BLUE LABEL TELECOMS LTD

ACCESS TO INFORMATION MANUAL

CREATED IN TERMS OF SECTION 51 OF THE

PROMOTION OF ACCESS TO INFORMATION ACT, No. 2 of 2000 (PAIA)

1. Introduction

The Promotion of Access to Information Act, No. 2 of 2000 ("PAIA") gives effect to the constitutional right of access to any information held by any private or public body that is required for the exercise or protection of any rights. PAIA prescribes the procedures to be complied with regarding such a request. Section 9 of PAIA recognises that the right to access information is subject to certain justifiable limitations, for instance limitations aimed at, but not limited to the reasonable protection of privacy; commercial confidentiality; and effective, efficient and good governance.

In addition, the recently enacted Protection of Personal Information Act, No. 4 of 2013 ("POPIA") promotes and provides for the protection of personal information processed by public and private bodies. Moreover, POPIA amended certain provisions of PAIA, balancing the need for access to information *against* the need to ensure the protection of personal information. Accordingly, the purpose of this PAIA Manual is to inform a person on how to obtain access to records held by Blue Label Telecoms Limited and its subsidiary companies, thereby giving effect to Section 51 of PAIA.

2. Scope and Applicability

This manual applies to Blue Label Telecoms Limited, Company Registration No: 2006/022679/06 and its subsidiaries herein after referred to as the Blue Label Telecoms Group (the "BLT Group"). The BLT Group comprises of the following entities:

- Activi Deployment Services (Pty) Ltd
- Africa Prepaid Services (Pty) Ltd
- Blue Label Company (Pty) Ltd
- Blue Label Connect (Pty) Ltd
- Blue Label Data Solutions (Pty) Ltd
- Blue Label Distribution (Pty) Ltd
- Blue Label One (Pty) Ltd
- Blue Label Telecoms Ltd
- Blue Label Ventures (Pty) Ltd
- BluNova (Pty) Ltd

- Cigicell (Pty) Ltd
- CNS Call Centre (Pty) Ltd
- Comm Equipment Company (Pty) Ltd
- Comm Equipment Company Trading (Pty) Ltd
- Datacel Direct (Pty) Ltd
- Datacision (Pty) Ltd
- Glocell Distribution (Pty) Ltd
- Glocell Retail Solutions (Pty) Ltd
- Gold Label Investments (Pty) Ltd
- Heroticket (Pty) Ltd
- I Talk Holdings (UCCS)
- Make Create Innovate (Pty) Ltd
- Nokeng Telecommunications (Pty) Ltd
- Robtronics (Pty) Ltd
- Reware (Pty) Ltd
- Sterring (Pty) Ltd
- T3 Telecoms SA (Pty) Ltd
- The Post Paid Company (Pty) Ltd
- The Prepaid Company (Pty) Ltd
- Transaction Junction (Pty) Ltd
- TicketPros Proprietary Limited
- Trust Blue Foundation NPC
- Uninex (Pty) Ltd
- Ventury Group (Pty) Ltd
- Visual Revenue Management (Pty) Ltd

- Wi Connect (Pty) Ltd
- Wi Connect @ Dischem (Pty) Ltd
- Zok Cellular (Pty) Ltd

The PAIA manual is available at the BLT Group premises situated at 75 Grayston Drive, Morningside Extension 5, Sandton in Gauteng, South Africa and is also available on the BLT Group as well as subsidiary websites.

3. Purpose of the PAIA Manual

The purpose of this PAIA Manual is to provide a description of those records held by and on behalf of the BLT Group; to outline the procedures to be followed as well as the applicable fees when requesting access to any of these records in the exercise of the right of access to information, with a view of enabling requesters to obtain records which they are entitled to in a quick, easy and accessible manner.

Section 9 of PAIA recognises that the right to access information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to:

- limitations aimed at the reasonable protection of privacy;
- commercial confidentiality;
- effective and efficient governance; and
- in a manner which balances that right with any other rights, including those rights as enshrined in the Bill of Rights of the Constitution.

This PAIA Manual complies with the requirements of the guide mentioned in Section 10 of PAIA and recognises that upon commencement of POPIA, that the appointed Information Regulator will be responsible for regulating compliance with PAIA and its accompanying regulations applicable to private and public bodies.

