

PAIA MANUAL

SPOTTED APPLE CREATIVE MARKETING

This manual provides the necessary information for the Promotion of Access to Information Act No. 2 of 2002 (“Act”) to enable persons entitled to information (“you”) to gain access to information from Spotted Apple Creative Marketing (“we” or “us”).

DATE: 24 / 06 / 2021

▪ Preamble

The Promotion of Access to Information Act No 2 of 2000, (“the Act”) came into operation on 9 March 2001. Section 51 of the Act requires that we, as a private body, compile a manual giving information to the public regarding the procedure to be followed in requesting information from us for the purpose of exercising or protecting rights.

▪ Introduction to this private body

We are registered as a creative marketing company. Our primary business includes event management, public relations, branding and promotions, hampers and corporate gifts, entertainment and sponsorship management.

▪ Section 51 (1) (a) – Company and contact details

Name of business:	Spotted Apple Creative Marketing
Type:	CC (Close Corporation)
Registration number:	2006/130898/23
VAT number:	4250 260 223
Information Officer:	Lara Rossouw
Physical address:	12A President Steyn Street, Westdene, Bloemfontein, 9330
Postal address:	PO Box 38503, Langenhovenpark, Bloemfontein, 9330
Telephone:	+27 82 520 1946
Fax:	+27 86 511 7425
Website:	www.spottedapple.co.za
E-mail:	lara@spottedapple.co.za

▪ Section 51(1)(b) – The section 10 guide on how to use the Act

The Guide is produced and available from the South African Human Rights Commission.

Please direct queries to:

The South African Human Rights Commission: PAIA Unit

The Research and Documentation Department

Postal address:	Private Bag 2700, Houghton, 2041
Telephone:	+27 11 484 8300
Fax:	+27 11 484 0582
Website:	www.sahrc.org.za
E-Mail:	PAIA@sahrc.org.za

▪ Details of specific records and personal information held by Spotted Apple Creative Marketing

• PERSONNEL DOCUMENTS AND RECORDS

- Employment contracts
- Employee Information
- Payroll Records
- On boarding document
- Off boarding documents

Type of Information	Why we have this information	Where is it kept	Who has access to it
Full Name	As part of their legal contract with the company / Labour Lawyers	Directors office & Microsoft TODO	All staff (3)
ID Number	As part of their legal contract with the company / Labour Lawyers	Directors office & Microsoft TODO	All staff (3)
Residential Address	As part of their legal contract with the company / Labour Lawyers	Directors office	Director
Salary breakdown	As part of their legal contract with the company / for accountants	Directors office	Director & Accounts for payroll
Vehicle Registration Number	Security at premises	Directors office & Microsoft TODO	All staff (3)
Car license expiry date	To ensure that staff are driving licensed vehicles on behalf of the company	Directors office & Microsoft TODO	All staff (3)
Copy of driver's license	To ensure that staff who are driving on behalf of the company have a valid license	Directors office & Microsoft TODO	All staff (3)
Medical Aid details	In case of emergency	Directors office & Microsoft TODO	All staff (3)
Next of Kin details	In case of emergency	Directors office & Microsoft TODO	All staff (3)
Copy of ID document	To ensure they are above 18 and legally allowed to work. We also need this for income tax purposes / Labour Lawyers	Directors office & Microsoft TODO	All staff (3)
Pension Fund Details	Required by law	Director	Director
Banking details	For payroll purposes	Directors office	Director Accountants
General Employment documents and contracts	As part of their legal contract with the company / Labour Lawyers	Electronic information is stored on Microsoft OneDrive for Business	Director only

• TRADE SECRETS, DISCLOSURES AND NON-DISCLOSURES

Type of Information	Why we have this information	Where is it kept	Who has access to it
General Company information, trade secrets, disclosures and non-disclosures	We need to have access to certain information from clients and companies in order to propose and plan Promotional, PR and marketing campaigns.	Directors Office in a locked cupboard	Director

- **CONTRACTS**

- Client contracts

Type of Information	Why we have this information	Where is it kept	Who has access to it
Name of Company	For invoicing purposes	Locked storeroom on the company premises	All staff (3)
Name of owner	For contact purposes		
Postal Address	For invoicing purposes		
Physical Address	For invoicing & meeting purposes		
Registration Number	For invoicing purposes		
Vat Number	For invoicing purposes		

