

# PAIA Manual for Ignition Telecoms Investments (Pty) Ltd (“Ignition Group”)

## **Preamble**

The scope of this information manual relates to Ignition Telecoms Investments (Pty) Limited and all wholly or partially owned subsidiaries and associated juristic persons, hereinafter referred to as “Ignition Group”. Refer to Appendix E of this document for a complete list of subsidiaries.

## **.1. Applicability and availability of this Manual**

1.1. 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 procedural requirements attached to requests for information, the requirements which requests must meet as well as the grounds for refusing requests. This Manual informs requesters of procedural and other requirements which a request must meet. The Act also recognises that the right to access information must be balanced with other rights and should be subject to limitations including, but not limited to, limitations aimed at the reasonable protection of privacy and commercial confidentiality.

1.2. The Protection of Personal Information Act 2013 serves to promote the protection of personal information processed by public and private bodies; to introduce certain conditions so as to establish minimum requirements for the processing of personal information; to provide for the establishment of an Information Regulator to exercise certain powers and to perform certain duties and functions in terms of this Act and the Promotion of Access to Information Act, 2000; to provide for the issuing of codes of conduct; to provide for the rights of persons regarding unsolicited electronic communications and automated decision making; to regulate the flow of personal information across the borders of the Republic; and to provide for matters connected therewith.

1.3. This Manual is available for inspection, free of charge, at Ignition Group’s offices (see details below).

## **2. Ignition Group’s Contact Details & Information**

- Ignition Telecoms Investments (Pty) Limited
- Postal Address P.O. Box 1611, Country Club, 4301
- Physical Address Quadrant 4, Centenary Building, 30 Meridian Drive, New Town Centre, Umhlanga, Durban
- Telephone Number +27 (31) 582 8300

Information Officer: Kate Emma Morris

- Postal Address P.O. Box 1611, Country Club, 4301
- Physical Address Quadrant 4, Centenary Building, 30 Meridian Drive, New Town Centre, Umhlanga, Durban
- Telephone Number +27 (31) 582 8300
- Website [www.ignitiongroup.co.za](http://www.ignitiongroup.co.za)

- E-mail Address of Information Officer [dataprivacy@ignitiongroup.co.za](mailto:dataprivacy@ignitiongroup.co.za)

### **3. South African Human Rights Commission Guide**

The South African Human Rights Commission (“SAHRC”) is required, in terms of the Act, to compile a guide containing information that may reasonably be required by a person who wishes to exercise any right contemplated in the Act.

The Act grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.

Requests in terms of the Act shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in paragraphs 6 and 7 of the Act.

Requesters are referred to the Guide in terms of Section 10 which has been compiled by the South African Human Rights Commission, which will contain information for the purposes of exercising Constitutional Rights. The Guide is available from the SAHRC.

The contact details of the Commission are:

- Postal Address: Private Bag 2700, Houghton, 2041
- Telephone Number: +27-11-877 3600
- Fax Number: +27-11-403 0625
- Website: [www.sahrc.org.za](http://www.sahrc.org.za)

### **4. Applicable Legislation**

Records are held in accordance with the following legislation –

- Electronic Communications and Transactions Act, 2002
- Conversion of SASRIA Act, 1998
- Income Tax Act, 1962
- Insider Trading Act, 1998
- National Credit Act, 2005
- Short Term Insurance Act, 1998
- Stamp Duties Act, 1968 (repealed)
- Statistics Act, 1999
- Value-Added Tax Act, 1991
- Tobacco Products Control Act, 1993
- Basic Conditions of Employment Act, 1997
- Compensation for Occupational Injuries and Diseases Act
- Employment Equity Act, 1998

- Labour Relations Act, 1995
- Manpower Training Act, 1981 (repealed)
- Occupational Health and Safety Act, 1993
- Skills Development Act, 1998
- Skills Development Levies Act, 1999
- Unemployment Insurance Act, 2001
- Unemployment Insurance Contributions Act, 2002
- Regional Services Councils Act, 1985
- Broad Based Black Economic Empowerment Act, 2003
- Companies Act, 1973
- Companies Act, 2008
- Competition Act, 1998
- Consumer Affairs Act (Unfair Business Practices) Act, 1988
- Consumer Protection Act, 2008
- Consumer Affairs Reports
- Copyright Act, 1978
- Trademarks Act, 1993
- Long Term Insurance Act, 1998
- Medical Schemes Act, 1998
- Financial Intelligence Centre Act, 2001
- Financial Advisory and Intermediary Services Act, 2002
- The Promotion of Access to Information Act, No 2 of 2000
- The Protection of Personal Information Act. 2013

## **5. The Ignition Group Records**

### **5.1. Employees**

“**Employees**” refers to any person who works for or provides services to or on behalf of The Ignition Group and who receives or is entitled to receive remuneration, and any other person who assists in carrying out or conducting The Ignition Group’s business and includes, without limitation, directors (executive and non-executive), all permanent, temporary and part-time staff as well as contract workers. Employee records include:

- 5.1.1. personal records (provided by Employees themselves);
- 5.1.2. records provided by a third party relating to Employees;
- 5.1.3. conditions of employment and other Employee-related contractual and quasi-legal records;
- 5.1.4. internal evaluation records and other internal records;
- 5.1.5. correspondence relating to Employee; and
- 5.1.6. training schedules and material.

