

Sphere Private Equity



PAIA MANUAL

In terms of Section 51 of the Promotion of Access to Information Act No. 2 of 2000 ("Act")

1. Introduction

This is the manual for Sphere Private Equity Proprietary Limited (the "Company") as required in terms of section 51 of the Act. The Policy is informed by the provisions of the Basic Conditions of Employment Act, 1997 ("BCEA"), the Labour Relations Act 1995 ("LRA") and Unemployment Insurance Fund ("UIF") as well as general industry norms.

2. Contact Details

- 2.1. Thembeke Mkhize has been duly appointed by the head of the Company as the Information Officer for the Company and is the person to whom requests for access to information must be made in terms of the Act. The Information Officer can be contacted using the below details.
- 2.2. Postal address: PO Box 55327, Northlands, Johannesburg, Gauteng, 2116.
- 2.3. Physical address: Seventh Floor, Rosebank Towers, 19 Biermann Avenue, Johannesburg, Gauteng, 2196.
- 2.4. Telephone number: 010 900 4201.
- 2.5. Email address: t.mkhize@sphereholdings.co.za.

3. The Act

- 3.1. The Act grants a requester access to records of a private body if the record is required for the exercise or protection of any rights, subject to certain requirements or limitations. If a public body lodges a request, the public body must be acting in the public interest.
- 3.2. Requesters are referred to the Guide in terms of section 10 of the Act which has been compiled by the Information Regulator, which contains information for the purposes of exercising rights. The Guide is available from the Information Regulator and on its website.

3.3. The details of the Information Regulator are:

- Postal address: PO Box 31533, Braamfontein, Johannesburg, 2017
- Physical address: JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001.
- Tel: 010 023 5200
- Email: enquiries@info regulator.org.za
- Website: <https://info regulator.org.za/>

4. Legislation

To the extent applicable, the Company may keep information as may be required in accordance with other legislation, such as the following (not an exclusive list):

| Act No. | Name |
|----------------|---|
| 71 of 2008 | Companies Act |
| 37 of 2002 | Financial and Intermediary Services Act |
| 38 of 2001 | Financial Intelligence Centre Act |
| 24 of 1956 | Pension Funds Act |
| 95 of 1967 | Income Tax Act |
| 66 of 1995 | Labour Relations Act |
| 89 of 1991 | Value Added Tax Act |
| 75 of 1997 | Basic Conditions of Employment Act |
| 34 of 2005 | National Credit Act |
| 25 of 2002 | Electronic Communications and Transactions Act |
| 4 of 2013 | Protection of Personal Information Act |
| 28 of 2011 | Tax Administration Act |
| 55 of 1998 | Employment Equity Act |
| 97 of 1998 | Skills Development Act |
| 30 of 1996 | Unemployment Insurance Act |
| 130 of 1993 | Compensation for Occupational Injuries and Diseases Act |
| 85 of 1993 | Occupational Health and Safety Act |

5. Latest Section 52(2) Notice

At this stage, a notice on the categories of records that are automatically available without a person having to request access in terms of the Act has not been published.

6. Records Held

The following is a list of subjects on which the Company holds records, and their categories. This is not an exclusive list. These may be held in order for the Company to function effectively and/or to comply with the law:

6.1. Secretarial:

- Memorandum of incorporation;
- Certificate of incorporation;
- Minutes and resolutions;
- Annual returns.

6.2. Finance:

- Financial and accounting records;
- Tax records.

6.3. Personnel/Human Resources:

- Employment contracts;
- Internal policies and procedures;
- Staff records.

6.4. Legal:

- Various contracts, deeds and other legal documents.
- Agreements, licences and records relating to any intellectual property rights.

6.5. Marketing and Public Relations:

- Brochures and publications.
- Newsletters and circulars to the public or third parties.

6.6. General:

- Records pertaining to our relationship with clients and other third parties, including agreements and correspondence;
- Insurance records;
- General correspondence, documents and other records pertaining to the Company and its business.

7. Access to Certain Records

Certain of our statutory records are available for inspection at <https://www.bizportal.gov.za/>, these include our Memorandum of Incorporation and the names of our directors.

8. Protection of Personal Information Act 4 of 2013 (POPIA)

The following relates to POPIA. Please refer to the Company's privacy policy, available on the website <https://sphereholdings.co.za/>, or on request, for more information related to POPIA and how the Company processes personal information.

8.1. The Company processes personal information for a number of reasons, including (but not limited to) the following:

- To perform its services;
- For employment and recruitment purposes;
- To maintain its records;
- To comply with its legal obligations; and
- Generally, pursuant to any other lawful purpose.

