

PAIA MANUAL

TAKEALOT ONLINE (RF) (PTY) LTD

(Registration number: 2010/020248/07)

and various of its subsidiaries

(TAKEALOT)

**MANUAL PREPARED IN ACCORDANCE WITH SECTION 51 OF THE PROMOTION OF ACCESS
TO INFORMATION ACT 2 OF 2000 (THE ACT) (PAIA)**

1. INTRODUCTION

- 1.1. This PAIA Manual is useful for the public to:
 - 1.1.1. check the categories of records held by a body which are available without a person having to submit a formal PAIA request.
 - 1.1.2. have a sufficient understanding of how to make a request for access to a record of the body, by providing a description of the subjects on which the body holds records and the categories of records held on each subject.
 - 1.1.3. know the description of the records of the body which are available in accordance with any other legislation.
 - 1.1.4. access all the relevant contact details of the Information Officer and/or the Deputy Information Officer(s) who will assist the public with the records they intend to access.
 - 1.1.5. know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it.
 - 1.1.6. know if the body will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto.
 - 1.1.7. know the description of the categories of data subjects and of the information or categories of information relating thereto.
 - 1.1.8. know the recipients or categories of recipients to whom the personal information may be supplied.
 - 1.1.9. know if the body has planned to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied.
 - 1.1.10. know whether the body has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.
- 1.2. 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.
- 1.3. Any requester is advised to contact the Information Officer should he/she require any assistance in respect of the utilisation of this manual.

2. DEFINITIONS AND INTERPRETATIONS

- 2.1. The following words will bear the following meaning in this Manual –
 - 2.1.1. "**Act**" – the Promotion of Access to Information Act 2 of 2000, together with all relevant regulations published;
 - 2.1.2. "**Data Subject**" – means the person to whom the personal information relates;
 - 2.1.3. "**Guide**" – means the Guide on how to use PAIA by any person who wishes to exercise any right contemplated in PAIA and POPIA;
 - 2.1.4. "**Information Regulator**" – the Information Regulator established in terms of Section 39 of POPIA;
 - 2.1.5. "**Manual**" – this manual together with all annexures thereto as available at the offices of Takealot and on the Takealot website, from time to time;
 - 2.1.6. "**Takealot**" – Takealot Online (RF) (Pty) Ltd, and various of its subsidiaries as set out in this Manual;
 - 2.1.7. "**Republic**" – the Republic of South Africa;

- 2.1.8. "SAHRC" – shall mean the South African Human Rights Commission;
- 2.1.9. "PAIA" – Promotion of Access to Information Act 2 of 2000 (as amended); and
- 2.1.10. "POPIA" – Protection of Personal Information Act 4 of 2013.

3. CONTACT DETAILS

- 3.1. Section 51(1)(a) of the Act
 - 3.1.1. **Name of body:** Takealot Online (RF) (Pty) Ltd
 - 3.1.2. **Chief executive:** Frederik Zietsman
 - 3.1.3. **Appointed Information Officer:** Temosho Sekgobela
 - 3.1.4. **Registered address:** 12th Floor
10 Rua Vasco Da Gama Plain
Foreshore, Cape Town
 - 3.1.5. **Postal address:** PO Box 2271
Cape Town
8000
 - 3.1.6. **Address where records are kept:** 12th Floor
10 Rua Vasco Da Gama Plain
Foreshore, Cape Town
 - 3.1.7. **Telephone:** +27 87 362 4001
 - 3.1.8. **Email:** DS.Privacy@takealot.com
 - 3.1.9. **Website:** www.takealot.com

4. REGULATOR'S GUIDE

- 4.1. The Regulator has, in terms of Section 10(1) of PAIA, as amended, updated and made available the revised Guide (<https://info regulator.org.za/paia-guidelines/>) on how to use PAIA, in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.
- 4.2. The Guide is available in each of the official languages and braille.
- 4.3. The aforesaid Guide contains the description of:
 - 4.3.1. the objects of PAIA¹ and POPIA.
 - 4.3.2. the postal and street address, phone and fax numbers and, if available, electronic mail address of –
 - 4.3.2.1. the Information Officer of every public body and private body.
 - 4.3.2.2. every Deputy Information Officer of every public and private body designated in terms of Section 17(1) of PAIA and Section 56 of POPIA².
 - 4.3.3. the manner and form of a request for –
 - 4.3.3.1. access to a record of a private body contemplated in Section 50³.

