

Access to Information Manual

OLX SA a division of HomeFind24 (Pty) Ltd

We respect your right of access to information. This document will help you exercise that right as required by section 51 of the Promotion to Access of Information Act 2 of 2000 (PAIA).

Callouts like this are a summary of our manual and contain the most important and relevant points for you. They are here to help you understand it, but please read the full manual.

Contents

1. Dates	2
2. Introduction	2
3. Our details	2
4. Further guidance.....	2
5. Records we hold	3
5.1 Company records.....	3
5.2 Personnel records.....	3
5.3 Business records.....	4
5.4 Customer Information	4
5.5 Policies.....	4
5.6 Published information	4
6. Information we hold to comply with the law	4
7. How to request access	5
8. Grounds for refusal	6
9. How we will give you access	7
10. How much it will cost you	7
11. How we process and protect personal information	7
11.1 Categories of people	7
11.2 Purposes	8
11.3 Categories of personal information	8
11.4 Third-party disclosures	8
11.5 Cross-border transfers	8
12. Remedies	9
13. Availability of this Manual.....	9
14. Updates to this Manual	9

1. Dates

- Date compiled: 15 January 2020
- Date revised: 1 June 2021

2. Introduction

OLX SA, a division of HomeFind24 (Pty) Ltd, is an online marketplace and this is our 'Access to Information Manual'. Its purpose is to help you access our information and any other information that we have. PAIA requires us to make it available to you so that you:

- know what types of information we have; and
- can request access to it.

This manual exists to tell you what information we have and help you get access to it.

3. Our details

Our details are as follows:

- **Company name:** HomeFind24 (Pty) Ltd
- **Registration number:** 2008/019235/07
- **Postal address:** PO Box 234
Newlands
Cape Town
7725
- **Physical address:** Great Westerford, 240 Main Road
Rondebosch
Cape Town
7725
- **Phone number:** 087 743 0600
- **Information officer by default:** Jean Philippe Farinha
- **Authorised and Designated Information officer:** Chris Kitshoff
- **Information officer email:** information-officer@olx.co.za
- **Website:** <https://www.olx.co.za>

These are all our details, but please contact us by email at information-officer@olx.co.za whenever possible.

4. Further guidance

If you would like further guidance on how you can get access to information under PAIA, you may contact the South African Human Rights Commission (SAHRC) to find out more information about PAIA. They have a guide in each official language of South Africa on how to exercise any right under PAIA. The guide is available here:

<https://www.sahrc.org.za/home/21/files/SAHRC%20PAIA%20Section%2010%20Guide%202020%20FINAL%20WEB.pdf>

In terms of the Section 110 of the Protection of Personal Information Act 4 of 2013 the functions of the Human Rights Commission have been transferred to the Information Regulator. Their contact details are as follows:

- **Postal address:** P.O Box 3153, Braamfontein, Johannesburg, 2017
- **Physical address:** JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001
- **Phone number:** 010 023 5200
- **Website:** <https://www.justice.gov.za/inforeg/index.html> and <http://www.sahrc.org.za/index.php/understanding-paia>
- General e-mail: inforeg@justice.gov.za
- Complaints email: complaints.IR@justice.gov.za

For further guidance on how you can get access to information, please visit:

<http://www.sahrc.org.za/index.php/understanding-paia> or <https://www.justice.gov.za/inforeg/index.html>.

5. Records we hold

We hold the following subjects and categories of records:

- 5.1 **Company records;**
- 5.2 **Personnel records;**
- 5.3 **Business records**
- 5.4 **Customer information;**
- 5.5 **Policies; and**
- 5.6 **Published material.**

Please note that records that are 'not automatically available,' must be requested using the process outlined in the 'How to request access' section of this manual.

We hold various subjects and categories of records in electronic or physical form that are available automatically or in other ways.

5.1 Company records

Company records are all our records related to the incorporation and administration of our company. These records are available from the Companies and Intellectual Property Commission (CIPC).

Memorandum of incorporation

Automatically available from CIPC

Directors' names

Automatically available from CIPC

Documents of incorporation

Automatically available from CIPC

5.2 Personnel records

Personnel records are all our records about anyone who works for us and who receives or is entitled to receive remuneration.

Personal records provided by personnel

Not automatically available

Conditions of employment

Not automatically available

Internal evaluation records

Not automatically available

Training material Not automatically available

5.3 Business records

Business records include any documents that have economic value to the business.

Financial records	Not automatically available
Operational records	Not automatically available
Databases	Not automatically available
Information Technology	Not automatically available
Marketing records	Not automatically available
Product records	Not automatically available

5.4 Customer Information

Customer information includes any information about anyone that we provide services to, including our customers, leads, or prospects.

