

**AEGIS Outsourcing South Africa
(PTY) LTD - (Startek)**

2000/005866/07

FSP No. 25021

PAIA Manual

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Information Act, No. 2 of 2000

Version 1.1

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1 . Version and Access Control

VERSION CONTROL

Version No	Change Date	Change Description	Changed By
1.0	20/06/2021	Document Creation	Candice Naidoo
1.1	05/02/2024	Revision to incl. POPIA	Candice Naidoo

DOCUMENT ACCESS LIST

Users	Access Rights
Global ISS Head	Read/Write/Delete
SA Council	Read/Write
All Company Employees	Read

2. Definitions

CIPC	–	Company and Intellectual Property Commission
Constitution	–	Constitution of the Republic of South Africa, Act No. 108 of 1996
IO	–	Information Officer
DIO	–	Deputy Information Officer
Minister	–	Minister of Justice and Correctional Services
IR	–	Information Regulator
PAIA	–	Promotion of Access to Information Act, 2 of 2000
POPIA	–	Protection of Personal Information Act, 4 of 2013
Relevant Authority	–	Minister of the DTIC
DTIC	–	Department of Trade, Industry and Competition
SAHRC	–	South African Human Rights Commission
Startek	–	Aegis Outsourcing South Africa (Pty) Ltd

3. Purpose of PAIA Policy

Startek is committed to the observance of and compliance with the directives of the Constitution and national legislation such as the PAIA which came into force in 2001. PAIA gives effect to the constitutional right of access of any information held by the State or by another person. Information held by these bodies may be justifiable and reasonably limited, in a manner that balances the right to information with other rights that may exist in terms of legislation. Where a request is made in terms of PAIA, the body to whom the request is made is obliged to release information, except where the Act expressly provides that the information may not be released.

In the pursuit of its objectives, Startek encourages the sharing of information with requesters and members of the public as optimally as is possible. The information in this manual provides the process by which a person can request information, the categories of information/records available and the fees charged, if any for providing the information and endorses the key principles of good governance, transparency and accountability.

4. South African Human Rights Commission

SAHRC is mandated under PAIA to promote the right of access to information, monitor the implementation of PAIA, and make recommendations to strengthen PAIA and to report annually to Parliament. SAHRC has compiled a guide that contains information which would be reasonably required of any person wishing to exercise any rights set out in the Act. The guide is available in all of the official languages and can be viewed at www.sahrc.org.za and https://inforegulator.org.za/wp-content/uploads/2020/07/PAIA-Guide-English_20210905.pdf

5. Startek Company Details

Registered Entity Name: Aegis Outsourcing South Africa (Pty) Ltd
Status: Private Company
Registration number: 2000/005866/07
Physical Address: 5 Eglin Road | Block D | Belvedere Place | Sunninghill | Johannesburg
Postal Address: PO Box 4446, Rivonia, Gauteng, 2128
Phone number: 011 461 9000
Website: <https://www.startek.com>

The core business and object of Startek business process outsourcing, which includes customer service and is also a registered financial service provider.

6. Key Contact Details for Access to Information

All requests for access to records in terms of PAIA must be in writing and must be addressed to:

Candice Naidoo

Information officer – Startek

5 Eglin Road | Block D | Belvedere Place | Sunninghill | Johannesburg

Email: candice.naidoo@startek.com

Charl Noble

Deputy Information officer – Startek

5 Eglin Road | Block D | Belvedere Place | Sunninghill | Johannesburg

Email: charl.noble@startek.com

7. Categories of Records and Processing of Personal Information

7.1 Startek is required by legislation to hold certain records. These legislation includes, but are not limited to:

- Companies Act, No. 71 of 2008
- Competition Act, No. 89 of 1998
- Financial Advisory and Intermediary Services Act, No. 37 of 2002
- Consumer Protection Act, No. 68 of 2008
- Financial Intelligence Centre Act, No. 38 of 2001
- Promotion of Access to Information Act, No. 2 of 2000
- Protection of Personal Information Act, No. 4 of 2013
- Electronic Communications and Transactions Act, No. 25 of 2002
- Prevention and Combating of Corrupt Activities Act, No. 12 of 2004
- Protected Disclosures Act, No. 26 of 2000
- Valued-Added Tax Act, No. 89 of 1991
- Basic Conditions of Employment Act, No. 75 of 1997
- Employment Equity Act, No. 55 of 1998
- Labour Relations Act, No. 66 of 1995
- Skills Development Act No. 9 of 1999
- Occupational Health and Safety Act, No. 85 of 1993
- Compensation for Occupational Injuries and Diseases Act, No. 130 of 1993
- Income Tax Act, No. 58 of 1962
- Tax Administration Act, No. 28 of 2011