¹ Section 17(1) of PAIA – For the purposes of PAIA, each public body must, subject to legislation governing the employment of personnel of the public body concerned, designate such number of persons as Deputy Information Officers as are necessary to render the public body as accessible as reasonably possible for requesters of its records.

² Section 56(a) of POPIA – Each public and private body must make provision, in the manner prescribed in Section 17 of the Promotion of Access to Information Act, with the necessary changes, for the designation of such a number of persons, if any, as Deputy Information Officers as is necessary to perform the duties and responsibilities as set out in Section 55(1) of POPIA.

³ Section 50(1) of PAIA – A requester must be given access to any record of a private body if:
a) that record is required for the exercise or protection of any rights;

- 4.3.3.2. access to a record of a public body contemplated in Section 11⁴.
- 4.3.4. assistance available from the Information Regulator in terms of PAIA and POPIA.
- 4.3.5. all remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging –
 - 4.3.5.1. an internal appeal.
 - 4.3.5.2. a complaint to the Information Regulator.
 - 4.3.5.3. an application with a court against a decision by the Information Officer of a public body, a decision on internal appeal, a decision by the Information Regulator or a decision of the head of a private body.
- 4.3.6. the provisions of Sections 14⁵ and 51⁶ requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual.
- 4.3.7. the provisions of Sections 15⁷ and 52⁸ providing for the voluntary disclosure of categories of records by a public body and private body, respectively.
- 4.3.8. the notices issued in terms of Sections 22⁹ and 54¹⁰ regarding fees to be paid in relation to requests for access.
- 4.3.9. the regulations made in terms of Section 92¹¹ of PAIA.
- 4.4. Members of the public can inspect or make copies of the Guide from the offices of the public and private bodies during normal working hours (in at least two of the official languages), including the office of the Information Regulator (in each of the official languages). The Guide in each of the official languages can also be obtained:
 - 4.4.1. from the Government Gazette.
 - 4.4.2. upon request from the Information Regulator, by the Information Officer on a form which corresponds substantially with Form 1 of Annexure A to the Regulations.

b) that person complies with the procedural requirements in PAIA relating to a request for access to that record; and
 c) access to that record is not refused in terms of any ground for refusal contemplated in chapter 4 of this Part.

⁴ Section 11(1) of PAIA – A requester must be given access to a record of a public body if that requester complies with all the procedural requirements in PAIA relating to a request for access to that record; and access to that record is not refused in terms of any ground for refusal contemplated in chapter 4 of this Part.

⁵ Section 14(1) of PAIA – The Information Officer of a public body must, in at least three official languages, make available a manual containing information listed in paragraph 4 above.

⁶ Section 51(1) of PAIA – The head of a private body must make available a manual containing the description of the information listed in paragraph 4 above.

⁷ Section 15(1) of PAIA – The Information Officer of a public body must make available in the prescribed manner a description of the categories of records of the public body that are automatically available without a person having to request access.

⁸ Section 52(1) of PAIA – The head of a private body may, on a voluntary basis, make available in the prescribed manner a description of the categories of records of the private body that are automatically available without a person having to request access.

⁹ Section 22(1) of PAIA – The Information Officer of a public body to whom a request for access is made, must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

¹⁰ Section 54(1) of PAIA – The head of a private body to whom a request for access is made must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

¹¹ Section 92(1) of PAIA provides that – “The Minister may, by notice in the Gazette, make regulations regarding:

- a) any matter which is required or permitted by this Act to be prescribed;
- b) any matter relating to the fees contemplated in Sections 22 and 54;
- c) any notice required by this Act;
- d) uniform criteria to be applied by the Information Officer of a public body when deciding which categories of records are to be made available in terms of Section 15; and
- e) any administrative or procedural matter necessary to give effect to the provisions of this Act.”

4.4.3. upon request from the Information Regulator, by any person, other than an Information Officer, on a form that corresponds substantially with Form 2 of Annexure A to the Regulations. The fees in relation to a copy of the Guide are provided for in Item 1 of Annexure B may apply to the aforesaid person.

4.4.4. from the website of the Information Regulator (<https://infoeregulator.org.za/paia-guidelines/>) and that of any public and private bodies.

4.5. A copy of the Guide is also available at the Takealot head office in English for public inspection during normal office hour.

