



PAIA Manual

Registration Number of Company: 2000/004691/07

Name of Company: IQbusiness (PTY) LIMITED Management Consulting Firm

**MANUAL
in terms of
Section 51 of
The Promotion of Access to Information Act
2/2000
(the "ACT")**

Contents

| | |
|---|----|
| 1. INTRODUCTION | 3 |
| 2. COMPANY CONTACT DETAILS | 3 |
| 2.1. Company Contact Person | 3 |
| 3. THE ACT | 3 |
| 4. APPLICABLE LEGISLATION | 4 |
| 5. SCHEDULE OF RECORDS | 4 |
| 6. FORM OF REQUEST | 6 |
| 6.1. Requestor | 6 |
| 6.2. Form of Request | 6 |
| 6.3. Decision | 7 |
| 6.4. Grounds for Refusal | 7 |
| 6.5. Remedies Available When Access to Information is Refused by IQbusiness | 8 |
| 7. PRESCRIBED FEES | 8 |
| 7.1. Fees Provided by the Act | 8 |
| 7.2. Reproduction Fee | 9 |
| 7.3. Request Fees | 10 |
| 7.4. Access Fees | 10 |
| 7.5. Deposits | 10 |
| 7.6. Collection Fees | 11 |

1. INTRODUCTION

IQbusiness (Pty) LIMITED is the leading independent management consulting firm in South Africa, helping clients overcome their business challenges and achieve sustainable growth. Since 1998, we have been enabling banks, insurance companies, retailers, and others to take their products to market faster, improve customer satisfaction, upskill teams, eliminate waste, and strengthen governance and compliance.

2. COMPANY CONTACT DETAILS

Directors: Mr. Adam Craker (CEO)
Mrs. Annalize Buck (Chief Financial Officer)
Mrs. Cheryl Carolus (Non-Executive Chairperson)
Mrs. Michelle Kimmie (Non-Executive Director)
Mr. Dirk Ackerman (Non-Executive Director)
Mr. Pieter van Tonder (Non-Executive Director)
Mr. Nkululeko Sowazi (Non-Executive Director)
Mr. Darshan Daya (Non-Executive Director)
Mr. Louis Geeringh (Non-Executive Director)
Mr. Shaun Frankish (Non-Executive Director)

CEO: Mr. Adam Craker

2.1. Company Contact Person

The responsibility for the administration of, and compliance with PAIA has been delegated to the IQbusiness Group Information Officer. Requests pursuant to the provisions of PAIA should be directed as follows:

Contact Person: Mrs. Annalize Buck
Postal Address: PO Box 4435, Rivonia, 2128
Street Address: IQbusiness Park, 3 Third Avenue, Rivonia, 2128
Telephone Number: +27 11 259 4375
Email: popi@iqbusiness.net

3. THE ACT

A Guide has been compiled in terms of Section 10 of PAIA by the Human Rights Commission. It contains information to assist a person wishing to exercise a right, in terms of the PAIA. The Guide is available for inspection, inter alia, as follows:

- 3.1. 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.
- 3.2. 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.
- 3.3. 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 X2700, Houghton, 2041
Telephone Number: +27 11 877 3600
Fax Number: +27 11 403 0625
Email Address: paia@sahrc.org.za
Website: www.sahrc.org.za

4. APPLICABLE LEGISLATION

Records are held in accordance with the following legislation:

- Basic Conditions of Employment Act, 1997
- Broad Based Black Economic Empowerment Act, 2003
- Companies Act 2008
- Compensation for Occupational Injuries and Diseases Act, 1993
- Electronic Communications and Transactions Act, 2002
- Employment Equity Act, 1998
- Financial Sector Regulation Act, 2017
- Income Tax Act, 1962
- Labour Relations Act, 1995
- Occupational Health and Safety Act, 1993
- Pension Funds Act, 1956
- Promotion of Access to Information Act, 2000
- Skills Development Act, 1998
- Skills Development Levies Act, 1999
- Unemployment Insurance Act, 2001
- Unemployment Insurance Contributions Act, 2002
- Value-Added Tax Act, 1991

5. SCHEDULE OF RECORDS

This clause serves as a reference to the records that IQbusiness Group and all its subsidiaries (“IQbusiness”) 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:

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5.1. 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.
- Internal evaluation records and other internal records.
- Correspondence relating to personnel.
- Training schedules and material.

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

5.2. Customer Related Records

- Records provided by a customer to a third party acting for or on behalf of IQbusiness.
- Records provided by a third party.
- Records generated by or within IQbusiness relating to its customers, including transactional records.