## 5.2. Customer Records

A “**Customer**” refers to any natural or juristic entity that receives services from The Ignition Group. Customer records include:

- 5.2.1. records pertaining to products sold and/or serviced by The Ignition Group;
- 5.2.2. records provided by a customer to a third party acting for or on behalf of The Ignition Group;
- 5.2.3. records provided by a third party;
- 5.2.4. records generated by or within The Ignition Group relating to its customers, including transactional data.

## 5.3. Private Body Records

These are records which include, but are not limited to, records which pertain to The Ignition Group’s own affairs including:

- 5.3.1. financial records;
- 5.3.2. operational records;
- 5.3.3. databases;
- 5.3.4. information technology systems and documents;
- 5.3.5. marketing records;
- 5.3.6. internal correspondence;
- 5.3.7. product records;
- 5.3.8. statutory records;
- 5.3.9. internal policies and procedures.

## 5.4. Juristic Person Records

A “**Juristic Person**” is a non-human legal entity authorized by law with duties and rights and is recognized as a legal person and as having a distinct identity. This includes any incorporated organizations including corporations, government agencies, and NGOs.

- 5.4.1. record pertaining to the provision of goods and services in the ordinary course

5.4.2. Records held by The Ignition Group, including without limitation, financial records, correspondence, contractual records, and records about The Ignition Group's contractors/suppliers/service providers.

5.4.3. Records held by The Ignition Group pertaining to other parties, including without limitation, financial records, correspondence, contractual records, and records about The Ignition Group's contractors/suppliers/service providers.

## **6. Grounds for refusal of access to records**

The Ignition Group may refuse a request for information on, inter alia, the following basis:

6.1. Mandatory protection of the privacy of a third party who is a natural person if its disclosure would involve the unreasonable disclosure of personal information;

6.2. Mandatory protection of the commercial information of a third party if its disclosure contains trade secrets, financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party or information disclosed in confidence by a third party if the disclosure thereof could reasonably put that third party at a disadvantage in contractual negotiations or in commercial competition;

6.3. Mandatory protection of confidential information of third parties if it is protected in terms of any agreement;

6.4. Mandatory protection of the safety of individuals and the protection of property;

6.5. Mandatory protection of records which could be regarded as privileged in legal proceedings;

6.6. The commercial information of Ignition which may include trade secrets, financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of Ignition, or information, the disclosure thereof could reasonably put Ignition at a disadvantage in contractual negotiations or in commercial competition; and

6.7. Mandatory protection of research information of a third party or Ignition.

## **7. Request procedure**

7.1. It is important to note that the successful completion and submission of an access request form does not automatically allow the requester access to the requested record. An application for access to a record is subject to certain limitations if the requested record falls within a certain category as specified within Part 3 Chapter 4 of the Act.

7.2. If it is reasonably suspected that the requester has obtained access to records through the submission of materially false or misleading information, legal proceedings may be instituted against such requester.

7.3. The relevant Access Request Form must be completed; Form C for PAIA and Form 1 or 2 for POPIA.

7.4. Proof of identity is required to authenticate the identity of the requester. Therefore, in addition to the access form, requesters will be required to supply a copy of their identification document;

- 7.5. Type or print in BLOCK LETTERS an answer to every question;
- 7.6. If a question does not apply, state “N/A” in response to that question;
- 7.7. If there is nothing to disclose in reply to a particular question state “nil” in response to that question;
- 7.8. If there is insufficient space on a printed form, additional information may be provided on an additional attached folio; and
- 7.9. When the use of an additional folio is required, precede each answer with the applicable that title.
- 7.10. The Access Request Form is included in this manual as an appendices A,C and D.
- 7.11. The requester must pay the prescribed fee, and deposit where applicable, before the request will be considered.

## **8. Fees**

8.1. Subject to requests made under Section 23 (1) of POPIA where the data subject seeks solely to confirm whether or not the responsible party holds personal information about the data subject or as a personal requester referred to in section 22(1) of the PAI Act, the PAIA provides for two types of fees, namely:

8.1.1. a request fee, being a standard fee; and

8.1.2. an access fee, which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs.

