

Retro Viral Online Branding Proprietary Limited
(Registration Number: 2014/257064/07)

Promotion of Access to Information Act Manual

This manual was prepared in accordance with section 51 of the Promotion of Access to Information Act, 2 of 2000 and to address requirements of the Protection of Personal Information Act, 4 of 2013.

1 Introduction

- 1.1 Retro Viral Online Branding Proprietary Limited (“Retroviral”) provides digital online branding services for clients using bespoke strategy, online video creation, content seeding, social media and influencer marketing.
- 1.2 This manual has been prepared in accordance with the terms of section 51 of the Promotion of Access to Information Act, 2 of 2000 (“the Act”).

2 Contact Details

- 2.1 Physical Address: Cube Workspace
 205 Rivonia Road
 Morningside
 Sandton
 2191
- 2.2 Postal Address: Same as the above
- 2.3 Telephone: (011) 326 5414
- 2.4 E-mail: info@retroviral.co.za
- 2.5 Website Address: www.retroviral.co.za
- 2.6 Managing Director: Pippa Misplon

3 Information Officer

- 3.1 The Information Officer appointed in terms of the Act also refers to the Information Officer as referred to in the Protection of Personal Information Act 4 of 2013 (“POPIA”). The Information Officer oversees the functions and responsibilities as required for in terms of both this Act as well as the duties and responsibilities in terms of section 55 of POPIA after registration with the Information Regulator.
- 3.2 Retroviral has duly authorised and appointed the information officer below:
- Information Officer: Pippa Misplon
- Telephone: (011) 326 5414
- E-mail: pippa@retroviral.co.za
- 3.3 All requests for information in terms of this Act and POPIA must be addressed to the information officer marked for her attention.

4 Guide referred to in Section 10 of the Act

- 4.1 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. If a public body lodges a request, the public body must be acting in the public interest.
- 4.2 Requests in terms of the Act shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in paragraphs 6 and 7 of the Act.
- 4.3 Any person who wishes to exercise any right contemplated in the Act may obtain a copy of the information guide issued by the Human Rights Commission in terms of section 10(1) of the Act from the South African Human Rights Commission.
- 4.4 The contact details of the South African Human Rights Commission are as follows:

Postal address: Private Bag 2700, Houghton, 2041
 Telephone: +27-11-877 3600
 Fax: +27-11-403 0625
 E-mail: paia@sahrc.org.za
 Website: www.sahrc.org.za

5 Notice in terms of section 52(2) of the Act

As at the date of publication of this manual, no notice has been published on the categories of records that are automatically available without a person having to request access in terms of the Act.

6 Records available in terms of other legislation

Records are kept by Retroviral in accordance with the following legislation:

- 6.1 Basic Conditions of Employment Act, 75 of 1997;
- 6.2 Companies Act, 71 of 2008;
- 6.3 Compensation for Occupational Injuries and Diseases Act, 130 of 1993;
- 6.4 Consumer Protection Act, 68 of 2008;
- 6.5 Electronic Communications and Transactions Act, 25 of 2002;
- 6.6 Employment Equity Act, 55 of 1998;
- 6.7 Financial Intelligence Centre Act, 38 of 2001;
- 6.8 Income Tax Act; 58 of 1962;
- 6.9 Labour Relations Act, 66 of 1995;
- 6.10 National Credit Act, 34 of 2005;
- 6.11 Skills Development Act, 97 of 1998;

- 6.12 Skills Development Levies Act, 9 of 1999;
- 6.13 Unemployment Insurance Act, 63 of 2001;
- 6.14 Unemployment Insurance Contributions Act, 4 of 2002;
- 6.15 Value-Added Tax Act, 89 of 1991.

7 Subjects and Categories of Records Held

This section of the manual sets out the subjects and categories of records held by Retroviral. The inclusion of any subject or category of records should not be construed as an indication that records falling within that subject or category shall be made available. In particular, certain grounds of refusal, as set out in the Act, may be applicable to such records.

7.1 Statutory Company Documents:

- 7.1.1 memorandum of incorporation and registration certificates;
- 7.1.2 records relating to the appointment of directors;
- 7.1.3 resolutions;
- 7.1.4 certificates;
- 7.1.5 securities register; and
- 7.1.6 other statutory registers.

7.2 Accounting Records:

- 7.2.1 accounting records, books and documents;
- 7.2.2 annual financial statements;
- 7.2.3 bank statements;
- 7.2.4 management accounts;
- 7.2.5 invoices in respect of creditors and debtors;
- 7.2.6 tax returns;
- 7.2.7 banking information; and
- 7.2.8 other financial records.

