NEXSIS ACADEMIC PROPRIETARY LIMITED

THE PROMOTION OF ACCESS TO INFORMATION MANUAL

(“**Manual**”)

1. GENERAL NOTE

1.1. The *Promotion of Access to Information Act, 2000* ("**PAIA**"), effective from 9 March 2001, aims to uphold the Constitutional right of access to information held by the State or any other person. It allows individuals and organisations to access records from both public and private bodies if the information is necessary to exercise or protect their rights. PAIA requires private bodies to disclose information if a requester demonstrates the need for it and no grounds for refusal apply. It also outlines the procedures for making such requests.

1.2. Section 51 of PAIA requires private bodies to create a manual to facilitate access to information held by them, detailing the minimum requirements for this manual.

1.3. This Manual serves as Nexsis Academic's compliance document ("**Manual**") under section 51 of PAIA, as amended by the *Protection of Personal Information Act, 2013* ("**POPIA**"). POPIA enforces the Constitutional right to privacy and establishes standards for the protection of personal information processed by both public and private entities. It modifies certain provisions of PAIA to balance the right to information with the need to protect personal data. This includes creating an Information Regulator, issuing codes of conduct, and addressing rights related to unsolicited electronic communications and automated decision-making.

1.4. The Manual also covers procedures for submitting objections to the processing of personal information and requests to delete or destroy personal information or records in accordance with POPIA.

2. ABOUT NEXSIS ACADEMIC

Nexsis Academic is a software development company that creates technology solutions to educational institutions. Nexsis Academic developed Nexsis Central, a premiere web-based academic management system. Nexsis Central manages an institution's academic information and integrates with the leading Learning Management Systems.

3. CONTACT DETAILS

Name of Private Body:	**Nexsis Academic Proprietary Limited**
Designated Information Officer:	Johannes Beukes
Email address of Information Officer:	hannes@nexsisacademic.com
Contact number:	+27 76 473 6612
Postal and street address:	65 Main Road, Shop 4, Town Square, Fish Hoek, 7975

4. INFORMATION REGULATOR'S GUIDE

4.1. An official guide has been compiled which contains information to assist a person wishing to exercise a right of access to information in terms of PAIA and POPIA ("**Guide**"). This Guide is made available by the Information Regulator. Copies of the Guide are available from Information Regulator and the Information Officer free of charge.

4.2. Any request to inspect the Guide at Nexsis Academic's office or to obtain a copy of the Guide from the Information Officer must closely follow Form 1 in Annexure A of the PAIA Regulations, 2021. The form can be accessed via the following link: https://inforegulator.org.za/wp-content/uploads/2020/07/InfoRegSA-PAIA-Form01-Reg3.pdf

4.3. Any enquiries regarding the Guide should be directed to:

Postal address	JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001
Telephone number	+27 (0) 10 023 5200
E-mail address	enquiries@inforgulator.org.za mailto:enquiries@inforegulator.org.za
Website	https://inforegulator.org.za/
Link to access the form	InfoRegSA-PAIA-Form01-Reg2.pdf (inforegulator.org.za)

5. OBJECTIVES OF THIS MANUAL

The objectives of this Manual are:

5.1. to provide a list of all records held by Nexsis Academic;

5.2. to outline who may request information under PAIA and the grounds on which requests can be denied;

5.3. to specify the manner and form for submitting information requests; and

5.4. to meet the additional requirements set by POPIA.

6. ENTRY POINT FOR REQUESTS

6.1. Under PAIA, a person can request information only if it is needed to exercise or protect a legitimate right.

6.2. To process a request, the requester must provide enough details for Nexsis Academic to identify the right they seek to protect and explain why the information is necessary for that purpose. Requests cannot be used to access records for ongoing criminal or civil proceedings or to seek information after such proceedings have started.

6.3. The Information Officer is responsible for receiving and managing all PAIA requests to ensure compliance with PAIA and POPIA.

6.4. The Information Officer will work with the internal legal team to handle these requests.

6.5. All PAIA requests must be addressed to the Information Officer using the contact details in paragraph 3 above.

7. AUTOMATICALLY AVAILABLE INFORMATION

7.1. Information about Nexsis Academic that is available on the Nexsis Academic website can be accessed directly and does not require a formal request under this Manual.

7.2. The following types of records are automatically available for inspection, purchase or photocopying:

7.2.1. brochures;

7.2.2. press releases;

7.2.3. publication; and

7.2.4. various other marketing and promotional material.

