Yonda Finance (PTY) LTD, PROMOTION OF ACCESS TO INFORMATION (PAIA) MANUAL

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1 Introduction

YONDA FINANCE (PROPRIETARY) LIMITED carries on business as an Information Technology Systems Provider with data transfer capabilities. The Company delivers a range of technology solutions to various sectors.

The Company has a Finance and Insurance platform to interact and transact directly with third parties.

No financial products are currently being sold by the Company and the Company does not render any financial advice or intermediary services.

The Company is not a registered Credit Provider. The Company has NCA accredited agents who may submit finance applications to financial institutions on behalf of retailers.

This Promotion of Access to Information Manual ("Manual") provides an outline of the type of records and the personal information it holds and explains how to submit requests for access to these records in terms of the Promotion of Access to Information Act 2 of 2000 ("PAIA"). In addition, it explains how to **access**, or **object to**, personal information held by the Company, or **request correction** of the personal information, in terms of sections 23 and 24 of the Protection of Personal Information Act 4 of 2013 ("POPIA").

PAIA and POPIA give effect to everyone's constitutional right of access to information held by private sector or public bodies, if the record or personal information 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.

Requests shall be made in accordance with the prescribed procedures, at the rates provided.

2 Availability of the Yonda Finance PAIA Manual

As per section 51(3) of PAIA, this Manual is available for inspection by the general public upon request, during office hours and free of charge, at the offices of Yonda Finance. Copies of the Manual may be made, subject to the prescribed fees. Copies may also be requested from the South African Human RightsCommission.

This manual is published on the Company website at http://www.Yonda Financeonline.com or alternatively, a copy can be requested from the Deputy Information Officer (see contact details in section 2).

2.1 Availability of guides to PAIA and POPIA

Official guides to PAIA and POPIA can be obtained from and queries directed to the following Regulators:

PAIA	POPIA
South African Human Rights Commission Promotion of Access to Information Act Unit Research and Documentation Department Private Bag 2700 Houghton Johannesburg 2041	The Information Regulator P.O. Box 31533, Braamfontein, Johannesburg, 2017
Braampark Forum 3, 33 Hoofd Street Braamfontein	JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001
Telephone number: +27 (0) 11 877 3600 (Head Office) Fax number: +27 (0)11 403 0625 Website : www.sahrc.org.za E-mail : PAIA@sahrc.org.za	Telephone number: +27 (0) 10 023 5200 Website : www.justice.gov.za/inforeg Email: inforeg@justice.gov.za

3 Company contact details

Name	YONDA FINANCE (PROPRIETARY) LIMITED
Registration Number	2012/056505/07
Value Added Tax Number	4920276104
Chief Executive Officer	Devlin Fogg
Information Officer	Devlin Fogg
Street Address	75 Main Road, Paarl, Western Cape, 7646
Telephone	011 234 5070
Email	info@yonda.co.za
Website	https://www.yonda.co.za

4 Company records

4.1 Automatic disclosure: Sec 51(1)(c) of PAIA – Records automatically available to the Public

No notice has been published in terms of section 52 of PAIA. However, the following records are automatically available at the registered office of Yonda Finance and other offices on payment of the prescribed fee for reproduction.

- Documentation and information relating to Yonda Finance 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.
- Services and Promotional Brochures.
- News and other Marketing Information.

4.2 Legislative requirements: Sec 51(1)(d) – Records available in accordance with other legislation

- Basic Conditions of Employment Act 57 of 1997
- Broad-based Black Economic Empowerment Act 53 of 2003
- Close Corporations Act No 69 of 1984
- Compensation for Occupational Injuries and Diseases Act 61 of 1997
- Companies Act 71 of 2008
- Competition Act 89 of 1998
- Constitution of South Africa Act 108 of 1996
- Copyright Act 98 of 1987
- Consumer Protection Act 68 of 2008

