



## PAIA and POPI Manual

THIS MANUAL WAS PREPARED IN ACCORDANCE WITH SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000 AND TO ADDRESS REQUIREMENTS OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013

This manual applies to **CMC NETWORKS (PTY) LTD**  
Registration number: **1993/004733/07**

(the "Company")

Registered office address:  
4b Naivasha Road, Sunninghill, Sandton, 2157, Gauteng, RSA

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# 1 Introduction

The promotion of Access to Information Act, 2000 (the “Act”) gives third parties the right to approach private bodies and the government to request information held by them, which is required in the exercise and/or protection of any rights. On request, the private body or government is obliged to release such information unless the Act expressly states that the records containing such information may or must not be released. This manual informs requestors of procedural and other requirements which a request must meet as prescribed by the Act.

## Nature Of Business

CMC Networks is a wholesale services provider of next-generation network connectivity solutions with special focus on Africa and the Middle East. We provide connectivity solutions such as MPLS, Carrier Ethernet and SD WAN.

## Contact Details

Name of body:	CMC NETWORKS (PTY) LTD
Head of body:	Marisa Trisolino – Chief Executive Officer
Information Officer:	Nico Walters
Physical Address:	4b Naivasha Road Sunninghill Sandton 2157 Gauteng RSA
Postal Address:	Same as physical
Telephone Number:	011 517 8400
Facsimile Number:	011 517 8406
Email address:	<a href="mailto:Nico.walters@cmcnetworks.net">Nico.walters@cmcnetworks.net</a>

## 2 Guide Of The South African Human Rights Commission

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A guide to the Act (as contemplated under section 10 of the Act) is available from the South African Human Rights Commission. The guide contains such information as may reasonably be required by a person who wishes to exercise any right contemplated in the Act. Any enquiries regarding this guide and its contents should be directed to:

The South African Human Rights Commission:  
PAIA Unit (the Research and Documentation Department)  
Postal address: Private Bag 2700, Houghton, 2041  
Telephone: +27 11 484-8300  
Fax: +27 11 484-7146  
Website: [www.sahrc.org.za](http://www.sahrc.org.za)  
E-mail: [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)

## 3 Access To Records Held By The Company

Records held by the Company may be accessed on request only once the requirements for access have been met. A requester is any person making a request for access to a record of the Company and in this regard, the Act distinguishes between two types of requesters:

### Personal Requester

A personal requester is a requester who is seeking access to a record containing personal information about the requester. Subject to the provisions of the Act and applicable law, the Company will provide the requested information, or give access to any record with regard to the requester's personal information. The prescribed fee for reproduction of the information requested will be charged by the Company.

### Other Requester

This requester (other than a personal requester) is entitled to request access to information pertaining to third parties. However, the Company is not obliged to grant access prior to the requester fulfilling the requirements for access in terms of the Act. The prescribed fee for reproduction of the information requested will be charged by the Company.

### Request Procedure

A requester must comply with all the procedural requirements contained in the Act relating to a request for access to a record. A requester must complete the prescribed form enclosed herewith 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 postal or physical address, fax number or electronic mail address stated herein. The prescribed form must be filled in with enough particularity to at least enable the information officer to identify:

- The record or records requested;
- The identity of the requester;
- What form of access is required; and
- The postal address or fax number of the requester.

A requester must state that he or she requires the information in order to exercise or protect a right, and clearly state what the nature of the right is so to be exercised or protected. The

requester must also provide an explanation of why the requested record is required for the exercise or protection of that right.

The Company will process a request within 30 days, unless the requestor has stated special reasons which would satisfy the information officer that circumstances dictate that this time period not be complied with.

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 or she must state the manner and the particulars so required. If a request is made on behalf of another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the information officer.

If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally to the information officer.

## Decision

The Company will, within 30 days of receipt of a request, decide whether to grant or decline a request and give notice with reasons (if required) to that effect. The 30 day period within which the Company has to decide whether to grant or refuse a request, may be extended for a further period of not more than 30 days if the request is for a large quantity of information, or the request requires a search for information held at another office of the Company (other than the head office) 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 necessary.

