



PROMOTION OF ACCESS TO INFORMATION MANUAL

November 2024 | Version 0.7

Prepared in accordance with Section 51 of the Promotion of Access to Information (PAIA) Act 2 of 2000 (as amended from time to time).

1. Definitions

- 1.1. **Access Fee** means a fee prescribed for the purposes of section 22(6) or 54(6), as the case may be;
- 1.2. **CEO** means Chief Executive Officer;
- 1.3. **Data Subject** means the person to whom personal information relates;
- 1.4. **Deputy Information Officer** means the designated individual in the public or private body who is responsible for assisting the Information Officer with the PAIA Request;
- 1.5. **Guide** means the guide on how to use PAIA by any person who wishes to exercise any right contemplated in Promotion of Access to Information Act 2 of 2000 (PAIA) and the Protection of Personal Information Act 04 of 2013, as contemplated in section 10 of PAIA;

1.6. Information Officer

In relation to a public body:

- a. in the case of a national department, provincial administration or organisational component-
 - i. mentioned in Column 1 of Schedule 1 or 3 to the Public Service Act, 1994 (Proclamation 103 of 1994), means the officer who is the incumbent of the post bearing the designation mentioned in Column 2 of the said Schedule 1 or 3 opposite the name of the relevant national department, provincial administration or organisational component or the person who is acting as such; or
 - ii. not so mentioned, means the Director-General, head, executive director or equivalent officer, respectively, of that national department, provincial administration or organisational component, respectively, or the person who is acting as such;
- b. in the case of a municipality, means the municipal manager appointed in terms of section 82 of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998), or the person who is acting as such; or
- c. in the case of any other public body, means the chief executive officer, or equivalent officer, of that public body or the person who is acting as such;

In relation to a private body:

- a. means the head of a private body as contemplated in section 1, of the Promotion of Access to Information Act;
- 1.7. **Information Regulator** means the Information Regulator established in terms of section 39 of the Protection of Personal Information Act, 2013;
- 1.8. **Minister** means the Cabinet member responsible for the administration of justice;
- 1.9. PAIA/The Act means the Promotion of Access to Information Act 2 of 2000 (as amended from time to time);
- 1.10. **Person** means a natural or juristic person;

- 1.11. **Personal Information** means information relating to an identifiable natural person, including, but not limited to-
- 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;
 - b. information relating to the education or the medical, financial, criminal or employment history of the person;
 - c. any identifying number, symbol, email address, physical address, telephone number, location information, online identifier or other particular assigned to the person;
 - d. the biometric information of the person;
 - e. the personal opinions, views or preferences of the person;
 - f. correspondence sent by the person if it implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
 - g. the views or opinions of another individual about the person; and
 - 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,
- but excludes information about an individual who has been dead for more than 20 years;
- 1.12. **POPIA** means the Protection of Personal Information Act 4 of 2013 (as amended from time to time);
- 1.13. **Private Body** means:
- a. a natural person who carries or has carried on any trade, business or profession, but only in such capacity;
 - b. a partnership which carries or has carried on any trade, business or profession; or
 - c. any former or existing juristic person, or
 - d. a political party.
- but excludes a public body;
- 1.14. **Public Body** means:
- a. any department of state or administration in the national or provincial sphere of government or any municipality in the local sphere of government; or
 - b. any other functionary or institution when-
 - i. exercising a power or performing a duty in terms of the Constitution or a provincial constitution; or
 - ii. exercising a public power or performing a public function in terms of any legislation;
- 1.15. **Record** of, or in relation to, a public or private body, means any recorded information-
- a. regardless of form or medium;
 - b. in the possession or under the control of that public or private body, respectively; and
 - c. whether or not it was created by that public or private body, respectively;
- 1.16. **Republic** means the Republic of South Africa;
- 1.17. **Request for access**, in relation to-
- a. a public body, means a request for access to a record of a public body in terms of section 11; or
 - b. A private body, means a request for access to a record of a private body in terms of section 50;
- 1.18. **Requester**, in relation to-

- a. a public body, means-
 - i. any person (other than a public body contemplated in paragraph (a) or (b)(i) of the definition of 'public body', or an official thereof) making a request for access to a record of that public body; or
 - ii. a person acting on behalf of the person referred to in subparagraph (i);
 - b. a private body, means -
 - i. any person, including, but not limited to, a public body or an official thereof, making a request for access to a record of that private body; or
 - ii. a person acting on behalf of the person contemplated in subparagraph(i);
- 1.19. **Responsible Party** means a public or private body or any other person which, alone or in conjunction with others, determines the purpose of and means for processing personal information.

