



ACCESS TO INFORMATION MANUAL WAY WITH WORDS SA (PTY) LTD (the “Company”)

in compliance with

the Promotion of Access to Information Act, 2000 (“PAIA”) and
the Protection of Personal Information Act, 2013 (“POPI”)

Last updated: June 2021

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1. Introduction

The object of PAIA is to foster a culture of transparency and accountability in public and private bodies and give effect to the constitutional right of access to information.

PAIA establishes, among other things, the right to request access to the records of a private body where access is required for the exercise of the protection of rights, the request complies with all the procedural requirements and access is not refused on any ground referred to in PAIA.

The object of POPI is the protection of the right to privacy, which entails the safeguarding of personal information by regulating the manner in which such personal information may be processed by both public and private bodies. POPI provides persons with rights and remedies to protect their personal information from processing not performed in accordance with the Act.

One of the requirements of PAIA (as amended by POPI) is the compilation by a private body of a Manual which provides certain information pertaining to the private body, the types and categories of records which it holds, the manner in which it processes personal information and sufficient detail to facilitate a request for access to a record of the body.

2. Overview of this Manual

Among other things, this Manual contains the contact details of the Company, including its postal and street address, the categories of records held by the Company and a list of the records of the Company which are available in terms of other legislation.

For the purposes of PAIA, this Manual refer to the procedure to be followed by a requester, as defined in section 1 of that Act, and the manner in which a request for access, as envisaged therein, will be facilitated. An example of the request form for access to a record of the Company is provided.

For the purposes of POPI, this Manual provides, among other things, the categories of data subjects on which the Company holds records and the categories of records held on each subject. In addition, it contains details regarding the purpose of the processing of personal information, as well as the recipients or categories of recipients to whom the personal information may be supplied and particulars regarding transborder flows of personal information. It also contains a general description of the security measures implemented by the Company to ensure the confidentiality, integrity and availability of the information which is processed by it.

3. Availability of the Manual

This Manual is available for inspection on the Company website at www.waywithwords.net.

It can also be viewed at the offices of the Company at First Floor, Vineyards Square North, Vineyards Office Estate, 99 Jip de Jager Drive, Bellville, Cape Town, 7530.

4. Description of the Company

The Company provides transcription and allied services to a variety of industries and professions both locally and internationally, and to Way With Words Limited, a company registered in the United Kingdom. It both stores and processes data for its clients and for Way With Words Limited.

5. Company Contact Details

General

Postal address: PO Box 6612 Welgemoed 7538
Street address: First Floor, Vineyard Square North, Vineyards Office Estate, 99 Jip de Jager Drive, Bellville, Cape Town, 7530
Business phone: 021 813 5888
Facsimile number: N/A
Website: www.waywithwords.net

Head of body: Adam Peter Kossowski
Postal address: P O Box 6612 Welgemoed 7538
Street address: First Floor, Vineyard Square North, Vineyards Office Estate, 99 Jip de Jager Drive, Bellville, Cape Town, 7530
Business phone: 021 813 5888
Facsimile number: N/A
Email address: ceo@waywithwords.net

Information Officer: Adam Peter Kossowski
Postal address: P O Box 6612 Welgemoed 7538
Street address: First Floor, Vineyards Square North, Vineyards Office Estate, 99 Jip de Jager Drive, Bellville, Cape Town, 7530
Business phone: 021 813 5888
Facsimile number: N/A
Email address: dpo@waywithwords.net
Alternative email: ceo@waywithwords.net

6. Human Rights Commission / Information Regulator Guide

s10 of PAIA requires the Information Regulator to update and make available the Guide compiled by the South African Human Rights Commission and which contains such information, in an easily comprehensible form and manner, as may reasonably be required by a person wishing to exercise any right contemplated in PAIA and POPI.

The Guide is available in all official languages of South Africa and can be viewed currently on the Human Rights Commission's website at www.sahrc.org.za. Copies are also available at the head office of the SAHRC at Forum 3, Braampark Offices, 33 Hoofd Street, Braamfontein, South Africa, and all of its provincial offices.

The Guide, updated by the Information Regulator, will be made available by the Information Regulator in the manner prescribed by law.

The contact details for the Information Regulator are as follows:
JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001;
Email infoereg@justice.gov.za;
Website <https://www.justice.gov.za/infoereg/>

7. Records available in terms of other legislation

Below is a list of other legislation in terms of which Company records are available.