- Electronic Communications and Transactions Act 25 of 2002
- Employment Equity Act 55 of 1998
- Financial Advisory and Intermediary Services Act No 37 of 2002
- Financial Intelligence Centre Act No 38 of 2001
- Income Tax Act 58 of 1962
- Intellectual Property Laws Amendment Act 38 of 1997
- Insolvency Act 24 of 1936
- Labour Relations Act 66 of 1995
- Long Term Insurance Act 52 of 1998
- National Credit Act No 34 of 2005
- Occupational Health and Safety Act No 85 of 1993
- Pension Funds Act No 24 of 1956
- Promotion of Access to Information Act 2 of 2000
- Protection of Personal Information Act 4 of 2013
- Second-hand Goods Act No 6 of 2009
- Short Term Insurance Act No 53 of 1998
- Skills Development Levies Act 97 of 1998
- Trademarks Act 194 of 1993
- Unemployment Insurance Act 63 of 2001
- Value Added Tax Act 89 of 1991

Records kept in terms of the above legislation may, in certain instances (and insofar as the information contained therein is of a public nature) be available for inspection without a person having to request access thereto in terms of the Act.

Although Yonda Finance has used its best endeavors to supply you with a list of applicable legislation it is possiblethat the above list may be incomplete.

4.3 Records held by Yonda Finance: Sec 51(1)(e) – Yonda Finance Record Subjects and Categories

NOTE: This section of the Manual sets out the categories and descriptions of records held by Yonda Finance. Theinclusion of any category of records should not be taken to mean that records falling within that category will be made available under PAIA. In particular, certain grounds of refusal as set out in Chapter 4 of PAIA may be applicable to a request for such records.

4.3.1 Corporate affairs, communications, and marketing

- Media Releases
- Newsletters and Publications
- Corporate Social Investment
- Brochures, newsletters, and advertising material
- Client information
- Marketing brochures
- Marketing strategies
- Product and services brochures
- Policies and procedures

4.3.2 Corporate governance

- Applicable Statutory Documents
- Annual Reports

- Board of Directors and Board Committee Terms of Reference
- Codes of Conduct
- Executive Committee Meeting Minutes
- Legal Compliance Records
- Memoranda of Incorporation
- Minutes of Board of Directors and Board Committee Meetings
- Minutes of Shareholders' Meetings
- Corporate Policies and Procedures
- Share Certificates
- Shareholder Agreements
- Share Registers
- Strategic plans
- Statutory Returns to Relevant Authorities
- List of employees

4.3.3 Finance and taxation

- Policies and Procedures
- Accounting Records
- Annual Financial Statements
- Audit Reports
- Capital Expenditure Records
- Investment Records
- Invoices and Statements
- Management Reports
- Purchasing Records
- Sale and Supply Records
- Tax Records and Returns
- Transactional Records
- Management Accounts
- Asset Register
- Payroll Records
- Banking records
- Bank facilities and account details

4.3.4 Human resources

- Education and Training Records
- Employee Benefit Records
- Employment Contracts
- Employment Equity Records

- Employee Information
- Employee Share Option Scheme
- Policies and Procedures
- Leave Records
- Medical Records
- Study assistance scheme/s
- Tax Returns of employees
- UIF Returns
- Incident records
- Employee Disability Insurance Records

4.3.5 **Information technology**

- Agreements
- Disaster Recovery
- Hardware and Software Packages
- Policies and Procedures
- Internal Systems Support and Programming
- Licenses
- Operating Systems

4.3.6 **Facilities management**

- Physical Security Records (Visitors, Suppliers, Contractors, Employees)
- Electronic Access & Identity Management Records (Employees, Contractors)
- Time and Attendance Records

4.3.7 **Intellectual property**

- Trademark applications
- Agreements relating to intellectual property
- Copyrights

4.3.8 **Legal**

- General Contract Documentation
- Company Guidelines, Policies and Procedures
- Complaints, pleadings, briefs, and other documents pertaining to any actual or pending litigation, arbitration, or investigation.
- Material licenses, permits and authorizations.
- Employee, customer, and supplier information
- Immovable Property Records
- Statutory Records
- Insurance Records

4.3.9 Clients and financial institutions

- Client documentation
- Correspondence with clients
- Correspondence with third parties
- All information relating to or held on behalf of clients.
- Details of financial services providers
- Credit provider details.
- Declaration regarding insolvency
- Debt review and sequestration.

