



**EPSIDON**  
Technology Holdings™

# PAIA MANUAL

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In terms of The Promotion of Access to Information Act 2 of 2000

(Herein referred the as “the Act”)

**In Re:**

**EPSIDON TECHNOLOGY HOLDINGS (PTY) LTD**

**AND ITS AFFILIATED COMPANIES**

Registration Number: 2012/040781/07

(Herein referred to as “the Company”)

Legal Division

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This document (including but not limited to manuals, policies, procedures, forms referenced or included herein) applies to all Affiliated Companies of Epsidon Technology Holdings (Pty) Ltd (collectively referred to as the "Epsidon Technology Group").

"Affiliated Company(ies)" means, in relation to Epsidon Technology Holdings (Pty) Ltd, a subsidiary of this entity, or any division or operating branch of each subsidiary of this entity and all of its subsidiaries. Including but not limited to:

- Epsidon Technology Distribution (Pty) Ltd
- Epsidon Management and Marketing Consultancy (Pty) Ltd
- Cloud Brokerage Services (Pty) Ltd
- The Linux Warehouse (Pty) Ltd
- Even Flow Distribution (Pty) Ltd
- First Device Management Technology (Pty) Ltd
- Nology (Pty) Ltd

\* This list is subject to amendment at the sole discretion of the Epsidon Technology Holdings (Pty) Ltd and will include all affiliates whether listed or not.

## 1. INTRODUCTION

The Company is a non-trading holding company for various entities and subsidiaries that form part of the Epsidon Technology Group.

This PAIA Manual applies to all wholly owned subsidiaries of the Company.

### COMPANY CONTACT DETAILS: SECTION 51(1)(A)

Group Chief Executive Officer	Mrs Debra Abrahall
Head of Group Risk and Compliance	Mr Mekail Ramjee
Head of Group Legal	Mr Richard Hammond
Postal Address	P.O Box 76014, Wendywood, 2144
Registered Address	26 Augrabies Road, Waterfall Office Park, Midrand, Gauteng
Telephone Number	(+27) 11 540 2640
E-mail	<a href="mailto:debbie.abrahall@firstdistribution.com">debbie.abrahall@firstdistribution.com</a> <a href="mailto:Richard.hammond@firstdistribuiton.com">Richard.hammond@firstdistribuiton.com</a> <a href="mailto:legal.enquiries@firstdistribution.com">legal.enquiries@firstdistribution.com</a> <a href="mailto:mekailr@firsttech.co.za">mekailr@firsttech.co.za</a>

- Contact details of directors may be requested by submitting a written request for such details to [legal.enquiries@firstdistribution.com](mailto:legal.enquiries@firstdistribution.com)

## 2. THE ACT: SECTION 51(1)(B)

- 2.1 The Act grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights that the requester may have. If a public body lodges a request, the public body must be acting in the public interest.
- 2.2 Requests in terms of the Act shall be made in accordance with the prescribed procedures and be subject to the prescribed rates. The forms and tariff are dealt with in paragraphs 6 and 7 of the Act.
- 2.3 Requesters are referred to the PAIA Guide compiled by the South African Human Rights Commission. Section 10 of the PAIA Guide will contain information for the purpose of exercising Constitutional Rights. The PAIA Guide is available from the South African Human Rights Commission.
- 2.4 The contact details of the South African Human Rights Commission are as follows:

Postal Address : Private Bag 2700, Houghton, Johannesburg, 2041  
 Telephone Number : (+27)11 877 3600  
 Fax Number : (+27)11 403 0625  
 Website : [www.sahrc.org.za](http://www.sahrc.org.za)

## 3. S52(2) NOTICE: Section 51(1)(C)

At date of signature of this manual no notices relevant to the Company have been published by the Minister of Justice and Constitutional Development under section 52(2) of the Act.

