
Manual on the Promotion of Access to Information Act of Pattern Matched Ltd

Prepared in accordance with Section 51 of the Promotion of Access to Information Act, No 2 of 2000.

Product Name

Client	PMT
System	IT - Web

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1. Introduction

1.1. Overview

The Promotion of Access to Information Act, No 2 of 2000 ("the Act") was enacted on 3 February 2000, giving effect to the constitutional right of access to any information held by the State and any information that is held by another person and that is required for the exercise or protection of any rights. Where a request is made in terms of the Act, the body to whom the request is made is obliged to release the information, except where the Act expressly provides that the information may or must not be released. The Act sets out the requisite procedural issues attached to such request.

1.2. Purpose of the Manual

This manual is intended to foster a culture of transparency and accountability by giving effect to the right to information that is required for the exercise or protection of any right and to actively promote a society in which the people of South Africa have effective access to information to enable them to more fully exercise and protect their rights.

In order to promote effective governance of private bodies, it is necessary to ensure that everyone is empowered and educated to understand their rights in terms of the Act in order for them to exercise their rights in relation to public and private bodies.

Section 9 of the Act however recognises that such right to access to information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to:

- Limitations aimed at the reasonable protection of privacy;
- Commercial confidentiality; and
- Effective, efficient and good governance;

and in a manner which balances that right with any other rights, including such rights contained in the Bill of Rights in the Constitution.

This manual sets out to provide a generic manual to the financial services industry to deal with the requests in a conforming manner, which will enable the requestors to obtain the records which they are entitled to in a quick, easy and accessible manner.

This manual may be adapted by the individual role to specifically meet their needs.

Wherever reference is made to "institution" in this manual, it will refer to the private bodies within the financial services industry, for whom this manual is drafted.

This manual has been drafted in accordance with the generic manual for the Financial Services Industry, which has been submitted to the Human Rights Commission by the Compliance Institute of South Africa, of which this body is a member



2. Contact Details

2.1. Information Officer

Name:	Gustav Potgieter
Postal Address:	PO Box 8216 Centurion 0046 South Africa
Physical Address:	Block 16, Thornhill Office Park Bekker Road, Midrand, South Africa.
Telephone :	+27 11 541 0441
Facsimile:	+27 11 541 0479
E-mail:	gp@pattermatched.com

2.2. General Information

Name of Private Body	Pattern Matched Technologies (Pty) Ltd
Postal Address:	PO Box 8216 Centurion 0046 South Africa
Physical Address:	Block 16, Thornhill Office Park Bekker Road, Midrand, South Africa.
Telephone :	+27 11 541 0441
Facsimile:	+27 11 541 0479
E-mail:	info@pattermatched.com
Website:	www.pattermatched.com



3. Guide of South African Human Rights Commission

The South African Human Rights Commission has at the date of printing hereof not yet compiled the guide contemplated in Section 10 of the Act. The guide will contain such information as may reasonably be required by a person who wishes to exercise any right contemplated in the Act. Any enquiries regarding this guide should be directed to:

The South African HUMAN RIGHTS COMMISSION,
at PAIA Unit (THE RESEARCH AND DOCUMENTATION DEPARTMENT),
Private Bag X2700, HOUGHTON, 2041
Telephone Number: (011) 484-8300
Facsimile Number: (011) 484-1360
Website: www.sahrc.org.za
E-mail Address: PIAI@sahrc.org.za



4. Records of Pattern Matched Technologies (PMT)

This clause serves as a reference to the records that PMT Group Ltd. and all its subsidiaries (PMT) holds.

The information is classified and grouped according to records relating to the following subjects and categories

4.1. Personnel Records

- 4.1.1 Personal records provided by personnel
- 4.1.2 Records provided by a third party relating to personnel
- 4.1.3 Conditions of employment and other personnel-related contractual and quasi-legal records
- 4.1.4 Internal evaluation records and other internal records
- 4.1.5 Correspondence relating to personnel
- 4.1.6 Training schedules and material

“Personnel” refers to any person who works for, or provides services to or on behalf of PMT, and receives or is entitled to receive remuneration and any other person who assists in carrying out or conducting the business of PMT. This includes, without limitation, directors (executive and non-executive), all permanent, temporary and part-time staff, as well as contract workers.

