



PAIA Manual.

1. Introduction

This manual has been compiled in accordance with section 51 of the Promotion of Access to Information Act, 2000 (“PAIA”). This manual explains how requesters can submit requests for access to information to CM.com in terms of PAIA.

2. The business

2.1 James Bayhack has been duly appointed as the head by the head of CM.com, as the Information Officer for CM.com and is the person to whom requests for access to information must be made in terms of PAIA and in terms of the Protection of Personal Information Act 4 of 2013 (“POPIA”).

3. CM.com’s Contact Details

This manual has been compiled in accordance with section 51 of the Promotion of Access to Information Act, 2000 (“PAIA”). This manual explains how requesters can submit requests for access to information to CM.com in terms of PAIA.

Details	Chief Executive Officer	Information Officer
Name:	Jeroen van Glabbeek	James Bayhack
Postal Address:	Mazars House, Rialto Rd Century City, Cape Town 7441, South Africa	The Foundry, 16 Ebenezer Rd Green Point, Cape Town 8001, South-Africa
Physical Address:	Mazars House, Rialto Rd Century City, Cape Town 7441, South Africa	The Foundry, 16 Ebenezer Rd Green Point, Cape Town 8001, South-Africa
Telephone:	+27 (21) 180 2560	+27 (21) 300 2258
E-mail:	support@cm.com	James.Bayhack@cm.com

4. The Section 10 Guide on how to use PAIA

4.1 The South African Human Rights Commission (“SAHRC”) has published a guide as prescribed by Section 10 of PAIA. This guide will be available from the SAHRC until 30 June 2021, in each official language, at the offices of the SAHRC and on its website, listed below. Please direct any queries regarding this guide to:

South African Human Rights Commission:

PAIA Unit

The Research and Documentation Department

Private Bag X2700, Houghton, 2041

Telephone number: (011) 877 3600

Telefax Number: (011) 403 0684

Website: www.sahrc.org.za

Email: info.sahrc.org.za

4.2 From 1 July 2021 onwards, the above guide, as updated by the Information Regulator, will be available at the offices of the Information Regulator and on its website as prescribed by Section 10 of PAIA and in accordance with the Protection of Personal Information Act, 2013 (“POPIA”). From 1 July 2021, please direct any queries regarding this guide to:

Information Regulator:

The Research and Documentation Department
33 Hoofd Street, Forum III, 3rd Floor Braampark
P.O. Box 31533, Braamfontein, Johannesburg, 2017
Telephone number: 010 023 5200
Website: www.justice.gov.za/inforeg/
Email (complaints): complaints.IR@justice.gov.za
Email (General enquiries): inforeg@justice.gov.za

Records that are available by CM in terms of other legislation

A requester may request information which is available in terms of the following legislation, provided that the requester complies with the requirements set out in such legislation, this manual and PAIA:

- 5.1 Basic Conditions of Employment Act, 1997;
- 5.2 Broad-Based Black Economic Empowerment Act, 2003;
- 5.3 Companies Act, 2008;
- 5.4 Compensation for Occupational Injuries and Diseases Act, 1993;
- 5.5 Employment Equity Act, 1998;
- 5.6 Income Tax Act, 1962;
- 5.7 Labour Relations Act, 1995;
- 5.8 Occupational Health and Safety Act, 1993;
- 5.9 Promotion of Access to Information Act, 2000;
- 5.10 Protection of Personal Information Act, 2013;
- 5.11 Skills Development Levies Act, 1999;
- 5.12 Unemployment Insurance Act, 2001;
- 5.13 Value Added Tax Act, 1991;

6. Subjects and categories of information held by CM.com

The subjects and categories of records held by CM.com are as follows:

Subject	Category
Company Records	<ul style="list-style-type: none"> • Constitutional documents (including incorporation documents, the memorandum of incorporation and the shareholders agreement) • 4 Share registers, share certificates, registers and details concerning shareholder meetings and resolutions • Details concerning the identity of directors, directors' meetings, director resolutions • Statutory registers and minute books
Financial Records	<ul style="list-style-type: none"> • Budget reports • Bank records • Financial statements • Management accounts • Audit reports • Insurance records • Tax records
Strategic and operational information	<ul style="list-style-type: none"> • Business plan • Budget reports • Minutes of management meetings • Minutes of board meetings • Annual reports
Assets	<ul style="list-style-type: none"> • Asset register • Share certificates • Trade marks schedule • Debtors information • Bank account reconciliation
Liabilities	<ul style="list-style-type: none"> • Loan agreements • General ledger

Subject	Category
Information technology	<ul style="list-style-type: none"> • Asset register • Repair and maintenance records • Software programmes • Software licences • IT policies and procedures • Software records
Compliance	<ul style="list-style-type: none"> • B-BBEE compliance records • General policies and procedures
Human resources	<ul style="list-style-type: none"> • Staff records • Contracts of employment • Statutory records • Training and skills development records • Employment equity records • Leave records • Beneficiary records • HR policies and procedures • Disciplinary procedures • Salary information • Pension fund information • Medical aid information
Contractual relationships	<ul style="list-style-type: none"> • Contracts with customers • Contracts with suppliers

7. Description of personal information processing in terms of POPIA

CM.com processes personal information as follows:

Subject	Category
Purpose of the processing	<ul style="list-style-type: none"> • Sale of products and services • To market products and services to customers • To comply with statutory obligations • Customer relations purposes • To conduct market research surveys • Security, administrative and legal purposes • To fulfil contractual obligations that we have with customers or third parties
Data subject categories and their personal information	<ul style="list-style-type: none"> • Employees: record of employee life cycle • General public: general enquiries and viewing the company website • Industry bodies: membership records • Media: records of media interactions • Service providers: record of service provider life cycle
Recipients of personal information	<ul style="list-style-type: none"> • Employee pension funds • Financial institutions • Industry bodies • Law enforcement • Medical aid schemes • Operators (service providers) • Statutory authorities
Expected transnational transfer of personal information	<ul style="list-style-type: none"> • Transfer of personal information to operators • Transfer of personal information to other members in the group