## 4. APPLICABLE LEGISLATION: SECTION 51(1)(D)

<u>NO.</u>	<u>ACT</u>	<u>REFERENCE</u>
1.	Basic Conditions of Employment Act	No. 75 of 1997
2.	Companies Act	No. 61 of 1973
3.	Compensation for Occupational Injuries and Diseases Act	No. 130 of 1993
4.	Copyright Act	No. 98 of 1978
5.	Electronic Communications and Transactions Act	No. 25 of 2002
6.	Employment Equity Act	No. 55 of 1998
7.	Income Tax Act	No. 95 of 1967

8.	Labour Relations Act	No. 66 of 1995
9.	National Environmental Management Act	No. 107 of 1998
10.	Promotion of Access of Information Act	No. 2 of 2000
11.	Protection of Personal Information Act	No. 4 of 2013
12.	Public Holidays Act	No. 36 of 1994
13.	Unemployment Insurance Act	No. 30 of 1996
14.	Value Added Tax Act	No. 89 of 1991

**5. SCHEDULE OF RECORDS HELD BY THE COMPANY:  
SECTION 51(1)(E)**

<b>RECORDS</b>	<b>SUBJECTS</b>	<b>AVAILABILITY</b>
Companies Act Records	<ol style="list-style-type: none"> <li>1. Documents of Incorporation</li> <li>2. Share Certificates</li> <li>3. Company Registration Documents</li> </ol>	Request in terms of PAIA
Financial Records	<ol style="list-style-type: none"> <li>1. Financial Statements</li> <li>2. Financial and Tax Records (Company and employees)</li> <li>3. Accounting Records</li> <li>4. Banking Records</li> <li>5. Rental Agreements</li> <li>6. Invoices</li> </ol>	Request in terms of PAIA
Income Tax Records	<ol style="list-style-type: none"> <li>1. PAYE Records</li> <li>2. Documents issued to employees for Income Tax purpose</li> <li>3. Records of payments made to SARS on behalf of employees</li> <li>4. All other statutory documentation related to:               <ol style="list-style-type: none"> <li>a. VAT</li> <li>b. UIF</li> <li>c. Workmen's Compensation</li> </ol> </li> </ol>	Request in terms of PAIA
	<ol style="list-style-type: none"> <li>1. Employment Contracts</li> </ol>	

Personal Documents and Records	<ol style="list-style-type: none"> <li>2. Employment Equity Plan</li> <li>3. Medical Aid Records</li> <li>4. Retirement Annuity Records</li> <li>5. Disciplinary Records</li> <li>6. Salary Records</li> <li>7. Disciplinary code</li> <li>8. Leave Records</li> <li>9. Training Records</li> <li>10. Training Manuals</li> </ol>	Request in terms of PAIA
Contractual Records	<ol style="list-style-type: none"> <li>1. Written Contracts</li> <li>2. Memorandum of Undertaking relating to the commercial trading activities of the Company</li> </ol>	Request in terms of PAIA

## 6. PROCEDURE TO FOLLOW WHEN SUBMITTING A REQUEST FOR ACCESS: SECTION 53(1)

- 6.1 The requester must complete Form C and submit this form together with request fee, to the Head of Group Risk and Compliance and/or Head of Group Legal;
- 6.2 The form must be submitted to the Head of Group Risk and Compliance and/or Head of Group Legal of the Company at the street address and via the electronic mail addresses, as outlined in clause 2 above;
- 6.3 The form must provide sufficient particulars to enable the Head of Group Risk and Compliance and/or Head of Group Legal of the Company to identify the record(s) requested and to identify the requester;
- 6.4 The requester must:
- 6.4.1 indicate which form of access is required;
  - 6.4.2 specify his/her postal address or fax number which must be in the Republic of South Africa;

- 6.4.3 identify the right that the requester is seeking to exercise or protect, and provide an explanation of why the requested record is required for the exercise or protection of that right;
- 6.5 If, in addition to a written reply, the requester wishes to be informed of the decision on the request in any other manner, the requester must state that manner and the necessary particulars to be informed in such other manner;
- 6.6 If the request is made on behalf of another person, proof of the capacity in which the requester is making the request, must be submitted and this is subject to the reasonable satisfaction of the Head of Group Risk and Compliance and/or Head of Group Legal of the Company.