8. INFORMATION AVAILABLE IN TERMS OF POPIA

8.1. In terms of POPIA, personal information must be processed for a specified purpose. The purpose for which data is processed by Nexsis Academic will depend on the nature of the data and the particular data subject. This purpose is ordinarily disclosed, explicitly or implicitly, at the time the data is collected.

8.2. **Categories of personal information collected by Nexsis Academic**

Nexsis Academic collects the following information:

8.2.1. name, gender, age and date of birth;

8.2.2. contact information, such as address, email, and mobile phone number;

8.2.3. country of residence;

8.2.4. lifestyle and social circumstances (for example, your hobbies);

8.2.5. family circumstances (for example, your marital status and dependents);

8.2.6. employment and education details (for example, the organisation you work for, your job title and your education details);

8.2.7. financial and tax-related information (for example your income, investments and tax residency);

8.2.8. postings or messages on any blogs, forums, platforms, wikis or social media applications and services that we provide (including with third parties);

8.2.9. IP address, browser type and language, your access times;

8.2.10. information in any complaints you make;

8.2.11. details of how you use our products and services;

8.2.12. CCTV footage and other information we collect when you access our premises;

8.2.13. details of how you like to interact with us, and other similar information relevant to our relationship; and

8.2.14. sensitive or special personal information, as defined in applicable data protection legislation, including biometric information, such as images, fingerprints, and voiceprints.

8.3. **The purpose of processing personal information**

Nexsis Academic processes personal information for the following purposes:

8.3.1. to provide services to clients;

8.3.2. to meet legal or regulatory requirements;

8.3.3. conduct due diligence checks relating to the services;

8.3.4. for other activities that form part of the operation of our business;

8.3.5. managing and responding to any request you submit through our website;

8.3.6. promoting our professional services, products and capabilities to existing and prospective business clients;

8.3.7. sending invitations and providing access to guests attending our events and webinars or our sponsored events;

8.3.8. personalising online landing pages and communications we think would be of interest based on interactions with us and group companies; and

8.3.9. administering, maintaining and ensuring the security of our information systems, applications and websites.

8.4. **A description of the categories of data subjects and of the information or categories of information relating thereto**

Nexsis Academic holds information and records on the following categories of data subjects:

8.4.1. actual and former staff of Nexsis Academic;

8.4.2. prospective, existing or former customers (including representatives and/or personnel);

8.4.3. prospective, existing or former supplier of services to us (including representatives and/or personnel);

8.4.4. an applicant for any job opportunities with us;

8.4.5. a counterparty in contractual discussions with us, or an existing or former counterparty in a contractual relationship with us (including representatives and/or personnel);

8.4.6. a visitor on our website; or

8.4.7. any other data subject whose personal information is processed by or on behalf of Nexsis Academic.

8.5. **The recipients or categories of recipients to whom the personal information may be supplied**

Nexsis Academic may share the personal information with the following:

8.5.1. to our subsidiaries who are contracted to provide products or services to you;

8.5.2. to assess and monitor applications for Nexsis Academic products or services;

8.5.3. to determine which products and services may be of interest to a person and/or to send information about such products and services, unless the person objects or chooses not to receive such communications;

8.5.4. to have a better understanding of a data subject's circumstances and needs to provide and improve Nexsis Academic products and services;

8.5.5. to any relevant person and/or entity for purposes of prevention, detection and reporting of fraud and criminal activities, the identification of the proceeds of unlawful activities and the combatting of crime;

8.5.6. to any regulator or supervisory authority, including those in foreign jurisdictions, if Nexsis Academic is required to do so in terms of applicable laws;

8.5.7. other parties in response to legal process or when necessary to conduct or protect Nexsis Academic's legal rights;

8.5.8. third party service providers who provide a service to Nexsis Academic that involves the processing of personal information;

8.5.9. other third parties in the context of marketing or advertising but only where a data subject provides consent;

8.5.10. to a prospective buyer or seller of any of Nexsis Academic's businesses or assets;

8.5.11. to any person if Nexsis Academic is under a duty to disclose or share personal information in order to comply with any applicable laws, or to protect the rights, property or safety of Nexsis Academic, our customers or other third parties; and/or

8.5.12. to a data subject's agent or any other person acting on their behalf, or an introducer.

