Electronic Media Network (M-NET)

Promotion of Access to Information (PAIA) Manual

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1. INTRODUCTION

This manual is prepared in compliance with section 51 PAIA and POPIA Regulation 4(c), as defined below. This manual may be amended from time to time. If amended, this manual shall be republished.

1.1 Definitions, Acronyms and Abbreviations

In this manual, the following words shall have the meanings set out in the table below:

Term	Definition
Companies Act	the Companies Act, 71 of 2008
Employee	all permanent employees, fixed term contractors and learners on a learnership programme
Information Regulator	means the Office of the Information Regulator established, in terms of section 39 of POPIA to monitor and enforce compliance with both POPIA and PAIA
this manual	this manual together with all its annexures, as amended from time to time and as available at the offices of MultiChoice Group
MultiChoice Group	MultiChoice Group Limited, and its Subsidiaries, trusts and broad-based black empowerment share schemes (such as Phuthuma Nathi (RF) Limited)
M-Net	ELECTRONIC MEDIA NETWORK (PTY) LTD a company incorporated in South Africa with registration number: 1985 / 002853 / 07
PAIA	the Promotion of Access to Information Act, 2 of 2000, read together with all relevant regulations published from time to time
PAIA Regulations	the Promotion of Access to Information Act, 2 of 2000: Regulations relating to the Promotion of Access to Information, 2021
POPIA	the Protection of Personal Information Act, 4 of 2013
POPIA Regulations	the Protection of Personal Information Act, 2013: Regulations Relating to The Protection of Personal Information, 2018
Republic	the Republic of South Africa
SAHRC	means the South African Human Rights Commission
Subsidiaries	has the meaning given in section 3 of the South African Companies Act, 71 of 2008 (as amended)

1.2 Purpose of this manual

This manual, among other things:

- assists members of the public to check the nature of the records which ELECTRONIC MEDIA NETWORK holds and provides the contact details of the relevant persons at MultiChoice who will assist with requests;

- sets out the procedure that must be followed by a member of the public when requesting access to information or documents from an entity in ELECTRONIC MEDIA NETWORK as contemplated in terms of PAIA and POPIA; and

- the procedure to be followed when requesting access to company records in terms of section 26 of the Companies Act.

1.3 Application

This manual applies to ELECTRONIC MEDIA NETWORK.

PAIA provides that a person may only request information in terms of PAIA if the information is required for the exercise or protection of a right. Information will therefore not be provided unless a person clearly provides sufficient particulars to enable ELECTRONIC MEDIA NETWORK to identify the right the requester is seeking to protect and an explanation of why the requested information is required for the exercise of protection of that right.

It is important to note that reference to any information or records in this manual does not create any contractual or other right or entitlement to receive such information. Requests for information and the right to access information must be in accordance with the provisions of PAIA, or where relevant, POPIA, section 26 of the Companies Act or other relevant legislation.

2. CONTACT DETAILS

The Chief Executive Officer of ELECTRONIC MEDIA NETWORK, in accordance with a resolution of the board of directors of ELECTRONIC MEDIA NETWORK, has duly authorised the appointed Information Officers named below to ensure the ELECTRONIC MEDIA NETWORK compliance with PAIA and POPIA respectively.

Chief executive officer and information officer: Nomsa Philiso

PAIA contact:

The appointed PAIA Deputy Information Officer: Carmen Miller

PAIA email address: cosec@multichoice.com

POPIA contact:

The appointed POPIA Deputy Information Officer: Sarala Macmillan

POPIA email address: DPO@multichoice.co.za

Physical address:
MultiChoice City
144 Bram Fisher Drive
Randburg, Johannesburg
Gauteng, South Africa

Postal address:
PO Box 1502
Randburg, Johannesburg
Gauteng, 2125
South Africa

Telephone: +27 11 284 3000

Fax: +27 11 326 4012

3. AVAILABILITY OF THIS MANUAL

This manual is available for inspection at the offices of ELECTRONIC MEDIA NETWORK (located at the physical address above), free of charge. Hard copies of the manual may be obtained, subject to payment of the prescribed fees, at the offices of ELECTRONIC MEDIA NETWORK.

