



---

Registration Number of Company: 2004/007490/07

**EVALUATE ASSESSMENT SOLUTIONS (PTY) LTD**

**MANUAL**

**in terms of**

**Section 51 of**

**The Promotion of Access to Information Act**

**2/2000**

**(the "ACT")**



## INDEX

**1. Introduction to Evaluate Assessment Solutions (Pty) Limited**

**2. Contact Details**

**3. The ACT and Section 10 Guide (Section 51 (1) (a))**

**4. Applicable Legislation**

**5. Schedule of Records**

**6. Form of Request**

**7. Fee Schedule**

**Annexure 1: Form C** - Request for access to record of private body

**Annexure 2: Form 1** - Objection to the Processing of Personal Information in terms of Section 11(3) of the Protection of Personal Information Act.

**Annexure 3: Form 2** - Request for Correction or Deletion of Personal Information or Destroying or Deletion of Record of Personal Information (Protection of Personal Information Act).



## **1. INTRODUCTION AND PURPOSE**

Evaluate Assessment Solutions (Pty) Ltd ('Evaluate') is a developer and value-added reseller of Information Technology solutions. This manual has been developed to assist persons wishing to access information regarding the company, in terms of the Act. This manual is available for inspection at the company's offices and on its website [www.evaluate.co.za](http://www.evaluate.co.za).

## **2. COMPANY CONTACT DETAILS**

In the event that a person or entity requires access to information as contemplated in the Act, the requester must contact the Information Officer:

Directors: Mr. Philip Daniel van den Heever (Managing)

CEO/Information Officer: Mr. Philip Daniel van den Heever

Postal Address: P.O. Box 98846, Sloane Park, 2152

Street Address: 105 Somerset Gardens, Mulbarton Rd, Beverly, Sandton, 2191

Telephone Number: +27 11 465 4832

Email: [solutions@evaluate.co.za](mailto:solutions@evaluate.co.za)

## **3. THE ACT**

**3.1** The ACT grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.

**3.2** Requests in terms of the ACT shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in paragraphs 6 and 7 of the Act.

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

The contact details of the Commission are:

Postal Address: Private Bag 2700, Houghton, 2041

Telephone Number: +27-11-877 3600

Fax Number: +27-11-403 0625

Website: [www.sahrc.org.za](http://www.sahrc.org.za)



#### **4. RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION**

<b><u>No</u></b>	<b><u>Ref</u></b>	<b><u>Act</u></b>
1	No 61 of 1973	Companies Act
3	No 55 of 1998	Employment Equity Act
4	No 95 of 1967	Income Tax Act
5	No 66 of 1995	Labour Relations Act
6	No 89 of 1991	Value Added Tax Act
7	No 75 of 1997	Basic Conditions of Employment Act
8	No 25 of 2002	Electronic Communications and Transactions Act
9	No 2 of 2000	Promotion of Access of Information Act
10	No 30 of 1996	Unemployment Insurance Act
11	No.4 of 2013	Protection of Personal information Act
12	No.68 of 2008	Consumer Protection Act
13	No.9 of 1999	Skills Development Levies Act



## **5. SCHEDULE OF RECORDS**

The subjects on which the company holds records and the categories of each in terms of Section 51(1)(e) of the Act are listed below. Note that a requestor is not automatically allowed access to these records and that access to them may be refused in accordance with Sections 62 to 69 of the Act:

