

**PROMOTION OF ACCESS TO INFORMATION ACT 2 of 2000**

**WEB TELECOM SERVICES (PTY) LTD**

**PAIA MANUAL**

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## 1. INTRODUCTION

The Promotion of Access to Information Act 2 of 2000 (the “**Act**”) came into operation on 23 November 2001. Section 51 of the Act requires that we as a private body compile a manual, giving information to the public regarding the procedure to be followed in requesting information from us for the purpose of exercising or protecting their constitutional right to access to information. The reference to any information in addition to that specifically required in terms of Section 51 of the Act does not create any right or entitlement (contractual or otherwise) to receive such information, other than in terms of the Act.

## 2. PURPOSE

The purpose of this manual is to provide guidelines to the public who wish to exercise their constitutional right to access to information. Below you will find information on how to lodge your request; a description of the types of information that will be made available, grounds for refusal, what procedure will be followed in considering your request, the applicable fee structure and information on the appeals procedure should you not be satisfied with the outcome of your request.

## 3. COMPANY DETAILS

|                                  |                                                                                                            |
|----------------------------------|------------------------------------------------------------------------------------------------------------|
| <b>Full Name</b>                 | Web Telcom Services (Pty) Ltd and its subsidiaries (“ <b>Web Telecom Services</b> ”)                       |
| <b>Registered Address</b>        | 53 Candlewood Avenue, Acorn Creek , Macassar, Somerset West 7130                                           |
| <b>Postal / Physical Address</b> | Venture Workspace, 2 <sup>nd</sup> Floor Sanctuary Shopping Centre<br>De Beers Avenue, Somerset West, 7130 |
| <b>Telephone Number</b>          | 087 238 3780                                                                                               |
| <b>CEO</b>                       | TP Da Silva                                                                                                |
| <b>Information Officer</b>       | Jayson Van Der Schyff (IO)<br>E: io@web-telecoms.co.za                                                     |
| <b>Website</b>                   | <a href="https://www.web-telecoms.co.za">https://www.web-telecoms.co.za</a>                                |

Web Telecom Services is an internet and Hosting service provider based in Western Cape.

Web Telecom Services provides a range of internet services such as FTTB, FTTH, IT consulting, web hosting and email hosting services.

Web Telecom Services, as a private body, has compiled this manual, not only to comply with the provisions of the Act, but also to foster a culture of transparency and accountability in its environment to ensure that members of the public have effective access to information in our possession which will assist them in the exercise and protection of their rights. A copy of this manual and the annexures are also available on our website at [www.web-telecoms.co.za](http://www.web-telecoms.co.za)

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 herein.

#### 4. THE SOUTH AFRICAN HUMAN RIGHTS COMMISSION GUIDE

Requesters are referred to the Guide in terms of Section 10 which has been compiled by the South African Human Rights Commission (“SAHRC”), which contains information for the purposes of exercising constitutional rights. The Guide is available from the SAHRC website [www.sahrc.org.za](http://www.sahrc.org.za).

#### 5. INFORMATION HELD BY WEB TELECOM SERVICES

Web Telecom Services maintains records on, *inter alia*, the following categories and subject matters.

However, please note that recording a category or subject matter in this Manual does not imply that a request for access to such records would be honoured. All requests for access will be evaluated on a case-by-case basis in accordance with the provisions of the Act.

| INTERNAL RECORDS                 | PERSONNEL RECORDS                                                                  | CUSTOMER RECORDS                                                                                                             |
|----------------------------------|------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------|
| Statutory records                | Any personal records provided to Web Telecom Services                              | Any records a customer has provided to Web Telecom Services or a third party acting for or on behalf of Web Telecom Services |
| Financial records                | Any records a third party has provided to Web Telecom Services                     | Personal records of customers                                                                                                |
| Operational records              | Conditions of employment and other personnel-related contractual and legal records | Credit information and other research conducted in respect of customers                                                      |
| Intellectual property / Licences | Internal evaluation records                                                        |                                                                                                                              |
| Marketing records                | Other internal records and correspondence                                          |                                                                                                                              |
| Product records                  |                                                                                    |                                                                                                                              |
| Internal policies and procedures |                                                                                    |                                                                                                                              |

If you wish to request access to any of the above categories of information, you are required to complete a request form (**Form 2 - REQUEST FOR ACCESS TO RECORD**).

This form is available from:

- Our Information Officer (whose contact details are provided in this manual);
- The SAHRC website ([www.sahrc.org.za](http://www.sahrc.org.za));

The form must then be sent to Web Telecom Services 's Information Officer at [io@web-telecoms.co.za](mailto:io@web-telecoms.co.za). There is a prescribed fee (payable in advance) for requesting and accessing information in terms of the Act. Fees are contained in Section 8. We will respond to your request within 30 business days of receiving the request by indicating whether your request for access has been granted or declined.

You may also be called upon to pay the additional fees prescribed by regulations for searching for and compiling the information which you have requested, including copying charges.

It is important to note that access is not automatic but given on a need-to-know basis – you must identify the right you are seeking to exercise or protection of that right. The aim of the Act is to try and balance the right of access to information with all the other rights in the constitution such as protecting privacy and confidential commercial information.

