



# PAIA MANUAL

## PROMOTION OF ACCESS TO INFORMATION ACT

### SECTION 51 MANUAL

#### INTRODUCTION

This Manual is published in terms of Section 51 of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) ("the Act"). The Act gives effect to the provisions of Section 32 of the Constitution, which provides for the right of access to information held by the State and to information held by another person that is required for the exercise and/or protection of any right.

The reference to any information in addition to that specifically required in terms of Section 51 of the Act does not create any right or entitlement (contractual or otherwise) to receive such information, other than in terms of the Act.

#### AVOXI OVERVIEW

AVOXI (PTY) LTD is a private company incorporated in terms of the company laws of the Republic of South Africa under registration number 2005/013915/07.

AVOXI (PTY) LTD has a license exemption to resell voice communications and data services, providing an assortment of telecommunications and telephony services to customers ranging from residential subscribers to small businesses and enterprises.

AVOXI (PTY) LTD supports the constitutional right of access to information and we are committed to providing you access to our records in accordance with the provisions of the Act, the confidentiality we owe third parties, and the principles of South African law.

## **PROCESS FOR REQUESTING RECORDS HELD BY AVOXI (PTY) LTD**

Requests for access to records held by AVOXI PTY LTD must be made on the request forms that are available from our website, from the SAHRC website ([www.sahrc.org.za](http://www.sahrc.org.za)) or the Department of Justice and Constitutional Development ([www.doj.gov.za](http://www.doj.gov.za)) (under “regulations”).

A request fee may be payable (the schedule of fees can be accessed below). You can submit a request without paying the request fee but please note that payment of the prescribed fees must be made before the request will be processed.

Requests for access to records must be made to our Information Officer via the electronic mail address provided below.

The requester must provide sufficient details on the request form to enable the Information Officer to identify the record and the requester. The requestor should also indicate which form of access is required and indicate if he or she wishes to be informed in any other manner and state the necessary particulars to be so informed.

The requester must identify the right that he or she 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.

If a request is made on behalf of a person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the Information Officer of AVOXI (PTY) LTD.

The standard form that must be used for the making of requests can be requested at [privacy@avoxi.com](mailto:privacy@avoxi.com). Not using this form could cause your request to be refused (if you do not provide sufficient information or otherwise) or delayed.

Kindly note that all requests to AVOXI (PTY) LTD will be evaluated and considered in accordance with the Act. Publication of this manual and describing the categories and subject matter of information held by AVOXI (PTY) LTD does not give rise to any rights (in contract or otherwise) to access such information or records except in terms of the Act.

## AVOXI (PTY) LTD CONTACT INFORMATION

Name of Private Body	AVOXI (PTY) LTD
Designated Information Officer	Barbara Dondiego
Designated Deputy Information Officer	Francis Edmunds Marinda Pretorius
Email address of Information Officer	privacy@avoxi.com
Postal address	797 Augrabies Avenue, Little Falls Roodepoort 1724
Street address	797 Augrabies Avenue, Little Falls Roodepoort 1724
Phone number	011 461 6300

### DESCRIPTION OF GUIDE REFERRED TO IN SECTION 10

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

### AVAILABILITY OF THIS MANUAL

A copy of this Manual is available on our website ([www.avoxi.com](http://www.avoxi.com)) or by sending a request for a copy to the Information Officer by email to [privacy@avoxi.com](mailto:privacy@avoxi.com).

The Guide is available for inspection, *inter alia*, at the office of the offices of the Human Rights Commission at The Guide is available for inspection, *inter alia*, at the office of the South African Human Rights Commission at Braampark Forum 3, 33 Hoofd Street, Braamfontein, Johannesburg, Gauteng, and at [www.sahrc.org.za](http://www.sahrc.org.za).

## **VOLUNTARY DISCLOSURE**

AVOXI (PTY) LTD has not published a notice in terms of Section 52(2) of the Act, however, it should be noted that the information relating to AVOXI (PTY) LTD and its services is freely available on AVOXI (PTY) LTD's website. Certain other information relating to AVOXI (PTY) LTD is also made available on such a website from time to time. Further information in the form of marketing brochures, advertising material, and other public communication is made available from time to time.

