

TRUDON (PROPRIETARY) LIMITED

PRIVATE BODY

POPIA AND PAIA MANUAL

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1. DEFINITIONS

- 1.1. **“Data Subject”** means the person to whom personal information relates;
- 1.2. **“Information Officer”** means:
 - a) in the case of a natural person, that natural person or any person duly authorized by that natural person;
 - b) in the case of a partnership, any partner of the partnership or any person duly authorized by the partnership;
 - c) in the case of a juristic person -
 - i. the chief executive officer or equivalent officer of the juristic person or any person duly authorized by the officer; or
 - ii. the person who is acting as such or any person duly authorized by such acting person;
- 1.3. **“PAIA”** means the Promotion of Access to Information Act 2 of 2000 as amended;
- 1.4. **“Personal Information”** means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic 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, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment 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 that is 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;
- 1.5. **“POPIA”** means the Protection of Personal Information Act 4 of 2013;
- 1.6. **“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;
 - c) former or existing juristic person, but excludes a public body;
- 1.7. **“Processing”** means any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including—
- a) the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;
 - b) dissemination by means of transmission, distribution or making available in any other form; or
 - c) merging, linking, as well as restriction, degradation, erasure or destruction of information;
- 1.8. **“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;
- 1.9. **“Record”** 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;
- 1.10. **“Requester”** in relation to a private body, means:
- (a) 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
 - (b) a person acting on behalf of the person contemplated in subparagraph (i);
- 1.11. **“Trudon”** means a company incorporated in terms of the company laws of the Republic of South Africa under registration number 1992/002329/07.

2. INTRODUCTION

- 2.1 The Act seeks, inter alia, to give effect to the constitutional right of access to any information held by the state or by any other person where such information is required for the exercise or protection of any right.
- 2.2 The Act also requires a public and private bodies to compile manuals that provide information on both the types and categories of records held by such public and private bodies. Trudon is a private body under of the definition of “private body” in section 1 of the Act. This document serves as Trudon manual with regard to information or records in relation to which Trudon is a private body.

3. COMPANY OVERVIEW

- 3.1 Trudon is a private company incorporated in terms of the company laws of the Republic of South Africa under registration number 1992/002329/07. The shares of Trudon are held as 100% by Telkom SA SOC Limited.
- 3.2 Trudon has the following subsidiaries:
- (a) TDS Directory Operations Namibia (Pty) Ltd (75%)
 - (b) Leads Machine (Pty) Ltd (formerly known as Purple Cow Communications (Pty) Ltd) (100%)
- 3.3 The main business of Trudon is to provide affordable and effective advertising and marketing options to the small, medium and micro-sized enterprises (SMME) and corporate market across all media as well as being at the forefront of advances into new media communications and to deliver the most versatile local commercial search options in print, mobile and online.

4. PARTICULARS IN TERMS OF SECTION 51

4.1 Contact Details

- (a) The Information Officer of Trudon is:

Name: Mr. Lunga Siyo

Postal Address: PO Box 10474
Johannesburg, 2000

Physical Address: Eastgate Office Park
Block F
24 South Boulevard, Bruma, Johannesburg, 2198

E-mail: paia@yp.co.za

- (b) The Information Officer has duly authorized the persons below as Deputy Information Officers to ensure that the requirements of the Act are administered in a fair, objective and unbiased manner:

Deputy Information Officers: Ms. Lerato Pule

Postal Address: PO Box 10474
Johannesburg, 2000

Physical Address: Eastgate Office Park
Block F
24 South Boulevard, Bruma, Johannesburg, 2198

Phone Number: +27 11 677 6255

Fax Number: +27 86 490 0566

E-mail: paia@yp.co.za

Website: <http://trudondigital.co.za>

4.2 The Section 10 Guide

The South African Human Rights Commission will, in terms of section 10 of the Act, compile a guide on the use of the Act. This guide is available from the South African Human Rights Commission at the following address:

Private Bag X2700
HOUGHTON, 2041

Tel: +27 11 484 8300
Fax: +27 11 484 0582
E-mail: PAIA@sahrc.org.za
Website: www.sahrc.org.za

4.3 Records Automatically Available

Records that are automatically available to the public are all records of Trudon lodged in terms of government requirements such as the Registrar of Deeds, all records in the booklets and pamphlets published by Trudon and all records available on Trudon's website and platforms.