5. CATEGORIES OF RECORDS OF TAKEALOT WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

5.1. Takealot does not have a separate notice of records automatically available to requesters. The provisions of this paragraph constitute the entire list of records automatically available for purposes of section 5(1)(b)(ii) of PAIA, these records being:

CATEGORY OF RECORDS	TYPES OF RECORD(S)	AVAILABLE ON WEBSITE
Company profile	<ul style="list-style-type: none"> • Purpose • Leadership • Business model • Company strategy • Company history • Executive management • Teams • Values • Contact details • Banking details • Career opportunities • Franchise opportunities • Branches • Restaurants • Menus 	X
Operational structures	<ul style="list-style-type: none"> • List of businesses • Online products • Product images • Prices • Product information • Product descriptions • Product reviews • Departments • Retail terms and policies • Terms and conditions for the use of the website • Exchange and return policy, 	X

	<ul style="list-style-type: none"> • Frequently asked questions and answers 	
Media releases	<ul style="list-style-type: none"> • Press releases • News and insights 	X
Privacy	<ul style="list-style-type: none"> • Privacy Policy • PAIA Manual • PAIA Guide 	X

6. DESCRIPTION OF THE RECORDS OF TAKEALOT WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION

6.1. Takealot keeps information/documents in accordance with the following legislation (please note that this is not an exhaustive list):

APPLICABLE LEGISLATION	CATEGORY OF RECORD(S)
Companies Act 71 of 2008, as amended	Memorandum of incorporation and other statutory records related to the Company and its subsidiaries
Taxation Administration Act 28 of 2011, Income Tax Act No. 58 of 1962	Tax records and filings
Value-Added Tax Act 89 of 1991, as amended	Tax records and filings Press
Basic Conditions of Employment Act 75 of 1997, as amended	<ul style="list-style-type: none"> • Employee records/files (employment contracts; addendums; forms and applications; medial aid; pension fund applications; etc) • Digital HR Information System (employee leave records; salary records; job records; etc) • Local HR Intranet (Policies; Employee Benefits information)
Employment Equity Act 55 of 1998, as amended	<ul style="list-style-type: none"> • Employment Equity Plan • Annual EE Report
Occupational Health and Safety Act 85 of 1993, as amended	Health and Safety files (accident records; safety, health and environmental records, etc)
Labour Relations Act 66 of 1995, as amended	<ul style="list-style-type: none"> • Employee records/files (disciplinary records) • Standard employment contracts • Human resources policies and procedures
Skills Development Act 97 of 1998, as amended	<ul style="list-style-type: none"> • Work-Skills Plan • Annual Training Report
Unemployment Insurance Contributions Act 4 of 2002, as amended	UIF Monthly U-Filing
Compensation for Occupational Injuries and Diseases Act 130 of 1993, as amended	Return of Earnings and Letter of Good Standing

Trademarks Act 194 of 1993, as amended	All registered trademarks and applications.
Competition Act No. 89 of 1998	Responses to requests for information
Consumer Protection Act No. 68 of 2008	Consumer-related information relating to returns
Customs and Excise Act No. 91 of 1964	Company information related to permits
Liquor Act No. 59 of 2003	Company information related to licences, premises and orders
Broad Based Black Economic Empowerment Act No. 53 of 2003	Company information related to black economic empowerment compliance
Customs and Excise Act No. 91 of 1964	Company information relating to imports of products and tax records
Electronic Communications and Transactions Act No. 25 of 2002	Company information in terms of section 43

7. DESCRIPTION OF THE DOMAINS ON WHICH TAKEALOT HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY TAKEALOT

7.1. The documents/information listed herein below pertain to the day-to-day management of the business of Takealot and in accordance with other legislation.

7.2. 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.

SUBJECTS ON WHICH TAKEALOT HOLDS RECORDS	CATEGORY OF RECORD(S)
Strategic documents	<ul style="list-style-type: none"> • Annual reports • Business plans and budgets • Management reports
Human resources	<ul style="list-style-type: none"> • Standard employment contracts • Employment equity plan and report • Human resources policies and procedures • Rules and regulations relating to pension and provident funds
Commercial documents	<ul style="list-style-type: none"> • Insurance policies • List of trademarks and pending applications • Commercial contracts • Company policies
Company records	<ul style="list-style-type: none"> • Constitutive documentation • Statutory records

8. PROCESSING OF PERSONAL INFORMATION

8.1. Takealot processes personal information lawfully and in a manner that does not infringe on your privacy. More specifically, Takealot processes personal information in accordance with POPIA and for reasons set out in our privacy policy, which is available on our website [here](#).

8.2. Takealot processes personal information for the following purposes:

- 8.2.1. authenticate your identity in order to provide you with access to certain records.
- 8.2.2. gain insight into how our visitors use the website and to improve our website service.
- 8.2.3. contribute to research and analytics studies, including use of artificial intelligence and machine learning.
- 8.2.4. recognise, prevent and investigate attacks of our website.
- 8.2.5. comply with applicable laws.
- 8.2.6. enforce our terms of use.
- 8.2.7. any other purposes that you indicate when you agree to provide it to us.
- 8.2.8. for subscriptions and direct marketing.