This manual can be accessed on the company's website (https://www.multichoice.com/paia-compliance.php) and from the Information Regulator (if in terms of PAIA the Information Regulator has requested the updated manual from the MultiChoice Group).

4. THE PAIA GUIDE

The SAHRC compiled the *Guide on How to Use the Promotion of Access to Information Act 2 of 2000, as amended* ("**the PAIA Guide**") in accordance with section 10 of PAIA. The PAIA Guide is designed as a tool to assist any person wishing to exercise any right contemplated in PAIA, and a data subject to access their personal information in terms of section 23 of POPIA.

The PAIA Guide is updated and made available by the Information Regulator. It is available in all of the official languages. The PAIA Guide can be accessed in the following ways:

- in hard copy for inspection at the offices of the South Africa Human Rights Commission, located at 29 Princess of Wales Terrace, corner York and St. Andrews Street, Parktown, Johannesburg, Gauteng;
- electronically on the South Africa Human Rights Commission website: (www.sahrc.org.za);
  •electronically on the Information Regulator's website: (https://www.inforegulator.org.za/docs.html).

Please direct any queries about the PAIA Guide to:

Information Regulator:
Research and Documentation Department
Physical address: JD House, 27 Stiemens Street
Braamfontein

	Johannesburg, 2001
Postal address:	P.O. Box 31533, Braamfontein, Johannesburg, 2017
Telephone number:	+27 10 023 5200
Website:	www.justice.gov.za/inforeg/
Email (complaints):	complaints.IR@justice.gov.za
Email (general enquiries):	inforeg@justice.gov.za

5. PROCEDURE FOR OBTAINING ACCESS TO INFORMATION - PAIA

In accordance with PAIA Regulation 7, a request for access to information must be made in the prescribed form - Form 2 of Annexure A of the PAIA Regulations ("**PAIA Form 2**") and submitted to the PAIA Information officer using ELECTRONIC MEDIA NETWORK address, fax number or electronic mail address as indicated in section 2 of this manual. For your convenience, we attach a copy of PAIA Form 2 at section 11 of this manual. PAIA Form 2 can also be found at the following page on the Information Regulator's website (https://www.inforegulator.org.za/docs2-f.html).

All required text fields in PAIA Form 2 must be completed in full and in a legible manner. The PAIA Form 2 (as well as any additional pages attached thereto) must be signed by the person submitting the form i.e. the requester.

Requesters must provide sufficient details to enable ELECTRONIC MEDIA NETWORK to identify:

5.1.1 the record(s) requested;

5.1.2 the identity of the requester;

5.1.3 if an agent is lodging the request on behalf of a requester, the agent's proof of capacity to act as agent for the requester, to the reasonable satisfaction of ELECTRONIC MEDIA NETWORK;

5.1.4 which form of access required;

5.1.5 the postal address or fax number of the requester in the Republic;

5.1.6 the right the requester is seeking to exercise or protect. This must be accompanied by an explanation of why the requested record is required for the exercise or protection of that right;

5.1.7 if, in addition to a written reply, the requester wishes to be informed of the decision on the request in any other manner, to state that manner and the

necessary particulars to be so informed.

Once PAIA Form 2 has been submitted, the PAIA information officer will notify the requester if a prescribed fee (if any) is payable before further processing the request.

The PAIA information officer shall within 30 days after the request is received or after the particulars set out in 5.1.1 to 5.1.7 have been received, notify the requester whether the request has been granted/or refused, as well as provide the requester with any additional fees which may be levied. Such additional fees would be for the reproduction, preparation and time, reasonably required to search and prepare the disclosure. Please refer to section 6 of this manual for information about Prescribed Fees.

