

PROMOTION OF ACCESS TO INFORMATION ACT INFORMATION MANUAL

FOR



Prepared in accordance with
Section 51 of the PAIA No 2 of 2000

Hello Group (Pty) Ltd
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CONTENTS

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1. Introduction
2. Contact Details and General Information
3. Guide of South African Human Rights Commission
4. Records of Hello Group
 - 4.1. Personnel records
 - 4.2. Customer-related records
 - 4.3. Private bodies records
 - 4.4. Other party records
5. Grounds for Refusal
6. Remedies available when the Hello Group refuses a request for information
 - 6.1. Internal remedies
 - 6.2. External remedies
7. Request Procedure
8. Access to records held by Hello Group
 - 8.1. Personal requester
 - 8.2. Other requester
9. Fees
10. Decision
11. List of applicable legislation
12. Availability of this manual

1. Introduction

This manual applies to the Hello Group (Pty) Ltd (“Hello Group”, its affiliates, sister-companies, parents, related entities and/or divisions).

The Promotion of Access to Information Act No 2 of 2000 (“the Act”) gives effect to the constitutional right of access to any information in records held by public or private bodies that is required for the exercise or protection of any rights. The Act sets out the requisite procedural issues attached to such request and the requirements which such request must meet with regards to the grounds for refusal or partial refusal of such requests.

This manual informs requesters of procedural and other requirements which all requests must comply with in terms of the Act.

The Act recognises that the right to access to information cannot be limited and should be subject to justifiable limitations, including, but not limited to:

- Limitations aimed at the reasonable protection of privacy;
- Commercial confidentiality; and
- 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. Contact Details and General Information

All requests for access to records in terms of the Act for Hello Group must be in writing and must be addressed to the PAIA Information Officer, at the below contact details:

Hello Group (Pty) Ltd – Legal and Compliance Department

Postal and physical address:

No 12 Building
Centurion Gate Office Park
Akkerboom Street
Centurion
0157

Tel: (012) 643 0281

Email: dawn.pretorius@hellogroup.co.za

Websites:

www.hellogroup.co.za

www.hellopaisa.co.za

www.hellomobile.co.za

www.qmart.co.za

For an outline of private bodies (as defined in the Act) under Hello Group, please refer to our Compliance Department: info@hellogroup.co.za.

3. Guide of South African Human Rights Commission

The South African Human Rights Commission has compiled the guide contemplated in Section 10 of the Act which contains such information as may reasonably be required by a person who wishes to exercise any right contemplated in the Act. This guide is available from their website (www.sahrc.org.za).

4. Records of Hello Group

This clause serves as a reference to the records that Hello Group holds. It is recorded that the accessibility of the documents listed herein below may be subject to the grounds of refusal set out hereinafter.

The information is classified and grouped according to records relating to the following subjects and categories:

4.1. Personnel records

- Personal records provided by personnel;
- Records provided by a third party relating to personnel;
- Conditions of employment and other personnel-related contractual and quasi-legal records;
- Correspondence relating to personnel; and
- Training schedules and material.

“Personnel” refers to any person who works for or provides services to or on behalf of Hello Group and received or is entitled to receive remuneration and any other person who assists in carrying out or conducting the business of Hello Group. This includes, without limitation, directors, all permanent, temporary and part-time staff as well as contract workers.

4.2. Customer-related records

A “customer” refers to any natural or juristic entity that receives services from the Hello Group.

- Records provided by a customer to a third party acting for and/or on behalf of the Hello Group;
- Records provided by a third party; and
- Records generated by or within the Hello Group relating to its customers, including, but not limited to transactional records.

4.3. Private bodies records

- Financial records;
- Statutory records;
- Operational records;
- Internal policies and procedures;
- Databases;
- Information technology;
- Marketing records;

- Internal correspondence;
- Product records;
- Treasury-related records;
- Securities and equities; and
- Records held by officials of Hello Group.

4.4. Other party records

- Personnel, customer or private body records which are held by other parties as opposed to the records held by the Hello Group itself; and
- Records held by the Hello Group pertaining to other parties, including without limitation financial records, correspondence, contractual records, records provided by the other party and records third parties have provided about the contractors/suppliers.

The Hello Group may possess records pertaining to other parties, including without limitation contractors, suppliers, subsidiary/holding/sister companies, joint venture companies and/or service providers. Alternatively, such other parties may possess records that can be said to belong to the Hello Group.