8.6. **Planned transborder flows of personal information**

8.6.1. Nexsis Academic is based in South Africa, and it may transfer personal information to another country where it operates.

8.6.2. Nexsis Academic may also need to transfer personal information to an agent, sub-contractor or third-party service provider in countries outside South Africa. These countries may not have data privacy laws similar to those of South Africa.

If this happens, Nexsis Academic will ensure that anyone who receives the personal information agrees to treat the information with the same level of protection as if Nexsis Academic were dealing with it.

8.7. **A general description of information security measures to be implemented by Nexsis Academic**

8.7.1. Nexsis Academic takes extensive information security measures to ensure the confidentiality, integrity and availability of personal information in our possession. Nexsis Academic takes appropriate technical and organisational measures designed to ensure that personal data remains confidential and secure against unauthorised or unlawful processing and against accidental loss, destruction or damage.

8.7.2. Nexsis Academic has implemented the following data security measures:

8.7.2.1. defined and documented information security policies, procedures, and standards;

8.7.2.2. firewalls in place to control inbound and outbound traffic;

8.7.2.3. regular data backups to safeguard against data loss;

8.7.2.4. data loss prevention technologies and policies;

8.7.2.5. enforced careful access controls to limit who can access confidential data on devices and systems;

8.7.2.6. sensitive data is encrypted to prevent unauthorised access;

8.7.2.7. robust monitoring, auditing, and reporting capabilities to detect and respond to security incidents;

8.7.2.8. utilisation of anti-virus and anti-malware solutions to prevent malicious attacks

8.7.2.9. periodic assessments (vulnerability, penetration test, cyber etc.)

8.7.2.10. physical safeguards to protect hardcopies of information;

8.7.2.11. security awareness program to ensure that employees remain vigilant and informed about security risks and best practices.

9. INFORMATION AVAILABLE IN TERMS OF OTHER LEGISLATION

The following information is available in terms of certain provisions of the following legislation, as amended from time to time, as applicable to Nexsis Academic:

Legislation	Records
COMPANY SECRETARIAL	
Companies Act, 2008	• MOI • Minutes of meetings • Other records and correspondence
COMPLIANCE	
Occupational Health & Safety Act, 1993	• Occupational health and safety (OHS) reports including the following: • Learning history report • OHS agreement • OHS appointment letters • Incident reports • Personal information for workmen's compensation
Prevention and Combating of Corrupt Activities Act, 2004	• Corrupt or fraudulent employee, customer or merchant activities • Reports on corrupt and fraudulent activities to law enforcement agencies • Code of Ethics
Promotion of Access to Information Act, 2000	• The PAIA manual • PAIA guide • PAIA forms

Protection of Personal Information Act, 2013	• Data Protection Policy • Document Retention Policy • Staff and Public Privacy Statements • Data Subject Request Policy • Personal Data Inventory • Data Breach Policy
Regulation of Interception of Communications and Provision of Communication-related Information Act, 2002	• Acceptable Use Policy • Mobile Device Policy
HUMAN RESOURCES	
Basic Conditions of Employment Act, 1997	• Employee details • Information regarding dismissals for dishonesty-related behaviour • Employee next of kin or emergency contact details • Conflict-of-interest declarations • Education information • Health and safety records • Leave records • Internal evaluations and performance records • Disciplinary records • Training records
Compensation for Occupational Injuries and Health Diseases Act, 1993	• Record of the earnings and other prescribed particulars of all employees

Labour Relations Act, 1995	• Disciplinary records, including outcomes
Skills Development Act, 1998	• Training and Development reports
TAX	
Income Tax Act, 1962	• IT3 • IRP5 • Monthly IRP5 file • Unemployment Insurance Fund (UIF) files • PAYE information • SDL information • VAT record • Ledgers • Cash books • Journals • Bank statements • Deposit slips • Invoices • Other books of accounts • Electronic representations of information.
Tax Administration Act, 2011	• Audited financial statements • Taxation records • Asset registers

	• Management accounts
Value Added Tax Act, 1991	• Invoices • Tax invoices • Credit note • Debit notes • Bank statements
Unemployment Insurance Act, 2001	• Unemployment Insurance Fund (UIF) files • PAYE information

10. CATEGORIES OF RECORDS AVAILABLE UPON REQUEST

10.1. Nexsis Academic keeps records in the categories and on the subject matters listed below. Listing these categories or subject matters in this Manual does not guarantee that a request for access will be granted. Each request will be assessed individually in accordance with PAIA's provisions.

