



+27 86 000 6335

+27 86 206 6975

service@odek.co.za

www.odek.co.za

Block A1, 8 Hillside Road, Parktown, 2193

**PAIA MANUAL IN TERMS OF THE PROMOTION OF ACCESS TO INFORMATION ACT NO 2 OF 2000
(PAIA)
("The PAIA Manual")**

FOR

ODEK Alliance

ODEK Technologies (Pty) Ltd with registration number: 2013/200267/07;

ODEK AppCraft (Pty) Ltd with registration number: 2016/056260/07;

ODEK Accendo (Pty) Ltd with registration number: 2019/477466/07;

ODEK Telecoms (Pty) Ltd with registration number: 2018/074446/07;

ODEK AppCraft India with company identity number: U72200PN2018PTC177771;

ODEK Emporium with registration number: 2018/364965/07;

ODEK Money with registration number: 2018/567395/07;

ODEK Capital with registration number: 2018045710/07;

ZARODEK with registration number: 2017/374060/07

("ODEK")

Table of Contents

1. THE AIM OF THE PAIA MANUAL.....	3
2. THE INFORMATION REGULATOR.....	3
3. FUNCTIONS AND STRUCTURES OF ODEK	4
4. IMPORTANT PAIA DEFINITIONS.....	6
5. GENERAL CONTACT DETAILS	8
6. INFORMATION OFFICERS.....	8
7. POPIA COMPLIANCE	9
8. RIGHTS OF DATA SUBJECTS	9
9. PROCEDURE: REQUEST FOR INFORMATION	9
10. REMEDIES WHERE REQUESTS FOR ACCESS TO INFORMATION ARE REFUSED.....	15
11. UPDATING AND AVAILABILITY OF THIS PAIA MANUAL.	17

Annexure 1: Fees in respect of private bodies**Annexure 2: Form C – Request for access to information**

1. THE AIM OF THE PAIA MANUAL

- 1.1. As a private body, the ODEK Alliance must give effect to Section 50 of The Promotion of Access to Information Act, 2000 (PAIA) which entails compiling this PAIA Manual and making it available to the public. PAIA gives effect to the Constitutional right of access to any information held by any public or private body.
- 1.2. However, PAIA recognises that such right to access to information is subject to certain justifiable limitations, for instance:
 - reasonable protection of privacy;
 - commercial confidentiality; and
 - effective, efficient and good governance.
- 1.3 Further, PAIA reinforces the confidentiality of this information by providing that it must not be disclosed in terms of the Act, except to the person to whom it relates or that person's authorised representative.
- 1.4 ODEK as a responsible party and in some instances, an operator has the responsibility to not only keep data secured in terms of POPIA but to also make data accessible in certain circumstances in terms of PAIA. Therefore, the purpose of this PAIA Manual is to inform an individual or juristic person how to obtain access to records held by ODEK and thereby give effect to Section 50 of the Act.

2. THE INFORMATION REGULATOR

- 2.1 The Information Regulator is, among others, empowered to monitor and enforce compliance by public and private bodies with the provisions of the POPI and PAIA Act. The Information Regulator is also responsible for issuing codes of conduct for different sectors and to make guidelines to assist bodies with the development and application of codes of conduct;
- 2.2 The details of the Information Regulator are set out in Paragraph 10.2 below;
- 2.3 The South African Human Rights Commission was initially in charge of regulating compliance with PAIA but from 1 July 2021, the Information Regulator will take over the role;
- 2.4 The South African Human Rights Commission has compiled a guide, in an easily comprehensible form and manner, as to how a person may exercise any right contemplated in the Act.

