

PAIA MANUAL

For and in respect of the following companies:

**PAM GOLDING PROPERTIES (PTY) LTD, PAM GOLDING FRANCHISE SERVICES (PTY) LTD,
EAZIDOTCOM HOLDING COMPANY (PTY) LTD AND PAM GOLDING PROPERTIES AFRICA
(PTY) LTD AND THEIR SUBSIDIARIES (“PG GROUP”)**

THE PROMOTION OF ACCESS TO INFORMATION MANUAL

("Manual")

1. PREAMBLE

The Promotion of Access to Information Act, 2000 ("**PAIA**") came into operation on 9 March 2001. PAIA seeks, among other things, 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 and gives natural and juristic persons the right of access to records held by either a private or public body, subject to certain limitations, in order to enable them to exercise or protect their rights. Where a request is made in terms of PAIA to a private body, that private body must disclose the information if the requester is able to show that the record is required for the exercise or protection of any rights, and provided that no grounds of refusal contained in PAIA are applicable. PAIA sets out the requisite procedural issues attached to information requests.

Section 51 of PAIA obliges private bodies to compile a manual to enable a person to obtain access to information held by such private body and stipulates the minimum requirements that the manual has to comply with.

This Manual constitutes PG Group's PAIA manual and replaces all previous manuals compiled and published prior hereto in respect of any PG Group Entity. This Manual is compiled in accordance with section 51 of PAIA as amended by the Protection of Personal Information Act, 2013 ("**POPIA**"), which gives effect to everyone's Constitutional right to privacy. POPIA promotes the protection of personal information processed by public and private bodies, including certain conditions so as to establish minimum requirements for the processing of personal information. POPIA amends certain provisions of PAIA, balancing the need for access to information against the need to ensure the protection of personal information by providing for the establishment of an Information Regulator to exercise certain powers and perform certain duties and functions in terms of POPIA and PAIA, providing for the issuing of codes of conduct and providing for the rights of persons regarding unsolicited electronic communications and automated decision making in order to regulate the flow of personal information and to provide for matters concerned therewith.

This PAIA manual also includes information on the submission of objections to the processing of personal information and requests to delete or destroy personal information or records thereof in terms of POPIA.

VERSION	POLICY OWNER	DATE
1	PGP	[•]

2. **ABOUT THE PG GROUP**

Originally established by Pam Golding in 1976 the Pam Golding group of companies is now one of the largest real estate groups in South Africa with over 300 offices in Sub Saharan Africa and the elsewhere in the world. Pam Golding's son Andrew Golding, is the current Chief Executive Officer of Pam Golding Properties (Pty) Ltd ("**PGP**").

The PG Group covers a wide range of property related business interests including residential, commercial and industrial property sales, letting and management.

3. **THE APPLICATION OF THIS MANUAL**

4. The legal entities to which this Manual applies are the PG Group companies specified on the cover page of this Manual (including their subsidiaries) ("**PG Group Entity**")

5. The PG Group also conducts an extensive franchise operation throughout Southern Africa and while the franchisor would be an PG Group Entity, this Manual does not apply to the franchisees which are separate legal entities not owned or controlled by any PGP Group Entity. To the extent that information is requested pursuant to PAIA and POPIA, and is held by such franchisee, such request must be directed to that franchisee and not in terms of this Manual.

6. This manual also does not apply to any entity that may be associated with any PG Group Entity or its shareholders save as expressly confirmed and published in writing by the Information Officer.

7. **CONTACT DETAILS**

Name of Body:	Pam Golding Properties Proprietary Limited;
Designated Information Officer:	Richard Day
Email address of Information Officer:	Richard.Day@pamgolding.co.z a and copy (cc) to compliance@pamgolding.co.z a]
Postal address:	PO Box 53012 Kenilworth 7745
Street address:	Pam Golding on Main

Cnr Summerley and Main
Roads

Kenilworth

Phone number:

+27 21 710 1700

Fax number:

+27 21 762 1024

8. **INFORMATION REGULATORS GUIDES**

Official guides may be made available by the Information Regulator (established in terms of POPIA) to assist a person wishing to exercise a right of access to information in terms of PAIA and POPIA. Copies of these guides (as updated from time to time) will be available from the Information Regulator in the manner prescribed. Any enquiries regarding these guides should be directed to:

Postal Address: 33 Hoofd Street
Forum III, 3rd Floor Braampark
Braamfontein, Johannesburg

Telephone Number: [010 023 5200]

E-mail Address: inforeg@justice.gov.za

Website: <https://www.justice.gov.za/inforeg/>

9. **OBJECTIVES OF THIS MANUAL**

The objectives of this Manual are:

- to provide a list of all records held by the legal entity;
- to set out the requirements with regard to who may request information in terms of PAIA as well as the grounds on which a request may be denied;
- to define the manner and form in which a request for information must be submitted; and
- to comply with the additional requirements imposed by POPIA.

