



Document No: VOD-IMP-GDE-0008		Access to Information Manual [in accordance with section 51 of the Promotion of Access to Information Act No. 2 of 2000 (as amended)]		Rev. 4
Applicable areas of business Vodacom (Pty) Ltd			Responsible Division Legal and Regulatory Affairs	
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## Policy Statement

It is Vodacom's policy to conduct its operations in compliance with all legal and regulatory requirements. This Access to Information Manual ("the Manual") regulates access to information and records owned, held by or otherwise under the control of Vodacom (Pty) Ltd ("Vodacom") and the release of any such information or records of Vodacom's directors, officers, employees, customers, agents or anyone acting on its behalf or authority. This Manual should be read in conjunction with, and is aimed at ensuring compliance with, the Promotion of Access to Information Act No. 2 of 2000 ("PAIA" and/or "the Act"), the Protection of Personal Information Act No.4 of 2013 ("PoPIA"), Vodacom's Group policy relating to meeting regulatory requirements and the Vodacom Compliance Policy.

## Application

This Manual applies to information and records owned, held by or otherwise under the control of Vodacom and the release of any such information or records.

## Objective

The objectives of this Manual are to:

- provide a non-exhaustive list of information, records and other details held by Vodacom;
- set out the procedure for requesting information or records in terms of the PAIA and the PoPIA as well as the grounds on which a request may be refused;
- define the manner and form in which a request for information must be submitted; and
- remedies applicable to Requesters.

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**Vodacom Access to Information Manual**  
**(In accordance with section 51 of the Promotion of Access to Information Act No. 2 of 2000 as amended)**

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## 1 Introduction

### 1.1 Purpose of the PAIA Manual

Section 51 of the PAIA requires a Private Body to compile an Access to Information Manual (“**Manual**”) which sets out the procedure and requirements to be adhered to in seeking to obtain access to information held by that Private Body. The objective of the Act as amended by section 110 of PoPIA is to give effect to the constitutional right of access to information outlined in section 32 of the Constitution of the Republic of South Africa.

The purpose of this Manual is to outline:

- a non-exhaustive list of the type and categories of records held by Vodacom (Pty) Ltd (“**Vodacom**”); including categories of records available without having to submit a formal PAIA request;
- the process to submit requests for access to information;
- the grounds for refusal of access to information;
- descriptions of records which are available in accordance with any other legislation;
- relevant contact details of the Information Officer and Deputy Information Officer;
- description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it; and
- the Processing of Personal Information in terms of POPIA.

### 1.2 Contact Details for Access to Information

#### 1.2.1 Information Officer Details

Company Registration: Vodacom (Pty) Ltd	1993/003367/07
Managing Director/Information Officer	Sitho Mdlalose
Deputy Information Officer	Mpumi Simelane
Street Address	082 Vodacom Boulevard, Vodacom Valley, Midrand, 1685
Postal Address	Private Bag X9904, Sandton, 2146
Telephone	011 653 5734
Website	<a href="http://www.vodacom.co.za">www.vodacom.co.za</a>
E mail	privacy@vodacom.co.za

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### 1.2.2 Contact Details for Access to Information

In order to ensure that Vodacom complies with PAIA and PoPIA, the following entry points have been designated for access to information requests:

**a) Are you requesting a record or description of your Personal Information held by Vodacom?**

All Data Subjects are allowed access to their own Personal Information records or description. In order to access Personal Information records, contact Vodacom Customer Care (details below). Please note that there may be reproduction costs associated with retrieval of information records. You will be informed if such costs apply to your request. Please follow the Request Procedure outlined in paragraph 6 to access your own Personal Information records.

**Please note:** Itemised billing is only available for the last 90 days. Any itemised billing requests outside this time frame constitutes call data records which is only available through the PAIA application from the Law Enforcement Agency (LEA) department [please see details in par 1.2.2(b)].

Physical Address	082 Vodacom Boulevard, Vodacom Valley, Midrand, 1685
Postal Address	Vodacom Customer Care Private Bag X9904, Sandton, 2146
Telephone	(082) 135
E mail	customer@vodacom.co.za

**b) Are you requesting information belonging to another person or any other records that are not classified as your own Personal Information?**

In order to request other records that are not classified as your own Personal Information or Call Data Records, please contact Vodacom Law Enforcement Agency (LEA) using the details outlined below. Please follow the Request Procedure outlined in paragraph 6 below.