4.3.10 Procurement Management

- Service Provider and Supplier Records.

5 Processing of personal information

Yonda Finance takes the privacy and protection of personal information very seriously and will only process personal information in accordance with the current South African privacy. Accordingly, the relevant personal information privacy principles relating to the processing thereof (including, but not limited to, the collection, handling, transfer, sharing, correction, storage, archiving and deletion) will be applied to any personal information processed by Yonda Finance.

5.1 The purpose of processing of personal information by Yonda Finance

5.1.1 Yonda Finance processes personal information for variety of purposes including but not limited to thefollowing:

- Fulfilling its statutory obligations in terms of applicable legislation;
- Verifying information provided to Yonda Finance;
- Obtaining information necessary to provide contractually agreed services to a customer;
- Monitoring, maintaining, and managing Yonda Finance's' contractual obligations to customers, clients,
  suppliers, service providers, employees, directors and other third parties;
- for travel purposes
- for recruitment purposes;
- for employment purposes;
- Marketing and advertising;
- for health and safety purposes;
- Resolving and tracking complaints;
- Monitoring and securing the assets, employees, and visitors to the premises of Yonda Finance;
- to help us improve the quality of our products and services;
- to help us detect and prevent fraud and money laundering
- Historical record keeping, research and recording statistics necessary for fulfilling Yonda Finance's' business
  objectives.

5.2 Categories of data subjects and personal information processed by Yonda Finance

5.2.1 Yonda Finance may process the personal information of the following categories of data subjects, whichincludes current, past, and prospective data subjects:

- Customer and employees, representatives, agents, contractors, and service providers of such customers;
- Suppliers, service providers to and vendors of Yonda Finance and employees, representatives, agents,contractors and service providers of such suppliers and service providers;
- Directors and officers of Yonda Finance;
- Shareholders;
- Existing and former employees (including contractors, agents, temporary and casual employees);
- Visitors to any premises of Yonda Finance;
- Complaints, correspondents, and enquiries; and
- to monitor access, secure and manage our premises and facilities.

The nature of personal information processed in respect of the above data subjects may include, as may be applicable:

- Name, identifying number, symbol, email address, physical address, telephone number, location information, online identifier, or other particular assignment to the person;
- Biometric information;
- Information relating to the education or the medical, financial, criminal or employment history of the data subject;
- Information relating to the rate, gender, marital status, national origin, age disability, language, and birth of the data subject;
- The personal opinions, views, or preferences of the data subject;
- Confidential correspondence sent by the data subject;
- The views of opinions of another individual about the data subject.

5.3 Recipients or categories of recipients with whom personal information is shared

5.3.1 Yonda Finance may supply personal information to the following recipients:

- Regulatory, statutory and government bodies;
- Suppliers, service providers, vendors, agents, and representatives of Yonda Finance;
- Employees of Yonda Finance;
- Shareholders and other stakeholders;
- Third party verification agencies and credit bureau;
- Banks and other financial institutions.

Yonda Finance does not share the personal information of our data subjects with any third parties, except if:

- Yonda Finance is obliged to provide such information for legal or regulatory purposes;
- Yonda Finance is required to do so for purposes of existing or future legal proceedings,
- Yonda Finance is selling one or more of our businesses to someone to whom we may transfer our rights underany customer agreement we have with you;

- Yonda Finance is involved in the prevention of fraud, loss, bribery, or corruption;
- they perform services and process personal information on our behalf;
- this is required to provide or manage any information, products and/or services to data subjects; or
- needed to help Yonda Finance improve the quality of our products and services.

Yonda Finance shall send our data subjects notifications or communications if we are obliged by law, or in termsof our contractual relationship with them.

Yonda Finance shall only disclose personal information to government authorities if we are required to do so by law.

Yonda Finance employees, contractors, and suppliers, are required to adhere to data privacy and confidentialityprinciples.