7.2 Examples of categories of records are as follows:

Category	Document Type
Personnel Records	Personal records provided by personnel
	Records relating to personnel, provided by a third party
	Conditions of employment and other personnel-related contractual and quasi-legal documents
	Training records
	Remuneration records (including pension and provident fund)
	Internal evaluation records and other internal records
	Correspondence relating to personnel

Customer/Client Related Records	Records provided by a client to a third party acting for or on behalf of Startek
	Records provided by a third party
	Records generated by or within Startek and pertaining to its clients (including transaction records)
Company Records	Agreements and contracts
	Databases
	Financial and audit records
	Fixed, movable, and intellectual property
	Information technology (policy, procedures, user manuals etc.)
	Insurance
	Internal correspondence
	Internal policies and procedures
	Marketing records
	Operational records
	Product/Service offering and records
	Company profiles and brochures
	Sales and Marketing records
	Records held by officers
	Statutory records (including taxation and licenses)
Other Party Records	Personnel, client, or Startek records that are held by a third party, as opposed to the records held by Startek
	Supplier lists/register
	Records held by Startek which pertain 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

7.3 Categories of records automatically available

PAIA requires institutions to list those records which are automatically available. Such automatically available records usually do not have information which can reasonably be said to be of a sensitive nature. Most records which fall into this category of information are available via the information officer as listed in section 6 of this policy, or via our Head Office and do not require a formal process to access the following:

- Newsletters
- Booklets
- Pamphlets/Brochures
- Compliance Certificates
- Other literature intended for public viewing

7.4 Grounds for refusal of access to records

The records listed in categories 7.2 above may be formally requested, but access to parts of these records or the whole record may be refused on legal grounds as set out below:

- Mandatory protection of the privacy of a third party who is a natural person, which could 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 Startek;
 - ✓ Financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of Startek;
 - ✓ Information disclosed in confidence by a third party to Startek, 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 it is protected in terms of any agreement;
- Mandatory protection of the safety of individuals and the protection of property;
- Mandatory protections of records that would be regarded as privileged in legal proceedings;
 - The commercial activities of Startek, which may include:
 - ✓ Trade secrets;
 - ✓ Financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of Startek;
 - ✓ Information, which, if disclosed, could put Startek at a disadvantage in negotiations or commercial competition;
 - ✓ A computer programme/software which is owned by Startek, and which is protected by copyright;
- Tender information of Startek or a third party, if its disclosure would disclose the identity of Startek, or potential client, and would place the tender at a serious disadvantage;
- Requests for information that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources.

7.5 Transborder

Due to Startek being part of a multinational organisation, there are instances where PI is requested and transferred across borders, and for this reason all planned transborder flows of personal information will have strict access limitation and password protected where necessary.

7.6 Disposal of Records

Requesters will be advised whether a particular requested record has been disposed of.

8. How to request access to record

8.1 Voluntary Access

Information that is automatically available can be obtained from Startek's Head Office. In certain instances a reproduction fee may be charged. Transcription and copying of records in other media will also attract reproduction fees. The manner of access to these documents is not limited to inspection and perusal.

8.2 Formal Requests

The requester must comply with all procedural requirements as set out in PAIA relating to the request for access to any of the above-mentioned categories of information. The requester must complete the prescribed Form C, enclosed herewith, and submit same as well as the payment of the request fee (if applicable) to Startek's Information Officer, either via the physical address or by email. The prescribed form must be filled in with enough detail to at least enable the Information Officer to identify:

- The record/s requested;
- Identity of the requester;
- Which form or manner of access is required; and
- The return address or email id of the requester.

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 so to be exercised or protected. In addition, the requester must clearly specify why the record is necessary to exercise or protect such a right.

Subject to the provisions in PAIA, a 30 (thirty) day timeframe is permitted for a response to the request. The requester may submit special reasons to the Information Officer that dictate why the time periods as set out above should be shortened.

These 30 (thirty) days may further be extended to a further period of not more than 30 (thirty) working days if the request is for a large number of information, or the request requires a search for information held at other branches of Startek and the information cannot reasonably be obtained within the initial 30 day period. Startek will notify the requester in writing should the extension be necessary.

The requester shall be informed in writing whether access has been granted or denied within 30 days of receipt of the request. If the request is denied, the notice to the requester must state the reasons for refusal which must be supported by the relevant provisions of PAIA. If the documents cannot be located, the Information Officer will submit an affidavit to the requester giving notice that the records in question do not exist or cannot be found. Requesters will be assisted in completing the form if they are unable to do so because of illiteracy or disability – such a person may also make the request verbally.

