

ROOMKING (PTY) LTD

Registration Number: _____

PROMOTION OF ACCESS TO INFORMATION MANUAL

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

(In this Manual, all references to sections are to the Promotion of Access to Information Act, 2000 unless otherwise specified)

LAST UPDATED: MAY 2023

Protection of Personal Information Privacy Policy

1. INTRODUCTION

The Promotion of Access to Information Act, No. 2 of 2000 (“**PAIA**”) seeks to give effect to the constitutional right to access information as contained in section 32 of the Bill of Rights. The PAIA seeks to advance the values of transparency and accountability.

The PAIA 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 PAIA 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.

The Protection of Personal Information Act, No. 4 of 2013 (“**POPIA**”) seeks to give effect to the constitutional right to privacy as contained in section 14 of the Bill of Rights. The POPIA aims to safeguard personal information by regulating the manner in which it may be processed by public and private bodies.

2. PURPOSE OF THE MANUAL

RoomKing is a private company formed in terms of the Companies Act 71 of 2008.

This document serves as the Company’s information manual and provides reference to the records held by the Company as well as aims to assist potential requestors as to the process that needs to be adopted to access records of the Company as contemplated in terms of the PAIA. The manual may be amended from time to time in terms of section 51(2) of PAIA.

3. DEFINITIONS

- (1) “**Data Subject**” means the person to whom personal information relates.
- (2) “**Deputy Information Officer**” means the person to whom any power or duty conferred or imposed on an Information Officer by POPI has been delegated.
- (3) “**Information Officer**” means the head of a private body.
- (4) “**Information Regulator**” means the Regulator established in terms of Section 39 of POPI.
- (5) “**PAIA**” means the Promotion of Access to Information Act 2 of 2000.

- (6) **“Personal Information”** means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to:
- (a) Information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person;
 - (b) Information relating to the education or the medical, financial, criminal or employment history of the person;
 - (c) Any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person, the biometric information of the person;
 - (d) The personal opinions, views or preferences of the person;
 - (e) Correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
 - (f) The views or opinions of another individual about the person; and
 - (g) The name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person.
- (7) **“POPI”** means the Promotion of Personal Information Act 4 of 2013.
- (8) **“Private body”** means a natural person who carries or has carried on any trade, business or profession, but only in such capacity; 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.
- (9) **“Processing”** means any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use, dissemination by means of transmission, distribution or making available in any other form, or merging, linking, as well as restriction, degradation, erasure or destruction of information.
- (10) **“Public body”** means any department of state or administration in the national or provincial sphere of government of any municipality in the local sphere of government; or any other functionary or institution when exercising a power or performing a duty in terms of the Constitution or a provincial constitution; or exercising a public power or performing a public function in terms of any legislation.
- (11) **“Record”** means any recorded information regardless of the form or medium, in the possession or under the control of the Company irrespective of whether or not it was created by the Company .
- (12) **“Request for access”** means a request for access to a record of the Company in terms of section 50 of PAIA.

- (13) **“Requester”** in relation to a private body, means any person, including, but not limited to a Public body or an official thereof, making a request for access to a record of the Company or a person acting on behalf of such person.
- (14) **“Third Party”** in relation to a request for access to a record held by the Company, means any person other than the requester.

4. CONTACT INFORMATION – Section 51(1)(a)(i)

Name of private body	RoomKing (Pty) Ltd
Registration Number	
Street Address	
Postal Address	
Telephone No.	
Information Officer	
Email Address	

5. HUMAN RIGHTS COMMISSION / INFORMATION REGULATOR GUIDE – Section 51(1)(b)(ii)

A guide has been compiled in terms of Section 10 of the PAIA by 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 PAIA. The guide is available in all official languages and is available for inspection, *inter alia*, at the office of the offices and on its website. Any enquiries regarding this guide and its contents should be directed to:

South African Human Rights Commission (Gauteng Provincial Office)			
Physical Address:	2 nd Floor, Braampark Forum 3 33 Hoofd Street Braamfontein	Postal Address:	Private Bag X2700 Houghton 2041
Tel:	011 877 3600	Fax:	011 403 0668
Contact Person:	Hilda Pule	Email:	hpule@sahrc.org.za

6. RECORDS AUTOMATICALLY AVAILABLE TO THE PUBLIC – Section 51(1)(b)(ii)

No notices have been published regarding the categories of records which are automatically available without having to request access in terms of PAIA.

7. AVAILABILITY OF THE MANUAL

This manual is available for inspection during business hours at the office at the address stated in paragraph 4.

