



PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000

AND

THE PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013

MANUAL

FOR

PLAYROLL SA (PTY) LTD

(the “Company”)

1. Background of the Promotion of Access to Information Act

- 1.1. Playroll SA (Pty) Ltd (hereinafter referred to as “**the Company**”) conducts business in the provision of employer of record services.
- 1.2. On 9 March 2001, the Promotion of Access to Information Act “**the Act**” came into effect. The Act seeks to advance a culture of transparency and accountability in both public and private bodies. The legislation was enacted as a direct response to Section 32(2) of the constitution of South Africa (hereinafter referred to as “**the Constitution**”) – the right of access to information – which requires that the Government implements laws in an effort to make information pertaining to public and private bodies more accessible to all.
- 1.3. The Act gives effect to the constitutional right of access to any information held by the State and any information that is held by another person and that is required for the exercise or protection of any rights. Where a request is made in terms of the Act, the body to which the request is made is obliged to release the information, except where the Act expressly provides that the information may or must not be released. The Act sets out the procedural requirements attached to information requests.
- 1.4. The Act also obliges private bodies to compile a manual to enable a person to obtain access to information held by such private body and provides minimum requirements with which the manual has to comply.

2. Purpose of the PAIA Manual

- 2.1. This PAIA Manual is intended to ensure that the Company complies with the Act and to foster a culture of transparency and accountability within the Company by giving effect to the right to information that is required for the exercise or protection of any right and to actively promote the effective access to information and the exercising of rights.
- 2.2. To promote effective governance of private bodies, it is necessary to ensure that everyone is empowered and educated to understand their rights in terms of the Act for them to exercise their rights in relation to public and private bodies.
- 2.3. Section 9 of the Act recognises that the right to access information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to:
 - 2.3.1. limitations aimed at the reasonable protection of privacy;
 - 2.3.2. commercial confidentiality; and
 - 2.3.3. effective, efficient and good governance

and in a manner which balances that right with any other rights, including such rights contained in the Bill of Rights in the Constitution.

- 2.4. This PAIA Manual complies with the requirements of section 10 of the Act and recognises that the appointed Information Regulator will be responsible to regulate compliance with the Act and its Regulations by public and private bodies.

3. Contact Details of the Company:

Registered Name: Playroll SA (Pty) Ltd
Physical Address: 1st Floor, 44 Melrose Boulevard, Melrose Arch, Johannesburg
Telephone: 011 555 8555
Email: legal@playroll.com

4. The Information Officer

- 4.1. The Act prescribes the appointment of an Information Officer who is responsible to, inter alia, assess requests for access to information. The head of a private body fulfils such a function in terms of section 51 of the Act. The Company has opted to appoint an Information Officer to assess requests for access to information as well as to oversee its required functions in terms of the Act.
- 4.2. The Information Officer appointed in terms of the Act also refers to the Information Officer as referred to in the Protection of Personal Information Act 4 of 2013 (“**POPIA**”). The Information Officer oversees the functions and responsibilities as required in terms of the Act and POPIA.
- 4.3. The Information Officer may appoint, where it is deemed necessary, Deputy Information Officers, as allowed in terms of section 17 of the Act as well as section 56 of POPIA. This is to render the Company as accessible as reasonably possible for requesters of its records and to ensure fulfilment of its obligations and responsibilities as prescribed in terms of section 55 of POPIA. All requests for information in terms of the Act must be addressed to the Information Officer.

Contact Details of the Information Officer, which may change from time to time

Information Officer: Dena Singer
Physical Address: 1st Floor, 44 Melrose Boulevard, Melrose Arch, Johannesburg
Telephone: 011 555 8555
Email: legal@playroll.com / denas@playroll.com

5. Information Regulator's Guide ("Guide"), initially prepared by the SA Human Rights Commission

- 5.1. An official Guide has been compiled which contains information to assist a person wishing to exercise a right of access to information in terms of the Act and POPIA.
- 5.2. The Guide may be obtained upon request to the Information Officer or from the website of the Information Regulator (<https://inforegulator.org.za>).
- 5.3. Any enquiries regarding this Guide should also be directed to the Information Regulator to the following email address: enquiries@inforegulator.org.za.

