



## **POPIA- Promotion of Access to Information Manual**

## Introduction

Huge Telecom Proprietary Limited (registration number 1993/003902/07) (Huge Telecom or the Company) is a wholly owned subsidiary of Huge Group Limited, a public company listed on the JSE Limited. Huge Telecom operates as a provider of telecommunications, technology and media services through various subsidiaries and associates. The information contained herein applies to Huge Telecom and its subsidiary companies, being Huge Media Proprietary Limited, Huge Messaging Proprietary Limited and Huge Cellular Proprietary Limited (collectively the Companies).

Huge Telecom is committed to be legally compliant and respects the "right to access to information" encapsulated in the Promotion of Access to Information Act, 2 of 2000 (PAIA) and the Protection Personal Information Act, 4 of 2013 (POPIA).

The main purpose of this Manual is therefore to provide guidance pertinent to the information/records held by Huge Telecom and the procedures in terms of which access to information (subject to specified legal requirements) may be obtained.

This Manual has been compiled by Huge Telecom in terms of Section 51 (as per section 14) of the PAIA, read with regulation 4(1)(c) of the 2018 Regulations promulgated in terms of the POPIA.

## HUGE TELECOM DETAILS

<b>Name of company</b>	Huge Telecom Pty Ltd
<b>Managing Director</b>	Rob Burger
<b>Information Officer</b>	Rob Burger
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<b>Deputy Information Officer</b>	Chantal Human
<b>Telephone</b>	011 603 6000
<b>E-mail address</b>	<a href="mailto:chuman@hugetelecom.co.za">chuman@hugetelecom.co.za</a>
<b>Street address</b>	146a Kelvin Drive, Woodmead, 2191
<b>Postal address</b>	PO Box 1585, Kelvin, 2054
<b>Website</b>	<a href="http://www.hugetelecom.co.za">www.hugetelecom.co.za</a>

## **SOUTH AFRICAN HUMAN RIGHTS COMMISSION (SAHRC)**

The SAHRC has compiled a guide, as contemplated in section 10 of PAIA, containing information to assist any person who wishes to exercise any right as contemplated in PAIA.

This guide is available from the SAHRC at:

[www.sahrc.org.za](http://www.sahrc.org.za)

The PAIA Unit

In writing at:

Private Bag 2700

Houghton, 2041

Telephonically on:

+27 11 484 8300, or via telefax on +27 11 484 0582.

## **INFORMATION THAT IS AUTOMATICALLY AVAILABLE**

As at the time of publication of this Manual, the Minister had not published any description of records available without a person having to request access in terms of PAIA, as provided for in terms of section 52(2).

All information of Huge Telecom's website is however freely available.

See: <https://www.hugetelecom.co.za>

## **SUBJECTS AND CATEGORIES OF RECORDS HELD BY HUGE TELECOM**

Huge Telecom holds records in electronic and physical form on several subjects and/or categories of information.

The categories of information are not exhaustive but are merely meant to give a broad indication of the information subjects and categories held by Huge Telecom, without detailed specification.

A category may therefore contain sub-categories and sub-sets of information, which may not be specifically listed hereunder.

Except where expressly stated to the contrary, the records below are NOT automatically available.