6 Information security measures to protect personal information

Yonda Finance continuously establishes and maintains appropriate, reasonable technical and organizational measures to ensure that the integrity of the personal information in its possession or under its control is secure and that such information is protected against unauthorized or unlawful processing, accidental loss, destruction or damage, alteration or access by having regard to the requirements set forth in law, in industry practice and generally accepted information security practices and procedures which apply to Yonda Finance.

7 Trans-border flows of personal information

Personal information of data subjects may be transferred across borders due to the hosting of some projects and applications in foreign jurisdictions. Current employees and consultants' information may also be transferred transborder where Yonda Finance has a physical presence or may be providing services orperforming in terms of its contractual obligations.

Yonda Finance shall 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 data subject consents to transfer of their personal informationto third parties in foreign countries.

Yonda Finance shall take steps to ensure that customers, clients, and service providers are bound by laws, binding corporate rules or binding agreements that provide an adequate level of protection and uphold principles for reasonable and lawful processing of personal information, in terms of POPIA.

Yonda Finance shall take steps to ensure that operators that process personal information in jurisdictions outside of South Africa, apply adequate safeguards as outlined in this manual.

8 Personal information received from third parties

For personal information received from a third party on behalf of a data subject, Yonda Finance shall requireconfirmation that they have written consent from the data subject, that they are aware of the contentsof this PAIA manual and the Yonda Finance Privacy Policy, and do not have any objection to Yonda Finance processing theirinformation in accordance with this manual and policy.

9 Policy with regard to Confidentiality and Access to Information

Yonda Finance will protect the confidentiality of information provided by third parties, subject to Yonda Finance' obligationsto disclose information in terms of any applicable law or a court order requiring disclosure of the information.

If access is requested to a record that contains information about a third party, Yonda Finance is obliged toattempt to contact the third party to inform them of the request.

This enables the third party the opportunity of responding by either consenting to the access or by providing reasons why the access should be denied. In the event that the third-party furnishing reasons for the support or denial of access, the Information Officer will consider these reasons in determining whether access should be granted, or not.

10 Access procedure and requests

The purpose of this section is to provide requesters with sufficient guidelines and procedures to facilitate a request for access to a record held by Yonda Finance.

It is important to note that an application for access to information can be refused in the event that the application does not comply with the procedural requirements. In addition, the successful completion and submission of an access request form does not automatically allow the requester access to the requested record. An application for access to a record is subject to certain limitations if the requested record falls within a certain category as specified within Part 3 Chapter 4 of the Act.

If it is reasonably suspected that the requester has obtained access to Yonda Finance's records through the submission of materially false or misleading information, legal proceedings may be instituted against such requester.

10.1 Guidance on completion of prescribed access form

In order for Yonda Finance to facilitate access to a record, the requester shall:

- Complete the prescribed contained in the PAIA manual.
- Address your request to the Deputy Information Officer either via conventional mail or e-mail.
- Provide sufficient detail to enable the Company to identify:
    - The record(s) requested.
    - The requestor (and, if an agent is lodging the request, proof of capacity).
    - The South African postal address or email address of the requestor.
    - The form of access required.
    - The South African postal address or email address of the requestor.
    - If the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof.

10.2 Prescribed fees

Payment details can be obtained from the Deputy Information Officer and payment can be made either a direct deposit or electronic fund transfer (no credit card payments are accepted). Proof of payment must be supplied. Four types of fees are provided for in terms of the Act:

- Request fee: An initial, non-refundable R 50 (incl. VAT) is payable on submission. This fee is not applicable to Personal Requesters, referring to any person seeking access to records that contain their personal information.

- Reproduction fee: This fee is payable with respect to all records that are automatically available.
- Access fee: If the request for access is successful an access fee may be required to re-imburse Yonda Finance for the costs involved in the search, reproduction and/or preparation of the record and will be calculated based on the Prescribed Fees as set out in Part III of Annexure A of the Regulationsto the Act.
- Deposit: A deposit of one third (1/3) of the amount of the applicable access fee, is payable if Yonda Finance receives a request for access to information held on a person other than the requesterhimself/herself and the preparation for the record will take more than six (6) hours. In the eventthat access is refused to the requested record, the full deposit will be refunded to the requester.

