

PayGate (Pty) Ltd – Access to Information Manual



We respect your right of access to information. This document will help you exercise that right as required by section 51 of the Promotion to Access of Information Act 2 of 2000 (PAIA).

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Introduction

The Promotion of Access to Information Act gives effect to the constitutional right of access to any information held by public bodies and any information that is held by private bodies and that is required for the exercise or protection of any rights.

Section 51(1) of PAIA requires that the 'head of a private body' compiles a manual that contains various information regarding the records held by private bodies. A 'private body' means:

- a natural person who carries or has carried on any trade, business or profession, but only in such capacity;
- a partnership which carries or has carried on any trade, business or profession;
- any former or existing juristic person; or
- a political party.

We are PayGate (Pty) Ltd, we conduct business as a payment service provider (PSP), and this is our 'Access to Information Manual'. Its purpose is to help you access our information and any other information that we have. The Promotion of Access to Information Act (PAIA) requires us to make it available to you so that you:

- know what types of information we have; and
- can request access to it.

Our details

Our details are as follows:

- **Company name:** PayGate (Pty) Ltd
- **Registration number:** 1999/017441/07
- **Postal address:** P O Box 774, Noordhoek, 7979
- **Physical address:** NF201 Great Westerford, 240 Main Road, Rondebosch, 7700
- **Phone number:** 087 820 2020
- **Information officer:** Wouter Uitzinger
- **Information officer email:** wouteru@dpogroup.com
- **Contact email:** dataprotectionofficer@dpogroup.com
- **Website:** <https://www.paygate.co.za>

Further guidance

If you would like further guidance on how you can get access to information, you may contact the Information Regulator to find out more information about PAIA. The Information Regulator is required to compile a guide in each official language of South Africa on how to exercise any right under PAIA. The current guide compiled by the South African Human Rights Commission is available [here](#). The Information Regulator's contact details are as follows:

- **Postal address:** P.O Box 3153, Braamfontein, Johannesburg, 2017
- **Physical address:** JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001
- **Phone number:** 010 023 5200
- **Website:** <https://www.justice.gov.za/inforeg/index.html>
- **General e-mail:** inforeg@justice.gov.za
- **Complaints email:** complaints.IR@justice.gov.za

Records we hold

We hold the following subjects and categories of records:

- **Company records;**
- **Business records;**
- **Financial records;**
- **Insurance records;**
- **Income Tax records**
- **Personnel records;**
- **Policies and directives;**
- **Agreements or contracts;**
- **Regulatory documents;**
- **Published information;**
- **Customer information;**
- **Reference materials.**

Records that are automatically available

The following records are automatically available to you without needing to use the request procedure set out in PAIA and detailed in under the 'How to request access' section of the manual:

- Memorandum of incorporation – automatically available from CIPC;
- Directors' names – automatically available from CIPC;
- Documents of incorporation – automatically available from CIPC;
- Banking details – automatically available on request;
- Brochures – automatically available on request;
- External newsletters and circulars; and
- Information available on our website.

Please note that records that are 'not automatically available,' must be requested using the process outlined in the 'How to request access' section of this manual.

Company records

Company records are all our records related to the incorporation and administration of our company. Some of them are available from the Companies and Intellectual Property Commission (CIPC).

Minutes of board of directors meetings	Not automatically available
Written resolutions	Not automatically available
Records relating to appointment of directors, auditor, secretary, public officer, or other officers	Not automatically available
Share register and other statutory registers	Not automatically available
Other statutory records	Not automatically available

Business records

Business records include any documents that have economic value to the business.

Operational records	Not automatically available
Databases	Not automatically available
Internal correspondence	Not automatically available
Product records	Not automatically available

Systems, solutions and information technology	Not automatically available
Intellectual property pertaining to solutions and products developed	Not automatically available

Financial records

Financial records are all our records related to our finances.

Financial statements	Not automatically available (NDA required)
Tax returns	Not automatically available
Other documents relating to taxation of the company	Not automatically available
Accounting records	Not automatically available
Banking records	Not automatically available
Bank statements	Not automatically available
Electronic banking records	Not automatically available
Asset register	Not automatically available
Invoices	Not automatically available
Financial agreements	Not automatically available

Insurance records

Insurance records are all our records related to our insurable assets.