4. Contact Details of the Information Officer

Responsibility for the administration of, and compliance with, PAIA and POPIA has been delegated to the BLT Group Information Officer. Requests pursuant to the provisions of PAIA and/or POPIA must be directed to the Information Officer, as follows:

Information Officer: Warren Segall
Postal address: P.O. Box 652261, Benmore 2010
Street address: 75 Grayston Drive, Morningside Extension 5, Sandton, 2196
Telephone number: (011) 523 3818
E-mail address: privacy@blts.co.za

Website address: www.bluelabeltelecoms.co.za

5. Information Regulator

Should you prefer further guidance on how to access information under PAIA, you may contact the office of the Information Regulator to ascertain more information. An official guide has been compiled which contains information to assist those persons wishing to exercise their right of access to information in terms of PAIA as well as POPIA. These guidelines will be made available by the Information Regulator. The office of the Information Regulator may be contacted as follows:

The Information Regulator
Postal address: P.O. Box 31533, Braamfontein, 2017
Street address: JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001
E-mail address: inforeg@justice.gov.za
Website address: www.justice.gov.za/inforeg

6. Description of Records held by the BLT Group

Records held by the BLT Group 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
- 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 the BLT Group and subsidiary companies:

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
- 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
- Medical Scheme Records
- Pension / Provident Fund Records
- 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
- 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 the BLT Group giving consideration to access.

Records of a public nature, such as those disclosed on the BLT Group or subsidiary websites 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.

7. Grounds for Refusal

We will evaluate and consider all duly completed access requests received by the BLT Group 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 in order 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 the BLT Group and/or any of its subsidiary companies;
- 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.

8. Access Request Procedure

A requester requiring access to information held by the BLT Group 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.

9. 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.**

10. 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.

11. 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.

12. The Protection of Personal Information

The BLT Group and its subsidiaries 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.

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.

13. 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: 30 April 2021

ANNEXURE A: PAIA - FORM C: REQUEST FOR ACCESS

J752

REPUBLIC OF SOUTH AFRICA

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:

Information Officer: Warren Segall

Postal address: P.O. Box 652261, Benmore 2010

Street address: 75 Grayston Drive, Morningside Extension 5, Sandton, 2196

Telephone number: (011) 523 3818

E-mail address: privacy@blts.co.za

Website address: www.bluelabeltelecoms.co.za

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: ……

Telephone number: (……) …….. Fax 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

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

Full names and surname: ……

ANNEXURE A: PAIA - FORM C: REQUEST FOR ACCESS

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 toyou, 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 requestermust 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

(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:

……..

……..

……..

ANNEXURE A: PAIA - FORM C: REQUEST FOR ACCESS

……..

……..

F. Form of access to record

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 below, state your disability and indicate in which form the record is required.

Disability: Form in which record is required:

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

NOTES:
(a) Compliance with your request for access 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			
2. If record consists of visual images - (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):						
	view the images		copy of the images*		transcription of the images*	
3. If record consists of recorded words or information which can be reproduced in sound:						
	listen to the soundtrack (audio cassette)		transcription of soundtrack* (written or printed document)			
4. 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* (stiffy or compact disc)	

*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.	YES	NO

G. Particulars of right to be exercised or protected

e 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:

……..

……..

……..

ANNEXURE A: PAIA - FORM C: REQUEST FOR ACCESS

H. Notice of decision regarding request for access

will be notified in writing whether your request has been approved / denied. If you wish to be informed in anothermanner, 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 ……year …….

……
SIGNATURE OF REQUESTER /
PERSON ON WHOSE BEHALF REQUEST IS MADE

ANNEXURE B – PAIA: PRESCRIBED FEES AS AT 2019

FEES

All prices listed below are exclusive of value added tax as set out in the Value Added Tax Act, No. 89 of 1991.

SECTION 54(7) OF THE ACT

The request fee payable by a requester, other than a personal requester (i.e. a person seeking access to records that contain their personal information), is R50.00.

The fee for a copy of the manual is R1.10 for every photocopy of an A4-size page or part thereof.

(a)	For every photocopy of an A4-size page or part thereof	R1.10
(b)	For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	R0.75
(c)	For a copy in a computer-readable form on compact disc	R70.00
(d)	(i) For a transcription of visual images, for an A4-size page or part thereof (ii) For a copy of visual images	R40.00 R60.00
(e)	(i) For a transcription of an audio record, for an A6-size page or part thereof ii) For a copy of an audio record	R20.00 R30.00
(f)	To search for and prepare the record for disclosure, for each hour or part of an hour reasonably required for such search and preparation	R30.00