4.2. Customer Related Records

- 4.2.1. Records provided by a customer to a third party acting for or on behalf of PMT
- 4.2.2. Records provided by a third party
- 4.2.3. Records generated by or within PMT relating to its customer, including transactional records

A *“customer”* refers to any natural or juristic entity that receives services from PMT.

It is recorded that the accessibility of the documents listed herein above, may be subject to the grounds of refusal set out hereinafter.



4.3. Private Body Records

- 4.3.1. Financial Records
- 4.3.2. Operational Records
- 4.3.3. Databases
- 4.3.4. Information Technology
- 4.3.5. Marketing Records
- 4.3.6. Internal Correspondence
- 4.3.7. Product Records
- 4.3.8. Statutory Records
- 4.3.9. Internal Policies and Procedures
- 4.3.10. Treasury-Related Records
- 4.3.11. Securities and Equities, and
- 4.3.12. Records Held by Officials of PMT

These records include, but are not limited to, the records that pertain to PMT's own affairs.

4.4. Other Party Records

4.4.1. Personnel, customer or private body records which are held by another party, as opposed to the records held by PMT itself;

4.2.4. Records held by PMT pertaining to other parties, including without limitation, financial records, correspondence, contractual records, records provided by the other party, and records third parties have provided about the contractors/suppliers.



5. Grounds for Refusal of Access to Records

The main grounds for PMT to refuse a request for information relates to the –

- 5.1. mandatory protection of the privacy of a third party who is a natural person, which would involve the unreasonable disclosure of personal information of that natural person;
- 5.2. mandatory protection of the commercial information of a third party, if the record contains –
 - 5.2.1. trade secrets of that third party;
 - 5.2.2. financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party;
 - 5.2.3. information disclosed in confidence by a third party to PMT, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition;
- 5.3. mandatory protection of confidential information of third parties if it is protected in terms of any agreement;
- 5.4. mandatory protection of the safety of individuals and the protection of property;
- 5.5. mandatory protection of records which would be regarded as privileged in legal proceedings;
- 5.6. the commercial activities of PMT, which may include –
 - 5.6.1. trade secrets of PMT;
 - 5.6.2. financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of PMT;
 - 5.6.3. information which, if disclosed could put PMT at a disadvantage in negotiations or commercial competition;
 - 5.6.4. a computer program which is owned by PMT, and which is protected by copyright.
- 5.7. the research information of PMT or a third party, if its disclosure would disclose the identity of PMT, the researcher or the subject matter of the research and would place the research at a serious disadvantage;

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



6. Remedies Available when PMT Refuses a Request for Information

6.1 Internal Remedies

PMT does not have internal appeal procedures. As such, the decision made by the Information Officer is final, and requestors will have to exercise such external remedies at their disposal if the request for information is refused, and the requestor is not satisfied with the answer supplied by the Information Officer.

6.2 External Remedies

A requestor that is dissatisfied with the Information Officer's refusal to disclose information, may within 30 days of notification of the decision, apply to a Court for relief.

Likewise, a third party dissatisfied with the Information Officer's decision to grant a request for information, may within 30 days of notification of the decision, apply to a Court for relief. For purposes of the Act, the Courts that have jurisdiction over these applications are the Constitutional Court, the High Court or another court of similar status.



7. Request Procedure

7.1. The requester must comply with all the procedural requirements contained in the Act relating to the request for access to a record.

7.2. The requester must complete the prescribed form enclosed herewith in Appendix 2, and submit same as well as payment of a request fee and a deposit, if applicable to the Information Officer at the postal or physical address, fax number or electronic mail address as stated in 2.1 or 2.2 above.

7.3. The prescribed form must be filled out with enough particularity to at least enable the Information Officer to identify –

- 7.3.1. The record or records requested;
- 7.3.2. The identity of the requester,
- 7.3.3. Which form of access is required, if the request is granted;
- 7.3.4. The postal address or fax number of the requester.

7.4. The requester must state that he or she requires the information in order to exercise or protect a right, and clearly state what the nature of the right is so to be exercised or protected. In addition, the requester must clearly specify why the record is necessary to exercise or protect such a right.

7.5. PMT will process the request within 30 days, unless the requestor has stated special reasons, which would satisfy the Information Officer, that circumstances dictate that the above time periods not be complied with.

7.6. The requester shall be informed whether access granted or denied in writing. If, in addition, the requester requires the reasons for the decision in any other manner, he or she must state the manner and the particulars so required.

