

PAIA AND POPIA MANUAL

This manual was prepared in accordance with section 51 of the Promotion of Access to Information Act, 2000 and to address requirements of the Protection of Personal Information Act, 2013.

This manual applies to
CURRO HOLDINGS LIMITED
Registration number 1998/025801/06
(including all subsidiaries)

1 March 2021

Registered office address:

38 Oxford Street
Durbanville
Cape Town
Western Cape
7550

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1. Introduction

- 1.1 The Promotion of Access to Information Act 2 of 2000 ('the Act') came into operation on 9 March 2001 and gives effect to the constitutional right of access to information that is enshrined in section 32 of the Bill of Rights contained in the Constitution of the Republic of South Africa, No. 108 of 1996 ('the Constitution'). Section 32 of the Constitution provides that everyone has the right to access any information held by the state or by another person, where such information is required for the exercise or protection of any rights.
- 1.2 The Act accordingly requires that procedures be put in place by public and private bodies to enable persons to obtain access to records swiftly, inexpensively and effortlessly. In terms of the Act, a private body includes juristic entities such as companies.
- 1.3 In terms of section 51 of the Act, all private bodies are required to compile an information manual ('PAIA Manual') that provides information on the types and categories of records held by a public or private body and the process that must be followed when requesting information related to such records.
- 1.4 Where a request is made in terms of the Act, the body to whom the request is made is obliged to release the information, subject to applicable legislative and/or regulatory requirements, except where the Act expressly provides that the information may be adopted when requesting information from a public or private body.
- 1.5 This document serves as the information manual of Curro Holdings Limited and its subsidiaries ('Curro') as required in terms of the Act.

2. Curro Holdings Limited

- 2.1 Curro owns and operates schools in Southern Africa. It develops, acquires and manages schools that offers independent school education in English and Afrikaans to learners from 3 months to Grade 12.
- 2.2 Curro was established in 1998 and it is the leading for-profit independent school provider in Southern Africa. It is committed to make independent school education accessible to more learners throughout Southern Africa.
- 2.3 This PAIA Manual of Curro is available at its premises: 38 Oxford Street, Durbanville, Cape Town, 7550 as well as on its website: www.curro.co.za.

3. Contact details [Section 51(1)(a) of the Act]

Name of body: Curro Holdings Limited

Registration number: 1998/025801/06

Physical address: 38 Oxford Street, Durbanville, Cape Town, Western Cape, 7550

Postal address: PO Box 2436, Durbanville, 7551

Telephone number: 021 979 1204

Website: <https://www.curro.co.za>

4. Purpose of the PAIA manual

- 4.1 The purpose of the Act is to promote the right of access to information, to foster a culture of transparency and accountability within Curro by giving the right to information that is required for the exercise or protection of any right and to actively promote a society in which the people of South Africa have effective access to information to enable them to exercise and protect their rights.
- 4.2 In order to promote effective governance of private bodies, it is necessary to ensure that everyone is empowered and educated to understand their rights in relation to public and private bodies.
- 4.3 Section 9 of the Act recognises that the right to access information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to:
 - 4.3.1 Limitations aimed at the reasonable protection of privacy; and
 - 4.3.2 Commercial confidentiality; and
 - 4.3.3 Effective, efficient and good governance; and
 - 4.3.4 In a manner which balances that right with any other rights, including such rights contained in the Bill of Rights in the Constitution.
- 4.4 This PAIA Manual complies with the requirements of the guide mentioned in section 10 of the Act and recognises that upon commencement of the Protection of Personal Information Act, 4 of 2013 (POPI), that the appointed information regulator will be responsible to regulate compliance with the Act and its regulations by private and public bodies.

5. Information Officer

- 5.1 The head of a private body in terms of section 51(1) and (2) of the Act, fulfils the function of compiling and updating the PAIA manual.
- 5.2 The information officer appointed in terms of the Act also refers to the information officer as referred to in the POPI Act. The information officer oversees the function and responsibilities as required in terms of both PAIA and section 55 of the POPI Act after registering with the information regulator.
- 5.3 The information regulator may where it is deemed necessary, appoint a deputy information officer, as allowed for in section 17 of the Act as well as section 56 of the POPI Act. All requests for access to information in terms of the Act must be addressed to the information officer.
- 5.4 The chief executive officer of Curro has appointed the following individual as the information officer who will be responsible for dealing with requests for records and information:

Information Officer: Ms Marí Lategan

Physical address: 38 Oxford Street, Durbanville, Cape Town, Western Cape, 7550

Postal address: PO Box 2436, Durbanville, 7551

Telephone number: 021 979 1204

Email address: paiainfo@curro.co.za

5.5 The following persons have been appointed as deputy information officers:

Mr John Bissett

Mr Louis Booyse

Mr Mark Hodgson

Mr Shaun McMurtry

Ms Natasha Mkhize

Mr Riaan Vlok

6. The South African Human Rights Commission (SAHRC) [Section 51(1)(b)]

6.1 Section 10 of the Act stipulates that the Human Rights Commission must compile a guide on how to use the Act. This guide is available from the South African Human Rights Commission. Any queries must be directed to The South African Human Rights Commission: PAIA Unit

