

LEAF GROUP OF COMPANIES

("Leaf Group")

Promotion of Access to Information Act

Section 51 Manual

for

Leaf Wireless (Pty) Ltd and

Leaf International Communications (Pty) Ltd

1 INTRODUCTION

This Manual is published in terms of Section 51 of the Promotion of Access to Information Act, 2 of 2000. The Act gives effect to the provisions of Section 32 of the Constitution, which provides for the right of access to information held by the State and to information held by another person that is required for the exercise and/or protection of any right.

The reference to any information in addition to that specifically required in terms of Section 51 of the Act does not create any right or entitlement (contractual or otherwise) to receive such information, other than in terms of the Act.

This manual applies in respect of each member of the **Leaf Group**. The Information Officer named below is appointed in respect of the **Leaf Group** as a whole and in respect of each of the private bodies constituting the **Leaf Group**.

2 DEFINITIONS

Unless the context clearly indicates otherwise, the following terms shall have the meanings assigned to them hereunder, namely –

- **“Act”** means the Promotion of Access to Information Act, Act 2 of 2000, as amended from time to time;
- **“Information Officer”** means the person acting on behalf of the **Leaf Group** and discharging the duties and responsibilities assigned to the “head” of the **Leaf Group** by the Act. The

Information Officer is duly authorised to act as such and such authorisation has been confirmed by the “head” of the **Leaf Group** in writing;

- **“Manual”** means this manual published in compliance with Section 51 of the Act;
- **“Leaf Group”** means the **Leaf Group of Companies** currently comprising of Leaf Wireless (Pty) Ltd and Leaf International Communications (Pty) Ltd and its South African subsidiary and associated companies and associated entities from time to time. The South African entities comprising the **Leaf Group** are listed in Annexure 1 to this Manual and this Manual applies to all such South African entities, both jointly and severally, and such entities are referred to both individually and collectively as the **“Leaf Group”**;
- **“Personnel”** means any person who works for or provides services to or on behalf of the **Leaf Group** and receives or is entitled to receive any remuneration. This includes, without limitation, directors (both executive and non-executive), all permanent, temporary and part-time staff as well as contract workers;
- **“Record”** means any recorded information, regardless of form or medium, which is in the possession or under the control of the **Leaf Group**, irrespective of whether it was created by the **Leaf Group**;
- **“Request”** means a request for access to a record of the **Leaf Group**;
- **“Requestor”** means any person, including a public body or an official thereof, making a request for access to a record of the **Leaf Group** and includes any person acting on behalf of that person;

➤ **"SAHRC"** means the South African Human Rights Commission.
Unless a contrary intention clearly appears, words signifying :-

- the singular includes the plural and vice versa;
- any one gender includes the other genders and vice versa; and
- natural persons include juristic persons.

3 LEAF GROUP OVERVIEW

The **Leaf Group** is a global convergence technology company that provides fully integrated end-to-end mobile solutions and services encompassing context based applications; platform design; hosting; device sales; as well as mobile media aggregation and management. The Group has acquired a highly skilled and motivated workforce with world class expertise in IT and Telecommunications. Leaf's products and services incorporate a host of technologies, for example IP, 3G, streaming, WAP and Windows Mobile application development. Leaf's platforms support a range of bearers, providing clients with integrated mobile solutions including data transmission, wireless data services, all aspects of mobile messaging, voice, m-commerce and portal development and management. Furthermore, Leaf offers specialist consulting on wireless and convergence technologies, assisting clients to choose the best strategy for sustained competitive advantage.

The **Leaf Group** supports the constitutional right of access to information and we are committed to provide you access to our records in accordance with the provisions of the Act, the confidentiality we owe third parties and the principles of our law.

4 AVAILABILITY OF THIS MANUAL

A copy of this Manual is available on our website (www.leaf.co.za). You may also request a copy from the Information Officer by email at the address set out hereinafter. The Manual may also be inspected at our head office and the SAHRC at the respective addresses set out below. This Manual will be updated from time to time, as and when required.

5 HOW TO REQUEST ACCESS TO RECORDS HELD BY THE LEAF GROUP

Requests for access to records held by the **Leaf Group** must be made on the request forms that are available from the SAHRC website (www.sahrc.org.za) or the Department of Justice and Constitutional Development (www.doj.gov.za) (under “regulations”) or the forms on our website.

For the convenience of requestors, copies of such forms are included in the version of this Manual available at our head office and on our website. Please note that requestors are also required to make payment of the prescribed fees. This issue is dealt with more fully below.

Requests for access to records must be made to our Information Officer at the address, fax number or electronic mail address provided for below.

The requester must provide sufficient detail on the request form to enable the Information Officer to identify the record and the requester. The requester should also indicate which form of access is required and indicate if he or she wishes to be informed in any other manner and state the necessary particulars to be so informed.

Where you know which company in the **Leaf Group** holds the record/s you are requesting, please indicate the name of the company. Where you are unsure which company holds the record/s please provide as much detail as possible about the record to facilitate our search and to avoid any possible delays.

The requester must identify the right that he or she is seeking to exercise or protect and provide an explanation of why the requested record is required for the exercise or protection of that right.

If a request is made on behalf of a person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the **Leaf Group** Information Officer.

The standard form that must be used for the making of requests is attached as Annexure 2. Not using this form could cause your request to be refused (if you do not provide sufficient information or otherwise) or delayed.

The list detailing the prescribed fees payable to the Leaf Group in respect of requests and the fees in respect of access to records (if the request is granted) is attached as Annexure 3.

