

Jumpstart Interactive Intelligence (Proprietary) Limited

(Registration Number 2012/165661/07)

This manual has been prepared in terms of the section 51 of the Promotion of Access to Information Act 2/2000 and to address the requirements of the Protection of Personal Information Act 4/2014.

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1. DEFINITIONS

- 1.1. **“Client”** refers to any natural or juristic person that received or receives services from JumpStart;
- 1.2. **“ Conditions for Lawful Processing”** - the conditions for the lawful processing of Personal Information as fully set out in chapter 3 of POPI and in paragraph 11 of this Manual;
- 1.3. **“Data Subject”** - as ascribed thereto in section 1 of POPI;
- 1.4. **“Information Officer ”** - the duly authorised Head (as defined in section 1 of PAIA) of JumpStart, being Bev Pillay;
- 1.5. **“JumpStart”** - Jumpstart Interactive Intelligence(Proprietary) Limited;
- 1.6. **“Manual”** - this manual prepared in accordance with section 51 of PAIA and regulation 4(1) (d) of the POPI Regulations;
- 1.7. **“PAIA”** - the Promotion of Access to Information Act 2 of 2000;
- 1.8. **“Personal Information”** - as ascribed thereto in section 1 of POPI;

- 1.9. **“Personnel”** - any person who works for, or provides services to or on behalf of JumpStart, and receives or is entitled to receive remuneration and any other person who assists in carrying out or conducting the business of JumpStart, which includes, without limitation, directors (executive and non-executive), all permanent, temporary and part-time staff as well as contract workers;
- 1.10. **“POPI”** - the Protection of Personal Information Act 4 of 2013;
- 1.11. **“POPI Regulations”** - the regulations promulgated in terms of section 112(2) of POPI;
- 1.12. **“Private Body”** - as ascribed thereto in sections 1 of both PAIA and POPI;
- 1.13. **“Processing”** - as ascribed thereto in section 1 of POPI;
- 1.14. **“Requestor”** – as ascribed thereto in section 1 of PAIA;
- 1.15. **“Request for Access”** - as ascribed thereto in section 1 of PAIA;
- 1.16. **“SAHRC”** - the South African Human Rights Commission;
- 1.17. Any other terms not described herein will have the meaning as ascribed to it in terms of PAIA or POPI.

2. INTRODUCTION

- 2.1. For the purposes of POPI and PAIA, JumpStart is defined as a private body. In accordance with JumpStart’s obligations in terms of POPI and PAIA, JumpStart has produced this manual.
- 2.2. This manual sets out all information required by both PAIA and POPI.
- 2.3. This manual also deals with how requests are to be made in terms of PAIA.
- 2.4. This manual also establishes how compliance with POPI is to be achieved.

3. CONTACT DETAILS

- 3.1. **Business Name:** Jumpstart Interactive Intelligence(Proprietary) Limited
- 3.2. **Registered Office:** 5 Farm Street, Bryanston, 2074, Johannesburg, South Africa
- 3.3. **Physical Address:** Building 15 Fancourt Office Park, Felstead Rd, Northriding, South Africa
- 3.4. **Postal Address:** PO Box 130364 Bryanston, 2074, Johannesburg, South Africa
- 3.5. **Directors:** Bev Pillay, Preetha Maharaj
- 3.6. **Contact Person:** Bev Pillay
- 3.7. **Tel # of Contact Person:** 0834693067
- 3.8. **E-Mail Address of Contact Person:** bev@jumpstartinteract.com

4. GUIDER OF SAHRC

- 4.1. A guide to PAIA has been published pursuant to section 10 of PAIA.

4.2. The guide contains information required by an individual who may wish to exercise their rights in terms of PAIA.

4.3. Should you wish to access the guide you may contact the SAHRC at the following details:

PAIA UNIT

Postal Address: Private Bag 2700, Houghton, 2041.