This guide is available in all the official languages on the South African Human Rights Commission website and all enquiries regarding this guide may be directed to:

The South African Human Rights Commission

Telephone No.: +27 11 484 8300

Fax No: +27 11 484 7146/7

Email Address: PAIA@sahrc.org.za

3. FUNCTIONS AND STRUCTURES OF ODEK

3.1 Overview of ODEK Alliance

3.1.1 Details of ODEK Technologies' main business and functions:

- ODEK Technologies specialises in providing one-stop, customised technology infrastructure solutions for the modern enterprise. It employs world-leading technologies to deliver integrated solutions. The goal is to bring value to clients by implementing tested enterprise solutions at the best price. Optimal IT Infrastructure solutions that address client's specific business requirements.
- ODEK Technologies provides the following services:
 - Infrastructure Management and Data Centre;
 - Network and Security Optimisation;
 - Physical Servers and Storage;
 - Virtual Machine Management;
 - Standard and Enterprise Databases;
 - Virtual Apps, Citrix and Desktops;
 - Voice Platforms and Services;
 - Fileservers, Domain Controllers and Exchange;
 - Endpoint device and support.

3.1.2 Details of ODEK AppCrafts' main business and functions

- ODEK AppCraft is a software development company that crafts specific IT product application architecture and development service solutions. The services include bespoke, strategic solutions designed to specific organisational needs;

3.1.3 Details of ODEK Accendo's main business and functions

- ODEK Accendo focuses on business administration for the ODEK Alliance and other entities, which services include company secretarial functions, legal and contracting, finance and procurement.

3.1.4 Details of ODEK Telecoms's main business and functions

- ODEK Telecoms is a tele-communications service provider. Services include hosting of MVNOs, contact centre solutions, USSD services, SMS and telco related business solutions.

3.1.5 Details of ZARODEK's main business and functions

- ZARODEK provides logistical and infrastructure support to the various ODEK and selected external companies. Services include procurement, office rental, maintenance and storage facilities.

3.1.6 Details of ODEK Emporium's main business and functions

- ODEK Emporium provides solutions to the retail sector, these include point of sales, rewards and loyalty, customer engagement, third party payment and subscription solutions.

3.1.7 Details of ODEK Money's main business and functions

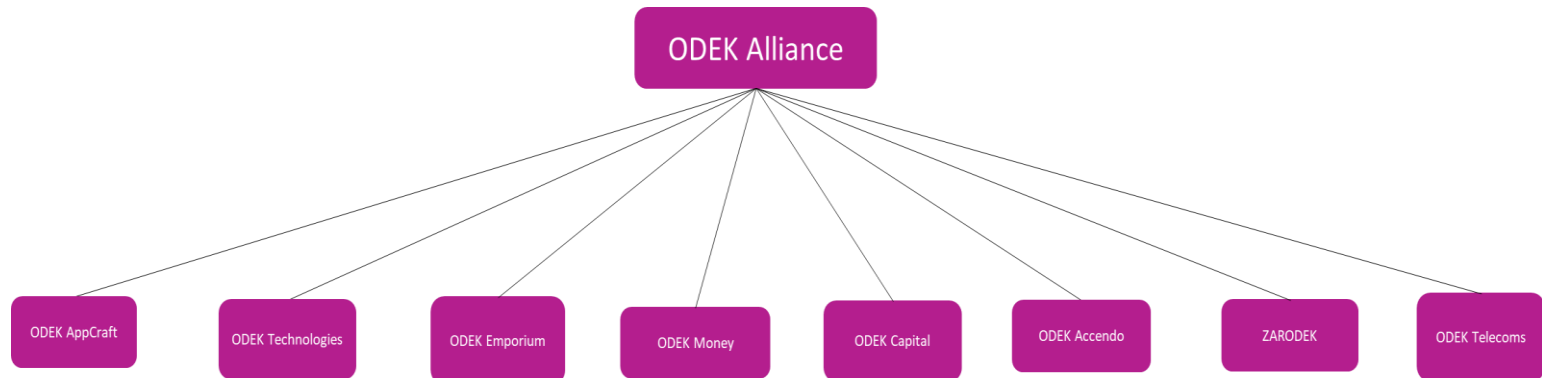
- ODEK Money provides loan funding to companies in the ODEK Alliance.

