

MiRO PAIA AND POPIA MANUAL

This manual was prepared in accordance with Section 51 of the Promotion of Access to Information Act, 2000 and to address the requirements of the Protection of Personal Information Act, 2013.

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22 Feb 2022	1.0		Drafting initial document

Divisional Directors: B W J Fieldgate (Chairman), M de Ru (Managing), C Wandrag, J B S Newton
A Division of Hudaco Trading Proprietary Limited Co. Registration No. 1984/005432/07
Directors: G R Dunford (Managing), C V Amoils, L F J Meiring, D Naidoo, N Mandindi

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1. Introduction

The Promotion of Access to Information Act, No. 2 of 2000 (the “Act”) was enacted on the 3rd of February 2000, giving effect to the constitutional right in terms of section 32 of the Bill of Rights contained in the Constitution of the Republic of South Africa 1408 of 1996 (the “Constitution”) of access to any information held by the state and any information that is held by another person and that is required for the exercise or protection of any rights

In terms of section 51 of the Act, all Private Bodies are required to compile an Information Manual (PAIA Manual)

Where a request is made in terms of the Act, the body to whom the request is made is obliged to release the information, subject to applicable legislative and or regulatory requirements, except where the act expressly proves that the information may be adopted when requesting information from a public or private body.

2. MiRO a division of Hudaco

Since MiRO was founded in South Africa in 2003, the company has grown to be amongst South Africa’s leading distributors of Wireless, Networking, VoIP and IP Video products. MiRO has the experience and a proven track record of supplying powerful, flexible, and scalable solutions to our client’s communication requirements. They are a responsible supplier to the growing IP convergence industries and focus heavily on supplying only best-of-breed products, providing strong after-sales service and technical support. We are actively involved in the legislation and self-regulation of the industries that we serve and are the market leader in South Africa with regards to local Type Approvals on our equipment, to ensure that the industry has access to a steady supply of legal products.

This PAIA Manual of MiRO is available at its premises: 9 landmarks avenue, Samrand, Centurion, as well as online at <https://miro.co.za>

3. Purpose of this Manual

The purpose of PAIA is to promote the right of access to information, to foster a culture of transparency and accountability withing MiRO by giving the right to information that is

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required for the exercise or protection of any right and to actively promote a society in which the people of South Africa have effective access to information to enable them to exercise and protect their rights

To promote effective governance of private bodies, it is necessary to ensure that everyone is empowered and educated to understand their rights in relation to public and private bodies

Section 9 of the Act recognises that the right to access information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to:

Limitation aimed at the reasonable protection of privacy

Commercial confidentiality and

Effective, efficient, and good governance

And in a manner which balances that right with any other rights, including such rights contained in the Bill of rights in the constitution

This PAIA manual complies with the requirements of guide mentioned in section 10 of the Act and recognises that upon commencement of the Protection of Personal Information Act 4 of 2013, that the appointed Information Regulator will be responsible to regulate compliance with the Act and its regulations by private and public bodies.

4. Definitions and Interpretations

The following terms shall have the meanings assigned to them hereunder and cognate expressions shall have corresponding meanings namely.

- **Consent** – means any voluntary, specific, and informed expression of will in terms of which permission is given for the processing of Personal Information
- **Biometrics** – meaning a technique of personal identification that is based on physical, physiological, or behavioural characterisation including blood typing, fingerprinting, DNA analysis, retinal scanning, and voice recognition
- **Data Subject** – means the natural or juristic person to whom Personal Information relates, such as an individual client, customer, employee, or a company that supplies the Company with products or other goods,

