



PAIA AND POPIA MANUAL
OF
PAYCORP INVESTMENTS PROPRIETARY LIMITED
AND ALL SUBSIDIARIES
("Paycorp")

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Prepared in accordance with S51 of the Promotion of Access to Information Act, 2000 ("PAIA") as amended in terms of Section 110 of Protection of Personal Information Act, 2013 ("POPIA")

This Manual addresses data processing requirements set out in POPIA applicable to all South African individuals and juristic persons and the General Data Protection Regulation in respect of protection of data privacy applicable to individuals in the European Union (which in many respects resembles South Africa's POPIA).

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DEFINITIONS AND INTERPRETATION

Capitalised terms used in this Manual bear the meaning ascribed below:

Consent	Means any freely given, specific, informed and unambiguous indication given by the Data Subject via a statement or clear affirmative action, signifying agreement by the Data Subject.
De-identify	Means removing identifying particulars from information so a Data Subject cannot be identified from the information on hand.
Data Subject	Means the person to whom the Personal Information relates.
Form A	Means 'Form A' annexed hereto to be completed by a Requester and submitted to the Information Officer.
Form B	Means 'Form B' annexed hereto being a compliant form to be completed and submitted to the Information Officer if Paycorp fails to meet its obligations mentioned in this Manual or the Information Protection Laws.
GDPR	Means the General Data Protection Regulation which is the law on data protection and privacy in the European Union (and further addresses transfer of personal data outside the European Union).
Information Officer	Means the individual named in clause 4 of this Manual, who is responsible for overseeing our data protection strategy and its implementation to ensure compliance with Information Protection Laws. <i>In terms of GDPR the Information Officer is referred to as the 'Data Protection Officer'.</i>
Information Protection Laws	Means the core information protection and privacy legislation applicable to Paycorp's business being POPIA, PAIA and GDPR.
Manual	Means this PAIA and POPIA Manual.
PAIA	Means the Promotion of Access to Information Act, 2000, as amended from time to time.
Prescribed Fee	Means the fee payable by a Requester to Paycorp for providing requested information, determined on a case by case basis, in line with Information Protection Laws.
Paycorp/ Responsible Party	Means the entity that Processes Personal Information being Paycorp Investments Proprietary Limited, with registration no. 2019/300672/07 a private company registered in terms of the laws of South African and all its subsidiaries; and in terms of GDPR the controller which determines the purposes and means of the Processing of Personal Information.
Personal Information	In respect of GDPR and POPIA, means any information that relates to an identifiable, living, natural person. Personal Information in terms of POPIA further includes information that relates to an identifiable, existing juristic person (such as a company).
POPIA	Protection of Personal Information Act, 2013, as amended from time to time.
Processing/Process	The act of processing information includes any activity, involving Personal Information and includes: the collection; receipt; recording; organisation; collation; storage; updating or modification; retrieval; alteration; use; dissemination by means of transmission; distribution or making available in any other form; or merging, linking; as well as any restriction; degradation; erasure or destruction of information.
Requester	Means an individual that requests information in the form of a Record or Personal Information from Paycorp.
Record	Means information other than Personal Information.
Special Personal Information	Means Personal Information concerning the religious, philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, health or sex life or biometric information of a Data Subject or criminal behaviour relating to an alleged commission of an offence or proceedings/ disposal or proceedings in respect of an offence allegedly committed by a Data Subject.

1. INTRODUCTION

- 1.1. This Manual is published in terms of S51 of PAIA.
- 1.2. PAIA gives effect to Section 32 of the constitution, which provides for the legal right to access information held by public and private bodies, required for the exercise or protection of any rights. Where a request for information is made in terms of PAIA, the recipient is obliged to release the information, unless there are legal grounds to reject the request as set out in the Information Protection Laws, and in particular Chapter 4 of Part 2 of POPIA and Chapter 4 of Part 3 of PAIA.
- 1.3. POPIA gives effect to S14 of the constitution, being the right to privacy. In compliance with POPIA, a Responsible Party is required to inform Data Subjects how it Processes their Personal Information and the manner in which Data Subjects can access and determine how Paycorp Processes their Personal Information.
- 1.4. Paycorp follows data privacy and Processing standards that further comply with the European GDPR as it operates in Europe and processes information that belongs to EU individuals. The GDPR closely aligns with POPIA.