3.1.8 Details of ODEK Capital's main business and functions

- ODEK Capital is the main investment arm of ODEK Alliance and sources equity and other instruments to help fund the ODEK Alliance member companies.

3.2 Organisational Structure

- The Organizational structure of ODEK Alliance is as follows:



4. IMPORTANT PAIA DEFINITIONS

- “personal requester” means a requester seeking access to a record containing personal information about the requester;
- “private body” means a natural person who carries or has carried on any trade, business or profession, but only in such capacity; or a partnership which carries or has carried on any trade, business or profession; or any former or existing juristic person, but excludes a public body;
- "personal information" means personal information relating to any identifiable, living, natural person, and an identifiable, existing juristic person, including, but not limited to the person's:
 - race, sex, gender, sexual orientation, pregnancy, marital status, nationality, ethnic or social origin, colour, age, physical or mental health, well-being, disability, religion, conscience, belief, cultural affiliation, language and birth;
 - education, medical, financial, criminal or employment history;
 - identifying number, pin code, customer or code or number, numeric, alpha, or alpha-numeric design or configuration of any nature, symbol, e-mail address, physical address, cellular phone number, telephone number or other particular assignment which can be decoded to reveal information on the person;
 - blood type, fingerprint or any other biometric information;
 - personal opinions, views or preferences;

- correspondence that is implicitly or explicitly of a personal, private or confidential nature (or further correspondence that would reveal the contents of the original correspondence);
 - views or opinions of another individual about the person; and
 - the person's name, if it appears with other personal information relating to such person or if the disclosure of the name itself would reveal information about the person;
- “record” of, or in relation to, a public or private body, means any recorded information—regardless of form or medium; in the possession or under the control of that public or private body, respectively; and whether or not it was created by that public or private body, respectively. For example, records include email and other recorded electronic communications.
 - “request for access” in relation to- (a) a public body, means a request for access to a record of a public body in terms of section 11; or (b) a private body, means a request for access to a record of a private body in terms of section 50; '
 - “requester” in relation to- (a) a public body, means- (i) any person (other than a public body contemplated in paragraph (a) or (b) (i) of the definition of 'public body', or an official thereof) making a request for access to a record of that public body; or (ii) a person acting on behalf of the person referred to in subparagraph (i); (b) a private body, means- (i) any person, including, but not limited to, a public body or an official thereof, making a request for access to a record of that private body; or (ii) a person acting on behalf of the person contemplated in subparagraph (i);
 - “third party” in relation to a request for access to- (a) a record of a public body, means any person (including, but not limited to, the government of a foreign state, an international organisation or an organ of that government or organisation) other than- (i) the requester concerned; and (ii) a public body; or (b) a record of a private body, means any person (including, but not limited to, a public body) other than the requester.

5. GENERAL CONTACT DETAILS

ODEK Alliance:

Physical Address: 1st Floor, Block A, 8 Hillside Rd, Parktown, Johannesburg, 2193

Postal Address: PO Box 74 Morningside, Johannesburg, Gauteng, 2057

Telephone number: 086 000 6335

Email Address: compliance@odek.co.za

Website: www.odek.co.za

6. INFORMATION OFFICERS

6.1. Information Officer for ODEK Technologies and ZARODEK:

- Information Officer: Karien Greeff
- Date of appointment: 11 June 2021
- Email Address: karieng@odek.co.za

This person has the required authority to manage and attend to all information related matters

6.2. Information Officer for ODEK Accendo, ODEK AppCraft, ODEK AppCraft India, ODEK Telecoms, ODEK Money, ODEK Capital and ODEK Emporium:

- Information Officer: Leopold Johann Malan
- Date of appointment: 11 June 2021
- Email Address: leopoldm@odek.co.za

This person has the required authority to manage and attend to all information related matters

6.3. Deputy Information Officer for ODEK Accendo:

- Information Officer: Nadine dos Santos
- Date of appointment: 11 June 2021
- Email Address: compliance@odek.co.za
- Telephone Number: 087 350 0507

It is recommended that the Deputy Information Officer be used as a contact person for purposes of this PAIA Manual for all entities in the ODEK Alliance.

