

CHASE SOFTWARE (PTY) LTD

ACCESS TO INFORMATION MANUAL

**PREPARED IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION
ACT, 2 OF 2002**

A handwritten signature in black ink, consisting of stylized, overlapping loops and a long horizontal stroke at the end.

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1. PURPOSE OF THIS MANUAL

This MANUAL has been prepared in respect of Chase Software (Pty) Ltd, registration number 2015/410552/07, and is intended to assist people wishing to access information from Chase Software (Pty) Ltd in terms of the Promotion of Access to Information Act, 2 of 2002.

2. DEFINITIONS AND INTERPRETATION

- 2.1. Unless the context dictates otherwise, the words and expressions set forth below will bear the following meanings and cognate expressions will bear corresponding meanings:
 - 2.1.1. ACT – the Promotion of Access to Information Act, 2 of 2002;
 - 2.1.2. CHASE – Chase Software (Pty) Ltd, registration number 2015/410552/07, private company duly incorporated in accordance with the laws of the RSA;
 - 2.1.3. MINISTER – the Minister of Justice and Constitutional Development;
 - 2.1.4. MANUAL – this document that is compiled in terms of section 51 of the ACT;
 - 2.1.5. PREPARE – in relation to RECORDS, the search, reproduction and preparation of RECORDS for disclosure pursuant to a granted REQUEST;
 - 2.1.6. RECORD – any recorded information regardless of form or medium that is in the possession of or under the control of CHASE irrespective of whether or not it was created by CHASE;
 - 2.1.7. REQUEST – a request for access to a RECORD in terms of section 53 of the ACT;
 - 2.1.8. REQUESTER – a person (natural or juristic) that requests information in accordance with this MANUAL;
 - 2.1.9. RSA – Republic of south Africa;
 - 2.1.10. SAHRC – the South African Human Rights Commission.
- 2.2. In this MANUAL, any terms defined in the ACT will have the meaning(s) set out therein.
- 2.3. Any reference to sections will be a reference to the sections of the ACT.
- 2.4. In this MANUAL, headings embodying the clauses are for convenience only and will not be used in its interpretation and, unless the context of this MANUAL indicates otherwise, words importing the masculine gender include the feminine and neuter genders and vice versa; the singular includes the plural and vice versa; and natural persons include artificial persons and vice versa.
- 2.5. Any definition, wherever it appears in this MANUAL, will bear the same meaning and apply throughout this MANUAL unless otherwise stated or inconsistent with the context in which it appears.

- 2.6. If there is any conflict between any definitions in this MANUAL then, for purposes of interpreting any clause of this MANUAL the definition appearing in that clause will prevail over any other conflicting definition appearing elsewhere in this MANUAL.
- 2.7. The references to a statutory provision include any subordinate legislation made from time to time under that provision and include that provision as modified or re-enacted from time to time.
- 2.8. The rule of construction that if general words or terms are used in association with specific words or terms which are a species of a particular genus or class, the meaning of the general words or terms will be restricted to that same class (i.e. the *eiusdem generis* rule) will not apply, and whenever the word "including" is used followed by specific examples, such examples will not be interpreted so as to limit the meaning of any word or term to the same genus or class as the examples given.

3. INTRODUCTION

- 3.1. The ACT gives effect to the constitutional right of access to any information that is held by another person and that is required for the exercise or protection of any rights.
- 3.2. Any REQUEST for access to information may be refused on the grounds as set out in Chapter 4 of Part 3 of the Act.

4. COMPANY CONTACT DETAILS

4.1. DIRECTORS

Peter Cain Joughin

Alan Richard Borain

Wiechardt Brummer

Jamie Arthur Peers

4.2. HEAD OFFICE

Postal address: 10 Morris Street West, Rivonia, 2128

Physical address: 10 Morris Street West, Rivonia, 2128

Telephone number: 086 11 24273

5. INFORMATION OFFICER DETAILS

Information Officer: Jamie Arthur Peers

Postal address: 10 Morris Street West, Rivonia, 2128

Physical address: 10 Morris Street West, Rivonia, 2128

Telephone number: 086 11 24273

Email: Jamie@chasesoftware.co.za

6. DEPUTY INFORMATION OFFICER DETAILS

Information Officer: Izette Fry
 Postal address: 10 Morris Street West, Rivonia, 2128
 Physical address: 10 Morris Street West, Rivonia, 2128
 Telephone number: 086 11 24273
 Email: Izette@chasesoftware.co.za