7.7. If a request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of the Information Officer.

7.8. If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally.

7.9. The requester must pay the prescribed fee, before any further processing can take place.



8. Access to Records Held by PMT

8.1. Records held by PMT may be accessed by requests only once the prerequisite requirements for access have been met.

8.2. A requester is any person making a request for access to a record of PMT. There are two types of requesters:

8.2.1. PERSONAL REQUESTER

8.2.1.1. A personal requester is a requester who is seeking access to a record containing personal information about the requester.

8.2.1.2. PMT will voluntarily provide the requested information, or give access to any record with regard to the requester's personal information. The prescribed fee for reproduction of the information requested will be charged.

8.2.2. OTHER REQUESTER

8.2.2.1. This requester (other than a personal requester) is entitled to request access to information on third parties. However, PMT is not obliged to voluntarily grant access. The requester must fulfil the prerequisite requirements for access in terms of the Act, including the payment of a request and access fee.



9. Fees

9.1. The Act provides for two types of fees, namely:

9.1.1. A request fee, which will be a standard fee; and

9.1.2. An access fee, which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs.

9.2. When the request is received by the Information Officer, such officer shall by notice require the requester, other than a personal requester, to pay the prescribed request fee (if any), before further processing of the request.

9.3. If the search for the record has been made and the preparation of the record for disclosure, including arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, the Information Officer shall notify the requester to pay as a deposit the prescribed portion of the Access fee which would be payable if the request is granted.

9.4. The Information Officer shall withhold a record until the requester has paid the fees as indicated in Appendix 1.

9.5. A requester whose request for access to a record has been granted, must pay an access fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure including making arrangements to make it available in the request form.

9.6. If a deposit has been paid in respect of a request for access, which is refused, then the Information Officer concerned must repay the deposit to the requester.



10. Decision

10.1. PMT will, within 30 days of receipt of the request, decide whether to grant or decline the request and give notice with reasons (if required) to that effect.

10.2. The 30 day period within which PMT has to decide whether to grant or refuse the request, may be extended for a further period of not more than thirty days if the request is for a large number of information, or the request requires a search for information held at another office of PMT and the information cannot reasonably be obtained within the original 30 day period. PMT will notify the requester in writing should an extension be sought.



11. Code of Conduct

As a registered member of WASPA, the Wireless Applications Services Provider Association, PMT is bound by its procedures and policies. To view the code of conduct of WASPA, follow this link:

<http://www.waspa.org.za/code/codeconduct.shtml>



12. Availability of this Manual

- 12.1. This manual is made available in terms of Regulation Number R.187 of 15 February 2002.
- 12.2. PMT's manual will also be available on its website www.patternmatched.com.



Appendix 1. Fees

1	Request Fee:	R35.00
2	Reproduction Fees:	
i.	For every photocopy of an A4-size page or part thereof:	0.60 cents
ii.	For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form:	0.40 cents
iii.	For a copy in a computer readable form on compact disk:	R70.00
iv.	For a transcription of visual images, for an A4 size page thereof:	R25.00
v.	For a copy of visual images:	R60.00
vi.	For a copy of an audio record, for an A4 size page thereof:	R15.00
vii.	For a copy of an audio record:	R25.00
3	Access Fees	
i.	For every photocopy of an A4-size page or part thereof:	0.60 cents
ii.	For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form:	0.40 cents
iii.	For a copy in a computer readable form on compact disk:	R70.00
iv.	For a transcription of visual images, for an A4 size page thereof:	R25.00
v.	For a copy of visual images:	R60.00
vi.	For a copy of an audio record, for an A4 size page thereof:	R15.00
vii.	For a copy of an audio record:	R25.00
viii.	To search for the record for disclosure, for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation:	R 25.00



Appendix 2. Prescribed Forms

FORM A

REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY

(Section 18(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))

[Regulation 2]

FOR DEPARTMENT USE	
Reference number	_____
Request received by	_____
	(state rank, name and surname of information officer/deputy)
on	_____ (date) at _____ (place).
Request Fee (if any):	R _____
Deposit (if any):	R _____
Access fee :	R _____

	SIGNATURE OF INFORMATION OFICER/DEPUTY



A. PARTICULARS OF PUBLIC BODY

The Information Officer/Deputy Information Officer:

B. PARTICULARS OF PERSONAL REQUESTING ACCESS TO THE RECORDS

- (a) *The particulars of the person who requests access to record must be recorded below.*
- (b) *Furnish an address and/ or fax number in the Republic to which information must be sent.*
- (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: _____ Tel. number:

E-mail Address: _____

Capacity in which request is 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 records 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 **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 therefore.