Telephone: 011 484-8300

Website: <http://www.sahrc.org.za>

Email | : PAIA@sahrc.org.za

5. LATEST NOTICES IN TERMS OF SECTION 52(2) OF PAIA

5.1. At this stage no Notice(s) has / have been published.

6. AVAILABILITY AND PUBLICATION OF CERTAIN RECORDS IN TERMS OF PAIA

6.1. JumpStart hold and/or process the following records for the purposes of PAIA and POPI.

Employment Contracts	On request in terms of PAIA
Personal records provided by personnel and third parties	On request in terms of PAIA
Internal records, including internal evaluation of personnel	On request in terms of PAIA
Correspondence relation to personnel	On request in terms of PAIA
Training of personnel	On request in terms of PAIA
Records relating to JumpStart's clients	On request in terms of PAIA
Records generated by JumpStart for its clients	On request in terms of PAIA
Operational records	On request in terms of PAIA
Database	On request in terms of PAIA
Information technology	On request in terms of PAIA
Marketing records	On request in terms of PAIA
Internal Correspondence	On request in terms of PAIA
Internal Policies	On request in terms of PAIA
Financial records	On request in terms of PAIA
Trade Secrets	On request in terms of PAIA
Domain Name Registrations	On request in terms of PAIA
Tradename Registrations	On request in terms of PAIA
Trademark Registrations	On request in terms of PAIA
Company Documentation	On request in terms of PAIA
Supplier Agreements	On request in terms of PAIA

Customer Agreements	On request in terms of PAIA
Website Information	Freely Available at www.iidentifii.com

6.2. Information is available in terms of the following legislation, if and where applicable):

- 6.2.1. Basic Conditions of Employment Act No. 75 of 1997
- 6.2.2. Companies Act No. 71 of 2008
- 6.2.3. Compensation of Occupational Injuries and Diseases Act No. 130 of 1993
- 6.2.4. Electronic Communications and Transactions Act No. 25 of 2002
- 6.2.5. Employment Equity Act No. 55 of 1998
- 6.2.6. Income Tax Act No. 58 of 1962
- 6.2.7. Insolvency Act No. 24 of 1936
- 6.2.8. Labour Relations Act No. 66 of 1995
- 6.2.9. Occupational Health and Safety Act No. 85 of 1993
- 6.2.10. Promotion of Access to Information Act No. 2 of 2000
- 6.2.11. Protection of Personal Information Act of 2013
- 6.2.12. Skills development Levies Act No. 9 of 1999
- 6.2.13. Trademarks Act No. 194 of 1993
- 6.2.14. Unemployment Insurance Act No. 30 of 1966
- 6.2.15. Value – Added Tax Act No. 89 of 1991

7. REQUEST PROCESS

- 7.1. An individual who wishes to place a request must comply with all the procedures laid down in PAIA. The requester must complete the prescribed form, which is attached hereto as annexure “A”. The prescribed form must be submitted as well as payment of a request fee and a deposit, if applicable to the information officer at the postal or physical address, fax number or electronic mail as is stated herein.
- 7.2. The prescribed form must be completed with enough particularity to enable the information officer to determine:
 - 7.2.1. The record(s) requested;
 - 7.2.2. The identity of the requestor;
 - 7.2.3. What form of access is required; and
 - 7.2.4. The Postal address or fax number of the requestor.

- 7.3. The requestor must state that the records are required for the requestor to exercise or protect a right, and clearly state what the nature of the right is so to be exercised or protected. An explanation of why the records requested is required to exercise or protect the right.
- 7.4. The request for access will be dealt with within 30 days from date of receipt, unless the requestor has set out special grounds that satisfy the information officer that the request be dealt with sooner.
- 7.5. The period of 30 days may be extended by not more than 30 additional days, if the request is for a large quantity of information, or the request requires a search for information held at another office of JumpStart and the information cannot be reasonably obtained within 30 days. The information officer will notify the requestor in writing should an extension be necessary.
- 7.6. The requestor will be informed in writing whether access to the records have been granted or denied. If the requestor requires a reason for the decision the request must be expressed in the prescribed form, the requestor must be further state what particulars of the reasoning the requestor requires.
- 7.7. If a requestor has requested the records on another individual's behalf, the requestor must submit proof of the capacity the requestor submits the request in, to the satisfaction of the information officer.
- 7.8. If the requestor is unable to complete the prescribed form due to illiteracy or disability, the requestor may request it orally from the information officer.