<b><u>Records</u></b>	<b><u>Subject</u></b>	<b><u>Availability</u></b>
Companies Act Records	<ul style="list-style-type: none"> <li>• Documents of Incorporation</li> <li>• Memorandum of Incorporation</li> <li>• Minutes of Meetings of the Board of Directors</li> <li>• Minutes of meetings of Shareholders</li> <li>• Share Register and other statutory registers/records/documents</li> <li>• Special resolutions/Resolutions passed at General meetings</li> <li>• Records relating to statutory appointments</li> </ul>	Not available. Request in terms of the Act.
Public Affairs	<ul style="list-style-type: none"> <li>• Public Product Information</li> <li>• Public Corporate Records</li> <li>• Media Releases</li> </ul>	Freely available on web site: - <a href="http://www.evaluate.co.za">www.evaluate.co.za</a>
Financial	<ul style="list-style-type: none"> <li>• Financial Statements</li> <li>• Financial and Tax Records (Company &amp; Employees)</li> <li>• Asset Register</li> <li>• Management Accounts</li> <li>• Banking Details and Accounts</li> </ul>	Not available. Request in terms of the Act.
Personnel	<ul style="list-style-type: none"> <li>• Personnel documents and records</li> </ul>	Not available. Request in terms of the Act.
Marketing	<ul style="list-style-type: none"> <li>• Market Information</li> <li>• Public Customer Information:               <ul style="list-style-type: none"> <li>○ Product Brochures</li> <li>○ Owner Manuals</li> </ul> </li> <li>• Performance Records</li> <li>• Product Sales Records</li> <li>• Marketing Strategies</li> <li>• Customer Database</li> </ul>	Limited Information available on web sites. (see above)  Request in terms of the Act Request in terms of the Act Request in terms of the Act Request in terms of the Act
Personal Information	<ul style="list-style-type: none"> <li>• Processing operations documentation</li> </ul>	Request in terms of the POPI Act



## **6. PURPOSE OF PROCESSING OF PERSONAL INFORMATION**

- 6.1 To respond to enquiries;
- 6.2 To send customers quotations for services;
- 6.3 To verify identity;
- 6.4 To invite customers to marketing events;
- 6.5 To send updates on the latest technology trends;
- 6.6 To provide our services;
- 6.7 To send marketing material (including electronic communications) relating to solutions customers may be interested in;
- 6.8 To recruit and manage staff;
- 6.9 To provide customer services that utilise personal information;
- 6.10 To support engagement with suppliers;
- 6.11 To support engagement with investors and the media; and
- 6.12 To conduct market or customer satisfaction research or for statistical analysis

## **7. DATA SUBJECT CATEGORIES AND PERSONAL INFORMATION**

- 7.1 Customers – manage customer lifecycle records;
- 7.2 Employees – manage employee lifecycle records;
- 7.3 Suppliers – manage supplier lifecycle records;
- 7.4 Media – manage media interactions;
- 7.5 Public – record website visits and enquiries; and
- 7.6 Investors – record statutory information.

## **8. RECIPIENTS OF PERSONAL INFORMATION**

- 8.1 Statutory authority recipients;
- 8.2 Employees;
- 8.3 Customers;
- 8.4 Suppliers;
- 8.5 Tax authorities;
- 8.6 Financial Institutions;
- 8.7 Medical Schemes; and
- 8.8 Pension/Provident funds;

## **9. TRANS-BORDER FLOWS OF PERSONAL INFORMATION**

Evaluate is not currently active beyond its borders. It is envisaged that this may soon change and future Personal Information flows may include flows in respect of:

- 9.1 Customers;
- 9.2 Suppliers;
- 9.3 Employees;
- 9.4 Foreign statutory bodies;
- 9.5 Business Partners; and
- 9.6 Social media

## **10. PERSONAL INFORMATION SECURITY**

The security measures utilised to protect Personal Information include:

- 10.1 Local cyber-security measures;
- 10.2 Cloud cyber-security measures;
- 10.3 Physical security measures; and



10.4 User training in information security policy.

## 11. FORM OF REQUEST

For information purposes only, Annexures 1 to 3 contain the templates of statutory forms for requesting/amending/deleting, as the case may be :

- Information available under the Act; and/or
- Personal Information in terms of the Popi Act.

To facilitate the processing of your request, kindly:

**11.1** Use the latest prescribed form, available on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at [www.sahrc.org.za](http://www.sahrc.org.za).

**11.2** Address your request to the Head of the Company (CEO).

**11** Provide sufficient details to enable the COMPANY to identify:

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

## 12. PRESCRIBED FEES

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

**12.1** A requestor is required to pay the prescribed fees (R50.00) before a request will be processed;

**12.2** If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted);

**12.3** A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit;

**12.4** Records may be withheld until the fees have been paid.

**12.5** The fee structure is available on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at [www.sahrc.org.za](http://www.sahrc.org.za).



