

Netgen (Pty) Ltd

Registration Number: 2014/113740/07

Manual

in terms of Section 51 of The Promotion of Access to Information Act 2 of 2000 (the 'ACT')

1. Change Log

Revision	Date Changed	Changed By	Details of Change
1.0	2020-05-11	Ross Saunders	Initial Release

2. Introduction

Netgen (Pty) Ltd conducts business as a custom software development company, with offices in Cape Town, Johannesburg, and Amsterdam.

3. Contact Details

Role	Duly Authorised Person(s)
Directors	
CEO / Head	
Designated Information Officer(s)	Matthew Vreenegoor / Grant Scheffel

Postal Address	Primary Street Address

Telephone	Fax	Email
+27 (0)11 781 0480		privacy@netgen.co.za

4. The Act

- 4.1 The ACT 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.
- 4.2 Requests in terms of the ACT shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in paragraphs 6 and 7 of the Act.
- 4.3 Requesters are referred to the Guide in terms of Section 10 which has been compiled by the South African Human Rights Commission, which will contain information for the purposes of exercising Constitutional Rights. The Guide is available from the SAHRC.

The contact details of the Commission 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

5. Applicable Legislation

Reference	Act
No 61 of 1973	Companies Act
No 71 of 2008	Companies Act
No 98 of 1978	Copyright Act
No 55 of 1998	Employment Equity Act
No 95 of 1967	Income Tax Act
No 66 of 1995	Labour Relations Act
No 89 of 1991	Value Added Tax Act
No 37 of 2002	Financial Advisory and Intermediary Services Act
No 75 of 1997	Basic Conditions of Employment Act
No 69 of 1984	Close Corporations Act
No 25 of 2002	Electronic Communications and Transactions Act
No 2 of 2000	Promotion of Access of Information Act
No 30 of 1996	Unemployment Insurance Act
No 53 of 2003	Broad Based Black Economic Empowerment Act
No 68 of 2008	Consumer Protection Act
No 130 of 1993	Compensation for Occupational Injuries and Disease Act
No 85 of 1993	Occupational Health and Safety Act
No 4 of 2013	Protection of Personal Information Act
No 70 of 2002	Regulation of Interception of Communications and Provision of Communication-Related Information Act
No 38 of 2001	Financial Intelligence Centre Act

6. Schedule of Records

- 6.1 Netgen (Pty) Ltd holds records on a number of categories. Please note that while information is listed in this manual, it does not imply that all requests for access to such records will be honoured. All requests are considered individually on merit and in accordance with the provisions of the ACT. Certain records may be subject to signing a non-disclosure agreement.

Records	Subject	Availability
Public	Product information	Available on website
	Media releases	Available on website
	Public corporate records	Available on website
Private Body	Incorporation and Directors	Available from CIPC
	Financial records	Request in terms of PAIA
	Banking details	Available on request
	Marketing records	Request in terms of PAIA
	Operational records	Request in terms of PAIA
Internal Correspondence	Information Technology records	Request in terms of PAIA
	Internal policies, processes and procedures	Request in terms of PAIA
	Product records	Request in terms of PAIA
	Statutory records	Request in terms of PAIA
Personnel	Records provided by personnel	Request in terms of PAIA
	Third party personnel records	Request in terms of PAIA
	Contractual records	Request in terms of PAIA
	Evaluation records	Request in terms of PAIA
	Training schedules and material	Request in terms of PAIA
	Internal correspondence	Request in terms of PAIA

Records	Subject	Availability
Customer	Records provided by customers	Request in terms of PAIA
	Personal records of customers	Request in terms of PAIA
	Scoping and needs assessments	Request in terms of PAIA
	Credit information and research	Request in terms of PAIA
	Third party customer records	Request in terms of PAIA
	Confidential and contractual records	Request in terms of PAIA
	Company generated customer records	Request in terms of PAIA
Technical	Support and technical records	Request in terms of PAIA
	Advisory records	Request in terms of PAIA
	Company generated technical records	Request in terms of PAIA
	Records provided by customers	Request in terms of PAIA

7. Form of Request

To facilitate the processing of your request, kindly:

- 7.1 Use the prescribed form, available on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at www.sahrc.org.za.
- 7.2 Address your request to the Information Officer (or CEO if not appointed).
- 7.3 Provide sufficient details to enable Netgen (Pty) Ltd to identify:
 - 7.3.1 The record(s) requested;
 - 7.3.2 The requester (and if an agent is lodging the request, proof of capacity);
 - 7.3.3 The form of access required;
 - 7.3.4 The postal address or fax number of the requester in the Republic;
 - 7.3.5 If the requester wishes to be informed of the decision in any manner (in addition to written), the manner and particulars thereof;
 - 7.3.6 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.

8. Other

Prescribed Fees

The following applies to requests (other than personal requests):

- 8.1 A requestor is required to pay the prescribed fees before a request will be processed;
- 8.2 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);
- 8.3 A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit;
- 8.4 Records may be withheld until the fees have been paid.
- 8.5 The fee structure is available on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at www.sahrc.org.za.

Action	Fee
Copy per A4 page	R 1.10
Printing per A4 page	R 0.75
Copy on a CD	R 70.00
Transcription of visual images per A4 page	R 40.00
Copy of a visual image	R 60.00
Transcription of an audio recording per A4 page	R 20.00
Copy of an audio recording	R 30.00
Search and preparation of the record for disclosure (excluding first hour, reasonably required)	R30 per hour or part thereof
Actual postage fee	TBC

Refusal of Requests

Netgen (Pty) Ltd may refuse a request for information under the following conditions:

- 8.6 Protection of the privacy of a third party;
- 8.7 Protection of commercial records in terms of an agreement with a third party;
- 8.8 Protection of confidential information in terms of an agreement or contract;
- 8.9 Protecting the safety of an individual or a Juristic person;
- 8.10 Protecting information to be used in legal proceedings; or
- 8.11 Matters of national security.

Notification of approval or refusal shall be provided in writing within 30 calendar days, after receipt of a completed request for access form.

Request Form C is available from the SAHRC website here:

<https://www.sahrc.org.za/home/21/files/Form%20C.doc%20August%202013.doc>