8. GROUNDS FOR REFUSAL

- 8.1. The following are grounds upon which JumpStart may, subject to the exceptions in Chapter 4 of PAIA, refuse a request for access in accordance with Chapter 4 of PAIA:
 - 8.1.1. Mandatory protection of the privacy of a third party who is a natural person, including a deceased person, where such disclosure of Personal Information would be unreasonable
 - 8.1.2. Mandatory protection of the commercial information of a third party, if the Records contain:
 - 8.1.2.1. Trade secrets of that third party;
 - 8.1.2.2. Financial, commercial, scientific or technical information of the third party, the disclosure of which could likely cause harm to the financial or commercial interests of that third party; and/or
 - 8.1.2.3. Information disclosed in confidence by a third party to JumpStart, the disclosure of which could put that third party at a disadvantage in contractual or other negotiations or prejudice the third party in commercial competition;

- 8.1.3. Mandatory protection of confidential information of third parties if it is protected in terms of any agreement;
- 8.1.4. Mandatory protection of the safety of individuals and the protection of property;
- 8.1.5. Mandatory protection of Records that would be regarded as privileged in legal proceedings;
- 8.1.6. Protection of the commercial information of JumpStart, which may include:
 - 8.1.6.1. Trade secrets;
 - 8.1.6.2. Financial/commercial, scientific or technical information, the disclosure of which could likely cause harm to the financial or commercial interests of JumpStart;
 - 8.1.6.3. Information which, if disclosed, could put JumpStart at a disadvantage in contractual or other negotiations or prejudice JumpStart in commercial competition; and/or
 - 8.1.6.4. Computer programs which are owned by JumpStart, and which are protected by copyright and intellectual property laws;
- 8.1.7. Research information of JumpStart or a third party, if such disclosure would place the research or the researcher at a serious disadvantage; and
- 8.1.8. Requests for Records that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources.

9. REMEDIES SHOULD A REQUEST BE REFUSED

- 9.1. JumpStart does not have an internal appeal procedure in light of a denial of a request, decisions made by the information officer is final;
- 9.2. The requestor may in accordance with sections 56(3) (c) and 78 of PAIA, apply to a court for relief within 180 days of notification of the decision for appropriate relief.

10. FEES

- 10.1. 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.
- 10.2. The fees for reproduction referred to in regulation 11(1) are as follows:
 - 10.2.1. For every photocopy of an A4-sized page or part thereof: R1,10
 - 10.2.2. For every printed copy of an A4-sized page or part thereof held on a computer or in electronic or machine-readable form: R0,75
 - 10.2.3. For a copy in a computer-readable form on:
 - 10.2.3.1. stiffy disc R7,50
 - 10.2.3.2. compact disc R70,00

- 10.2.3.3. For visual images:
 - 10.2.3.3.1. a transcription of visual images, for an A4-size page or part thereof 40 ,00
 - 10.2.3.3.2. For a copy of visual images R60,00
- 10.2.3.4. For an audio record:
 - 10.2.3.4.1. For a transcription of an audio record, for an A4-size page or part thereof R20,00
 - 10.2.3.4.2. For a copy on an audio record R30,00
- 10.3. The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2) is R50,00.
- 10.4. The access fees payable by a requester referred to in regulation 11(3) are as follows:
 - 10.4.1. Fees are:
 - 10.4.1.1. For every photocopy of an A4-size page or part thereof R1,10
 - 10.4.1.2. For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form R0,75
 - 10.4.1.3. For a copy in a computer-readable form on:
 - 10.4.1.3.1. stiffy disc R7,50
 - 10.4.1.3.2. compact disc R70,00
 - 10.4.1.4. For a transcription of visual images:
 - 10.4.1.4.1. for an A4-sized page or part thereof R40,00
 - 10.4.1.4.2. For a copy of visual images R60,00
 - 10.4.1.5. For a transcription of an audio record:
 - 10.4.1.5.1. For an A4-size page or part thereof R20,00
 - 10.4.1.5.2. For a copy of an audio record R30,00
 - 10.4.1.6. 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.
 - 10.4.2. For purposes of section 54(2) of the Act, the following applies:
 - 10.4.2.1. Six hours as the hours to be exceeded before a deposit is payable; and
 - 10.4.2.2. one third of the access fee is payable as a deposit by the requester.
 - 10.4.3. The actual postage is payable when a copy of a record must be posted to a requester.