8. RECORDS HELD IN ACCORDANCE WITH OTHER LEGISLATION – Section 51(1)(b)(iii)

The Company keeps records in accordance with the following legislation (as amended from time to time); however, this list of legislation may not be exhaustive.

- Company's Ombud Service Act, No. 9 of 2011
- Electronic Communications and Transactions Act, No. 25 of 2002
- Income Tax Act, No. 95 of 1967
- National Credit Act, No. 34 of 2005
- Occupational Health and Safety Act, No. 85 of 1993
- Sectional Titles Act, No. 95 of 1986
- Sectional Titles Schemes Management Act, No. 8 of 2011
- Anti-corruption and organised crime
- Prevention & Combating of Corrupt Activities Act 12 of 2004
- Prevention of Organised Crime Act 121 of 1998
- Protection of Constitutional Democracy against Terrorist and Related Activities Act 33 of 2004
- Communications and IT
- Electronic Communications Act 36 of 2005
- Electronic Communications and Transactions Act 25 of 2002
- Financial Intelligence Centre Act 38 of 2001
- Regulation of Interception of Communications and Provision of Communication related Information Act 70 of 2002
- Compliance and Corporate Governance
- Companies Act 71 of 2008
- Competition Act 89 of 1998 Copyright
- Intellectual Property and Trademarks
- Copyright Act 98 of 1978
- Intellectual Property Laws Amendment Act 38 of 1997
- Intellectual Property Laws Amendment Act 28 of 2013
- Trade Marks Act 194 of 1993 Finance
- Income Tax Act 58 of 1962
- Insolvency Act 24 of 1936
- National Credit Act 34 of 2005
- Tax Administration Act 28 of 2011
- Value Added Tax Act 89 of 1991 General
- Consumer Protection Act 68 of 2008
- Prescription Act 18 of 1943
- Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000

- Promotion of Access to Information Act, No 2 of 2000
- Protection of Personal Information Act 4 of 2013 Human Resources
- Basic Conditions of Employment Act 75 of 1997
- Broad Based Black Economic Empowerment Act 53 of 2003 Page 6 of 12
- Compensation for Occupational Injuries and Disease Act 130 of 1993
- Employment Equity Act 55 of 1998
- Labour Relations Act 66 of 1995
- Occupational Health and Safety Act 85 of 1993
- Protected Disclosures Act 26 of 2000
- Skills Development Act 97 of 1998
- Skills Development Levies Act 9 of 1999
- Unemployment Insurance Act 63 of 2001
- Unemployment Insurance Contributions Act 4 of 2002

9. **RECORDS – CATEGORIES AND SUBJECT OF RECORDS – Section 51(1) (B) (IV)**

The information contained in this section is intended to identify the main categories of records held by the Company and to help the requester to gain a better understanding of the main business activities of the Company. Further assistance in identifying the records held is obtainable from the Information Officer.

Administration and Operations

- Approvals and waivers
- Attendance registers
- Bondholders & holders of future development rights
- Consents
- Dispute resolution & Litigation records
- General Correspondence
- Insurance policies, endorsements and claim records
- Lists of Users / Members / Lessors / Lessees / Tenants
- Lists of sections, EUA's and Participation Quota's
- Management and conduct rules
- Meeting Minutes (Members/Trustees)
- Plans (Site development plan / Sectional Plans)
- Security access control records (visitors / staff)
- Third Party Contracts (i.e. Service Provider SLA's etc)
- Written Resolutions
- Conditions of employment
- Personal records provided by personnel
- Internal evaluations and performance records

- Training records
- Disciplinary records
- Other statutory records Business records Business records include any documents that have economic value to the business
- Operational records
- Databases
- Information technology
- Product records
- Training material
- Marketing material Customer information Customer Information includes any information about anyone that we provide services to, including our customers, leads, or prospects.
- Customer details
- Communications with customers
- Sales records
- Transactional information
- Agreements and contracts Policies Internal policies and procedures used for compliance purposes.
- Internal policies and procedures

Financial

- Accounting Records
- Annual Financial Statements
- Asset Register
- Banking Records and Statements
- Budgets and financial statements
- Tax Records (Company /employee) & other Statutory Returns

10. ACCESS REQUESTS TO RECORDS

- (1) To make the request for access to a record, the Access Request Form, attached as **Annexure A**, must be completed. All requests in the prescribed format will be considered in terms of the PAIA. An application for access to a record is subject to certain limitations and requests may be refused in terms of Chapter 4 of the PAIA.
- (2) The completed Access Request Form must be addressed to the Information Officer and submitted via the contact details stated in paragraph 4.
- (3) The request must:
 - (a) Provide sufficient detail on the request form to enable the Information Officer to clearly identify the record as well as the requester's identity.

