



Gullwing Telemetry Solutions (Pty) Ltd

Registration Number: 2018/076361/07



PAIA MANUAL

Published for GULLWING TELEMETRY SOLUTIONS (Pty) Ltd
as a Private Body in terms of section 51 of the Promotion of
Access to Information Act 2 of 2000.

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1 INTRODUCTION

GULLWING TELEMETRY SOLUTIONS (Pty) Ltd is a Software Development and Data Science services business and provides a range of solutions in the IOT, vehicle telemetry and insurance industry to its customers (“GULLWING TELEMETRY SOLUTIONS (Pty) Ltd”).

This manual is published in terms of section 51 of the Promotion of Access to Information Act 2 of 2000 (the “PAIA Act”) [the “Manual”] and provides an outline of the type of records and personal information which GULLWING TELEMETRY SOLUTIONS (Pty) Ltd holds and processes. The Manual also explains how to submit requests for access to these records in terms of the PAIA Act. In addition to explaining how to access, or object to, personal information held by GULLWING TELEMETRY SOLUTIONS (Pty) Ltd, or request correction of the personal information, in terms of sections’ 23 and 24 of the Protection of Personal Information Act 4 of 2013 (the “POPI Act”), the Manual also explains how to submit requests for access to these records in terms of the PAIA Act.

The objective of the PAIA Act is to give effect to the constitutional right to access to information, which information is held by a public or private body and which information is required for the exercise or protection of any rights. The PAIA Act recognises the right entrenched in section 32 of the Constitution of the Republic of South Africa, 1996 and aims to foster a culture of transparency and accountability in public and private bodies by giving effect to the right of access to information.

Accordingly, this PAIA Manual aims to establish and foster a culture of compliance with prevailing data protection legislation, which in turn gives rise to an environment within which the rights to access to information are actively protected and promoted.

Section 9 of the PAIA Act dictates that the right to access to information is not an unlimited right and is subject to certain limitations, which include limitations which balance the rights which data subjects have to access information against other rights which data subjects and interested parties have, whether it be in terms of the Constitution of the Republic of South Africa, 1996 or otherwise. Some of these rights which the right to access to information are weighed up against are aimed at protecting the fundamental right to privacy and maintaining the confidentiality (whether it be commercial or individual confidentiality) of interested parties so as to maintain acceptable levels of governance.

1.1 Availability and Purpose of this PAIA Manual

This PAIA Manual is published on GULLWING TELEMETRY SOLUTIONS (Pty) Ltd's website or alternatively, a copy can be requested from the Information Officer or Deputy Information Officer, which copy may also be inspected at GULLWING TELEMETRY SOLUTIONS (Pty) Ltd's physical address set forth in paragraph 2 below.

The primary purpose of this PAIA Manual is to facilitate requests for access to information held by GULLWING TELEMETRY SOLUTIONS (Pty) Ltd, which requests shall be made in accordance with the prescribed procedures and at the rates provided for in section 5 of this PAIA Manual. In addition to the above, the further purposes of this PAIA Manual, are to describe the records held by GULLWING TELEMETRY SOLUTIONS (Pty) Ltd and to clearly articulate the grounds upon which access to any such records may be refused.

1.2 Availability of guides to the PAIA and POPI Acts

Guides to the PAIA and POPI Acts can be obtained and queries directed to:

POPI and PAIA Acts

The office of the Information Regulator:

Physical Address:

JD House 27 Stiemens Street Braamfontein
Johannesburg
Gauteng

Website: www.justice.gov.za/inforeg/

E-mail: inforeg@justice.gov.za

2 CONTACT DETAILS

Contact details in terms of section 51 of PAIA:

General Manager/Corporate Officer	Hennie Barnard
Information Officer:	Wessel Swanepoel
Deputy Information Officer:	
Postal address:	CoWork@Midlands Office Park Midstream Centurion 1668
Registered address:	CoWork@Midlands Office Park Midstream Centurion 1668
Telephone:	+27 (82) 405 8973
E-mail address:	wessel@gullwing.co.za

