

MANUAL
IN TERMS OF SECTION 51 OF THE
PROMOTION OF ACCESS TO INFORMATION ACT NO. 2 OF 2000 (“PAIA”)
READ WITH THE
PROTECTION OF PERSONAL INFORMATION ACT NO. 4 OF 2013 (“POPIA”)
FOR TRAIL DIGITAL (PTY) LTD

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1. INTRODUCTION TO THE COMPANY AND TYPE OF BUSINESS

Trail Digital (Pty) Ltd, hereafter referred to as ("**the company**"), is a Search Engine Optimisation (SEO) consultancy established in Cape Town focussing mainly on small to medium sized businesses.

The company is a private company with registration number: 2021/471798/07.

The company's website address is <https://traildigital.co.za/>

This Manual has been prepared in terms of Section 51 of the PAIA which aims to give effect to the constitutional right of access to information which is required to exercise or protect any rights.

The aim of this Manual is to assist potential requestors of personal information as to the procedure to be followed when requesting access to records of the company as contemplated in terms of the PAIA. This N=Manual may be amended from time to time and as soon as any amendments have been finalised, the latest version of same will be made public.

Any said requestor is advised to contact the director the company (see below), should he/she/it require any assistance in respect of the utilisation of this Manual and/or the requesting of records from the company.

2. CONTACT DETAILS (SECTION 51)

The director of the company is: Joshua Byrne.

The director is head of the company, the Information Officer and the Chief Executive Officer.

Director

Telephone: 0793680010

Email: josh@traildigital.co.za

Head Office

Postal Address: 9 Austwick Road, Rondebosch, 7700

3. PAIA SECTION 10 GUIDE (SECTION 51)

In terms of Section 10 of the PAIA, the Information Regulator must update and make available the existing guide that has been compiled by the South African Human Rights Commission (“SAHRC”) containing such information as may be required by a person who wishes to exercise any right contemplated in the PAIA and the POPIA. The guide will be made available in all official languages and may be accessed from the SAHRC.

The guide is available for inspection, *inter alia*, at the office of the Human Rights Commission at:

Physical Address: 27 Stiemans Street Braamfontein

Postal Address: 31533 Braamfontein, 2017

Tel: 011 877 3600/3750 Fax: 011 403 0668

Contact Person: Hilda Pule (Head of corporate support services)

Email: hpule@sahrc.org.za

Website: www.sahrc.org.za

4. APPLICABLE LEGISLATION

The latest notice in terms of section 52(2): At this stage no notice affecting the company has been published on the categories of records that are automatically available without a person having to request access in terms of the PAIA. (Section 51(1)(b)(ii) of the PAIA)

5. CATEGORIES OF RECORDS OF THE COMPANY WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

The following are categories of records held by the company which are available without a person having to request access by completing Form 02– M1 (see below), example, the types of the records that may be available on the website.

Category of record	Details of record	Availability of Website
Personal information	If you request access to records containing personal information about yourself	

6. HOW TO REQUEST ACCESS TO A RECORD/DESCRIPTION OF THE SUBJECTS ON WHICH THE COMPANY HOLDS RECORDS AND THE CATEGORIES OF RECORDS (Section 51(1)(b)(iv) of the PAIA)

A request for information should be in the prescribed Form 02, attached marked Annexure M1 (and available on the website of the Information Regulator – www.inforegulator.org.za), addressed to the director at his nominated address(es) (see above).

The requester must provide sufficient particulars to enable the director to identify the records requested and the identity of the requester, which form of access is required and to identify the right the requestor is seeking to exercise or protect. The requestor must also provide an explanation of why the requested record is required for the exercise or protection of that right and if the requestor wishes to be informed of the decision of the request in a manner other than by written reply, must state the manner he/she/it wishes to be informed by. If a request is made on behalf of a person, proof of the capacity in which the requester is making the request must also be submitted to the satisfaction of the director.

The prescribed fees that the company can charge, as well as how the outcome of a request will be communicated, are set out on the prescribed Form 03, attached marked Annexure M2 (and

available on the website of the Information Regulator – www.inforegulator.org.za).