6. Records available only on request

Records held by the company

- 6.1. For the purposes of this clause 6 and clause 9, "Personnel" refers to any person who works for or provides services to, or on behalf of the Company, and receives or is entitled to receive remuneration and any other person who assists in carrying out or conducting the business of the Company. This includes, without limitation, directors (executive and non-executive), all permanent, temporary and part-time staff, as well as contract workers.
- 6.2. Below are the categories of information that the Company holds. The information is classified and grouped according to records relating to the following categories:
 - 6.2.1. Accounting records
 - 6.2.2. Financial records
 - 6.2.3. Research and Development records
 - 6.2.4. Statutory records
 - 6.2.5. Personnel records
 - 6.2.6. Administration and contractual records
 - 6.2.7. Legal records
 - 6.2.8. Information Technology records
 - 6.2.9. Marketing records
 - 6.2.10. Intellectual property
 - 6.2.11. Operational records
 - 6.2.12. Tax records
 - 6.2.13. Insurance records

6.3. Below are the categories of data subjects on whom Playroll holds information and/or records:

6.3.1. Playroll's internal records i.e. records that pertain to Playroll's own affairs;

6.3.2. Personnel and their dependents;

6.3.3. Clients of Playroll;

6.3.4. Contractors, service providers and suppliers; and

6.3.5. Any other third party with whom Playroll engages and/or conducts business.

Data subject category	Category of records held on each subject
The Company's internal records	• Constitutive documentation • Financial records • Operational records • Intellectual property • Marketing records • Company policies • Statutory records • Information technology records • Research and Development records • Internal policies and procedures • Internal correspondence • Minutes of meetings
Personnel Records	• Any personal records provided to the Company by its Personnel, such as name, surname, identity number, address, contact details, gender, marital status, date and place of birth, nationality, employee, job title and the organisation to whom he/she render services • Personal details issued as an identifier by a public authority, including passport details, national insurance numbers, ID numbers and/or driving license details

	• Family, lifestyle and social circumstances • Records on Personnel's dependents, including children, which may be required for benefit offerings • Education and training details, including information which relates to the education and any professional training of the Personnel, including academic records, qualifications, skills, training records, professional expertise, student and pupil records • Records a third party has provided to the Company about any of the Personnel • Employment details, including employment history, recruitment details, conditions of employment, remuneration details, attendance records, health and safety records, internal evaluations, performance appraisals, disciplinary records, training records and other employee-related contractual and related records • Financial details, including information relating to the financial affairs of the Personnel, including income, salary, assets and investments, payments, creditworthiness, loans, benefits, grants, insurance details, and pension information • Special personal information, such as biometric information, health and trade union membership. • Other internal records and correspondence
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Client-related records	• Know your client / onboarding documents • Information relating to the operations, corporate identification, information relating to internal operating structure, any other information provided • Contracts and other agreements, such as master services agreements, with the client and between the client and other persons. • Indemnities and guarantees • Financial records. • Intellectual property • Memoranda and letters • Minutes of meetings • Records of correspondence or enquiries from clients or anyone acting on clients' behalf • Other records and correspondence
Contractors', service providers' and suppliers' records	• Due diligence information • Records pertaining to these parties, including financial records, correspondence, contractual records, records provided by the other party, and records third parties have provided about the contractors or suppliers • Records of correspondence or enquiries from these parties or anyone acting on the party's behalf
Any other third party records	• Personnel, client, or Company records which are held by a third party as opposed to being held by the Company • Records held by the Company pertaining to third parties such as VAT numbers, banking details, financial records, correspondence, contractual records, records provided by the other party, and records that other parties have provided about these third parties

The above lists are non-exhaustive.