6. PRESCRIBED FEES

The following applies to requests under PAIA and POPIA:

- A requester is required to pay the prescribed fees as set out in Annexure B of the PAIA Regulations, 2021 (as amended) before a request will be processed.
- The information officer to whom a request for access is made shall by notice require the requester to pay the prescribed request fee (if any), before further processing the request.
- If the preparation of the record requested requires more than the prescribed hours (six hours), 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 requester may lodge an application with a court against the tender/payment of the request fee and/or deposit.
- Records may be withheld until all fees have been paid.

Reproduction fees may be levied at the discretion of ELECTRONIC MEDIA NETWORK in accordance with reproduction costs, preparation and time required to search and prepare disclosures.

ELECTRONIC MEDIA NETWORK will provide requesters with a written estimate of the fee before providing the services.

7. INFORMATION / DOCUMENTS AVAILABLE IN ACCORDANCE WITH OTHER LEGISLATION

ELECTRONIC MEDIA NETWORK maintains records in accordance with the following legislation (please note that this is not an exhaustive list):

- Arbitration Act, 42 of 1965
- Basic Conditions of Employment Act, 75 of 1997
- Broad-Based Black Economic Empowerment Act, 53 of 2003
- Companies Act, 71 of 2008
- Compensation for Occupational Injuries and Diseases Act, 130 of 1993
- Consumer Protection Act, 68 of 2008
- Copyright Act, 98 of 1978
- Customs and Excise Act, 91 of 1964
- Electronic Communications Act, 13 of 2000
- Electronic Communications and Transactions Act, 25 of 2002
- Employment Equity Act, 55 of 1998
- Financial Intelligence Centre Act, 38 of 2001;
- Income Tax Act, 58 of 1962
- Insolvency Act, 24 of 1936
- Labour relations Act, 66 of 1995
- Occupational Health and Safety Act, 85 of 1993
- Pension Funds Act, 24 of 1956
- Protection of Personal Information Act, 4 of 2013
- Skills Development Act, 97 of 1998
- Skills Development Levies Act, 9 of 1999
- South African Reserve Bank Act, 90 of 1989
- Trade Marks Act, 194 of 1993
- Unemployment Insurance Act, 63 of 2001
- Unemployment Insurance Contributions Act, 4 of 2002
- Value-Added Tax Act, 89 of 1991
- Insurance Act 180 of 2017
- Short-Term Insurance Act 53 of 1999
- Long-Term Insurance Act 52 of 1998
- Financial Sector Regulation Act 9 of 2017

8. SUBJECTS AND CATEGORIES OF RECORDS HELD BY ELECTRONIC MEDIA NETWORK

(Note: The lists below are not exhaustive)

8.1 Webpage

The ELECTRONIC MEDIA NETWORK webpage (https://www.multichoice.com/paia-compliance.php) accessible to anyone with access to the internet, has various categories of documents and other information.

8.2 Description of categories of records held

The documents/information listed in the table below pertain to the day-to-day management of the business of ELECTRONIC MEDIA NETWORK. It is recorded that access to the documents listed in the table below may be protected by privacy or the grounds of refusal set out in PAIA. All requests for access to such information will be evaluated on a case by case basis in accordance with the provisions of PAIA and other applicable legislation.

Department:	Categories of documents / information
Company Secretary	• compliance with corporate governance • memorandum and articles of association • company register • shareholders agreements • share certificates • board meetings (attendance register, resolutions, minutes books): • delegations of authority • general correspondence

Department:	Categories of documents / information
Administration	• suppliers • debtors and creditors • insurance policies • lease agreements • employees travel records • general correspondence
Finance	• invoices • credit/debit notes • journals, ledgers & balance sheets • income statements • trial balance statements • cash flow statements • tax invoices • salary information • auditors report • general correspondence
Human Resources	• employee's personal details • job profiles • division and cost centres • remuneration • medical aid • employee benefits • disciplinary records • job competency profile • employee performance contract • training records • internal policies and procedures • general correspondence
Legal	• contracts / agreements • litigation records • administration of legislation • general correspondence
Regulatory	• agreements • regulatory submissions • general correspondence
Marketing	• development of new products • advertising • general correspondence