2. Interpretation

- 2.1. any reference to any statute, regulation or other legislation shall be a reference to that statute, regulation or other legislation as at the signature date, and as amended or substituted from time to time;
- 2.2. if any provision in a definition is a substantive provision conferring a right or imposing an obligation on any party then, notwithstanding that it is only in a definition, effect shall be given to that provision as if it were a substantive provision in the body of this Manual;
- 2.3. where any term is defined within a particular clause other than this, that term shall bear the meaning ascribed to it in that clause wherever it is used in this document;
- 2.4. where any number of days is to be calculated from a particular day, such number shall be calculated as excluding such particular day and commencing on the next day. If the last day of such number so calculated falls on a day which is not a business day, the last day shall be deemed to be the next succeeding day which is a business day;
- 2.5. any reference to days (other than a reference to business days), months or years shall be a reference to calendar days, months or years, as the case may be;
- 2.6. the use of the word "including" followed by a specific example/s shall not be construed as limiting the meaning of the general wording preceding it and the eiusdem generis rule shall not be applied in the interpretation of such general wording or such specific example/s;
- 2.7. insofar as there is a conflict in the interpretation of or application of this Manual and the Act, the Act shall prevail;
- 2.8. this Manual does not purport to be exhaustive of or to comprehensively deal with every procedure provided for in the Act. A requester is advised to be familiar with the provisions of the Act before lodging any request with the Regulator.

3. Purpose

This PAIA Manual is useful for the public to-

- 3.1. check the categories of records held by a body which are available without a person having to submit a formal PAIA request;
- 3.2. have a sufficient understanding of how to make a request for access to a record of the body, by providing a description of the subjects on which the body holds records and the categories of records held on each subject;
- 3.3. know the description of the records of the body which are available in accordance with any other legislation;
- 3.4. access all the relevant contact details of the Information Officer and Deputy Information Officer who will assist the public with the records they intend to access;

- 3.5. know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- 3.6. know if the body will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;
- 3.7. know the description of the categories of data subjects and of the information or categories of information relating thereto;
- 3.8. know the recipients or categories of recipients to whom the personal information may be supplied;
- 3.9. know if the body has planned to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied; and
- 3.10. know whether the body has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

4. Key Contact Details

4.1. Chief Information Officer

Name: Dr Andrew Hibling (CEO)
Tel: 082 555 5285
Email: Andrew.Hibling@edgeeducation.com

4.2. Deputy Information Officer

Name: Janse Maritz (CAO)
Tel: 082 959 8529
Email: Janse.Maritz@edgeeducation.com

4.3. Administrative Officer and General Queries

Email: legal.services@edgeeducation.com

4.4. Head Office

Physical and Postal Address: 16 Bell Crescent, EDGE House, Westlake, Cape Town, 7945
Telephone: 021 036 0370
Email: info@edgeeducation.com
Website: www.edgeeducation.com

5. Guide on how to use PAIA and how to obtain access to the PAIA Guide

- 5.1. The Regulator has, in terms of section 10(1) of PAIA, as amended, updated and made available the revised Guide on how to use PAIA ("Guide"), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.
- 5.2. The Guide is available in each of the official languages and in braille.
- 5.3. The aforesaid Guide contains the description of the following:
 - 5.3.1. the objects of PAIA and POPIA;
 - 5.3.2. the postal and street address, phone and fax number and, if available, electronic mail address of:

- 5.3.2.1. the Information Officer of every public body; and
- 5.3.2.2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA²;
- 5.3.3. the manner and form of a request for:
 - 5.3.3.1. access to a record of a public body contemplated in section 11³; and
 - 5.3.3.2. access to a record of a private body contemplated in section 50⁴;
- 5.3.4. the assistance available from the IO of a public body in terms of PAIA and POPIA;
- 5.3.5. the assistance available from the Regulator in terms of PAIA and POPIA;
- 5.3.6. all remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging:
 - 5.3.6.1. an internal appeal;
 - 5.3.6.2. a complaint to the Regulator; and
 - 5.3.6.3. an application with a court against a decision by the information officer of a public body, a decision on internal appeal or a decision by the Regulator or a decision of the head of a private body;
- 5.3.7. the provisions of sections 14⁵ and 51⁶ requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
- 5.3.8. the provisions of sections 15⁷ and 52⁸ providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
- 5.3.9. the notices issued in terms of sections 22⁹ and 54¹⁰ regarding fees to be paid in relation to requests for access; and
- 5.3.10. the regulations made in terms of section 92¹¹.
- 5.4. Members of the public can inspect or make copies of the Guide from the offices of the public and private bodies, including the office of the Regulator, during normal working hours.
- 5.5. The Guide can also be obtained:
 - 5.5.1. upon request to the Information Officer;

¹ Section 17(1) of PAIA- For the purposes of PAIA, each public body must, subject to legislation governing the employment of personnel of the public body concerned, designate such number of persons as deputy information officers as are necessary to render the public body as accessible as reasonably possible for requesters of its records.