7. Records available in terms of any other legislation

- 7.1. Where applicable to its operations, the Company may retain records and documents in terms of applicable legislation including but not limited to the legislation listed below.
- 7.2. Unless disclosure is prohibited in terms of legislation, regulations, contractual agreement or otherwise, records that are required to be made available in terms of these acts shall be made available for inspection by interested parties in terms of the requirements and conditions of the Act; the below mentioned legislation, and applicable internal policies and procedures, should such interested parties be entitled to such information. A request to access must be done in accordance with the prescriptions of the Act:
 - 7.2.1. Basic Conditions of Employment Act No. 75 of 1997;
 - 7.2.2. Broad-Based Black Economic Empowerment Act, No. 53 of 2003;
 - 7.2.3. Companies Act No. 71 of 2008;
 - 7.2.4. Compensation of Occupational Injuries and Diseases Act No. 130 of 1993;
 - 7.2.5. Competition Act. No. 71 of 2008;
 - 7.2.6. Customs and Exercise Act No. 91 of 1964;
 - 7.2.7. Electronic Communications and Transaction Act No. 25 of 2002;
 - 7.2.8. Employment Equity Act No. 55 of 1998;
 - 7.2.9. Financial Intelligence Centre Act No 38 of 2001;
 - 7.2.10. Identification Act No.68 of 1997;
 - 7.2.11. Income Tax Act No. 58 of 1962;
 - 7.2.12. Intellectual Property Laws Amendment Act 38 of 1997;
 - 7.2.13. Labour Relations Act No. 66 of 1995;
 - 7.2.14. Occupational Health and Safety Act No. 85 of 1993;
 - 7.2.15. Prevention of Organised Crime Act No. 121 of 1998;
 - 7.2.16. POPIA;
 - 7.2.17. Taxation Laws Amendment Act No. 7 of 2010;
 - 7.2.18. the Act;
 - 7.2.19. Transfer Duty Act No. 40 of 1949;

7.2.20. Unemployment Insurance Act No. 30 of 1966;

7.2.21. Value Added Tax Act No. 89 of 1991.

7.3. It is further recorded that the accessibility of documents and records may be subject to the grounds of refusal set out in this PAIA Manual.

8. Automatically available information

8.1. Information that is obtainable via the Company's website about the Company is automatically available and need not be formally requested in terms of this Manual.

9. Processing of Personal Information

9.1. General

9.1.1. The purpose of POPIA is to promote the protection of personal information of individuals and businesses as well as to give effect to their right of privacy as provided for in the Constitution.

9.1.2. The Company needs personal information relating to both individual and juristic persons in order to carry out its business, organisational functions and meet its legal obligations. Where necessary, it commits to ensure that the personal information:

9.1.2.1. is processed in a fair, lawful and transparent manner in relation to a data subject;

9.1.2.2. is processed strictly for the purposes it was collected;

9.1.2.3. is not subject to further processing unless that processing is compatible with the original purpose;

9.1.2.4. is accurate; and

9.1.2.5. is not excessive for the purpose for which it was collected.

9.2. Purpose of Processing

9.2.1. The Company uses the Personal Information under its care in the following ways:

9.2.1.6. Conducting due diligences, reference checks and assessments

9.2.1.7. Administration of agreements

9.2.1.8. Providing products and services to customers

9.2.1.9. Conducting market or customer satisfaction research

9.2.1.10. Marketing and sales

9.2.1.11. In connection with legal processes and proceedings

9.2.1.12. Personnel administration, employment and benefit offerings

9.2.1.13. Keeping of accounts and records

9.2.1.14. Complying with legal and regulatory requirements

9.3. Categories of Data Subjects and their Personal Information

9.3.1. See clause 6 above.

9.4. Recipients to Whom Personal Information may be Supplied

9.4.1. The Company's business affiliates and third parties, when necessary.

9.4.2. Regulatory bodies, statutory oversight bodies or other similar bodies.

9.5. Transborder flows of Personal Information

9.5.1. The Company may transfer personal information to a third party who is in a foreign country to administer certain services.

9.5.2. When the Company transfers personal information to another country, it will fully comply with applicable South African data protection legislation including the Act and POPIA.

9.6. Security Measures

9.6.1. We understand that data protection and information security is of extreme importance to our various stakeholders and have adopted a culture of continuous improvement in this area so as to ensure its confidentiality, integrity and availability. We are committed to ensure that all information and data that we receive (from our Personnel, clients, partners and third parties) is protected by implementing reasonable technical and organisational security measures

10. Request requirements and procedure

Types of requesters and requesting information

10.1. A "requester" is any person making a request for access to records of the Company". There are two types of requesters:

10.1.1. Personal Requester

10.1.1.1. A personal requester is a requester who is seeking access to a record containing personal information about the

requester.