- Basic Conditions of Employment Act 75 of 1997
- Broad-Based Black Economic Empowerment Act 53 of 2003 (and Amendment Act and Regulations)

- Broad-Based Black Economic Empowerment Act revised Codes of Good Practice 2014
- Compensation for Occupational Injuries and Diseases Act 130 of 1993
- Companies Act 71 of 2008
- Competition Act 89 of 1998
- Consumer Protection Act 68 of 2008
- Copyright Act 98 of 1978
- Electronic Communications and Transactions Act 25 of 2002
- Employment Equity Act 55 of 1998
- Income Tax Act 58 of 1962
- Labour Relations Act 66 of 1995 (and Amendment Act)
- 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
- Skills Development Act 97 of 1998
- Skills Development Levies Act 9 of 1999
- Trade Marks Act 194 of 1993
- Unemployment Insurance Contributions Act 4 of 2002
- Value Added Tax Act 89 of 1991

The above list is not exhaustive. And information will only be provided in accordance with the requirements set out in the specific legislation. A person requesting access to a record is required to indicate what legislative right the request is based upon in order to allow the Information Officer the opportunity to properly consider the request.

8. Subjects and categories of records held

The information contained in this section is intended to identify the main categories of records held by the Company and to assist the requester to Way With Words SA (Pty) Ltd – PAIA and POPI Manual (Rev 15 06 2021)

gain a better understanding of the main business activities of the Company. Further assistance in this regard is available from the Information Officer.

Records to which access will be provided in accordance with PAIA (subject to the restrictions and right of refusal to access provided for in PAIA) are available in respect of the following aspects of the Company's business and operations:

8.1 Company records

- Documents of Incorporation
- Memorandum and Articles of Association
- Minutes of board of directors' meetings
- Records relating to the appointment of directors/ auditor/secretary/public officer and other officers
- Share Register and other statutory registers

8.2 Financial records

- Annual Financial Statements
- Tax Returns
- Accounting Records
- Banking Records
- Bank Statements
- Paid Cheques
- Electronic banking records
- Asset Register
- Rental Agreements
- Invoices

8.3 Income tax records

- PAYE Records

- Documents issued to employees for income tax purposes
- Records of payments made to SARS on behalf of employees
- All other statutory compliances:
 - VAT
 - UIF
 - Workmen's Compensation

8.4 Personnel documents and records

- Employment contracts
- Employment Equity Plan (if applicable)
- Medical Aid records
- Pension Fund records
- Disciplinary records
- Salary records
- SETA records
- Disciplinary code
- Attendance registers
- Leave records
- Training records, Training Manuals and policies

9. Access request procedure

9.1 Completion of access request form

To facilitate a timely response to requests for access, all requesters should take note of the following when completing the Access Request Form:

- The Access Request Form, attached as Annexure 1 hereto, must be completed.
- Proof of identity is required to authenticate the identity of the requester – in addition to the Access Request Form, requesters will

be required to supply a certified copy of their identification document or a valid passport document, or if a legal entity, a certified copy of the Company Registration Certificate.

- Type or print in BLOCK LETTERS an answer to every question
- If a question does not apply, state “N/A” in response to that question.
- If there is nothing to disclose in reply to a particular question state “NIL” in response to that question.
- If there is insufficient space on the printed form, additional information may be provided of an additional attached folio
- When the use of an additional folio is required, precede each answer with the applicable title.

Please note that the successful completion and submission of an Access Request Form does not automatically allow the requester access to the requested record. An application for access to a record is subject to certain limitations if the requested record falls within a certain category as specified within PART 3, CHAPTER 4 of PAIA. If it is reasonably suspected that the requester has obtained access to records through the submission of materially false or misleading information, legal proceedings may be instituted against such requester.

9.2 Submission of access request form

The completed Access Request Form, together with a certified copy of the requester’s identity document must be addressed to the Information Officer and submitted via the contact details stated in paragraph 5, as indicated above. An initial **request fee** of R50 is payable on submission of the Access Request Form unless the requester is legally exempt from payment. For example, a requester seeking access to a record containing their **own** personal information **will not be charged a request fee**.

If the request for access is successful 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 2 hereto. The **access fee** must be paid prior to access being given to the requested record. Fees may be amended from time to time in accordance with notices published in the Government Gazette.

9.3 Payment of fees

Payment details can be obtained from the Information Officer. Payment must be made via a direct deposit and proof of payment in each instance supplied via the contact details stated in paragraph 5 above.

9.4 Notification

The Information Officer will, within 30 (thirty) days of receipt of the request, decide whether to grant or decline the request and give notice with reasons (if required) to that effect.

The aforesaid 30 (thirty) day period may be extended for a further period of not more than 30 (thirty) days if the request is for a large volume of information, or the request requires a search for information held at other offices of the Company and the information cannot reasonably be obtained within the original 30 (thirty) day period. The requester will be notified in writing should an extension be sought.

9.5 Grounds for refusal of access to records

A complete list of the grounds for refusal can be found within PART 3, CHAPTER 4 of PAIA. The grounds for refusal of a request for information are, in general summary:

- Mandatory protection of the privacy of a third party who is a natural person, which would involve the unreasonable disclosure of personal information of that natural person.

