



Registration Number of Company: 2010 015116 07

Name of company: NETSTOCK (Proprietary) Limited

## **PROMOTION OF ACCESS TO INFORMATION MANUAL**

**Prepared in accordance with Section 51 of The Promotion of Access to Information Act 2 of 2000 (“PAIA”)**

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### **Change history**

Change Description	Date of Change	Changed By

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# 1. Introduction

## 1.1 Introduction to the Organization

NETSTOCK (Proprietary) Limited is a private limited company registered in South Africa, and provides the NETSTOCK and Sage Inventory Advisor SaaS inventory management services and various related services including but not limited to internet-based services, updates, back-up, help content, programs and new releases, components, technology, tools and consulting (collectively, “**Services**”) to its customers and their users.

## 1.2 Introduction to the Manual

This manual has been compiled in accordance with the requirements of The Promotion of Access to Information Act (referred to in this manual as “PAIA”) and contains the information specified in section 51(1) of PAIA, which is applicable to private bodies. This information is as follows:

- The contact details of the designated/duly authorized person/s;
- A reference to the “Guide on how to use the Promotion of Access to Information Act 2 of 2000” that the South African Human Rights Commission has compiled in compliance with Section 10 of PAIA.
- The latest notice published by the Minister under section 52 (2) of PAIA.
- A description of the records held by the private body which are available in terms of any legislation other than PAIA;
- A description of the subjects on which the private body holds records and the categories of records held on each subject in sufficient detail to facilitate a request for access to a record;

In compliance with POPIA: the purpose of the processing, a description of the categories of data subjects and of the information or categories of information relating to those data subjects, the recipients or categories of recipients to whom the personal information may be supplied, planned transborder flows of personal information, and a general description of the security safeguards/measures implemented.

## 2. Definitions

Employee	means any person who works for or provides services to or on behalf of NETSTOCK, and receives or is entitled to receive remuneration.
Guide	means the guide published by the SAHRC in terms of section 10 of PAIA, as amended and updated by the information Regulator.
Information Officer	means the person authorised by the head of NETSTOCK and to whom the duties and responsibilities required of the information officer in both PAIA and in POPIA have been delegated.
Juristic Person	Chief Executive Officer or the Managing Director or equivalent officer of the juristic person or any person duly authorised by the leader.
Natural Person	Sole proprietor who carries on any trade business or profession, but only in such capacity and not in his personal capacity.
PAIA	means the Promotion of Access to Information Act 2 of 2000 and any Regulations published thereunder, as amended from time to time.
Personal Information	<p>means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to—</p> <ul style="list-style-type: none"> <li>(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;</li> <li>(b) information relating to the education or the medical, financial, criminal or employment history of the person;</li> <li>(c) any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;</li> <li>(d) the biometric information of the person;</li> <li>(e) the personal opinions, views or preferences of the person;</li> <li>(f) 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;</li> <li>(g) the views or opinions of another individual about the person; and</li> <li>(h) 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.</li> </ul>
SAHRC	means the South African Human Rights Commission.
The Manual	means this manual which is published in accordance with Section 51 of PAIA.

## 3. Contact Details

### Information Officer Details:

Name: Ronald Laxton  
Telephone: +27 82 573 0381  
Email: [ronald.laxton@netstock.co](mailto:ronald.laxton@netstock.co)

Access to Information General Contact email: [privacy@netstock.co](mailto:privacy@netstock.co)

## 4. Who may request access to information?

- 4.1 The SAHRC has compiled a guide which may assist a person who wishes to exercise any rights contemplated in PAIA. This guide will be available from the Information Regulator. The contact details of the Information Regulator are:

Postal Address: P.O.Box 31533, Braamfontein, Johannesburg, 2017  
Telephone Number: 010 023 5200  
Email: [inforeg@justice.gov.za](mailto:inforeg@justice.gov.za)  
Website: [www.justice.gov.za/inforeg](http://www.justice.gov.za/inforeg)

- 4.2 The request for access to records may be made by a natural person or juristic person requiring the records for the exercise or protection of any right.
- 4.3 Requests in terms of PAIA shall be made according to the prescribed form and shall follow the prescribed procedures against payment of fees as described in this manual.

