

The Cyst Corporation



PAIA MANUAL

CYEST CORPORATION PROPRIETARY LIMITED

(Registration number 2000/007254/07)

and various of its subsidiaries

("CYEST")

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1 INTRODUCTION

This manual has been compiled in accordance with Section 51 of the Promotion of Access to Information Act 2 of 2000, ("PAIA") and sets out the process to be followed when requesting access to records of Cyest, as contemplated in PAIA.

2 CYEST CONTACT DETAILS

Name of body: Cyest Corporation Proprietary Limited

Chief Executive Officer: Elton Bondi

Information Officer: Elton Bondi

Address: Ground Floor, Block E, Pinmill Farm, 164 Katherine Street,
Sandton, 2196

Postal address: P.O. Box 781090, Sandton, 2146

Telephone: +27 11 595 2500

Fax: +27 86 627 8068

E-mail: ebondi@cyestcorp.com

3 GUIDE IN TERMS OF SECTION 10 OF THE PAIA

3.1 PAIA grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.

3.2 Requesters are referred to the Guide in terms of Section 10 which has been compiled by the South African Human Rights Commission ("**SAHRC**"), which will contain information for the purposes of exercising Constitutional Rights. The Guide is available from the SAHRC.

3.3 The contact details of the SAHRC are:

Postal Address: Private Bag 2700, Houghton, 2041

Telephone Number: +27-11-877 3600

Fax Number: +27-11-403 0625

Website: www.sahrc.org.za

4 RECORDS AVAILABLE IN ACCORDANCE WITH OTHER LEGISLATION

Cyest keeps records in accordance with the following legislation (please note that this is not an exhaustive list) -

- 4.1 Companies Act 71 of 2008;
- 4.2 Income Tax Act 58 of 1962;
- 4.3 Value-Added Tax Act 89 of 1991;
- 4.4 Customs and Excise Act 91 of 1964;
- 4.5 South African Reserve Bank Act 90 of 1989;
- 4.6 Labour relations Act 66 of 1995;
- 4.7 Basic Conditions of Employment Act 75 of 1997;
- 4.8 Employment Equity Act 55 of 1998;
- 4.9 Skills Development Act 97 of 1998;
- 4.10 Skills Development Levies Act 9 of 1999;
- 4.11 Unemployment Insurance Act 63 of 2001;

- 4.12 Unemployment Insurance Contributions Act 4 of 2002;
- 4.13 Compensation for Occupational Injuries and Diseases Act 130 of 1993;
- 4.14 Occupational Health and Safety Act 85 of 1993;
- 4.15 Insolvency Act 24 of 1936;
- 4.16 Copyright Act 98 of 1978;
- 4.17 Trade Marks Act 194 of 1993;
- 4.18 Arbitration Act 42 of 1965;
- 4.19 Consumer Protection Act 68 of 2008;
- 4.20 Electronic Communications and Transactions Act 25 of 2002;
- 4.21 Protection of Personal Information Act 4 of 2013;
- 4.22 Promotion of Access to Information Act 2 of 2002;
- 4.23 Securities Transfer Tax Administration Act 26 of 2007;
- 4.24 Broad Based Black Economic Empowerment Act 53 of 2003.

5 RECORDS HELD BY CYEST IN TERMS OF PAIA

- 5.1 Request for access to documents held by Cyest will be in accordance with PAIA. The type of records available to requesters is listed in Annexure A hereto.
- 5.2 A description of records which are freely available without having to submit a formal request to access information in terms of PAIA are listed in Annexure B hereto.

6 PROCEDURE FOR OBTAINING ACCESS TO INFORMATION

6.1 A requester who wishes to request any information held by Cyest in order to protect or exercise a right may contact Cyest's Information Officer at the contact details provided in paragraph 2 above.

Request for access under PAIA

6.2 A request for access to information must be made in the prescribed form (Form C) to the Information Officer indicated above. See Annexure C for the prescribed form.