The following fees are, or could be, payable-

- i) Initial Request fee, when submitting the initial request.
- ii) If the request is granted, an access fee must be paid for the reproduction of records and for time in excess of one hour to search and prepare the records for disclosure. Where the time to prepare the records for disclosure is likely to exceed six hours, a deposit of one third of the anticipated access fee may be required as a deposit.
- iii) Payment details can be obtained from the director/Information Officer.

All requests in the prescribed format will be considered by the company in terms of the PAIA. Access may be refused in terms of S62 to S69 of the PAIA.

7. DESCRIPTION OF RECORDS (SECTION 51(1)(b)(iv) of the PAIA)

The company keeps records in accordance with the following legislation. These records may be administrative, compliance related, financial, etc. (this is not an exhaustive list):

- Income Tax Act No. 58 of 1962
- Value Added Tax Act No. 89 of 1991
- Labour Relations Act No. 66 of 1995
- Financial Intelligence Centre Act No. 38 of 2001
- Promotion of Access to Information Act No. 2 of 2000
- Protection of Personal Information Act No. 4 of 2013
- Basic Conditions of Employment Act No. 75 of 1997
- Employment Equity Act No. 55 of 1998
- Skills Development Levies Act No. 9 of 1999
- Unemployment Insurance Act No. 63 of 2001
- Electronic Communications and Transactions Act No. 25 of 2002
- Consumer Protection Act No. 68 of 2008

Category of record	Details of record	Availability
Public affairs	Product/service information	Freely available
Companies Act records	Documents of incorporation Share register Minutes of directors' and shareholders' meetings Records relating to the appointment of the directors/auditors/secretary/information officer and other officers Other statutory registers and returns Powers of attorney Share certificates	PAIA request (see below)
Company Authorisation and Licence	CIPC registration Employer registration VAT registration Taxpayer registration	PAIA request (see below)
Financial records	Financial statements Financial and tax records (company and employee) Tax returns Accounting books and records Management accounts Bank statements Banking records Asset register	PAIA request (see below)

	<p>Rental agreement(s) (if applicable)</p> <p>Budgets</p> <p>Insurance policies and endorsement and claim forms</p> <p>Correspondence sent and received</p> <p>Debtors/Creditors statements and invoices</p>	
Income Tax records	<p>PAYE records</p> <p>Documents issued to employees for income tax purposes</p> <p>Records of payments made to SARS on behalf of employees</p> <p>All other statutory compliance records:</p> <ul style="list-style-type: none"> o VAT o Skills Development Levies o UIF o Workman's compensation o Other deductions and returns 	PAIA request (see below)
Legal services	Agreements with clients, suppliers, service providers and other parties	PAIA request (see below)
Movable and immovable property	<p>Title deeds</p> <p>Lease agreements</p> <p>Credit sale agreements</p> <p>Ordinary sale agreements</p>	PAIA request (see below)

	<p>Marketing</p>	<p>Market information</p> <p>Public client information</p> <p>Product/service brochures</p> <p>Manuals</p> <p>Product sales records</p> <p>Marketing strategies</p> <p>Copies of advertisements and advertising register</p> <p>Client database</p> <p>Company performance records</p>	<p>PAIA request (see below)</p>
	<p>Intellectual Property</p>	<p>Trademarks</p> <p>Patents</p> <p>Designs</p> <p>Templates</p> <p>Seminar content</p> <p>Online course material</p> <p>Compliance monitoring plans</p> <p>Articles</p> <p>Opinions</p> <p>Know-how</p>	<p>PAIA request (see below)</p>

	Licensing agreements for same	
Strategic Documents, Plans, Proposals	Annual Reports Strategic Plan Annual Performance Plan	PAIA request (see below)
Administration and Information Technology	Intranet Correspondence with internal and external parties Company systems documentation and manuals	PAIA request (see below)
Operations	Policies and procedures Industry authorisation and compliance records Industry exemption records Disaster recovery and implementation plans	PAIA request (see below)
Human Resources	Policies and procedures Employee information Employment contracts Training Records	PAIA request (see below)