8.2. Categories of Data Subjects and Information:

- Clients and potential clients: Personal information required to perform services, to comply with the law and pursuant to any other legitimate purpose;
- Suppliers, consultants and third party contractors: Personal information required for the performance of any contract, to comply with the law and pursuant to any other legitimate purpose;

- Employees: Personal information required in terms of the relationship between employer and employee including (but not limited to) financial information, employment history, special personal information such as race, gender and health, to comply with any law and pursuant to any other legitimate purpose;
 - Job applicants: Personal information required in order to effectively recruit employees, such as CVs and background checks, to comply with any law and pursuant to any other legitimate purpose;
 - Visitors: Personal information required to comply with the law and pursuant to any other legitimate purpose.
- 8.3. Personal information may be supplied to the following recipients pursuant to any of the reasons described in clause 8.1 above (this is not an exclusive list):
- The Company's directors, employees, agents, consultants, and third party contractors.
 - Any third party as required by law or regulation, or pursuant to a lawful purpose.
- 8.4. Transborder flows of personal information will be dealt with in accordance with POPIA.
- 8.5. Reasonable technical, organisational and contractual measures will be implemented and monitored for the protection of personal information processed by the Company.

9. How to Request

- 9.1. Requests for access to records held by the Company must be made by the requester using the prescribed form. A copy of form 1 is annexed hereto as Annexure A.
- 9.2. The prescribed form 1 is also available on the Information Regulator's website.
- 9.3. The prescribed form 1 and request must be submitted to the Information Officer using the details herein. In lodging the request, the requester must:
- Provide sufficient detail on the request form 1 to enable the Information Officer to identify the record and the requester;
 - Indicate which form of access is required and specify a postal address, fax number and/or email address within the Republic;
 - Indicate whether, in addition to a written response, the requester requests to be informed in any other manner and state the necessary particulars thereof;

- Identify the right that the requester is seeking to exercise or protect and provide an explanation of the reason the record is required to exercise or protect such right.
- 9.4. If a request is made on behalf of another person, the requester must submit proof of the capacity in which the requester is making the request, to the satisfaction of the Information Officer.
- 9.5. The Company, as soon as is reasonably practicable after the request has been received, will respond to the request and will decide whether or not to grant the request.
- 9.6. The request may be subject to certain fees (see below). A copy of form 2 regarding the outcome of a request and of certain fees payable is annexed hereto as Annexure B.

10. Fees

Note: These fees are subject to change at any time. Certain of the fees are prescribed under the Act and such updated fees can be obtained from the Information Regulator.

| Item | Description | Amount |
|------|--|--|
| 1. | The request fee payable by every requester | R140.00 |
| 2. | Photocopy/printed black & white copy of A4-size page | R2.00 per page or part thereof. |
| 3. | Printed copy of A4-size page | R2.00 per page or part thereof. |
| 4. | For a copy in a computer-readable form on: <ul style="list-style-type: none"> • Flash drive (to be provided by requestor) • Compact disc • If provided by requestor • If provided to the requestor | R40.00 R40.00 R60.00 |
| 5. | For a transcription of visual images per A4-size page | Service to be outsourced. |
| 6. | Copy of visual images | Will depend on quotation from Service provider. |
| 7. | Transcription of an audio record, per A4-size page | R24.00 |
| 8. | Copy of an audio record on: <ul style="list-style-type: none"> • Flash drive (to be provided by requestor) • Compact disc • If provided by requestor • If provided to the requestor | R40.00 R40.00 R60.00 |
| 9. | To search for and prepare the record for disclosure for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation. To not exceed a total cost of | R145.00 R435.00 |
| 10. | Deposit: If search exceeds 6 hours | One third of amount per request calculated in terms of items 2 to 8. |
| 11. | Postage, e-mail or any other electronic transfer | Actual expense, if any. |

11. General

- 11.1. This manual does not create any right or entitlement whatsoever to access or receive any record or information whatsoever.
- 11.2. This manual is not intended to deal comprehensively with every aspect of and procedure provided for in the Act or related legislation, including POPIA.
- 11.3. This manual is subject to change at any time and may be amended from time to time.

12. Manual Review

This manual shall be reviewed annually.

13. Control Document Disclaimer

Sphere Private Equity reserves the rights to interpret, change, suspend, cancel or dispute, with notice, all or any part of this document or benefits discussed herein. Employees will be notified before implementation of any change. If and when this document or any provision thereof is amended, the amended policy or provision thereof will supersede the previous one.

Form 1

Request for access to record

[Regulation 7]

Note:

1. Proof of identity must be attached by the requester.
2. If requests made on behalf of another person, proof of such authorisation, must be attached to this form.

TO: The information Officer:

(Address)

Email address:

Fax Number:

Mark with a "X"

Request is made in my own name

Request is made on behalf of another person

| | | | |
|--|-----------|--|------------|
| Personal information: | | | |
| Full names: | | | |
| Identity number: | | | |
| Capacity in which request is made: (when made on behalf of another person) | | | |
| Postal address: | | | |
| Street address: | | | |
| E-mail address: | | | |
| Contact numbers: | Business: | | Cellphone: |
| Full names of person on whose behalf request is made: (if applicable): | | | |
| Identity number: | | | |

| | | | |
|------------------|-----------|--|------------|
| Postal address: | | | |
| Street address: | | | |
| E-mail address: | | | |
| Contact numbers: | Business: | | Cellphone: |
| | | | |

| | |
|---|--|
| Particulars of Record Requested | |
| 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. <i>(If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)</i> | |
| Description of record or relevant part of the record: | |
| | |
| | |
| | |
| | |
| Reference number, if available | |
| Any further particulars of record: | |
| | |
| | |
| | |