2. INTRODUCTION TO PAYCORP

Paycorp is a juristic person incorporated as a private company in terms of the company laws of the Republic of South Africa and conducts business as a payments services provider.

3. PURPOSE OF THE MANUAL

- 3.1. The Manual aims to facilitate requests for access to Records and Personal Information. Where this Manual does not deal with procedure provided for in PAIA, the Data Subject or any other interested party should consider PAIA for guidance in this regard.
- 3.2. Paycorp makes no representation and gives no undertaking or warranty that any Records or Personal Information provided by it to a Requester are complete, accurate or fit for any purpose.

4. CONTACT DETAILS OF THE INFORMATION OFFICER [Section 51(1)(a)]

Information Officer:	Quintin de Boer
Responsible Party:	Paycorp Investments Proprietary Limited
Street address:	Sandhaven Office Park; 14 Pongola Crescent; Eastgate Extension 17; Sandton 2199
Postal Address:	P O Box 76651, Wendywood, 2144
Telephone number:	011 531 5300
Email:	quintind@paycorp.co.za
Website address:	www.paycorp.co.za

5. SECTION 10 GUIDE ON HOW TO USE THE ACT (Section 51(1)(b))

The South African Human Rights Commission (as provided for in section 10 of PAIA) has compiled and published a "Guide on How to Use the Promotion of Access to Information Act 2 of 2000". This Guide will assist persons in using and understanding PAIA. The Guide can be accessed via the South African Human Rights Commission at 29 Princess of Wales Terrace, Corner York and St. Andrews Street, Parktown and on its website at www.sahrc.org.za. Any queries regarding this guide should be directed to the South African Human Rights Commission, PAIA Unit, The Research and Documentation Department, Private Bag X2700, Houghton, 2041, Telephone: 011 877 3600, Facsimile: 011 403 0625, Email: PAIA@sahrc.org.za.

6. SUBJECT AND CATEGORIES OF RECORDS HELD BY PAYCORP [Section 51 (1)(d)]

RECORDS THAT MAY BE REQUESTED	
We set out below the records that Paycorp holds. Access to the below information is subject to availability and procedure as set out in this Manual in clause 9.	
RECORDS OF PERSONNEL	
Records provided by personnel.	Availability Not readily available and must be requested in terms of PAIA.
Records provided by third parties relating to personnel.	
Employment contract.	
Internal evaluation records.	
Correspondence relating to personnel.	
Salary records.	
Leave records.	
<i>*Personnel refers to anyone acting on behalf of Paycorp, that receives or is entitled to receive remuneration and any other person who assists in carrying out or conducting the business of Paycorp, such as employees, agents and directors.</i>	
CLIENT RELATED RECORDS	
Records provided by clients in respect of the business of the clients, and in terms of contractual arrangements between Paycorp and clients.	Not readily available and must be requested in terms of PAIA.
Records provided by a third-party in respect of the clients.	
Records of the clients transactions created by Paycorp from time to time.	
WEBSITE	
Paycorp's website address is www.paycorp.co.za and is accessible to anyone who has access to the internet. The website contains various categories of information relating to Paycorp.	Readily available and accessible on the website.

7. RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION (Section 51(1)(c))

Where applicable to our operations, information is available in terms of certain provisions of the following legislation:

- 7.1. Labour Relations Act 66 of 1995
- 7.2. Employment Equity Act 55 of 1998
- 7.3. Basic Conditions of Employment Act 75 of 1997
- 7.4. Births and Deaths Registration Act 51 of 1992
- 7.5. Compensation for Occupational Injuries and diseases Act 130 of 1993
- 7.6. Companies Act 71 of 2008
- 7.7. Consumer Protection Act 68 of 2008
- 7.8. Criminal Procedures Act 51 of 1977
- 7.9. Unemployment Insurance Act 63 of 2001
- 7.10. Value Added Tax Act 89 of 1991
- 7.11. Income Tax Act 58 of 1962
- 7.12. Skills Development Act 9 of 1999
- 7.13. National Payment System Act 78 of 1998
- 7.14. Broad-Based Black Economic Empowerment Act 53 of 2003
- 7.15. Occupational Health and Safety Act 85 of 1993
- 7.16. Electronic Communications and Transactions Act 25 of 2002
- 7.17. Labour Relations Act 66 of 1995
- 7.18. Promotion of Access to Information Act 2 of 2000
- 7.19. Tax Administration Act 28 of 2011
- 7.20. Value Added Tax Act 89 of 1991