4.4 Records available in accordance with any other legislation

Trudon has records available in accordance with the following legislation:

- (a) The Occupational Health and Safety Act 29 of 1996;
- (b) The Value Added Tax Act 89 of 1991;
- (c) Income Tax Act 58 of 1962;
- (d) Companies Act 71 of 2008;
- (e) Electronic Communications Act, 36 of 2005;
- (f) Electronic Communications and Transactions Act 25 of 2002;
- (g) Consumer Protection Act 68 of 2008;
- (h) Competition Act 89 of 1998;
- (i) Basic Conditions of Employment Act 75 of 1997;
- (j) Compensation for Occupational Injuries and Diseases Act 130 of 1993;
- (k) Employment Equity Act 55 of 1998;
- (l) Labour Relations Act 66 of 1995;
- (m) National Environmental Management Act 107 of 1998;
- (n) Skills Development Levies Act 55 of 1998;
- (o) Trade Marks Act 194 of 1993;

- (p) Unemployment Insurance Act 30 of 1966;
- (q) Customs & Excise Act 91 of 1964;
- (r) Skills Development Act 97 of 1998;
- (s) South African Qualifications Authority Act 58 of 1995;
- (t) Statistics Act 6 of 1999; and

4.5 A description of the subjects of the records held by Trudon and the categories in which these subjects are classed

Trudon holds the following records and information which is categorized in the following categories:

(a) Company secretarial Records

- i. Memorandum of Incorporation;
- ii. Combined Company Register;
- iii. Minutes of meetings of the Board, its Committees and the Executive Committee;
- iv. Board Charter and Board Committee Charters;
- v. Statutory Returns;
- vi. Powers of Attorney;
- vii. Delegation of Authority; and
- viii. Share Certificates.

(b) Movable and Immovable Property

- i. Title Deeds;
- ii. Lease Agreements;
- iii. Hire Agreements;
- iv. Hire-purchase Agreements;
- v. Credit Sale Agreements; and
- vi. Ordinary and Conditional Sale Agreements.

(c) Intellectual Property

- i. Trade Marks;
- ii. Patents;
- iii. Copyrights;
- iv. Designs;
- v. Know-how; and
- vi. Licences.

(d) Insurance

- i. Policies; and
- ii. Insurance claim files.

(e) Taxation

- i. Income tax returns;

- ii. VAT returns;
- iii. PAYE returns;
- iv. RSC Levy returns; and
- v. UIF returns.

(f) Human Resources

- i. Policies and procedures;
- ii. Employee information;
- iii. Employment agreements;
- iv. Forms and applications;
- v. Standard letters and notices;
- vi. Payroll reports;
- vii. Payslips;
- viii. IRP5's;
- ix. Accident books and records;
- x. Workplace and Union agreements and records;
- xi. Employee benefits arrangements rules and records;
- xii. Safety, Health and Environmental records;
- xiii. Labour dispute records;
- xiv. Disciplinary Code;
- xv. Grievance Procedure; and
- xvi. Employee training.

(g) Finance

- i. Audited annual financial statements;
- ii. Management accounts;
- iii. Banking details and bank accounts;
- iv. Debtors/Creditors statements and invoices;
- v. General ledgers and subsidiary ledgers;
- vi. General ledger reconciliation; and
- vii. Policies and Procedures.

(h) Procurement

- i. Policies and Procedures/Manuals;
- ii. Reports and supporting documentation;
- iii. Tender documentation;
- iv. Standard Terms and Conditions for supply of services, products and software to Trudon;
- v. Contractor, client and supplier agreements and information; and
- vi. Security documents.

(i) Operations

- i. Billing;
- ii. Customers;
- iii. Telecommunications traffic;
- iv. Network;

- v. Tariffs;
- vi. Products;
- vii. Interconnect;
- viii. Inter-operator settlements;
- ix. Policies and Procedures; and
- x. Any agreements related to the operations of Trudon.

(j) Legal

- i. Contracts;
- ii. Commercial disputes; and
- iii. Litigation.

(k) Regulatory

- i. Permits, licences, consents, approvals, authorisations, applications, registrations and exemptions;
- ii. Submissions to ICASA;
- iii. Submissions to parliament; and
- iv. Disputes.

(l) Information Technology

- i. System documentation and manuals;
- ii. Project, disaster recovery and implementation plans;
- iii. Internet policy documentation; and
- iv. Computer policy documentation.

(m) Administration

- i. Intranet; and
- ii. Correspondence with internal and external parties.