General Information:

Name of private body:	Gullwing Telemetry Solutions (PTY) Ltd
Industry:	Software Development Services
Registration number:	2018/076361/07
VAT registration number:	4410282588
Postal address:	CoWork@Midlands Office Park Midstream

	Centurion 1668
Physical address / Place of business:	CoWork@Midlands Office Park Midstream Centurion 1668
Telephone:	0122850845
E-mail address:	hennie@gullwing.co.za
Website:	https://www.gullwing.co.za

Applicable Legislation:

The following legislation, amongst others which may become applicable from time to time including any subsequent amendment thereto, is applicable to and observed by GULLWING TELEMETRY SOLUTIONS (Pty) Ltd pursuant to undertaking its day-to-day operations:

Item No:	Legislative Reference:	Act:
1	No. 75 of 1997	The Basic Conditions of Employment Act
2	No. 53 of 2003	The Broad-Based Black Economic Empowerment Act
3	No. 71 of 2008	The Companies Act
4	No. 130 of 1993	Compensation for Occupational Injuries and Diseases Act
5	No. 25 of 2002	The Electronic Communications and Transactions Act
6	No. 55 of 1998	The Employment Equity Act
7	No. 37 of 2002	The Financial Advisory and Intermediary Services Act
8	No. 58 of 1962	The Income Tax Act
9	No. 66 of 1995	The Labour Relations Act
10	No. 2 of 2000	The Promotion of Access to Information Act
11	No. 4 of 2013	The Protection of Personal Information Act
12	No. 63 of 2001	The Unemployment Insurance Act
13	No. 89 of 1991	The Value Added Tax Act

14	No. 85 of 1993	The Occupational Health and Safety Act
15	No. 97 of 1998	The Skills Development Act
16	No. 9 of 1999	The Skills Development Levies Act
17	No. 4 of 2000	Promotion of Equality and Prevention of Unfair Discrimination Act

3 COMPANY RECORDS

3.1 Availability of GULLWING TELEMETRY SOLUTIONS (Pty) Ltd's Records

The provisions of the PAIA Act, specifically the provisions of section 50 of the Act, dictate that a requester for access to information must be afforded access to any record of GULLWING TELEMETRY SOLUTIONS (Pty) Ltd if the following requirements are met:

- where a particular record is required for the exercise or protection of any rights (Section 50(1)(a) of PAIA);
- where a requester complies with the procedural requirements set forth in the PAIA Act relating to a request for access to particular records (Section 50(1)(b) of PAIA); and
- where access to that particular record is not refused in terms of any of the grounds for refusal to access contemplated in terms of Chapter 4 of the PAIA Act (Section 50(1)(c) of PAIA).

The below table sets forth the categories and subcategories of records which GULLWING TELEMETRY SOLUTIONS (Pty) Ltd processes. Each category and subcategory of records set out below may be subject to any one (or a number) of the grounds upon which GULLWING TELEMETRY SOLUTIONS (Pty) Ltd may refuse access to records. These grounds for refusal are set out in Chapter 4 of the PAIA Act, as well as described in the table at 3.2 below.

Personnel Records

Personnel refers to any person who works for or provides services to or on behalf of GULLWING TELEMETRY SOLUTIONS (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 GULLWING TELEMETRY SOLUTIONS (Pty) Ltd. This includes, without limitation, directors, executive directors, non-executive directors, all permanent, temporary and part-time staff as well as contract workers. Personnel records include the following:

- Any personal records provided to GULLWING TELEMETRY SOLUTIONS (Pty) Ltd by our personnel
- Any records a third party has provided to GULLWING TELEMETRY SOLUTIONS (Pty) Ltd about any of their personnel
- Conditions of employment and other personnel-related contractual and quasi-legal records
- Internal evaluation records
- Training schedules and materials
- Other internal records and correspondence related to a particular individual

Customer-Related Records

Please be aware that GULLWING TELEMETRY SOLUTIONS (Pty) Ltd is very concerned about protecting the personal information of any Data Subjects as defined in terms of the Protection of Personal Information Act, 4 of 2013). Please motivate any request for customer information very carefully, having regard to Sections 63 to 67 of the Act.