8. PROCESSING OF PERSONAL INFORMATION

8.1. PURPOSE OF PROCESSING

8.1.1. Our legal basis for Processing Personal Information include our business interests listed below, terms of contract, legal obligation and Consent. Whenever necessary and subject to statutory record-keeping requirements, Paycorp will delete and/or De-identify Personal Information that is no longer needed. Paycorp Processes Personal Information for the following limited purposes:

- 8.1.1.1. procurement of goods and services;
- 8.1.1.2. rendering services according to instructions given by clients;
- 8.1.1.3. staff administration;
- 8.1.1.4. maintaining of accounts and records;
- 8.1.1.5. complying with tax laws;
- 8.1.1.6. to conduct background and credit checks and assessments as required or permitted by applicable local law;
- 8.1.1.7. to contact third party references provided by you to evaluate your previous performances; and
- 8.1.1.8. in respect of legal and regulatory compliance, including obtaining and releasing Personal Information to comply with legal obligations imposed on us.

8.2. DESCRIPTION OF CATEGORIES OF DATA SUBJECTS AND INFORMATION RELATING TO THE DATA SUBJECTS WHICH MAY BE HELD BY PAYCORP FROM TIME TO TIME

Entity Type	Personal Information
Clients: Natural Persons	Names; contact details; physical and postal addresses; date of birth; ID number; nationality; gender; confidential correspondence.
Clients – Juristic Persons / Entities	Names of contact persons; name of legal entity; physical and postal address and contact details; financial information; registration number; founding documents; tax related information; authorised signatories, beneficiaries, ultimate beneficial owners.
Clients – Foreign Persons / Entities	Names; contact details; physical and postal addresses; date of birth; passport number tax related information; nationality; gender; confidential correspondence.
Intermediary / Advisor	Names of contact persons; name of legal entity; physical and postal address and contact details; financial information; registration number; founding documents; tax related information; authorised signatories, beneficiaries, ultimate beneficial owners.
Contracted Service Providers	Names of contact persons; name of legal entity; physical and postal address and contact details; financial information; registration number; founding documents; tax related information; authorised signatories, beneficiaries, ultimate beneficial owners.
Employees / Directors	Gender, pregnancy; marital status; colour, age, language, education information; financial information; employment history; id number; physical and postal address contact details; criminal behaviour; well-being. *Paycorp will only collect Special Personal Information about you when absolutely necessary for the recruitment process. We will only process this data if you have given your Consent for us to do so. *Other information, such as information found from public sources such as CIPC will only be Processed in the case of legitimate business interest such as those mentioned in clause 8.1.

8.3. TECHNICAL INFORMATION

When you access our services online, our web servers automatically create records of your visit. These records typically include IP-address, access times, the sites linked from pages visited, the links and features used, the content viewed or requested, browser or application type, language and other such information. When you use our services or otherwise interact with us over telecommunications networks, certain additional information, such as your mobile telephone number, may be transmitted to us by the telecommunications operator as a standard part of that communication.

8.4. CATEGORIES OF DATA PROCESSORS THAT PROCESS YOUR PERSONAL INFORMATION

- 8.4.1. Paycorp may supply Personal Information to service providers who render the following services:
 - 8.4.1.1. capturing and organising of data;
 - 8.4.1.2. storing of data;
 - 8.4.1.3. sending of emails and other correspondence to clients; and
 - 8.4.1.4. conducting due diligence checks.

8.5. ACTUAL OR PLANNED TRANS-BORDER FLOWS OF PERSONAL INFORMATION

- 8.5.1. Paycorp has trans-border flows of Personal Information as described below:
 - 8.5.1.1. we carry on business in Europe and Personal Information in respect of European clients are Processed in South Africa subject to strict data protection laws in line with the GDPR.
 - 8.5.1.2. Before signing an agreement with a third party service provider that we are required to share Personal Information with, we ensure that their data protection standards are in line with those outlined in Information Protection Laws and request that this obligation is provided for in writing.

