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SECTION 14 MANUAL:

**MANUAL PREPARED IN TERMS OF SECTION 51 OF
THE PROMOTION OF ACCESS TO INFORMATION ACT 2000
(ACT 2 OF 2000)**

SECTION 14 MANAUL
PROMOTION OF ACCESS TO INFORMATION

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MANUAL PREPARED IN TERMS OF SECTION 14 OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000

SECTION 1 – INTRODUCTION

The Promotion of Access to Information Act (the “Act”) was promulgated in March 2001. The Act aims to actively promote a society in which the people of South Africa have effective access to information, enabling them to move fully exercise and protect their rights.

Section 51 (1) of the Act makes it the responsibility of all heads of private bodies (“companies”) to draw up a manual that provides information about the subjects and categories of records held by the company.

Our companies’ manual provides a guide to the records we hold and the process that you must follow in order to access our records, if the Act says that we must make them available to you. All requests for access to information must be addressed to the contact person identified in section 4 of this manual, s/he is our designated Information Officer.

SECTION 2 – GUIDE TO ALL MANUALS IN TERMS OF SECTION 10 OF THE ACT

The Human Rights Commission has compiled a guide giving instructions regarding the PAIA Act,. Should you have any further queries about the PAIA Act or your rights to:

The South African Human Rights Commission (PAIA Unit): The Research and Documentation Department.

Physical Address: Braampark Forum 3
33 Hoofd Street
Braamfontein

Postal Address: Private Bag 2700
Houghton
2041

Phone: (+27) 011 877 3600

Fax: (+27) 011 403 0668

E-mail: PAIA@zahrc.org.za

Website: www.sahrc.org.za

SECTION 3 – ENTITY OVERVIEW, STRUCTURE AND SCOPE OF THIS MANUAL

Huge Networks is an aggregator of telecommunication and data services to its client base which include both end-users and resellers.

Huge Networks commenced business in 1998. Pursuing its vision of being a diversified ICT provider, the company showed significant growth since then, through organic growth as well as well-positioned acquisitions. The Company more than quadrupled its reseller base since 2015, and established a healthy end-user client base.

We strive to stay in touch with the latest technology and we continuously invest of state-of-the-art infrastructure technologies to ensure that our clients experience excellence in our service quality.

Huge Networks is committed to building our own skills and we invest substantially into our intern program. We also do our share in the community.

SECTION 4 – HEAD OF COMPANY AND INFORMATION OFFICER

Below is the name and details of the person who has been appointed as our information officer, responsible for ensuring that the requirements of the Act are administered in a fair, objective and unbiased manner for our company. Please address all requests for access to records relating to the company to:

HEAD OF COMPANY AND DESIGNATED INFORMATION OFFICER

| | |
|------------------------|---|
| Name: | Marius Oberholzer |
| Street Address: | Unit 6, 1 Melrose Boulevard, Melrose Arch, Johannesburg |
| Postal Address: | As above |
| Office number: | 010 786 0000 |
| E-mail address: | legalenquiries@hugenetworks.co.za |

SECTION 5 – RECORDS HELD BY THE COMPANY

Our records are in paper and electronic form only. In terms of the Act, we must give access to our records, no matter what format they appear in.

Our company holds the following records:

| Administration | Y/N | Records |
|----------------|-----|---|
| | Y | Company Founding documents |
| | Y | Financial Statements |
| | Y | Tax Records |
| | Y | General Correspondence |
| | Y | Information relating to transactions of a financial nature (e.g. Invoices and Payments) |
| | Y | Banking Records |
| | Y | Resident Information |
| | Y | Employee Records |
| | Y | Employment Equity Records |
| | Y | Labour Relations Records |
| | Y | Statutory HR Records |

SECTION 6 – RECORDS THAT CAN BE ACCESSED WITHOUT A FORMAL REQUEST

Some of the information listed can be accessed at the Company Registered Office Address without a formal request. This information relates to the records of the Company in terms of the Compliance Act 71 of 2008, as well as other prescriptive legislation.