10. **ENTRY POINT FOR REQUESTS**

PAIA provides that a person may only make a request for information, if the information is required for the exercise or protection of a legitimate right.

Information will therefore not be furnished unless a person provides sufficient particulars to enable PGP to identify the right that the requester is seeking to protect as well as an explanation as to why the requested information is required for the exercise or protection of that right. The exercise of an individual's rights is subject to justifiable limitations, including the reasonable protection of privacy, commercial confidentiality and effective, efficient and good governance. PAIA and the request procedure contained in this Manual may not be used for access to a record for criminal or civil proceedings, nor should information be requested after the commencement of such proceedings.

The Information Officer has been delegated with the task of receiving and co-ordinating all requests for access to records in terms of PAIA, in order to ensure proper compliance with PAIA and POPIA.

The Information Officer will facilitate the liaison with the internal legal team on all of these requests.

All requests in terms of PAIA and this Manual must be addressed to the Information Officer using the details in paragraph 3 above.

11. **AUTOMATICALLY AVAILABLE INFORMATION**

Information that is obtainable via the websites (see below) about PG Group's business and activities is automatically available and need not be formally requested in terms of this Manual.

The following categories of records are automatically available for inspection, purchase or photocopying:

- PG Group advertising and marketing materials;
- Public listings (eg. Details of properties for sale and/or letting);
- PG Group newsletters and circulars;
- Information on hotels and lodges;
- Information on property developments;
- Website: www.pamgolding.co.za and www.eazi.com websites are available to anybody who accesses the Internet.

12. **INFORMATION AVAILABLE IN TERMS OF POPIA**

In terms of POPIA, personal information must be processed for a specified purpose. The purpose for which data is processed by a PG Group Entity will depend on the nature of the data and the particular data subject. This purpose is ordinarily disclosed, explicitly or implicitly, at the time the data is collected. Please also refer to the PG Group Privacy Statement on our website <https://www.pamgolding.co.za/privacy-policy> for further information.

12.1. Categories of personal information collected by PGP

PG Group collects the following categories of personal information

- contact details;
- company information;
- date of birth;
- education;
- electronic identification data:
- employment history; and
- financial information;
- gender;
- identity number and passport numbers;
- IP address;
- language;
- medical Information
- names;
- nationality;
- physical and postal addresses; and
- tax related information

12.2. The purpose of processing personal information

The type of personal information that we process will depend on the purpose for which it is collected. We will disclose to you why the personal information is being collected and will process the personal information for that purpose only.

12.3. A description of the categories of data subjects and of the information or categories of information relating thereto

PG Group Entities hold information and records on the following categories of data subjects:

- personnel of PG Group Entities;
- contractors of PG Group Entities;
- suppliers of PG Group Entities; and
- service providers of PGP Group Entities.

12.4. The recipients or categories of recipients to whom the personal information may be supplied

Depending on the nature of the personal information, PG Group Entities may supply information or records to the following categories of recipients:

- statutory oversight bodies, regulators or judicial commissions of enquiry making a request for data;
- any court, administrative or judicial forum, arbitration making a request for data or discovery in terms of the applicable rules (i.e. South African Revenue Services, or another similar authority and anyone making a successful application for access in terms of PAIA; and
- any person who conducts business with the PG Group, in the ordinary course of business

12.5. Planned transborder flows of personal information

PGP Group Entities may need to transfer a data subject's information to service providers in countries outside South Africa, in which case such PG Group Entity will fully comply with applicable data privacy and protection legislation. This may happen if the PG Group Entity's servers or suppliers and service providers are based outside South Africa, or if the PG Group Entity's services are hosted in systems or servers outside South Africa and/or if a data subject uses the PG Group Entity's services while visiting countries outside this area. These countries may not have data-protection laws which are similar to those of South Africa.

12.6. **A general description of information security measures to be implemented by PG Group**

PGP operates and implements appropriate technical and organisational measures designed to ensure that personal information under its control remains confidential and secure against unauthorised or unlawful processing and against accidental loss, destruction or damage.

This includes the use of authentication, authorisation and data segregation mechanisms for data access requests, in addition to enterprise grade firewalling, ransomware and malware protection software.