## **RECORDS AVAILABLE IN TERMS OF ANY LEGISLATION**

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

- Basic Conditions of Employment Act 75 of 1997
- Broad-based Black Economic Empowerment Act 53 of 2003
- Companies Act 61 of 1973
- Electronic Communications Act, No. 36 of 2005
- Electronic Communications and Transactions Act 25 of 2002.
- Employment Equity Act 55 of 1998
- ICASA Act 13 of 2000
- Income Tax Act 58 of 1962
- Labour Relations Act 66 of 1995
- Protected Disclosures Act No. 26 of 2000
- Regulation of Interception of Communications and Provision of Communication-related Information Act 70 of 2002
- Skills Development Levies Act 9 of 1999
- Telecommunications Act 103 of 1996
- Unemployment Insurance Act 30 of 1966
- Value Added Tax Act 89 of 1991

## **RECORDS HELD BY AVOXI (PTY) LTD**

AVOXI (PTY) LTD maintains records on the following categories and subject matters. However, 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 honored. All requests for access will be evaluated on a case-by-case basis in accordance with the provisions of the Act. Personnel refers to any person who works for or provides services to or on behalf of AVOXI (PTY) LTD and receives or is entitled to receive any remuneration and any other person who assists in carrying out or conducting the business of AVOXI (PTY) LTD. This includes, without limitation, directors, executive directors, non-executive directors, all permanent, temporary, Learnership, and part-time staff as well as contract workers. Personnel records include the following:

- Any personal records provided to AVOXI (PTY) LTD by their personnel;
- Any records a third party has provided to AVOXI (PTY) LTD about any of their personnel;
- Conditions of employment and other personnel-related contractual and quasi-legal records;
- Internal evaluation records; and
- Other internal records and correspondence.

## **CUSTOMER RECORDS:**

Please be aware that AVOXI (PTY) LTD is focused on protecting the confidential information of its customers. Please motivate any request for customer information very carefully, having regard to Sections 63 to 67 of the Act. Customer information includes the following:

- Any records a customer has provided to AVOXI (PTY) LTD or a third party acting for or on behalf of AVOXI (PTY) LTD;
- Any records a third party has provided to AVOXI (PTY) LTD about customers;
- Contractual information
- Confidential, privileged, contractual and quasi-legal records of customers;
- Credit information and other research conducted in respect of customers;
- Customer evaluation records;
- Customer needs assessments;
- Customer profiling;
- Performance research conducted on behalf of customers or about customers;
- Records generated by or within AVOXI (PTY) LTD pertaining to customers, including transactional records and call detail records.
- Personal records of customers;

## **TECHNICAL RECORDS**

AVOXI (PTY) LTD keeps records of our network and the networks of associated companies including the following:

- Fault records;
- Network monitoring logs and/or graphs;
- Interconnection specifications;
- IP addressing information;
- Technical specification records;

## **INTERNAL RECORDS**

AVOXI (PTY) LTD pertain the following documentations of our own affairs and those of its divisions, subsidiary and associated companies:

- Memorandum and Articles of Association;
- Personnel Records;
- Procurement Records;
- Financial Records;
- Operational Records;
- Licenses;
- Intellectual Property;
- Marketing Materials;
- Internal Correspondence;
- Statutory Records;
- Internal Policies and Procedures; and
- Records held by officials of AVOXI (PTY) LTD.

## **PERSONNEL RECORDS - OTHER PARTIES**

Records are kept in respect of other parties, including without limitation contractors, suppliers, joint ventures, service providers and general market conditions. In addition, such other parties may possess records, which can be said to belong to AVOXI (PTY) LTD. The following records fall under this category:

- Personnel, customer or AVOXI (PTY) LTD records that are held by another party as opposed to being held by AVOXI (PTY) LTD; and
- Records held by AVOXI (PTY) LTD pertaining to other parties, including financial records, correspondence, contractual records, electronic mail, logs, cached information, records provided
- by the other party, and records third parties have provided about the contractors/suppliers or customer.

## **OTHER RECORDS**

Further records are held including

- Information relating to AVOXI (PTY) LTD's own commercial activities, and
- All Research carried out on behalf of a client by AVOXI (PTY) LTD or commissioned from a third party for
- a customer;
- Research information belonging to AVOXI (PTY) LTD, whether carried out itself or commissioned from a third party.