Insurance policies held by the company	Not automatically available
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Income tax records

Income tax records are all our records related to our income tax obligations.

PAYE Records	Not automatically available
Corporate tax records	Not automatically available
Documents issued to employees for income tax purposes	Not automatically available
Records of payments made to SARS on behalf of employees	Not automatically available
Skills Development Levies	Not automatically available
UIF	Not automatically available

Personnel records

Personnel records are all our records about anyone who works for us, provides services to us, or provides services on our behalf and who receives or is entitled to receive remuneration, including our employees, contractors, and other personnel.

List of employees	Not automatically available
Employee personal information	Not automatically available
Employee employment contracts	Not automatically available
Employment applications and appointment letters	Not automatically available
Employment policies and procedures	Not automatically available
Employment Equity Plan	Not automatically available
Health and safety records	Not automatically available
Salaries or wages of employees	Not automatically available

Leave records	Not automatically available
Internal evaluations and performance records	Not automatically available
Disciplinary records	Not automatically available
Training records	Not automatically available
Personal records provided by personnel	Not automatically available

Policies and directives

Policies and directives include both internal and external documents.

Internal relating to employees and the company	Not automatically available
External relating to clients and other third parties	Not automatically available
Information technology systems and documents	Not automatically available

Agreements or contracts

Agreements or contracts include the documents themselves and all related documents.

Standard Agreements	Not automatically available
Contracts concluded with customers/Merchants	Not automatically available
NDA's	Not automatically available
Third party contracts (such as JV agreements, VAR Agreements, etc.)	Not automatically available
Office management contracts	Not automatically available
Rental agreements	Not automatically available
Supplier or service contracts	Not automatically available

Regulatory documents (see section below “Information we hold to comply with the law”)

Regulatory documents include any documents required to comply with any laws.

Permits	Not automatically available
Licences	Not automatically available
Authorities	Not automatically available

Published information

Published information includes any document that we prepare and produce.

Internal newsletters and circulars	Not automatically available
Information on the company published by third parties	Not automatically available

Customer information

Customer information includes any information about anyone that we provide goods or services to, including our customers, leads, or prospects.

Customer details	Not automatically available
Contact details of individuals within customers	Not automatically available
Communications with customers	Not automatically available
Sales records	Not automatically available
Transactional information	Not automatically available

Marketing records

Not automatically available

Reference materials

Reference materials include any sources of information that we contribute to.

Newsletters and journals articles

Not automatically available

Information we hold to comply with the law

We hold records for the purposes of PAIA in terms of the following main laws, among others:

Employment
Basic Conditions of Employment Act 75 of 1997 Broad Based Black Economic Empowerment Act 53 of 2003 Compensation for Occupational Injuries and Disease Act 130 of 1993 Employment Equity Act 55 of 1998 Labour Relations Act 66 of 1995 Occupational Health and Safety Act 85 of 1993 Skills Development Act 97 of 1998 Skills Development Levies Act 9 of 1999 Unemployment Insurance Act 63 of 2001 Unemployment Insurance Contributions Act 4 of 2002
Finance
Income Tax Act 58 of 1962 National Credit Act 34 of 2005 Tax Administration Act 28 of 2011 Value Added Tax Act 89 of 1991
General
Prescription Act 18 of 1943 Prevention of Organised Crime Act 121 of 1998 Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000 Protected Disclosures Act 26 of 2000 Promotion of Access to Information Act, No 2 of 2000 Protection of Constitutional Democracy against Terrorist and Related Activities Act 33 of 2004 Protection of Personal Information Act 4 of 2013 Regulation of Interception of Communications and Provision of Communication related Information Act 70 of 2002
Intellectual Property
Copyright Act 98 of 1978 Intellectual Property Laws Amendment Act, No 38 of 1997 Intellectual Property Laws Amendment Act, No 28 of 2013 Trademarks Act 194 of 1993
Information and Communications Technology
Electronic Communications Act 36 of 2005 Electronic Communications and Transactions Act 25 of 2002