6.3 All required text fields on the annexed "Form C" must be completed in full and in a legible form. The form (as well as any additional pages attached thereto) must be signed by the person submitting the form.

6.4 Requesters must provide sufficient details to enable Cyset to identify -

6.4.1 the record(s) requested;

6.4.2 the requester (and if an agent is lodging the request, proof of capacity);

6.4.3 the form of access required;

6.4.4 the postal address or fax number of the requester in the Republic;

6.4.5 if the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof;

6.4.6 the right which the requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.

6.5 Once the "Form C" has been submitted, the Information Officer will notify the requester of the prescribed fee (if any) payable before further processing the request.

6.6 A request fee of as set out in Annexure D will be charged for access to records in terms of PAIA.

6.7 The Information Officer shall within 30 days, after the request is received, notify the requester whether the request has been granted/or refused, as well as provide the requester with any additional fees which may be levied. This additional fee would be for the reproduction, preparation and time, reasonably required to search and prepare the disclosure. The person who submitted the request may lodge an application to the court against the tender or payment of the fee.

7 GROUNDS FOR REFUSAL OF ACCESS TO RECORDS

7.1 PAIA provides a number of grounds on which a request for access to information must be refused. These grounds mainly concern instances where the privacy and interests of other individuals are protected, where such records are already otherwise publicly available, instances where public interest are not served, the mandatory protection of commercial information of a third party, as well as the mandatory protection of certain confidential information of a third party.

7.2 A complete list of the grounds for refusal, are indicated within Chapter 4 of PAIA.

8 AVAILABILITY OF THE MANUAL

8.1 This manual is available for inspection at the offices of Cyst, free of charge.

8.2 Copies of the manual may be obtained, subject to the prescribed fees, at the offices of Cyst.

8.3 The manual can also be accessed on the website of the SAHRC (www.sahrc.org.za) and on the company's website www.cystcorp.com.

9 **VARIOUS SUBSIDIARIES OF CYEST**

Company	Registration number
Business Science Corporation Proprietary Limited	2011/141924/07
Mahons Shelco 2 Proprietary Limited	2013/214859/07

ANNEXURE A – RECORD TYPE

Request for access to documents held by Cyst will be in accordance with PAIA. The type of records available to the person requesting the information are listed hereunder

1. Administrative Records

These include, but are not limited to the following:

- 1.1 Cyst's policies and procedures
- 1.2 Insurance policies
- 1.3 Legal compliance documents
- 1.4 Constitutive documentation
- 1.5 BEE Certificates

2. Human Resources Records

These include, but are not limited to the following -

- 2.1 Personal records provided to Cyst by its personnel
- 2.2 Records which a third party has provided to Cyst about any of its personnel
- 2.3 Conditions of employment and other personnel-related contractual and legal records
- 2.4 Internal evaluation and training records
- 2.5 Leave records
- 2.6 Medical aid records

2.7 PAYE and UIF returns

2.8 Pension and retirement funding records

2.9 Other internal records and correspondence

3. Client-related Records

These include, but are not limited to the following -

3.1 Advice records

3.2 Operational records

3.3 Databases

3.4 Marketing records

3.5 Product records

3.6 Statutory records

3.7 Legal agreements

3.8 Internal policies and procedures

4. Financial Records of Cyst

These include, but are not limited to the following -

4.1 Accounting records

4.2 Annual financial statements

4.3 Invoices and statements

4.4 Tax records

4.5 Audit records

4.6 Assets inventory

5. **Other Parties**

5.1 Cyest may possess records pertaining to other parties, including without limitation, contractors, suppliers, subsidiary/holding companies, joint venture companies and other services providers.

5.2 These records include, but are not limited to the following -

5.2.1 license agreements

5.2.2 service level agreements

5.2.3 financial records

5.2.4 correspondence.