13. **INFORMATION AVAILABLE IN TERMS OF OTHER LEGISLATION**

Information is available in terms of certain provisions of the following legislation to the persons or entities specified in such legislation:

- *Administration of Estates Act 66 of 1965*
- *Basic Conditions of Employment Act 75 of 1997*
- *Close Corporations Act 69 of 1984*
- *Companies Act 61 of 1973*
- *Compensation for Occupational Injuries and Health Diseases Act 130 of 1993*
- *Copyright Act No. 98 of 1987*
- *Electronic Communications and Transaction Act 25 of 2002*
- *Employment Equity Act 55 of 1998*
- *Estate Agency Affairs Act 112 of 1976*
- *Financial Advisory and Intermediary Services Act 37 of 2002*
- *Financial Intelligence Centre Act 38 of 2001*
- *Income Tax Act 58 of 1962*
- *Insolvency Act No. 24 of 1936*
- *Labour Relations Act 66 of 1995*
- *Occupational Health & Safety Act 85 of 1993*
- *Pension Funds Act 24 of 1956*
- *Skills Development Act 97 of 1998*
- *Skills Development Levies Act 9 of 1999*
- *Stamp Duties Act 77 of 1968*
- *Unemployment Contributions Act 4 of 2002*
- *Unemployment Insurance Act 30 of 1966*
- *Value Added Tax Act 89 of 1991*

14. **CATEGORIES OF RECORDS AVAILABLE UPON REQUEST**

PGP (on behalf of the PG Group) maintains records on the categories and subject matters listed below either on behalf of or in conjunction with other PGP Entities. Please note that recording a category or subject matter in this Manual does not imply that a request for access to such records would be honoured. All requests for access will be evaluated on a case-by-case basis in accordance with the provisions of PAIA.

Please note further that many of the records held by a PG Group Entity are those of third parties, such as clients and employees and would constitute third party confidential information, which is not in the discretion of any PG Group Entity to disclose. In particular, where any PGP Group Entity acts as consultant, agent, broker or advisors to clients, many of the records held are confidential and others are the property of the client and not of the PGP Group. For further information on the grounds of refusal of access to a record please see paragraph 15.5 below. Requests for access to these records will be considered very carefully. Please ensure that requests for such records are carefully motivated.

Category of records	Records
<p>Internal records</p> <p>The records listed pertain to the relevant PG Group Entity's own affairs</p>	<ul style="list-style-type: none"> • Memoranda and Articles of Association • Financial records • Operational records • Intellectual property • Marketing records; • Internal correspondence; • Service records; • Statutory records; • Internal policies and procedures; • Minutes of meetings;
<p>Personnel records</p> <p>For the purposes of this section, "personnel" means any person who works for or provides services to or on behalf of a PG Group Entity and receives or is entitled to receive any remuneration and any other person who assists in carrying out or conducting the business of a PG Group Entity. This includes partners, directors, all permanent, temporary and part-time staff</p>	<ul style="list-style-type: none"> • Any personal records provided to us by our personnel; • Any records a third party has provided to us about any of their personnel; • Conditions of employment and other personnel-related contractual and quasi legal records; • Employment policies and procedures; • Internal evaluation and disciplinary records; and

Category of records	Records
as well as consultants and contract workers.	<ul style="list-style-type: none"> • Other internal records and correspondence.
Client-related records	<ul style="list-style-type: none"> • Contact details, property details, and other records provided or otherwise obtained in respect of clients and potential clients of a PG Legal Entity; • Contracts with the client and between the client and other persons.
<p>Other third party records</p> <p>Records are kept in respect of other parties, including without limitation joint ventures and consortia to which a PG Legal Entity is a party, contractors and sub-contractors, suppliers, service providers, and providers of information regarding general market conditions, market opportunities and trends. In addition, such other parties may possess records which can be said to belong to a PG Legal Entity.</p>	<ul style="list-style-type: none"> • Personnel, client, or a PG Legal Entity records which are held by another party as opposed to being held by a PG Legal Entity; and • Records held by a PG Legal Entity pertaining to other parties, including contact details, financial records, correspondence, contractual records, records provided by the other party, and records third parties have provided about the contractors or suppliers.
Other records	<ul style="list-style-type: none"> • Information relating to a PG Legal Entity; and • Research information belonging to a PG Legal Entity or carried out on behalf of a third party.

15. **REQUEST PROCEDURE**

15.1. **Completion of the prescribed form**

Any request for access to a record in terms of PAIA must substantially correspond with Form C of Annexure B to Government Notice No. R.187 dated 15 February 2002 and should be specific in terms of the record requested. (See appendix [C] hereto.)

A request for access to information which does not comply with the formalities as prescribed by PAIA will be returned to you.

POPIA provides that a data subject may, upon proof of identity, request the PG Legal Entity to confirm, free of charge, all the information it holds about the data subject and may request access to such information, including information about the identity of third parties who have or have had access to such information.