Customer details	Not automatically available
Contact details of individuals within customers	Not automatically available
Communications with customers	Not automatically available
Sales records	Not automatically available
Transactional information	Not automatically available
Agreements and contracts	Not automatically available

5.5 Policies

Internal policies and procedures used for compliance purposes.

Internal policies and procedures	Not automatically available
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5.6 Published information

Published information includes any document that we prepare and produce.

Brochures	Automatically available
Information available on the website	Automatically available
External newsletters and circulars	Automatically available

6. Information we hold to comply with the law

We hold records for the purposes of PAIA in terms of the following main laws, among others:

- Arbitration Act 42 of 1965;
- Basic Conditions of Employment Act 75 of 1997;
- Broad Based Black Economic Empowerment Act 53 of 2003;
- Companies Act 61 of 1973;
- Companies Act 71 of 2008;
- Compensation for Occupational Injuries and Disease Act 130 of 1993;
- Competition Act 89 of 1998;

- Consumer Protection Act 68 of 2008;
- Copyright Act 98 of 1978;
- Customs and Excise Act, Act No. 91 of 1964;
- Electronic Communications Act 36 of 2005
- Electronic Communications and Transactions Act 25 of 2002;
- Employment Equity Act 55 of 1998;
- Financial Intelligence Centre Act 38 of 2001;
- Income Tax Act 58 of 1962;
- Insolvency Act, Act No. 24 of 1936;
- Intellectual Property Laws Amendment Act, No 38 of 1997;
- Intellectual Property Laws Amendment Act, No 28 of 2013;
- Labour Relations Act 66 of 1995;
- National Credit Act 34 of 2005;
- Occupational Health and Safety Act 85 of 1993;
- Prescription Act 18 of 1943;
- Prevention & Combating of Corrupt Activities Act 12 of 2004;
- Prevention of Constitutional Democracy Against Terrorist & Related Activities Act 33 of 2004;
- Prevention of Organised Crime Act 121 of 1998;
- Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000;
- Protected Disclosures Act 26 of 2000;
- Promotion of Access to Information Act, No 2 of 2000;
- Protection of Personal Information Act 4 of 2013;
- Regulation of Interception of Communications and Provision of Communication related Information Act 70 of 2002;
- Skills Development Act 97 of 1998;
- Skills Development Levies Act 9 of 1999;
- South African Reserve Bank Act 90 of 1989;
- Trade Marks Act 194 of 1993;
- Unemployment Insurance Act 63 of 2001;
- Unemployment Insurance Contributions Act 4 of 2002; and
- Value Added Tax Act 89 of 1991.

7. How to request access

We have authorised and designated our information officer to deal with all matters relating to PAIA in order to comply with our obligations in terms of PAIA. To request access to a record, please complete Form C which is available from:

- The Information Regulator website at https://www.justice.gov.za/forms/paia/J752_paia_Form%20C.pdf

Please submit the completed form to our information officer together with the relevant request fee (details here: <http://www.sahrc.org.za/home/21/files/PAIA%20Notice%20on%20fees.pdf>) at our information officer's email address, our physical address, in terms of our details provided above. Please ensure that the completed form:

- has enough information for the information officer to identify you, the requested records, and which form of access you require;
- specifies your email address, postal address, or fax number;
- describes the right that you seek to exercise or protect;
- explains why you need the requested record to exercise or protect that right;

- provides any other way you would like to be informed of our decision other than in writing; and
- provides proof of the capacity in which you are making the request if you are making it on behalf of someone else (we will decide whether this proof is satisfactory).

If you do not use the standard form we may:

- reject the request due to lack of procedural compliance;
- refuse it if you do not provide sufficient information; or
- delay it.

You may request information by completing a request for access form and submitting it to our information officer together with a request fee.

8. Grounds for refusal

A private body such HomeFind24 (Pty) Ltd is entitled to refuse a request for information.

