

**MANUAL PREPARED IN TERMS OF SECTION 51 OF
THE PROMOTION OF ACCESS TO INFORMATION ACT 2000
(ACT 2 OF 2000)**

Contents

1 INFORMATION REQUIRED UNDER SECTION 51(1) (a) OF THE ACT.....	1 2
DESCRIPTION OF GUIDE REFERRED TO IN SECTION 10.....	1 3
RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION	2 4
SUBJECTS AND CATEGORIES OF RECORDS HELD BY Deep Thought Marketing	2 5
PURPOSE OF PROCESSING OF PERSONAL INFORMATION.....	3 6
DATA SUBJECTS CATEGORIES AND THEIR PERSONAL INFORMATION.....	3 7
PLANNED RECIPIENTS OF PERSONAL INFORMATION.....	4 8
PLANNED TRANS-BORDER FLOWS OF PERSONAL INFORMATION.....	4 9
SECURITY MEASURES TO PROTECT PERSONAL INFORMATION.....	4 10
DETAIL ON HOW TO MAKE A REQUEST FOR ACCESS.....	4 11
AVAILABILITY OF THE MANUAL.....	5 12
FEES IN RESPECT OF PRIVATE BODIES.....	5 13
FORM C: REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY.....	7

**Note: This manual is based on the blueprint issued by the
South African Human Rights Commission (“SAHRC”)
amended to include the requirements of the POPI Act.**

1 INFORMATION REQUIRED UNDER SECTION 51(1) (a) OF THE ACT

Head of Deep Thought Marketing: Tony Lopes

Postal Address of head of Deep Thought Marketing: 32 Blairgowrie Drive, Blairgowrie, Randburg,
2194, South Africa

Street Address of head of Deep Thought Marketing: 32 Blairgowrie Drive,
Blairgowrie, Randburg, 2194, South Africa

Telephone No of Deep Thought Marketing +27 (74) 104-6848

E- Mail address of Deep Thought Marketing: tony@deepthoughtmarketing.com

Person designated to deal with requests (“the designated head”): Tony Lopes

E-mail address of the designated head: tony@deepthoughtmarketing.com

2 DESCRIPTION OF GUIDE REFERRED TO IN SECTION 10

A Guide has been compiled in terms of Section 10 of PAIA by the Human Rights Commission. It contains information required by a person wishing to exercise any right, contemplated by PAIA. It is available in all of the official languages.

The Guide is available for inspection, *inter alia*, at the office of the offices of the Human Rights Commission at Braampark Forum 3, 33 Hoofd St, Braampark, Johannesburg, 2017, Gauteng, South Africa and:

Website: www.sahrc.org.za.

E-mail: PAIA@sahrc.org.za

Postal address: Private Bag 2700, Houghton, 2041, Gauteng, South Africa

Telephone: +27 (0)11 877 3600

From 1 July 2021 the contact details will be for

Information Regulator South Africa
JD House, 27 Stiemens Street
Braamfontein, Johannesburg, 2001

P.O Box 31533
Braamfontein, Johannesburg, 2017
General enquiries email: infoereg@justice.gov.za.

3 RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION

Records available in terms of other legislation are as follows:

- Basic Conditions of Employment Act No. 75 of 1997
- Broad-based Black Economic Empowerment Act No. 53 of 2003
- Companies Act No. 71 of 2008 and Applicable Regulations
- Compensation for Occupational Injuries and Health Diseases Act No. 130 of 1993
- Electronic Communications and Transactions Act No. 25 of 2002
- Employment Equity Act. No. 55 of 1998
- Income Tax Act No. 58 of 1962
- Labour Relations Act No. 66 of 1995
- 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
- Skills Development Act No. 97 of 1998
- Skills Development Levies Act No. 9 of 1999
- Unemployment Insurance Act No. 63 of 2001
- Unemployment Insurance Contributions Act No. 4 of 2002
- Value Added Tax Act No. 89 of 1991

4 SUBJECTS AND CATEGORIES OF RECORDS HELD BY Deep Thought Marketing

General information about Deep Thought Marketing can be accessed via the internet on www.deepthoughtmarketing.com which is available to all persons who have access to the internet.

The subjects on which the private body holds records and the categories on each subject in terms of Section 51(1)(e) are as listed below. Please note that a requester is not automatically allowed access to these records and that access to them may be refused in accordance with Sections 62 to 69 of the Act:

1. COMPANIES ACT RECORDS

- Documents of incorporation
- Memorandum and Articles of Association
- Minutes of Members meetings

- Records relating to the appointment of members/ public officer and other officers •
- Share Register and other statutory registers

Deep Thought Marketing PAIA Manual as at 12 April 2021 Page 2

2. FINANCIAL RECORDS

- Annual Financial Statements
- Tax Returns
- Accounting Records
- Banking Records
- Bank Statements
- Paid Cheques
- Electronic banking records
- Asset Register
- Invoices

3. INCOME TAX RECORDS

- PAYE Records
- Documents issued to employees for income tax purposes •
- Records of payments made to SARS on behalf of employees •
- UIF
- Workmen's Compensation

4. PERSONNEL DOCUMENTS AND RECORDS

- Employment contracts
- Medical Aid records
- Salary records
- Leave records
- Training records
- Training Manuals

5. SALES DEPARTMENT

- Customer details

6. MARKETING DEPARTMENT

- Advertising and promotional material

7. IT DEPARTMENT

- Information technology systems and user manuals

5 PURPOSE OF PROCESSING OF PERSONAL INFORMATION •

To support sales and marketing activities

- To support recruitment and management of staff
- To support engagement with suppliers
- To support engagement with the general public
- To support engagement with investors and the media