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

5.3. Private Body Records

- Financial Records
- Operational Records
- Databases
- Marketing Records
- Internal Correspondence
- External Correspondences
- Product Records
- Statutory Records
- Internal Policies and Procedures
- Treasury related Records
- Legal Agreements and Records
- Records held by officials of IQbusiness

These records include, but are not limited to, the records which pertain to IQbusiness’s own affairs.

5.4. Website

Our website address is www.iqbusiness.net and is accessible to anyone who has access to the internet. The website contains various categories of information relating to IQbusiness.

5.5. Other Party Records

- Personnel, customer or private body records which are held by another party, as opposed to the records held by IQbusiness itself.
- Records held by IQbusiness 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.

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

6. FORM OF REQUEST

Please access the Official Request for Access to Record of Private Body Form (form J752) as per Section 53(1) of the Promotion of Access to Information Act, 2000 [here](#). This form is to be completed and sent to popi@iqbusiness.net.

Access to records held by IQbusiness may be accessed by requesters only once the prerequisite requirements for access have been met.

6.1. Requestor

A requester is any person making a request for access to the records of or held by IQbusiness. There are two types of requesters:

6.1.1. Personal Requester

A personal requester is a requester who is seeking access to a record containing personal information about the requester. IQbusiness will voluntarily provide the requested information or give access to any record with regard to the requester's personal information. The prescribed fee, listed herein, for reproduction of the information requested will be charged.

6.1.2. Other Requester

This requester (other than a personal requester) is entitled to request access to information on third parties. However, IQbusiness is not obliged to voluntarily 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.

6.2. Form of Request

The requester must comply with all the procedural requirements contained in the Act relating to the request for access to a record being:

6.2.1 The requester must use the prescribed form, *Request for Access to Record of Private Body Form* ([form J752](#)) to make the request for access to a record. The request should be made to the Information Officer at the email address, as stated in part "2.1. Company Contact Person" above.

6.2.2. The prescribed form must be filled in with sufficient detail to enable:

- The record or records requested.
- The identity of the requester.
- Which form of access is required.
- The email address, postal address or fax number of the requester.

- The requester must identify the right that is sought to be exercised or protected and provide an explanation of why the requested record is required for the exercise or protection of that right.

6.2.3. IQbusiness will provide a decision regarding access to the requested information within 30 (thirty) calendar days upon receipt of request, unless the requestor has stated special reasons, which would satisfy the Information Officer that circumstances dictate that the above time period not be complied with.

6.2.4. 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, he/she must state the manner and the particulars so required.

6.2.5. If a request is made on behalf of another person, the requester must submit proof of the capacity in which the requester is making the request to the satisfaction of the Information Officer.

6.2.6. If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally via the telephone number stated in part "2.1. Company Contact Person" above.

6.3. Decision

6.3.1. IQbusiness will, within 30 (thirty) calendar days of receipt of the request, decide whether to grant or decline the requests and give notice with reason (If required) to that effect.

6.3.2. The 30 (thirty) calendar day period with which IQbusiness has to decide whether to grant or refuse the request, may be extended for a further period of not more than 30 (thirty) calendar days if the request is for a large number of information, **if the information will take over 6 hours to retrieve**, or the request requires a search for information held at another office of IQbusiness and the information cannot reasonably be obtained, at the discretion of IQbusiness, within the initial 30 (thirty) calendar day period. IQbusiness will notify the requester in writing should an extension be sought.

6.4. Grounds for Refusal

6.4.1. The main grounds for IQbusiness to refuse a request for information may, amongst others, relate to the:

- 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.
- Mandatory protection of the commercial information of a third party, if the record contains:
 - Trade secrets of that third party.
 - Financial, commercial, scientific, or technical information which disclosure could likely cause harm to the financial or commercial interests of a third party.

- Information disclosed in confidence by a third party to IQbusiness, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition.
- Mandatory protection of confidential information protected in terms of any agreement.
- Mandatory protection of the safety of individuals and the protection of property.
- Mandatory protection of records which would be regarded as privileged in legal proceedings.
- The commercial activities of IQbusiness, which may amongst others include:
 - Trade secrets of IQbusiness.
 - Financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of IQbusiness.
 - Information, which if disclosed, could put IQbusiness at a disadvantage in negotiations or commercial competition.
 - A computer program which is owned by IQbusiness, and which is protected by copyright.
 - The research information of IQbusiness or a third party, if its disclosure would disclose the identity of IQbusiness, the researcher or the 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.

6.5. Remedies Available When Access to Information is Refused by IQbusiness

6.5.1. Internal Remedies

If, for any reason, the request to access personal information is refused by IQbusiness, the requester has the right to escalate the matter internally. Internal escalations pursuant to the provisions of PAIA should be directed to the IQbusiness PAIA Complaints Division by sending an email directly to complaints@iqbusiness.net. Any complaints and/or requests made to complaints@iqbusiness.net that are not preceded by an initial request as outlined by section 2 above will not be considered.