7. POPIA COMPLIANCE

More details on the collection, storage, processing and destruction of personal information is contained in the ODEK POPIA Compliance Policy which is available on the ODEK website.

8. RIGHTS OF DATA SUBJECTS

- 8.1 The right of access: The data subject may request that ODEK confirm that it holds the persons information and may request details of how the information is processed. The following procedure is set out in this PAIA Manual;
- 8.2 The right to rectification: The data subject may request ODEK to rectify or update incorrect personal information, by requesting same via email to compliance@odek.co.za;
- 8.3 The right to removal: Where there is no longer any legal basis or legitimate reason to process personal information and the FICA retention period has expired, the data subject may request that ODEK return or destroy any and all of the personal information in our possession or control, by requesting same via email to compliance@odek.co.za;
- 8.4 The right to object to, restrict further processing and withdraw consent: The data subject may at any point object, restrict the further processing of personal information or withdraw consent by requesting same via email to compliance@odek.co.za.

9. PROCEDURE: REQUEST FOR INFORMATION

9.1. Automatically available records:

9.1.1 The following records are automatically available and may be obtained from ODEK free of charge:

- POPIA Compliance Policy;
- PAIA Manual;
- Terms and Conditions;
- Privacy Policy;

- Your personal information (how it is collected, stored and processed as well as requests to return or destroy information) but does not include the information of third parties;
- Copies of Legislation.

9.1.2 The abovementioned records may be available on the ODEK website. Alternatively, where a person wishes to ascertain the records, email correspondence may be sent to compliance@odek.co.za and addressed to the Deputy Information Officer. ODEK has 30 business days within which to supply the information as requested.

9.2 Records and information that should be formally requested in terms of PAIA

9.2.1 All records and/or documents kept in compliance with the requirements of the following legislation are not automatically available:

- Labour Relations Act 66 of 1995
- Employment Equity Act 55 of 1998
- Basic Conditions of Employment Act 75 of 1997
- Compensation for Occupational Injuries and Disease Act 130 of 1993
- Companies Act 61 of 1973
- Unemployment Insurance Act 63 of 2001
- Value Added Tax Act 89 of 1991
- Income Tax Act 58 of 1962
- Skills Development Act 9 of 1999.

9.2.2 The inclusion of any records listed herein should not be taken as confirmation that the records will or must be made available to the requester. Therefore, certain grounds of refusal exist that may be applicable to a request for such records.

- Financial records
 - Financial accounting and reporting;
 - Auditors details;
 - SARS compliance;

- Banking details;
 - Asset register;
- Human resources
 - List of employees;
 - HR policies and procedures;
 - Advertised posts;
 - Learning and development e.g. skills development and training plans;
 - Employment equity plan;
 - Disciplinary records and documentation pertaining to disciplinary proceedings;
 - Confidentiality and/or Non-Disclosure Agreements.
- Corporate governance records
 - Organisational and business plans;
 - Memorandum of Incorporation;
 - Share Register;
 - Occupational health and safety plan.
- Information technology records
 - Incidents and service requests;
 - System performance logs;
 - System check lists;
 - Service Level Agreements;
 - Network maintenance;
- Correspondence of ODEK including internal and external correspondence i.e. emails;
- Records relating to pending legal proceedings involving ODEK;
- BEE level of ODEK entities.

9.3 Application process for the records set out in paragraph 9.2 above:

9.3.1 Step 1: THE REQUEST

- Where a person wishes to access information held by ODEK, other than the records listed in Paragraph 9.1 above, such a person must make a request for access to the relevant information in the prescribed Form C.
- Form C, which is found as Annexure 2 to this PAIA Manual must be completed and submitted either, in person or by email or post to the Deputy Information Officer listed in Paragraph 6.3 of this PAIA Manual as follows:

By hand:

To the Deputy Information Officer

Mrs Nadine dos Santos

1st Floor, Block A, 8 Hillside Rd, Parktown, Johannesburg, 2193

Or

By post

To the Deputy Information Officer

Mrs Nadine dos Santos

PO Box 74 Morningside, Johannesburg, Gauteng, 2057

Or

By email

To the Deputy Information Officer

Mrs Nadine dos Santos

compliance@odek.co.za

- If an acknowledgement of receipt for the request is not received within 14 business days, please contact the Deputy Information Officer to ensure that the request has been received;
- In order to enable the Deputy Information Officer to identify the information accurately, follow the instructions on each section of Form C to improve the likelihood of the request being granted with minimal delay;
- If a request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of the Information Officer and/or Deputy Information Officer.

- If any difficulties are experienced in completing Form C or if a disability prevents the requester from completing it, kindly contact the Deputy Information Officer for assistance.
- **Fees in respect of private bodies as set out in Annexure 1:**
 - In terms of PAIA, it is necessary for the below request fee to be paid before ODEK will process any request:
These fees are set out in PAIA as follows:
 - Request fee
 - If the request is to access a record containing personal information about the requester, he/she will not be required to pay the request fee. Any other request must be accompanied by the required request fee, which amounts to R50.00.
 - Access fee
 - If the request is granted then an access fee must be paid for the records and for time in excess of one hour to search and prepare the records for disclosure.
- Proof of payment of the request fee of R50.00, must be attached to Form C. Payment of the request fee, may be made into ODEK's nominated bank account and the account details must be requested from the Deputy Information Officer upon completion of Form C by the requester.
- The following persons are exempt from paying the required access fees:
 - A single person whose annual income, after permissible deductions, does not exceed R14 712.00 per annum; and
 - Married persons or a person and his or her life partner whose annual income, after permissible deductions, does not exceed R27 192, 00 per annum; and
 - A request for access to the personal record of a requester; and
 - the request fee and the access fee do not apply to a record requested by a maintenance officer or maintenance investigator for purposes of a maintenance investigation or inquiry in terms of the provisions of the Maintenance Act, 1998 (Act No. 99 of 1998).

9.3.2 Step 2: ACKNOWLEDGEMENT

- The Deputy Information Officer will receive and validate the request and confirm whether payment was affected. The Deputy Information Officer will have to determine whether the information is available within the ODEK Alliance. Based on the aforementioned, the Officer will either accept, reject or transfer the request to the individual or entity that holds the information. The requester will then receive an acknowledgement from the Officer to confirm the status of the request made.

9.3.3 Step 3: INFORMATION PROCESSING

- If the request is accepted, the Officer will gather and prepare the information and calculate the relevant cost involved as per Annexure 1 (the access fees);
- The Deputy Information Officer is required to take a decision on the request within 30 business days of receipt of the request and payment, failing which the request is deemed to have been refused;
- The Deputy Information Officer may extend the period for taking a decision up to 60 business days if the request requires a search through a large number of records or the request requires a search for information held at another office of another ODEK entity within the Alliance and the information cannot reasonably be obtained within the original 30 business day period;
- Should the 30 business day period be extended, the Deputy Information Officer will notify the requester in writing of the extension as well as provide the requester with the reasons for the extension.
- If a request for sensitive information is made, the Deputy Information Officer will evaluate the request within the statutory and regulatory frameworks and respond to the request accordingly;
- A deposit of the access fees may be applicable if a search for the requested record has been made and the preparation of the record for disclosure, including arrangements to make it available in the requested form, requires more than the hours prescribed in PAIA for this purpose.

9.3.4 Step 4: COMPLETION AND PAYMENT

- The requester will only be given access to a record if, the request is properly documented on Form C, proof of authority to act on another's behalf is provided, if making the request on another person's behalf, the record that is requested is sufficiently described to enable the Deputy Information Officer to identify it, and payment of all required or outstanding fees is made.

