

PROMOTION OF ACCESS TO INFORMATION ACT



Introduction

This Manual is published in terms of Section 51 of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) ("the Act"). The Act gives effect to the provisions of Section 32 of the Constitution of the Republic of South Africa, No. 108 of 1996, which provides for the right of access to information held by the State and to information held by another person that is required for the exercising and/or protection of any right.

The reference to any information in addition to that specifically required in terms of Section 51 of the Act does not create any right or entitlement (contractual or otherwise) to receive such information, other than in terms of the Act..

1. SA DIGITAL VILLAGES (PTY) LTD Overview

SA DIGITAL VILLAGES (PTY) LTD provides

- Installation of a Fibre Optic Duct Infrastructure
- Sale of Fibre Optic Infrastructure and Telecommunication Services
- Maintenance of Duct and Fibre Optic Infrastructure

SA DIGITAL VILLAGES (PTY) LTD supports the constitutional right of access to information and we are committed to provide you access to our records in accordance with the provisions of the Act, the confidentiality we owe third parties and the principles of South African law.

2. Availability of This Manual

A copy of this Manual is available on our website (sadigitalvillages.co.za) or by sending a request for a copy to the Information Officer by email. The Manual may also be obtained from the South African Human Rights Commission ("SAHRC") at the addresses set out below or from the Government Printers. This Manual will be updated from time to time, as and when required.

3. How to Request Access To Records Held By SA DIGITAL VILLAGES (PTY) LTD

Requests for access to records held by SA DIGITAL VILLAGES (PTY) LTD must be made on the request forms that are available from our website and office, from the SAHRC website (www.sahrc.org.za) or the Department of Justice and Constitutional Development (www.doj.gov.za) (under "regulations"). You can submit a request without paying the request fee but please note that payment of the prescribed fees must be made before the request will be processed.

Requests for access to records must be made to our Information Officer at the address, fax number or electronic mail address provided for below.

The requester must provide sufficient detail on the request form to enable the Information Officer to identify the record and the requester. The requester should also indicate which form of access is required and indicate if he or she wishes to be informed in any other manner and state the necessary particulars to be so informed.

The requester must identify the right that he or she is seeking to exercise or protect and provide an explanation of why the requested record is required for the exercise or protection of that right.

If a request is made on behalf of a 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 of SA DIGITAL VILLAGES (PTY) LTD.

The standard form that must be used for the making of requests is attached as annexure 1.

Kindly note that all requests to SA DIGITAL VILLAGES (PTY) LTD will be evaluated and considered in accordance with the Act.

Publication of this manual and describing the categories and subject matter of information held by SA DIGITAL VILLAGES (PTY) LTD does not give rise to any rights (in contract or otherwise) to access such information or records except in terms of the Act.

4. Contact Details

Name of Private Body:	SA DIGITAL VILLAGES (PTY) LTD
Company Registration Number:	2007 / 008930 / 07
VAT Number:	43702 38091
Designated Information Officer:	Steve Rose
Email address of Information Officer:	steve@sadv.co.za
Postal address:	Private Bag X41 PO Box 10 Kempton Park 1620
Street address:	23 Melrose Boulevard, First Floor Melrose Arch Johannesburg South Africa
Phone number:	+27 (0)11 390 7700
Fax number:	+27 (0)11 552 7101

5. How to Access the Guide as Described in Section 10 of The Act

The Guide described in Section 10 of the Act is due in December 2011. From that date it will be available from the South African Human Rights Commission. Please direct any queries to:

The South African Human Rights Commission:

PAIA Unit

The Research and Documentation Department

Postal Address:	Private Bag 2700 Houghton 2041
Telephone:	+27 11 484-8300
Fax:	+27 11 484-0582
Website:	www.sahrc.org.za
Email:	paia@sahrc.org.za

6. Voluntary Disclosure

SA DIGITAL VILLAGES (PTY) LTD has not published a notice in terms of Section 52(2) of the Act, however, it should be noted that the information relating to SA DIGITAL VILLAGES (PTY) LTD and its services is freely available on SA DIGITAL VILLAGES (PTY) LTD's website. Certain other information relating to SA DIGITAL

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VILLAGES (PTY) LTD is also made available on such website from time to time.

Further information in the form of marketing brochures, advertising material and other public communication is made available from time to time.

7. Records Available in Terms of Any Other Legislation

Information is available in terms of the following legislation to the persons or entities specified in such legislation:

- Companies Act 61 of 1973
- Income Tax Act 58 of 1962
- Value Added Tax Act 89 of 1991
- Labour Relations Act 66 of 1995
- Basic Conditions of Employment Act 75 of 1997
- Employment Equity Act 55 of 1998
- Skills Development Levies Act 9 of 1999
- Unemployment Insurance Act 30 of 1966
- Electronic Communications and Transactions Act, No. 25 of 2002
- Electronic Communications Act, No. 36 of 2005
- ICASA Act, No. 13 of 2000
- Film and Publications Act, No. 65 of 1996
- Regulation of Interception of Communications and Provision of Communication-related Information Act, No. 70 of 2002

8. Records Held by SA DIGITAL VILLAGES (PTY) LTD

SA DIGITAL VILLAGES (PTY) LTD maintains records on the following categories and subject matters. However, please note that recording a category or subject matter in this Manual does not imply that a request for access to such records would be honoured. All requests for access will be evaluated on a case by case basis in accordance with the provisions of the Act.

