

ITHUBA HOLDINGS RF (PTY) LTD
("The Company")

PAIA MANUAL
(IN TERMS OF SECTION 51 OF ACT NO. 2 OF 2000, PROMOTION OF ACCESS TO INFORMATION
ACT)
("THE ACT")

Table of Contents

1	INTRODUCTION	3
2	COMPANY DETAILS AND CONTACT DETAILS OF THE INFORMATION OFFICER	4
3	HUMAN RIGHTS COMMISSION GUIDE	4
4	RECORDS THAT ARE AVAILABLE ONLY ON REQUEST IN TERMS OF THE ACT	
	SECTION 51(1)(D)	5
5	RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION	7
6	PROCESS OF REQUESTING INFORMATION.....	8
7	FEES.....	10
8	DECISION.....	11
9	REMEDIES	11
10	UPDATING OF MANUAL.....	11

ANNEXURES

FORM C

1. INTRODUCTION

ITHUBA Holdings (RF) Proprietary Limited (the “Company”) is the licensed operator of Third South African National Lottery with Registration Number: 2007/007624/07. This Information Manual provides an outline of the types of records held by the Company and explains how one may submit requests for access to these records in terms of the Promotion of Access to Information Act, 2 of 2000 (the “Act”).

The PAIA and Protection of Personal Information Act (POPI) gives effect to everyone’s constitutional right of access to information held by private sector or public bodies, if the record or personal information 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.

Requests shall be made in accordance with the prescribed procedures as set out in section 8 hereof and at the rates provided.

This manual is published on ITHUBA, the National Lottery and all Zamani websites or alternatively, a copy can be requested from the Information Officer (see contact details as set out in section 2).

2. COMPANY DETAILS AND CONTACT DETAILS OF THE INFORMATION OFFICER

Company contact details in terms of PAIA Section 51:

ITHUBA HOLDINGS RF (PTY) LTD

14A Charles Crescent,

Eastgate Ext 4,

Sandton,

2148

Telephone number: 011 346 6000 (Switchboard)/Website: www.nationallottery.co.za

Contact Details of the Information Officer:

Information Officer : Ms Zainab Seria
Telephone : (011) 346 6000
Email : info-officer@ithubalottery.co.za

3. HUMAN RIGHTS COMMISSION GUIDE

3.1 The South African Human Rights Commission has compiled a guide, as contemplated in Section 10 of the Act. The Guide contains such information as may reasonably be required by a person who wishes to exercise any right contemplated in the Act.

3.2 The contact details of the HRC are -

Postal address : Private Bag 2700
Houghton
2041
Telephone : +27 11 484 8300
Email : www.sahrc.org.za

4. RECORDS THAT ARE AVAILABLE ONLY ON REQUEST IN TERMS OF THE ACT, SECTION 51(1)(D)

4.1 This clause serves as a reference to the categories of information that The Company holds. The information is classified and grouped according to records relating to the following subjects and categories:

4.1.1. Personnel Records

"**Personnel**" refers to any person who works for, or provides services to or on behalf of the Company, and receives or is entitled to receive remuneration and any other person who assists in carrying out or conducting the business of the Company. This includes, without limitation, directors (executive and non-executive), all permanent, temporary and part-time staff, as well as contract workers.

Personnel Records consist of:

- 4.1.1.1 Personal records provided by personnel.
- 4.1.1.2 Records provided by a third party relating to personnel.
- 4.1.1.3 Conditions of employment and other personnel-related contractual and quasi-legal records.
- 4.1.1.4 Internal evaluation records and other internal records.
- 4.1.1.5 Correspondence relating to personnel.
- 4.1.1.6 Training schedules and material.

4.1.2 Customer Related Records

A "**customer**" refers to any natural or juristic entity that receives services from the Company.

Customer related records include:

- 4.1.2.1 Records provided by a customer to a third party acting for or on behalf of the Company.
- 4.1.2.2 Records provided by a third party.
- 4.1.2.3 Records generated by or within the Company relating to its customers, including transactional records.

4.1.3 Private Body Records

- 4.1.3.1 Financial records.
- 4.1.3.2 Operational records.
- 4.1.3.3 Databases.
- 4.1.3.4 Information Technology.
- 4.1.3.5 Marketing records.
- 4.1.3.6 Sales Records.
- 4.1.3.7 Legal and Contractual record.
- 4.1.3.8 CCTV and recordings
- 4.1.4 **Internal Correspondence**
 - 4.1.4.1 Product records
 - 4.1.4.2 Statutory records
 - 4.1.4.3 Internal Policies and Procedures
 - 4.1.4.4 Records held by officials of the institution

These records include, but are not limited to, the records which pertain to the Company's own affairs.