Customer records may include the following:

- Any records a customer has provided to GULLWING TELEMETRY SOLUTIONS (Pty) Ltd or a third party acting for or on behalf of GULLWING TELEMETRY SOLUTIONS (Pty) Ltd
- Contractual information
- Customer needs assessments
- Personal records of customers
- Credit information and other research conducted in respect of customers
- Any records a third party has provided to GULLWING TELEMETRY SOLUTIONS (Pty) Ltd about customers

<ul style="list-style-type: none"> • Confidential, privileged, contractual and quasi-legal records of customers
<ul style="list-style-type: none"> • Customer evaluation/review records
<ul style="list-style-type: none"> • Customer profiling
<ul style="list-style-type: none"> • Performance research conducted on behalf of customers or about customers
<ul style="list-style-type: none"> • Any records a third party has provided to GULLWING TELEMETRY SOLUTIONS (Pty) Ltd either directly or indirectly
<ul style="list-style-type: none"> • Records generated by or within GULLWING TELEMETRY SOLUTIONS (Pty) Ltd pertaining to customers, including transactional records
<p>Technical Records</p>
<ul style="list-style-type: none"> • Technical reports
<ul style="list-style-type: none"> • Technical data
<ul style="list-style-type: none"> • Plans, new products and services, brands and trademarks forming part of the intellectual property rights of GULLWING TELEMETRY SOLUTIONS (Pty) Ltd
<p>Third Parties</p>
<p>Records are kept in respect of other third parties, including without limitation contractors, suppliers, agents and/or service providers. In addition, certain third parties may possess records, which can be said to belong to GULLWING TELEMETRY SOLUTIONS (Pty) Ltd and in such instances those third parties process such records for and on behalf of GULLWING TELEMETRY SOLUTIONS (Pty) Ltd in their capacities as process operators and subject to prescribed contractual terms. The following records fall under this category:</p>
<ul style="list-style-type: none"> • Personnel, customer or GULLWING TELEMETRY SOLUTIONS (Pty) Ltd records which are held by another third party as opposed to being held by GULLWING TELEMETRY SOLUTIONS (Pty) Ltd
<ul style="list-style-type: none"> • Records held by GULLWING TELEMETRY SOLUTIONS (Pty) Ltd pertaining to other parties, including financial records, correspondence, contractual records, electronic mail, logs, cached information, records provided by the

<p>other party, and records third parties have provided about the contractors/suppliers or customers</p>
<p>Other Records</p>
<p>Further records are held including:</p>
<ul style="list-style-type: none"> ▪ Information relating to GULLWING TELEMETRY SOLUTIONS (Pty) Ltd's own business activities
<ul style="list-style-type: none"> ▪ Research carried out on behalf of a client by GULLWING TELEMETRY SOLUTIONS (Pty) Ltd or commissioned from a third party for a customer
<ul style="list-style-type: none"> ▪ Research information belonging to GULLWING TELEMETRY SOLUTIONS (Pty) Ltd, whether carried out itself or commissioned from a third party

3.2 Access to Health or Other Records

If a request for access to health or other records provided by a health practitioner, in their capacity as such, relates to the physical, mental health, or well-being of the requester, or if the request has been made on behalf of the person to whom the record relates ("the relevant person"), and GULLWING TELEMETRY SOLUTIONS (Pty) Ltd's Information Officer is of the opinion that the disclosure of the record to the relevant person might cause harm to his or her physical, mental health or well-being, GULLWING TELEMETRY SOLUTIONS (Pty) Ltd's Information Officer may, before giving access to such record consult with a health practitioner who has been nominated by the relevant person.

If the relevant person is below the age of 16 years, a person having parental responsibilities for the relevant person must make the above nomination and if the relevant person is incapable of managing his or her affairs, a person appointed by the court to manage those affairs must make that nomination.