Department:	Categories of documents / information
Call Centre	• customer complaints/queries • customer liaison • compliment records • general correspondence

8.3 Automatically available records

The records listed below are automatically available without having to submit a formal request to access the information in terms of PAIA:

- Public product information – freely available on the company website
- Public corporate records
- Broad-based black empowerment certificates
- Product information
- Published financial records which are generally available to the public

8.4 Section 52(2) notices

At this stage, no notices have been published.

9.POPIA

9.1 Description of personal information processing in terms of POPIA

ELECTRONIC MEDIA NETWORK processes personal information in accordance with its Privacy and Cookie Notice, available on its ultimate parent company's website (www.multichoice.com).

The MultiChoice Group's Privacy and Cookie Notice sets out, among other things:

- the purpose of the processing;
- a description of the categories of data subjects and of the information or categories of information relating thereto;
- the recipients or categories of recipients to whom the personal information may be supplied;
- planned transborder flows of personal information; and

- general description allowing a preliminary assessment of the suitability of the information security measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information which is to be processed.

9.2 Request for access to personal information - s23 POPIA

Section 23(1) of POPIA (read with section 53 of PAIA), provides that a data subject has the right to request confirmation from a responsible party (as defined in section 1 of POPIA e.g. ELECTRONIC MEDIA NETWORK whether the responsible party holds personal information about them. Such confirmation is provided free of charge. However, the data subject must first provide adequate proof of their identity before such confirmation may be provided.

In terms of section 23(2) of POPIA, a data subject may request from the responsible party a copy of the record or a description of their personal information held by the responsible party. For such requests, in accordance with section 25 of POPIA, data subjects must use PAIA Form 2 (a copy of which is attached at section 11 of this manual). For guidance regarding how to complete PAIA Form 2 refer to section 5 of this manual. Alternatively, log a privacy query on our website (www.multichoice.com). For information about prescribed fees payable for information requested, see section 6 of this manual.

Please note that the correct completion and submission of the PAIA Form 2 or a query on our website does not automatically entitle or allow the requester access to the requested record. An application for access to a record in terms of section 23 of POPIA is subject to certain limitations if the requested record falls within a category as specified in section 23(4)(a) of the POPIA read with Part 3 Chapter 4 of PAIA.

Take note further that if it is reasonably suspected that a requester has obtained access to a record based on the submission of materially incorrect, false or misleading information, legal proceedings may be instituted against such requester.

9.3 Correction of personal information – s24 POPIA

Where a responsible party holds personal information of a data subject, the data subject is entitled to request the responsible party to correct or delete the record of their personal information if such record is inaccurate, irrelevant, excessive, out of date, incomplete, misleading, obtained unlawfully or which the responsible party is no longer authorised to retain in terms of section 14 of POPIA.

Such requests must be made using the prescribed POPIA Form 2 and submitted to the

POPIA Information Officer using the contact details in section 2 of this manual. See the Information Regulator's website for more details. Alternatively, log a privacy query on the MultiChoice Group website (www.multichoice.com).

9.4 Objection to processing of personal information – s11(3) POPIA

A data subject may at any time object to the processing of their personal information on the grounds provided for in section 11(3)(a) to 11(3)(b) of POPIA.

Such objection must be made using the prescribed POPIA Form 1 and submitted to the POPIA Information Officer using the contact details in section 2 of this manual. See the Information Regulator's website for more details. Alternatively, log a privacy query on the MultiChoice Group website (www.multichoice.com).

10. SECTION 26 OF THE COMPANIES ACT

As per Companies Regulation 24(1), any right of access of any person to any information contemplated in section 26 of the Companies Act must be exercised in accordance with the provisions of PAIA.