- (b) Indicate which form of access is required and should specify a postal address or fax number in the Republic of South Africa or alternatively an electronic mail address.
 - (c) Indicate if the information is required in any other manner and if so, state the necessary particulars required to be so informed.
 - (d) The requester must identify the right that is sought to be exercised or protected and must provide an explanation as to why the requested record is required for the protection or exercise of that right.
- (4) If the request is made on behalf of another person, the requester must submit proof, to the satisfaction of the Information Officer, of the capacity in which the requester is making the request.
- (5) There are prescribed fees for requesting and accessing information. An “access fee” may be required for the search, reproduction and/or preparation of the record(s) and will be calculated based on the Prescribed Fees as set out in **Annexure B** hereto and are available from the South African Human Rights Commission’s website (www.sahrc.org.za). The applicable fee must be paid prior to access being given to the requested record or any processing of the request. Payment details can be obtained from the Information Officer.
- (6) **Grounds for the refusal of access:** We may have to refuse you access to certain records in terms of PAIA to protect:
- (a) Someone else’s privacy,
 - (b) another company’s commercial information,
 - (c) someone else’s confidential information,
 - (d) research information,
 - (e) the safety of individuals and property,
 - (f) records privileged from production in legal proceedings, or Some of these grounds are explained in further detail below. Protection of someone else’s privacy (a natural person) We may refuse to give you access to a record if access would unreasonably disclose a natural person’s personal information, including a deceased person. We will not refuse access in certain circumstances.
 - (g) The person who the information pertains to, has given consent.
 - (h) The information is publicly available.
 - (i) The information belongs to a class of information, and the private body notified the individual upfront that the specific class of information might be made public.
 - (j) The record is physical or mental health information or information about someone’s well-being who is: under the requester’s (your) care and below 18 years, or incapable of understanding the nature of the request and giving access would be in the individual’s best interests.
 - (k) The information is about a deceased person and: you are the next of kin, or the request is made with the written consent of the individual’s next of kin.
 - (l) The information is about a person who is, or was an executive at your organisation, and the information relates to their position or functions, for example:
 - o that the

person was an official at our organisation, the title, work address, work phone number and other similar details, the classification, salary scale or remuneration and responsibilities of the position or services, and the name of the person on a record prepared by them while employed. Protection of another organisation's commercial information We may refuse to give you access to a record if the record contains another organisation's:

- (m) trade secrets,
 - (n) financial, commercial, scientific, or technical information and the disclosure could cause harm to the financial or commercial interests of that company,
 - (o) information and the disclosure could put that company at a disadvantage in negotiations or commercial competition, or
 - (p) information on a computer programme owned by us, protected by copyright.
- Protection of research information We may refuse you access to a record that contains research done by us or someone else, if disclosing it would disclose our identity, the researcher's or the subject matter of the research and would place the research at a serious disadvantage. Protection of the safety of individuals and property We may refuse access if it could reasonably be expected to endanger someone's life or physical safety. We may refuse access to a record if disclosing it would be likely to prejudice or impair the security of:
- (q) a building, structure, or system, including a computer or communication system,
 - (r) a means of transport,
 - (s) any other property,
 - (t) methods, systems, plans or procedures for the protection of someone in a witness protection scheme,
 - (u) the public, or a part of the public, or
 - (v) the property contemplated above.
 - (w) Our decision on giving you access All requests for information will be assessed on their own merits and in accordance with the applicable legal principles and legislation. Requests for information that are clearly frivolous or vexatious will be refused. We will notify you in writing whether your request has been approved or denied within 30 calendar days after receiving your request. If we cannot find the record you asked for or it does not exist, we will notify you that it is not possible to give access to that record. We may have to refuse you access to a record to protect others.

- (7) Remedies available if we refuse to give you access If we deny your request for access, you may:
 - (a) apply to a court with appropriate jurisdiction, or
 - (b) complain to the Information Regulator, for the necessary relief within 180 calendar days of us notifying you of our decision.

11. PERSONAL INFORMATION

(1) **Purpose of processing – Section 51(1)(c)(i)**

The purpose for which personal information is processed by the Company will depend on the nature of the information. In general, personal information is processed by Company for business administration purposes, including:

- (a) To carry out actions for the conclusion or performance of a contract;
- (b) To comply with obligations imposed by law;
- (c) To protect the legitimate interests of the data subjects; or
- (d) Where it is necessary for pursuing the legitimate interests of the company.