In terms of the following Act of Parliament, we must also ensure that the categories of records prescribed are available to access by the public:

Records are available in accordance with the following legislation:

| No. | Legislation |
|-----|--|
| 1. | Income Tax Act 58 of 1962 - Section 75 |
| 2. | Unemployment Insurance Act 63 of 2001 - Sections 42 and 56 |
| 3. | Value Added Tax Act 89 of 1991: Section 55 |
| 4. | Compensation for Occupational Injuries and Diseases Act 130 of 1993 - Sections 80-82 |
| 5. | Occupational Health and Safety Act 85 of 1993 and Occupational Health and Safety Regulations |
| 6. | Labour Relations Act 66 of 1995 - Section 89 |
| 7. | Basic Conditions of Employment Act 75 of 1997 - Sections 29(4), 30 and 31 |
| 8. | Employment Equity Act 55 of 1998 - Section 26 |
| 9. | Skills Development Levies Act 9 of 1999 - Section 13 |
| 10. | Pension Funds Act 24 of 1956 - Sections 5(2), 15 and 35 |
| 11. | Companies Act 71 of 2008 |
| 12. | The records that are required in terms of section 134 of the Insolvency Act 24 of 1936 |

| | |
|-----|--|
| 13. | Consumer Protection Act 68 of 2008 |
| 14. | Telecommunications Act 103 of 1996 |
| 15. | Independent Communications Authority of South Africa Act 2014 |
| 16. | Independent Communications Authority of South Africa Amendment Act 2 of 2014 |
| 17. | Electronic Communications Act 2014 |

Notification of the availability of these records in terms of these Acts of Parliament has not yet been given to the Cabinet Minister of Justice.

We have made every effort to identify all relevant legislation, but do not guarantee that all legislation has been included. If you know of any specific legislation that we should include, but have not, please contact the Information Officer of the Company. Your assistance in this regard is appreciated.

SECTION 7 – REQUEST PROCEDURE

Procedure to follow when requesting access to a record in the documentation set out in Section 6 of this manual.

THE REQUEST PROCEDURES

7.1 Form of request:

- 7.1.1 The requester must use the prescribed form, as attached in terms of Article 8 of this manual, to make the request for access to a record. This must be made to the designated head. This request must be made to the address, electronic mail address of the body concerned [s 53(1)].
- 7.1.2 The requester must provide sufficient detail on the request form to enable the designated head to identify the record and the requester.
- 7.1.3 The requester should indicate which form of access is required.
- 7.1.4 The requester should indicate if any other manner is to be used to inform the requester and state the necessary particulars to be so informed [s 53(2)(a) and (b) and (c)].
- 7.1.5 The requester must identify the right that is sought to be exercised or to be protected and provide an explanation of why the requested record is required for the exercise or protection of that right [s 53(2)(d)].

- 7.1.6 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 designated head of the private body [s 53(2)(f)].
- 7.2 A requester who seeks access to a record containing personal information about that requester is not required to pay the request fee.
- 7.3 Every other requester, who is not a personal requester, must pay the required request fee.
- 7.4 The designated head of the private body must notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed fee (if any) before further processing the request [s 54(1)].
- 7.5 The fee that the requester must pay to a private body is currently R57,00. The requester may lodge an application to the court against the tender or payment of the request fees 54(3)(b)].
- 7.6 After the designated head of the private body has made a decision on the request, the requester must be notified in the required form.
- 7.7 If the request is granted then a further access fee must be paid for the search, reproduction, preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure [s 54(6)].

7.8 OTHER INFORMATION AS MAY BE PRESCRIBED

[Section 51(1)(f)]

As at the date of this manual, the Minister of Justice and Constitutional Development has not made any regulations in this regard.

7.9 SUBMISSION OF ACCESS REQUEST FORM

The completed Access Request Form must be submitted either via conventional mail, e-mail or fax and must be addressed to the contact person as indicated in Section 51(1)(a). An initial, **non-refundable R57.00 request fee** is payable on submission. This fee is **not applicable** to Personal Requesters, referring to any person seeking access to records that contain their personal information.