5. Grounds for Refusal

The main grounds for Hello Group to refuse a request for information relates to the following:

- i. Mandatory protection of the privacy of a third party who is a natural person which would involve the unreasonable disclosure of personal information of that natural person.
- ii. Mandatory protection of the commercial information of a third party if the record contains –
 - a. Trade secrets of that third party;
 - b. Financial, commercial, scientific or technical information which disclosure could cause harm to the financial or commercial interests of that third party; and
 - c. Information disclosed in confidence by a third party to the Hello Group, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition.
- iii. Mandatory protection of confidential information of third parties if it is protected in terms of an agreement.
- iv. Mandatory protection of the safety of individuals and the protection of property.
- v. Mandatory protection of records which would be regarded as privileged in legal proceedings.
- vi. The commercial activities of the Hello Group which may include:
 - a. Trade secrets of the Hello Group;
 - b. Financial, commercial, scientific or technical information, the disclosure of which could likely cause harm to the financial or commercial interests of the Hello Group;
 - c. Information which, if disclosed, could put the Hello Group at a disadvantage in negotiations or commercial competition; and
 - d. Computer programmes/systems which are owned by the Hello Group and which are protected by copyright.
- vii. The research information of the Hello Group or a third party, if its disclosure would disclose the identity of the Hello Group, the researcher or a subject matter of the research and would place the research at a serious disadvantage.

Requests for information that are clearly frivolous or vexatious or which involve an unreasonable diversion of resources shall be refused.

6. Remedies available when the Hello Group refuses a request for information

6.1. Internal remedies

The Hello Group does not have internal appeal procedures. As such, the decision made by the Information Officer is final and requestors will have to exercise such external remedies at their disposal if the request for information is refused and the requestor is not satisfied with the answer supplied by the Information Officer.

6.2. External remedies

Subject to the provisions of the Act, a requestor who is dissatisfied with an Information Officer's refusal to disclose information, may within 180 days of notification of the decision, apply to a Court of competent jurisdiction for relief.

Likewise, a third party dissatisfied with an Information Officer's decision to grant a request for information, may within 180 days of notification of the decision, apply to a Court of competent jurisdiction for relief.

7. Request Procedure

The following procedural requirements serve as a guideline for requestors and the requestor must comply with all the procedural requirements contained in the Act to the request for access to any records:

- i. The requester must complete the prescribed form enclosed in Appendix 1 and submit same as well as payment of a request fee and a deposit, if applicable to the Information Officer at the physical address or electronic email address as stated in clause 2 above.
- ii. The prescribed form must be filled in with enough particularity to at least enable the Information Officer to identify –
 - a. The record or records requested;
 - b. The identity of the requester;
 - c. Which form of access is required, if the request is granted; and
 - d. The postal address or email address of the requester.
- iii. The requester must state the nature of the right for which access to the requested records is required. The Courts have indicated that access to the records must be "necessary" for the exercise or protection of the right so stated.
- iv. Subject to the provision of the Act in respect of extensions, Hello Group will process the request within 30 days, unless the requester has stated special reasons which would satisfy the Information Officer that circumstances dictate that the above time periods not be complied with.
- v. The requester shall be informed in writing whether access has been granted or denied. If, in addition, the requester requires the reasons for the decision in any other manner, they must give the manner and the particulars required.
- vi. 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.

- vii. If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally.
- viii. The requester must pay the prescribed fee before the request can be processed further.

8. Access to records held by Hello Group

Records held by Hello Group may be accessed by requests only once the prerequisite requirements have been met.

A requester is any person making a request for access to a record of the Hello Group. There are two types of requesters:

8.1. Personal requester

- i. A personal requester is a requester who seeks access to a record containing personal information about the requester
- ii. Subject to the provisions of the Act and associated legislation, Hello Group will provide the requested information or give access to any records with regard to the requester's personal information. The prescribed fee for reproduction of the information requested will be charged.

8.2. Other requester

This requester (other than a personal requester) is entitled to request access to information on third parties. However, the Hello Group is not obliged to grant access. The requester must fulfil the prerequisite requirements for access in terms of the Act, including the payment of a request and access fee.

9. Fees

- i. The Act provides for two types of fees, namely:
 - a. A request fee which is a standard fee; and
 - b. An access fee which must be calculated by taking into account reproduction costs, search and preparation time and cost as well as postal costs.
- ii. When the request is received by the Information Officer, such office shall by notice require the requester, other than the personal requester, to pay the prescribed fee (if any) before further processing the request.
- iii. If the search for the record has been made and the preparation of the record for disclosure, including arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, the Information Officer shall notify the requester to pay as a deposit the prescribed portion of the access fee which would be payable if the request is granted.
- iv. The Information Officer shall withhold a record until the requester has paid the fees as indicated in Appendix 2.
- v. A requester whose request for access to a record has been granted, must pay an access fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare in the request form.

- vi. If a deposit has been paid in respect of a request for access which is refused, then the Information Officer concerned must repay the deposit to the requester.

10. Decision

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

11. List of applicable legislation

Legislation setting out a description of the records of the Hello Group is available on request from the Information Officer.

12. Availability of this manual

This manual is made available in terms of Regulation No R187 of 15 February 2002 and is available on the following websites:

Websites:

www.hellogroup.co.za

www.hellopaisa.co.za

www.hellomobile.co.za

www.qmart.co.za

Appendix 1 and 2 follows.