## 5. Confidentiality Policy and Access

- 5.1 NETSTOCK will protect information provided to it by third parties, subject to its obligations to disclose information in terms of any applicable laws or court orders requesting Disclosure.
- 5.2 If access is requested to a record that contains information about a third party, NETSTOCK has an obligation to contact the relevant third party to notify them of the

Request.

- 5.3 The third party will have the opportunity to consent or decline the disclosure in writing, stating their reasons for declining a request.

## 6. Applicable Legislation

6.1 NETSTOCK has endeavoured to provide a complete and accurate list of applicable legislation, however it is possible that the following list is incomplete.

6.2 Applicable legislation:

- Basic Conditions of Employment Act 75 of 1997
- Companies Act 71 of 2008
- Compensation of Occupational Injuries and Diseases Act 130 of 1993
- Constitution of the Republic of South Africa Act 108 of 1996
- Consumer Protection Act 68 of 2008
- Copyright Act 98 of 1978
- Criminal Law Amendment Act, 2012
- Criminal Procedure Amendment Act 9 of 2012
- Cybercrimes Act 19 of 2020
- Electronic Communications and Transactions Act 25 of 2000
- Employment Equity Act 55 of 1998
- General Administration Regulations 2003
- Income Tax Act 58 of 1962
- Insurance Act 18 of 2017
- Labour Relations Act 66 of 1995
- National Minimum Wage Amendment Act 3 of 2020
- Occupational Health and Safety Act 85 of 1993
- Patents Act 57 of 1978
- Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000
- Protected Disclosures Amendment Act, 2017 Act 5 of 2017
- Protection of Personal Information Act 4 of 2013
- Regulation of Interception of Communications and Provision of Communication Related Information Act 70 of 2002
- Skills Development Act 97 of 1998
- Taxation Laws Amendment Act 23 of 2020
- Value Added Tax Act 89 of 1991

## 7. Categories of Records

7.1 The following is a list of the subjects on which NETSTOCK holds records and the categories into which these records fall. The procedure in terms of which such records may be requested from NETSTOCK is set out in this manual.

7.2 The records listed below will not be provided in all instances to a requester who requests them of PAIA. The requester has to show that he or she has the right in terms of PAIA to be given access to the records in question.

CATEGORIES OF RECORDS	DESCRIPTION OF RECORDS HELD
<b>Administration</b>	<ul style="list-style-type: none"> <li>● Shareholder records</li> <li>● Record of Directors</li> <li>● Recorded minutes of company meetings</li> <li>● Resolution of Director meetings</li> <li>● Applicable Statutory documents</li> <li>● Company business certificates</li> <li>● Email Records</li> <li>● Register of company secretary and auditors</li> <li>● Incident register</li> <li>● Insurance records</li> </ul>
<b>Corporate Governance</b>	<ul style="list-style-type: none"> <li>● Corporate Social and Investment records</li> <li>● Legal compliance Records</li> <li>● Company Policies, Standards and Procedures</li> </ul>
<b>Finance</b>	<ul style="list-style-type: none"> <li>● Tax Records</li> <li>● VAT Records</li> <li>● PAYE Records</li> <li>● Insurance Records</li> <li>● Auditors Reports</li> <li>● Interim and Annual Financial Statements</li> <li>● Invoices issued for billing information</li> <li>● Payroll information (includes Identity numbers, salary information and bank account details)</li> <li>● Benefit information (including pension fund or medical aid information)</li> <li>● Beneficiary and emergency contact</li> </ul>