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SUBJECTS	DESCRIPTION OF CATEGORIES OF RECORDS
Company Secretarial Records	<ul style="list-style-type: none"> <li>• Memorandum of Incorporation * (automatically available from CIPC)</li> <li>• Directors' names *(automatically available from CIPC)</li> <li>• Memorandum and Articles of Association* (automatically available from CIPC)</li> <li>• Company Register</li> <li>• Shareholders Agreements</li> <li>• Share Certificates</li> <li>• Board Meetings:               <ul style="list-style-type: none"> <li>○ Attendance Register</li> <li>○ Resolutions</li> <li>○ Minutes of meetings</li> </ul> </li> <li>• Delegation of Authorities</li> <li>• General Correspondence</li> <li>• Other Statutory Information</li> </ul>
Finance (All records related to Huge Telecom's finances)	<ul style="list-style-type: none"> <li>• Financial Statements</li> <li>• Corporate tax records/returns</li> <li>• Other documents related to taxation of the Huge Telecom</li> <li>• Accounting records               <ul style="list-style-type: none"> <li>○ Journals, Ledgers and Balance Sheets</li> <li>○ Income Statements</li> <li>○ Trial Balance Statements</li> <li>○ Cash Flow Statements</li> </ul> </li> <li>• Banking records</li> <li>• Banking statements</li> <li>• Asset register</li> <li>• Invoices</li> <li>• Debtors and Creditors</li> <li>• Credit/Debit Notes</li> <li>• Salary information               <ul style="list-style-type: none"> <li>○ PAYE records</li> <li>○ IRP5 records</li> </ul> </li> <li>• UIF payments</li> <li>• Skills levies</li> <li>• Insurance policies</li> <li>• Auditors' reports</li> <li>• General correspondence</li> </ul>

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Human Resources	<ul style="list-style-type: none"> <li>• Employee's personal information</li> <li>• Recruitment records</li> <li>• Employee contracts</li> <li>• Human Resource policies and procedures</li> <li>• Remuneration Information and Employee Benefits</li> <li>• Employees' travel and expense records</li> <li>• Leave records</li> <li>• Disciplinary and grievance records</li> <li>• Training records</li> <li>• Employment Equity Plan and reports</li> <li>• Job profiles</li> <li>• Remuneration             <ul style="list-style-type: none"> <li>○ Bonus and Incentives</li> <li>○ Performance evaluations</li> </ul> </li> <li>• Medical Aid</li> <li>• Pension Fund</li> <li>• Job competency profiles</li> <li>• General correspondence</li> </ul>
Customer	<ul style="list-style-type: none"> <li>• Customer details (Identity, addresses, contact, banking, debit orders etc.)</li> <li>• Contact details of individuals representing corporate customers</li> <li>• Communications/correspondence with customers</li> <li>• Transactional Information</li> <li>• Market Intelligence information</li> <li>• Debt and debtor information</li> <li>• Call Centre information</li> <li>• Customer liaison, complaints, and queries</li> <li>• General correspondence</li> </ul>
Marketing	<ul style="list-style-type: none"> <li>• New product and services development information</li> <li>• Advertising</li> <li>• General Correspondence</li> </ul>
Operations	<ul style="list-style-type: none"> <li>• Service orders</li> <li>• Installation and maintenance of products and services-             <ul style="list-style-type: none"> <li>○ Job cards</li> <li>○ Proof of delivery</li> <li>○ Proof of installation</li> </ul> </li> <li>• Stock management information             <ul style="list-style-type: none"> <li>○ Purchase</li> </ul> </li> <li>• Recoveries</li> </ul>

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Information Technology	<ul style="list-style-type: none"> <li>• Network Architecture Information</li> <li>• Information Technology Policies and Procedures</li> <li>• Network Diagrams</li> <li>• User Manuals</li> <li>• Network Quality information</li> <li>• Data Management System information</li> <li>• System security</li> </ul>
Legal and regulatory	<ul style="list-style-type: none"> <li>• Contracts/Agreements <ul style="list-style-type: none"> <li>○ Customer agreements</li> <li>○ Non-Disclosure agreements</li> <li>○ Letters of Intent and Memoranda of Understanding</li> <li>○ Supplier/Service Provider Contracts</li> <li>○ Independent Contractors/Agent/Business Partner Agreements</li> <li>○ Lease agreements</li> </ul> </li> <li>• Litigation Records</li> <li>• Regulatory <ul style="list-style-type: none"> <li>○ Electronic Communications License</li> <li>○ Submissions to the Independent Communications Authority of South Africa</li> <li>○ Administration of Legislation</li> <li>○ Annual report and license fees</li> </ul> </li> <li>• General correspondence</li> </ul>

Access to the documents listed above may be protected by privacy or the grounds of refusal set out in the PAIA and POPIA.