8.1 The main grounds for HomeFind24 (Pty) Ltd to refuse a request for information relate to the:

- 8.1.1 mandatory protection of the privacy of a third party who is a natural person or a deceased person (section 63) or a juristic, as included in the Protection of Personal Information Act 4 of 2013, which would involve the unreasonable disclosure of personal information of that natural or juristic person;
- 8.1.2 mandatory protection of personal information and for disclosure of any personal information to, in addition to any other legislative, regulatory or contractual agreements, comply with the provisions of the Protection on Personal Information Act 4 of 2013.
 - 8.1.2.1 mandatory protection of the commercial information of a third party (section 64), if the record contains:
 - 8.1.2.2 trade secrets of the third party;
 - 8.1.2.3 financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party;
 - 8.1.3 information disclosed in confidence by a third party to HomeFind24 (Pty) Ltd, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition.
 - 8.1.4 mandatory protection of confidential information of third parties (section 65) if it is protected in terms of any agreement;
 - 8.1.5 mandatory protection of the safety of individuals and the protection of property (section 66);
 - 8.1.6 mandatory protection of records which would be regarded as privileged in legal proceedings (section 67);

8.2 A request for information on the commercial activities (section 68) of a Private Body, such as HomeFind24 (Pty) Ltd, may be refused if it relates to:

- 8.2.1 trade secrets of HomeFind24 (Pty) Ltd;
- 8.2.2 financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of HomeFind24 (Pty) Ltd;
- 8.2.3 information which, if disclosed could put HomeFind24 (Pty) Ltd at a disadvantage in negotiations or commercial competition;

8.2.4 a computer program which is owned by HomeFind24 (Pty) Ltd, and which is protected by copyright;

8.2.5 the research information (section 69) of HomeFind24 (Pty) Ltd or a third party, if its disclosure would disclose the identity of HomeFind24 (Pty) Ltd, the researcher or the subject matter of the research and would place the research at a serious disadvantage;

8.3 Requests for information that are clearly frivolous or vexatious, or which involve unreasonable diversion of resources will be refused.

All requests for information will be assessed on their own merits and in accordance with the applicable legal principles and legislation.

We will notify you in writing whether your request has been approved or denied within 30 calendar days after we have received a completed request for access form. If we cannot find any requested record or it does not exist, then we will notify you by way of affidavit that it is not possible to give access to that particular record.

We may have to refuse you access to a record to protect others.

9. How we will give you access

We will evaluate and consider all requests to us in terms of PAIA. If we approve your request for access to our records, then we will decide how to provide access to you – unless you have asked for access in a specific form. Publication of this manual does not give rise to any rights to access information records, except in terms of PAIA.

10. How much it will cost you

You must pay us a request fee as required by law when submitting a request for access to information. The prescribed fees are as set out in the Fee Schedule which is available from <http://www.sahrc.org.za/index.php/understanding-paia> at this link: <http://www.sahrc.org.za/home/21/files/PAIA%20Notice%20on%20fees.pdf>. You must pay us the fees before we will hand over any information. You may have to pay a further access fee if we grant the request for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

11. How we process and protect personal information

We process the personal information of various categories of people for various purposes as set out in this clause.

11.1 Categories of people

We process the personal information of the following categories of people:

- customers or clients;
- prospects or leads;
- employees;
- recruiters, financial and medical practitioners providing services related to employees;
- contractors, vendors, or suppliers;
- debtors and creditors; and
- directors and shareholders.

11.2 Purposes

We process the personal information to:

- provide our services;
- better understand our data subjects' needs when doing so;
- keep our data subject records up-to-date;
- manage employees in general;
- manage supplier contracts in general;
- manage customers in general;
- enforce debts;
- market services to prospects;
- process customer requests or complaints; and
- process personal information of employees for forensic purposes.

11.3 Categories of personal information

We process many different categories of personal information, including:

- contact details, such as phone numbers, physical and postal addresses, and email addresses;
- personal details, such as names and ages;
- demographic details, such as races and age groups;
- account numbers;
- contract information;
- market intelligence information;
- debt and debtor information.

11.4 Third-party disclosures

We give the following people personal information that we process in the ordinary course of business to fulfil our obligations to our customers or clients:

- contractors, or suppliers;
- operators, sub operators, other responsible parties, or co-responsible parties; and
- third party vendors to help us maintain our services.

11.5 Cross-border transfers

We will not transfer personal information across a country border without prior written consent from data subjects.

We secure data by maintaining reasonable measures to protect personal information from loss, misuse, and unauthorized access, disclosure, alteration and destruction. We also take reasonable steps to keep personal information accurate, current, complete, confidential and reliable for its intended use.

We do our best to keep all data in our possession secure and up-to-date.

12. Remedies

If your request for access is denied, you may:

- apply to a court with appropriate jurisdiction, or
- lodge a complaint with the Information Regulator, for the necessary relief.

13. Availability of this Manual

This manual is available in English and will be available on our website, and at our company offices. The manual is also electronically available on our website at: <https://help.olx.co.za/hc/en-us/articles/4402275763732-PAIA-Manual>.

14. Updates to this Manual

This manual will be updated whenever we make material changes to the current information.