	<p>information.</p> <ul style="list-style-type: none"> <li>● Expense Claims</li> <li>● Bank statements and other banking related records</li> <li>● Annual return to CIPC</li> </ul>
<p><b>Human Resources</b></p>	<ul style="list-style-type: none"> <li>● List of employees</li> <li>● Curriculum Vitae</li> <li>● Job Application Forms</li> <li>● Reference and Interview Notes</li> <li>● Video recordings of interviews</li> <li>● Offers and acceptance of employment</li> <li>● Policy Acknowledgments or sign-off documents</li> <li>● Confirmation of employment and other disclosures</li> <li>● Information about severe allergies and health conditions</li> <li>● Employee personal Records including personal details, disciplinary records, medical certificates,</li> <li>● Labour dispute documentation</li> <li>● Certificates of education</li> <li>● Medical Certificates</li> <li>● Employee opinions and feedback in response to internal surveys</li> <li>● Advertised posts</li> <li>● Leave records</li> <li>● Expense claims</li> </ul>
<p><b>Information Technology and Security</b></p>	<ul style="list-style-type: none"> <li>● Internal policies and procedures regarding dismissals, recruitment, Information Security, Business Continuity, Disaster Recovery</li> <li>● Training Records and statistics</li> <li>● Training Schedules</li> <li>● Supplier Lists and details of supplier</li> <li>● Agreements with suppliers</li> <li>● Access Control Records</li> <li>● Asset Inventory Register</li> <li>● Internal Audit Records</li> <li>● External Audit Records</li> </ul>



7.3 Certain records are available without needing to be requested in terms of the request procedures set out in PAIA and detailed in this manual. The table below provides a list of record types which are readily available:

Category of Records	Type of Record	Available on Website	Available upon request telephonically or by sending an email
Company information	Description of NETSTOCK business	X	
Company information	The NETSTOCK Team	X	
Legal	Company Disclaimer	X	
Legal	Cookies Policy	X	
Legal	Privacy Policy	X	

7.4 Description of Records of NETSTOCK which are available in accordance with any legislation

Category of Records	Applicable Legislation
Memorandum of Incorporation	Companies Act 71 of 2008
PAIA Manual	Promotion of Access to Information Act 2 of 2000

## 8. Processing of Personal Information

8.1 NETSTOCK processes personal information for various lawful purposes permitted by section 11(1) of POPIA. This includes but is not limited to the following:

- To comply with legislative, regulatory, risk and compliance requirements;

- To maintain employees', customers' and service providers records;
- To respond to customers/service providers enquiries and complaints;
- To respond to prospective customer enquiries;
- For recruitment and employment purposes;
- For general administrations, financial and tax purposes;
- For legal and contractual purposes;
- For health and safety purposes;
- To secure and manage access to NETSTOCK information assets;
- To detect, prevent and report fraud and other crimes. This may include the processing of special information whereby consent is obtained;

<b>Categories of Data Subjects</b>	<b>Personal Information Processed</b>
Customers, potential customers and previous customers	Name, Surname, Company Name, Contact Number, Email Address, Company address, Geo-location, Job role, financial information and banking information.
Service Providers	Name, contact details, contact email address, service provider contracts, bank details, VATnumber.
Employees	Name, Identity number, date of birth, contact number, physical and postal address, banking information, medical information, beneficiary information, payroll records, recorded meetings, disciplinary records, employment contracts, training records, personal device information, photos of employees, marital status, increase letters, references and interview notes, video recording of interviews, offers of acceptance of employment, policy acknowledgements and sign-offs,
Job Applicants	Curriculum Vitae and application forms, employee education verification records, personal email address, confirmation of employment and other disclosures, phone number

## 8.2 The recipients or categories of recipients to whom the personal information may be supplied

Category of Personal Information	Recipients or Categories of Recipients to whom the personal information may be supplied
Employee PI	Stroz Friedburg (Incident response and Forensics company)
Employee PI	Law Enforcement
Employee PI	South African Revenue Service
Employee PI	Suppliers
Customer PI	Suppliers
Prospect PI	Suppliers
Employee PI	SAHRC (Information Regulator)

## 8.3 Planned transborder flows of personal information

NETSTOCK may transfer personal information to a country outside of South Africa. The personal data regulations in the country to which the data is transferred may not be as stringent. NETSTOCK will take the necessary steps to ensure that recipients of transborder personal information are bound by laws and agreements that provide an adequate level of protection for the lawful processing and storage of personal information.