| | |
|---|--|
| Type of Record | |
| (Mark the applicable box with a "X") | |
| Record is in written or printed form | |
| Record comprises virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc) | |
| Record consists of recorded words or information which can be reproduced in sound | |
| Record is held on a computer or in an electronic, or machine-readable form | |

| Form of Access | |
|---|--|
| (Mark the applicable box with an "X") | |
| Printed copy of record (including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form) | |
| Written or printed transcription of virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc) | |
| Transcription of soundtrack (written or printed document) | |
| Copy of record on flash drive (including virtual images and soundtracks) | |
| Copy of record on compact disc drive(including virtual images and soundtracks) | |
| Copy of record saved on cloud storage server | |

| Manner of Access | |
|--|--|
| (Mark the applicable box with an "X") | |
| Personal inspection of record at registered address of public/private body (including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form) | |
| Postal services to postal address | |
| Postal services to street address | |
| Courier service to street address | |
| Facsimile of information in written or printed format (including transcriptions) | |
| E-mail of information (including soundtracks if possible) | |
| Cloud share/file transfer | |
| Preferred language (Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available) | |

Particulars of Right to be Exercised or Protected

If the provided space is inadequate, please continue on a separate page and attach it to this form.
The requester must sign all the additional pages.

| | |
|--|--|
| 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: | |
| | |
| | |
| | |
| | |

Fees

- (a) A request fee must be paid before the request will be considered.
- (b) You will be notified of the amount of the access fee to be paid.
- (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: | |
| | |
| | |

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

| Postal address | Facsimile | Electronic communication (Please specify) |
|----------------|-----------|--|
| | | |

Signed at _____ this _____ day of _____ 20 _____

Signature of Requester / person on whose behalf
request is made

FOR OFFICIAL USE

| | |
|--|--|
| <i>Reference number:</i> | |
| <i>Request received by:</i> <i>(State, Rank, Name and Surname of Information Officer)</i> | |
| <i>Date received:</i> | |
| <i>Access fees:</i> | |
| <i>Deposit (if any):</i> | |

Signature of Information Officer

FORM 2**OUTCOME OF REQUEST AND OF FEES PAYABLE**

[Regulation 8]

Note:

1. If your request is granted the—
 - (a) Amount of the deposit, (if any), is payable before your request is processed; and
 - (b) Requested record/portion of the record will only be released once proof of full payment is received.
2. Please use the reference number hereunder in all future correspondence.

TO:

Reference Number:

Your request dated _____, refers.

1. You Requested:

| | |
|--|--|
| Personal inspection of information at registered address of public/private body (including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form) is free of charge. You are required to make an appointment for the inspection of the information and to bring this Form with you. If you then require any form of reproduction of the information, you will be liable for the fees prescribed in Annexure B. | |
|--|--|

Or

2. You Requested:

| | |
|---|--|
| Printed copies of the information (including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form) | |
| Written or printed transcription of virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc) | |
| Transcription of soundtrack (written or printed document) | |
| Copy of information on flash drive (including virtual images and soundtracks) | |
| Copy of information on compact disc drive(including virtual images and soundtracks) | |
| Copy of record saved on cloud storage server | |

3. To be Submitted via:

| | |
|--|--|
| Postal services to postal address | |
| Postal services to street address | |
| Courier service to street address | |
| Facsimile of information in written or printed format (including transcriptions) | |
| E-mail of information (including soundtracks if possible) | |
| Cloud share/file transfer | |

Kindly note that your request has been:

Approved

Declined, for the following reasons:

4. Fees payable with regards to your request:

| Item | Cost per A4 size page | Number of pages/ items | Total |
|---|--|-------------------------------|--------------|
| Photocopy | | | |
| Printed copy | | | |
| For a copy in a computer readable form on: | | | |
| (i) Flash drive | | | |
| — To be provided by requestor | R40.00 | | |
| (ii) Compact disc | | | |
| — If provided by requestor | R40.00 | | |
| — If provided to the requestor | R60.00 | | |
| For a transcription of visual images per A4-size page | Service to be outsourced. Will depend on the quotation of the service provider | | |
| Copy of visual images | | | |
| Transcription of an audio record, per A4-size | R24.00 | | |
| Copy of an audio record | | | |
| (i) Flash drive | | | |
| — To be provided by requestor | R40.00 | | |
| (ii) Compact disc | | | |
| — If provided by requestor | R40.00 | | |
| — If provided to the requestor | R60.00 | | |
| Postage, e-mail or any other electronic transfer: | Actual costs | | |
| TOTAL: | | | |

5. Deposit payable (if search exceeds six hours):

Mark with a "X"

Yes

No

| | | | |
|-----------------|--|---|--|
| Hours of search | | Amount of deposit <i>(calculated on one third of total amount per request)</i> | |
|-----------------|--|---|--|

6. The amount must be paid into the following Bank account:

Name of Bank:

Name of account holder:

Type of account:

Account number:

Branch Code:

Reference Number:

Submit proof of payment to:

Signed at _____ this _____ day of _____ 20 _____

Information Officer