If, after being given access to the relevant record, the health practitioner consulted is of the opinion that the disclosure of the record to the relevant person, would be likely to cause serious harm to his or her physical, mental health or well-being, the Information Officer may only grant access to the relevant record if the requester proves that adequate provision is made for such counselling or arrangements as are reasonably practicable before, during or after the disclosure

of the record to limit, alleviate or avoid such harm to the relevant person. Before access to the record is given to a requester, the person responsible for such counselling or arrangement must be given access to the record.

3.3 Grounds for Refusal of Access to Records

Upon receipt of a request for access to information, GULLWING TELEMETRY SOLUTIONS (Pty) Ltd will be required to consider such a request in light of the provisions of section 50 of the PAIA Act. Subject to such consideration, GULLWING TELEMETRY SOLUTIONS (Pty) Ltd will be required to either grant such a request or refuse such a request. If GULLWING TELEMETRY SOLUTIONS (Pty) Ltd elects to refuse access to a particular record, such refusal will be subject to GULLWING TELEMETRY SOLUTIONS (Pty) Ltd's interpretation of the various prescribed grounds for refusal as set forth in Chapter 4 of the PAIA Act and in the table below:

Ground(s) For Refusal	Description and Explanation of Ground(s) for Refusal
Mandatory protection of privacy of third party who is a natural person [Section 63 of PAIA]	GULLWING TELEMETRY SOLUTIONS (Pty) Ltd may refuse access to a record if the disclosure of that record would involve the unreasonable disclosure of personal information relating to a third party, including a deceased individual.
Mandatory protection of commercial information of third party [Section 64 of PAIA]	<p>GULLWING TELEMETRY SOLUTIONS (Pty) Ltd may refuse a request for access to a record if the record comprises of or is constituted by the following information relating to a third party –</p> <ul style="list-style-type: none"> • Trade secrets of a third party; • Financial, commercial, scientific or technical information, other than trade secrets, of a third party, which if disclosed is likely to cause harm to the commercial or financial interests of the third party; • Information which has been supplied in confidence by a third party, the disclosure of which could reasonably be expected to place the third party at a disadvantage in contractual or other negotiations or is likely to prejudice the third party in commercial competition.
Mandatory protection of certain confidential information of a third party [Section 65]	GULLWING TELEMETRY SOLUTIONS (Pty) Ltd may refuse access to a record which if disclosed would constitute an action for breach of a duty of confidence owed to a third party in terms of an agreement or contractual relationship.

<p>Mandatory protection of safety of individuals and protection of property [Section 66]</p>	<p>GULLWING TELEMETRY SOLUTIONS (Pty) Ltd may refuse a request for access to record if its disclosure could reasonably be expected to endanger the life or physical safety of an individual, or if its disclosure would be likely to prejudice or impair the security of:</p> <ul style="list-style-type: none"> • a building, structure or system, including but not limited to a computer or communication system, a means of transport or any other property; • method(s), system(s), plans or procedures for the protection of an individual in accordance with a witness protection scheme, the safety of the public, or any part of the public or the security of property.
<p>Commercial information of Private Body [Section 68]</p>	<p>GULLWING TELEMETRY SOLUTIONS (Pty) Ltd may refuse a request for access to a record if the record contains (or comprises of):</p> <ul style="list-style-type: none"> • Trade secrets of the Private Body; • Financial, commercial, scientific or technical information, other than trade secrets of the Private Body, the disclosure of which would be likely to cause harm to the commercial or financial interests of the Private Body; • Information, the disclosure of which could reasonably be expected to put the Private Body at a disadvantage in contractual or other negotiations or prejudice the Private Body in commercial competition; • A computer programme (as defined in section 1(1) of the Copyright Act 98 of 1978 as amended) owned by the Private Body, except insofar as it is required to give access to a record to which access is granted in terms of the PAIA Act.
<p>Mandatory protection of research information of third party, and protection of research information of private body [Section 69]</p>	<p>GULLWING TELEMETRY SOLUTIONS (Pty) Ltd may refuse a request for access to a record if the record contains information about research being or to be carried out by or on behalf of a third party/private body, the disclosure of which would be likely to expose the third party/private body, a person that is (or will be) carrying out the research on behalf of the third party/private body, or the subject matter of the research to serious disadvantage.</p>