Physical Address	Vodacom Law Enforcement Agency (LEA), 082 Vodacom Boulevard, Vodacom Valley, Midrand, 1685
Postal Address	Vodacom Law Enforcement Agency (LEA), Private Bag X9904, Sandton, 2146
Telephone	087 289 6450 / 087 289 3501

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Standby nr	082 537 6618
E mail	<a href="mailto:accesslea@vodacom.co.za">accesslea@vodacom.co.za</a>

To request URL or data usage information, please fill the relevant URL disclaimer form which can be found under 'Access to Information' on the Privacy Portal on [www.vodacom.co.za](http://www.vodacom.co.za) and submit with all the documents as requested.

### 1.3 Availability of the Manual

A copy of the Manual is available:

- on our website at [www.vodacom.co.za](http://www.vodacom.co.za)
- head office of Vodacom at the address outlined in paragraph 1.2 above, for public inspection during normal business hours at no charge; and
- to any person upon request and upon the payment of a reasonable amount.

A fee for a copy of the Manual, shall be payable per each A4-size photocopy made in line with prescribed fee outlined in paragraph 7.

Vodacom will on a regular basis update this manual, and the updated Manual will be published on the website.

## 2 Description of the PAIA Guide developed by the Information Regulator

The Information Regulator ("**Regulator**") has in terms of section 10(1) of PAIA, as amended, updated and made available the revised PAIA Guide ("Guide") which provides information and guidance that is needed by any person who wishes to exercise any right contemplated in the PAIA and POPIA.

Members of the public can inspect or make copies of the Guide from the offices of Vodacom (see address in 1.2.1) by contacting the Deputy Information Officer, any Vodacom shop, website of Vodacom, website or the office of the Regulator, during normal working hours.

Any questions or queries relating to the Guide published by the Information Regulator must be addressed to:

Physical Address	JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001.
Postal Address	P.O Box 31533, Braamfontein, Johannesburg, 2017

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Phone	010 023 5200
Website	<a href="https://inforegulator.org.za">https://inforegulator.org.za</a>
E mail	enquiries@inforegulator.org.za

### 3 Definitions

The following words shall bear the same meaning as under PoPIA:

- 3.1 **“Data Subject”** means the person to whom Personal Information relates.
- 3.2 **“Information Officer”** means the Head of Vodacom, equivalent officer, duly authorised person or any person who is acting as such as contemplated in section 1 of the Act.
- 3.3 **“Minister”** means the Minister of Justice and Correctional Services.
- 3.4 **“Personal Information”** means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person including:
- (a) information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person;
  - (b) information relating to the education or the medical, financial, criminal or employment history of the person;
  - (c) any identifying number, symbol, e-mail address, physical address, telephone number or other particular assignment to the person;
  - (d) the blood type or any other biometric information of the person;
  - (e) the personal opinions, views or preferences of the person;
  - (f) correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
  - (g) the views or opinions of another individual about the person; and
  - (h) the name of the person if it appears with other Personal Information relating to the person or if the disclosure of the name itself would reveal information about the person.

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- 3.5 **“Processing”** means any operation or activity or any set of operations, whether or not by automatic means, concerning Personal Information, including:
- (a) the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;
  - (b) dissemination by means of transmission, distribution or making available in any other form; or
  - (c) merging, linking, as well as blocking, degradation, erasure or destruction of information.
- 3.6 **“Private body”** means a natural person who carries or has carried on any trade, business or profession in that capacity, a partnership or juristic person.
- 3.7 **“Responsible party”** means a public or private body or any other person which, alone or in conjunction with others, determines the purpose of and means for Processing Personal Information.
- 3.6 **“Requester”** in relation to a private body means any person, including, but not limited to, a public body or an official thereof, making a request for access to a record of that private body or any person acting on behalf of that person.

## 4 Categories of Records held by Vodacom

The categories of information listed are not exhaustive but are merely meant to give a broad indication of the information subject and categories held by Vodacom, without specification. A category may therefore contain sub-categories and sub-sets of information, which are not specifically listed.

### 4.1 Categories of records automatically available

The following categories of information are automatically available without having to request access to these records:

Description of category of records automatically available	Manner of access to records
Product Information	Soft copy/website
Published Annual Reports	Soft copy/website
Published Financial Statements	Soft copy/website
Media Releases, Published events	Website/Soft copy

### 4.2 Categories of records that are not readily available

Each request for information will be dealt with on a case-by-case basis and the mere fact that a record is listed below does not mean that access to that record will be granted. Please note that the below list is not exhaustive.