10. REMEDIES WHERE REQUESTS FOR ACCESS TO INFORMATION ARE REFUSED

10.1. Access to information may be refused if it concerns the:

- Protection of privacy of a third party who is a natural person;
- Protection of certain records in terms of FICA;
- Protection of commercial information of a third party including trade secrets, financial, commercial, scientific or technical information which disclosure could likely cause harm to the third party, information disclosed in confidence or if the disclosure could put that third party at a disadvantage in negotiations
- Mandatory protection of safety of individuals and protection of property;
- Confidential information of a third party if such information is protected in terms of any Agreement;
- Protection of records privileged from production in legal proceedings;
- Frivolous or vexatious requests or substantial and unreasonable diversion of resources.

10.2 Appeal

- Should the requester not be satisfied with the decision of the Deputy Information Officer, the requester may lodge an internal appeal against the decision. The said appeal must be made within 60 days after the decision has been made by the Deputy Information Officer.
- An internal appeal must be lodged in the prescribed form, within 60 days and if notice to a third party is required, within 30 days after notice is given to the appellant of the decision appealed against;

- The prescribed form must be delivered or sent to the designated Information Officer at the physical, postal or email addresses. The prescribed form must identify the subject of the internal appeal and state the reasons for the internal appeal and may include any other relevant information known to the appellant,
- if, in addition to a written reply, the appellant wishes to be informed of the decision on the internal appeal in any other manner, must state that manner and provide the necessary particulars to be so informed;
- Further and if applicable, the prescribed form must be accompanied by the prescribed appeal fee and must specify a postal address. If the prescribed appeal fee is payable in respect of an appeal, the decision on the appeal may be deferred until the fee is paid.
- The prescribed form for an internal appeal may be obtained upon request from the Information Regulator, as follows:

Information Regulator of South Africa

Email: infoereg@justice.gov.za or complaints.IR@justice.gov.za

Physical Address: JD House, 27 Stiemens Street, Braamfontein, Johannesburg,
2001


P.O Box 31533 Braamfontein, Johannesburg

- If an appeal is lodged after the expiry of the period referred to, the Minister must, upon good cause shown, allow the late lodging of the appeal.
- If the Minister disallows the late lodging of the appeal, he or she must give notice of that decision to the person who lodged the appeal.
- As soon as reasonably possible, but in any event within 10 business days after receipt of an appeal, the designated Information Officer must submit the following to the Minister:
 - The appeal together with his or her reasons for the decision concerned; and
 - If the appeal is against the refusal or granting of a request for access, the name, postal address, phone and fax number and electronic mail address, whichever is available, of any third party that must be notified of the request.

11. UPDATING AND AVAILABILITY OF THIS PAIA MANUAL.

- This PAIA Manual will be updated, if necessary, on an annual basis;
- This PAIA Manual will be placed on the ODEK website for convenient accessibility;
- A copy will also be lodged with the Information Regulator.

This PAIA Manual was accepted and implemented by ODEK Alliance on the 30 day of June _____ 2021

Signature 1  _____
Name Karien Greeff
Capacity Director

Witness 1  _____
Witness 2  _____

Signature 2  _____
Name Leopold Johann Malan
Capacity Director

Witness 1  _____
Witness 2  _____

Annexure 1

1. The fees for accessing records of a private body are:

ACTIVITY	FEE
Copy per A4 Page	R1.10
Printing per A4 page	75 cents
Copy on a CD	R70
Transcription of visual images per A4 page	R40
Copy of a visual image	R60
Transcription of an audio recording per A4 page	R20
Copy of an audio recording	R30
Search and preparation of the record for disclosure	R30 per hour or part thereof, excluding the first hour, reasonably required for the search and preparation.

2. If the Information Officer or Deputy Information Officer thinks that the collection and reproduction of documents will take longer than 6 hours, he/she must inform the requester in writing that one third of the access fee is payable upfront as a deposit.
3. Postage is payable when a copy of a record must be posted to a requester.

D. Particulars of record

- (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.
- (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 below, 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 for access 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 to 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:					
	copy of record*		inspection of record		
2. If 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*
3. If 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)		
4. If 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
--	-----	----

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..... ofyear

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