² Section 56(a) of POPIA- Each public and private body must make provision, in the manner prescribed in section 17 of the Promotion of Access to Information Act, with the necessary changes, for the designation of such a number of persons, if any, as deputy information officers as is necessary to perform the duties and responsibilities as set out in section 55(1) of POPIA.

³ Section 11(1) of PAIA- A requester must be given access to a record of a public body if that requester complies with all the procedural requirements in PAIA relating to a request for access to that record; and access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.

⁴ Section 50(1) of PAIA- A requester must be given access to any record of a private body if-

- a. that record is required for the exercise or protection of any rights;
- b. that person complies with the procedural requirements in PAIA relating to a request for access to that record; and
- c. access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.

⁵ Section 14(1) of PAIA- The information officer of a public body must, in at least three official languages, make available a manual containing information listed in paragraph 4 above.

⁶ Section 51(1) of PAIA- The head of a private body must make available a manual containing the description of the information listed in paragraph 4 above.

⁷ Section 15(1) of PAIA- The information officer of a public body, must make available in the prescribed manner a description of the categories of records of the public body that are automatically available without a person having to request access.

⁸ Section 52(1) of PAIA- The head of a private body may, on a voluntary basis, make available in the prescribed manner a description of the categories of records of the private body that are automatically available without a person having to request access.

⁹ Section 22(1) of PAIA- The information officer of a public body to whom a request for access is made, must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

¹⁰ Section 54(1) of PAIA- The head of a private body to whom a request for access is made must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

¹¹ Section 92(1) of PAIA provides that -"The Minister may, by notice in the Gazette, make regulations regarding-

- a. any matter which is required or permitted by this Act to be prescribed;
- b. any matter relating to the fees contemplated in sections 22 and 54;
- c. any notice required by this Act;
- d. uniform criteria to be applied by the information officer of a public body when deciding which categories of records are to be made available in terms of section 15; and
- e. any administrative or procedural matter necessary to give effect to the provisions of this Act.

5.5.2. from the website of the Regulator (<https://www.justice.gov.za/inforeg/>).

5.6. A copy of the Guide is also available for public inspection during normal office hours.

6. Category of Records of EDGE which are Available

Types of the Record	Applicable Legislation	Available on Website	Request for Access
Memorandum of Incorporation	Companies Act 71 of 2008		X
PAIA Manual	Promotion of Access to Information Act 2 of 2000	X	X
Director's names	Companies Act 71 of 2008		X
Documents of Incorporation	Companies Act 71 of 2008		X
Sales of Products, Pricing, Banking Details	Consumer Protection Act 68 of 2008		X
Customer Records in terms of Customer Service (emails, correspondence, etc)			X
Human Resources (HR policies and procedures, employee records, learning and development, employee equity plan and statistics)	Labour Relations Act 66 of 1995 Skills Development Act 9 of 1999 Employment Equity Act 55 of 1998 Unemployment Insurance Act 63 of 2001		X
Publications (External newsletters, circulars, journals, etc)	Electronic Communications and Transactions Act 25 of 2002	X	X
Operational policies/ plans/ procedures / frameworks	Basic Conditions of Employment Act 75 of 1997		X
Legal, policy and research			X
Corporate Governance (organisational and business plans, memorandum of understanding, policies and procedures, Occupational Health and Safety Plans, evacuation procedures, etc)	Occupational Health and Safety Act 85 of 1993 Compensation for Occupational Injuries and Disease Act 130 of 1993 Basic Conditions of Employment Act 75 of 1997		X
Information Technology (system event logs, incidents and service requests, ICT policies and	Electronic Communications and Transactions Act 25 of		X

procedure manuals, network maintenance, system maintenance reports, service level agreements, etc)	2002		
Publicity and Marketing Material (Publications, FAQs, etc)	Electronic Communications and Transactions Act 25 of 2002	X	X
Media (Press releases, radio and TV interviews, website content and corporate identity and infographs, etc)	Electronic Communications and Transactions Act 25 of 2002	X	X
Events, Functions, Seminars and Conferences (presentations, discussions, documents)		X	X
Finances (audit reports, budgets, revenue statements, returns, etc.)	Value Added Tax Act 89 of 1991 Income Tax Act 95 of 1967		X
Compliance Assessment Reports (PAIA & POPIA)	Promotion of Access to Information Act 2 of 2000 Protection of Personal Information Act 4 of 2013		X
Strategic Documents (Organisational profile, organogram, annual reports, strategic plan, annual performance plan, etc.)			X

7. Processing of Personal Information

7.1. Purpose of processing of personal information of data subjects by EDGE

EDGE processes personal information of data subjects under its care in the following ways:

- a. To provide our goods or supply our services;
- b. To better understand our data subjects' needs when doing so;
- c. To keep our data subjects' records up to date;
- d. To manage our employees in general;
- e. To manage our supplier contracts in general;
- f. To manage customers or clients in general;
- g. To run promotional campaigns;
- h. To process customer requests or complaints;
- i. To process personal information of employees for forensic purposes;
- j. To provide, manage and improve our services;
- k. To promote effective communication;
- l. To process transactions and manage accounts;
- m. To comply with legal and regulatory requirements;

- n. To send promotional materials with your explicit consent; and
- o. To analyse data for the improvement of our services.