6 DATA SUBJECTS CATEGORIES AND THEIR PERSONAL INFORMATION •

Customers: record of customer life cycle

- Employees: record of employee life cycle
- Suppliers: record of supplier life cycle
- General public: tracking general enquiries and web site visits via cookies

Deep Thought Marketing PAIA Manual as at 12 April 2021 Page 3

- Media: records of media interactions

7 PLANNED RECIPIENTS OF PERSONAL INFORMATION

- Statutory authorities
- Law enforcement
- Tax authorities
- Financial institutions
- Medical schemes
- Employee pension and provident funds
- Industry bodies

8 PLANNED TRANS-BORDER FLOWS OF PERSONAL INFORMATION

- Flows to service providers/operators through social media and cloud services •
- Flows to business partners
- Flows to customers
 - Flows to suppliers
 - Flows through the use of social media

9 SECURITY MEASURES TO PROTECT PERSONAL INFORMATION

Deep Thought Marketing has implemented a number of security measures to protect personal information processed by Deep Thought Marketing as the Responsible Party in terms of the POPI Act, #4 of 2013:

- Physical security measures
- Cyber security measures
- Training in information security
- Policies in information security
- Audits of information security

10 DETAIL ON HOW TO MAKE A REQUEST FOR ACCESS

The requester must complete Form C and submit this form together with a request fee, to the head of Deep Thought Marketing. The form must be submitted to the head of Deep Thought Marketing at his address, fax number, or electronic mail address as stated earlier in this manual.

Form of request:

- The requester must use the prescribed form, as attached in terms of Article 8 of this manual, to make the request for access to a record. This must be made to the designated head. This request must be made to the address, fax number or electronic mail address of the body concerned [s 53(1)].
- The requester must provide sufficient detail on the request form to enable the designated head to identify the record and the requester.
- The requester should indicate which form of access is required.
- The requester should indicate if any other manner is to be used to inform the requester and state the necessary particulars to be so informed [s 53(2)(a) and (b) and (c)].

- The requester must identify the right that is sought to be exercised or to be protected and provide an explanation of why the requested record is required for the exercise or protection of that right [s 53(2)(d)].
- If a request is made on behalf of another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the designated head of the private body [s 53(2)(f)].
- A requester who seeks access to a record containing personal information about that requester is not required to pay the request fee.
 - Every other requester, who is not a personal requester, must pay the required request fee.

Deep Thought Marketing PAIA Manual as at 12 April 2021 Page 4

- The designated head of the private body must notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed fee (if any) before further processing the request [s 54(1)].
- The fee that the requester must pay to a private body is currently R50,00. The requester may lodge an application to the court against the tender or payment of the request fees 54(3)(b). • After the designated head of the private body has made a decision on the request, the requester must be notified in the required form.
- If the request is granted then a further access fee must be paid for the search, reproduction, preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure [s 54(6)].

11 AVAILABILITY OF THE MANUAL

This manual is available for inspection at the office of Deep Thought Marketing free of charge.

12 FEES IN RESPECT OF PRIVATE BODIES

The following is a breakdown of the fees structure for the purposes of determining the manner in which fees relating to a request for access to a record of a private body are to be calculated:

Part III of Regulation 187 published in the Government Gazette on the 15 February 2002:

1. The fee for a copy of the manual as contemplated in regulation 9(2)(c) is R1,10 for every photocopy of an A4-size page or part thereof.
2. The fees for reproduction referred to in regulation 11(1) are as follows:
 - a. (a) For every photocopy of an A4-size page or part thereof R1,10
 - b. (b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form R0, 75
 - c. (c) For a copy in a computer-readable form on - (i) stiffy disc R 7, 50; (ii) compact disc R 70,00
 - d. (d) (i) For a transcription of visual images, for an A4-size page or part thereof R 40,00, (ii) For a copy of visual images R 60,00
 - e. (e) (i) For a transcription of an audio record, for an A4-size page or part thereof R 20,00; (ii) For a copy of an audio record R 30,00
3. The request fee payable by a requester, other than a personal requester, referred to in Regulation 11(2) is R50,00.
4. The access fees payable by a requester referred to in Regulation 11(3) are as follows:
 1.
 - a) For every photocopy of an A4-size page or part thereof R 1,10;
 - b) For every printed copy of an A4-size page or part; thereof held on a computer or in electronic

or machine-readable form R 0,75;

c) For a copy in a computer-readable form on - (i) floppy disc R 7,50; (ii) compact disc R 70,00 d) (i) For a transcription of visual images, for an A4-size page or part thereof R 40,00; (ii) For a copy of visual images R 60,00

e) (i) For a transcription of an audio record, for an A4-size page or part thereof R 20,00; (ii) For a copy of an audio record R 30,00

f) To search for and prepare the record for disclosure, R30,00; for each hour or part of an hour reasonably required for such search and preparation.

2. For purposes of section 54(2) of the Act, the following applies:

Deep Thought Marketing PAIA Manual as at 12 April 2021 Page 5

• (a) Six hours as the hours to be exceeded before a deposit is payable; and • (b) one third of the access fee is payable as a deposit by the requester.

3. The actual postage is payable when a copy of a record must be posted to a requester.

Deep Thought Marketing PAIA Manual as at 12 April 2021 Page 6
13 FORM C: REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY

In terms of 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 (name of body):

B. Particulars of person requesting access to the record

(a) The particulars of the person who requests access to the record must be given below. (b) The address and/or fax number in the Republic to which the information is to be sent must be given. (c) 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

(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:

_____ 2. Reference number, if available:

3. Any further particulars of record: _____

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: _____

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:

- (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 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 file)
- transcription of soundtrack (written or printed document)

4. If record is held on computer or in an electronic or machine-readable form:

Deep Thought Marketing PAIA Manual as at 12 April 2021 Page 8

- 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 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 _____ this _____ day of _____

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