7. THE ACT AND SECTION 10 GUIDE

- 7.1. 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.
- 7.2. REQUESTS in terms of the ACT must be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in the ACT.
- 7.3. REQUESTERS are referred to the guide in terms of section 10 of the ACT which has been compiled by the SAHRC, which contains information for the purposes of exercising constitutional rights. The guide is available from the SAHRC. 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

8. APPLICABLE LEGISLATION

CHASE is subject to all laws of the RSA. Where applicable to the business of CHASE, RECORDS are kept in accordance with the list of the acts shown below. This list may not be exhaustive; accordingly, CHASE may be subject to further acts; alternatively, there may be acts listed which are not applicable to CHASE.

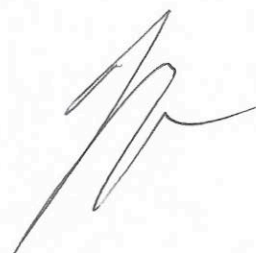
- 8.1. Arbitration Act 42 of 1965
- 8.2. Basic Conditions of Employment Act 75 of 1997
- 8.3. Broad-Based Economic Empowerment Act 53 of 2008
- 8.4. Companies Act 71 of 2008
- 8.5. Compensation for Occupational Injuries and Diseases Act 130 of 1993
- 8.6. Consumer Affairs (Unfair Business Practices) Act 71 of 1988

- 8.7. Constitution of the Republic of South Africa 200 of 1993
- 8.8. Consumer Protection Act 68 of 2008
- 8.9. Copyright Act 61 of 1978
- 8.10. Electronic Communications and Transactions Act 25 of 2002
- 8.11. Employment Equity Act 55 of 1998
- 8.12. Financial Intelligence Centre Act 38 of 2001
- 8.13. Harmful Business Practices Act 23 of 1999
- 8.14. Income Tax Act 58 of 1962
- 8.15. Intellectual Property Laws Amendments Act 38 of 1997
- 8.16. Labour Relations Act 66 of 1995
- 8.17. Occupational Health and Safety Act 85 of 1993
- 8.18. Patents Act 57 of 1987
- 8.19. Promotion of Access to Information Act, 2 of 2002
- 8.20. Protection of Personal Information Act 4 of 2013
- 8.21. The Regulation of Interception of Communications Provision of Communication-Related Information Act 70 of 2002
- 8.22. Skills Development Act 97 of 1998
- 8.23. Skills Development Levies Act 9 of 1999
- 8.24. The National Credit Act 34 of 2005
- 8.25. Trade Marks Act 194 of 1993
- 8.26. Unemployment Insurance Act 63 of 2001
- 8.27. Unemployment Insurance Contributions Act 4 of 2002
- 8.28. Value Added Tax Act 89 of 1991

9. CATEGORIES OF RECORDS OF INFORMATION HELD BY CHASE

CHASE holds the following categories of RECORDS, where applicable:

- 9.1. **Information automatically available for inspection, purchase and photocopying**
 - 9.1.1. newsletters
 - 9.1.2. pamphlets
 - 9.1.3. pricelists



9.1.4. marketing and promotional material;

9.1.5. website

9.2. Statutory Company Information

9.2.1. certificate of incorporation

9.2.2. memorandum of incorporation

9.2.3. minutes, resolutions and proxy forms

9.2.4. registers of allotments, meetings, members, mortgages, debentures fixed assets and directors

9.3. Financial and accounting

9.3.1. annual financial statements and working papers

9.3.2. ledgers

9.3.3. journals

9.3.4. budgets and business plans

9.3.5. bank account statements, cheque books, cheques and deposit slips

9.3.6. asset register

9.3.7. management accounts

9.3.8. tax records

9.3.9. vat returns and assessments

9.3.10. auditors' and directors' reports

9.3.11. customer and supplier invoices and statements

9.4. Taxation Records

9.4.1. private body tax returns

9.4.2. all other statutory compliances:

9.4.2.1. VAT

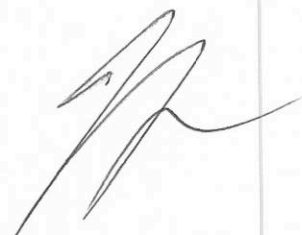
9.4.2.2. regional service levies.