- Mandatory protection of the commercial information of a third party, if the record contains:
 - Trade secrets of that party;
 - Financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that party;
 - Information disclosed by a third party to the Company if the disclosure could put that third party at a disadvantage in negotiations or commercial competition;
- Mandatory protection of confidential information of third parties if its disclosure would constitute an action for breach of a duty of confidence owed to a third party in terms of an agreement;
- Mandatory protection of the safety of individuals and the protection of property;
- Mandatory protection of records which could be regarded as privileged in legal proceedings;
- Subject to certain exceptions, protection of the commercial information of the Company, which contains:
 - Trade secrets of the Company;
 - Financial, commercial, scientific or technical information, other than trade secrets, the disclosure of which would be likely to cause harm to the commercial or financial interests of the Company;
 - Information, the disclosure of which could reasonably be expected:
 - to put the Company at a disadvantage in contractual or other negotiations; or
 - to prejudice the Company in commercial competition; or
 - is a computer program, as defined in the Copyright Act, (Act 98 of 1978), owned by

the Company, except insofar as it is required to give access to a record to which access is granted in terms of PAIA.

- is a computer program, as defined in the Copyright Act, 1978 (Act 98 of 1978), owned by the Company, except insofar as it is required to give access to a record to which access is granted in terms of PAIA.
- Mandatory protection of research information of a third party and protection of research information of the Company in certain instances.

9.6 Appeal against refusal to grant access

If a requester is aggrieved by the refusal of the Information Officer to grant a request for a record, the requester may, upon receipt of notification of the Information Officer's decision (or upon deemed refusal in terms of s58 of PAIA), lodge a complaint to the Information Regulator or apply to court for appropriate relief within the timeframes as prescribed by PAIA.

10. Personal Information

10.1 Purpose of processing

The purpose for which personal information is processed by the Company will depend upon the nature of the information and, in general, will include, but not be limited to, the following business administration purposes:

- to carry out actions for the conclusion and/or performance of a contract
- to comply with obligations imposed by law;
- to protect the legitimate interests of the data subjects; or
- where it is necessary for pursuing the legitimate interests of the Company.

10.2 Categories of data subjects

- Personnel / employees;
- Clients;
- Third parties whose data is provided by clients;
- Consultants;
- Contractors;
- Service providers;
- Suppliers;
- Other third parties with whom the Company conducts business.

The above list is non-exhaustive.

10.3 Categories of information

- In respect of natural persons may include: name, identifying number (identity or passport number), date of birth, citizenship, age, gender, marital status, language, telephone number(s), email address(es), physical and postal addresses, income tax number, banking information, employment history, background checks, CVs, remuneration information.
- In respect of juristic persons may include: name, registration number, tax information, contact details, physical and postal addresses, FICA documentation, BEE certificates, payment details (including bank accounts), invoices and contractual agreements.

The above lists are non-exhaustive.

10.4 Categories of recipients to whom the personal information may be supplied

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

- Way With Words Limited;

- Service providers;
- Contractors;
- Auditing and accounting bodies (internal and external);
- Third parties with whom the Company and/or Way With Words Limited has contracted for the retention of data;
- Relevant authorities, government departments, statutory bodies or regulators;
- 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.

10.5 Planned transborder flows of personal information

The Company envisages that it may transfer personal information to Way With Words Limited or to third parties who are situated in a foreign country and such transfers would be subject to and in compliance with the relevant provisions of POPI and the relevant legislation existing in such foreign country.

10.6 Information security measures

The Company strives to take appropriate, reasonable technical and organisational measures to ensure the integrity and confidentiality and availability of personal information in its possession or under its control which is to be processed. Among other things, the Company takes the following security measures with regard to data at rest and data which is in transit.

Data at Rest

A person's provided identity and billing data are securely stored within one of the Company's databases, access to which is restricted to only the least amount of people necessary to provide the Services. All media (audio,

video, transcripts, etc.) that the Company processes in the course of providing its Services are stored on an encrypted partition on its server, access to which is limited to only those persons necessary to perform maintenance on the server.

Data in Transit

All of the Company's websites and services are secured with [Transport Layer Security version 1.2 \(TLSv1.2\)](#) encryption using only the most secure ciphers and algorithms to protect personal data as it moves between personal devices and Company servers. The Company's primary website scores an [A+ rating on the Qualys SSL Labs Report](#) and is compliant with PCI-DSS, NIST, and HIPAA standards for web application security.

10.7 Objection to the processing of personal information by a data subject

A data subject may at any time object to the processing of his/her/its personal information (as contemplated in Section 11 (3) (a) of POPI) in the prescribed form attached to this manual as Annexure 3, subject to the exceptions contained in POPI.

