

Afferent Software

PAIA MANUAL

**Prepared in terms of section 51 of the
Promotion of Access to Information Act
2 of 2000 (as amended)**

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1. LIST OF ACRONYMS AND ABBREVIATIONS

- 1.1. "Afferent Software" means Afferent Software (Pty) Ltd, Registration Number 2016/076835/07
- 1.2. "CEO" means Chief Executive Officer
- 1.3. "Data Subject" means the person to whom Personal Information relates
- 1.4. "DIO" means Deputy Information Officer
- 1.5. "IO" means Information Officer
- 1.6. "Information Regulator" means the Information Regulator established in terms of section 39 of the Protection of Personal Information Act, 2013
- 1.7. "Minister" means Minister of Justice and Correctional Services
- 1.8. "PAIA"; "Act" means Promotion of Access to Information Act No. 2 of 2000 (as amended)
- 1.9. "Personnel" means any permanent, temporary and part time, contract workers, directors or officers of Afferent
- 1.10. "POPIA" means Protection of Personal Information Act No. 4 of 2013
- 1.11. "Regulator" means the Information Regulator
- 1.12. "Republic" means Republic of South Africa

2. PURPOSE OF THE PAIA MANUAL

The PAIA manual is useful for the public to:

- 2.1. check the categories of records held by a body which are available without a person having to submit a formal PAIA request;
- 2.2. have a sufficient understanding of how to make a request for access to a record of the body, by providing a description of the subjects on which the body holds records and the categories of records held on each subject;
- 2.3. know the description of the records of the body which are available in accordance with any other legislation;

- 2.4. access all the relevant contact details of the IO and DIO who will assist the public with the records they intend to access;
- 2.5. know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- 2.6. know if the body will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.7. know the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.8. know the recipients or categories of recipients to whom the personal information may be supplied;
- 2.9. know if the body has planned to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied; and
- 2.10. know whether the body has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

3. KEY CONTACT DETAILS

3.1. The Information Officer for Afferent Software is:

Name: Mullerine Ramdath
Telephone: +27 (0)21 300 3248
Email: hello@afferentsoftware.com
Website: <https://afferentsoftware.com>

3.2. Access to Information General Contacts:

Email: hello@afferentsoftware.com

3.3. Head Office

Postal Address: 8 Bridgeway Road, Century City, Milnerton, 7441
Physical Address: 8 Bridgeway Road, Century City, Milnerton, 7441
Telephone: +27 (0)21 300 3248
Email: hello@afferentsoftware.com
Website: <https://afferentsoftware.com>

4. ENTRY POINT FOR REQUESTS

- 4.1.** 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.
- 4.2.** Information will therefore not be furnished unless a person provides sufficient particulars to enable Afferent Software 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.
- 4.3.** The requester is required to comply with the procedural requirements in terms of the Act pertaining to a request for access.
- 4.4.** 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 PAIA 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.

5. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

- 5.1.** The Information Regulator has, in terms of section 10(1) of PAIA, as amended, updated, and made available the revised Guide on how to use PAIA ("Guide"), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.
- 5.2.** The Guide is available in each of the official languages and in braille.
- 5.3.** The aforesaid Guide contains the description of:
 - 5.3.1.** the objects of PAIA and POPIA;
 - 5.3.2.** the postal and street address, phone, and fax number and, if available, electronic mail address of:
 - 5.3.2.1.** the Information Officer of every public body, and
 - 5.3.2.2.** every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA²;
 - 5.3.3.** the manner and form of a request for:

- 5.3.3.1. access to a record of a public body contemplated in section 11³;
and
- 5.3.3.2. access to a record of a private body contemplated in section 50⁴;
- 5.3.4. the assistance available from the IO of a public body in terms of PAIA and POPIA;
- 5.3.5. the assistance available from the Regulator in terms of PAIA and POPIA;
- 5.3.6. all remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging:
 - 5.3.6.1. an internal appeal;
 - 5.3.6.2. a complaint to the Regulator; and
 - 5.3.6.3. an application with a court against a decision by the information officer of a public body, a decision on internal appeal or a decision by the Regulator or a decision of the head of a private body;
- 5.3.7. Information Regulator contact details:
 - Website: <https://info regulator.org.za>
 - Email: enquiries@info regulator.org.za;