## Annexure 1

### FORM C

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

The Head:

#### B. Particulars of person requesting access to the record

- 
- (a) The particulars of the person who requests access to the record must be given below.
  - (b) The address and/or fax number in the Republic to which the information is to be sent must be given.
  - (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:

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 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 record 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 processed only after a 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 for exemption.

Reason for exemption from payment of fees:

**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
<p>Mark the appropriate box with an X.</p> <p>NOTES:</p> <p>(a) Compliance with your request in the specified form may depend on the form in which the record is available.</p> <p>(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.</p> <p>(c) The fee payable for access for the record, if any, will be determined partly by the form in which access is requested.</p>	

<b>1. If the record is in written or printed form:</b>			
	copy of record*		inspection of record
<b>2. If record consists of visual images</b> this includes photographs, slides, video recordings, computer-generated images, sketches, etc)			
	view the images		copy of the images"      transcription of the images*
<b>3. If record consists of recorded words or information which can be reproduced in sound:</b>			
	listen to the soundtrack audio cassette		transcription of soundtrack* written or printed document
<b>4. If record is held on computer or in an electronic or machine-readable form:</b>			



	printed copy of record*		printed copy of information derived from the record"		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? Postage is payable.					YES	NO

**G. Particulars of right to be exercised or protected**

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. Indicate which right is to be exercised or protected: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

2. 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**



**Annexure 2**

**FORM 1**

**OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION IN TERMS OF SECTION 11(3) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO.**

**4 OF 2013)**

**REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018**

[Regulation 2]

*Note:*

1. *Affidavits or other documentary evidence as applicable in support of the objection may be attached.*
2. *If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.*
3. *Complete as is applicable.*

A	DETAILS OF DATA SUBJECT
Name(s) and surname/ registered name of data subject:	
Unique Identifier/ Identity Number	
Residential, postal or business address:	
	Code (    )
Contact number(s):	
Fax number / E-mail address:	
B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname/ Registered name of responsible party:	
Residential, postal or business address:	
	Code (    )
Contact number(s):	
Fax number/ E-mail address:	
C	REASONS FOR OBJECTION IN TERMS OF SECTION 11(1)(d) to (f) <i>(Please provide detailed reasons for the objection)</i>




Signed at ..... this ..... day of .....20.....

.....  
*Signature of data subject/designated person*



**Annexure 3**

**FORM 2**

**REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION OR DESTROYING OR DELETION OF RECORD OF PERSONAL INFORMATION IN TERMS OF SECTION 24(1) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)**

**REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018**  
[Regulation 3]

*Note:*

1. *Affidavits or other documentary evidence as applicable in support of the request may be attached.*
2. *If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.*
3. *Complete as is applicable.*

Mark the appropriate box with an "x".

**Request for:**

Correction or deletion of the personal information about the data subject which is in possession or under the control of the responsible party.

Destroying or deletion of a record of personal information about the data subject which is in possession or under the control of the responsible party and who is no longer authorised to retain the record of information.

A	DETAILS OF THE DATA SUBJECT
Name(s) and surname / registered name of data subject:	
Unique identifier/ Identity Number:	
Residential, postal or business address:	
	Code (    )
Contact number(s):	
Fax number/E-mail address:	
B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname / registered name of responsible party:	
Residential, postal or	



business address:	
Contact number(s):	Code (      )



Fax number/ E-mail address:	
<b>C</b>	<b>INFORMATION TO BE CORRECTED/DELETED/ DESTROYED/ DESTROYED</b>
<b>D</b>	<b>REASONS FOR *CORRECTION OR DELETION OF THE PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(a) WHICH IS IN POSSESSION OR UNDER THE CONTROL OF THE RESPONSIBLE PARTY ; and or</b> <b>REASONS FOR *DESTRUCTION OR DELETION OF A RECORD OF PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(b) WHICH THE RESPONSIBLE PARTY IS NO LONGER AUTHORISED TO RETAIN.</b> <i>(Please provide detailed reasons for the request)</i>

Signed at ..... this ..... day of .....20.....

.....  
*Signature of data subject/ designated person*