POPIA also provides that where the data subject is required to pay a fee for services provided to him/her, the PG Legal Entity must provide the data subject with a written estimate of the payable amount before providing the service and may require that the data subject pays a deposit for all or part of the fee.

Grounds for refusal of the data subject's request are set out in PAIA and are discussed below.

POPIA provides that a data subject may object, at any time, to the processing of personal information by a PG Legal Entity, on reasonable grounds relating to his/her particular situation, unless legislation provides for such processing. The data subject must complete the prescribed form attached hereto as Appendix 2 and submit it to the Information Officer at the postal or physical address, facsimile number or electronic mail address set out above.

A data subject may also request a PG Legal Entity to correct or delete personal information about the data subject in its possession or under its control that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading or obtained unlawfully; or destroy or delete a record of personal information about the data subject that a PG Legal Entity is no longer authorised to retain records in terms of POPIA's retention and restriction of records provisions.

A data subject that wishes to request a correction or deletion of personal information or the destruction or deletion of a record of personal information must submit a request to the Information Officer at the postal or physical address, facsimile number or electronic mail address set out above on the form attached hereto as Appendix [D].

15.2. Proof of identity

Proof of identity is required to authenticate your identity and the request. You will, in addition to this prescribed form, be required to submit acceptable proof of identity such as a certified copy of your identity document or other legal forms of identity.

15.3. Payment of the prescribed fees

There are two categories of fees which are payable:

- **The request fee:** R50
- **The access fee:** This is calculated by taking into account reproduction costs, search and preparation costs, as well as postal costs. These fees are set out in Appendix [B].

Section 54 of PAIA entitles a PG Legal Entity to levy a charge or to request a fee to enable it to recover the cost of processing a request and providing access to records. The fees that may be charged are set out in Regulation 9(2)(c) promulgated under PAIA.

Where a decision to grant a request has been taken, the record will not be disclosed until the necessary fees have been paid in full.

15.4. **Timelines for consideration of a request for access**

Requests will be processed within 30 (thirty) days, unless the request contains considerations that are of such a nature that an extension of the time limit is needed.

Should an extension be required, you will be notified, together with reasons explaining why the extension is necessary.

15.5. **Grounds for refusal of access and protection of information**

There are various grounds upon which a request for access to a record may be refused. These grounds include:

- the protection of personal information of a third person (who is a natural person) from unreasonable disclosure;
- the protection of commercial information of a third party (for example: trade secrets; financial, commercial, scientific or technical information that may harm the commercial or financial interests of a third party);
- if disclosure would result in the breach of a duty of confidence owed to a third party;
- if disclosure would jeopardise the safety of an individual or prejudice or impair certain property rights of a third person;
- if the record was produced during legal proceedings, unless that legal privilege has been waived;
- if the record contains trade secrets, financial or sensitive information or any information that would put that PG Legal Entity (at a disadvantage in negotiations or prejudice it in commercial competition); and/or

- if the record contains information about research being carried out or about to be carried out on behalf of a third party or by a PG Legal Entity.

Section 70 PAIA contains an overriding provision. Disclosure of a record is compulsory if it would reveal (i) a substantial contravention of, or failure to comply with the law; or (ii) there is an imminent and serious public safety or environmental risk; and (iii) the public interest in the disclosure of the record in question clearly outweighs the harm contemplated by its disclosure.

If the request for access to information affects a third party, then such third party must first be informed within 21 (twenty one) days of receipt of the request. The third party would then have a further 21 (twenty one) days to make representations and/or submissions regarding the granting of access to the record.

16. REMEDIES AVAILABLE TO A REQUESTER ON REFUSAL OF ACCESS

If the Information Officer decides to grant you access to the particular record, such access must be granted within 30 (thirty) days of being informed of the decision.

There is no internal appeal procedure that may be followed after a request to access information has been refused. The decision made by the Information Officer is final. In the event that you are not satisfied with the outcome of the request, you are entitled to apply to a court of competent jurisdiction to take the matter further.

Where a third party is affected by the request for access and the Information Officer has decided to grant you access to the record, the third party has 30 (thirty) days in which to appeal the decision in a court of competent jurisdiction. If no appeal has been lodged by the third party within 30 (thirty) days, you must be granted access to the record.

17. AVAILABILITY OF THIS MANUAL

Copies of this Manual are available for inspection, free of charge, at the offices of PGP and at [Pam Golding on Main, Cnr Main and Summerley Roads, Kenilworth]

APPENDIX A - FORM C: REQUEST FORM

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:

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2. Reference number, if available:

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3. Any further particulars of record:

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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:

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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 a 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:					
	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		copy of the images*		transcription of the images*
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
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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:

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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..... ofyear

.....
SIGNATURE OF REQUESTER /
PERSON ON WHOSE BEHALF REQUEST IS MADE