PAIAComplaints@info regulator.org.za

¹ Section 17(1) of PAIA- *For the purposes of PAIA, each public body must, subject to legislation governing the employment of personnel of the public body concerned, designate such number of persons as deputy information officers as are necessary to render the public body as accessible as reasonably possible for requesters of its records.*

² Section 56(a) of POPIA- *Each public and private body must make provision, in the manner prescribed in section 17 of the Promotion of Access to Information Act, with the necessary changes, for the designation of such a number of persons, if any, as deputy information officers as is necessary to perform the duties and responsibilities as set out in section 55(1) of POPIA.*

³ Section 11(1) of PAIA- *A requester must be given access to a record of a public body if that requester complies with all the procedural requirements in PAIA relating to a request for access to that record; and access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*

⁴ Section 50(1) of PAIA- *A requester must be given access to any record of a private body if-*

- a) *that record is required for the exercise or protection of any rights;*
- b) *that person complies with the procedural requirements in PAIA relating to a request for access to that record; and*
- c) *access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*

- 5.3.8. the provisions of sections 14⁵ and 51⁶ requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
- 5.3.9. the provisions of sections 15⁷ and 52⁸ providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
- 5.3.10. the notices issued in terms of sections 22⁹ and 54¹⁰ regarding fees to be paid in relation to requests for access; and
- 5.3.11. the regulations made in terms of section 92¹¹.

⁵ Section 14(1) of PAIA- The information officer of a public body must, in at least three official languages, make available a manual containing information listed in paragraph 4 above.

⁶ Section 51(1) of PAIA- The head of a private body must make available a manual containing the description of the information listed in paragraph 4 above.

⁷ Section 15(1) of PAIA- The information officer of a public body, must make available in the prescribed manner a description of the categories of records of the public body that are automatically available without a person having to request access

⁸ Section 52(1) of PAIA- The head of a private body may, on a voluntary basis, make available in the prescribed manner a description of the categories of records of the private body that are automatically available without a person having to request access

⁹ Section 22(1) of PAIA- The information officer of a public body to whom a request for access is made, must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

¹⁰ Section 54(1) of PAIA- The head of a private body to whom a request for access is made must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

¹¹ Section 92(1) of PAIA provides that –“The Minister may, by notice in the Gazette, make regulations regarding- (a) any matter which is required or permitted by this Act to be prescribed;
(b) any matter relating to the fees contemplated in sections 22 and 54;
(c) any notice required by this Act;
(d) uniform criteria to be applied by the information officer of a public body when deciding which categories of records are to be made available in terms of section 15; and
(e) any administrative or procedural matter necessary to give effect to the provisions of this Act.”

- 5.4. Members of the public can inspect or make copies of the Guide from the offices of the public and private bodies, including the office of the Regulator, during normal working hours.
- 5.5. The Guide can also be obtained:
 - 5.5.1. upon request to the Information Officer;
 - 5.5.2. from the website of the Regulator
- 5.6. A copy of the Guide is also available in the following two official languages, for public inspection during normal office hours:
 - 5.6.1. English and Afrikaans

6. CATEGORIES OF RECORDS OF AFFERENT SOFTWARE WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

- 6.1. Information that is obtainable via the Afferent Software website about us is automatically available and need not be formally requested in terms of this PAIA manual.
- 6.2. The following categories of records are automatically available for inspection through <https://afferentsoftware.com>
 - 6.2.1. Products and services information
 - 6.2.2. Marketing and promotional materials
 - 6.2.3. Company news updates, such as highlighting industry achievements
 - 6.2.4. Public facing policies and notices, such as Privacy Policy, Terms and Conditions and the PAIA manual

7. DESCRIPTION OF THE RECORDS WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION

- 7.1. Afferent Software is required by law to keep records in terms of various Acts of Parliament. Please note that this list is not exhaustive.
 - 7.1.1. POPIA
 - 7.1.2. PAIA
 - 7.1.3. Companies Act 71 of 2008
 - 7.1.4. Basic Conditions of Employment Act 75 of 1997
 - 7.1.5. Labour Relations Act 66 of 1995
 - 7.1.6. Such other legislation as applicable from time to time