8.1 Internal Records

- The following are records pertaining to SA DIGITAL VILLAGES (PTY) LTD's own affairs and those of its divisions and associated companies:
- Memorandum and Articles of Association
- Financial records
- Operational records
- Intellectual property
- Marketing records;
- Internal correspondence;
- Product records;
- Statutory records;
- Banking Records;
- Logos
- Internet Website
- Internal policies and procedures;
- Records held by officials of SA DIGITAL VILLAGES (PTY) LTD.

8.2 Personnel Records

Personnel refers to any person who works for or provides services to or on behalf of SA DIGITAL VILLAGES (PTY) LTD and receives or is entitled to receive any remuneration and any other person who assists in carrying out or conducting the business of SA DIGITAL VILLAGES (PTY) LTD. This includes, without limitation, members, all permanent, temporary and part-time staff as well as contract workers. Personnel records include the following:

- Any personal records provided to SA DIGITAL VILLAGES (PTY) LTD by their personnel;
- Any records a third party has provided to SA DIGITAL VILLAGES (PTY) LTD about any of their personnel;
- Conditions of employment and other personnel-related contractual and quasi legal records;
- Internal evaluation records; and
- Other internal records and correspondence.
- Training schedules and material.

8.3 Customer Records

Please be aware that SA DIGITAL VILLAGES (PTY) LTD is very concerned about protecting the confidential information of its customers. Please motivate any request for customer information very carefully, having regard to Sections 63 to 67 of the Act.

Customer information includes the following:

- Any records a customer has provided to SA DIGITAL VILLAGES (PTY) LTD or a third party acting for or on behalf of SA DIGITAL VILLAGES (PTY) LTD;
- Contractual information;
- Customer needs assessments;
- Personal records of customers;
- Credit information and other research conducted in respect of customers;
- Any records a third party has provided to SA DIGITAL VILLAGES (PTY) LTD about customers;
- Confidential, privileged, contractual and quasi legal records of customers;
- Customer evaluation records;
- Customer profiling;
- Performance research conducted on behalf of customers or about customers;
- Any records a third party has provided to SA DIGITAL VILLAGES (PTY) LTD either directly or indirectly; and
- Records generated by or within SA DIGITAL VILLAGES (PTY) LTD pertaining to customers, including transactional records.

8.4 Technical records

- Procedures;
- Specifications;
- Standards;
- Forms;
- Guidelines;
- Work Instruction Sheets;
- Memos;

8.5 Other Parties

Records are kept in respect of other parties, including without limitation contractors, suppliers, joint ventures and service providers. In addition, such other parties may possess records, which can be said to belong to SA DIGITAL VILLAGES (PTY) LTD. The following records fall under this category:

- Personnel, customer or SA DIGITAL VILLAGES (PTY) LTD records which are held by another party as opposed to being held by SA DIGITAL VILLAGES (PTY) LTD; and
- Records held by SA DIGITAL VILLAGES (PTY) LTD pertaining to other parties, including financial records, correspondence, contractual records, electronic mail, logs, cached information, records provided by the other party, and records third parties have provided about the contractors/suppliers or customer.

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8.6 Other Records

Further records are held including:

- Information relating to SA DIGITAL VILLAGES (PTY) LTD's own commercial activities;
- Research carried out on behalf of a client by SA DIGITAL VILLAGES (PTY) LTD or commissioned from a third party for a customer;
- Research information belonging to SA DIGITAL VILLAGES (PTY) LTD, whether carried out itself or commissioned from a third party;
- Contracts and Agreements.

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ANNEXURE 1 – FORM B

PRESCRIBED FORM TO BE COMPLETED BY A REQUESTER

REQUEST FOR ACCESS TO RECORDS OF PRIVATE BODY

(Section 53(1) of the Promotion of Access to Information Act, No 2 of 2000) (Regulation 4)

A. Particulars of Private Body
The Information Officer: in respect of

_____ (specify company, if applicable)

B. Particulars of Person requesting access to the record
(a) The particulars of the person who requests access to the records must be recorded below.
(b) Furnish an address and/or fax number in the Republic to which information must be sent.
(c) Proof of the capacity in which the request is made, if applicable, must be attached.

Full Name and Surname: _____

Identity Number: _____

Postal Address: _____

Telephone Number: _____

Fax Number: _____

E-mail address: _____

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

C. Particulars of person of 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 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 the Record or relevant part of the record:

2. Reference Number, if available: _____

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3. Any further particulars of the 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 of the request fee.
- (c) The fee payable for access to a record depends on the form in which the 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 therefore.

Reason for exemption of payment of the fee (if any):

F. Form of Access to the 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) Your indication as to the required form of access depends 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 the 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 words or information which can be reproduced in sound:

- Listen to the soundtrack (audio cassette)
- Transcription of soundtrack (written or printed document)

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4. If the 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 * (3,5" magnetic or optical 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?

A postal fee 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 requested record is required for the exercising 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 thereof 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____

SIGNATURE OF REQUESTER/PERSON ON
WHOSE BEHALF REQUEST IS MADE