4.1.5. **Other Party Records**

- 4.1.5.1 Personnel, customer or private body records which are held by another party, as opposed to the records held by The Company itself.
 - 4.1.5.2 Records held by the Company pertaining to other parties, including without limitation, financial records, correspondence, contractual records, records provided by the other party, and records third parties have provided about the contractors/suppliers.
 - 4.1.5.3 The Company may possess records pertaining to other parties, including without limitation contractors, suppliers, subsidiary/holding/sister companies, joint venture companies, and service providers. Alternatively, such other parties may possess records that can be said to belong to the Company.
- 4.2 Note that the accessibility of the records may be subject to the grounds of refusal set out in this PAIA Manual. Amongst others, records deemed confidential on the part of a third party, will necessitate permission from the third party concerned, in addition to normal requirements, before the Company will consider access.

5. RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION

The Company is primarily regulated by the Lotteries Act 57 Of 1997, as amended. Where applicable to its operations, the Company also retains records and documents in terms of the legislation listed below. Unless disclosure is prohibited in terms of legislation, regulations, contractual agreement or otherwise, records that are required to be made available in term of these acts shall be made available for inspection by interested parties in terms of the requirements and conditions of the Act, and applicable internal policies and procedures, should such interested parties be entitled to such information. A request to access must be submitted in accordance with the prescriptions of the Acts below.

- 5.1. Basic Conditions of Employment Act No. 75 of 1997;
- 5.2. Broad-Based Black Economic Empowerment Act, 2003;
- 5.3. Companies Act No. 71 of 2008;
- 5.4. Compensation of Occupational Injuries and Diseases Act No. 130 of 1993;
- 5.5. Constitution of the Republic of South Africa 2008;
- 5.6. Copyright Act No. 98 of 1978;
- 5.7. Debt Collectors' Act No. 114 of 1998;
- 5.8. Electronic Communications Act No. 36 of 2005;
- 5.9. Electronic Communications and Transaction Act No. 25 of 2002;
- 5.10. Employment Equity Act No. 55 of 1998;
- 5.11. Financial Intelligence Centre Act No 38 of 2001;
- 5.12. Intellectual Property Laws Amendment Act 38 of 1997;
- 5.13. Labour Relations Act No. 66 of 1995;
- 5.14. Lotteries Act 57 of 1997;
- 5.15. Occupational Health and Safety Act No. 85 of 1993;
- 5.16. Pension Funds Act No. 24 of 1956;
- 5.17. Prescription Act No. 68 of 1969;
- 5.18. Prevention of Organised Crime Act No. 121 of 1998;
- 5.19. Promotion of Access to Information Act No. 2 of 2000;
- 5.20. Protection of Personal Information Act No. 4 of 2013;
- 5.21. Skills Development Levies Act No. 9 of 1999;
- 5.22. Trademarks Act No. 194 of 1993;

- 5.23. Unemployment Contributions Act 63 of 2001;
- 5.24. Unemployment Insurance Act No. 30 of 1966;
- 5.25. Value Added Tax Act 89 of 1991.

6. PROCESS OF REQUESTING INFORMATION

- 6.1. A request shall be made on the prescribed form. A copy of the form is attached marked Annexure "A" ("**the prescribed form**"). The form is also available from the website of the HRC, or the website of the Department of Justice and Constitutional Development at www.doj.gov.za.
- 6.2. The prescribed form must be completed with sufficient information to enable the Information Officer to identify the record/s requested and the identity of the requester.
- 6.3. The prescribed form must be emailed to the Information Officer at the address or e-mail address as set out in Section 2
- 6.4. The requester must state that he / she requires the information in order to exercise or protect a right, and clearly state what the nature of the right is to be exercised or protected. The requester must clearly specify why the record is necessary to exercise or protect such a right (section 53(2)(d)).
- 6.5. The Company will process the request within 30 (thirty) days ("business days"), unless the requester has stated special reasons to the satisfaction of the Information Officer that circumstances dictate the above time periods not be complied with.
- 6.6. The requester shall be notified in writing of whether access is granted or denied. If, in addition, the requester requires the reasons for the decision in any other manner, the requester will be obliged to state which manner and the particulars must be provided.
- 6.7. If a request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of the Information Officer (section 53(2)(f)).
- 6.8. If the requester is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally.
- 6.9. The requester must pay the prescribed fee, before any further processing can take place.
- 6.10. All information as listed in this paragraph 7 herein should be provided and failing which the process will be delayed until the required information is provided. The prescribed time periods will not commence until the requester has furnished all the necessary and required information.

