

# Chouette CC

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**(Registration Number: 1999/033061/23)**

Manual in terms of section 51 of the Promotion of  
Access to Information Act, 2 of 2000

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## PROMOTION OF ACCESS TO INFORMATION ACT, 2 OF 2000 (THE ACT)

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# PROMOTION OF ACCESS TO INFORMATION ACT, 2 OF 2000 (THE ACT)

## SECTION 51 MANUAL OF CHOUETTE CC (REGISTRATION NUMBER: 1999/033061/23)

### 1. CONTACT PARTICULARS

<b>Head of business:</b>	AG Brown	<b>Information officer:</b>	AG Brown
<b>Postal Address:</b>	PO Box 20038 Big Bay Cape Town 7448	<b>Physical Address:</b>	2A Devonshire Street Woodstock Cape Town 7925
<b>Telephone Number:</b>	0837060161		
<b>E-mail Address:</b>	alister@chouette.co.za		
<b>Website:</b>	www.chouette.co.za		

### 2. INTRODUCTION

The company operates in software solutions

### 3. GUIDE IN TERMS OF SECTION 10 OF THE ACT

3.1 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.

3.2 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 section 53 and 54 of the Act.

3.3 Requesters are referred to the Guide in terms of Section 10 which has been compiled by the South African Human Rights Commission, which will contain information for the purposes of exercising Constitutional Rights. The Guide is available from the SAHRC. The contact details of the Commission are:

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

## 4. FACILITATION OF A REQUEST FOR ACCESS TO INFORMATION

Information which is not readily available as indicated in this manual, may be requested in accordance with the procedure prescribed in terms of The Act. Copies of the prescribed forms to be completed for submitting a request, are available from **Chouette CC**, [www.chouette.co.za](http://www.chouette.co.za).

## 5. INFORMATION AVAILABLE IN TERMS OF OTHER APPLICABLE LEGISLATION

- Basic Conditions of Employment Act 75 of 1997
- Broad-based Black Economic Empowerment Act 53 of 2003
- Companies Act 71 of 2008
- Consumer Protection Act 68 of 2008
- Close Corporations Act 69 of 1984
- Electronic Communications Act 36 of 2005
- Electronic Communications and Transactions Act, 25 of 2002
- Employment Equity Act 55 of 1998
- Employment Tax Incentive Act 26 of 2013
- Financial Intelligence Centre Act 38 of 2001
- Income Tax Act 58 of 1962
- Labour Relations Act 66 of 1995
- National Credit Act 34 of 2005
- Occupational Health and Safety Act 85 of 1993
- Prevention of Organised Crime Act 121 of 1998
- Prevention and Combatting of Corrupt Activities Act 12 of 2004
- Promotion of Access to Information Act 2 of 2000
- Protection of Personal Information Act 4 of 2013
- Skills Development Levies Act 9 of 1999
- Skills Development Act 97 of 1998
- Tax Administration Act 28 of 2011
- Unemployment Contributions Act 4 of 2002
- Unemployment Insurance Act 63 of 2001
- Value Added Tax Act 89 of 1991

## 6. INFORMATION AUTOMATICALLY AVAILABLE

- Marketing and Promotional Material
- [www.chouette.co.za](http://www.chouette.co.za)

## 7. INFORMATION AVAILABLE IN TERMS OF THE ACT - ON REQUEST

### Statutory Business Records

- Index of Members

- Members Register
- Founding Statements and Amendments

### **Accounting Records**

- Annual financial statements and working papers
- General ledger
- Bank statements, cheque books, cheques
- Fixed asset register
- Tax returns and assessments
- VAT returns
- Lease or instalment sale agreements
- Insurance records
- Auditor's reports

### **Fixed Property**

- Leases

### **Information Technology**

- Hardware
- Internet
- LAN Installations
- Operating systems
- Software packages
- Telephone lines, leased lines and data lines

### **Insurance**

- Details of coverage, limits and insurers
- Insurance policies

### **Intellectual Property**

- Agreements relating to intellectual property

### **Legal, Agreements and Contracts**

- Agreements with contractors, suppliers and clients
- Agreements with customers
- Joint venture agreements, partnership agreements, participation, franchise, co-marketing, co-promotion or other alliance agreements
- Contracts, including lease agreements and finance agreements