4 PROCESSING OF PERSONAL INFORMATION

Pursuant to promoting responsible information processing practices within its organisation, as well as in its capacity as responsible party contemplated in terms of the provisions of the POPI Act, GULLWING TELEMETRY SOLUTIONS (Pty) Ltd takes any activities relating to the protection and processing of personal information (as defined in terms of the provisions of section 1 of the POPI Act) very seriously. To promote the constitutional right to privacy, as well as to play its part in promoting the rights protected in terms of the POPI Act, GULLWING TELEMETRY SOLUTIONS (Pty) Ltd undertakes to, in so far as is required of it, observe the requirements and conditions for the lawful processing of personal information.

4.1 The purposes for which personal information is processed

GULLWING TELEMETRY SOLUTIONS (Pty) Ltd may process personal information for a variety of purposes, which may include, but is not limited to, the following purposes:

1. To fulfil the data aggregation and processing, rating, access control and reporting requirements on behalf of our clients
2. To provide or manage any information, products and/or services requested by data subjects in general
3. To help us identify data subjects when they contact us
4. To facilitate the delivery of services to our clients
5. To help us administer client matters
6. To maintain client records
7. To maintain supplier records
8. For recruitment purposes
9. For employment purposes
10. For apprenticeship purposes
11. For general administration, financial and tax purposes
12. For legal or contractual purposes
13. For health and safety purposes
14. To render advice to our employees and clients
15. To retain records in compliance with any applicable legislation
16. To monitor access, secure and manage any of our office premises and facilities regardless of location in South Africa
17. To transact with our suppliers and business partners
18. To help us improve the quality of our services.
19. To help us detect and prevent fraud and money laundering.
20. To comply with legislation applicable to us; and

21. To carry out and perform client mandates.

4.2 Categories of data subjects and personal information processed.

The categories of data subjects and personal information processed by GULLWING TELEMETRY SOLUTIONS (Pty) Ltd may include, but is not limited to, the following:

Entity Type	Personal Information Processed
Clients: Natural Persons	Names; contact details; physical and postal addresses; date of birth; ID number; Tax related information; nationality; gender; confidential correspondence; Insurance Policy information (insurer, policy numbers), vehicle information (vehicle registration, vin, make, model, year); telematics data (date and time, speed, acceleration, location); mobile device information (make, model, firmware version); tracking device data (brand, make and model)
Clients – Juristic Persons / Entities	Names of contact persons; Name of Legal Entity; Physical and Postal address and contact details; Financial information; Registration Number; Founding documents; Tax related information; authorised signatories, beneficiaries, ultimate beneficial owners
Clients – Foreign Persons / Entities	Names; contact details; physical and postal addresses; date of birth; Passport number Tax related information; nationality; gender; confidential correspondence
Intermediary / Advisor	Names of contact persons; Name of Legal Entity; Physical and Postal address and contact details; Financial information; Registration Number;

	Founding documents; Tax related information; authorised signatories, beneficiaries, ultimate beneficial owners
Contracted Service Providers	Names of contact persons; Name of Legal Entity; Physical and Postal address and contact details; Financial information; Registration Number; Founding documents; Tax related information; authorised signatories, beneficiaries, ultimate beneficial owners
Employees / Directors	Gender, Pregnancy; Marital Status; Colour, Age, Language, Education information; Financial Information; Employment History; ID number; Physical and Postal address; Contact details; Opinions, Criminal behaviour; Well-being;