**PURPOSE OF PROCESSING PERSONAL INFORMATION**

- to fulfill its obligations and exercise its rights under this Agreement and to provide the Services
- to manage the commercial relationship between AVOXI and the Customer
- to contact and to communicate with the Customer
- to transfer or to transmit it with AVOXI’s affiliates, and to AVOXI suppliers and subcontractors that support the provision of the Services or in activities related to the commercial relationship between Customer and AVOXI (PTY) LTD
- to transfer or to transmit it to such countries in which AVOXI (PTY) LTD and/or its affiliates and/or suppliers or subcontractors operate
- to host, store or process Personal Data in accordance with the purposes listed below;
- to support sales and marketing activities
- to support engagement with intermediaries
- to support recruitment and management of staff
- to support engagement with suppliers

**DESCRIPTION OF THE CATEGORIES OF DATA SUBJECTS AND OF THE INFORMATION OR CATEGORIES OF INFORMATION RELATING THERETO**

<b>Categories of Data Subjects</b>	<b>Personal Information that may be processed</b>
Customers / Clients	names, address, registration numbers or identity numbers, email information, website, alternative contact information, VAT numbers
Service Providers	names, registration number, vat numbers, address, and bank details, contact information of Account payable team members
Employees	Names, Identification numbers, address, qualifications, gender and race

**THE RECIPIENTS OR CATEGORIES OF RECIPIENTS TO WHOM PERSONAL INFORMATION MAY BE SUPPLIED.**

- Debt Collection Agencies
- Employee pension and Provident funds
- Law Enforcement
- Industry bodies
- Statutory Authorities
- Service Providers
- Tax Authorities
- Telecommunication Authorities

**TRANSBORDER FLOW OF PERSONAL INFORMATION**

Flows to Service providers, Customers, and Employees.

**INFORMATION SECURITY MEASURES IMPLEMENTED**

To ensure the confidentiality, integrity, and availability of the information

- Physical security measures.
- Cyber security measures.
- Training in information security.
- Policies in information security.
- Audits of information security.
- Anti-Malware Solutions
- Anti Virus Software
- 2 Factor Authorization
- Data Encryption

**TEMPLATES OF FORMS AND INFORMATION NEEDED FOR REQUESTS**

To be completed and submitted to AVOXI (PTY) LTD

**A. Particulars of Private Body**

**The Head / Designated Person**

**B. Particulars of Person Requesting Access to the Records**

The particulars of the person who requests access to the record must be given below.

- a) The address and/or fax number in the Republic to which the information is to be sent must be given.
- b) Proof of the capacity in which the request is made, if applicable, must be attached.

<b>Particulars of Person requesting access to the Records</b>	
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:

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**C. Particulars of Person on Whose Behalf Request is made**

<b>This section must be completed ONLY if a request for information is made on behalf of another person</b>	
Full names and surname:	
Identity number:	

**D. Particulars of Records**

- 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.

<b>Description of record or relevant part of the record:</b>	
<b>Reference number, if available:</b>	
<b>Any further particulars of record:</b>	

**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 at 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 the 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, to view, or to 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 to 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.

<b>Mark the appropriate box with an X.</b>	
1. If the record is in written or printed form:	<input type="checkbox"/> copy of record <input type="checkbox"/> inspection of record
2. If the record consists of visual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)	<input type="checkbox"/> view the images <input type="checkbox"/> copy of the images
3. If the record consists of recorded words or information which can be reproduced in sound:	<input type="checkbox"/> listen to the recording <input type="checkbox"/> transcription of recording
4. If the record is held on a computer or in an electronic or machine-readable form: <input type="checkbox"/> printed copy of record <input type="checkbox"/> printed copy of information derived from the record <input type="checkbox"/> copy in computer-readable form (memory stick or compact disc)	
5. 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.)	<input type="checkbox"/> Yes <input type="checkbox"/> 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:

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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?

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<b>Signed at:</b>	
<b>Date:</b>	
<b>Signature:</b>	Signature of requester/person on whose behalf request is made.