The decision made by the Information Officer upon escalation is to be considered final. Should the requestor not be satisfied with the answer supplied by the Information Officer, he/she should exercise the external remedies at their disposal.

6.5.2. External Remedies

A requestor being either a personal requester or any other requester that is dissatisfied with an Information Officer's refusal to disclose information may within 30 (thirty) calendar days of notification of the decision, apply to a Court for relief.

7. PRESCRIBED FEES

7.1. Fees Provided by the Act

7.1.1. The Act provides for two types of fees, namely:

- a. *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
- b. *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.

7.1.2. When the request is received by the Information Officer, such officer shall by notice require the requester, other than a personal requester, to pay the prescribed request fee, before further processing of the request (section 54(1)).

7.1.3. 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 (6 (six) hours), the Information Officer shall notify the requester to pay **one fifth (1/5) of the total estimated access fee** as a deposit, which would be payable if the request is granted.

7.1.4. The Information Officer shall withhold a record until the requester has paid the fees as indicated below.

7.1.5. A requester whose request for access to a record has been granted, must pay an access fee that is calculated to include, where applicable, the request fee, the process 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.

7.1.6. 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.

7.2. Reproduction Fee

7.2.1. Where IQbusiness has voluntarily provided the Minister with a list of categories of records that will automatically be made available to any person requesting access thereto, the only charge that may be levied for obtaining such records, will be a fee for reproduction of the record in question.

Reproduction of Information Fees

| Fees to be Charged | |
|--|---------|
| Information in an A-4 size page photocopy or part thereof | R 10,00 |
| A printed copy of an A4-size page or part thereof | R 75,00 |
| A copy in computer-readable format, for example: | |
| Stiffy disc | R 50,00 |
| Compact disc | R 70,00 |
| A transcription of visual images, in an A4-size page or part thereof | R 40,00 |

| | |
|--|---------|
| A copy of visual images | R 60,00 |
| A transcription of an audio record for an A4-size page or part thereof | R 20,00 |
| A copy of an audio record | R 30,00 |

7.3. Request Fees

Where a requester submits a request for access to information held by an institution on a person other than the requester himself/herself, a request fee in the amount of R50,00 is payable up-front before the institution will further process the request received.

7.4. Access Fees

7.4.1. An access fee is payable in all instances where a request for access to information is granted, except in those instances where payment of an access fee is specially excluded in terms of the Act or an exclusion is determined by the Minister in terms of section 54(8).

The applicable access fees which will be payable are:

Access of Information Fees

| Fees to be Charged | |
|--|----------|
| Information in an A-4 size page photocopy or part thereof | R 10,00 |
| A printed copy of an A4-size page or part thereof | R 75,00 |
| A copy in computer-readable format, for example: Stiffy disc | R 50,00 |
| Compact disc | R 70,00 |
| A transcription of visual images, in an A4-size page or part thereof | R 40,00 |
| A copy of visual images | R 60,00 |
| A transcription of an audio record for an A4-size page or part thereof | R 20,00 |
| A copy of an audio record | R 30,00 |
| To search for the record for disclosure | R 30,00* |

*Per hour or part of an hour reasonably required for such search.

Where a copy of a record needs to be posted, the actual postal fee is payable.

7.5. Deposits

7.5.1. Where IQbusiness receives a request for access to information held on a person other than the requester himself/herself and the Information Officer upon receipt of the request is of the opinion that the preparation of the required record of disclosure will take more than 6 (six) hours, a deposit is payable by the requester.

7.5.2. The amount of the deposit is equal to one fifth (1/5) of the amount of the applicable access fee.

7.6. Collection Fees

7.6.1. The initial "request fee" of R50,00 should be deposited into the bank account that will be provided in the "PAIA Request Form" once Form J752 has been submitted to IQbusiness. The fee is to be accompanied by a copy of the PAIA Request Form, Proof of Payment, and any other correspondence / documents, forwarded to the Information Officer via email.

7.6.2. The officer will collect the initial "request fee" of applications received directly by the Information Officer via email.

7.6.3. All fees are subject to change as allowed for in the Act and as a consequence such escalations may not always be immediately available at the time of the request being made. Requesters shall be informed of any changes in the fees prior to making a payment.

7.6.4. In the event that a requester is required to pay an initial fee, the requester will be provided with the required banking details and an invoice based on the prescribed fees above upon sending a request to IQbusiness to access personal information. The processing of any requests that require deposits, including the initial request fee, will not be done until payment is received by IQbusiness. Failure to pay the deposit within 7 (seven) calendar days will result in a refusal of the request.