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- **De-Identify** – means to delete any information that identifies a Data Subject, or which can be used by a reasonably foreseeable method to identify, or when linked to other information, that identifies the Data Subject
- **Direct Marketing** – means to approach a Data Subject, either in person or by mail or electronic communication, for the direct or indirect purpose of:
 - Promoting or offering to supply, in the ordinary course of business, any goods or services to the Data Subject, or
 - Requesting the Data Subject to make a donation of any kind for any reason
- **Filing system** – means any structured set of personal information, whether centralised, decentralised or dispersed on functional or geographical basis, which is accessible according to specific criteria
- **Information officer** – means the person responsible for ensuring the company’s compliance with POPIA, which person will be registered with the Information Regulator established under POPIA prior to performing his or her duties
- **Operator** – means person who processes Personal Information for a Responsible Party in terms of a contract or mandate, without coming under the direct authority of that party. For example, a third-party service provider that has contracted with the company to shred documents containing Personal Information. When dealing with an operator, it is considered good practice for a responsible party to include an indemnity clause.
- **Personal Information** – means any information that can be used to reveal a person’s identity, and relates to an identifiable, living, natural person, and where applicable, an identifiable, existing juristic person (such as a company), including, but not limited to information concerning:
 - Race, gender, sex, pregnancy, marital status, national or ethnic origin, colour, sexual orientation, age, physical or mental health, disability, religion, conscience, belief, culture, language, and birth of a person
 - Information relating to the education or the medical, financial, criminal or employment history of the person,
 - Any identifying number, location information, online identifier, or other particular assignment to the person,
 - The biometric information of the person
 - The personal opinions, views, or preferences of the person
 - Correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the content of the original correspondence


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- The view or opinions of another individual about the person
- 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, and
- For the purposes of this policy include special Personal Information to the extent that same may be processed in terms of section 27 to 33 of POPIA
- **Policy applications** – means this policy and its guiding principles which apply to
 - The company as governing body
 - All branches, business units and divisions of the company
 - All employees and volunteers and
 - All contractors, suppliers, and other persons acting on behalf of the company
- **Policy purpose** - means the purpose of this policy is to protect the company from the compliance risk associate with the protection of personal information which includes
 - Breaches of confidentiality (for instance, the company could suffer revenue losses where it is found that the personal information of data subjects has been shared or disclosed inappropriately)
 - Failing to offer choice (for instance, all data subjects should be free to choose how and for what purpose the company uses information relating to them)
 - Reputation damage (for instance, the company could suffer a decline in shareholder value following an adverse event such as a computer hacker deleting the Personal Information held by the company)
- Demonstrating the Company’s commitment to protecting the privacy rights of Data subject in the following manner
 - Through stating desired behaviour and directing compliance with the provisions of POPIA and best practice,
 - By cultivating an organisational culture that recognises privacy as a valuable human right
 - By developing and implementing internal controls for the purpose of managing the compliance risk associated with the protection of personal information
 - By creating business practices that will provide reasonable assurance that the rights of data subjects are protected and balanced with the legitimate business needs of the company.
 - By assigning specific duties and responsibilities to control owners, including the appointment of an Information Officer and where necessary, Deputy

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- Information Officers, in order to protect the interest of the Company and Data subject
- By raising awareness through training and providing guidance to individuals who process Personal Information so that they can act confidently and consistently
 - **Processing** – means the act of processing information includes any activity or any set of operations whether or not by automatic means, concerning Personal information and includes
 - The collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation, or use
 - Dissemination by means of transmission, distribution or making available in any other form,
 - Merging, linking, as well as any restriction, degradations, erasure, or destruction of information
 - **Record** – means any recorded information, regardless of the form or medium, including:
 - Writing on any material
 - Information produced, recorded or stored by means of any tape-recorder, computer equipment, whether hardware or software or both, or other device, and any material subsequently derived from information so produced, recorded or stored
 - Label, marking or other writing that identifies or describes anything of which it forms part, or to which it is attached by any means
 - Book, map, plan, graph, or drawing
 - Photograph, film, negative, tape or other device in which one or more visual images are embodied to be capable, with or without the aid of some other equipment, of being reproduced.
 - **Re-identify** – in relation to the Personal Information of a data subject, means to resurrect any information that has been de-identified that identifies the data subject, or can be used or manipulated by a reasonably foreseeable method to identify the data subject
 - **Responsible party** – means the entity that needs the Personal Information for a particular reason and determines the purpose of and means for processing the personal information, in this case the company is the responsible party
 - **Special Personal Information** – means religious or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, health or sex life or

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biometric information of a data subject and criminal behaviour of a data subject to the extent that such information relates to the alleged commission of a data subject of any offence, or any proceeding in respect of any offence allegedly committed by a data subject or the disposal of such proceedings.