10.2. Many records held by Nexsis Academic involve third parties, such as customers and employees. Nexsis Academic is committed to protecting third-party confidential information. For details on the grounds for refusing access to records, refer to paragraph **Error! Reference source not found.** below. Requests for access to third-party records will be reviewed with care. Please ensure that your requests are well-justified.

Category of records	**Records**
Internal records The records listed pertain to Nexsis Academic's own affairs	• Memoranda and articles of association • Financial records • Operational records • Intellectual property • Marketing records • Internal correspondence • Service records • Statutory records • Internal policies and procedures; and • Minutes of meetings

Personnel records For the purposes of this section, "**personnel**" means any person who works for or provides services to or on behalf of Nexsis Academic and receives or is entitled to receive any remuneration and any other person who assists in carrying out or conducting the business of Nexsis Academic. This includes partners, directors, all permanent, temporary and part-time staff as well as consultants and contract workers.	• Any personal records provided to us by our personnel • Any records a third party has provided to us about any of their personnel • Conditions of employment and other personnel-related contractual and quasi legal records • Employment policies and procedures • Internal evaluation and disciplinary records • Other internal records and correspondence
Customer-related records	• Contracts with the customer and between the customer and other persons
Other third party records Records are kept in respect of other parties, including without limitation joint ventures and consortia to which Nexsis Academic is a party, contractors and sub-contractors, suppliers, service providers, and providers of information regarding general market conditions. In addition, such other parties may possess records which can be said to belong to Nexsis Academic.	• Personnel, customers, or Nexsis Academic records which are held by another party as opposed to being held by Nexsis Academic • Records held by Nexsis Academic pertaining to other parties, including financial records, correspondence, contractual records, records provided by the other party, and records third parties have provided about the contractors or suppliers.
Other records	• Information relating to Nexsis Academic • Research information belonging to Nexsis Academic or carried out on behalf of a third party
Transformation and Stakeholder Development Records	• Proposals for funding received • Records concerning organisations receiving support • Schedules of approved projects • Reports, books, publications and general information

	• Records and contracts of agreements
Corporate Affairs Records	• Promotional material • Presentations on Nexsis Academic • Market research on Nexsis Academic and peers • Company press releases • Media coverage on Nexsis Academic and peers
Treasury Records	• Correspondence • Mandates and resolutions • Service contracts
Finance Records	• Records for Nexsis Academic comprise: • Vendor invoices • Remittance advices • Accounts receivable • Banking records • Management and monthly accounts, quarterly and annual financial statements • External audit reports and records • Annual budgets • Accounting policies and procedures • Guarantees, undertakings, subordinations, bonds and similar liabilities
Legal Records	• Details of external counsel used by the company (locally and abroad) • Copies of agreements to which group companies are party to • List of current matters • Details of legal proceedings • General legal correspondence
Tax Records	• Tax returns as filed with the South African Revenue Services (SARS) • Correspondence with SARS on various issues – including objections to assessments, rulings obtained etc

	• Documentation on tax advice and opinions obtained from external counsel

11. REMEDIES AVAILABLE TO A REQUESTER ON REFUSAL OF ACCESS

11.1. Requests for access and correction (completing the prescribed form)

11.1.1. Any request for access to a record in terms of PAIA must substantially correspond with Form 2 of Annexure A of the PAIA Regulations, 2021 and should be specific in terms of the record requested. The form can be accessed via the following link: InfoRegSA-PAIA-Form02-Reg7.pdf (inforegulator.org.za)

11.1.2. Requests for access to information that do not comply with the formal requirements prescribed by PAIA will be returned to the requester.

11.1.3. Under POPIA, a data subject may request Nexsis Academic, upon proof of identity, to confirm all information held about them and request access to such information, including the identity of third parties who have had access to it. This request must be fulfilled free of charge .

11.1.4. POPIA also stipulates that if a fee is required for the service provided, Nexsis Academic must provide a written estimate of the payable amount before providing the service. Nexsis Academic may require the data subject to pay a deposit for all or part of the fee.