7.10 PAYMENT OF FEES

Payment details can be obtained from the contact person as indicated in Section 51(1)(a) and payment can be made either via a direct deposit, by bank guaranteed cheque or by postal order (no credit card payments are accepted). Proof of payment must be supplied.

Note:

*If the request for access is successful an **access fee** will be required for the search, reproduction and/or preparation of the record(s) and will be calculated based on the Prescribed Fees. The access fee must be paid prior to access being given to the requested record.*

7.11 NOTIFICATION

Requests will be evaluated and the requester notified within 30 days of receipt of the completed Access Request Form.

Notifications may include:

- Notification of Extension Period (if required)
- The requesters may be notified whether an extension period is required for the processing of their requests including:
 - The required extension period, which will not exceed an additional 30 day period;
 - Adequate reasons for the extension; and
 - Notice that the requester may lodge an application with a court against the extension and the procedure, including the period, for lodging the application.

7.12.1 DECISION OF REQUEST

- If no extension period or deposit is required the requesters will be notified, within 30 days, of the decision on their requests.
- If the request for access to a record is **successful** the requester will be notified of the following:
 - The amount of the access fee payable upon gaining access to the record (if any);
 - An indication of the form in which the access will be granted;
 - Notice that the requester may lodge an application with a court against the payment of the access fee and the procedure, including the period, for lodging the application.
- If the request for access to a record is **not successful** the requester will be notified of the following:
 - Adequate reasons for the refusal (refer to Third Party Information and Grounds for Refusal below); and
 - That the requester may lodge an application with a court against the refusal of the request and
 - the procedure, including the period, for lodging the application.

7.13 GROUNDS FOR REFUSAL

The Group may legitimately refuse to grant access to a requested record that falls within a certain category. Grounds on which the Group may refuse access include:

- Protecting personal information that the Group hold about a third person (who is a natural person), including a deceased person, from unreasonable disclosure;
- Protecting commercial information that the Group holds about a third party or the Group (for example trade secrets: financial, commercial, scientific or technical information that may harm the commercial or financial interests of the organisation or the third party);
- If disclosure of the record would result in a breach of a duty of confidence owed to a third party in terms of an agreement;
- If disclosure of the record would endanger the life or physical safety of an individual;
- If disclosure of the record would prejudice or impair the security of property or means of transport;
- If disclosure of the record would prejudice or impair the protection of a person in accordance with a witness protection scheme;
- If disclosure of the record would prejudice or impair the protection of the safety of the public;
- The record is privileged from production in legal proceedings, unless the legal privilege has been waived;
- Disclosure of the record (containing trade secrets, financial, commercial, scientific, or technical information) would harm the commercial or financial interests of the Group;
- Disclosure of the record would put the Group at a disadvantage in contractual or other negotiations or prejudice it in commercial competition;
- The record is a computer programme; and
- The record contains information about research being carried out or about to be carried out on behalf of a third party or the Group.

Records that cannot be found or do not exist. If the Group has searched for a record and it is believed that the record either does not exist or cannot be found, the requester will be notified by way of an affidavit or affirmation. This will include the steps that were taken to try to locate the record.

7.14 AVAILABILITY OF THE MANUAL

[Section 51(3)]

This manual is available:

- 7.14.1 for inspection at the office of 234 Glover Avenue, Unit D18, Waterford Court, Lyttleton, Centurion, 0157 free of charge;
- 7.14.2 from the SAHRC.

SECTION 8 – FEES

FEES IN RESPECT OF PRIVATE BODIES

There are two basic types of fees applicable in terms of the Act – “Request” and “access” fees.

The non-refunded request fee (currently R75.00) is paid on submission of the request for access to a record (unless the request is personal in which event there is no applicable fee) and the access fee must be paid before you can actually gain access to the records in the required form.

The applicable fees are prescribed in terms of Part 111 of Annexure A as identified in Government Notice Number 187, Regulation 11, a copy of which can be found at the end of this manual.