8.3. Description of categories of Data Subjects and of the information or categories of information relating thereto:

CATEGORIES OF DATA SUBJECTS	PERSONAL INFORMATION THAT MAY BE PROCESSED
Consumers	Please refer to our privacy policy
Service Providers	<ul style="list-style-type: none">• Names• Registration numbers (or identity numbers as applicable)• VAT numbers (where applicable)• Address• Commercial contracts• Bank details
Third-party suppliers	<ul style="list-style-type: none">• Names• Registration numbers (or identity numbers as applicable)• VAT numbers (where applicable)• Address• Commercial contracts• Bank details Insurance policies
Third-party sellers	<ul style="list-style-type: none">• Names• Registration numbers (or identity numbers as applicable)• VAT numbers (where applicable)• Address• Commercial contracts

	<ul style="list-style-type: none"> • Bank details
Restaurants and outlets	<ul style="list-style-type: none"> • Names • Registration numbers (or identity numbers as applicable) • VAT numbers (where applicable) • Address • Commercial contracts • Bank details
Employees (including internship and learnership recipients and part-time employees)	<ul style="list-style-type: none"> • Full name • Identity numbers • Address • Contact numbers • Qualifications • Gender • Race.
Prospective employees	Takealot has a Talent Acquisition Privacy Statement available via the third-party talent acquisition online app that deals with the processing of personal information of prospective employees.

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

Category of personal information	Recipients or categories to whom the personal information may be supplied
Service provides, third-party sellers, third-party suppliers, restaurants and outlets names, registration numbers (or identity numbers as applicable), address, contact numbers and bank details	Please refer to our privacy policy
Service Providers	<ul style="list-style-type: none"> • Names • Registration numbers (or identity numbers as applicable) • VAT numbers (where applicable) • Address • Commercial contracts • Bank details
Third-party suppliers	<ul style="list-style-type: none"> • Names • Registration numbers (or identity numbers as applicable) • VAT numbers (where applicable) • Address • Commercial contracts • Bank details Insurance policies

Third-party sellers	<ul style="list-style-type: none"> • Names • Registration numbers (or identity numbers as applicable) • VAT numbers (where applicable) • Address • Commercial contracts • Bank details
Restaurants and outlets	<ul style="list-style-type: none"> • Names • Registration numbers (or identity numbers as applicable) • VAT numbers (where applicable) • Address • Commercial contracts • Bank details
Employees (including internship and learnership recipients and part-time employees)	<ul style="list-style-type: none"> • Full name • Identity numbers • Address • Contact numbers • Qualifications • Gender • Race.
Prospective employees	Takealot has a Talent Acquisition Privacy Statement available via the third-party talent acquisition app that deals with the processing of personal information of prospective employees.

8.5. Takealot may transfer personal information outside of the country in which it was collected, including outside the Republic of South Africa.

Type of personal information	Country in which information is stored
Information collected from website	<ul style="list-style-type: none"> • South Africa • European Union • United States of America
Employee information	<ul style="list-style-type: none"> • South Africa • European Union • United States of America
Service provider information	<ul style="list-style-type: none"> • South Africa • European Union • United States of America

8.6. General description of information security measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information:

- 8.6.1. Physical security measures, including access control measures and internal security protocols, are implemented to protect personal information from unauthorised physical access.
- 8.6.2. Takealot is also committed to identifying and managing cyber-risks as part of its risk management framework. Our cybersecurity policy sets the expectations from our businesses to focus on implementing governance, striving to become cybersecure, cyber vigilant and cyber-resilient.
- 8.6.3. Password control policies are enforced to ensure that only authorised personnel can access sensitive information.