8.2. When a request is received by The Ignition Group it will, by emailed notice, require the requester, other than a personal requester, to pay the prescribed request fee (if any), before further processing the request.

8.3. If the search for the record has been made and the preparation of the record for disclosure would require more than the hours prescribed for this purpose, the Information Officer will notify the requester to pay, as a deposit, the prescribed portion of the access fee which would be payable if the request is granted.

8.4. The Ignition Group will withhold a record until the requester has paid the prescribed fees (and deposit where appropriate).

8.5. 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 the record for disclosure, including making arrangements to make it available in the requested form. 10.6. If a deposit has been paid in respect of a request for access, which is refused, then The Ignition Group will repay the deposit to the requester.

## **9. Correction of Personal Information**

9.1. A data subject may, in the prescribed manner, request The Ignition Group to—

- a) correct or delete personal information about the data subject in its possession or under its control that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading, or obtained unlawfully; or
- b) destroy or delete a record of personal information about the data subject that the responsible party is no longer authorised to retain in terms of section 14. Submission of complaint or grievance

9.2. On receipt of a request in terms of subsection (1) The Ignition Group will, as soon as reasonably practicable—

- a) correct the information;
- b) destroy or delete the information;
- c) provide the data subject, to his or her satisfaction, with credible evidence in support of the information; or
- d) where agreement cannot be reached between the responsible party and the data subject, and if the data subject so requests, take such steps as are reasonable in the circumstances, to attach to the information in such a manner that it will always be read with the information, an indication that a correction of the information has been requested but has not been made. Regulator acting as conciliator during an investigation

9.3. If The Ignition Group has taken steps under subsection (2) that result in a change to the information and the changed information has an impact on decisions that have been or will be taken in respect of the data subject in question, The Ignition Group party will, if reasonably practicable, inform each person or body or responsible party to whom the personal information has been disclosed of those steps.

9.4. The Ignition Group will notify a data subject, who has made a request in terms of subsection (1), of the action taken as a result of the request.

**APPENDIX A - FORM C: REQUEST FORM**

**ACCESS REQUEST FORM**

Requests can be submitted either via post, e-mail or fax and should be addressed to the Information Officer.

**REQUEST FOR ACCESS TO THE RECORD OF A PRIVATE BODY**

Section 53(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000)

**[Regulation 10]**

**FORM C**

**A. Particulars of private body**

The Head: \_\_\_\_\_

**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: \_\_\_\_\_

Fax number: \_\_\_\_\_ Telephone number: \_\_\_\_\_

Fax number: \_\_\_\_\_

Capacity in which request is made, when made on behalf of another person: \_\_\_\_\_

**C. Particulars of person on whose behalf request is made**

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

Full names and surname: \_\_\_\_\_

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 to you, 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 requester must 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:

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**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 hereunder, 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 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 for 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 (CD)

Transcription of soundtrack\*

**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 record\*

Copy in computer readable form\*(CD)

*	If you		
requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? <b>(POSTAGE IS PAYABLE)</b>		<b>YES</b>	<b>NO</b>

**G.  
be exercised or protected**

**Particulars of right to**

*If the 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:

\_\_\_\_\_  
\_\_\_\_\_

**H. Notice of decision regarding request for access**

*You will be notified in writing whether your request has been approved / denied. If you wish to be informed in another manner, 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?

**YOU MUST**

- 1 Complete all necessary spaces
- 2 Sign the access request form Sign  
Sign additional folios completed

**SEND WITH THIS APPLICATION**

- The request fee
- 2 Any additional folios completed
- 3 Certified Identity Document

Signed at ..... this ..... day of .....20.....

.....

Signature of Requester/Person on behalf of whom request is made

\_\_\_\_\_

## APPENDIX B: FEES IN RESPECT OF PRIVATE BODIES

Description	Rand	
1	The fee for a copy of the manual as contemplated in regulation 9(2)(c) - for every photocopy of an A4-size page or part thereof.	1,10
2	<b>The fees for reproduction referred to in regulation 11(1) are as follows:</b>	
(a)	For every photocopy of an A4-size page or part thereof	1,10
(b)	For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,75
(c)	<b>For a copy in a computer-readable form on -</b>	
(i)	stiffy disc	7,50
(ii)	compact disc	70,00
(d)(i)	For a transcription of visual images, for an A4-size page or part thereof	40,00
(ii)	For a copy of visual images	60,00
(e)(i)	For a transcription of an audio record, for an A4-size page or part thereof	20,00
(ii)	For a copy of an audio record	30,00
3	The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2)	50,00
4	<b>The access fees payable by a requester referred to in regulation 11(3) are as follows:</b>	
4.1(a)	For every photocopy of an A4-size page or part thereof	1,10
(b)	For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,75
(c)	<b>For a copy in a computer-readable form on -</b>	
(i)	compact disc	70,00
(d)(i)	For a transcription of visual images, for an A4-size page or part thereof	40,00
(ii)	For a copy of visual images	60,00
(e)(i)	For a transcription of an audio record, for an A4-size page or part thereof	20,00
(ii)	For a copy of an audio record	30,00
(f)	To search for and prepare the record for disclosure, R30,00 for each hour or part of an hour reasonably required for such search and preparation.	
4.2	<b>For purposes of section 54(2) of the Act, the following applies:</b>	
(a)	Six hours as the hours to be exceeded before a deposit is payable; and	
(b)	one third of the access fee is payable as a deposit by the requester.	
4.3	<b>The actual postage is payable when a copy of a record must be posted to a requester.</b>	