No request may be processed unless the request fee where applicable has been paid – section 22 (1) of the Act.

8.1 The fee for a copy of the manual as contemplated in regulation 9(2)(c) is R1,10 for every photocopy of an A4-size page or part thereof.

8.2 The fees for reproduction referred to in regulation 11(1) are as follows:

| | |
|--|--------------------|
| (a) For every photocopy of an A4-size page or part thereof | R 1,10 |
| (b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form | R 0,75 |
| (b) For a copy in a computer-readable form on – (i) Compact disc | R 70,00 |
| (d) (i) For a transcription of visual images, for an A4-size page or part thereof (ii) For a copy of visual images | R 40,00 R 60,00 |
| (e) (i) For a transcription of an audio record, (ii) For an A4-size page or part thereof | R 20,00 R 30,00 |

8.3 The request fee payable by a requester, other than a personal requester, referred to in Regulation 11(2) if R57,00.

8.4 The access fees payable by a requester referred to in regulation 11(3) are as follows:

| | |
|---|---------|
| (1) | |
| (a) For every photocopy of an A4-size page or part thereof | R 1,10 |
| (b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form | R 0,75 |
| (c) For a copy in a computer-readable form on Compact Disc | R 70,00 |
| (d) For a transcription of visual images, (i) For an A4-size page or part thereof | R 40,00 |
| (ii) For a copy of visual images | R 60,00 |
| (e) (i) For a transcription of an audio record, for an A4-size page or part thereof | R 20,00 |
| (ii) For a copy of an audio record | R 30,00 |
| (f) To search for and prepare the record for disclosure, R30,00 for each hour or part of an hour reasonably required for such search and preparation. | |
| (2) For purposes of section 54(2) of the Act, the following applies: | |
| (a) Six hours as the hours to be exceeded before a deposit is payable; and | |
| (b) One third of the access fee is payable as a deposit by the requester | |

| | |
|--|--|
| (3) The actual postage is payable when a copy of a record must be posted to a requester. | |
|--|--|

SECTION 9 – PAYMENT METHOD

All payments shall be made in the form of cash payable at the registered address of the Company or by deposit into the bank account of the Company.

You may contact our information officer or managing agent (where applicable) for our bank details. Please state the requester's (applicants') name and Initials.

SECTION 10 – REMEDIES AVAILABLE IF THE PROVISIONS OF THE ACT ARE NOT COMPLIED WITH

The Act provides for an internal appeal procedure in terms of sections 74 and 75 (Part 4 of the Act). The Minister of Justice is the relevant authority who will review any decision taken on appeal.

An aggrieved party still has an opportunity to approach the courts if dissatisfied with the decisions of the relevant authority.

SECTION 11 – UPDATING THE MANUAL

The manual shall be updated on a regular basis as set out in Section 51 (2) of the Act.

SECTION 12 – AVAILABILITY OF THE MANUAL

The Manual is available from the information officer listed above and at the offices of the South African Human Rights Commission as set out in Section 2 above.

SECTION 13 – REQUEST FORM

| Information Request Form | | |
|--|----------------------------|-------------------|
| | FOR OFFICE USE ONLY | Reference number: |
| | | Received by: |
| (Section 53(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000)) | | |
| [Regulation 10] | | |
| 1 PARTICULARS OF COMPANY RESPONSIBLE FOR COMPILING PAIA MANUAL | | |
| Information can be submitted either via e-mail or fax. | | |
| <p>HUGE NETWORKS Contact name: Marius Oberholzer Street Address: Unit 6, 1 Melrose Boulevard, Melrose Arch, Johannesburg Postal Address: As above Office number: 010 786 0000 E-mail address: legalenquiries@hugenetworks.co.za</p> | | |
| 2 PARTICULARS OF REQUESTING COMPANY | | |
| Name of entity: | | |
| Registration number: | | |
| Date of Establishment: | | |
| Full names and surname: | | |
| Identity number: | | |
| Postal address: | | |
| Postal code: | | |
| Phone number: () | | |
| Fax number: () | | |
| E-mail address: | | |
| Information officer: | | |
| | | |
| 3 COMPANY DETAILS, INDUSTRY AND KEY FUNCTIONS | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

4 PARTICULARS OF RECORD

(a) Provide full particulars of the record to which access is requested, including the reference number if it 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.