	<p>Workplace and union agreements records</p> <p>Benefit arrangements rules and records</p>	
Compliance Delivery	<p>Compliance reports</p> <p>Correspondence with regulators and customers</p> <p>Implementation records</p>	PAIA request (see below)
Website	<p>Company profile</p> <p>Areas of service and expertise</p> <p>News and publications</p> <p>Coverage</p> <p>Client Portal</p>	PAIA request (see below)
Personnel documents other and records	<p>Employment contracts</p> <p>SLA contracts</p> <p>Medical aid records</p> <p>Disciplinary records</p> <p>Salary records</p> <p>Leave records</p> <p>Training records</p> <p>Training manuals</p> <p>Written contracts</p> <p>Decisions of adjudicators/courts and</p>	PAIA request (see below)

	legal opinions	
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8. THE POPIA PROCESSING REQUIREMENTS (Section 51(1)(c) of the PAIA)

Insofar as POPIA is concerned:

- (i) The company will only process personal information in line with the Trail Digital Privacy Policy, which is available on the website.
- (ii) A description of the categories of data subjects and of the information or categories of information relating thereto -
 - a. This section specifies the categories of data subjects in respect of whom the company processes personal information and the nature or categories of the personal information being processed. The inclusion of any subject of records should not be taken as an indication that the records in those categories will be made available under the PAIA, as certain grounds for refusal may be applied.

<u>Categories of Data Subjects:</u>	<u>Subjects personal information that may be processed:</u>
Clients	<i>Individual -</i> Contracts with, Full names and surname of client as appears on identity document/passport, Identity/passport number, Physical address, Postal address, Business/work address, Gender , Race , Banking details (payment processing and financial compliance),

		<p>Mailing/notice address(es), Telephone numbers, Email address(es), Correspondence sent and received by the company including customer support, Billing information (invoicing and financial transactions)</p>
		<p><i>Company / CC -</i></p> <p>Contracts with, Full registered name of client as appears on company constitutional documents, Trading name (if different from registered name), Registration number, Details of Compliance Officer and contact/responsible person linked to that</p> <p>client (including full names and surname as appears on identity document/passport, Identity/passport number, Mailing/notice address(es), Telephone numbers, Email address(es)), Business address(es) of client, Business email address(es) of client, Business telephone number(s) of client, Banking details of client (payment processing and financial compliance), Billing information (invoicing and financial transactions), VAT registration status and number (if applicable, and for invoicing & tax compliance), details of directors, professional license numbers (if</p>

		applicable), other confidential and proprietary information
		<p><i>Trusts -</i></p> <p>Contracts with, copy of trust deed and letters of authority, Full registered name of client as appears on trust deed, Registration number, Details of trustee/contact/responsible person linked to that</p> <p>client (including full names and surname as appears on identity document/passport, Identity/passport number, Mailing/notice address(es), Telephone numbers, Email address(es)), Address(es) of client, Email address(es) of client, Telephone number(s) of client, Banking details of client (payment processing and financial compliance), Billing information (invoicing and financial transactions)</p>
	Employees	<p>Contracts with, Full names and surname of employee as appears on identity document/passport, Identity/passport number (Verify identity and comply with tax/employment laws), Date of birth (age verification and statutory employment benefits),</p> <p>Permits (if applicable), Physical</p>

		<p>address (employment records and correspondence), Postal address, Business/work address, Gender, Race, Banking details (salary payments and tax compliance), Telephone numbers, Email address(es) (work communication and payroll), Correspondence sent and received by the company, Emergency contact details, including full name and surname of contact and contact number and address, tax number (payroll tax and SARS compliance), employment history (verification of work experience), qualifications and certifications (verify skills for job role), performance records (tracking employee progress and appraisals)</p>
	<p>Service Providers</p>	<p>Full name, Identity/registration number, Addresses, Trade secrets and Bank details (see above guidance regards detailed individual versus Company / CC requirements)</p>
	<p>Third party contractors</p>	<p>Full name, Identity/registration number, Addresses, Qualifications, Gender, Race, Contact information, Business address, Banking details (see above guidance regards detailed individual versus Company / CC requirements)</p>

(iii) the recipients to whom the personal information may be supplied are:

<u>Category of personal information:</u>	<u>Recipients or Categories of Recipients to whom the personal information may be supplied:</u>
Identity number and name, for criminal checks	South African Police Services, Legal
Qualifications, for qualification verifications	South African Qualifications Authority, Regulatory authorities/bodies, Legal
Credit and payment history, for credit information	Credit Bureaus, Legal
Name, address, Registration number or identity number, employment status and bank details	Third party contractors, Legal
Name, address, Registration number or identity number, Employment status, Bank details, Business information, Trading information, Statutory reports, Business reports	Regulatory authorities/bodies

(iv) planned transborder flows of personal information:

The company uses the Google Drive (Google Workspace) to enable the necessary security functionality to its systems which safeguards its information against malicious access and use. The company is party to a Data Processing Agreement with Google that aligns with international security standards, including data encryption, restricted access, and regular audits.

(v) a general description 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 being processed:

The International Organization for Standardization (ISO) is an independent, non-governmental international organization with an international membership of 163 national standards bodies. The ISO/IEC 27000 family of standards helps organizations keep their information assets secure. ISO/IEC 27001:2022 outlines and provides the requirements for an information security management system (ISMS), specifies a set of best practices, and details the security controls that can help manage information risks.

Google Workspace is certified as ISO/IEC 27001:2022 compliant. The 27001 standards

do not mandate specific information security controls, but the framework and checklist of controls it lays out allow Google to ensure a comprehensive and continually improving model for security management.

The Company thus has its information systems built on the ISO27001 standards. The acceptable use of all the company's devices and information systems are governed by the standards and its related policies. The ISO27001 policies allow for the safeguarding of information, including personal information. It ensures that basic security platforms, solutions, software, principles and architecture is in-place to protect its information systems against data leakage and the misuse of information.

9. PUBLISHING OF PAIA MANUAL

In terms of Section 51(3) of the PAIA, a copy of this Manual is available as follows:

- (i) On the website - www.traildigital.co.za;
- (ii) From the Cape Town Head Office of the company during normal business hours on request by any person on payment of a prescribed fee; and
- (iii) From the Information Officer (director).

10. FORM OF REQUEST (section 53)

Refer to Annexure M3 for the Trail Digital PAIA process and Annexure M4 for Prescribed Fees.

11. UPDATING OF THE MANUAL

The director will on a regular basis update this Manual and publish same according to the requirements of the PAIA and the POPIA.

ANEXURE M1

PRESCRIBED REQUEST FORM

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ANEXURE M2

PRESCRIBED FEES PAYABLE AND OUTCOME OF REQUEST FORM

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ANEXURE M3

THE TRAIL DIGITAL PAIA PROCESS

- The requester must use the prescribed form (Form 02 – Annexure M1) to make a request for access to a record.
- The request must be made to the director at josh@traildigital.co.za.
- The requester must provide sufficient details of the records being requested as well as the right that he/she/it is seeking to protect and explain why the record is required to protect that right.



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ANEXURE M4

PRESCRIBED FEES

No	Description	Amount
	<i>Initial request fee</i>	
1.	The initial request fee payable by every requester	R140
	<i>Access and reproduction fee</i>	
2.	Photocopy/printed black & white copy of A4- size page	R2.00 per page or part thereof
3.	Printed copy of A4- size page	R2.00 per page or part thereof
4.	For a copy in a computer – readable form on: <ul style="list-style-type: none"> (i) Flash drive (to be provided by requestor) (ii) Compact disc <ul style="list-style-type: none"> a. If provided by requestor b. If provided to the requestor 	R40.00 R40.00 R60.00
5.	For a transaction of visual images per A4-size page	Service to be outsourced. Will depend on quotation from service
6.	Copy of visual images	provider
7.	Transcription of an audio record, per A4-Size page	R24.00
8.	Copy of an audio record on: <ul style="list-style-type: none"> (i) Flash drive (to be provided by requestor) (ii) Compact disc <ul style="list-style-type: none"> a. If provided by requestor b. If provided to the requestor 	R40.00 R40.00 R60.00
9.	To search for and prepare the record for disclosure for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation To not exceed	R145.00 R435.00
10.	Deposit: If search exceeds 6 hours	One third of amount per request calculated in terms of items 2 to 8

11. Postage, e-mail or any other electronic transfer	Actual expense, if any
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