- Promoter Contracts

Type of Information	Why we have this information	Where is it kept	Who has access to it
Full Name	As part of their legal contract with the company / Labour Lawyers	Physical contracts are locked in the storeroom on the company premises Electronic information is stored on Microsoft OneDrive for Business	All staff (3)
Gender	To be selected according to clients target market		All staff (3)
Race	To be selected according to clients target market		All staff (3)
Contact number	For contact purposes		All staff (3)
Home city	In order to source work for the student in their home city during the holidays		All staff (3)
ID Number	As part of their legal contract with the company / Labour Lawyers / To verify their age to ensure they are 18 years or older to work		All staff (3)
Driver's License	To ensure that promoters who are driving on behalf of the company have a valid license		All staff (3)
Cell phone number	For contact purposes		All staff (3)
Field of study	To be selected according to product being promoted		All staff (3)
Email address	For contact purposes		All staff (3)
Social Media account	For vetting purposes		All staff (3)
Smoker	For vetting purposes		All staff (3)
Height	To create promoter profile for the client to ensure promoter meets their requirements		All staff (3) & Client
Hair colour	To create promoter profile for the client to ensure promoter meets their requirements		All staff (3) & Client
Shoe size	To ensure that the promoter clothes fit		All staff (3) & Client
Clothing size	To ensure that the promoter clothes fit	All staff (3) & Client	
Banking details	For payroll purposes	Director Accountants	

- **GENERAL INFORMATION**

- Supplier information

Type of Information	Why we have this information	Where is it kept	Who has access to it
Full name	For our staff to access for client quotes and proposals / Referral purposes – for which we have their permission	Electronic information is stored on	All staff (3)
Contact Number			
Email Address			

Field of business		Microsoft OneDrive for Business	
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- **DATABASES**

- Computicket sales database

Type of Information	Why we have this information	Where is it kept	Who has access to it
Full Name	Given to us by Computicket after show sales closed in order to build seating plans for the venue.	Electronic information is stored on Microsoft OneDrive for Business	All staff (3)
Contact Number			
Email address			

- General databases

Type of Information	Why we have this information	Where is it kept	Who has access to it
Full Name	Data given to us by the individual with permission in order to keep them updated of events and shows that we organise which they might be interested in attending	Electronic information is stored on Microsoft OneDrive for Business	All staff (3)
Contact Number			
Email address			

- **Security of online data and records**

- **MICROSOFT ONEDRIVE FOR BUSINESS**

- Spotted Apple electronic data is stored on Microsoft OneDrive for Business at South Africa North Data Centre
- The following people have access to the data:
 - Lara Rossouw (Owner of the business)
 - Wendy Thabethe
 - Ainslee Oosthuyen
 - Justin Mellet (OneDrive Administrator)
- How secure is the data
 - OneDrive for Business communications are protected using SSL/TLS. What this essentially means is that when you access, move, or copy data in OneDrive for Business, there are security controls in place to protect the data.
 - OneDrive for Business uses both disk-level and file-level encryption of data at rest to keep the actual content secure. The per-file encryption provides each encrypted file with a unique encryption key, and each further update to that file is encrypted using that key.
 - Password length is 17 Characters changes every 90 Days it does not follow previous passwords.
 - Two Factor Authentication on Lara, Wendy, and Justin`s phones (Lara and Wendy will be added before 30 June 2021)
 - 90 Day data retention policy of Microsoft on the OneDrive Business
 - Spotted Apple has virus programs in place to avoid hackers trying to hack our data
- Data backup
 - Acronis Cyber protect OneDrive get backed up every day with different increments of the changed data.
 - The emails of Lara Rossouw also get backed up every day.

- Just Mellet (Acronis Cyber protected One Drive administrator) has access to the backed up data
- **MICROSOFT TODO**
 - Microsoft To Do uses Exchange Online for data storage and synchronization, customers benefit from the reliability, security and compliance they've come to expect. Data is encrypted at rest on Exchange servers and in transit to and from the Microsoft To Do app on your browser or device.
 - More on security measures at Microsoft available at:
 - <https://privacy.microsoft.com/en-GB/>
 - <https://privacy.microsoft.com/en-GB/privacystatement>

▪ **Section 51 (1) (c) and 52 (2) Access to the records held**

The records generally available without a person having to request access are:

- our documents of incorporation;
- personnel contract (by said staff member only);
- supplier contract (by said supplier only);
- promoter contract (by said promoter only);

▪ **Section 50 Are you entitled to access to information?**

You may only be granted access to information to which you are entitled. In deciding this we will consider whether:

- you require the information in order to exercise or protect a right;
- you have complied with the procedural requirements of the Act; and
- the record you have requested contains any information that falls within the grounds for refusal of access to information.

▪ **Requests for Records**

Any request for access to other records must be made on the prescribed form (Form C), which appears below. Your request for information will be evaluated and you will be notified within 30 days of receipt of your request of our decision.

Notification of extension period (if required)

In terms of the Act the 30 (thirty) day period mentioned above may be extended for a further period of not more than 30 (thirty) days under certain circumstances. Should we need to extend this period, we will provide you with notification of such extension.