10.3 Notification

Yonda Finance shall within thirty (30) days of receipt of the request decide whether to grant or decline the requestand give notice with reasons (if required) to that effect.

The thirty (30) day period within which Yonda Finance has to decide whether to grant or refuse the request, maybe extended for a further period of not more than thirty (30) days, if the request is for a large volume ofinformation, or the request requires a search for information held at another office of Yonda Finance and theinformation cannot be reasonably be obtained within the original thirty (30) day period. Yonda Finance will notifythe requester in writing should an extension be sought.

If the request for access to a record is successful, the requester will be notified of the following:

- The amount of the access fee payable upon gaining access to the record;
- An indication of the form in which the access will be granted; and
- Notice that the requester may lodge an application with a court against the payment of the access fee and the procedure, including the period, for lodging the application.

If the request for access to a record is not successful, the requester will be notified of the following:
- Adequate reasons for the refusal (refer to Third Party Information and Grounds for Refusal); and
- That the requester may lodge an application with a court against the refusal of the request and the procedure, including the period, for lodging the application.

11 Records that cannot be found or do not exist

If, after all reasonable steps to locate a record have been taken, and no record is found, the Information Officer will notify the Requester by way of an affidavit or affirmation. This will include the steps that were taken to try to locate the record.

Should a record be found at a later stage, the Information Officer shall provide the requester access to such record, unless access to the record is refused on the grounds permitted by Chapter 4 of PAIA.

12 Grounds for refusal of access to records and remedies

Requests may be refused on the following grounds, as set out in the Act:

- Mandatory protection of privacy of a third party who is a natural person, including a deceased person, which would involve the unreasonable disclosure of personal information of that natural person;
- Mandatory protection of commercial information of a third party or Yonda Finance, if the record contains:
- Trade secrets of the third party or Yonda Finance;

- Financial, commercial, scientific, or technical information which disclosure could likely cause harm to the financial or commercial interests of the third party or Yonda Finance; and
- Information disclosed in confidence by a third party to Yonda Finance if the disclosure could put that third party to a disadvantage or commercial competition.
- Mandatory protection of certain confidential information of a third party if disclosure of the record would result in a breach of a duty of confidence owed to that party in terms of an agreement;
- Mandatory protection of the safety of individuals, and the protection of property;
- Mandatory protection of records privileged from production in legal proceedings, unless the legal privilege has been waived; and
- Mandatory protection of research information of a third party and of Yonda Finance.

13 Remedies

Yonda Finance does not have internal appeal procedures regarding PAIA and POPIA requests. As such, the decision made by the duly authorized persons in this manual, is final. If a request is denied, the requestor is entitled to apply to a court with appropriate jurisdiction, or the Information Regulator, for relief.

14 Prescribed forms and fee structure

As per sections 53 and 54 of PAIA, the forms and fee structure prescribed under the Act are available from the Government Gazette, or at the website of the Department of Justice and Constitutional Development (**www.doj.gov.za**), under the 'regulations' section as well as the SAHRC website (**www.sahrc.org.za**). Form 1 is included in the manual on page 14.

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 2017 [REGULATION 2(1)]

Note:

1. Affidavits or other documentary evidence in support of the objection must 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.

Reference Number.....

A. DETAILS OF DATA SUBJECT	
Name and surname of data subject:	
Residential, postal, or business address:	
Contact Number(s):	
Email Address:	
B. DETAILS OF RESPONSIBLE PARTY	
Name and surname of responsible party (if the responsible party is a natural person):	
Residential, postal, or business address:	
Contact Number(s):	
Email Address:	
Name of public or private body (if the responsible party is not a natural person):	
Business address:	
Contact Number(s):	
C. REASON FOR OBJECTION (Please provide detailed reasons for the objection)	

Signed at_____this_____day of_____20 _____

.....
Signature of data subject (applicant)