10.8 Request for correction or deletion of personal information

A data subject may request that his/her/its personal information be corrected or deleted (as contemplated in Section 24 of POPI) in the prescribed form attached as Annexure 4 and any time object to the processing of his/her/its personal information (as contemplated in Section 11 (3) (a) of POPI) in the prescribed form attached to this manual as Appendix 4, subject to the exceptions contained in POPI.

ANNEXURE 1

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:

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

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 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:

.....

.....

.....

.....

2. Reference number, if available:

.....

.....

.....

.....

3. Any further particulars of 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 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:
-------------	-----------------------------------

Mark the appropriate box with an **X**.

NOTES:

(a) Compliance with your request for access in the specified form may depend 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 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 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)
4. If 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* (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

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 record requested is required for the exercise 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 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..... ofyear

.....

SIGNATURE OF REQUESTER /

PERSON ON WHOSE BEHALF REQUEST IS MADE

ANNEXURE 2

APPLICABLE FEES IN RESPECT OF PRIVATE BODIES IN RELATION TO PAIA

FEES IN RESPECT OF PRIVATE BODIES

1. The request fee payable by a requester, other than a personal requester, referred to in section 54(1) of PAIA is R50,00.
2. The fees for reproduction referred to in section 52(3) and access fees payable by a requester referred to in section 54(7), unless exempted under section 54(8) of PAIA are as follows:

	R
(a) For every photocopy of an A4-size page or part thereof	R1,10
(b) For every printed copy of an A4-size page or part thereof held on a computer on in electronic or machine-readable form	R0,75
(c) For a copy in a computer-readable form on compact disc	R70,00
(d) (i) For a transcription of visual images, for an A4-size page or part thereof	R40,00
(ii) For a copy of visual images	R60,00
(e) (i) For a transcription of an audio record, for an A4-size page or part thereof	R20,00
(ii) For a copy of an audio record	R30,00
(f) To search for the record for disclosure, for each hour or part of an hour reasonably required for such search:	R30,00
The actual postal fee is payable when a copy of a record must be posted to a requester.	

ANNEXURE 3

OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION IN TERMS
OF SECTION 11(3) OF THE PROTECTION OF PERSONAL INFORMATION ACT,
2013 (ACT NO. 4 OF 2013)

REGULATIONS RELATING TO THE PROTECTION OF PERSONAL
INFORMATION, 2018

[Regulation 2]

Note:

1. *Affidavits or other documentary evidence as applicable in support of the objection may be attached.*
2. *If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.*
3. *Complete as is applicable.*

A	DETAILS OF DATA SUBJECT
Name(s) and surname/registered name of data subject:	
Unique identifier/ Identity Number	
Residential, postal or business address;	Code ()
Contact number(s):	
Fax number/E-mail address:	
B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname / Registered name of responsible party:	
Residential, postal or business address:	Code ()
Contact number(s):	
Fax number/E-mail address:	
C	REASONS FOR OBJECTION IN TERMS OF SECTION 11(1)(d) to (f) (Please provide detailed reasons for the objection)

ANNEXURE 4

REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION
OR DESTROYING OR DELETION OF RECORD OF PERSONAL INFORMATION
IN TERMS OF SECTION 24(1) OF THE PROTECTION OF PERSONAL
INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)

REGULATIONS RELATING TO THE PROTECTION OF PERSONAL
INFORMATION, 2018

[Regulation 3]

Note:

1. *Affidavits or other documentary evidence as applicable in support of the request may be attached.*
2. *If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.*
3. *Complete as is applicable.*

Mark the appropriate box with an "x".

Request for:

- Correction or deletion of the personal information about the data subject which is in possession or under the control of the responsible party.
- Destroying or deletion of a record of personal information about the data subject which is in possession or under the control of the responsible party and who is no longer authorised to retain the record of information.

A	DETAILS OF DATA SUBJECT
Name(s) and surname/registered name of data subject:	
Unique identifier/ Identity Number	

Residential, postal or business address;	Code ()
Contact number(s):	
Fax number/E-mail address:	
B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname / Registered name of responsible party:	
Residential, postal or business address;	Code ()
Contact number(s):	
Fax number/E-mail address:	
C	INFORMATION TO BE CORRECTED / DELETED / DESTROYED
D	<p>REASONS FOR *CORRECTION OR DELETION OF THE PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(a) WHICH IS IN THE POSSESSION OR UNDER THE CONTROL OF THE RESPONSIBLE PARTY; and or REASONS FOR *DESTRUCTION OR DELETION OF A RECORD OF PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(b) WHICH THE RESPONSIBLE PARTY IS NO LONGER AUTHORISED TO RETAIN.</p> <p><i>(Please provide detailed reasons for the request)</i></p>

Signed at this day of 20....

.....
Signature of data subject/designated person