5. PROCESSES AND PROCEDURES FOR REQUESTING ACCESS TO INFORMATION OR RECORDS

- (a) The Requester must use the prescribed Form C attached to this manual, to make the request for access to a record.
- (b) The request must be made to the Deputy Information Officer whose contact details are set out in paragraph 4.1(b) above. The completed Form C together with payment of a request fee (if applicable) and a deposit (if applicable) must be sent to the address, fax number or electronic mail address of such Deputy Information Officer set out in paragraph 4.1(b) above.
- (c) The Requester must provide sufficient particulars on the request form to enable the Deputy Information Officer to identify the record requested and the Requester. Where the request is made by a personal requester, being a Requester seeking access to records containing their own personal information, the Requester is required to provide an acceptable form of identification such as a certified copy of his / her identity document or any other form of identification acceptable to Trudon.
- (d) The Requester should also indicate which form of access is required. The Requester should also indicate

if he or she wishes to be informed in any other manner and state the necessary particulars to be so informed.

- (e) The Requester must identify the right that he or she is seeking to exercise or protect and provide an explanation of why the requested record is required for the exercise or protection of that right.
- (f) If a Request is made on behalf of another person, the requester must submit proof of the capacity in which the requester is making the request, to the satisfaction of the contact persons of Trudon.
- (g) The Deputy Information Officer shall notify the requester notice, requiring the requester to pay the prescribed fee (if any) before further processing the request.

5.1 Prescribed Fees in respect of Private Bodies

- (a) The prescribed fees for requests to private bodies are available on the website of the Information Regulator at www.justice.gov.za/infoereg/ and the website of the Department of Justice and Constitutional Development at www.justice.gov.za.
- (b) The banking details to be used are as follows:

Pay	Trudon (Pty) Ltd
Bank	ABSA Bank
Name	Trudon (Pty) Ltd
Current account	420469540
Branch	Eastgate
Branch Code	018505
Branch Code <small>(electronic payments)</small>	051001
SWIFT code	SBZA ZA JJ
Reference	PAIA

5.2 Decision to grant or decline request for access to records

Trudon shall, within 30 days of receipt of a request for access to records, decide whether to grant or decline a request and give notice with reasons (if required) to that effect. The 30-day period within which Trudon must decide whether to grant or refuse a request, may be extended by a further period of no more than 30 days, if the information cannot reasonably be obtained within the original 30-day period. The Deputy Information Officer will notify the Requester in writing should an extension be necessary.

5.3 Grounds for Refusal of Access to Records

- (a) Trudon may refuse a request for information or record if that information or record relates to:
 - i. mandatory protection of the privacy of a third party who is a natural person, which involves the unreasonable disclosure of personal information of that natural person;
 - ii. mandatory protection of the commercial information of a third party, if the record contains:
 - 1. trade secrets of that third party;
 - 2. financial, commercial, scientific or technical information which the disclosure could likely

- cause harm to the financial or commercial interests of that third party;
 - 3. information disclosed in confidence by a third party to Trudon, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition;
 - iii. mandatory protection of confidential information of third parties if it is protected in terms of any agreement;
 - iv. mandatory protection of the safety of individuals and the protection of property;
 - v. mandatory protection of records which would be regarded as privileged in legal proceedings;
 - vi. the commercial activities of Trudon, which may include:
 - 1. trade secrets of that third party;
 - 2. financial, commercial, scientific or technical information which the disclosure could likely cause harm to the financial or commercial interests of that third party;
 - 3. information disclosed in confidence by a third party to Trudon, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition;
 - 4. a computer program which is owned by Trudon and which is protected by copyright;
 - vii. the research information of Trudon or third party, if its disclosure would disclose the identity of Trudon, the researcher or the subject matter of the research and would place the research at a serious disadvantage.
- (b) Trudon shall refuse a request for information where such requests are frivolous or vexatious or involve an unreasonable diversion of Trudon resources.
- (c) Any other right to refuse as allowed under PAIA.

5.4 Remedies available to the Requester on refusal of a request for access to records

- (a) Trudon does not have internal appeal procedures. Thus, the decision made by the Deputy Information Officer is final.
- (b) In the event that Trudon refuses to grant the Requester access to requested records, the Requester may lodge an application with a court, within 180 days of the decision, for Trudon to be ordered to give the Requester access to the requested records.
- (c) In the event that the court orders Trudon to grant the Requester access to the requested records, the Requester must pay the access fee for the reproduction, the search, preparation and time taken to provide the records, in excess of the prescribed hours to search and prepare the record for disclosure.

6. PROCESSING OF PERSONAL INFORMATION

6.1 Purpose for Processing Personal Information

The purposes for which we process personal information includes, but is not limited to:

- (a) respond to your enquiry;
- (b) provide services or products to you;
- (c) provide access to restricted pages on our website;
- (d) comply with legal requirements or industry codes;

- (e) market or promote our services and products;
- (f) safety and security reasons; and
- (g) compile non-personal statistical information about browsing habits, click-patterns and access to the Trudon website.