## 4 Fees

The Act provides for two types of fees:

A request fee, (which will be a standard fee) and an access fee, which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs where applicable. When a request is received by the information officer of the Company, the information officer shall by notice require the requester, other than a personal requester, to pay the prescribed request fee (if any), before further processing of the request. If a search for the record is necessary 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.

The information officer shall withhold a record until the requester has paid the fee or fees as indicated. 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 request form. If a deposit has been paid in respect of a request for access, which is refused, then the information officer shall repay the deposit to the requester.

## 5 Categories Of Records Held By The Company: Section 51(1)(E)

<b>Companies Act Records</b>
Documents of incorporation/CK documents
Memorandum and Articles of Association
Minutes of Board of Directors meetings
Records relating to the appointment of directors, auditors, secretaries, public officers and other officers
Company Share Register and other statutory registers
<b>Financial and Tax Records</b>
Tax Returns
Accounting Records
Banking Records
Bank Statements
Paid Cheques
Electronic banking records
Annual Financial Statements
Asset Register
Rental Agreements
Invoices
Customer Details-Vat Numbers-delivery addresses-email addresses-client company details
Contracts
Credit applications
<b>INCOME TAX RECORDS</b>
PAYE Records
VAT records
Documents issued to employees for income tax purposes
Records of payments made to SARS on behalf of employees
Services Levies
Skills Development Levies
UIF
COVID
<b>Personnel Documents and Records</b>
Employment contracts
Disciplinary records
Employment Equity Plan
Salary records
SETA records
Disciplinary cod
Employee Identity Numbers
Leave records
Training records
Training Manuals

CV'S
Medical records
Employee names
Employee addresses
Employee biometric data - fingerprints
<b>Client Documents and Records</b>
Copies of compliance certification
Building lay-out and floor plans
Emergency Planning and Operational data
Environmental plans
Physical Security plans and contracts
Transport and Delivery Plans
Waste Management Plans
Copies of Insurance and Public Liability Insurances
Client company/trading details-vat numbers, company registration details etc.
Client and 3rd party professional qualifications and professional body registration details
Transport and Delivery Plans
Waste Management Plans
Copies of Insurance and Public Liability Insurances
Client and 3rd party professional qualifications and professional body registration details
Customer contracts and customer details
Copies of Insurance and Public Liability Insurances
Supplier contracts and supplier contact details

## 6 Processing Of Personal Information

### Purpose of Processing

The Company uses the Personal Information under its care in the following ways:

- Performance of contractual services – connectivity, support and maintenance
- Performance of employment contracts
- Legal and statutory requirements

### Categories of Data Subjects and their Personal Information

The Company may possess records relating to suppliers, shareholders, contractors, service providers, staff and clients:

<b>Entity Type</b>	<b>Personal Information Processed</b>
Clients: Natural Persons	Names; contact details; physical and postal addresses; date of birth; ID number; Tax related information; nationality; gender; confidential correspondence

Clients – Juristic Persons / Entities	Names of contact persons; Name of Legal Entity; Physical and Postal address and contact details; Financial information; Registration Number; Founding documents; Tax related information; authorised signatories, beneficiaries, ultimate beneficial owners
Clients – Foreign Persons / Entities	Names; contact details; physical and postal addresses; date of birth; Passport number Tax related information; nationality; gender; confidential correspondence
Intermediary / Advisor	Names of contact persons; Name of Legal Entity; Physical and Postal address and contact details; Financial information; Registration Number; Founding documents; Tax related information; authorised signatories, beneficiaries, ultimate beneficial owners
Contracted Service Providers	Names of contact persons; Name of Legal Entity; Physical and Postal address and contact details; Financial information; Registration Number; Founding documents; Tax related information; authorised signatories, beneficiaries, ultimate beneficial owners
Employees / Directors	Gender, Pregnancy; Marital Status; Colour, Age, Language, Education information; Financial Information; Employment History; ID number; Physical and Postal address; Contact details; Opinions, Criminal behaviour; Well-being;