4.3 The processing of personal information and categories of recipients with whom personal information is shared

Subject to any relevant terms and conditions of use which may be applicable when a data subject engages with GULLWING TELEMETRY SOLUTIONS (Pty) Ltd, we may share the personal information of any data subject we process for any of the purposes outlined in section 4.1 above, with the following third parties, whether such third parties qualify as “responsible parties” in terms of section 1 of the POPI Act or not:

- any GULLWING TELEMETRY SOLUTIONS (Pty) Ltd Group Company from time to time;
- any relevant service providers and suppliers;
- any relevant regulatory authorities who may govern GULLWING TELEMETRY SOLUTIONS (Pty) Ltd in undertaking its operations;
- any approved service provider, contractor or supplier with whom GULLWING TELEMETRY SOLUTIONS (Pty) Ltd has an agreement;
- any approved business partners who provide products and services to GULLWING TELEMETRY SOLUTIONS (Pty) Ltd; and

- any approved service providers or authorised agents who perform services on GULLWING TELEMETRY SOLUTIONS (Pty) Ltd's behalf.

GULLWING TELEMETRY SOLUTIONS (Pty) Ltd processes personal information in order to facilitate and enhance the delivery of products and services to its customers, foster a legally compliant workplace environment, as well as safeguard the personal information relating to any data subjects which it in fact holds. We undertake to process any personal information in a manner which promotes the constitutional right to privacy, retains accountability and data subject participation. In any circumstances where we process the personal information of data subjects, GULLWING TELEMETRY SOLUTIONS (Pty) Ltd maintains appropriate privacy notices where the purposes of the processing of any personal information and the processing takes place, is recorded and communicated to data subjects.

4.4 Information security measures to protect personal information

We have, and continue to, implement reasonable, technical and organisational measures for the protection of personal information processed by GULLWING TELEMETRY SOLUTIONS (Pty) Ltd. We at all times take reasonable and appropriate security measures to secure the integrity and confidentiality of personal information in our possession in order to guard against:

- the loss of, damage to or unauthorised destruction of personal information;
- the unlawful access or processing of personal information; or
- the wilful manipulation of personal information.

We will take steps to ensure that any third-party process operators (as defined in terms of section 1 of the POPI Act) who process personal information on behalf of GULLWING TELEMETRY SOLUTIONS (Pty) Ltd apply adequate safeguards as outlined above.

4.5 Trans-border flows of personal information

GULLWING TELEMETRY SOLUTIONS (Pty) Ltd will only transfer personal information across South African borders if the relevant business transactions or situation requires trans-border processing and will do so only in accordance with South African legislative requirements or if the relevant data subject consents to the transfer of their personal information to third parties in any foreign jurisdictions.

We will take reasonable steps to ensure that any third-party process operators are bound by laws, binding corporate rules or binding agreements that provide an adequate level of protection and uphold the principles for reasonable and lawful processing of personal information as contemplated in terms of the POPI Act.

4.6 Personal information received from third parties

When GULLWING TELEMETRY SOLUTIONS (Pty) Ltd receives personal information from any third party on behalf of a data subject, we require confirmation that such a third party has written consent from the data subject indicating that said data subject is aware of the contents of this PAIA Manual and GULLWING TELEMETRY SOLUTIONS (Pty) Ltd's Privacy Policy, and do not have any objection to our processing their personal information accordingly.

5 PRESCRIBED REQUEST FORMS AND FEES

5.1 How to gain access to records held

Records which are held by GULLWING TELEMETRY SOLUTIONS (Pty) Ltd may be accessed by requests for such access to information and documentation in the prescribed manner and subject to certain requirements being met. In this regard a requester is any person making a request for access to a record held by GULLWING TELEMETRY SOLUTIONS (Pty) Ltd, and there are two types of requesters:

- A Personal Requester

A personal requester is a requester who is seeking access to a record containing personal information about the requester and GULLWING TELEMETRY SOLUTIONS (Pty) Ltd will voluntarily provide the requested information, or give access to any record with regard to the requester's personal information. In this regard, the prescribed fees for the reproduction of this information requested may be charged.