All requests for access will be evaluated on a case-by-case basis in accordance with the provisions of the relevant provisions of the PAIA and POPIA as well as other applicable legislation.

### **LEGISLATION IN TERMS OF WHICH INFORMATION IS HELD**

Huge Telecom holds information/documents in accordance with the following legislation, which is not an exhaustive list:

- Basic Conditions of Employment Act, No. 75 of 1997
- Companies Act, No. 61 of 1973
- Companies Act, No. 71 of 2008
- Compensation for Occupational Injuries and Diseases Act, No. 130 of 1993
- Consumer Protection Act, No.68 of 2008
- Customs and Excise Act, No. 91 of 1964
- Electronic Communications Act, No. 36 of 2005
- Electronic Communications and Transactions Act, No. 25 of 2002
- Employment Equity Act, No. 55 of 1998
- Income Tax Act, No. 58 of 1962

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- Independent Communications Authority of South Africa Act, No. 13 of 2000
- Labour Relations Act, No. 66 of 1995
- National Credit Act, No. 35 of 2005
- Occupational Health and Safety Act, No. 85 of 1993
- Pension Funds Act, 24 of 1956
- Promotion of Access to Information Act, No. 2 of 2000
- Regulation of Interception of Communications and Provision of Communication-related Information Act, No. 70 of 2002
- Skills Development Act, No. 97 of 1998
- Skills Development Levies Act, No. 9 of 1999
- South African Reserve Bank Act, No. 90 of 1989
- Unemployment Insurance Act, No. 63 of 2001
- Unemployment Insurance Contributions Act, No. 4 of 2002
- Value-Added Tax Act, No. 89 of 1991

### ACCESS REQUESTS

Huge Telecom has authorised and designated its Information Officer to deal with all matters relating to PAIA and POPIA and to ensure compliance with its obligations in terms of the mentioned legislation.

To request access to a record please complete Form C which is available

from <http://sahrc.org.za/home/21files/form%20C.doc%20aug%20202doc>

Please submit the completed form to Huge Telecom's Information Officer at the addresses and/or contact numbers above.

It is important to use the standard request form, failing which Huge Telecom may reject the request due to non-compliance with form requirements, resulting in the requester not receiving the requested information and/or unnecessary delays in the request processing time.

Please ensure that the completed form:

- Provide sufficient particulars to enable the Information Officer to identify the record/s requested,
- Provide sufficient proof of identity of the requester as well as the capacity (authority) in which the requester is making the request,
- Indicate which form of access is required,
- Specify a postal address, fax number or email address in the Republic of South Africa to which the response must be sent,
- Identify the right that the requester is seeking to exercise or protect,
- Provide an explanation of why the requested record is required for the exercise or protection of that right.

If a request is made on behalf of another person, the requester must submit proof of capacity/authority in which the requester is making the request, to the reasonable satisfaction of the Information Officer, as described above.

If the requester wishes to be informed of the decision regarding the request in any other manner, in addition to a written reply, the requester must specify that manner or format.

## GROUNDS FOR REFUSAL

Huge Telecom will always carefully consider a request for access to records/information in the most expeditious manner.

Huge Telecom may refuse a request for access to information/record as provided in PAIA, i.e.:

- To protect the privacy of a third party, who is a natural person,
- Protection of commercial information of a third party,
- Protection of certain confidential information of a third party,
- Protection of safety of individuals and protection of property,
- Protection of records privileged from production in legal proceedings,
- Commercial information of another Private Body,
- Protection of research information of third party and of the Private Body.

## APPLICABLE FEES

The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2) of the PAIA regulations, is R50,00.

The fees for reproduction referred to in regulation 11(1) of the PAIA are as follows:

	Description		Fee (ex Vat)
(a)	For every photocopy of an A4-size page or part thereof		R 1.10
(b)	For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form		R 0.75
(c)	For a copy in a computer-readable form on -		
	(i)	Memory stick	R 7.50
	(ii)	Compact disc	R 70.00
(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 A4-size page or part thereof	R20.00
	(ii)	For a copy of an audio record	R30.00
(f)		For time reasonably required for such search and preparation.	R30.00 p/h or part thereof
(g)		Access Fee – when requester is not the person to whom the record relates	R50.00
(h)		Deposit - one third of access fee to be paid by requester – only apply when six hours of preparation is exceeded	



## PROCESSING AND PROTECTION OF PERSONAL INFORMATION

This section of the manual complies with Regulation 4 of the 2018 regulations which were promulgated in terms of POPIA.