8.6. GENERAL DESCRIPTION OF INFORMATION SECURITY MEASURES

- 8.6.1. The Company employs up to date technology to ensure the confidentiality, integrity and availability of Personal Information under its care. Measures include:
 - 8.6.1.1. firewalls;
 - 8.6.1.2. virus protection software and update protocols;
 - 8.6.1.3. logical and physical access control;
 - 8.6.1.4. secure setup of hardware and software making up the IT infrastructure; and
 - 8.6.1.5. Privacy Impact Assessments are formulated and conducted from time to time with regards to European Data Subjects.

8.7. RETENTION OF DATA

- 8.7.1. We understand our legal duty to retain accurate data and only retain personal data for as long as we need it for our business interests. Accordingly, we will routinely destroy/remove/De-identify Personal Information that we no longer have a business interest in maintaining.
- 8.7.2. We segregate our data so that we keep different types of information for different time periods. The criteria we use to determine whether we should retain your personal data includes:
 - 8.7.2.1. the nature of the personal data; and
 - 8.7.2.2. our legal obligations.
- 8.7.3. We may archive part of or all of your Personal Information, retain it or delete all or part of it from our systems.
- 8.7.4. We may De-identify parts of your data, particularly following a request for suppression or deletion of your Personal Information, to ensure that we do not re-enter your Personal Information onto our database, unless requested to do so.
- 8.7.5. Any data breach where your Personal Information was implicated will be communicated promptly to you by the Information Officer. A data breach means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, Personal Information transmitted, stored or otherwise Processed by Paycorp.

8.8. YOUR RIGHTS

- 8.8.1. You may choose to restrict the Processing of your information in the below ways by completing and submitting **Annexure "A"**:
 - 8.8.1.1. Request correction of the Personal Information that we hold about you.
 - 8.8.1.2. Request erasure of your Personal Information if there is no legitimate reason for us to continue Processing it.
 - 8.8.1.3. Object to Processing of your Personal Information where you are relying on a legitimate interest (or those of a third party).
 - 8.8.1.4. Object to Processing your Personal Information for direct marketing purposes.
 - 8.8.1.5. Request a restriction on the Processing of your Personal Information. This enables you to request a suspension of the Processing of Personal Information if for example you want us to establish its accuracy or the reason for Processing it.

9. PROCEDURE FOR REQUESTING ACCESS TO INFORMATION

9.1. REQUEST AND ACCESS TO RECORDS HELD BY PAYCORP

- 9.1.1. With regards to a Requester that seeks access to a record containing Personal Information about themselves/itself, Paycorp will give access to the record subject to, (1) actually having the record in our possession, (2) there being no justifiable reason for us to withhold the record, (3) receipt of a completed and legible Form A, (4) commissioned proof of identification, (5) commissioned affidavit setting out the Data Subjects legitimate rights and requirements and (6) payment of the Prescribed Fee (if any).

- 9.1.2. With regards to a Requester that seeks access to information of third parties, Paycorp will give access to the Requester provided that the release thereof is not prohibited in terms of the Information Protection Laws and subject to (1) receipt of payment of the Prescribed Fee, (2) a completed and legible Form A, (3) acceptable and commissioned proof of identification of both the Requester and third party in question, (4) a commissioned affidavit setting out the Data Subject's agency and the relevant rights and requirements, (5) proof of capacity, and any other information that the Investigating Officer may deem reasonably required in the circumstance.
- 9.1.3. If an individual is unable to complete the prescribed Form A because of illiteracy or disability, they may make the request orally.
- 9.1.4. All documentation accompanying Form A must be to the Investigating Officer's satisfaction.

9.2. DECISION

- 9.2.1. The Information Officer will, within 1 month of receipt of the request, decide whether to grant or decline the request.
- 9.2.2. The 30 day period may be extended for a further period if the request is for a large amount of information or the request requires a search for information held at another office of Paycorp and the information cannot reasonably be obtained within the original 30 day period. The Information Officer will notify the Requester in writing should an extension be sought.

10. REMEDIES AVAILABLE WHEN PAYCORP REFUSES A REQUEST FOR INFORMATION

10.1. COMPLAINTS AND EXTERNAL AND INTERNAL REMEDIES

After submitting a complaint in the form provided in **Form B** of this Manual, and where Paycorp is unable to resolve your complaint within one month (or extended period), to your satisfaction, you have the right to refer your complaint to the below details.