ANNEXURE B – AUTOMATICALLY AVAILABLE RECORDS

- 1 The following records are automatically available without having to submit a formal request to access the information in terms of PAIA.
- 2 Reproduction fees may be levied at the discretion of Cyst in accordance with reproduction costs, preparation and time required to search and prepare disclosures.
- 3 Cyst will provide you with a written estimate of the fee before providing the services.
- 4 Public Product Information – freely available on website
- 5 Public Corporate Records
- 6 Media Releases.

ANNEXURE C – FORM C

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

- | |
|---|
| <p>(a) <i>The particulars of the person who requests access to the record must be given below.</i></p> <p>(b) <i>The address and/or fax number in the Republic to which the information is to be sent must be given.</i></p> <p>(c) <i>Proof of the capacity in which the request is made, if applicable, must be attached.</i></p> |
|---|

Full names and surname: _____

Identity number: _____

Postal address: _____

Fax number: _____

Telephone 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: _____

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 hereunder, state your disability and indicate in which form the record is required.

Disability: _____ _____ _____ _____	Form in which record is required: _____ _____ _____ _____
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Mark the appropriate box with an **X**.

NOTES:

- (a) Compliance with your request 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 for the record, if any, will be determined partly by the form in which access is requested.*

(a) *If you qualify for exemption of the payment of any fee, please state the reason for exemption.*

1.	If the record is in written or printed form:			
	copy of record*		inspection of record	
2.	If record consists of visual images			
	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 of20...

SIGNATURE OF REQUESTER / PERSON
ON WHOSE BEHALF REQUEST IS MADE

ANNEXURE D – PRESCRIBED FEES

PRESCRIBED FEES

1. The following applies to requests (other than personal requests) –
 - 1.1. a requestor is required to pay the prescribed fees (R 50.00) before a request will be processed;
 - 1.2. if the preparation of the record requested requires more than the prescribed 6 (six) hours, a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted);
 - 1.3. a requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit;
 - 1.4. records may be withheld until the fees have been paid.
2. The fee structure is available on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at www.sahrc.org.za.
3. The reproduction fee payable by a requester referred to in regulation 11(1) are as follows:
 - 3.1. For every photocopy of an A4-size page or part thereof R 1.10
 - 3.2. 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
 - 3.3. For a copy in a computer-readable form on -
 - 3.3.1. stiffer disc R 7.50
 - 3.3.2. compact disc R 70.00
 - 3.4.1. For a transcription of visual images, for an A4-size page or part thereof R 40.00
 - 3.4.2. For a copy of visual images R 60.00
 - 3.5.1. For a transcription of an audio record, for an A4-size page or part thereof R 20.00
 - 3.5.2. For a copy of an audio record R 30.00
4. The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2) is R 50.00.

5. The access fee payable by a requester referred to in regulation 11(3) are as follows:
 - 5.1. For every photocopy of an A4-size page or part thereof R 1.10
 - 5.2. 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
 - 5.3. For a copy in a computer-readable form on -
 - 5.3.1. stiffer disc R 7.50
 - 5.3.2. compact disc R 70.00
 - 5.4.1. For a transcription of visual images, for an A4-size page or part thereof R 40.00
 - 5.4.2. For a copy of visual images R 60.00
 - 5.5.1. For a transcription of an audio record, for an A4-size page or part thereof R 20.00
 - 5.5.2. For a copy of an audio record R 30.00
6. To search for the record for disclosure, R 30.00 for each hour or part of an hour reasonably required for such search and operation.
7. For purposes of section 54(2) of the Act, the following applies
 - 7.1. Six hours as the hours to be exceeded before a deposit is payable; and
 - 7.2. One third of the access fee is payable as a deposit by the requester.
8. The actual postage is payable when a copy of a record must be posted to a requester.

Value-added tax

Private bodies registered under the Value-Added Tax Act, 1991 (Act No. 89 of 1991), as vendors may add value added tax to all fees prescribed in terms of the regulations.