

WETPAINT ADVERTISING (PTY) LTD

2005/018845/07

MANUAL IN TERMS OF SECTION 51 OF
THE PROMOTION OF ACCESS TO INFORMATION ACT 2 OF
2000
(THE "ACT")

DATE OF COMPILATION : 1 DECEMBER 2018

1 INTRODUCTION

Wetpaint Advertising (Pty) Ltd ("Wetpaint") is an Advertising agency providing services across multiple areas including strategy, production, creative, digital and media. Wetpaint provides some communications services, but is not as yet required by regulation to have a formal PAIA manual. However, Wetpaint has voluntarily created this PAIA manual in order to make the process for applying for information clear and in order to facilitate our obligations under the Protection of Personal Information Act of 2013 (a copy of our POPI and Privacy Policy can be found here : www.wetpaint.co.za/policies. We will not consequently be lodging a copy of this manual with the Information Regulator.

2 COMPANY CONTACT DETAILS

Persons designated/duly authorised persons:

Directors: Mrs Petra Liu

Miss Kerry Ann Whyte

MD and Information Officer: Mrs Petra Liu

- 2.1. Telephone number: 011 706 7270
- 2.2. Fax number: 086 613 9031
- 2.3. Postal address: 26 Peter Place, College House, Sandton 2146
- 2.4. Physical address: 26 Peter Place, College House, Sandton 2146
- 2.5. Email: designs@wetpaint.co.za

3 THE ACT

- 3.1. 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
- 3.2. 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.
- 3.3. 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 11 887 3600

Website: www.sahrc.org.za

4 APPLICABLE LEGISLATION

No	Ref	Act
1	No 61 of 1973	Companies Act
2	No 98 of 1978	Copyright Act
3	No 95 of 1967	Income Tax Act
4	No 66 of 1995	Labour Relations Act
5	No 89 of 1991	Value Added Tax Act
6	No 75 of 1997	Basic Conditions of Employment Act
7	No 25 of 2002	Electronic Communications and Transactions Act
8	No 2 of 2000	Promotion of Access of Information Act
9	No 30 of 1996	Unemployment Insurance Act
10	No 4 of 2013	POPI
11	No 97 of 1998	Skills Development Act

5 SCHEDULE OF RECORDS

<u>Records</u>	<u>Subject</u>	<u>Availability</u>
Public Affairs	• Public Information about Services	Freely available on www.wetpaint.co.za
	• Media Releases	
	• Public Corporate Records	Freely available on www.cipc.org.za
Financial	• Financial Statements	Request in terms of PAIA
	• Financial and Tax Records (Company & Employees)	Request in terms of PAIA
	• Payroll	Request in terms of PAIA
	• Asset Register	Request in terms of PAIA
	• Management Accounts	Request in terms of PAIA
	• MICT SETA training documents	Request in terms of PAIA
	• Contracts	Free copies of contracts for Consumers with whom we contract.
Marketing	• Market Information	Limited Information available on web site. (see above)
	• Public Customer Information: <ul style="list-style-type: none"> ○ Product Brochures 	Request in terms of PAIA
	• Sales Records	Request in terms of PAIA
	• Marketing Strategies	Request in terms of PAIA
	• Customer Database	Request in terms of PAIA
	• Direct Marketing Database	Request in terms of PAIA
	Personal:	

6 FORM OF REQUEST

To facilitate the processing of your request, kindly:

- 6.1. Use the prescribed form C, available on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at: http://www.justice.gov.za/forms/paia/J752_paia_Form%20C.pdf
- 6.2. Address your request to the Head of the Company (MD).
- 6.3. Provide sufficient details to enable the COMPANY to identify:
 - 6.3.1. The record(s) requested;
 - 6.3.2. The requester (and if an agent is lodging the request, proof of capacity);
 - 6.3.3. The form of access required;
 - 6.3.3.1. The postal address or fax number of the requester in the Republic;
 - 6.3.3.2. If the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof;
 - 6.3.4. 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.

7 RECOURSE

- 7.1. The requested documents will be provided to you unless you have not complied with the correct form of request, not submitted the request to the correct contact details set out herein or not paid the prescribed fees below. Further the request can be denied for any of the grounds for refusal set out in the Act (repeated below at clause 7.4 and 7.5 for ease).
- 7.2. If the Information Officer is unable to find the particular records requested, or we believed that they do not exist, the Information Officer will, after ensuring that all reasonable steps have been taken to find the record, submit a detailed affidavit to you giving notice that the records in question do not exist or cannot be found.
- 7.3. You may take legal action against the Information Officer within 180 days of the decision if she:
 - 7.3.1. Denies access to a record (other than in terms of 7.1, 7.2 or any lawful reason)
 - 7.3.2. Extends the time to respond to a request
 - 7.3.3. Charges a request fee or an access fee other than the prescribed fee
 - 7.3.4. Provides access to a record in a form different from the one originally requested
- 7.4. We must refuse your request on the following grounds
 - 7.4.1. to protect the privacy of a third party (with certain exceptions)
 - 7.4.2. the protection of the commercial information of a third party

- 7.4.3. the protection of confidential information
- 7.4.4. the protection and safety of property and people
- 7.4.5. the protection of information in legal proceedings
- 7.4.6. the protection of research information
- 7.5. We may refuse your request on the following grounds
 - 7.5.1. South Africa's defence, security and international relations
 - 7.5.2. the economic, financial and commercial interest of South Africa
 - 7.5.3. the operations of public bodies
 - 7.5.4. "Manifestly frivolous or vexatious requests, or substantial and unreasonable diversion of resources"
 - 7.5.5. If it is not in the public interest

8 PRESCRIBED FEES

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

- 8.1. A requestor is required to pay the prescribed fees (R50.00) before a request will be processed. Additional fees will be levied for the actual record based on the fee structure available here: <http://www.justice.gov.za/paia/paia-faq.htm>;
- 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. If information is to be provided free of charge in terms of another piece of legislation such information must not be charged for.