Requests in terms of section 26 of the Companies Act as read with Regulation 24 of the Companies Regulations, 2011 must be made using the prescribed COR 24 Form, a copy of which can be found at section 13 of this manual.

The fully completed COR 24 Form must be submitted to ELECTRONIC MEDIA NETWORK either in hard copy at the company's physical address set out in section 2 of this manual, or electronically to the following email address: cosec@multichoice.com

10.1 Beneficial holders of securities

If you are a holder of a beneficial interest in any securities issued by ELECTRONIC MEDIA NETWORK, you are entitled to inspect (at no charge) or copy (upon payment of the prescribed fee), the company records listed in section 26(1) of the Companies Act.

10.2 Persons who are not beneficial holders of securities

If you are **not** a holder of a beneficial holder of the securities of ELECTRONIC MEDIA NETWORK, then in terms of section 26(2) of the Companies Act, you are entitled to inspect or copy upon payment of a prescribed fee:

10.2.1 the securities register of a profit company; or

10.2.2 the register of directors of a company.

11. PAIA FORM OF REQUEST (FORM 2)

FORM 2

REQUEST FOR ACCESS TO RECORD

[Regulation 7]

NOTE:

1. *Proof of identity must be attached by the requester.*
2. *If requests made on behalf of another person, proof of such authorisation, must be attached to this form.*

TO: The Information Officer

_____

_____

_____

_____*(Address)*

E-mail address: _____

Fax number: _____

*Mark with an **"X"***

☐ Request is made in my own name ☐ Request is made on behalf of another person.

PERSONAL INFORMATION				
Full Names				
Identity Number				
Capacity in which request is made *(when made on behalf of another person)*				
Postal Address				
Street Address				
E-mail Address				
Contact Numbers	Tel. (B):		Facsimile:	
	Cellular:			
Full names of person on whose behalf request is made *(if applicable):*				
Identity Number				
Postal Address				

Street Address				
E-mail Address				
Contact Numbers	Tel. (B)		Facsimile	
	Cellular			

PARTICULARS OF RECORD REQUESTED

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. (*If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)*

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

TYPE OF RECORD
*(Mark the applicable box with an "**X**")*

Record is in written or printed form	
Record comprises virtual images *(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)*	
Record consists of recorded words or information which can be reproduced in sound	
Record is held on a computer or in an electronic, or machine-readable form	

FORM OF ACCESS *(Mark the applicable box with an "**X**")*	
Printed copy of record *(including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)*	
Written or printed transcription of virtual images *(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)*	
Transcription of soundtrack *(written or printed document)*	
Copy of record on flash drive *(including virtual images and soundtracks)*	
Copy of record on compact disc drive *(including virtual images and soundtracks)*	
Copy of record saved on cloud storage server	

MANNER OF ACCESS *(Mark the applicable box with an "**X**")*	
Personal inspection of record at registered address of public/private body *(including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)*	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format *(including transcriptions)*	
E-mail of information *(including soundtracks if possible)*	
Cloud share/file transfer	
Preferred language *(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)*	

PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED *If the provided space is inadequate, please continue on a separate page and attach it to this Form. The requester must sign all the additional pages.*	
Indicate which right is to be exercised or protected	
Explain why the record requested is required for the exercise or	

protection of the aforementioned right:	

FEES	
a) *A request fee must be paid before the request will be considered.* *b)* *You will be notified of the amount of the access fee to be paid.* *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	

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

Postal address	Facsimile	Electronic communication *(Please specify)*

Signed at _____ this _____ day of _____ 20 _____

_____

Signature of Requester / person on whose behalf request is made

---

FOR OFFICIAL USE

Reference number:	
Request received by: (State Rank, Name And Surname of Information Officer)	
Date received:	
Access fees:	
Deposit (if any):	

_____ ***Signature of Information Officer***

12. OUTCOME OF REQUEST AND FEES PAYABLE (FORM 3)

FORM 3

OUTCOME OF REQUEST AND OF FEES PAYABLE

[Regulation 8]

1. *If your request is granted the—*
   (a) *amount of the deposit, (if any), is payable before your request is processed; and*
   (b) *requested record/portion of the record will only be released once proof of full payment is received.*
2. *Please use the reference number hereunder in all future correspondence.*

Reference number: _____

TO: _____

_____

_____

_____

Your request dated _____, refers.