Reason for exemption from payment of fees:

F. FORM OF ACCWSS 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 require: _____ _____ _____
-------------------------------------	--

Mark the appropriate box with an "X"

NOTES:



(a) Your indication as to the required form of access depends 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 records, if any, will be determined partly by the form in which access is requested.

1. If the records is in written or printed form -			
	Copy of record*		Inspection record
2. If records consists of visual images – (this includes photographs, slides, video recordings, computer-generated images, 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 the record is held on computer or in an electronic or machine- readable form-					
	Printed copy of records		Printed copy of information derived from the records*		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? A postal fee is payable.				YES	NO

Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available.

In which language would you prefer the record? _____

G. 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 thereof 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 _____ 20__

SIGNATURE OF REQUESTER/ PERSON ON
WHOSE BEHALF REQUEST IS MADE



FORM B

NOTICE OF INTERNAL APPEAL

(Section 75 of the Promotion of Access to Information Act, 2000(Act No. 2 of 2000)

[Regulation 6]

STATE YOUR REFERENECE NUMBER:

*NOTE: A person who lodges an internal appeal fee.
If an appeal fee is payable, the decision of the internal appeal may be deferred until the fee is paid.*

A. PARTICULARS OF PUBLIC BODY

The Information Officer/ Deputy Information Officer:

B. PARTICULARS OF REQUESTER/THIRD PARTY WHO LODGES THE INTERNAL APPEAL

- (a) The particulars of the person who is lodging the internal appeal, must be completed below.
- (b) Proof of the capacity in which appeal is lodged, if applicable, must be attached.
- (c) If the appellant is a third person and not the person who originally requested the information, the particulars of the requester must be stated at C below.

Full names and surname:

Identity number: _____



Postal address: _____

Fax number: _____ Tel. number:

E-mail Address: _____

Capacity in which request is made, on behalf of another person: _____

C. PARTICULARS OF REQUESTER

This section must be completed ONLY if a third party (other than the requester) is lodging the internal appeal.

Full name and surname:

Identity number: _____

D. THE DECISION AGAINST WHICH THE INTERNAL APPEAL IS LODGED

Mark the decision against which the internal appeal is lodged with an "X" in the appropriate box:

	Refusal of request for access.
	Decision regarding fees determined in terms of section 22 of the Act.
	Decision regarding the extension of the period within which request must be dealt with in terms of section 26(1) of the Act.
	Decision in terms of section 29(3) of the Act to refuse access in the form as requested by the requester.



	Decision to grant request for access.
--	---------------------------------------

E. GROUNDS FOR APPEAL

*If the provided space is inadequate please continue on a separate folio and attach it to this form. **You must sign all the additional folios.***

State the grounds upon which the internal appeal is based: _____

State any other information that may be relevant in considering the appeal: _____

F. NOTICE OF DECISION ON APPEAL

You will be notified in writing of the decision on your internal appeal. If you wish to be informed thereof in another manner, please specify the necessary particulars to enable compliance with your request.

State the manner: _____

Particulars of manner: _____



Signed at _____ this _____ day of _____ 20__

SIGNATURE OF REQUESTER/ PERSON ON

FOR DEPARTMENTAL USE:

OFFICE RECORD ON INTERNAL APPEAL

Appeal received on _____ (date) by _____
(state rank, name and surname of Information Officer/Deputy Information Officer).

Appeal accompanied by the reasons for the Information Officer/Deputy Information Officer's decision and, where applicable, the particulars of any third party to whom or which the records, submitted by Information Officer/Deputy Information Officer on _____ (date) to the relevant authority.

OUTCOME OF APPEAL:

DECISION OF INFORMATION OFFICER/DEPUTY INFORMATION OFFICER
CONFIRMED/SUBSTITUTED BY NEW DECISION.

NEW DECISION:

RELEVANT AUTHORITY _____ DATE: _____

DATE RECEIVED BY THE INFORMATION OFFICER/DEPUTY INFORMATION OFFICER FROM
RELEVANT AUTHORITY _____



Document History

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1	SVV	2010-01-22	Compile Document
1.1	NB	2010-02-22	Changed Layout
1.2	SvV	2011-06-08	Updated address information

Document Approval

Position	Name	Sign-Off	Date
PMT Director			
Project Head			
Development Lead			