- 6.11. If the Information Officer fails to respond within 30 (thirty) days after a request has been received, it is deemed, in terms of section 58, read together with section 56(1) of the Act, that the Information Officer has refused the request.
- 6.12. The Information Officer may decide to extend the period of 30 (thirty) days ("business days") for another period of not more than 30 (thirty) days if -
- 6.12.1 the request is for a voluminous amount of records;
 - 6.12.2 the search for the records is to be conducted at premises not situated in the same town or city as the Head Office of the Company;
 - 6.12.3 consultation among divisions or departments, as the case may be, of the Company is required;
 - 6.12.4 the requester consents to such an extension in writing; and
 - 6.12.5 the parties agree in any other manner to such an extension.
- 6.13. Should the Company require an extension of time, the requester shall be informed in the manner stipulated in the prescribed form of the reasons for such extension.
- 6.14. The requester may lodge an appeal with a Court of competent jurisdiction against any extension or against any procedure set out in this Section.

7. FEES

- 7.1. The following applies to requests (other than personal requests):
- 7.1.1 A requester is required to pay the prescribed fees (R50.00) before a request will be processed.
 - 7.1.2 If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted).
 - 7.1.3 A requester may lodge an application with a Court against the tender/payment of the request fee and/or deposit.
 - 7.1.4 Records may be withheld until the fees have been paid.
- 7.2. The detailed Fee structure is outlined below.

Reproduction of Information Fees	Fees to be Charged
Information in an A-4 size page photocopy or part thereof	R1,10
A printed copy of an A4-size page or part thereof	R0,75
A copy in computer-readable format, for example: Stiffy disc	R7,50
Compact disc	R70,00
A transcription of visual images, in an A4-size page or part thereof	R40,00
A copy of visual images	R60,00
A transcription of an audio record for an A4-size page or part thereof	R20,00
A copy of an audio record	R30,00

7.3. All fees must be paid into the following account:

Banking Institution: Standard Bank

Account Name: Ithuba Holdings PL

Account Number: 37 138 166 5

Branch Code: 017045

7.4. You may ask for a refund of the Deposit if your request for access is refused.

8. DECISION

8.1. The Company 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.

8.2. The 30 (thirty) day period within which the Company has to decide whether to grant or refuse the request, may be extended for a further period of not more than 30 (thirty) days if the request is for a voluminous amount of information, or the request requires a search for information held at

another office of the Company and the information cannot reasonably be obtained within the 30 (thirty) day period.

8.3. The Company will notify the requester in writing should an extension be granted

9. REMEDIES

The Company does not have internal appeal procedures. As such, the decision made by the Company Information Officer is final. If the request is refused, you are entitled to apply to a Court with appropriate jurisdiction for relief.

10. UPDATING OF MANUAL

The Company may update this manual updated as and when the need arises and as soon as any amendments have been finalized the latest version of the Manual will be made public through.

ANNEXURE

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 recorded below.</i></p> <p>(b) <i>The address and/or fax number in the Republic to which information must be sent.</i></p> <p>(c) <i>Proof of the capacity in which the request has been made, if applicable, must be attached.</i></p>

Full names and surname: _____

Identity number: _____

Postal address: _____

Fax number: _____

Telephone number: _____

E-mail: _____

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 the record or relevant part of the record:

2. Reference number, if available:

3. Any further particulars of the record:

E. Fees

- (a) *A request for access to a record other than 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 the 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 the exemption of the payment of any fee, please state the reason for exemption.*

Reason for the exemption from payment of fees:

F. Form of access to record

If you are prevented by disability to read, view of 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:

Compliance with your request for access in the specified form may depend on the form in which the record is available.

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.

The fee payable for the 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
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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*
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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)		
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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)
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*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
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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.***

Indicate which right is to be exercised or protected:

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 of _____.

SIGNATURE OF REQUESTER / PERSON ON WHOSE BEHALF
REQUEST IS MADE