## 7. PRESCRIBED FEES: SECTION 51(1)(E)

- 7.1 The following applies to requests that are not personal requests (a personal request is where a requester seeks information about himself or herself or his/her next of kin. Personal requests are exempted from paying fees. In addition, if the information is about a deceased individual, then the requester will also be exempted from paying fees.
- 7.2 Every other request which is not a personal request is subject to payment of the prescribed fees set out in section 51(1)(f) of the Act ("the Fees"). The access fee of R50.00 must be paid before a request will be processed. The Fees must be paid to the Company by way of electronic funds transfer into the Company's bank account, the details of which are available on request:

Please note that proof of payment must be submitted to the following email addresses: [mekailr@firsttech.co.za](mailto:mekailr@firsttech.co.za); [Richard.hammond@firstdistribution.com](mailto:Richard.hammond@firstdistribution.com) and [legal.enquiries@firstdistribution.com](mailto:legal.enquiries@firstdistribution.com)

- 7.3 If the preparation of the requested record(s) requires more than the prescribed hours (six hours), a deposit shall be paid equal to not more than one third of the Fees which would be payable if the request were granted ("the Deposit").



- 7.4 Should the Company fail to provide the requester record(s) after approving the request, a requester may lodge an application to court against the payment of the Fee and/or the Deposit.
- 7.5 Records may be withheld until the Fees and/or Deposit have been paid.
- 7.6 The Fees structure is available on the website of the South African Human Rights Commission at [www.sahrc.org.za](http://www.sahrc.org.za).

## 8. REMEDIES AVAILABLE TO REQUESTERS IF THEIR REQUEST FOR INFORMATION HAS BEEN REFUSED

- 8.1 The Act provides for an internal appeal procedure in terms of sections 74 and 75 of the Act. The Minister, as defined in the Act, is the relevant authority to review any decision taken on appeal.
- 8.2 An aggrieved party still has an opportunity to approach the courts if dissatisfied with the decision of the relevant authority.

## 9. PROTECTION OF PERSONAL INFORMATION THAT IS PROCESSED BY THE COMPANY

Chapter 3 of the Protection of Personal Information Act (hereinafter referred to as "POPI") provides for the minimum Conditions for lawful Processing of Personal Information by a Responsible Party. These Conditions may not be derogated from unless specific exclusions apply as outlined in POPI. Below is a description of the eight Conditions for Lawful Processing as contained in POPI, of which The Company ensures adherence:

- a) **Accountability** - the Responsible Party has an obligation to ensure that there is compliance with POPI in respect of the processing of Personal Information.
- b) **Processing limitation** - Personal Information must be collected directly from a Data Subject to the extent applicable; must only be processed with the consent of the Data Subject and must only be used for the purposes for which it was obtained.
- c) **Purpose specification** - Personal Information must only be processed for the specific purpose for which it was obtained and must not be retained for any longer than it is needed to achieve such purpose.
- d) **Further processing limitation** - further processing of Personal Information must be compatible with the initial purpose for which the information was collected.

- e) **Information quality** - the Responsible Party must ensure that Personal Information held is accurate and updated regularly and that the integrity of the information is maintained by appropriate security measures.
- f) **Openness** - there must be transparency between the Data Subject and the Responsible Party.
- g) **Security safeguards** - a Responsible Party must take reasonable steps to ensure that adequate safeguards are in place to ensure that Personal Information is being processed responsibly and is not unlawfully accessed.
- h) **Data Subject participation** - the Data Subject must be made aware that their information is being processed and must have provided their informed consent to such processing.

## 10. PURPOSE OF THE PROCESSING

Personal Information may only be Processed for a specific purpose. The Company uses personal information under its care in the following manner:

- a) Administration
- b) Rendering services according to contractual agreements
- c) Staff administration
- d) Complying with Tax Laws
- e) Keeping accounts of records

## 11. CATEGORIES OF DATA SUBJECTS

As per section 1 of POPI, a Data Subject may either be a natural or a juristic person. The table below sets out the various categories of Data Subjects that the Company processes.