### **Personnel Records**

- Employee information records
- Employment applications
- Employment contracts
- IRP 5 and IT 3 certificates
- Leave applications
- Maternity leave policy

- Payroll
- Personnel File
- Salary slips and wage cards
- UIF, PAYE and SDL returns
- Workmen's Compensation Documents

## 8. GENERAL

N/A

## 9. REQUESTING PROCEDURES

A person who wants access to the records must complete the necessary request forms that is available at the offices of Chouette CC, or can be accessed on [www.justice.gov.za/inforeg](http://www.justice.gov.za/inforeg). The completed request form must be sent to the address or fax number provided in this manual and marked for the attention of the Information Officer.

Please provide sufficient details to enable the company to identify:

- The record(s) requested
- The requester (and if an agent is lodging the request, proof of capacity)
- The form of access required
- The postal address or fax number of the requester in the Republic
- If the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof
- The right which the requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.

## 10. PRESCRIBED FEES

- A requestor is required to pay the prescribed fees before a request will be processed;
- If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted);
- A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit
- Records may be withheld until the fees have been paid.
- The fee structure is available on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at [www.sahrc.org.za](http://www.sahrc.org.za) and as an appendix to this manual.

# 11. PROTECTION OF PERSONAL INFORMATION PROCESSED

Chouette CC is committed to protecting the privacy of personal information of our data subjects. The information you share with us as a data subject allows us to provide you with the best experience with our products and services, or as a stakeholder.

Chouette CC has dedicated policies and procedures in place to protect all personal information collected and processed by us. Please read below for more information on how we collect, process, use and disclose personal information.

## 11.1 The purpose of processing of personal information

We process personal information for various reasons, including but not limited to the following:

- To help us identify data subjects when they contact us
- Manage customers
- To maintain customer records
- Recruitment purposes
- Employment purposes
- General administration
- Financial and tax purposes
- Legal or contractual purposes
- To help us detect and prevent fraud and money laundering under FICA

## 11.2 Data subject categories and personal information processed

<b>Customers - e</b>	mail address
<b>Customers</b>	Physical address Telephone number
<b>Employees - e</b>	mail address
<b>Employees</b>	Gender ID number Physical address Race Telephone number
<b>Suppliers - e</b>	mail address
<b>Suppliers</b>	Physical address Telephone number

## 11.3 Recipients with whom personal information is shared

In processing your personal information, we may share it within the group of companies or with other third parties. These include but are not limited to:

- Statutory authorities

- Law enforcement agencies
- Tax authorities
- Contractors, vendors, or suppliers
- Data storage providers
- Service providers

#### **11.4 Security measures implemented to protect personal information**

We have identified our security risks over the personal information we process in line with the Protection of Personal Information Act, and we have implemented various security measures to ensure reasonable protection against the risk of loss, misuse, unauthorised access and disclosure, alteration and destruction of the personal information.

We also take steps to ensure that operators that process personal information on behalf of company name apply adequate safeguards as outlined above.

#### **11.5 Trans-border flows of personal information**

We may transfer to, and store personal information we collect about you, in countries other than South Africa, if the relevant business transactions or situation requires trans-border processing. These countries may not have the same data protection laws as South Africa, and in this instance, we will only transfer the information if we have consent from you, or it is necessary for the performance or conclusion of a contract between us.

#### **11.6 Personal information received from third parties**

When we receive personal information from a third party on behalf of a data subject, we require confirmation that they have written consent from the data subject that they are aware of the contents of this PAIA manual and the Privacy Policy, and do not have any objection to our processing their information in accordance with this policy.

Where information on third parties is provided by a data subject, or a third party provides information on a data subject, that information may be taken into account with other personal information.

#### **11.7 Data Breaches**

Where there are reasonable grounds to believe that the personal information of a data subject has been accessed or acquired by any unauthorised person, CHOUETTE CC shall notify:

- a) the Regulator; and
- b) the data subject, unless the identity of such data subject cannot be established.

The notification will be made as soon as reasonably possible after the discovery of the compromise, taking into account the legitimate needs of law enforcement or any measures reasonably necessary to determine the scope of the compromise and to restore the integrity of the responsible party's information system.

## **12. AVAILABILITY OF THE MANUAL**



Human Rights Commission and at: [www.chouette.co.za](http://www.chouette.co.za).