11. POPI

- 11.1. Conditions for lawful processing

11.1.1. POPI has eight conditions for lawful processing and include:

- 11.1.1.1. Accountability
- 11.1.1.2. Processing limitation
- 11.1.1.3. Purpose specification
- 11.1.1.4. Further processing limitation
- 11.1.1.5. Information quality
- 11.1.1.6. Openness
- 11.1.1.7. Security safeguards
- 11.1.1.8. Data subject participation

11.1.2. JumpStart is involved in the following types of processing:

- 11.1.2.1. Collection
- 11.1.2.2. Recording
- 11.1.2.3. Organization
- 11.1.2.4. Structuring
- 11.1.2.5. Storage
- 11.1.2.6. Adaptation or alteration
- 11.1.2.7. Retrieval
- 11.1.2.8. Consultation
- 11.1.2.9. Use
- 11.1.2.10. Disclosure by transmission
- 11.1.2.11. Dissemination or otherwise making available
- 11.1.2.12. Alignment or combination
- 11.1.2.13. Restriction
- 11.1.2.14. Erasure
- 11.1.2.15. Destruction

11.1.3. JumpStart processes information for the following purposes:

- 11.1.3.1. to provide services to its Clients in accordance with terms agreed to by the Clients;
- 11.1.3.2. to undertake activities related to the provision of services, such as
 - 11.1.3.2.1. to fulfil domestic legal, regulatory and compliance requirements

- 11.1.3.2.2. to verify the identity of Customer representatives who contact JumpStart or may be contacted by JumpStart;
- 11.1.3.2.3. for risk assessment, information security management, statistical, trend analysis and planning purposes;
- 11.1.3.2.4. to monitor and electronic communications with the Client for quality, training, investigation and fraud prevention purposes;
- 11.1.3.2.5. to enforce or defend JumpStart's or JumpStart affiliates' rights;
- 11.1.3.2.6. to manage JumpStart's relationship with its clients, which may include providing information to its clients and its clients affiliates about JumpStart's and JumpStart affiliates' products and services;
- 11.1.3.3. the purposes related to any authorised disclosure made in terms of agreement, law or regulation;
- 11.1.3.4. any additional purposes expressly authorised by JumpStart's client;
- 11.1.3.5. any additional purposes as may be notified to the Client or Data Subjects in any notice provided by JumpStart

11.2. JumpStart processes personal information in the following categories of Data Subjects:

- 11.2.1. Juristic persons –
 - 11.2.1.1. Corporate clients
- 11.2.2. Natural persons –
 - 11.2.2.1. Individuals
 - 11.2.2.2. Staff

11.3. JumpStart processes the following categories of personal information:

- 11.3.1. Client profile information;
- 11.3.2. Bank account details;
- 11.3.3. Payment information;
- 11.3.4. Client representatives;
- 11.3.5. Names;
- 11.3.6. Email Addresses;
- 11.3.7. Telephone numbers;
- 11.3.8. Physical addresses;
- 11.3.9. Tax numbers;
- 11.3.10. Identity Numbers;

- 11.3.11. Passport Numbers;
- 11.4. Recipients of Personal Information:
 - 11.4.1. JumpStart, JumpStart's affiliates, their respective representatives
- 11.5. When making authorised disclosures or transfers of personal information in terms of Section 72 of POPI, personal information may be disclosed to recipients in countries that do not have the same level of protection for personal information as South Africa does.
- 11.6. The following Security measures are implemented by JumpStart:
 - 11.6.1. We have put in place appropriate security measures to secure your personal data. In addition, we limit access to your personal data to those employees, agents, service providers and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.
- 11.7. Objection to the processing of personal information by a data subject:
 - 11.7.1. Section 11(3) of POPI and regulation 2 of the POPI regulations provides that a data subject may, at any time object to the processing of their personal information in the prescribed form attached to this manual as annexure "B".
- 11.8. Request for correction or deletion of personal information:
 - 11.8.1. Section 24 of POPI and regulation 3 of the POPI regulations provides that a data subject may request for their personal information to be corrected and/or deleted in the prescribed form attached hereto as annexure "C".