- Other Requester

This requester (other than a personal requester) is entitled to request access to information on third parties. GULLWING TELEMETRY SOLUTIONS (Pty) Ltd is, however, not obliged to voluntarily grant access and the requester must fulfil the procedural requirements for access in terms of the PAIA Act, including the payment of a request and access fee.

Requests for access to records must be made by completing the prescribed Form A and paying the requester's fee. Where such access is granted in terms of this PAIA Manual, the information and documentation will be made available at the offices of GULLWING TELEMETRY SOLUTIONS (Pty) Ltd (the particulars of which appear in section 2 above) or in the manner requested, should this be reasonable and possible. The manner of access will include:

- Perusal with copying of material if needed and at the prescribed fee for copies;
- Access to visual, audio visual material with a transcription, dubbing, copying or both, if required.

To facilitate the processing of any request by a requester for information or documentation in terms of this PAIA Manual, requesters are required to follow the procedure set forth herein below:

- i. Use the prescribed Form A attached hereto as **Annexure A**, alternatively found on GULLWING TELEMETRY SOLUTIONS (Pty) Ltd's website.
- ii. Address your request to the Information or Deputy Information Officer.
- iii. Provide sufficient detail to enable GULLWING TELEMETRY SOLUTIONS (Pty) Ltd or any authorised person dealing with a request to identify:
 - a) The record(s) requested;
 - b) The requestor (and, if an agent is lodging the request on behalf of someone, proof of capacity and authorisation);
 - c) The South African postal address, email address or fax number of the requestor;
 - d) The form of access required;

- e) If the requester wishes to be informed of the decision in any manner (in addition to being informed in writing) the manner and particulars thereof;
- f) The right which the requestor is seeking to exercise or protect with an explanation of the reason the record is required in order to exercise or protect the right.

5.2 Prescribed fees

The following applies to requests (other than personal requests):

- i. A requestor is required to pay the prescribed fees (R50.00) before a request will be processed.
- ii. If the preparation of the record requested requires more than the prescribed 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).
- iii. A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit.
- iv. Records may be withheld until the fees have been paid.

The detailed Fee Structure as prescribed in terms of section 54 of the PAIA Act is attached hereto as **Annexure B** and is also available on GULLWING TELEMETRY SOLUTIONS (Pty) Ltd's website.

5.3 Access to prescribed forms and fees

Prescribed forms and fees are published on GULLWING TELEMETRY SOLUTIONS (Pty) Ltd's website or, alternatively, copies can be requested from the Information Officer or Deputy Information Officer (see contact details in section 2). Prescribed forms and fees can be found on GULLWING TELEMETRY SOLUTIONS (Pty) Ltd's website.

6 REMEDIES & DECISION

6.1 Internal Remedies

GULLWING TELEMETRY SOLUTIONS (Pty) Ltd does not have an internal appeal procedure regarding PAIA and POPI Act requests for access to information. As such, the decision made by the Information Officer, is final.

If a request is denied and the requester is dissatisfied with the Information Officer's decision, the requestor will be required to exercise such external remedies at their disposal if a request for information is refused.

6.2 External Remedies

A requestor who is dissatisfied with the Information Officer's refusal to disclose information, may within 30 (thirty) days of notification of the decision apply to a competent Court, with jurisdiction over these applications in terms of the PAIA Act, for appropriate relief.

6.3 Time Afforded to respond

6.3.1 GULLWING TELEMETRY SOLUTIONS (Pty) Ltd is required to, within 30 (thirty) days of receipt of a request, decide whether to grant or decline the request and, if required, provide the requester with reasons to that effect.

6.3.2 The 30 (thirty) day period stipulated in paragraph 6.3.1 above, may be extended for a further period of not more than 30 (thirty) days if the request is for a large amount of information, or the request requires an extensive search for information which cannot reasonably be obtained within the originally stipulated 30 (thirty) day period.

6.3.3 In circumstances contemplated in paragraph 6.3.2, GULLWING TELEMETRY SOLUTIONS (Pty) Ltd will notify the requester in writing should an extension be sought.

