

**PayGenius Proprietary Limited**  
**(Registration number: 2008 / 022833 / 07)**

**("PayGenius")**

**MANUAL PREPARED IN ACCORDANCE WITH SECTION 51 OF THE PROMOTION OF  
ACCESS TO INFORMATION ACT, ACT NO. 2 OF 2000 ("THE ACT")**

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## 1 INTRODUCTION

- 1.1 PayGenius is a private body conducting business as an online payments provider as authorised by the Payments Association of South Africa (PASA).
- 1.2 This manual is to assist potential requesters as to the procedure to be followed when requesting access to information / documents from PayGenius as contemplated in terms of the Act.
- 1.3 The manual may be amended from time to time and as soon as any amendments have been finalised the latest version of the manual will be made public.
- 1.4 Any requester is advised to contact Sebastien Lacour should he / she require any assistance in respect of the utilisation of this manual and / or the requesting of documents / information from PayGenius.
- 1.5 The following words will bear the following meaning in this manual –
- 1.5.1 "**Act**" – means the Promotion of Access to Information Act, No. 2 of 2000, together with all relevant regulations published;
- 1.5.2 "**manual**" – means this manual together with all annexures thereto as available from the offices of PayGenius or as made available online on the website of PayGenius (as the case may be) and the SAHRC from time to time;
- 1.5.3 "**requester**" – means any person or entity requesting information / document from PayGenius as contemplated in terms of the Act;
- 1.5.4 "**Republic**" – means the Republic of South Africa;
- 1.5.5 "**SAHRC**" - means the South African Human Rights Commission.

## 2 CONTACT DETAILS

*Section 51(1)(a) of the Act*

2.1	<b>Name of body:</b>	PayGenius Proprietary Limited
2.2	<b>CEO/ Country Manager:</b>	Sebastien Lacour
2.3	<b>Directors</b>	C. Viarnaud S. Lacour R. deRooy F. Dasse
2.4	<b>The appointed information Officer:</b>	Sebastien Lacour
2.5	<b>Registered address:</b>	FSATLabs - Mayfair Block C - 3 Century Way - Century City - 7441
2.6	<b>Postal address:</b>	FSATLabs - Mayfair Block C - 3 Century Way - Century City - 7441
2.7	<b>Telephone:</b>	+27 21 201 6890
2.8	<b>E-mail:</b>	<a href="mailto:slacour@paygenius.co.za">slacour@paygenius.co.za</a> ; <a href="mailto:rforbes@paygenius.co.za">rforbes@paygenius.co.za</a>

### 3 GUIDE IN TERMS OF SECTION 10 OF THE ACT

#### *Section 51(1)(b) of the Act*

3.1 The Act grants a requester access to records of a private body, if the records are required of protection of any rights. If a public body lodges a request, the public must be acting in the public interest.

3.2 A guide has been compiled by the SAHRC in terms of section 10 of the Act. It contains information required by a person wishing to exercise any right contemplated by the Act. It is available in all of the official languages.

3.3 The guide is available for inspection, *inter alia*, at the offices of the SAHRC at 29 Princess of Wales Terrace, cnr York and St. Andrews Street, Parktown and on its website [www.sahrc.org.za](http://www.sahrc.org.za).

#### 3.4 **Contact details of the South African Human Rights Commission:**

3.4.1 **Physical Address:** 27 Stiemens Street, Braamfontein

3.4.2. **Postal Address** Private Bag x2700  
Houghton  
2041

3.4.2 **Telephone:** +27 11 877 3600

3.4.3 **Fax:** +27 11 403 0625

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

3.4.5 **E-mail:** [paia@sahrc.org.za](mailto:paia@sahrc.org.za)

4 **NOTICE(S) IN TERMS OF SECTION 52(2) OF THE ACT**

*Section 51(1)(c) of the Act*

At this stage no notice(s) has / have been published.