- 10.1.1.2. The Company will voluntarily provide the requested information or give access to any record with regard to the requester's personal information. The prescribed fee for reproduction of the information requested will be charged.

10.1.2. Other Requester

- 10.1.2.3. This requester (other than a personal requester) is entitled to request access to information on third parties.

- 10.1.3. In considering such a request, the Company will adhere to the provisions of the Act. Section 71 requires the Information Officer take all reasonable steps to inform a third party to whom the requested record relates of the request, informing him / her that he / she may make a written or oral representation to the Information Officer why the request should be refused or, where required, give written consent for the disclosure of the Information.

- 10.2. The Company is not obliged to voluntarily grant access to such records. The requester must fulfil the prerequisite requirements, in accordance with the requirements of the Act.

- 10.3. The Act provides that a person may only make a request for information, if the information is required for the exercise or protection of a legitimate right.

- 10.4. Information will therefore not be furnished unless the requester provides sufficient particulars to enable the Company to identify the right that the requester is seeking to protect, together with an explanation as to why the requested information is required for the exercise or protection of that right, subject to the justifiable limitations described above.

- 10.5. The Act and the request procedure contained in this Manual may not be used for access to information related to criminal or civil proceedings, nor should information be requested after the commencement of such proceedings.

Procedural Requirements

- 10.6. The requester must comply with all the procedural requirements contained in the Act relating to the request for access to records.
- 10.7. The requester must complete the prescribed [form](#) and submit the same as well as

payment of the request fee and a deposit, if applicable, to the Information Officer at the postal or physical, or electronic mail address as stated above.

- 10.8. The prescribed form must be filled in with sufficient to at least enable the Information Officer to identify:
 - 10.8.1. the record or records requested; and
 - 10.8.2. the identity of the requester.
- 10.9. The requester should indicate which form of access is required and specify the postal address, telephone number and fax number of the requester in the Republic.
- 10.10. The requester must meet the above requirements (i.e. state that he/she requires the information to exercise or protect her/his right and clearly state what the nature of the right is to be exercised or protected. In addition, the requester must clearly specify why the records are necessary to exercise or protect such a right).
- 10.11. The Company will process the request within 30 days after the request has been received, unless the requester has stated special reasons to the satisfaction of the Information Officer that circumstances dictate that the above time periods not be complied with.
- 10.12. The requester shall be informed whether the access has been granted or denied in writing. If, in addition, the requester requires the reasons for the decision in any other manner, he/she must state the manner of the so required. 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 a request to the reasonable satisfaction of the Information Officer and the ground upon which that person is making the request.
- 10.13. If an individual is unable to complete the prescribed form because of illiteracy or disability, such person may make the request orally.
- 10.14. The requester must pay the prescribed fee, before any further processing can take place.
- 10.15. All information as listed in this clause should be provided and failing which the process will be delayed until the required information is required. The prescribed time periods will not commence until the requester has furnished all the necessary and required information. The Information Officer shall server a record, if possible, and grant only access to that portion requested and which is not prohibited from

being disclosed.

Prescribed Fees

- 10.16. A requester whose request for access to a record has been granted, must pay an access fee as prescribed by the Act. For further information regarding the prescribed fees, please click [here](#).

11. Decision: Time Allowed to Institution

- 11.1. The company will, within 30 (thirty) days of receipt of the request, decide whether to grant or decline the request and give notice with reasons (if required) to that effect.
- 11.2. The 30 (thirty) day period within which the company has to decide whether to grant or refuse the request, may be extended for a further period of not more than (30) thirty days if the request is for a large number of information, or the request requires a search for information held at another office of the company and the information cannot reasonably be obtained within the original 30 (thirty) day period.
- 11.3. The company will notify the requester in writing should an extension be sought.