The Research and Documentation Department

Private Bag X2700

Houghton

2041

Telephone: 011 484 8300

Fax: 011 484 1360

Website: www.sahrc.org.za

Email: PAIA@sahrc.org.za

7. Records available in accordance with other legislation [Section 51(1)(c)]

7.1 Records are kept in accordance with such other legislation as is applicable to Curro which includes, but is not limited to the following legislation:

7.1.1 Administration of Estates Act 66 of 1965

7.1.2 Basic Conditions of Employment Act 75 of 1997

7.1.3 Companies Act 71 of 2008

7.1.4 Compensation for Occupational Injuries and Diseases Act 130 of 1993

7.1.5 Competition Act 89 of 1998

7.1.6 Financial Intelligence Centre Act 36 of 2000

7.1.7 Income Tax Act 95 of 1967

7.1.8 Insolvency Act 24 of 1936

7.1.9 Labour Relations Act 66 of 1995

7.1.10 National Credit Act 34 of 2005

7.1.11 Occupational Health and Safety Act 85 of 1993

7.1.12 Skills Development Act 97 of 1998

7.1.13 South African Schools Act 84 of 1996

7.1.14 Trademarks Act 194 of 1993

- 7.1.15 Unemployment Contributions Act 4 of 2002
- 7.1.16 Unemployment Insurance Act 63 of 2001
- 7.1.17 7.1.17 Value-Added Tax Act 89 of 1991

8. Subjects and categories of records held [Section 51(1)(d)]

- 8.1 This serves as a reference to the categories of information that Curro holds. The information is classified and grouped according to records relating to the following subjects and categories:

8.1.1 Human resources records

- 8.1.1.1 Personal records provided by employees of Curro
- 8.1.1.2 Salary records
- 8.1.1.3 Conditions of employment and other personnel-related contractual and quasi-legal records
- 8.1.1.4 Internal evaluation records
- 8.1.1.5 UIF records
- 8.1.1.6 PAYE records
- 8.1.1.7 Leave records
- 8.1.1.8 Training records
- 8.1.1.9 Human Resources policies and procedures

8.1.2 Customer-related records

- 8.1.2.1 Records provided by a customer/client
- 8.1.2.2 Records generated internally by or within Curro relating to customer/clients including transactional records
- 8.1.2.3 Contractual records

8.1.3 Financial records

- 8.1.3.1 Annual reports
- 8.1.3.2 Management reports
- 8.1.3.3 VAT returns
- 8.1.3.4 Income tax returns and assessments
- 8.1.3.5 Invoices
- 8.1.3.6 Receipts
- 8.1.3.7 SETA returns
- 8.1.3.8 Asset records
- 8.1.3.9 Insurance policies and claims

8.1.4 Company information

- 8.1.4.1 Trademarks
- 8.1.4.2 Databases
- 8.1.4.3 Information Technology
- 8.1.4.4 Marketing records
- 8.1.4.5 Internal correspondence
- 8.1.4.6 Operational records
- 8.1.4.7 Product-related records
- 8.1.4.8 Internal policies and procedures

- 8.1.4.9 Compliance records
- 8.1.4.10 Shareholder records
- 8.1.4.11 Records relating to board members
- 8.1.4.12 Minutes of meetings (including resolutions taken)
- 8.1.4.13 Company register and other statutory company records
- 8.1.4.14 Shareholding in subsidiaries
- 8.1.4.15 Contractual records and information relating to suppliers, service providers, contractors, professional advisors (such as attorneys and auditors) and financiers.

8.1.5 Products and services

- 8.1.5.1 Product specifications
- 8.1.5.2 Product documentation (including application forms)

8.2 The accessibility of the records may be subject to the grounds of refusal set out in this PAIA manual. Amongst other, records deemed confidential on the part of a third party, will necessitate permission from the third party concerned, in addition to normal requirements, before Curro will consider access.

9. Records automatically available

- 9.1 No notice has been published pursuant to Section 51(1)(b)(ii), regarding the categories of records which are automatically available without having to request access in terms of the Act.
- 9.2 The following records are automatically available at the registered office of Curro on payment of the prescribed fee for reproduction:
 - 9.2.1 Records of the company lodged in terms of government requirements such as the Registrar of Deeds;
 - 9.2.2 Documentation and information relating to the company which is held by the Companies and Intellectual Properties Commission in accordance with the requirements set out in set out in section 25 of the Companies Act 71 of 2008;
 - 9.2.3 Product and services brochures, and
 - 9.2.4 News and other marketing Information.
- 9.3 Certain other information relating to the company is also made available on said website from time to time.

10. Records that are not automatically available

10.1 Records of the company which are not automatically available must be requested in terms of the procedure set out in section 11 of this PAIA manual and which may be subject to the restrictions and right of refusal to access as provided for in the Act.