## 5 INFORMATION / DOCUMENTS AVAILABLE IN ACCORDANCE WITH OTHER LEGISLATION

*Section 51(1)(d) of the Act*

PayGenius keeps information / documents in accordance with the following legislation:

- 5.1 Companies Act, Act No. 71 of 2008
- 5.2 Income Tax Act, Act No. 58 of 1962
- 5.3 Value-Added Tax Act, Act No. 89 of 1991
- 5.4 Customs and Excise Act, Act No. 91 of 1964
- 5.5 Basic Conditions of Employment Act, Act No. 75 of 1997
- 5.6 Employment Equity Act, Act No. 55 of 1998
- 5.7 Compensation for Occupational Injuries and Diseases Act, Act No. 130 of 1993
- 5.8 Insolvency Act, Act No. 24 of 1936
- 5.9 Occupational Health and Safety Act, Act No. 85 of 1993
- 5.10 South African Reserve Bank Act 90 of 1989
- 5.11 Labour relations Act 66 of 1995
- 5.12 Skills Development Act 97 of 1998
- 5.13 Skills Development Levies Act 9 of 1999
- 5.14 Unemployment Insurance Act 63 of 2001
- 5.15 Unemployment Insurance Contributions Act 4 of 2002
- 5.16 Compensation for Occupational Injuries and Diseases Act 130 of 1993
- 5.17 Copyright Act 98 of 1978
- 5.18 Trade Marks Act 194 of 1993
- 5.19 Arbitration Act 42 of 1965
- 5.20 Consumer Protection Act 68 of 2008
- 5.21 Electronic Communications and Transactions Act 25 of 2002
- 5.22 Electronic Communications Act 13 of 2000
- 5.23 Protection of Personal Information Act 4 of 2013

Note that this is not an exhaustive list.

## 6 DOCUMENTS / INFORMATION HELD BY PAYGENIUS IN TERMS OF THE ACT

### *Section 51(1)(e) of the Act*

#### 6.1 **Webpage**

The PayGenius South Africa Webpage (<https://www.paygenius.co.za/>), accessible to anyone with access to the internet, has the following categories:

- 6.1.1 PayGenius companies profile
- 6.1.2 Online payment solution overview (including but not limited to, product descriptions and payment partners);
- 6.1.3 Secured merchant portal for online merchants that subscribe to our services;
- 6.1.4 A developer hub containing the information needed by developers to integrate with PayGenius to use our services;
- 6.1.5 How to contact us, our support and our FAQs;
- 6.1.6 Our payment terms and policies (including but not limited to our website terms of use and product services, compliance statement, privacy portal containing our privacy principles, privacy statement containing our processing of personal information activities, and our cookie policy and preference centre regarding the use of cookies on our website and payment platform);

#### 6.2 **Other**

The documents / information listed herein below pertain to the day-to-day management of the business of PayGenius:

- 6.2.1 Standard Employment Contracts
- 6.2.2 List of trademarks
- 6.2.3 Insurance Policies
- 6.2.4 Human Resources Policies and Procedures
- 6.2.5 Other commercial contracts
- 6.2.6 Company policies
- 6.2.7 Marketing materials



6.3 It is recorded that any and all documents / information requested pertaining to the aforesaid shall always only be made available to a requestor subject to the provisions of the Act.

## 7 AVAILABILITY OF THE MANUAL

### *Section 51(3) of the Act*

7.1 This manual is available for inspection at the offices of PayGenius, free of charge.

7.2 Copies of the manual may be obtained, subject to the prescribed fees, at the office of PayGenius.

7.3 The manual can also be accessed on the websites of the SAHRC ([www.sahrc.org.za](http://www.sahrc.org.za)) and PayGenius (<https://www.paygenius.co.za/legal/>) and may be published in the *Government Gazette*. However, it should be noted that the manual accessible on the website of SAHRC does not include the request forms or fee structure. The request forms and fee structure can be obtained on the SAHRC website ([www.sahrc.org.za](http://www.sahrc.org.za)).

## 8 PROCEDURE FOR OBTAINING ACCESS TO INFORMATION

8.1 A request for access to information must be made in the prescribed form (Form C) to the appointed information officer indicated above. See clause 10 below for the prescribed form, which can also be found on [www.sahrc.org.za](http://www.sahrc.org.za).