The request fee; access fee and/or deposit

You will be informed of the request and/or access fee (if any) that is payable for making a request or having access to the records. A deposit may be requested whilst your request is being considered for the access fee, which is fully refundable should your request be refused. You must pay the request and access fee prior to the information being provided to you.

Decision on request

Your request for information may be granted or refused. You will be informed accordingly. Should your request be refused you will be given adequate reasons for the refusal and you may lodge an application to court against the refusal of the request. We will also provide you with details of the procedure for such application to court.

Grounds for refusal

We may legitimately refuse to grant you access to a requested record (if the information does not hide a substantial breach of the law, or a public safety or environmental risk) that falls within any of the following grounds for refusal:

- we are protecting personal information that we hold about a third person (who is a natural person), including a deceased person, from unreasonable disclosure;
- we are protecting commercial information that we hold about a third party (for example trade secrets, financial, commercial, scientific or technical information where disclosure may harm the commercial or financial interests of that third party);
- the disclosure of the record would result in a breach of a duty of confidence owed to a third party in terms of an agreement; (do we have any non-disclosure documents anywhere??)
- the disclosure of the record would endanger the life or physical safety of an individual;
- the disclosure of the record would prejudice or impair the security of property or means of transport;
- the disclosure of the record would prejudice or impair the protection of a person in accordance with a witness protection scheme;
- the disclosure of the record would prejudice or impair the protection of the safety of the public;
- the record is privileged from production in legal proceedings, and the person entitled to legal privilege has not waived the privilege;
- the disclosure of the record (where the record contains trade secrets, financial, commercial, scientific, or technical information) would harm our commercial or financial interests;
- the disclosure of the record would put us at a disadvantage in contractual or other negotiations or prejudice us in commercial competition;
- The record is a computer programme; and
- the disclosure of the record (where the record contains information about research being carried out or to be carried out by or on behalf of us or a third party) would expose us, the third party, the person carrying out the research or the subject matter of the research itself to serious disadvantage.

Records that cannot be found or do not exist

If we have searched for a record and it is believed that the record either does not exist or cannot be found, you will be notified by way of an affidavit or affirmation of this fact. We will include information regarding the steps that were taken to try to locate the record.

Third party information

If access is requested to a record that contains information about a third party, you must provide specific written consent of the third party or show that you require the information in order to exercise or protect a right. We are obliged to attempt to contact the third party to inform them of your request. This enables the third party the opportunity to respond by either consenting to the access or by providing reasons why access should be denied. In the event of the third party furnishing reasons for the denial of access, we will consider these reasons in determining whether access should be granted or not, and advise you accordingly.

▪ Section 51(1)(f) – Other information as may be prescribed

The Minister of Justice and Constitutional Development has not made any regulations as to prescribed information in terms of this section of the Act.

▪ Section 51 (3) – Availability of the material

This manual is available:

- at our offices free of charge;
- on our website (www.spottedapple.co.za) free of charge;
- from the Human Rights Commission (see details above).

FORM C

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY

(Section 53(1) of the Promotion of Access to Information Act, 2000

(Act No. 2 of 2000))

[Regulation 10]

A. Particulars of private body

The Head:

.....
.....
.....

B. Particulars of person requesting access to the record

- The particulars of the person who requests access to the record must be given below.
- The address and/or fax number in the Republic to which the information is to be sent must be given.
- Proof of the capacity in which the request is made, if applicable, must be attached.

Full names and surname:

Identity number:

Postal address:

.....Fax number:.....

Telephone number:.....E-mail address:

Capacity in which request is made, when made on behalf of another person:.....

.....

C. Particulars of person on whose behalf request is made

This section must be completed ONLY if a request for information is made on behalf of another person.

Full names and surname:

.....

Identity number:

D. Particulars of record

- 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.
- If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

1. Description of record or relevant part of the record:

.....

.....

.....

2. Reference number, if available:

3. Any further particulars of record:

.....

E. Fees

- A 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 (if applicable).
- You will be notified of the amount required to be paid as the request fee (if applicable).
- 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.

Reason for exemption from payment of fees:

F. Form of access to record

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.

Disability:.....

Form in which record is required:.....

NOTES:

- Compliance with your request in the specified form may depend on the form in which the record is available.
- 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.
- The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

Mark the appropriate choice with an X.

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 (at the postal address provided in this point B)? Postage is payable.	Yes	No	

G. Particulars of right to be exercised or protected

If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

1. Indicate which right is to be exercised or protected:.....

2. Explain why the record requested is required for the exercise or protection of the aforementioned right:

H. Notice of decision regarding request for access

You will be notified in writing whether your request has been approved/denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request. How would you prefer to be informed of the decision regarding your request for access to the record?

.....

Signed at.....thisday of.....20

.....

SIGNATURE OF REQUESTER/PERSON ON WHOSE BEHALF REQUEST IS MADE