COMPILED BY GULLWING TELEMETRY SOLUTIONS (Pty) Ltd

HEAD OF GULLWING TELEMETRY SOLUTIONS (Pty) Ltd

DATE:

ANNEXURE A

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY
 [Section 53(1) of the Promotion of Access to Information Act, 2000
 (Act No. 2 of 2000)]
[Regulation 10]

A. Particulars of private body

Name of private body:	
Industry:	
Registration number:	
VAT registration number:	
Postal address:	
Physical address / Place of business:	
Telephone:	
Functional Mailbox:	
E-mail address:	
Website:	

Request to be addressed to:

The Information Officer / Deputy Information Officer:

Information Officer:	Deputy Information Officer:
Email:	Email:
Telephone Number:	Telephone Number:

B. Particulars of person requesting access to the record

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: _____

C. Particulars of person on whose behalf request is made

This section must only be completed if a request for information is being made on behalf of another person.

Full names and surname: _____

Identity number: _____

D. Particulars of record

The requestor must provide full particulars of the record to which access is requested, including any reference number if that is known to the requestor, to enable the record to be located. You are welcome to attach an annexure (which must be signed) to this request form should the space provided herein be insufficient.

Description of record or relevant part of the record: _____

Reference number, if available: _____

Any further particulars of record: _____

E. Fees

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. GULLWING TELEMETRY SOLUTIONS (Pty) Ltd will, upon receipt of your request, notify you of the amount required to be paid as the request fee. 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. If you qualify for exemption of the payment of any fee, please state the reason for exemption.

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 hereunder, 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**.

- (a) Compliance with your request 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:

<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record
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2. If 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*	<input type="checkbox"/>	transcription of the images*
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3. If record consists of recorded words or information which can be reproduced in sound:

<input type="checkbox"/>	Listen to the soundtrack (audio cassette)	<input type="checkbox"/>	Transcription of soundtrack* (written or printed document)
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4. If record is held on 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* (stiffy or compact disc)
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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

You are welcome to attach an annexure (which must be signed) to this request form should the space provided herein be insufficient.

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: _____

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? _____

Signed at _____ this _____ day of _____ 20____

SIGNATURE OF REQUESTER / PERSON
ON WHOSE BEHALF REQUEST IS MADE

PRESCRIBED FEE TARIFF

GENERAL

The following applies to requests (other than personal requests):

1. A requester is required to pay the prescribed fees (R50.00) before a request will be processed;
2. If the preparation of the record requested requires more than the prescribed hours determined by GULLWING TELEMETRY SOLUTIONS (Pty) Ltd's Information Officer, a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted);
3. A requester may lodge an application with a court against the tender/payment of the request fee and/or deposit;
4. Records may be withheld until the fees have been paid. Payments should be made to the business account of GULLWING TELEMETRY SOLUTIONS (Pty) Ltd, the particulars of which account details will be made available to a requestor upon lodging a request for access to information.

FEES IN RESPECT OF PRIVATE BODIES

1. The fee for a copy of the Manual as contemplated in regulation 9(2)(c) is R1,10 for every photocopy of an A4-size page or part thereof.
2. The fees for reproduction referred to in regulation 11(1) are as follows:

For every photocopy of an A4-size page or part thereof	R1.10
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
For a copy in a computer-readable form on –	
(i) Stiffy disc	R7.50
(ii) Compact disc	R70.00
For a transcription of visual images, for an A4-size page or part thereof	R40.00
For a copy of visual images	R60.00

For a transcription of an audio record, for an A4-size page or part thereof	R20.00
For a copy of an audio record	R30.00

3. The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2) is R50,00.

4. The access fees payable by a requester referred to in regulation 11(3) are as follows:

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

5. 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.

6. For purposes of section 54(2) of the Act, the following applies:

5 hours as the hours to be exceeded before a deposit is payable; and
One third of the access fee is payable as a deposit by the requester.

7. Postage fees are payable when a copy of a record must be posted to a requester.