If a person is making a request on behalf of another, then they must submit proof that they have been requested and duly authorised to do so.

8.3 Missing Information

Requestors have the right to receive a response on affidavit for records which cannot reasonably be located, but to which a requestor would have had access had the record been available.

9. POPIA

POPIA provides for the minimum conditions for lawful processing PI by a responsible party. These conditions may not be derogated from unless specific exclusions apply as outlined in POPIA. Startek is a responsible party for the purposes of POPIA and will therefore ensure that PI of data subjects:

- a) is processed lawfully, fairly and transparently;
- b) is processed only for the purposes for which it was collected, with specific consideration of the exemptions highlighted in section 38 of POPIA;
- c) will not be processed for a secondary purpose unless that processing is compatible with the original purpose;
- d) is adequate, relevant and not excessive for the purpose for which it was collected;
- e) is accurate and kept up to date;
- f) will not be kept for longer than necessary;
- g) is processed in accordance with integrity and confidentiality principles, in both physical and electronic form. Security measures to protect PI would therefore include, data encryption; antivirus and anti-malware solutions.
- h) is processed in accordance with the rights of data subjects, where applicable

10. Remedies for Non-Compliance with the Provisions of PAIA

In the event the requester is not satisfied with the decision made by the IO, they can refer the matter for internal appeal to DIO as listed in section 6 of this manual - within 30 days from the date of notice. The DIO decision is final and requesters will have to exercise external remedies at their disposal if the request for information is refused and the requester is not satisfied with the answer provided by DIO.

Section 78- 82 of PAIA provides for a requestor of information to apply to court for appropriate relief. Such application to the court may be done within 180 days after the requestor has exhausted all internal appeal proceedings.

11. Request Fee and Payment Method

PAIA prescribed fees (request and access fees) must be paid by a requester when applying for access to information. The fee schedule as per the regulations of PAIA. When the request is received by the Information Officer, such officer shall by notice require the requester, other than a personal requester, to pay the prescribed request fee (if any), before further processing the request. The Information Officer is within their right to withhold a record until the requester has paid the prescribed fees.

Fees are paid at the inception of a request and thereafter, and are incurred for administration and reproduction costs. Certain categories of persons are exempt from paying fees. These categories include those who qualify on the basis of their annual income and those who are requesting personal information. Persons who are requesting personal information about themselves or their minor children do not have to pay a request fee. All other persons have to pay the request fee of R35.00 as provided for in PAIA.

If a request is granted, then a further access or search fee is required. This fee is calculated in terms of the rates fixed in the fees schedule attached hereto. Fees are charged for time spent searching for the record and preparing and/or reproducing the record/s.

Description	Fee
The fee for a copy of the manual contemplated in regulation 5(c) is R0.60 for every copy of an A4-sized page or part thereof.	R0.60
Reproduction Fees (Regulation 7(1))	
For every photocopy of an A4-sized page or part thereof	R1.10
For every printed copy of an A4-sized page or part thereof held on a computer or in electronic or machine-readable form	R0.75
For a copy in a computer-readable form on a CD	R70.00
For a transcription of visual images:	
(i) for an A4-sized page or part thereof	R40.00
(ii) copy of visual images	R60.00
(iii) transcription of an audio recording, per A4-sized page or part thereof	R20.00
(iv) copy of an audio recording	R30.00
Request fee payable by a requester, other than a personal requester	R35.00

<p>Fee to search and prepare a record for disclosure, charged per hour or part thereof (first hour is free)</p> <p>*If the Information Officer is of the opinion that the collection and reproduction of the documents will take longer than 6 hours, the Information Officer will inform the requester that one third of the access fee is payable as a deposit by the requester</p>	R35.00
<p>The actual postage is payable when a copy of a record must be posted to a requester</p>	

12. Availability of Startek PAIA Manual

This manual will on a regular basis be updated to remain relevant. And is available in English and can be accessed via Startek's IO and or DIO during office hours, as well as can be found on the Startek company website, as listed in section 5 and 6 of this manual.

13. General Note

Startek reserves the right to transfer requests for records to relevant bodies where these bodies were the primary holders or generators of the information requested, or where Startek no longer has possession of such records, and to create new categories of records where this is necessary.

14. Forms

Forms to request access to records in accordance with PAIA - can be accessed via the following site:
<https://www.justice.gov.za/legislation/regulations/r2006/Promotion%20of%20Access%20to%20Information%20Actfin.pdf>