9.5. Legal, Agreements and Contracts

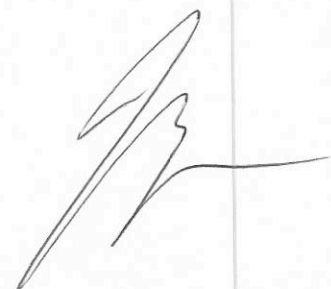
9.5.1. building plans

9.5.2. contracts, including finance and lease agreements

9.5.3. statutory records



- 9.5.4. complaints, pleadings, briefs and other documents pertaining to any actual, pending or threatened litigation, arbitration or investigation
- 9.5.5. material licences, permits and authorisations
- 9.5.6. settlement agreements
- 9.5.7. material agreements relating to provision of services
- 9.5.8. alliance agreements relating to -
 - 9.5.8.1. joint ventures
 - 9.5.8.2. partnerships
- 9.5.9. agreements with shareholders, officers or directors
- 9.5.10. agreements with consultants and clients
- 9.5.11. sale agreements
- 9.5.12. warranty agreements
- 9.5.13. distributor, dealer or agency agreements
- 9.5.14. restraint agreements
- 9.5.15. agreements with governmental agencies
- 9.6. **Insurance**
 - 9.6.1. insurance policies
 - 9.6.2. claim records
 - 9.6.3. details of insurance coverages, limits and insurers
- 9.7. **Administration**
 - 9.7.1. correspondence
- 9.8. **Clients**
 - 9.8.1. client register
 - 9.8.2. records of orders
 - 9.8.3. records of sales
 - 9.8.4. correspondence with clients
 - 9.8.5. correspondence with agents
- 9.9. **Products**
 - 9.9.1. pricing lists and pricing information



9.10. Purchasing and Service Providers

- 9.10.1. purchasing/ordering policy
- 9.10.2. supplier/service provider lists and details of suppliers/service providers
- 9.10.3. agreements with suppliers/service providers
- 9.10.4. purchase order vouchers

9.11. Marketing

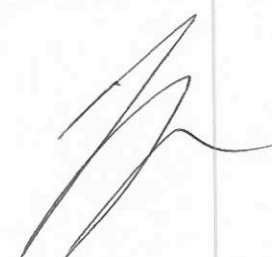
- 9.11.1. service information
- 9.11.2. marketing literature (brochures, newsletters and advertising materials)
- 9.11.3. public relations policies and procedures

9.12. Information technology

- 9.12.1. agreements, including maintenance agreements
- 9.12.2. software packages
- 9.12.3. licenses
- 9.12.4. disaster recovery processes and procedures
- 9.12.5. client database
- 9.12.6. hardware
- 9.12.7. internet
- 9.12.8. security
- 9.12.9. telephone exchange equipment
- 9.12.10. telephone lines, leased lines and data lines
- 9.12.11. LAN installations

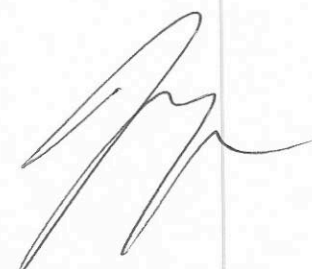
9.13. Intellectual Property

- 9.13.1. trademark design and applications
- 9.13.2. registered trademarks
- 9.13.3. trade names and protected names
- 9.13.4. agreements relating to intellectual property e.g. licence agreements, secrecy agreements, use agreements, joint venture agreements, joint development agreements and consulting agreements
- 9.13.5. copyrights



