



PAIA Manual



THIS MANUAL WAS PREPARED IN ACCORDANCE WITH SECTION 51 OF THE PROMOTION OF ACCESS
TO INFORMATION ACT, 2000 ("The Act")

This manual applies to

Recode Media Holdings (Pty) Ltd

Registration number: 2019/056978/07

(the "Company")

Registered office address:

28 Harley Street, Ferndale, Randburg 2194

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1. Introduction

The Promotion of Access to Information Act, 2003 (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

The Company offers video and content creation and distribution.

Contact Details

Name of body: Recode Media Holdings (Pty) Ltd
Directors (duly authorised/designated persons): Erin-Jane Miller, Wayne Pearce, Rochelle Hendry
Head of body: Erin-Jane Miller (CEO)
Information Officer: Rochelle Hendry

Physical Address:

28 Harley Street
Ferndale
Randburg
2194

Postal Address:

28 Harley Street
Ferndale
Randburg
2194

Telephone Number: +27 72 569 7059

Email address: info@recode.media.co.za

2. The Act

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 in paragraphs 6 and 7 of the Act.

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 2700, Houghton, 2041
Telephone Number:	+27-11-877 3600
Fax Number:	+27-11-403 0625
Website:	www.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 physical address 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 physical address or electronic mail address 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 (thirty) 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 (thirty) 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 (thirty) 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 (thirty) 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 (thirty) 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)(d)

Companies Act Records

- Documents of incorporation
- Memorandum of Incorporation
- Minutes of Board of Directors meetings
- Records relating to the appointment of directors / auditor / secretary / public officer and other officers
- Share Register and other statutory registers
- Resolutions of the board and shareholders

Financial Records

- Annual Financial Statements
- Tax Returns
- Accounting Records
- Banking Records
- Bank Statements
- Electronic banking records
- Asset Register Rental Agreements
- Invoices

Tax Records

- PAYE Records
- Documents issued to employees for income tax purposes
- Records of payments made to SARS on behalf of employees
- All other statutory compliances:
 - VAT
 - Skills Development Levies
 - UIF
 - Workmen's Compensation

Personnel Documents and Records

- Employment contracts
- Employment Equity Plan (if applicable)
- Disciplinary records
- Salary records
- Disciplinary code
- Leave records
- Training records
- Training Manuals

Contractual Records

- Contracts with suppliers
- Contracts with customers and third parties in the course of business

Personal information

- Personal information of employees and suppliers or customers in terms of our dealings with them
- Customer bulk sms and email databases on our customers behalf
- Names and contact details of talent/actors

More detail as to the categories of personal data and manner in which we process it can be accessed in our POPI policy.

6. 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 (thirty) 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 (thirty) 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 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 from time to time:

- Basic Conditions of Employment Act 57 of 1997;
- Broad-based Black Economic Empowerment Act 53 of 2003 Companies Act 71 of 2008;
- Compensation for Occupational Injuries and Diseases Act 130 of 1993 Copyright Act 98 of 1978;
- Currencies and Exchanges Act 9 of 1993;
- Electronic Communications and Transactions Act 25 of 2002
- Employment Equity Act 55 of 1998;
- Financial Intelligence Centre Act 38 of 2001;
- Financial Institutions (Protection of Funds) Act 28 of 2001
- Financial Services Board Act 97 of 1990;
- Income Tax Act 58 of 1962;
- Inspection of Financial Institutions Act 80 of 1998
- Labour Relations Act 66 of 1995;
- Occupational Health and Safety Act 85 of 1993;
- Regulation of Interception of Communications and Provision of Communication- Related Information Act 70 of 2002;
- Prevention of Organised Crime Act 121 of 1998;
- 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
- Protection of Personal Information Act 4 of 2013
- 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. Form of Request (**Section 51 (1) (e)**)

To facilitate the processing of your request, kindly:

- 6.1** Use the prescribed form, available on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at www.sahrc.org.za attached as Appendix 1 hereto.
- 6.2** Address your request to the Head of the Company (CEO).
- 6.3** Provide sufficient details to enable the COMPANY to identify:
 - (a) The record(s) requested;
 - (b) The requester (and if an agent is lodging the request, proof of capacity);
 - (c) The form of access required;
 - (d) (i) The postal address or fax number of the requester in the Republic;
(ii) If the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof;
 - (e) The right which the requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.

10. Availability of the Manual

The manual is available for inspection, on reasonable prior notice, at the office of the company free of charge and on our website at www.recodemedia.co.za

11. Approval

Signed on behalf of the Company on this 2X of November 2021.



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Erin-Jane Miller
Chief Executive Officer

12. Appendix 1: 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]

A. Particulars of private body

The Head:

B. Particulars of person requesting access to the record

- a) The particulars of the person who requests access to the record must be given below.
- b) The address and/or electronic mail address in the Republic to which the information is to be sent must be given.
- c) Proof of the capacity in which the request is made, if applicable, must be attached.

Full names and surname:

Identity number:

Address:

Telephone number:

E-mail address:

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

C. 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:

D. Particulars of record

- a) Provide full particulars of the record to which access is requested, including the any reference numbers known to you, to enable the record to be located.
 - b) 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.
1. Description of record or relevant part of the record:
 2. Reference number, if available:
 3. Any further particulars of record:

E. Fees

- 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.
- b) You will be notified of the amount required to be paid as the request fee.
- 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.
- d) If you qualify for exemption of the payment of any fee, please state the reason for exemption.

Reason for exemption from payment of fees:



F. Form of access to record

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.

Disability:

Form in which record is required:

Mark the appropriate box with an X.

NOTES:

- a) Compliance with your request in the specified form may depend on the form in which the record is available.
- 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
- c) The fee payable for access for the record, if any, will be determined partly by the form in which access is requested.

1. If the record is in written or printed form:			
<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record
2. If record consists of visual images			
<input type="checkbox"/>	view the images	<input type="checkbox"/>	copy of the images
<input type="checkbox"/>		<input type="checkbox"/>	transcription of the images
3. If the record consists of recorded words or information which can be reproduced in sound:			
<input type="checkbox"/>	listen to the soundtrack audio cassette	<input type="checkbox"/>	transcription of soundtrack written or printed document
4. If record is held on computer or in an electronic or machine-readable form:			
<input type="checkbox"/>	printed copy of record	<input type="checkbox"/>	printed copy of information derived from record
<input type="checkbox"/>		<input type="checkbox"/>	Soft copy in computer readable form
If you requested a copy or transcription of a record (above), do you wish the copy or transcript to be posted to you? Postage is payable.			Yes/No



G. 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.

1. Indicate which right is to be exercised or protected:

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

H. Notice of decision regarding request for 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.

How would you prefer to be informed of the decision regarding your request for access to the record:

Signed at this day of 20.....

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SIGNATURE OF REQUESTER / PERSON ON WHO'S BEHALF REQUEST IS MADE