Considerations before submitting a request:

- Are you submitting the request to exercise or protect any of your legitimate rights?
- Is the information you require in record form and under the control of Web Telecom Services?
- Do you have a legitimate right to access the records?

Take note that the accessibility of the documents listed above may be subject to the grounds of refusal as set out in the Act, including but not limited to:

- Protecting the privacy of a third party who is a natural person, which would involve the unreasonable disclosure of personal information of that natural person;
- Protecting 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 that third party; or
  - information disclosed in confidence by a third party to Web Telecom Services if the disclosure could put that third party at a disadvantage in negotiations or commercial competition;
  - trade secrets of Web Telecom Services;
  - financial, commercial, scientific, or technical information which disclosure could likely cause harm to the financial or commercial interests of Web Telecom Services; or
  - information which, if disclosed, could put Web Telecom Services at a disadvantage in negotiations or commercial competition;
- Protecting confidential information of third parties if it is protected in terms of any agreement or legislation;
- Protecting the safety of individuals and the protection of their property;
- Protecting records which would be regarded as privileged in legal proceedings;
- Protecting the commercial activities of Web Telecom Services, which may include:
  - Trade secrets of Web Telecom Services;
  - Financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of Web Telecom Services; or
  - Information which, if disclosed, could put Web Telecom Services at a disadvantage in negotiations or commercial competition;
- A computer program which is owned by Web Telecom Services and which is protected by copyright. The research information of Web Telecom Services or a third party, if its disclosure would disclose the identity of the institution, the researcher or the subject matter of the research and would place the research at a serious disadvantage; and
- Requests for information that is clearly frivolous or vexatious or which involves an unreasonable diversion of resources shall be refused.
- You will be notified in the manner indicated by you on the request form whether your request has been approved.

You may lodge an application with the Court, appealing Web Telecom Services 's decision regarding the access fee and/or the form of access granted and/or any requested time extensions within 180 days from receiving Web Telecom Services 's decision.

## 6. LAWS AND REGUALTIONS

### Key Laws

- Promotion of Access to Information Act, 2000
- Protection of Personal Information Act, 2013

### Regulations

| Government Notice                     | Date              | Subject and description                                                                                     |
|---------------------------------------|-------------------|-------------------------------------------------------------------------------------------------------------|
| Government Notice R.187 in GG 23119   | 15 February 2002  | Regulations from the Minister, which outline the availability of Guides, and the prescribed forms and fees. |
| Government Notice R.991 in GG 28107   | 14 October 2005   | Regulations that prescribe the grounds under which a person is exempt from having to pay fees               |
| Government Notice 1222 in GG 39504    | 11 December 2015  | Exemptions in relation to provision of manuals for private bodies.                                          |
| Government Notice 1217 in GG 42717    | 19 September 2019 | Designation of Magistrate Courts as having the capacity to hear PAIA matters.                               |
| Government Notice R. 1284 in GG 42740 | 4 October 2019    | Rules of procedure for applications to be made in terms of PAIA before High Court or Magistrates Court.     |

## 7. INFORMATION AUTOMATICALLY AVAILABLE

Information relating to Web Telecom Services's services are freely available on our website. Certain other information relating to Web Telecom Services is also made available on the website from time to time.

Information in the form of marketing brochures, advertising material and other literature intended for public viewing is made available from time to time.

For more information on the personal information in terms of POPIA please refer to the Privacy Policy on our website <https://www.web-telecoms.co.za>

## 8. THE FEE STRUCTURE

Generally, fees need to be paid both for making a request, but also to cover the cost of providing access to records in terms of a request. There are, however, some exceptions. How much can be charged for any of these fees is prescribed by Regulations.

When you make a request, the body can charge the following as a request fee:

|             |          |
|-------------|----------|
| Request Fee | R 150.00 |
|-------------|----------|

If you are granted access to the records you request, an IO or DIO can charge you a request fee to cover the cost of reproducing the records and providing them to you, but the charges are limited to the following:

|                                                        |                                                                                                                                                                                                             |
|--------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Copy of an A4-size page or part thereof                | R2.00                                                                                                                                                                                                       |
| Printing per A4 page                                   | R2.00                                                                                                                                                                                                       |
| Copy on a CD                                           | R40                                                                                                                                                                                                         |
| Transcription of visual images per A4 page             | R22                                                                                                                                                                                                         |
| Copy of a visual image                                 | R60                                                                                                                                                                                                         |
| Transcription of an audio record per A4 page           | R24                                                                                                                                                                                                         |
| Copy of an audio recording on CD provided by requestor | R40                                                                                                                                                                                                         |
| Copy of an audio recording if we provide the CD        | R60                                                                                                                                                                                                         |
| Search and preparation of the record for disclosure    | To search for and prepare the record for disclosure, R145,00 for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation. The fee cannot exceed R435,00 |
| Postage                                                | The actual postage is payable.                                                                                                                                                                              |

The requestee can request in a formal notice a deposit from the requester if they believe a request will take more than six hours, but this