## Categories of Recipients for Processing the Personal Information

The Company may supply the Personal Information to service providers who render the following services:

- Capturing and organising of data;
- Storing of data;
- Sending of emails and other correspondence to clients
- Conducting due diligence checks;
- Administration of the Collective Investment Schemes;

## Actual or Planned Transborder Flows of Personal Information

The Company has no planned Transborder Flows of Personal Information

## 7 Remedies Available If Request for Information Is Refused

### Internal Remedies

The Company does not have internal appeal procedures. As such, the decision made by the information officer pertaining to a request is final, and requestors will have to exercise such external



remedies at their disposal if a request is refused, and the requestor is not satisfied with the response provided by the information officer.

## External Remedies

A requestor that is dissatisfied with the information officer's refusal to disclose information, may within 30 days of notification of the decision, apply to a court for relief. Likewise, a third party dissatisfied with the information officer's decision to grant a request for information, may within 30 days of notification of the decision, apply to a court for relief. For purposes of the Act, courts that have jurisdiction over these applications are the Constitutional Court, the High Court or another court of similar status.

## 8 List of Applicable Legislation

Records of the Company's and other legal entities in which the Company has a direct controlling interest or an indirect controlling interest through its subsidiaries) may be kept by or on behalf of the Company in accordance with the following legislation (some of which legislation may not be applicable to the Company), as well as with other legislation that may apply to the Company and/or its subsidiaries from time to time:

<b>Applicable Legislation</b>
<p>Records of the Company's and other legal entities in which the Company has a direct controlling interest or an indirect controlling interest through its subsidiaries) may be kept by or on behalf of the Company in accordance with the following legislation (some of which legislation may not be applicable to the Company), as well as with other legislation that may apply to the Company and/or its subsidiaries from time to time:</p> <ul style="list-style-type: none"><li>• Basic Conditions of Employment Act 57 of 1997;</li><li>• Broad-based Black Economic Empowerment Act 53 of 2003 Companies Act 71 of 2008;</li><li>• Compensation for Occupational Injuries and Diseases Act 130 of 1993 Copyright Act 98 of 1978;</li><li>• Currencies and Exchanges Act 9 of 1993;</li><li>• Electronic Communications and Transactions Act 25 of 2002 Employment Equity Act 55 of 1998;</li><li>• Financial Intelligence Centre Act 38 of 2001;</li><li>• Financial Institutions (Protection of Funds) Act 28 of 2001 Financial Services Board Act 97 of 1990;</li><li>• Income Tax Act 58 of 1962;</li><li>• Inspection of Financial Institutions Act 80 of 1998 Labour Relations Act 66 of 1995;</li><li>• Occupational Health and Safety Act 85 of 1993;</li><li>• Regulation of Interception of Communications and Provision of Communication-Related Information Act 70 of 2002;</li><li>• Prevention of Organised Crime Act 121 of 1998;</li></ul>

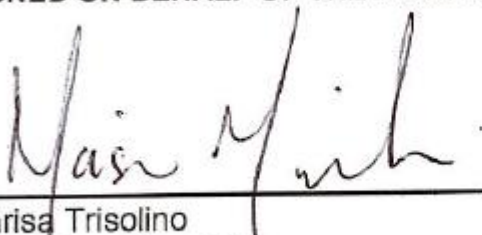
- Prevention and Combating of Corrupt Activities Act 12 of 2004 Promotion of Access to Information Act 2 of 2000;
- Protected Disclosures Act 26 of 2000;
- Protection of Constitutional Democracy against Terrorist and Related Activities Act 33 of 2004 Skills Development Act 97 of 1998;
- Skills Development Levy Act 9 of 1999 Securities Transfer Tax Act 25 of 2007;
- Securities Transfer Tax Administration Act 26 of 2007 Trade Marks Act 194 of 1993;
- Trust Property Control Act 57 of 1988 Unemployment Insurance Act 30 of 1966;
- Unemployment Insurance Contributions Act 4 of 2002 Value Added Tax Act 89 of 1991

## 9 Availability Of The Manual

The manual is available for inspection, on reasonable prior notice, at the office of the company free of charge.