7.2. Categories of Data Subjects and their Personal Information

Categories of data subjects	Personal Information that may be processed
Customers/Clients: Natural Persons and/or Juristic Persons	Names and surname; contact details (contact number(s), email address); Residential, postal or business address; Unique Identifier/Identity Number, and confidential correspondence.
Service Providers	Names of contact persons; name of entity; name of directors and shareholders, physical and postal address and contact details (contact number(s), fax number, email address); financial information; registration number; founding documents; tax related information; authorised signatories, broad-based black economic empowerment (B-BBEE) status, affiliates entities, business strategies.
Employees	Gender, pregnancy; marital status; race, age, language, education information (qualifications); financial information; employment history; ID numbers; physical and postal address; contact details (contact number(s), email address); criminal record; well-being and family members, medical, nationality, ethnic or social origin, physical or mental health, disability, biometric information of the person, employment history, professional affiliation and references.

7.3. 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
Identity number and names, for criminal checks	South African Police Services
Qualifications, verifications	South African Qualifications Authority
Credit and payment history, for credit information	Credit Bureaus

7.4. **Planned transborder flows of personal information**

- 7.4.1. Should EDGE transfer personal information to another country for any lawful purposes, EDGE will ensure that anyone to whom it pass personal information is subject to a law, binding corporate rules or binding agreement which provides an adequate level of protection and the third party agrees to treat that personal information with the same level of protection as the Regulator is obliged under POPIA.
- 7.4.2. Any transfer of personal information cross border shall be with data subject's consent, however, should it not be reasonably practicable to obtain data subject's consent, EDGE shall transfer the personal information if:
- 7.4.2.1. it will be for the data subject's benefit; and
 - 7.4.2.2. the data subject would have given consent should it have been reasonably practicable to obtain such consent.

7.5. **General description of Information Security Measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information**

- 7.5.1. EDGE continuously establishes and maintains appropriate, reasonable technical and organisational measures by taking appropriate, reasonable technical and organisational measures to prevent-
- 7.5.1.1. loss of, damage to or unauthorised destruction of personal information; and
 - 7.5.1.2. unlawful access to or processing of personal information.
- 7.5.2. As aforementioned, EDGE has taken reasonable steps to:
- 7.5.2.1. identify all reasonably foreseeable internal and external risks to personal information in its possession or under its control;
 - 7.5.2.2. establish and maintain appropriate safeguards against the risks identified;
 - 7.5.2.3. regularly verify that the safeguards are effectively implemented; and
 - 7.5.2.4. ensure that the safeguards are continually updated in response to new risks or deficiencies in previously implemented safeguards.
- 7.5.3. Measures taken by EDGE includes, inter alia, as follows:
- 7.5.3.1. Access Control;
 - 7.5.3.2. Data Encryption;
 - 7.5.3.3. Defensive Measures;
 - 7.5.3.4. Robust Monitoring, Auditing and Reporting capabilities;
 - 7.5.3.5. Data Backups;
 - 7.5.3.6. Anti-virus and Anti-malware Solutions;
 - 7.5.3.7. Awareness and Vigilance; and
 - 7.5.3.8. Agreements are concluded with Operators to implement security controls.

7.6. **Grounds for refusal**

Access to certain records may be refused in terms of PAIA to protect the following:

- a. someone else's privacy;
- b. another company's commercial information;
- c. someone else's confidential information;
- d. the safety of individuals and property;
- e. records privileged from production in legal proceedings; or

f. research information.

8. **Availability of this Manual**

A copy of this Manual is available:

- a. on our website (www.edgeeducation.com);
- b. at our Offices (Unit 1, EDGE House, 16 Bell Crescent, Westlake Business Park, 7945)
- c. for public inspection during normal business hours;
- d. to any person upon request and upon the payment of a reasonable access fee*; and
- e. to the Information Regulator upon request.

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

9. **Updating of this Manual**

This Manual will be updated on a regular basis by the Legal and Compliance Officer at EDGE Education.

Issued by



DR ANDREW HIBLING
(Executive Chairman)