9.14. Personnel Records

- 9.14.1. disciplinary awards
- 9.14.2. employees evaluations and performance records
- 9.14.3. employee information records
- 9.14.4. employee loans
- 9.14.5. employee share purchase plan
- 9.14.6. employment applications
- 9.14.7. employment contracts
- 9.14.8. employment equity plan
- 9.14.9. health and safety records
- 9.14.10. IRP5 and IT3 certificates
- 9.14.11. letters of employment
- 9.14.12. leave applications
- 9.14.13. maternity leave applications
- 9.14.14. organisational design
- 9.14.15. payroll
- 9.14.16. policies and procedures
- 9.14.17. records of foreign employees
- 9.14.18. recruitment and appointments
- 9.14.19. salary and wage registers
- 9.14.20. salary slips and wage cards
- 9.14.21. scholarship and bursary records
- 9.14.22. staff loan schemes
- 9.14.23. staff records after employment
- 9.14.24. study assistance scheme
- 9.14.25. tax returns of employees
- 9.14.26. time records
- 9.14.27. training and development
- 9.14.28. UIF, PAYE and SDL returns



9.15. Miscellaneous

- 9.15.1. records relating to CHASE or its business which are held by any other party; and
- 9.15.2. records held by CHASE relating to any other party, including without limitation:
 - 9.15.2.1. correspondence;
 - 9.15.2.2. contractual agreements;
 - 9.15.2.3. records provided by such other party; and
 - 9.15.2.4. records provided by third parties about such other parties

10. RECORDS THAT ARE AVAILABLE FREE OF REQUEST

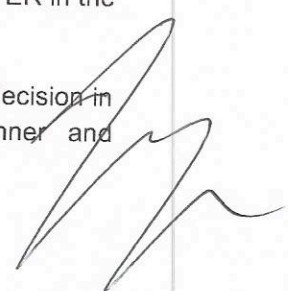
- 10.1. No notices have been published by the MINISTER in terms of Section 52(2) of the ACT.

11. AVAILABILITY OF MANUAL

- 11.1. The MANUAL is available for inspection at the offices of CHASE free of charge and copies are available with the SAHRC.

12. PROCEDURE FOR REQUESTS

- 12.1. To facilitate the processing of a REQUEST, a REQUESTOR must:
 - 12.1.1. complete the prescribed Form C which is attached hereto and which is available on the website of the SAHRC at www.sahrc.org.za;
 - 12.1.2. submit together with its completed Form C a copy of its identity document (or the identity document of its directors, members, trustees etc if it is a juristic person) and the applicable fees;
 - 12.1.3. address its REQUEST to the Information Officer;
 - 12.1.4. provide sufficient details to enable CHASE to identify:
 - 12.1.4.1. the RECORD(S) requested;
 - 12.1.4.2. the REQUESTER (and if an agent is lodging the REQUEST, proof of capacity);
 - 12.1.4.3. the form of access required;
 - 12.1.4.4. the postal address or fax number of the REQUESTER in the RSA;
 - 12.1.4.5. if the REQUESTER wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof;



- 12.1.4.6. 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.

12.2. Please note that certain information may be confidential.

13. FEES

A REQUESTER who seeks access to a RECORD containing personal information about that REQUESTER is not required to pay the REQUEST fees. Any other REQUESTER who is not a personal REQUESTER must pay the required fees.

- 13.1. A REQUESTOR is required to pay the prescribed fees (R50.00) before a REQUEST will be processed. The requester fee of will be refunded should the REQUEST be refused, and "PREPARATION" will have a corresponding meaning;
- 13.2. If the PREPARATION of the RECORD requested requires more than 6 (six) hours to PREPARE, a deposit must be paid before the REQUEST is considered. This deposit will not exceed one third of the access fee which would be payable if the REQUEST were granted.
- 13.3. The REQUESTER may lodge an application with a court against the payment of the REQUEST fee and/or deposit in terms of Section 54(3)(b) of the ACT.
- 13.4. If the REQUEST is granted then a further access fee must be paid for the PREPARATION or any time that has exceeded the prescribed 6 (six) hours to PREPARE the RECORD for disclosure.
- 13.5. The Information Officer may withhold a RECORD until the REQUESTER has paid the applicable fees or for reasons relating to confidentiality or as set out in Chapter 4 Part 3 of the ACT.
- 13.6. The fee structure set out below. All fees are exclusive of value added tax as set out in the Value Added Tax Act, 89 of 1991.
- 13.7. Fees:

- 13.7.1. The REQUEST fee payable by a requester, other than a personal requester (i.e. a person seeking access to RECORDS that contain their personal information), is R50.00.