## 10 Approval

**SIGNED ON BEHALF OF THE COMPANY ON THIS 04/04/2021.**

  
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Marisa Trisolino  
Chief Executive Officer

# 11 Appendix A: Prescribed Form C To Be Completed By A Requester

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY  
(Section 53(1) of the Promotion of Access to Information Act, 2000  
(Act No. 2 of 2000)

[Regulation 10]

<b>A. Particulars of private body:</b>
CMC NETWORKS (PTY) LTD
Nico Walters – Information Officer
4b Naivasha Road, Sunninghill, Sandton, 2157
Nico.walters@cmcnetworks.net
011 517 8400
4b Naivasha Road, Sunninghill, Sandton, 2157
<b>B. Particulars of person requesting access to the record</b>
<div style="border: 1px solid black; padding: 5px;"><p>(a) The particulars of the person who requests access to the record must be given below.</p><p>(b) The address, email address and/or fax number in the Republic to which the information is to be sent must be given.</p><p>(c) Proof of the capacity in which the request is made, if applicable, must be attached.</p></div>
Full names and surname:
Identity number:
Postal address:
Fax number:
Telephone number:
E-mail address:
Capacity in which request is made, when made on behalf of another person:
<b>C. Particulars of person on whose behalf request is made</b>
<div style="border: 1px solid black; padding: 5px;"><p><b><i>This section must be completed ONLY if a request for information is made on behalf of another person.</i></b></p></div>
Full names and surname:
Identity number:
<b>D. Particulars of record</b>
<div style="border: 1px solid black; padding: 5px;"><p>(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.</p><p>(b) If the provided space is inadequate, please continue on a separate folio and attach it to this form.</p><p><b>The requester must sign all the additional folios.</b></p></div>

1	Description of record or relevant part of the record:
2	Reference number, if available:
3	Any further particulars of record:

**E. Fees**

<p>(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.</p> <p>(b) You will be notified of the amount required to be paid as the request fee.</p> <p>(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.</p> <p>(d) If you qualify for exemption of the payment of any fee, please state the reason for exemption.</p>
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Reason for exemption from payment of fees:

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**F. Form of access to record**

<p><i>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.</i></p>
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<u>Disability:</u>	Form in which record is required:
Mark the appropriate box with an X	
<b>NOTES:</b>	
<p>(a) Compliance with your request in the specified form may depend on the form in which the record is available.</p> <p>(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.</p> <p>(c) The fee payable for access for the record, if any, will be determined partly by the form in which access is requested.</p>	

1.If the record is in written or printed form:						
<input type="checkbox"/>	<b>copy of record*</b>	<input type="checkbox"/>	<b>inspection of record</b>			
2 If record consists of visual images - this includes photographs, slides, video recordings, computer-generated images, sketches, etc						
<input type="checkbox"/>	<b>View the images</b>	<input type="checkbox"/>	<b>Copy of the images</b>	<b>Transcription of the images</b>		
3. If record consists of recorded words or information which can be reproduced in sound:						
<input type="checkbox"/>	<b>listen to the soundtrack (audio cassette)</b>	<input type="checkbox"/>	<b>transcription of soundtrack* (written or printed document)</b>			
4. If record is held on computer or in an electronic or machine-readable form:						
<input type="checkbox"/>	<b>printed copy of record*</b>	<input type="checkbox"/>	<b>printed copy of information - derived from the record"</b>	<b>copy in computer readable form* (stiffy or compact disc)</b>		
*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>				<table border="1"> <tr> <td><b>YES</b></td> <td><b>NO</b></td> </tr> </table>	<b>YES</b>	<b>NO</b>
<b>YES</b>	<b>NO</b>					
<b>Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available</b>						
<b>In which language would you prefer the record? -----</b>						

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

Requesters 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.

*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?

--

**H. Particulars of 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.

--

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

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Signed at..... This..... day of .....20

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**SIGNATURE OF REQUESTER / PERSON ON WHOSE BEHALF REQUEST IS MADE**

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