9. PROCEDURE FOR OBTAINING ACCESS TO INFORMATION

9.1. Completion of prescribed form:

- 9.1.1. A request for access to information must be made in the prescribed form (Form 2) to the appointed Information Officer indicated above.
- 9.1.2. All required text fields in Form 2 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.
- 9.1.3. Requesters must provide sufficient details to enable Takealot to identify:
 - 9.1.3.1. the record(s) requested.
 - 9.1.3.2. the requester (and if an agent is lodging the request, proof of capacity).
 - 9.1.3.3. the form of access required.
 - 9.1.3.4. the postal address or fax number of the requester in the Republic.
 - 9.1.3.5. if the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof.
 - 9.1.3.6. 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.
- 9.2. POPIA provides that a data subject may, upon proof of identity, request Takealot to confirm, free of charge, all the information it holds about the data subject and may request access to such information, including information about the identity of third parties or categories of third parties who have or have had access to such information.
- 9.3. POPIA also provides that where the data subject is required to pay a fee for services provided to him/her, Takealot must provide the data subject with a written estimate of the payable amount before providing the service and may require that the data subject pays a deposit for all or part of the fee. Grounds for refusal of the data subject's request are set out in PAIA and are discussed below.
- 9.4. POPIA provides that a data subject may object, at any time, to the processing of personal information by Takealot, on reasonable grounds relating to his/her particular situation, unless legislation provides for such processing. The data subject must complete the prescribed form attached hereto as Annexure E and submit it to the Information Officer at the electronic mail address set out above.

- 9.5. A data subject may also request Takealot to correct or delete personal information about the data subject in its possession or under its control that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading or obtained unlawfully; or destroy or delete a record of personal information about the data subject that Takealot is no longer authorised to retain records in terms of POPIA's retention and restriction of records provisions.
- 9.6. A data subject that wishes to request a correction or deletion of personal information or the destruction or deletion of a record of personal information must submit a request to the Information Officer at the electronic mail address set out above on the form attached hereto as Annexure F.
- 9.7. Proof of identity is required to authenticate your identity and the request. You may, in addition to this prescribed form, be required to submit acceptable proof of identity such as a certified copy of your identity document or other legal forms of identity.
- 9.8. Section 54 of PAIA entitles Takealot to levy a charge or to request a fee to enable it to recover the cost of processing a request and providing access to records. The fees that may be charged are set out in Annexure B of Government Notice No R.757 dated 27 August 2021 promulgated under the PAIA Regulations. Please refer to Annexure D.
- 9.9. Where a decision to grant a request has been taken, the record will not be disclosed until the necessary fees have been paid in full.
- 9.10. Please see Annexure D for a breakdown of prescribed fees.
- 9.11. Timelines for consideration of a request for access:
- 9.11.1. 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.
 - 9.11.2. 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 to Government Notice No R.757 dated 27 August 2021 promulgated under the PAIA Regulations.
- 9.12. Should an extension be required, you will be notified, together with reasons explaining why the extension is necessary.
- 9.13. There are various grounds upon which a request for access to a record may be refused. These grounds include:
- 9.13.1. the protection of personal information of a third person (who is a natural person) from unreasonable disclosure.
 - 9.13.2. the protection of 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).
 - 9.13.3. if disclosure would result in the breach of a duty of confidence owed to a third party.
 - 9.13.4. if disclosure would jeopardise the safety of an individual or prejudice or impair certain property rights of a third person.

- 9.13.5. if the record was produced during legal proceedings, unless that legal privilege has been waived.
 - 9.13.6. if the record contains trade secrets, financial or sensitive information or any information that would put Naspers at a disadvantage in negotiations or prejudice it in commercial competition.
 - 9.13.7. if the record contains information about research being carried out or about to be carried out on behalf of a third party or by Naspers.
- 9.14. Section 70 of PAIA contains an overriding provision. Disclosure of a record is compulsory if it would reveal: (i) a substantial contravention of, or failure to comply with the law; or (ii) there is an imminent and serious public safety or environmental risk; and (iii) the public interest in the disclosure of the record in question clearly outweighs the harm contemplated by its disclosure.
- 9.15. 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.

10. AVAILABILITY OF THE MANUAL

- 10.1. A copy of the manual is available:
- 10.1.1. on the Takealot website (www.takealot.com).
 - 10.1.2. at the offices of Takealot, for public inspection.
 - 10.1.3. to any person upon request and upon the payment of a reasonable prescribed fee.
 - 10.1.4. to the Information Regulator upon request.
- 10.2. The request forms and fee structure are available on the Information Regulator's website at <https://inforegulator.org.za/>.

11. UPDATING OF THE MANUAL

- 11.1. The chief executive of Takealot will on a regular basis update this manual.

12. FORMS OF REQUEST

- Annexure A:** [Form 2](#): Request for access to record
- Annexure B:** [Form 1](#): Request for a copy of the guide from the Information Regulator
- Annexure C:** [Form 1](#): Request for a copy of the guide from the Information Officer
- Annexure D:** [Form 3](#): Outcome of request and fees
- Annexure E:** [Form 5](#): Complaint form
- Annexure F:** [Form 13](#): Request for assessment