Description of record or relevant part of the record:

Reference number, if available:

Any further particulars of record:

5 FEES

(a) A request for access to a record, other than a record containing personal information about yourself, will be processed only after a **non-refundable request fee of R75.00** has been paid.

(b) **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 the record.

(c) You will be notified of the amount required to be paid as the **access fee**.

(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:

6a FORM OF ACCESS TO RECORD

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 under certain circumstances. In such a case you will be informed whether 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 the record consists of recorded information that can be reproduced in sound: | | | | | |
| Listen to the soundtrack (audio cassette) | | | | Transcription of soundtrack* (written or printed doc) | |
| 4. If the record is held on computer or in an electronic or machine-readable form: | | | | | |
| <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc.)</i> | | | | | |
| Printed copy of record* | | Printed copy of Information derived from the record* | | Copy in computer readable form* | |
| *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 |

| | | |
|---|---------------------|-------------------|
| | FOR OFFICE USE ONLY | Reference number: |
| | | Received by: |
| (Section 53(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000)) | | |
| [Regulation 10] | | |

| |
|--|
| 6b IN THE EVENT OF DISABILITY |
| <i>If you are prevented by a disability from reading, viewing or listening to the record in the form of access provided for in 1 to 4 above, state your disability and indicate in the form in which the record is required.</i> |
| Disability: |
| |
| Form in which record is required: |
| 7 PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED |
| <i>If the space provided is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all additional folios.</i> |
| 1. Indicate the right to be exercised or protected: |
| |
| 2. Explain why the record requested is required for the exercise or protection of the |

| <u>PRESCRIBED FEES</u> | |
|---|---------|
| <i>(Section 54(7) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))</i> <i>[Regulation 11 (3)]</i> | |
| 1 PLEASE NOTE THAT ALL PRICES LISTED BELOW ARE INCLUSIVE OF VAT | |
| (a) For every photocopy of an A4-size page or part thereof | R 1.25 |
| (b) For every printed copy of an A4-size page or part thereof held on a computer or in an electronic or machine-readable form | R 0.85 |
| (c) For a copy in a computer-readable form on | |
| (i) stiffy disc | R 8.55 |
| (ii) compact disc | R 79.80 |
| (d) (i) For a transcription of visual images, for an A4-size page or part thereof | R 45.60 |
| (ii) For a copy of visual images | R 68.40 |
| (e) (i) For a transcription of an audio record, for an A4-size page or part thereof | R 22.80 |
| (ii) For a copy of an audio record | R 34.20 |
| (f) To search for and prepare the record for disclosure (for each hour or part thereof) reasonably required for such search and preparation | R 34,20 |
| <i>(Section 54(2) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))</i> <i>[Regulation 11 (3)]</i> | |
| 2 PLEASE NOTE THAT ALL PRICES FOR THE ITEMS LISTED BELOW ARE | |
| INCLUSIVE OF VALUE-ADDED TAX (VAT) | |
| (a) Six hours as the hours to be exceeded before a deposit is payable; and | |
| (b) One third of the access fee is payable as a deposit by the requester. | |
| <i>(Section 54(7) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))</i> <i>[Regulation 11 (3)]</i> | |
| 3 PLEASE NOTE THAT THE PRICE FOR THE ITEM LISTED BELOW IS | |
| INCLUSIVE OF VALUE-ADDED TAX (VAT) | |
| The actual postage fee is payable when a copy of a record must be posted to a requester. | |
| <i>Section 51(1)(f) ADDITIONAL PRESCRIBED INFORMATION.</i> | |

The Minister of Justice has prescribed no additional information.....