- **Unique identifier** – means any identifier that is assigned to a data subject and is used by a responsible party for the purposes of the operations of that responsible party, and that uniquely identifies that data subject in relation to that responsible party

5. Contact details of the Managing Director [section 51(1)(a)]

Managing Director:	Marco de Ru
Registered Address:	9 Landmarks ave, Samrand, Centurion
Postal Address	PO Box 4487, The Reeds, 0158
Telephone Number	012 657 0960
Website:	www.miro.co.za

6. Information and Deputy Information Officer(s) [Section 51(1)(b)]

The Act prescribes the appointment of an Information Officer for public bodies where such Information Officer is responsible to, inter alia, assess request for access to information. The head of a private body fulfils such a function in terms of section 51. MiRO has opted to appoint an Information Officer to assess such a request for access to information as well as to oversee its required functions in terms of the Act.

The information officer appointed in terms of the Act also refers to the Information Officer as referred to in the Protection of Personal Information Act 4 of 2013. The Information Officer oversees the functions and responsibilities as required for in terms of both this act as well as the duties and responsibilities in terms of section 55 of the protection of personal information act 4 of 2013 after registering with the information regulator.

The information officer may appoint, where it is deemed necessary, deputy information officers, as allowed in terms of section 17 of the act as well as section 56 of the protection of

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personal information act 4 of 2013. This is to render MiRO as accessible as reasonable possible for requestors of its records and to ensure fulfilment of its obligations and responsibilities as prescribed in terms of section 55 of the protection of personal information act 4 of 2013. All request for information in terms of this act must be addressed to the Information Officer.

Contact Details of the Information / Deputy Information Officer(s)

Information Officer	Marco de Ru
Physical address	9 landmarks ave, Samrand, Centurion
Telephone number	012 657 0960
Email:	marco@miro.co.za
Deputy Information officer	Corne Wandrag
Physical address	9 Landmarks ave, Samrand, Centurion
Telephone number	012 657 0960
Email:	corne@miro.co.za

7. Access to information using PAIA (Section 51(1))

PAIA 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 in terms of PAIA, the public body must be acting in the public interest.

Request in terms of PAIA shall be made in in accordance with the prescribed procedures, and the prescribed fees.

A guide on how to use PAIA is required to be compiled by the Information Regulator and when available, will be accessible (in various official languages) on the Information Regulator's website. All queries should be directed to:

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The Information Regulator of South Africa

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Postal Address: P.O Box 31533, Braamfontein, Johannesburg, 2017

E-mail: inforeg@justice.gov.za / complaints.IR@justice.gov.za

Website: www.justice.gov.za

Tel: +27 12 406 4818

Fax: +27 86 500 3351

8. Process of Personal Information

For Consumers:

- Performing duties in terms of any agreement with consumers
- Make, or assist in making, credit decisions about consumers
- Operate and manage consumers' accounts and manage any application, agreement or correspondence consumers may have with MiRO
- Communicating (including direct marketing) with consumers by email, SMS, Letter, telephone or in any other way about MiRO's products and services, unless consumers indicate otherwise
- To form a view of consumers as individuals and to identify, develop or improve products, that may be of interest to consumers
- Carrying out market research, business, and statistical analysis
- Performing other administrative and operational purposes including the testing of systems
- Recovering any debt consumers may owe MiRO
- Complying with MiRO's regulatory and other obligations
- Any other reasonably required purpose relating to the MiRO's business

For prospective consumers:

- Verifying and updating information

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- Pre-scoring
- Direct marketing
- Any other reasonably required purpose relating to the processing of a prospect's personal information reasonably related to MiRO's business

For Employees:

- The same purposes as for consumers (above)
- Verification of applicant employees'; information during recruitment process
- General matters relating to employees:
 - Pension
 - Medical aid
 - Payroll
 - Disciplinary action
 - Training
- Any other reasonably required purpose relating to the employment or possible employment relationship

For vendors / suppliers / third parties:

- Verifying information and performing checks
- Purposes relating to the agreement or business relationship or possible agreement or business relationships between the parties
- Payment of invoices
- Complying with MiRO's regulatory and other obligations, and
- Any other reasonably required purpose relating the MiRO's business

9. Categories of Data Subjects and Categories of Personal Information

- **Employees:**
 - Name, Surname, and contact details
 - Identity number and identity documents including passports
 - Employment history and references
 - Banking and financial details

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- Details of payments to third parties (deductions from salary)
- Employment contracts
- Employment equity plans
- Medical aid records
- Pension fund records
- Remuneration / salary records
- Performance appraisals
- Disciplinary records
- Leave records
- Training records
- **Consumers and prospective consumers (which may include employees)**
 - Postal and/ or street address
 - Title and name
 - Contact numbers and / or e-mail address
 - Ethic group
 - Employment history
 - Age
 - Gender
 - Marital status
 - Nationality
 - Language
 - Financial information
 - Identity or passport number
 - Browsing habits and click patterns on MiRO's website
- **Vendors / suppliers / third parties:**
 - Name and contact details
 - Identity and / or company information and directors' information
 - Banking and financial information
 - Information about products or services
 - Other information not specified, reasonably required to be processed for business operation


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10. Information Held by MiRO

MiRO maintains records on the following categories and subject matters. Note that recording a category or subject matter in this manual does not imply that a request for access to such records will be granted. All requests will be evaluated on a case-by-case basis in accordance with the provisions of the Act

Subject	Category
Companies Act Records	All Trust Deeds Documents of Incorporation Index names of Directors Memorandum of Incorporation Minutes of meetings of the board of directors Minutes of meeting of shareholders Roxy forms Register of debenture-holders Register of directors, shareholding Share certificates Share register and other statutory registers and / or records and or documents Special resolutions / resolutions passed at general and class meetings Records relating to the appointment of: Auditors Directors Prescribed Officer Public Officer and Secretary
Financial Records	Accounting records Annual financial reports Annual Financial Statements Asset Registers Bank Statements

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	<ul style="list-style-type: none"> Banking details and bank accounts Banking records Debtors / creditors statements and invoices General ledgers and subsidiary ledgers General reconciliation Invoices Paid cheques Policies and procedures Rental agreements and Tax returns
Income Tax Records	<ul style="list-style-type: none"> PAYE records Documents issued to employees for income tax purposes Records of payments made to SARS on behalf of employees All other statutory compliances VAT Regional Services Levies Skills Development Levies UIF Workman's Compensation
Personnel Documents and Records	<ul style="list-style-type: none"> Accident books and records Address Lists Disciplinary code and records Employee benefits arrangements rules and records Employment contract Employment equity plan Forms and applications Grievance procedures Leave records Medical aid records Payroll reports / wage register Pension fund records Safety, health and environmental records Salary records SETA records Standard letters and notices Training Manuals


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	<p>Training Records</p> <p>Workplace and Union agreements and records</p>
Procurement Department	<p>Standard Terms and Conditions for supply of services and products</p> <p>Contractor, client, and supplier agreements</p> <p>Lists of suppliers, products, services, and distribution and</p> <p>Policies and procedures</p>
Sales Department	<p>Customer details</p> <p>Credit application information</p> <p>Information and records provided by a third party</p>
Marketing Department	<p>Advertising and promotional material</p>
Risk management and audit	<p>Audit reports</p> <p>Risk management frameworks and</p> <p>Risk management plans</p>
Safety, health, and environment	<p>Complete safety, health, and environment risk assessment</p> <p>Environmental management plans</p> <p>Inquiries, inspections, examinations by environmental authorities</p>
IT Department	<p>Computer / mobile device usage policy documentation</p> <p>Disaster recovery plans</p> <p>Hardware asset registers</p> <p>Information security policies/ standards/ procedures</p> <p>Information technology systems and user manuals</p> <p>Information usage policy documentation</p> <p>Project implementation plans</p> <p>Software licensing and</p> <p>System documentation and manuals</p>
Corporate Social Responsibility	<p>SCR schedule of projects / record of organisations that receive funding,</p> <p>Reports, books, publications, and general information related to CSR spend</p>