Huge Telecom processes personal information of several categories of data subjects for several purposes as set out below:

### Categories of data subjects

- Customers
- Prospective customers and/or sales leads
- Employees
- Contractors, service providers and suppliers
- Debtors and creditors
- Directors and shareholders

### Purpose of processing

- Provide Huge Telecom products and services,
- Conclude contracts with customers and manage customers in general,
- Manage customer credit in general which include billing and collection,
- Market products and services to current and prospective customers as well as sales leads,
- Process prospective customers, sales leads, and current customers' requests and/or complaints,
- Recruit, employ and manage employees in general,
- Manage service providers, suppliers, and contractors' contracts in general,
- Ensure integrity, accuracy and safeguarding of data subject's information/records,

### Categories of Personal Information

- Contact details – physical and postal addresses, phone numbers and email addresses,
- Personal details – names, identity numbers, nationality, banking details, debit order authorisation, credit vetting results,
  - In as far as employees are concerned, the following information, is processed in addition to the aforementioned - race, gender, marital status next of kin, curriculum vitae, education, skills and employment history.
- Information required to conclude contracts with a customer, employee, service provider, contractor, business partner,
- Debt and debtor as well as credit and creditor information

### Third party Disclosures

Huge Telecom might, in the ordinary course of business, have to disclose personal information of Huge Telecom Customers to third parties, such as Contractors, Service providers and Software Developers, Agents, and other licensed electronic communications operators (who are also Responsible Parties as defined in legislation) etc.

Huge Telecom commits to only disclose personal information to third parties where it is necessary to ensure continued quality provisioning of its products and services to its customers.

Huge Telecom shall also contractually ensure that such third parties undertake to deploy and manage adequate safeguards pertinent to the lawful processing and protection of such personal information.

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### **Data Subjects requests**

In terms of the POPIA, a data subject may make a request to Huge Telecom for access to or updating of personal information that Huge Telecom holds.

The right to access personal information also includes the right to object to or request the limitation of the processing of personal information on specific grounds.

The forms to lodge any of the aforementioned requests with Huge Telecom may be downloaded from its website <https://hugetelecom.co.za> or from [https://www.justice.gov.za/forms/paia/J752\\_paia\\_Form%20C.pdf](https://www.justice.gov.za/forms/paia/J752_paia_Form%20C.pdf)

### **Cross-border Transfers**

Huge Telecom does not generally do cross border information transfers.

However, in the unlikely event that cross border transfer of personal information is necessary and/or unavoidable, Huge Telecom shall ensure that the data protection and privacy laws of such countries to which personal information is transferred, are similar to the legislation in South Africa, and that the recipients of the personal information commit to the same standard of data protection as that which Huge Telecom has committed to.

### **Safeguarding:**

Personal information of data subjects in Huge Telecom's possession is safeguarded against unauthorised access and use, disclosure, alteration, damage and/or loss, by the deployment of reasonably practicable organisational and technological safeguards.

Huge Telecom also take reasonable steps to ensure the integrity, accuracy and updating of personal information held by it.

## **AVAILABILITY OF THIS MANUAL**

This Manual is available for inspection, inter alia, at Huge Telecom's offices at the physical address above, as well as at the offices of the South African Human Rights Commission (SAHRC).

This manual is also available on Huge Telecom's website, <https://hugetelecom.co.za>

## REVIEW AND UPDATE OF THIS MANUAL

This Manual may be updated and changed at the sole discretion of Huge Telecom at any time and the latest dated version is reflected at the bottom of each page of the Manual.



21-06-2021

Approved by  
The Managing Director/Information Officer

Date