10.1.1. In respect of South African Data Subjects at:

The Information Regulator at Physical Address: 333 Hoofd Forum 111 3rd Floor Braampark Braamfontein, Johannesburg

Email: inforreg@justice.gov.za, Website: <https://justice.gov.za/inforeg/>

10.1.2. In respect of European Data Subjects at:

The supervisory authority, in the particular Member State of your habitual residence, place of work or place of the alleged GDPR infringement. See link that provides details of the list of supervisory authorities details https://edpb.europa.eu/about-edpb/board/members_en.

11. AVAILABILITY OF THIS MANUAL

- 11.1. This Manual is available for inspection by the general public, upon request, during office hours and free of charge at Paycorp's offices.
- 11.2. This Manual is also published on Paycorp's website www.paycorp.co.za.

FORM A: INFORMATION REQUEST AND/OR REQUEST TO DELETE, CORRECT OR DESTROY PERSONAL INFORMATION

A. Particulars of Data Subject requesting access to a Record/Personal Information	
1) Company Name/ Name and Surname per ID:	
2) Company registration number/ ID Number:	
3) Registered/Physical address:	
4) Postal Address if differs to the above:	
5) E-mail address:	
6) Telephone number:	
B. Particulars of Paycorp the Responsible Party	
Company Name:	Paycorp Group Investments Proprietary Limited
Company registration number:	2019/300672/07
Registered and Postal Address:	14 Pongola Crescent, Sandhavan Office Park, Sandton, Gauteng, South Africa
E-mail address:	informationofficer@paycorp.co.za
Telephone number:	011 531 5300
Attach: Proof of capacity in which request is made (if applicable), an Affidavit setting out the legitimate interests in the Record/Personal Information and commissioned Proof of Identity of Requester.	
C. Particulars of Record/ Personal Information	
<i>Provide full particulars of the Record/ Personal Information (information) to which access is requested, including the reference number if that is known to you, to enable the information to be located. 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.</i>	
1) Description of Record/ Personal Information or relevant part thereof:	
2) Reference number, if available:	
3) Any further particulars of Record/ Personal Information:	
C. Reason for request and instructions	
1) You require confirmation as to whether Paycorp holds any of your Records/Personal Information?	
2) You require copies of your Records/ Personal Information?	
3) You need to update your Personal Information that we hold of yours?	
4) You need Paycorp to delete or destroy any Personal Information that Paycorp holds of yours?	
5) You wish to object to Paycorp Processing your Personal Information?	
D. Prescribed Fees	
1) A request for access to a Record, about yourself, will be processed only after a request fee, being the Prescribed Fee, has been paid.	
2) You will be notified of the amount required to be paid as the request fee.	
3) 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.	
If you qualify for exemption of the payment of any fee, please state the reason for exemption:	

*If you requested a copy or transcription of a Record (above) or Personal Information, do you wish the copy or transcription to be posted to you?	YES	NO
E. Particulars of right to be exercised or protected <i>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.</i>		
1) Indicate which right is to be exercised or protected:		
2) Explain why the Record / Personal Information requested is required for the exercise or protection of the aforementioned right:		
<p>Signed at this day of 20</p>		
<p>_____ SIGNATURE OF REQUESTER AND IF APPLICABLE PERSON ON WHOSE BEHALF REQUEST IS MADE</p>		

FORM B: POPIA COMPLAINT FORM

Please note that Paycorp is committed to safeguarding your privacy and the confidentiality of your Personal Information. We endeavour to take all steps to adequately resolve your complaints to the best of our ability. *[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.]*

A. Particulars of Data Subject

1) Company Name/ Name and Surname per ID:	
2) Company registration number/ ID Number:	
3) Registered/Physical address:	
4) Postal Address if differs to the above:	
5) E-mail address:	
6) Telephone number:	

B. Particulars of Paycorp the Responsible Party

Company Name:	Paycorp Group Investments Proprietary Limited
Company registration number:	2019/300672/07
Registered and Postal Address:	14 Pongola Crescent, Sandhavon Office Park, Sandton, Gauteng, South Africa
E-mail address:	informationofficer@paycorp.co.za
Telephone number:	011 531 5300

C. Details of Complaint

D. Anticipated Outcome of Complaint

Submit to Information Officer

Signed at this day of 20

SIGNATURE OF COMPLAINANT