**APPENDIX C  
FORM 1**

**OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION IN TERMS OF SECTION 11(3)  
OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)**

**REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018**  
[Regulation 2]

*Note:*

1. *Affidavits or other documentary evidence as applicable in support of the objection may be attached.*
2. *If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.*
3. *Complete as is applicable.*

<b>A</b>	<b>DETAILS OF DATA SUBJECT</b>
Name(s) and surname/ registered name of data subject:	
Unique Identifier/ Identity Number	
Residential, postal or business address:	
	Code (    )
Contact number(s):	
Fax number / E-mail address:	
<b>B</b>	<b>DETAILS OF RESPONSIBLE PARTY</b>
Name(s) and surname/ Registered name of responsible party:	
Residential, postal or business address:	

	Code (     )
Contact number(s):	
Fax number/ E-mail address:	
<b>C</b>	<b>REASONS FOR OBJECTION IN TERMS OF SECTION 11(1)(d) to (f)</b> <i>(Please provide detailed reasons for the objection)</i>

Signed at ..... this ..... day of .....20.....

.....

*Signature of data subject/designated person*

## APPENDIX D

### FORM 2

#### REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION OR DESTROYING OR DELETION OF RECORD OF PERSONAL INFORMATION IN TERMS OF SECTION 24(1) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)

#### REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018

[Regulation 3]

Note:

1. *Affidavits or other documentary evidence as applicable in support of the request may be attached.*
2. *If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.*
3. *Complete as is applicable.*

Mark the appropriate box with an "x".

#### Request for:

Correction or deletion of the personal information about the data subject which is in possession or under the control of the responsible party.

Destroying or deletion of a record of personal information about the data subject which is in possession or under the control of the responsible party and who is no longer authorised to retain the record of information.

A	DETAILS OF THE DATA SUBJECT
Name(s) and surname / registered name of data subject:	
Unique identifier/ Identity Number:	
Residential, postal or business address:	
	Code (    )
Contact number(s):	

Fax number/E-mail address:	
<b>B</b>	<b>DETAILS OF RESPONSIBLE PARTY</b>
Name(s) and surname / registered name of responsible party:	
Residential, postal or business address:	
	Code (    )
Contact number(s):	
Fax number/ E-mail address:	
<b>C</b>	<b>INFORMATION TO BE CORRECTED/DELETED/ DESTROYED/ DESTROYED</b>
<b>D</b>	<p><b>REASONS FOR *CORRECTION OR DELETION OF THE PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(a)</b></p> <p><b>WHICH IS IN POSSESSION OR UNDER THE CONTROL OF THE RESPONSIBLE PARTY ; and/or</b></p> <p><b>REASONS FOR *DESTRUCTION OR DELETION OF A RECORD OF PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(b) WHICH THE RESPONSIBLE PARTY IS NO LONGER AUTHORISED TO RETAIN.</b></p> <p><i>(Please provide detailed reasons for the request)</i></p>

Signed at ..... this ..... day of .....20.....

.....

*Signature of data subject/ designated person*

## APPENDIX E

### Wholly Owned Subsidiaries of Ignition Telecoms Investments (Proprietary) Limited

#### Wholly Owned Subsidiaries

- CCS Outsourcing (Proprietary) Limited
- Chase Intelligent Tracking (Proprietary) Limited
- Comit Technologies (Proprietary) Limited
- Ignite Training Academy (Proprietary) Limited
- MVNX (Proprietary Limited)
- Mobius Mobile Telecommunications (Pty) Ltd
- me and you mobile (Pty) Ltd
- Larto Trade and Invest (Pty) Ltd
- Resolution Life Limited
- So Music Industries (Proprietary) Limited
  
- Viva Life Insurance (Pty) Ltd
- Viva Cover (Pty) Ltd
- Viva Direct (Pty) Ltd
- IFS Holdings Pty Ltd
- Ucingo Administration 321 (Proprietary) Limited