Annexures 2 and 3 are included in copies of this Manual available on the **Leaf Group** website and head office but need not be and are not included in the copies of this Manual published in the Government Gazette and delivered to the SAHRC.

Kindly note that all requests to the **Leaf Group** or any of its constituent companies will be evaluated and considered in accordance with the Act. Publication of this manual and describing the categories and subject matter of information held by the Leaf Group does not give rise to any rights (in contract or otherwise) to access such information or records except in terms of the Act.

6 CONTACT DETAILS

Name of Private Body	Leaf Wireless (Pty) Ltd Reg No 2001/006146/07)
Designated Information Officer	Chris Hoffman
Email address of Information Officer	chrish@leaf.co.za
Postal Address	P O Box 246 Randburg, 2125
Street Address	240 Blairgowrie Drive Randburg, 2125
Phone Number	011 326-1844
Fax Number	011 465-2106

Name of Private Body	Leaf International Communications (Pty) Ltd Reg No 2006/001057/07)
Designated Information Officer	Chris Hoffman
Email address of Information Officer	chrish@leaf.co.za
Postal Address	P O Box 246 Randburg, 2125
Street Address	240 Blairgowrie Drive Randburg, 2125
Phone Number	011 326-1844
Fax Number	011 465-2106

7 HOW TO ACCESS THE GUIDE AS DESCRIBED IN SECTION 10 OF THE ACT

You can obtain the Guide from the South African Human Rights Commission. Please direct any queries to:

The South African Human Rights Commission:

PAIA Unit

The Research and Documentation Department

Postal Address : Private Bag 2700

Houghton

2041

Telephone : +27 11 484-8300

Fax : +27 11 484-0582

Website : www.sahrc.org.za

E-mail : paia@sahrc.org.za

8 VOLUNTARY DISCLOSURE

The **Leaf Group** is not obliged to and has not published a notice in terms of Section 52(2) of the Act. Nevertheless the **Leaf Group** does make certain information freely available. Other information relating to the **Leaf Group** is freely available on the **Leaf Group** website at www.leaf.co.za. Certain other information relating to the **Leaf Group** is also made available on such website from time to time as well as on various of the other websites operated by the **Leaf Group**. Brochures are made available to customers and made available in distributors' and customers' stores.

Certain information is also made available to employees of the **Leaf Group**, which is not generally made available to the public. To avoid confusion, these items of information are not listed hereby but may be obtained by **Leaf Group** employees from our HR office.

9 RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION

Information is retained in terms of the following legislation and is **usually available only to the persons or entities specified in such legislation :**

Companies Act 61 of 1973

Income Tax Act 58 of 1962

Value Added Tax Act 89 of 1991

Labour Relations Act 66 of 1995

Basic Conditions of Employment Act 75 of 1997

Employment Equity Act 55 of 1998
Skills Development Act 97 of 1998
Skills Development Levies Act 9 of 1999
Unemployment Insurance Act 30 of 1966
Unemployment Contributions Act 4 of 2002
National Environmental Management Act 107 of 1998
Compensation for Occupational Injuries and Health Diseases Act 130 of 1993
Consumer Affairs (Unfair Business Practices) Act 71 of 1988
Credit Agreements Act 75 of 1980
Harmful Business Practices Act 23 of 1999
Medical Schemes Act 131 of 1998
Occupational Health & Safety Act 85 of 1993
Protection of Businesses Act 99 of 1978
Regional Services Councils Act 109 of 1985
Short Term Insurance Act 53 of 1998
Stamp Duties Act 77 of 1968
Stock Exchanges Control Act 1 of 1985 and the rules and listings requirements of the JSE Securities Exchange authorised in terms thereof
Usury Act No 73 of 1968

10 RECORDS HELD BY THE LEAF GROUP

We maintain records on the following categories and subject matters. **However, please note that recording a category or subject matter in this Manual does not imply that a request for access to such records would be honoured.** All requests for access will be evaluated on a case by case basis in accordance with the provisions of the Act.

Records held internally

The following are records pertaining to the **Leaf Group's** own affairs and those of its companies :

- Memorandum and Articles of Association
- Financial records
- Operational records
- Intellectual property
- Marketing records
- Internal correspondence
- Product records
- Statutory records
- Internal policies and procedures
- Records held by officials of the **Leaf Group**.

Personnel records

Personnel records include the following :

- Any personal records provided to the **Leaf Group** by its personnel;
- Any records a third party has provided to the **Leaf Group** about any of its personnel;
- Conditions of employment and other personnel-related contractual and quasi-legal records;
- Internal evaluation records; and
- Other internal records and correspondence.

Customer-related records

Customer-related information includes the following :

- Any records a customer has provided to the **Leaf Group** or a third party acting for or on behalf of the **Leaf Group**;
- Any credit records or other research conducted by the **Leaf Group** in respect of its customers or research derived by the **Leaf Group** from its customers and their activities;
- Any records a third party has provided to the **Leaf Group** either directly or indirectly; and
- Records generated by or within the **Leaf Group** pertaining to the customer, including transactional records.

Other records

Further records are held including :-

- Information relating to the **Leaf Group's** own commercial activities; and

Third parties

Records are kept in respect of third parties, including without limitation, contractors, Commercial Banks, auditors, suppliers, joint venture companies, consultants and service providers. Further, such third parties may possess records which can be said to belong to the **Leaf Group**. The following will fall under this category:

- Personnel, customer, or **Leaf Group** records which are held by another party (as opposed to being held by the **Leaf Group**); and

- Records held by the Leaf Group in respect of other parties, (including but not limited to financial records, correspondence in question, contracts and records thereof).