The above list is non-exhaustive. For further information please refer to our privacy policy on our website.

(2) **Categories of information and data subjects – Section 51(1)(c)(ii)**

The Company holds personal information on the following data subjects and categories. The list is non-exhaustive.

- (a) customers,
- (b) prospects or leads,
- (c) employees,
- (d) recruiters and medical practitioners providing services related to employees,
- (e) contractors, vendors, or suppliers,
- (f) debtors and creditors,
- (g) directors and shareholders.

Categories of Information	Categories of Data Subjects								
	Owners / Lessors	Tenants /Lessees	Trustees	Employees	Third party Employees	Contractors	Agents / Service Providers	Visitors	
Names	●	●	●	●	●			●	
Addresses	●	●	●	●	●				
ID / Passport number	●	●	●	●	●				
Telephone numbers	●	●	●		●			●	
Email address	●	●	●						
Minutes of general meetings	●	●	●						
Resolutions	●	●	●			●	●		
Dispute resolution & adjudication	●	●	●	●					
Litigation and Court records	●	●	●	●					
General correspondence	●	●	●						
User correspondence	●	●	●						
Bank details									

Biometric information	●	●	●	●	●	●	●	
Video Surveillance records	●	●	●		●	●		●
Written contracts and Service Level Agreements				●		●	●	

(3) **Categories of recipients to whom the personal information may be supplied –**

Section 51(1)(c)(iii)

The categories of recipients to whom the Company may supply the personal information will depend on the nature of the information. In general, such categories of recipients would include:

- (a) Owners, Lessors, Lessees, Tenants, Trustees, Employees.
- (b) Service providers;
- (c) Auditing and accounting bodies;
- (d) Third parties with whom the Company has contracted for the supply of services;
- (e) Clients for the performance of contractual obligations;
- (f) Relevant authorities, government departments, statutory bodies, or regulators;
- (g) A court, administrative or judicial forum, arbitration or statutory commission making a request in terms of the applicable laws or rules.

The above list is non-exhaustive.

(4) **Planned transborder flows of personal information – Section 51(1)(c)(iv)**

None.

(5) **Information security measures – Section 51(1)(c)(v)**

The Company strives to take appropriate, reasonable technical and organizational measures to secure the integrity and confidentiality of personal information in their possession or under their control.

(6) **Purposes**

We process the personal information to:

- a. provide our services,
- b. better understand our data subjects' needs when doing so,
- c. keep our data subject records up to date,
- d. manage employees in general,
- e. manage supplier contracts in general,
- f. manage customers in general,
- g. enforce debts,
- h. market services to prospects,
- i. process customer requests or complaints, and
- j. process personal information of employees for forensic purposes.

(7) **Availability of this Manual:** This manual is available in English in electronic format on our website and in physical format at the reception of our company offices.

- (8) **Updates to this Manual:** We will update this manual as required by law or if there are any material changes to our business offering.

FORM C

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 fax number 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:

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Postal address:

Telephone number: (.....)..... Fax number: (.....).....

Email address:

Postal address:

Telephone number: (.....).....

Fax number: (.....).....

Email 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:

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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:

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.....
.....
.....

2. Reference number, if available:

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.....
.....

3. Any further particulars of record:

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.....
.....
.....

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:
<p>Mark the appropriate box with an X.</p> <p>NOTES:</p> <p>(a) Compliance with your request for access 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 to 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"/>	copy of record*	<input type="checkbox"/>	inspection of record
2. If record consists of visual images – (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):			
<input type="checkbox"/>	view the images	<input type="checkbox"/>	transcription of the images*
3. If 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 the record*
<input type="checkbox"/>		<input type="checkbox"/>	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
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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. Indicate which right is to be exercised or protected:

.....
.....
.....

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

.....
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.....

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.....year.....

SIGNATURE OF REQUESTER /
PERSON ON WHOSE BEHALF REQUEST IS MADE

FEES IN RESPECT OF PRIVATE BODIES

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.
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
 - (c) For a copy in a computer-readable form on:
 - (i) Stiffy Disc (memory stick) R 7,50
 - (ii) Compact Disc R 70,00
 - (d) (i) For a transcription of visual images, 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
3. The request fee payable by a requester, other than a personal requester, referred to regulation 11 (2) is R 50,00
4. The access fee 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:
 - (i) Stiffy Disc (memory stick) R 7,50
 - (ii) Compact Disc R 70,00
 - (d) (i) For a transcription of visual images, for an A4-size 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.