- 13.7.2. The fee for a copy of the manual is R1.10 for every photocopy of an A4-size page or part thereof.

- 13.7.3. Other fees:

(a)	For every photocopy of an A4-size page or part thereof	R1.10
(b)	For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	R0.75
(c)	For a copy in a computer-readable form on compact disc	R70.00
(d) (i)	For a transcription of visual images, for an A4-size page or part thereof	R40.00

(ii)	For a copy of visual images	R60.00
(e) (i)	For a transcription of an audio RECORD, for an A6-size page or part thereof	R20.00
(ii)	For a copy of an audio RECORD	R30.00
(f)	To search for and prepare the RECORD for disclosure, for each hour or part of an hour reasonably required for such search and preparation	R30.00
(b)	For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	R0.75
(c)	For a copy in a computer-readable form on compact disc	R70.00
(d) (i)	For a transcription of visual images, for an A4-size page or part thereof	40.00
(ii)	For a copy of visual images	R60.00
(e) (i)	For a transcription of an audio RECORD, for an A6-size page or part thereof	R20.00
(ii)	For a copy of an audio RECORD	R30.00

- 13.7.4. The actual postage is payable when a copy of a RECORD must be posted to a REQUESTER.

14. INFORMATION OR RECORDS NOT FOUND

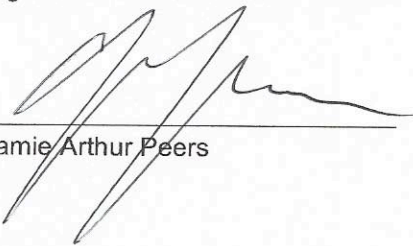
- 14.1. If all reasonable steps have been taken to find a RECORD, and such a RECORD cannot be found or if the RECORDS do not exist, then the head of CHASE or the Information Officer will notify the REQUESTER, by way of an affidavit, that it is not possible to give access to the requested RECORD.
- 14.2. The affidavit will provide a full account of all the steps taken to locate the RECORD or to determine the existence thereof, including details of all communications by CHASE or the Information Officer with every person who conducted the search.
- 14.3. The affidavit provided for in clause 14.1 will be regarded as a decision to refuse a REQUEST for access to the RECORD concerned for the purposes of the ACT.
- 14.4. If CHASE locates the RECORD at a later date, CHASE will give the REQUESTER access to the RECORD in the manner stipulated by the REQUESTER in the prescribed form unless access is refused by CHASE or the Information Officer.
- 14.5. The REQUESTER'S attention is drawn to the provisions of Chapter 4 of Part 3 of the ACT in terms of which CHASE may refuse, on certain specified grounds, to provide information to a REQUESTER.

15. INFORMATION REQUESTED ABOUT A THIRD PARTY

- 15.1. Section 71 of the ACT provides for a REQUEST for information or RECORDS about a third party.
- 15.2. In considering such a REQUEST, CHASE will adhere to the provisions of sections 71 to 74 of the ACT and to any other relevant statutory obligations it may have.

- 15.3. The REQUESTER'S attention is drawn to the provisions of Chapter 5 of Part 3 of the ACT in terms of which CHASE is obliged, in certain circumstances, to advise third parties of requests lodged in respect of information applicable to or concerning such third parties. In addition, the provisions of Chapter 2 of Part 4 of the ACT entitle third parties to dispute the decisions of CHASE or the Information Officer by referring the matter to the High Court.

Signed for and on behalf of CHASE



Jamie Arthur Peers



Date

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

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

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.
- (c) 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
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	

1. If the record is in written or printed form:			
<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record
2. If record consists of visual images this includes photographs, slides, video recordings, computer-generated images, sketches, etc)			
<input type="checkbox"/>	view the images	<input type="checkbox"/>	transcription of the images*
3. If record consists of recorded words or information which can be reproduced in sound:			
<input type="checkbox"/>	listen to the soundtrack audio cassette	<input type="checkbox"/>	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 of 20.....

.....
 SIGNATURE OF REQUESTER / PERSON ON
 WHOSE BEHALF REQUEST IS MADE