Personal inspection of information at registered address of public/private body *(including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)* is free of charge. You are required to make an appointment for the inspection of the information and to bring this Form with you. If you then require any form of reproduction of the information, you will be liable for the fees prescribed in Annexure B.	

1. You requested:

OR

2. You requested:

Printed copies of the information *(including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)*	
Written or printed transcription of virtual images *(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)*	
Transcription of soundtrack *(written or printed document)*	
Copy of information on flash drive *(including virtual images and soundtracks)*	
Copy of information on compact disc drive*(including virtual images and soundtracks)*	
Copy of record saved on cloud storage server	

3. To be submitted:

Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format *(including transcriptions)*	
E-mail of information *(including soundtracks if possible)*	
Cloud share/file transfer	
Preferred language: *(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)*	

DStv GOtv showmax DStv Media Sales irdeto

Kindly note that your request has been:

☐ Approved

☐ Denied, for the following reasons:

4. Fees payable with regards to your request:

Item	Cost per A4-size page or part thereof/item	Number of pages/items	Total
Photocopy			
Printed copy			
For a copy in a computer-readable form on: (i) Flash drive • To be provided by requestor (ii) Compact disc • If provided by requestor • If provided to the requestor	 R40.00 R40.00 R60.00		
For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on the quotation of the service provider		
Copy of visual images			
Transcription of an audio record, per A4-size	R24.00		
Copy of an audio record (i) Flash drive • To be provided by requestor (ii) Compact disc • If provided by requestor • If provided to the requestor	 R40.00 R40.00 R60. 00		
Postage, e-mail or any other electronic transfer:	Actual costs		
TOTAL:			

5. Deposit payable (if search exceeds six hours):

☐ Yes ☐ No

The amount must be paid into the following Bank account:
Name of Bank: _____
Name of account holder: _____
Type of account: _____
Account number: _____
Branch Code: _____
Reference Nr: _____
Submit proof of payment to: _____

Signed at _____ this _____ day of _____ 20 _____

_____
Information officer

DStv GOtv showmax DStv Media Sales irdeto

13. COR 24 FORM

Companies and Intellectual Property Commission
Republic of South Africa

Form CoR 24

About this Form

- This form is issued in terms of section 26 of the Companies Act, 2008, and Regulation 24 of the Companies Regulations, 2011.
- Any right of access to company records is subject to section 26 or to the Promotion of access to Information Act, 2000.
- This form must be completed and submitted to the company before a right of access may be exercised.

Contacting the Commission

The Companies and Intellectual Property Commission of South Africa

Postal Address
PO Box 429
Pretoria
0001
Republic of South Africa
Tel: 086 100 2472

www.cipc.co.za

Request for Access to Company Information

Date: _____ **Customer Code:** _____

From: _____*(insert name of person seeking access)*

To:

(Name and Registration Number of Company)

*Name:*_____

Registration No: _____

The person named above claims a right of access to the following records of the above named company:

_____

_____

_____

_____

_____

_____

The person named above claims a right of access on the grounds of being -

☐ a holder of beneficial interest in securities of the company, or a member of a non profit company, as the case may be, as contemplated in section 26 (1).

☐ a person other than a person contemplated in section 26 (1).

The person named above may be contacted about this request at:

(Insert contact details)

_____

_____

_____

_____

_____

_____

This form is prescribed by the Minister of Trade and Industry in terms of section 223 of the Companies Act, 2008 (Act No. 71 of 2008).

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