The Company may process records relating to:

Data Subject	Information Processed
Clients – Natural Persons	Names, contact details, postal address, date of birth, ID number, Tax related information, nationality, gender, confidential correspondence
Clients – Juristic Persons / Entities	Names of contact persons, Name of Legal Entity, Physical and Postal address and contact details, Registration Number, Founding documents, Tax related information, authorised signatories, Employee details (name, email, address, contact number)
Service Providers	Names of contact persons; Name of Legal Entity, Physical and Postal address and contact details, Registration Number, Founding document, Tax related information, authorised signatories, beneficiaries, ultimate beneficial owners

Vendors	Names of contact persons; Name of Legal Entity, Physical and Postal address and contact details, Registration Number, Founding document, Tax related information, authorised signatories, beneficiaries, ultimate beneficial owners
Employees / Directors	Gender, Pregnancy, Marital Status, Ethnicity, Age, Language, Education information, Financial Information, Employment History, ID number, Physical and Postal address, Contact details, Criminal behaviour and history, Well-being

## 12. RECIPIENTS OF PERSONAL INFORMATION

The below mentioned outlines the recipients to whom the Company may provide a Data Subjects Personal Information to:

- a) Any firm, organisation or person that the Company uses to collect payments and recover debts or to provide a service on its behalf;
- b) Any firm, organisation or person that/who provides the Company with products or services;
- c) Any payment system the Company uses;
- d) Regulatory and governmental authorities or ombudsmen, or other authorities, including tax authorities, where the Company has a legal duty to share information;
- e) Third parties to whom payments are made on behalf of employees;
- f) Financial institutions from whom payments are received on behalf of data subjects; and
- g) Employees, contractors and temporary staff;

## 13. CROSS-BORDER FLOWS OF PERSONAL INFORMATION

13.1 Section 72 of POPI provides that Personal Information may only be transferred out of the Republic of South Africa:

- a) If the recipient country can offer such data an “adequate level” of protection. This means that its data privacy laws must be substantially like the Conditions for Lawful Processing as contained in POPI; or
- b) If the Data Subject consents to the transfer of their Personal Information; or
- c) If the transfer is necessary for the performance of a contractual obligation between the Data Subject and the Responsible Party; or
- d) If the transfer is necessary for the performance of a contractual obligation between the Responsible Party and a third party, in the interests of the Data Subject; or
- e) If the transfer is for the benefit of the Data Subject, and it is not reasonably practicable to obtain the consent of the Data Subject, and if it were, the Data Subject, would likely provide such consent

13.2 Personal Information may be transmitted cross – border to the Company’s suppliers in other countries, and Personal Information may be stored in data servers hosted

outside South Africa, which may not have adequate data protection laws. The Company will endeavour to ensure that its dealers and suppliers will make all reasonable efforts to secure such data and Personal Information.

## 14. DESCRIPTION OF INFORMATION SECURITY MEASURES TO BE IMPLEMENTED

The Company undertakes to institute and maintain the data protection measures to accomplish the following objectives outlined below. The details given are to be interpreted as examples of how to achieve an adequate data protection level for each objective. The Company may use alternative measures and adapt to technological security development, as needed, provided that the objectives are achieved

a) **Access Control of Persons**

The Company shall implement suitable technical and organizational measures in order to prevent unauthorized persons from gaining access to the data processing equipment where the data is processed.

b) **Data Memory Control**

The Company undertakes to implement suitable measures to prevent unauthorized input into data memory and the unauthorised reading, alteration or deletion of stored data.

c) **User Control**

The Company shall implement suitable measures to prevent its data processing systems from being used by unauthorised persons by means of data transmission equipment.

d) **Access Control to Data**

The Company represents that the persons entitled to use the Company's data processing system are only able to access the data within the scope and to the extent covered by their respective access permissions (authorisation).

e) **Transport Control**

The Company shall implement suitable measures to prevent data from being read, copied, altered or deleted by unauthorized persons during the transmission thereof or during the transport of the data media.

## 15. OBJECTION TO THE PROCESSING

Section 11 (3) of POPI and regulation 2 of the POPIA Regulations provides that a Data Subject may, at any time object to the Processing of his/her/its Personal Information in the prescribed form attached to this manual (Annexure A).

## 16. REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION

Section 24 of POPI and regulation 3 of the POPI Regulations provides that a Data Subject may request for their Personal Information to be corrected/deleted in the prescribed form as per Annexure B.

