties
  - iii. Information technology systems and documents
- Agreements or contracts:
  - i. Standard Agreements
  - ii. Contracts concluded with customers
  - iii. NDAs
  - iv. Letters of Intent, MOUs
  - v. Third party contracts (such as JV agreements, VAR Agreements, etc.)
  - vi. Office management contracts
  - vii. Supplier contracts
- Regulatory documents:
  - i. Permits
  - ii. Licenses
  - iii. Authorities
- Published information
  - i. External newsletters and circulars
  - ii. Internal newsletters and circulars
  - iii. Information on the company published by third parties
- Customer information
  - i. Customer details
  - ii. Contact details of individuals within customers
  - iii. Communications with customers
  - iv. Sales records
  - v. Transactional information
  - vi. Marketing records
- Reference materials
  - i. Books
  - ii. Newsletters and journals articles
  - iii. Magazines
  - iv. Newspaper articles

## 6. How To Make a Request for Access – Section 51(e)

Cloudfusion has authorised and designated our information officer to deal with all matters relating to the Act, in order to comply with our obligations in terms of the Act. To request access to a record, please complete Form C which is available from:

- the SAHRC website at <http://www.sahrc.org.za/index.php/understanding-paia> at this link: <http://www.sahrc.org.za/home/21/files/Form%20C.doc%20August%202013.doc>; or
- the Department of Justice and Constitutional Development website at [www.justice.gov.za](http://www.justice.gov.za) at this link: [http://www.justice.gov.za/forms/paia/J752\\_paia\\_Form%20C.pdf](http://www.justice.gov.za/forms/paia/J752_paia_Form%20C.pdf).

Please submit the completed form to our information officer together with the relevant request fee (details here:

<http://www.sahrc.org.za/home/21/files/PAIA%20Notice%20on%20fees.pdf>) at our information officer's email address, Cloudfusion's physical address, or by fax in terms of the Cloudfusion details provided above in paragraph 1. Please ensure that the completed form:

- has enough information for the information officer to identify the requester, the requested records, and which form of access the requester requires;
- specifies the requester's email address, postal address, or fax number;
- describes the right that the requester seeks to exercise or protect;
- explains why the requester needs the requested record to exercise or protect that right;
- provides any other way the requester would like to be informed of Cloudfusion's decision other than in writing; and
- provides proof of the capacity in which the requester is making the request if the requester is making it on behalf of someone else (our information officer will decide whether this proof is satisfactory).

If a requester does not use the standard form, Cloudfusion may:

- reject the request due to lack of procedural compliance;
- refuse it if you do not provide sufficient information; or
- delay it.

A requester may request information by completing a request for access form and submitting it to our information officer together with a request fee.

## **7. Grounds for Refusal**

Cloudfusion may refuse a requester's access to certain records in terms of the Act to protect:

- someone else's privacy;
- another company's commercial information;
- someone else's confidential information;
- the safety of individuals and property;
- records privileged from production in legal proceedings; or
- research information.

Cloudfusion will notify a requester in writing to inform them of whether their request has been approved or denied, within 30 calendar days after Cloudfusion has received a completed request for access form. If we cannot find any requested record or it does not exist, then we will notify the requester by way of affidavit that it is not possible to give access to that particular record.

## **8. How we will give you access**

Our information officer will evaluate and consider all requests to Cloudfusion in terms of the Act. If our information officer approves a request for access to our records, then our information officer will decide how to provide access to the requester – unless the requester has asked for access in a specific form. Publication of this manual does not give rise to any rights to access information records, except in terms of the Act.

## **9. How much it will cost you**

A requester must pay a request fee as required by law when submitting a request for access to information. The prescribed fees are as set out in the Fee Schedule which is available from <http://www.sahrc.org.za/index.php/understanding-paia> at this link: <http://www.sahrc.org.za/home/21/files/PAIA%20Notice%20on%20fees.pdf>. The requester must pay Cloudfusion the fees before we will hand over any information. The requester may have to pay a further access fee if we grant the request for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

## **10. How we process and protect personal information**

Cloudfusion processes the personal information of various categories of people for various purposes as set out in our Privacy Notice, available here: [www.cloudfusion.co.za/policies/privacy-notice](http://www.cloudfusion.co.za/policies/privacy-notice)

## **11. Availability of this Manual**

This manual is available in English and will be available at the Cloudfusion company offices. The manual is also electronically available on our website at: [www.cloudfusion.co.za/policies/promotion-of-access-to-information-paia-manual](http://www.cloudfusion.co.za/policies/promotion-of-access-to-information-paia-manual)

## **12. Updates to this Manual**

This manual will be updated whenever Cloudfusion make material changes to the current information.