Operations

Companies Act 61 of 1973
Companies Act 71 of 2008
Competition Act 89 of 1998
Consumer Protection Act 68 of 2008
Financial Intelligence Centre Act 38 of 2001
Prevention & Combating of Corrupt Activities Act 12 of 2004

How to request access

We have authorised and designated our information officer to deal with all matters relating to PAIA in order to comply with our obligations in terms of PAIA. To request access to a record, please complete Form 2 which is available from:

- The Information Regulator website at:
<https://www.justice.gov.za/infoereg/docs/forms/InfoRegSA-PAIA-Form02-Reg7.pdf>

Please submit the completed form to our information officer together with the relevant request fee (as described in the table below under the 'How much it will cost you' section) at our information officer's email address, or our physical address in terms of our details provided above. Please ensure that the completed form:

- has enough information for the information officer to identify you, the requested records, and which form of access you require;
- specifies your email address, postal address, or fax number (if applicable);
- describes the right that you seek to exercise or protect;
- explains why you need the requested record to exercise or protect that right;
- provides any other way you would like to be informed of our decision other than in writing; and
- provides proof of the capacity in which you are making the request if you are making it on behalf of someone else (we will decide whether this proof is satisfactory).

If you do not use the standard form we may:

- reject the request due to lack of procedural compliance;
- refuse it if you do not provide sufficient information; or
- delay it.

Grounds for refusal

We may have to refuse you access to certain records in terms of PAIA to protect:

- someone else's privacy;
- another company's commercial information;
- someone else's confidential information;
- the safety of individuals and property;
- records privileged from production in legal proceedings; or
- research information.

We will notify you in writing whether your request has been approved or denied within 30 calendar days after we have received a completed request for access form. If we cannot find any requested record or it does not exist, then we will notify you by way of affidavit that it is not possible to give access to that particular record.

How we will give you access

We will evaluate and consider all requests to us in terms of PAIA. If we approve your request for access to our records, we will decide how to provide access to you – unless you have asked for access in a specific form. Publication of this manual does not give rise to any rights to access information records, except in terms of PAIA.

How much it will cost you

You must pay us a request fee as required by law when submitting a request for access to information. The prescribed fees are as set out below:

Item	Description	Amount
1.	Request fee payable by every requestor	R140,00
2.	Photocopy of A4-size page	R2,00 per page or part thereof
3.	Printed copy of A4-size page	R2,00 per page or part thereof
4.	Copy in a computer-readable form on: <ul style="list-style-type: none">• flash drive (to be provided by requestor)• compact disc<ul style="list-style-type: none">○ if provided by requestor○ If provided to the requestor	R40,00 R40,00 R60,00
5.	Transcription of visual images per A4-size page	Service to be outsourced. Will depend on quotation from service provider.
6.	Copy of visual images	
7.	Transcription of an audio record, per A4-size page	R24,00
8.	Copy of an audio record on: <ul style="list-style-type: none">• flash drive (to be provided by requestor)• compact disc<ul style="list-style-type: none">○ if provided by requestor○ If provided to the requestor	R40,00 R40,00 R60,00
9.	To search and prepare the record for disclosure for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation.	R145,00
	To not exceed a total cost of	R435,00
10.	Deposit – if the search exceeds 6 hours	One third of amount per request, calculated in terms of items 2 to 8 above.
11.	Postage, e-mail or any other electronic transfer	Actual expense, if any.

You must pay us the fees before we will hand over any information. You may have to pay a further access fee if we grant the request for any time that has exceeded the prescribed hours to search and prepare the record for disclosure, as described in the table above.

How we process and protect personal information

We protect personal information and process it as set out in our Privacy Policy, which is available here: <https://www.paygate.co.za/privacy-policy/>

Remedies

If your request for access is denied, you may:

- apply to a court with appropriate jurisdiction, or
- lodge a complaint with the Information Regulator by following the prescribed process, for the necessary relief.

You can lodge a complaint with the Information Regulator using this form:

<https://www.justice.gov.za/infoereg/docs/forms/InfoRegSA-PAIA-Form05-Reg10.pdf>

Availability of this Manual

This manual is available in English and will be available on our website, and at our company offices. The manual is also electronically available on our website at: www.paygate.co.za/popia-paia-manual

Updates to this Manual

This manual will be updated whenever we make material changes to the current information.