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	Records and contracts of agreement with funded organisation
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Please note that the accessibility of the records may be subject to the grounds of refusal set out in this PAIA manual. Amongst other, records deemed confidential on the part of a third party, will necessitate permission from the third party concerned, in addition to normal requirements, before MiRO will consider access.

Records available without a request to access in terms of the Act:

- Records of a public nature, typically those disclosed on the MiRO’s website and in its various annual reports, may be accessed without the need to submit a formal application.
- Other non-confidential records, such as statutory records maintained at CIPC, may also be accessed without the need to submit a formal application, however, please note that an appointment to view such records will still have to be made with the Information Officer.

Other Legislation Records

- Basic Conditions of Employment Act No. 75 of 1997
- Companies Act No. 70 of 2008
- Labour Relations Act No. 66 of 1995
- Income Tax Act No. 58 of 1962
- Compensation for Occupational Injuries and Diseases Act No. 130 of 1993
- Electronic Communications and Transactions Act No. 25 of 2002
- Occupational Health and Safety Act No. 85 of 1993
- Promotion of Access to Information Act No. 2 of 2000
- Protection of Personal Information Act No. 4 of 2013
- Value Added Tax Act No. 89 of 1991
- Employment Equity Act No. 55 of 1998
- Unemployment Insurance Act No. 30 of 1996

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11. Request Procedure

- Records, whether specifically listed in this Manual or not, will only be made available subject to the provision of PAIA

Form of Request:

- The requester must use the prescribed form to make the request for access to a record, which form is attached hereto as Annexure A. This must be made to the Information Officer / Deputy Information Officer at the address or electronic mail address of the copy concerned.
- The requester must provide sufficient details on the request form to enable the Information Officer / Deputy Information Officer to identify the record and the Requester. The request should also indicate which form of access is required and specific a postal address, fax number or email address. The requester should also indicate if, in addition to a written reply, any other manner is to be used to inform the requester and state the necessary particular to be so informed.
- If a request is made on behalf of another person, the request must submit proof of the capacity in which the requester is making the request to the satisfaction of the head of the private body

Fees:

- Request Fees:**
 - The information officer / deputy information officer must by notice require the requester to pay the prescribed request fee (if any) before further processing the request
 - The fee that the requester must pay to a private body is R50.00. The requester may lodge an application to the court against the tender or payment of the request fee.
 - Access Fees and Fees for reproduction
 - If access to a record(s) is granted, the requester may be required to pay an access fee for the search for and preparation of the records and for reproduction of the record(s)
 - The access fees which apply are set out below. MiRO can refuse access until such fees have been paid

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	Reproduction	Fee
1	Fees for requesting Records (excluding exempt people in terms of the act)	R50.00
2	Information in an A-4 size page photocopy or part thereof	R1.10
3	A printed copy of an A4-size page or part thereof	R0.75
4	A copy in computer-readable format, for example: Compact disc	R70.00
5	A transcription of visual images, in an A4-size page or part thereof	R40.00
6	A copy of visual images	R60.00
7	A transcription of an audio record for an A4-size page or part thereof	R20.00
8	A copy of an audio record	R30.00
9	Search and preparation of the record for disclosure. Excluding the first hour reasonable required for the search and preparation	R30 per hour
10.	Postage Fee	Actual Fee Incurred


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Annexure A – 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
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:			
	copy of record*		inspection of record
2. If record consists of visual images			
this includes photographs, slides, video recordings, computer-generated images, sketches, etc)			
	view the images		transcription of the images*
		copy of the images"	

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3. If record consists of recorded words or information which can be reproduced in sound:			
listen to the soundtrack audio cassette		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 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:

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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

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