## 17. REQUEST TO ACCESS RECORD

17.1 Section 17 of POPI provides that the Responsible Party must maintain the documentation of all processing operations under its responsibility. Should the Data Subject require access to a record, the Data Subject is required to complete Form 2 "Request to Access Record."

17.1.1 Form 2 is available for download on the Company's website.

17.1.2 Once Form 2 is completed kindly submit same to: [mekailr@firsttech.co.za](mailto:mekailr@firsttech.co.za); [Richard.hammond@firstdistribution.com](mailto:Richard.hammond@firstdistribution.com) and [legal.enquiries@firstdistribution.com](mailto:legal.enquiries@firstdistribution.com)

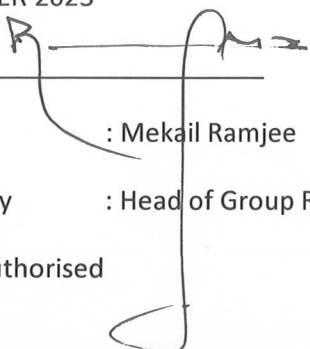
## 18. OUTCOME OF REQUEST AND OF FEES PAYABLE

18.1. After the Data Subject's request as per Form 2 is received, the Data Subject will receive Form 3 (as soon as reasonably possible) which contains the details pertaining to the fees that must be paid prior to processing the Data Subjects the request.

18.2. A copy of Form 3 is available for download and perusal on the Company's website.

### ACCEPTANCE

Agreed to and accepted for and on behalf of the Company on this the 23 day of  
OCTOBER 2023

  
Name : Mekail Ramjee  
Capacity : Head of Group Risk and Compliance  
Duly Authorised

## Annexure A

**Prescribed Form for the Objection to the Processing of Personal Information**

(Section 11(3), Protection of Personal Information Act, 2013 (Act No. 4 Of 2013))

Please Note:

- a. Affidavits or other documentary evidence in support of the object needs to be attached to this form.
- b. If more space is required add additional pages as appendices to this form.

A	DETAILS OF DATA SUBJECT
Name(s) and surname/ registered name of data subject:	
Unique Identifier/ Identity Number	
Residential or business address:	
Contact number(s):	
E-mail address:	
B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname/ registered name of data subject:	
Residential or business address:	
Contact number(s):	
E-mail address:	
C	REASONS FOR OBJECTION IN TERMS OF SECTION 11(1)(d) to (f) (Please provide detailed reasons for the objection)

**Annexure B**

**Prescribed Form for a Request for Correction or Deletion of Personal Information or Destroying or Deletion of Record of Personal Information in terms of Section 24(1) of the Protection of Personal Information Act, 2013**

**Regulations Relating to the Protection of Personal Information, 2018 [Regulation 3]**

Note:

1. Affidavits or other documentary evidence as applicable in support of the request may be attached.
2. If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.
3. Complete as is applicable.
4. Mark the appropriate box with an "x".
  - I.  Correction or deletion of the personal information about the data subject which is in possession or under the control of the responsible party
  - II.  Destroying or deletion of a record of personal information about the data subject which is in possession or under the control of the responsible party and who is no longer authorised to retain the record of information

<b>A</b>	<b>Details of Data Subject</b>
Name(s) and surname/ registered name of data subject:	
Unique Identifier/ Identity Number	
Residential, postal or business address:	
Contact number(s):	
E-mail address:	
<b>B</b>	<b>DETAILS OF RESPONSIBLE PARTY</b>
Name(s) and surname/ registered name of data subject:	
Residential, postal or business address:	
Contact number(s):	

E-mail address:	
C	<p><b>Reasons for Objection in Terms of Section 11(1)(D) to (F) (Please Provide Detailed Reasons for The Objection)</b></p>
D	<p><b>Reasons for *Correction or Deletion of the Personal Information about the Data Subject in Terms of Section 24(1)(a) which is in Possession or Under the Control of the Responsible Party; and or Reasons for *Destruction or Deletion of a Record of Personal Information about the Data Subject in Terms of Section 24(1)(b) which the Responsible Party is no longer Authorised to Retain. (Please Provide Detailed Reasons for the Request)</b></p>