8. SUBJECTS AND CATEGORIES OF RECORDS THAT ARE HELD BY AFFERENT SOFTWARE

The categories of Data Subjects and of the information or categories of information relating thereto includes but is not limited to:

Data Subjects and Category of Personal Information	Reasons for Processing
<p>Employees, Contractors, Prospective Employees or Contractors</p> <ul style="list-style-type: none"> ● Name and contact details ● Identity number and identity documents ● Employment history and references ● Qualifications ● Employee number ● Banking details ● Employment or contracting contract ● Medical aid records ● Disciplinary records ● Remuneration/salary records ● Leave records ● Training records ● Other special personal information 	<ul style="list-style-type: none"> ● Verification of applicant's information during the recruitment and/or onboarding process ● General matters relating to Afferent Personnel, such as, but not limited to: <ul style="list-style-type: none"> ○ General HR ○ Medical aid ○ Payroll ○ Training and Development ○ Performance reviews ○ Disciplinary action ○ Any other reasonably required purpose relating to the employment, contracting or possible employment or contracting relationship
<p>Customers / Clients</p> <ul style="list-style-type: none"> ● Name and contact details ● Identity and/or company information, such as registration numbers and directors' information ● Financial information 	<ul style="list-style-type: none"> ● Complying with any relevant regulatory and/or legislative requirements ● Performing duties in terms of any agreement with the customer/client ● Any other reasonably required purpose relating to the business of Afferent
<p>Service Providers</p> <ul style="list-style-type: none"> ● Name and contact details ● Identity and/or company information, such as registration numbers and directors' information ● Financial information 	<ul style="list-style-type: none"> ● Complying with any relevant regulatory and/or legislative requirements ● Verification of information ● Purposes relating to the agreement or business relationship with the service provider ● Payment of invoices

9. PROCESSING OF PERSONAL INFORMATION

In terms of POPIA, Personal Information must be processed for a specific purpose. The purpose for which data is processed by Afferent 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 Afferent's Website Privacy and Cookie Policy at <https://afferentsoftware.com> for further information.

9.1. Purpose of Processing Personal Information

As mentioned in Section 8, the purposes for which we process personal information includes but is not limited to:

- 9.1.1. Recruitment and verification of information
- 9.1.2. To meet our responsibilities to our Personnel
- 9.1.3. Maintaining of records
- 9.1.4. Compliance with regulatory and legal requirements
- 9.1.5. General administration
- 9.1.6. Transacting with our suppliers and third party services providers
- 9.1.7. Rendering of services to our customer/clients

9.2. The recipients or categories of recipients to whom the Personal Information may be supplied

The recipients or categories of recipients to whom the personal information may be supplied includes but is not limited to those set out in our Privacy Policy.

- 9.2.1. Afferent Personnel
- 9.2.2. Any legal or juristic person with an appropriate legal basis
- 9.2.3. Third Party service providers

9.3. Planned transborder flows of Personal Information

Your Personal Information may be stored and processed in your region or another country where Afferent, our affiliates and service providers maintain servers and facilities, for example, but not limited to South Africa, the United Kingdom, and the United States. We take steps, including through contracts, intended to ensure that the information continues to be protected wherever it is located and, in a manner, consistent with the standards of protection required under the applicable laws.

9.4. Information Security of Personal Information

Afferent Software is committed to protecting your Personal Information and takes all reasonable steps to ensure the security of our systems. We implement technical and organisational measures to ensure a level of security that is appropriate to the risk to the personal information that we process. These measures are aimed at ensuring the integrity, confidentiality, and availability of personal information.

Information which we hold for you is stored on secure servers that are protected in controlled facilities. We will, on an on-going basis, continue to review our internal security controls and related processes to ensure that your personal information remains secure.

10. AVAILABILITY OF THE MANUAL

10.1. A copy of the Manual is available:

- 10.1.1. On the Afferent website, <https://afferentsoftware.com>
- 10.1.2. At the Afferent head office for public inspection during normal business hours
- 10.1.3. To any person upon request and upon the payment of a reasonable prescribed fee; and
- 10.1.4. To the Information Regulator upon request

10.2. A fee for a copy of the Manual, as contemplated in annexure B of the Regulations, shall be payable per each A4-size photocopy made

11. UPDATING OF THE MANUAL

We will update this manual from time to time. Any changes will be posted on this page with an updated revision date.