12. Grounds to Refuse Access

- 12.1. A private body such as the Company is entitled to refuse a request for information. The main grounds for the company to refuse a request for information relates to the:
- 12.1.1. mandatory protection of the privacy of a third party who is a natural person or a deceased person (section 63 of the Act) or a juristic person, as included in POPIA, which would involve the unreasonable disclosure of personal information of that natural or juristic person;
- 12.1.2. mandatory protection of personal information and for disclosure of any personal information to, in addition to any other legislative, regulatory or contractual agreements, comply with the provisions of the POPIA;
- 12.1.3. mandatory protection of the commercial information of a third party (section 64 of the Act), if the record contains:
- 12.1.3.1. trade secrets of the third party;
- 12.1.3.2. financial, commercial, scientific or technical information of the institution, which disclosure, could likely cause harm to the financial or commercial interest of the institution;
- 12.1.3.3. information disclosed in confidence by a third party, if the disclosure could put that third party at a disadvantage in

negotiations or commercial competition;

- 12.1.4. mandatory protection of confidential information of third parties if it is protected in terms of any agreement
- 12.1.5. mandatory protection of the safety of individuals and the protection of property, where such disclosure could endanger the life or physical safety of an individual, or prejudice or impair the security of:
 - 12.1.5.4. a building, structure or any system
 - 12.1.5.5. a means of transport any other property
- 12.1.6. mandatory protection of records, which would be regarded as privileged from production in legal proceedings.
- 12.2. The commercial information of private body, in that a request for access to a record may be refused if the record contains:
 - 12.2.1. trade secrets of that party
 - 12.2.2. financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interest of that third party.
 - 12.2.3. information which, if disclosed could prejudice or put the institution at a disadvantage in negotiations or commercial competition.
 - 12.2.4. a computer program which is owned by the institution and which is protected by copyright.
 - 12.2.5. the research information of the institution or a third party, if its disclosure would disclose the identity of the institution, the researcher or the subject matter of the research and would place the research at a serious disadvantage.
- 12.3. Requests for information that are clearly frivolous or vexatious or which involve an unreasonable diversion of resources shall be refused.
- 12.4. All requests for information will be assessed on their own merits and in accordance with the applicable legal principles and legislation.
- 12.5. If a requested record cannot be found or if the record does not exist, the Information Officer shall, by way of an affidavit or affirmation, notify the requester that it is not possible to give access to the requested record. Such a notice will be regarded as a decision to refuse the request for access to the record concerned for the purpose of the Act. If the record should later be found, the requester shall be given access in

the manner stipulated by the requester in the prescribed form, unless the Information Officer refuses access to such record.

13. Miscellaneous matters relating to requests and access to information

13.1. Section 70 of PAIA contains an overriding provision. Disclosure of a record is compulsory if:

13.1.1. it would reveal a substantial contravention of, or failure to comply with the law; or there is an imminent and serious public safety or environmental risk; and

13.1.2. the public interest in the disclosure of the record in question clearly outweighs the harm contemplated by its disclosure.

13.2. If the request for access to information affects a third party, then such third party must first be informed within 21 days of receipt of the request. The third party would then have a further 21 days to make representations and/or submissions regarding the granting of access to the record.

14. Remedies available when the Company refuses a request

Internal Remedies

14.1. The Company does not have internal appeal procedures. The decision made by the Information Officer is final. Requesters will have external remedies at their disposal (see below) if the request for information is refused, and the requester is not satisfied with the answer supplied by the Information Officer.

External Remedies

14.2. A requester that is dissatisfied with the Information Officer's refusal to disclose information, may within 30 (thirty) days of notification of the decision, may apply to a Court for relief.

14.3. A third party dissatisfied with the Information Officer's decision to grant a request for information, may within 30 (thirty) days of notification of the decision, apply to a Court for relief.

14.4. For purposes of the Act, the Courts that have jurisdiction over these applications are the Constitutional Court, the High Court or another court of similar status and a Magistrate's Court designated by the Minister of Justice and Constitutional Development and which is presided over by a designated Magistrate.

15. Availability and Updating of this PAIA Manual

- 15.1. This PAIA manual is available to view on the website: <https://www.playroll.com> or at the offices of the Company during normal business hours.
- 15.2. The Company reserves the right to amend or update this PAIA Manual from time to time. The version available on the website will be considered to be the then current version of the PAIA Manual.