7.3 Information Technology:

- 7.3.1 computer and telecommunications software, support and maintenance agreements; and

- 7.3.2 other documentation pertaining to computer and printer systems, telecommunications and computer programmes.
- 7.4 Intellectual Property:
 - 7.4.1 trade marks and copyright;
 - 7.4.2 records relating to domain names; and
 - 7.4.3 licences and other agreements relating to intellectual property rights.
- 7.5 Personnel Records:
 - 7.5.1 list of employees;
 - 7.5.2 contracts and/or documentation pertaining to arrangements with directors;
 - 7.5.3 personnel files in respect of the employees;
 - 7.5.4 other information relating to employees; and
 - 7.5.5 internal phone lists.
- 7.6 Governance records:
 - 7.6.1 minutes of meetings;
 - 7.6.2 policies;
 - 7.6.3 directives; and
 - 7.6.4 resolutions.
- 7.7 Marketing:
 - 7.7.1 articles and newsletters;
 - 7.7.2 educational resources and training materials;
 - 7.7.3 educational and training content; and
 - 7.7.4 circulars and communications.
- 7.8 Client and supplier databases
 - 7.8.1 names, addresses and contact details of clients and suppliers;
 - 7.8.2 suppliers bank details; and
 - 7.8.3 correspondence with clients and suppliers.
- 7.9 Miscellaneous Agreements

7.10 Movable and Immovable property:

7.10.1 agreements for the lease of immovable property;

7.10.2 agreements for the purchase of movable property; and

7.10.3 other agreements for the purchase, ordinary sale, conditional sale or hire of assets.

8 Right to Refuse Access to Information

8.1 Records of a public nature, typically those disclosed on Retroviral's website, may be accessed without the need to submit a formal application.

8.2 Retroviral has the right to refuse access to records on the following grounds:

8.2.1 mandatory protection of the privacy of a third party who is a natural person or a deceased person (section 63) or a juristic person, as included in POPIA, which would involve the unreasonable disclosure of personal information of that natural or juristic person

8.2.2 mandatory protection of the commercial information of a third party (section 64) if the record contains:

8.2.2.1 trade secrets;

8.2.2.2 financial, commercial, scientific or technical information whereby the disclosure thereof could likely cause harm to the financial or commercial interests of a third party or Retroviral;

8.2.2.3 information about research by a third party or Retroviral which could put that third party or the entity at a disadvantage in a negotiation or prejudice him in competition, unless written consent is given;

8.2.2.4 access would put the entity in breach of a duty of confidence which we owe a third party unless that third party gives written consent for access to be granted;

8.2.2.5 access could be expected to endanger someone's life or physical safety, prejudice or impair the security of a building, structure, system, means of transport or other property;

8.2.2.6 the record is privileged from being produced as evidence in legal proceeding, unless the person protected has waived that protection;

8.2.2.7 if the request is for access to your personal information and you could not provide adequate proof of identity to Retroviral; and

8.2.2.8 requests for information that are frivolous or vexatious, or which involve an unreasonable diversion of resources shall be refused.

9 Procedure for Requesting Documents

9.1 Form of request

- 9.1.1 The requester is required to use the prescribed form annexed hereto as "A" to submit a request for access to a record held by Retroviral. The request is required to be made to the address of the information officer of Retroviral and should be clearly addressed to the information officer.
- 9.1.2 The requester is required to provide sufficient particularity on the request form to enable the information officer to identify the record and the requester. The requester should also indicate which form of access to the record is required and if he or she wishes to be informed in any other manner and state the necessary particulars to be so informed.
- 9.1.3 The requester is required to state the right that he or she is seeking to exercise or protect and provide a written explanation as to why the requested record is required for the exercise or protection of that right.

9.2 Fees

- 9.2.1 The fee for a copy of this manual is R1.10 for every photocopy of an A4-size page or part thereof.
- 9.2.2 The request fee payable by a requester, other than a person seeking access to a record containing his or her personal information, is R50.00.
- 9.2.3 The access fees payable by a requester whose request for access to a record of Retroviral has been granted are as follows:

9.2.3.1	For every photocopy of an A4-size page or part thereof	R1.10
9.2.3.2	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
9.2.3.3	For a copy in a computer-readable form on – (a) Stiffy disc (b) Compact disc	R7.50 R70.00
9.2.3.4	For a transcription of visual images, for an A4-size page or part thereof	R40.00
9.2.3.5	For a copy of visual images	R60.00
9.2.3.6	For a transcription of an audio record, for an A4-size page or part thereof	R20.00
9.2.3.7	For a copy of an audio record	R30.00

- 9.2.4 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.
- 9.2.5 For purposes of section 54(2) of the Act, the following applies:
- 9.2.5.1 Six hours as the hours to be exceeded before a deposit is payable; and

9.2.5.2 One third of the access fee is payable as a deposit by the requester.

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

10 Availability of the Manual

The manual will be available for inspection on Retroviral's website at www.retroviral.co.za.

Last Updated: 26 July 2021

FORM C: REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY

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:

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2. Reference number, if available:

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3. Any further particulars of record:

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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:

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FORM C: REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY

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 below, state your disability and indicate in which form the record is required.

Disability:	Form in which record is required:
Mark the appropriate box with an X .	
NOTES:	
(a) Compliance with your request for access 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.	

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? Postage is payable.	YES	NO
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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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FORM C: REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY

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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Signed at this day..... of year

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SIGNATURE OF REQUESTER /
PERSON ON WHOSE BEHALF REQUEST IS MADE