Subject	Category
Security measures to protect personal information	<p data-bbox="708 232 1034 255">Physical security measures</p> <ul data-bbox="708 286 1070 367" style="list-style-type: none"> <li data-bbox="708 286 1054 309">• Access control measures <li data-bbox="708 338 1070 360">• Internal security measures <p data-bbox="708 448 1007 470">Cyber security measures</p> <ul data-bbox="708 501 1262 898" style="list-style-type: none"> <li data-bbox="708 501 1002 524">• Anti-spam measures <li data-bbox="708 553 995 575">• Anti-virus measures <li data-bbox="708 604 1070 627">• Installing security firewalls <li data-bbox="708 656 963 678">• Password control <li data-bbox="708 766 1262 788">• Training programs on information security <li data-bbox="708 817 1078 840">• Information security audits <li data-bbox="708 869 1086 891">• IT-related company policies

For more information on how we process personal information, please refer to our privacy policy available at <https://www.cm.com/en-gb/app/legal/cm-telecom-southafrica-pty-ltd/privacy-policy/>

8. The request procedure

8.1 Prescribed form

- 8.1.1 A request for information must be made in the prescribed form, a copy of which is attached as Annexe A, must be addressed to the Information Officer and must be submitted with the prescribed fee (see paragraph 8.3).
- 8.1.2 The prescribed request form is available from the Information Officer and from the South African Human Commission (if the request is before 1 July 8 2021) or the Information Regulator (if the request is after 1 July 2021), whose contact details are set out in paragraph 4 above.

8.2 Manner of request

- 8.2.1 The request must be made to the address, facsimile number or email address of [the company] set out in paragraph 3 above.
- 8.2.2 The requester must provide enough detail on the request form to enable the Information Officer to identify the record and the requester. The requester should also indicate which form (mode/method) of access is required. The requester should indicate if it requires notice of the decision of the Information Officer in any manner, other than in writing.
- 8.2.3 The requester must identify the right that is sought to be exercised or to be protected and provide an explanation of why the requested record is required for the exercise or protection of that right.

8.2.4 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.

8.3 Fees

8.3.1 A requester who seeks access to a record containing personal information must pay the required request fee.

8.3.2 The Information Office must by notice, require the requester to pay the prescribed fee, if any, before further processing the request.

8.3.3 The requester may lodge an application to the high court relating to the payment of the request fee.

8.3.4 After the Information Officer has decided on the request, the requester must be notified in the required form.

8.3.5 If the request is granted, a further access fee must be paid for the search, reproduction, preparation and for any time, in excess of the prescribed hours, required to search and prepare for the record disclosure.

8.3.6 The prescribed fees are available from the Information Officer and from the South African Human Commission (if the request is before 1 July 9 2021) or the Information Regulator (if the request is after 1 July 2021), whose contact details are set out in paragraph 3 above.

8.4 Availability of this manual

This manual is available for inspection at:

9.1 CM.com's website, www.cm.com;

9.2 CM.com's principal place of business set out in paragraph 3 above, during normal business hours;

9.3 the SAHRC until 1 July 2021 (see contact details in paragraph 4.1 above); and

9.4 the Information Regulator from 1 July 2021 onwards (see contacts details in paragraph 4.2 above).

1 Particulars of (the company)

Name of (the company): _____

Registration number: _____

The Head: _____

Physical Address: _____

Postal Address: _____

Telephone: _____

Telefacsimile: _____

E-mail: _____

2 Particulars of person requesting access to the record

2.1 The full particulars of the person who requests access to the record must be given below.

2.2 The address and/or fax number in the Republic to which the information is to be sent must be given.

2.3 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: _____

E-mail: _____

Capacity in which request is made
when made on behalf of another person: _____

3 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: _____

4 Particulars of record

- 4.1 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.
- 4.2 If the space is inadequate, please continue on a separate folio and attach it to this form.
The requester must sign all the additional folios.

Description of record or relevant part of the record:

Reference number, if available:

Any further particulars of record:

5 Fees

- 5.1 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.
- 5.2 You will be notified of the amount required to be paid as the request fee.
- 5.3 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.
- 5.4 If you qualify for exemption of the payment of any fee, please state the reason for exemption.

Reason for exemption from payment of fees:

6 Form of access to record

If you are prevented by an impediment or 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.

Description of record or relevant part of the record:

Reference number, if available:

Choose the appropriate boxes in the form below.

- 6.1 Compliance with your request in the specified form may depend on the form in which the record is available.
- 6.2 Access in the form requested may be refused in certain circumstances. In such case, you will be informed if access will be granted in another form.
- 6.3 The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

If the record is written or printed form:

Copy of record* Inspection of record

If the 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*

If the 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)

If the 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

7 Particulars of the right to be exercised or protected

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.**

Indicate which right is to be exercised or protected:

Explain why the record requested is required for the exercise or protection of the aforementioned right:

8 Notice of decision regarding request of 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.

Date: _____

Signature of requester/person on

 whose behalf this request is made



CM.com (AMS: CMCOM) is a global leader in cloud software for conversational commerce that enables businesses to deliver a superior customer experience. Our communications and payments platform empowers marketing, sales and customer support to automate engagement with customers across multiple mobile channels, blended with seamless payment capabilities that drive sales, gain customers and increase customer happiness.