6.2 Categories of Data Subjects

Trudon may receive, collect and hold personal information and records of the following categories of data subjects:

- (a) Employees/personnel, board members of Trudon;
- (b) Customers of Trudon;
- (c) Service providers to Trudon; and
- (d) Persons that may have had business with Trudon.

6.3 Categories of recipients of personal information provided to Trudon

Parties who we disclose personal information to include, but are not limited to:

- (a) Affiliates and representatives of Trudon;
- (b) Service providers to Trudon;
- (c) Accredited debt collection agencies; and
- (d) regulators, courts, tribunals and law enforcement agencies.

6.4 Cross-border flow of information

- (a) Trudon may need to transfer personal information to a country outside the Republic of South Africa for processing or storage and to that extent, Trudon will enter into appropriate confidentiality agreements with the relevant affiliate and / or subcontractor, to ensure that such transfer will be subject to an adequate level of protection as described in POPIA.
- (b) Trudon may transfer your information to other countries which do not have similar protection as provided for in POPIA, with the consent of Data Subject.

6.5 Objection to Processing of Personal Information

A Data Subject may, at any time object to the Processing of his/her/its Personal Information in the prescribed Form 1 attached to this manual, subject to exceptions contained in POPIA.

6.6 Request for correction or deletion of Personal Information

A Data Subject may request for their Personal Information to be corrected/deleted in the prescribed Form 2 attached to this manual, subject to the provisions of POPIA.

6.7 Availability of the Manual

This manual has been made available to the Information Regulator, in accordance with the Regulations promulgated in terms of the Act and is published on the Trudon website.

FORM C

REQUEST OF 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 the 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. **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 below, 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 for access 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 case you will be informed if access will be granted in another form.			
(c) The fee payable for access to 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 the 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"/>	Copy of the images*
<input type="checkbox"/>		<input type="checkbox"/>	Transcription of the images*
3. If the 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 the 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.			<table border="1"> <tr> <td style="width: 50%;">YES</td> <td style="width: 50%;">NO</td> </tr> </table>	YES	NO
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

FORM 1

OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION IN TERMS OF [SECTION 11 \(3\)](#) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT [NO. 4 OF 2013](#))

REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018
[\[Regulation 2\]](#)

Note:

1. *Affidavits or other documentary evidence as applicable in support of the objection may be attached.*
2. *If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.*
3. *Complete as is applicable.*

A	DETAILS OF DATA SUBJECT
Name(s) and surname/ registered name of data subject:	
Unique Identifier/Identity Number	
Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number/Email address:	
B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname/ registered name of responsible party:	
Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number/Email address:	

C	REASONS FOR OBJECTION IN TERMS OF SECTION 11 (1) (d) to (f) <i>(Please provide detailed reasons for the objection)</i>

Signed at _____ this _____ day of _____ 20_____

Signature of data subject/designated person

FORM 2

REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION OR DESTROYING OR DELETION OF RECORD OF PERSONAL INFORMATION IN TERMS OF [SECTION 24 \(1\)](#) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT [NO. 4 OF 2013](#))

REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018
[\[Regulation 3\]](#)

Note:

1. *Affidavits or other documentary evidence as applicable in support of the request may be attached.*
2. *If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.*
3. *Complete as is applicable.*

Mark the appropriate box with an "x".

Request for:

	Correction or deletion of the personal information about the data subject which is in possession or under the control of the responsible party.
	Destroying or deletion of a record of personal information about the data subject which is in possession or under the control of the responsible party and who is no longer authorised to retain the record of information.

A	DETAILS OF DATA SUBJECT
Name(s) and surname/ registered name of data subject:	
Unique Identifier/Identity Number	
Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number/Email address:	

B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname/ registered name of responsible party:	
Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number/Email address:	
C	INFORMATION TO BE CORRECTED/DELETED/DESTRUCTED/DESTROYED
D	<p align="center">REASONS FOR *CORRECTION OR DELETION OF THE PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24 (1) (a) WHICH IS IN POSSESSION OR UNDER THE CONTROL OF THE RESPONSIBLE PARTY; and or REASONS FOR *DESTRUCTION OR DELETION OF A RECORD OF PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24 (1) (b) WHICH THE RESPONSIBLE PARTY IS NO LONGER AUTHORISED TO RETAIN</p> <p align="center"><i>(Please provide detailed reasons for the request)</i></p>
Signed at _____ this _____ day of _____ 20_____	<p align="right">_____ <i>Signature of data subject/designated person</i></p>