8.2 All required text fields in "Form C" must be completed in full and in a legible form. The form (as well as any additional pages attached thereto) must be signed by the person submitting the form.

8.3 Requesters must provide sufficient details to enable PayGenius to identify:

8.3.1 the record(s) requested;

8.3.2 the requester (and if an agent is lodging the request, proof of capacity);

8.3.3 the form of access required;

8.3.4 the postal address or fax number of the requester in the Republic;

8.3.5 if the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof;

8.3.6 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.

8.4 Once "Form C" has been submitted, the appointed information officer will notify the requester of the prescribed fee (if any) payable before further processing the request.

8.5 The information officer shall within 30 days, after the request is received, notify the requester whether the request has been granted/or refused, as well as provide the requester with any additional fees which may be levied. This additional fee would be for the reproduction, preparation and time, reasonably required to search and prepare the disclosure.

## 9 OTHER INFORMATION

*Section 51(1)(f) of the Act*

### **Prescribed Fees**

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

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

9.2 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).

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

9.4 Records may be withheld until the fees have been paid.

9.5 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).

## 10 FORM OF REQUEST

*Section 53(1) of the Act*

### **FORM C**

#### **REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY**

Section 53(1) of the Promotion of Access to Information Act 2, 2000

**[Regulation 10, read with Form C of Annexure B]**

#### **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.                |

- a) Full names and surname: \_\_\_\_\_
- b) Identity number: \_\_\_\_\_
- c) Postal address: \_\_\_\_\_
- d) Fax number: \_\_\_\_\_
- e) Telephone number: \_\_\_\_\_
- f) E-mail address: \_\_\_\_\_
- g) 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 <i>ONLY</i> 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.   |
| c) The requester must <b>sign</b> all the additional folios.  |

- Description of record or relevant part of the record: \_\_\_\_\_
- Reference number, if available: \_\_\_\_\_
- 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:
Mark the appropriate box with an X.	
NOTES:	
a) Compliance with your request in the specified form may depend on the form in which the record is available.	
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.	
c) The fee payable for access for the record, if any, will be determined partly by the form in which access is requested.	

<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?			YES	NO

Postage is payable.

**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.

Indicate which right is to be exercised or protected:

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

**11 PRESCRIBED FEES**

11.1 The fee for a copy of the manual as contemplated in regulation 9(2)(c) is R1,10 for every photocopy of an A4-size page or part thereof.

11.2 The fee for reproduction referred to in regulation 11(1), is as follows:

	<b>Rand Amount</b>
a) For every photocopy of an A4-size page or part thereof	1,10
b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form	0,75
c) For a copy in a computer-readable form on: (i) compact disc	70,00
d) (i) For a transcription of visual images, for an A4-size page or part thereof (ii) For a copy of visual images	40,00 60,00
e) (i) For a transcription of an audio record, for an A4-size page or part thereof (ii) For a copy of an audio record	20,00 30,00

11.3 The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2) is R50,00.

11.4 The access fees payable by a requester referred to in regulation 11(3) are as follows:

	<b>Rand Amount</b>
a) For every photocopy of an A4-size page or part thereof	1,10
b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form	0,75
c) For a copy in a computer-readable form on: (i) compact disc	70,00
d) (i) For a transcription of visual images, for an A4-size page or part thereof (ii) For a copy of visual images	40,00 60,00
e)	

(i)	For a transcription of an audio record, for an A4-size page or part thereof	20,00
(ii)	For a copy of an audio record	30,00
f)	To search for the record for disclosure	R30,00 for each hour or part of an hour reasonably required for such search and operation

11.5 For purposes of section 54(2) of the Act, the following applies:

11.5.1 Six hours as the hours to be exceeded before a deposit is payable; and

11.5.2 One third of the access fee is payable as a deposit by the requester.

11.6 The actual postage is payable when a copy of a record must be posted to a requester.

S. Lacour  
CEO, Director