11. Request procedure [Section 51(e)]

- 11.1 The requester of information must comply with all the procedural requirements laid down in the Act when requesting access to a record.
- 11.2 The information officer shall not be obliged to furnish any information until all requirements laid down in the Act and set out herein have been fulfilled.

- 11.3 The prescribed form annexed hereto as appendix 1 must be completed and submitted to the information officer at the postal or physical or email address stated in paragraph 5 above, together with payment of the prescribed fees, if applicable (see paragraph 12 below for an explanation of the fees that are payable).
- 11.4 The prescribed form must be completed with sufficient detail to enable the information officer to identify the record(s) in question.
- 11.5 If there is insufficient space on a printed form to answer a question, additional information may be provided on an additional folio.
- 11.6 If a request is made on behalf of another person, the requester must submit proof of such capacity to the reasonable satisfaction of the information officer.
- 11.7 If the requester cannot complete the prescribed form due to illiteracy or disability, the requester may make the request orally and in person.
- 11.8 The information officer will process the request within 30 days unless the request contains considerations that are of such a nature that an extension of the 30-day time limit is required.
- 11.9 Where an extension of the 30-day time limit is required, the requester shall be notified together with reasons explaining why the extension was required.
- 11.10 Once the request is processed, the requester will be informed whether access will be granted or refused together with reasons for any refusal.

12. Fees [Section 51(1(f))]

- 12.1 The requester is the person making the request for access to a record. There are two types of requesters:
 - 12.1.1 **Personal requester:** A person who requests access to his/her own personal information.
 - 12.1.2 **Other requester:** A person requesting access to information regarding third parties.
- 12.2 The following fees are payable when making a request for information:
 - 12.2.1 **Request fee:** Standard fee payable by other requesters, but not payable by personal requesters, payable at the time that the request is made.
 - 12.2.2 **Access fee:** Payable in all instances where a request for access is granted unless payment of the access fee is specifically excluded in terms of the Act or any regulations published pursuant to the Act. This fee is calculated by considering reproduction costs, search and preparation time and cost, as well as postal costs.
- 12.3 The information officer may require that requesters pay a deposit in respect of the access fee at the time of making the request. If the request is subsequently declined, the deposit will be refunded.
- 12.4 If a request fee and/or a deposit is payable, the information officer will not process the request until payment thereof has been made.
- 12.5 If a request for information is granted, the information officer will advise the requester of the amount of the access fee payable before the record will be released.

- 12.6 Bank account details for purposes of making payments can be obtained from the information officer and may be made by way of a direct deposit into the appropriate bank account or by way of a bank guaranteed cheque.
- 12.7 Appendix 2 hereto sets out the amounts payable in respect of the prescribed fees.

13. Third-party information

- 13.1 Curro is obliged to attempt to contact a third party, if a request is made to access the information of such a third party.
- 13.2 This gives the third party an opportunity to consent to the access or to provide reasons why the access should be denied.
- 13.3 The information officer will consider any reasons furnished by the third party as to why access should be granted or denied in making a final determination on the matter.

14. Grounds for refusal to grant access

The main grounds upon which a request for information may be declined are:

- 14.1 Protecting personal information of a third party (who is a natural person) from unreasonable disclosure.
- 14.2 Protecting commercial information of a third party (for example trade secrets; financial, commercial, scientific or technical information that may harm the commercial or financial interests of a third party).
- 14.3 Disclosure would result in the breach of a duty of confidence owed to a third party.
- 14.4 Disclosure would jeopardise the safety of an individual or prejudice or impair certain property rights of a third party.
- 14.5 Mandatory protection of records which would be regarded as privileged in legal proceedings unless such privilege has been waived.
- 14.6 Refusing access to a record containing trade secrets, financial or sensitive information of Curro or any information that would put Curro at a disadvantage in negotiations or prejudice it in commercial competition.
- 14.7 The request is frivolous or vexatious or involves an unreasonable diversion of resources.
- 14.8 The record contains information about research being carried out, or about to be carried out, on behalf of a third party or on behalf of Curro.

15. Remedies available on refusal of access

- 15.1 The decision made by the information officer as to whether or not to grant access to a record is final.
- 15.2 If the requester wishes to dispute the decision, an application must be made by the requester to the Constitutional Court, the High Court or another court with similar status to make a final ruling.

16. Records that cannot be found or do not exist

- 16.1 If a search has been conducted for a record and it is believed that the record either does not exist or the record cannot be found, the requester will be notified by way of an affidavit or by any other means permitted by the PAIA Act.
- 16.2 The affidavit will include the steps that were taken in trying to locate the record.

17. Availability of this manual

- 17.1 This manual is made available in terms of regulation number R187 of 15 February 2002 as read together with GN 865 of 31 August 2005.
- 17.2 This manual is also available:
- 17.2.1 on the websites of Curro (see paragraph 3 above for website details).
 - 17.2.2 at the South African Human Rights Commission.
- 17.3 Copies of this manual may also be obtained, free of charge, from the information officer.