## 8.4 Security Safeguards / measures implemented

See [www.netstock.tv/security](http://www.netstock.tv/security)

# 9. Request Procedure in terms of PAIA

- 9.1 Any individual or interested party may in terms of Section 50 of PAIA request access to records held by NETSTOCK.
- 9.2 To request access to a record of NETSTOCK, a requester must first check the nature of the record which may already be available without the need for submitting a formal PAIA

request. If this is not available then a requester must complete the form **Form 02: Request for Access to Record** [Regulation 7]

- 9.3 A requester must provide sufficient detail on the prescribed form to NETSTOCK to identify the record/s which have been requested and the identity of the requester. If the request is made on behalf of another person or entity, the requester must submit details and proof of the capacity in which the requester is making the request, which must be reasonably satisfactory to NETSTOCK.
- 9.4 The requester is also required to link the form of access to the relevant records that is required and provide his or her contact details in the Republic of South Africa.
- 9.5 The requester must identify/indicate the right he or she is seeking to exercise by accessing records held by NETSTOCK and must explain why the record/s requested is or are required for the exercise or protection of that right.
- 9.6 NETSTOCK may in certain instances, refuse access to records on any grounds set out in PAIA which include:
- That access would result in the unreasonable disclosure of personal information about a third party or it's employees;
  - That it is necessary to protect the commercial information of a third party or of NETSTOCK itself and it's employees;
  - That it is necessary to protect the confidential information of a third party or it's employees;
  - That it is necessary to protect the safety of individuals or property;
  - That a record constitutes privileged information for the purpose of legal proceedings;
- 9.7 NETSTOCK is required to inform a requester in writing of its decision in relation to a request. If the requester wishes to be informed of NETSTOCK decision in another manner as well, this must be set out in the request and the relevant details included, to allow NETSTOCK to inform the requester in the preferred manner.
- 9.8 NETSTOCK will make a decision in relation to a request within 30 days of receiving it, unless third parties are required to be notified of the request or the 30 day period is extended as provided for in PAIA. NETSTOCK will notify the requester if the 30 day period for processing a request is to be extended.
- 9.9 Where a request is refused, a requester may lodge a complaint in writing to the Information Regulator.
- 9.10 The Information Regulator may decide to investigate the complaint, within which the Information Officer is required to respond in writing within 20 days of being contacted by the Information regulator and submit any item or document to the Information Regulator, in the manner the Information Regulator requests. Refer to PAIA for further information.
- 9.11 The forms can be accessed via the Information Regulator website [Documents | Information Regulator SA](#) , below are the links for the forms.

Forms relating to the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000)

- **Form 01: Request for a Guide from the Regulator** [Regulation 2]
- **Form 01: Request for a Copy of the Guide from an Information Officer** [Regulations 3]
- **Form 02: Request for Access to Record** [Regulation 7]
- **Form 04: Internal Appeal Form** [Regulation 9]
- **Form 05: Complaint Form** [Regulation 10]

## 10. Fees Payable

The South African Human Rights Commission is responsible for administering the constitutional right of access to information. It has published a “Guide on How to Use the Promotion of Access to Information Act 2 of 2000”. This includes fees payable by requestors to enable access to information. To ensure that the fees payable for a request are current, you are referred to the Guide that you can access at [Home | Information Regulator SA](#)

## 11. Availability of the Manual

This manual can be accessed on our website for public inspection, to any person upon request and upon payment of a reasonable prescribed fee or to the Information Regulator upon request.

A fee for a copy of the Manual, as contemplated in Annexure B of the regulations, shall be payable per each A4-size photocopy made.

## 12. Update to the Manual

The manual will be reviewed and if necessary, updated on a regular basis in accordance with the requirements of Section 51(2) of PAIA.

## 13. Approvals

By signing this document, the signatory agrees to the implementation of the Protection of Personal Information Act Manual.

Information Officer  
Ronald Laxton



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[signature]

Dec 10, 2021

## 14. Annual Review/ Change Log Sign-off

Reviewed By	Date of Change / Review	Signed by