11.1.5. Grounds for refusal of the data subject's request are set out in PAIA and are discussed below.

11.1.6. Under POPIA, a data subject may object, at any time, to the processing of their personal information by Nexsis Academic on reasonable grounds related to their particular situation, unless otherwise provided by legislation. The objection must be submitted using the prescribed form to the Information Officer via the contact details provided above. The form can be accessed via the following link: FORM-1-OBJECTION-TO-THE-PROCESSING-OF-PERSONAL-INFORMATION.pdf (inforegulator.org.za)

11.1.7. A data subject may also request Nexsis Academic to correct or delete personal information that is inaccurate, irrelevant, excessive, outdated, incomplete, misleading, or unlawfully obtained. Alternatively, the data subject may request the destruction or deletion of a record of personal information that Nexsis

Academic is no longer authorised to retain under POPIA's retention and restriction provisions.

11.1.8. Requests for correction or deletion of personal information or the destruction or deletion of a record must be submitted to the Information Officer using the prescribed form. The form can be accessed via the following link: FORM-2-REQUEST-FOR-CORRECTION-OR-DELETION-OF-PERSONAL-INFORMATION-OR.pdf (inforegulator.org.za)

11.2. **Proof of identity**

Proof of identity is required to authenticate your identity and the request. In addition to the prescribed form, you will need to submit acceptable proof of identity, such as a certified copy of your identity document or other legal forms of identification.

11.3. **Payment of the prescribed fees**

11.3.1. Fees to pay:

11.3.1.1. **Request fee**: R140.00.

11.3.1.2. **Access fee**: This fee covers the costs of copying the information, searching for it, preparing it, and mailing it. These fees are set out in Annexure A.

11.3.2. According to Section 54 of PAIA, Nexsis Academic can charge fees to cover the costs of processing your request and providing access to the records. The fees are listed in Annexure B of the PAIA Regulations, 2021.

11.3.3. If your request is approved, you will need to pay all the required fees before Nexsis Academic can give the requester access to the records.

11.4. **Timelines for consideration of a request for access**

11.4.1. Requests will be processed within 30 (thirty) days, unless the request contains considerations that are of such a nature that an extension of the time limit is needed.

11.4.2. The Information Officer will inform the requester of the decision, and the fees payable (if applicable) on a form that corresponds substantially with Form 3 of Annexure A of the PAIA Regulations, 2021. The form can be accessed via the following link: Form-3-PAIA.pdf (inforegulator.org.za).

11.4.3. Should an extension be required, you will be notified, together with reasons explaining why the extension is necessary.

11.5. **Reasons to refuse access**

11.5.1. We may refuse your request for access to a record for various reasons, including:

11.5.1.1. protecting a third person's personal information from being shared unfairly;

11.5.1.2. protecting a third party's commercial information, such as trade secrets or financial details, that could harm their business interests;

11.5.1.3. if sharing the information would break a confidentiality agreement with a third party;

11.5.1.4. if sharing the information could endanger someone's safety or affect someone’s property rights;

11.5.1.5. if the record was created during legal proceedings, unless legal privilege has been waived;

11.5.1.6. if the record contains trade secrets or sensitive financial information that could put us at a disadvantage or harm our competitive position; or

11.5.1.7. if the record includes information about research being done for a third party or by Nexsis Academic.

11.5.2. Mandatory disclosure:

According to Section 70 of PAIA, Nexsis Academic must disclose a record if:

11.5.2.1. it reveals a serious violation of the law; or

11.5.2.2. there is an imminent and serious risk to public safety or the environment; and

11.5.2.3. the public interest in disclosing the record outweighs any harm that might come from sharing it.

11.5.3. If the request for access to information affects a third party, then such third party must first be informed within 21 (twenty one) days of receipt of the request. The



third party would then have a further 21 (twenty one) days to make representations and/or submissions regarding the granting of access to the record.

12. AVAILABILITY OF THIS MANUAL

Copies of this Manual are available for inspection, free of charge, at the offices of Nexsis Academic and on Nexsis Academic's website: https://nexsisacademic.com.

Annexure A FEES IN RESPECT OF PRIVATE BODIES

FEES IN RESPECT OF PRIVATE BODIES

Item	Description	Amount
1.	The request fee payable by every requester	R140.00
2.	Photocopy 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: (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
5.	For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on quotation from Service provider.
6.	Copy of visual images	Service to be outsourced. Will depend on quotation from Service provider.
7.	Transcription of an audio record, per A4-size page	R24.00
8.	Copy of an audio record on: (i) Flash drive (to be provided by requestor) (ii) Compact disc	 R40.00

	• If provided by requestor • If provided to the requestor	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 a total cost of	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.