Subject	Categories of Records

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<b>Management/Governance</b>	Board/Governance committee reports and meeting minutes
	Strategic Plan, Annual Performance Plan.
	Legal records not in the public domain
	Organisational structure and positions
	Internal Policies, Standards and Procedures
<b>Human Resources</b>	Employee and non-employee records (employment contracts, performance, payroll and remuneration, disciplinary, training, job application details, education, employee onboarding records.
<b>Customer</b>	Contract/customer agreements
	Credit information
	Customer profile records
	Billing, monitoring customer data usage
	Call data records, SMS event records
	Loyalty Rewards
<b>Customer Interactions</b>	Call Centre Recordings
	Customer complaints, requests, and enquiries
<b>Accounting</b>	Records relating to the account holders (customer transactions, invoices, payment information, contracts, authentication records)
<b>Facility</b>	Authentication, Physical and Digital Access control records
<b>Supply Chain Management</b>	Third party onboarding records
	Responses to tenders and contract records
	Records of agreements/contracts, Service level agreements (SLA's), Invoice records
<b>Corporate Social Investment</b>	Funding applications and related records

### 4.3 Description of the records which are available in accordance with any other legislation

Please see Annexure B for a description of the records which are created as a result of legislation applicable to Vodacom. Please note that these records are not readily available, and the Requester must go through the process outlined in paragraph 1.2.2.

## 5 Processing of Personal Information

**Note:** Please visit the Vodacom Privacy Policy on [www.vodacom.co.za](http://www.vodacom.co.za) for more detailed information on how Vodacom processes Personal Information of Data Subjects.

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## 5.1 Purpose of Processing Personal Information of Data Subjects by Vodacom

Vodacom will process Personal Information of Data Subjects based on:

- The performance of contract with the Data Subject or to enter into the contract and to take action on their requests. For example, to make calls and texts, and browse the internet on their phone, Vodacom process things like the numbers dialled, how much data was used and how it is used so that it can provide connectivity. This also enables Vodacom to generate Data Subject's bills, based on their usage. Vodacom also needs to conduct credit checks when the Data Subjects apply for a product or service.
- Vodacom's legitimate business interests, for example, fraud prevention, prevention of tax evasion and financial crime, maintaining the security of its network and services, direct marketing, and the improvement of services.
- Protecting Data Subject's legitimate interests - for example, providing notifications regarding network availability and performance in their area, notification of emergency services, and fraud prevention.
- Compliance with a mandatory legal obligation, including for example, accounting and tax requirements, which are subject to strict internal policies, procedures, and Data Subject's right to restrict usage of their Personal Information, which control the scope of legal assistance to be provided. Vodacom is also required to process Personal Information pursuant to legislation including but not limited to the Financial Intelligence Centre Act, 38 of 2001 (FICA), the Regulation of Interception of Communications and Provisions of Communication-related Information Act 70 of 2002 (RICA), the Electronic Communications and Transactions Act, 2002 (ECTA), the Electronic Communications Act, 2005 (ECA), the Consumer Protection Act, 2008 (CPA), the Promotion of Access to Information Act, 2000 (PAIA), and the Cybercrimes Act, 2020.
- Data Subject consent where Vodacom does not rely on another legal basis (referred to above). Consent may be withdrawn at any time. When Data Subject give their consent, they will be given details on how to change their mind.

The purpose for which Personal Information is processed by Vodacom will depend on the nature of the services or products being provided to the Data Subjects. Below are some purposes for Processing Personal Information:

- to provide Data Subjects with product and services;
- to bill Data Subjects for using Vodacom's products and services, or to take the appropriate amount of credit;
- contact Data Subjects if the billing information they provided with is about to expire or Vodacom is not able to take payment;
- to respond to any questions or concerns about its network, products or services;

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- to provide roaming services;
- for employment purposes;
- managing third party relationships;
- managing its networks and understanding network usage;
- marketing and tailoring service to Data Subjects;
- to contact Data Subjects with customer service messages to keep them updated with current information about products and services they have taken. For example, changes to our terms and conditions or service interruptions;
- to deliver advertising to Data Subjects;
- credit checks, fraud prevention and security;
- to manage visits by different stakeholders to any Vodacom premises;
- for research and analytics.

## 5.2 Categories of Data Subjects and their Personal Information

Vodacom holds information and records relating to the following Data Subjects. Please note that this list is non-exhaustive:

- a) employees /personnel of Vodacom;
- b) clients/customers of Vodacom;
- c) any third party and/or supplier with whom Vodacom conducts its business;
- d) contractors of Vodacom;
- e) partners and agents;
- f) service providers of Vodacom;
- (g) Requesters in terms of PAIA and POPIA.

**The categories of Personal Information that Vodacom processes of the Data Subjects defined below includes the following:**

- Full names, address, phone and/or mobile number, date of birth, gender, information about their property or household, and email address.
- Credit or debit card information - information about bank account and other banking information. For example, when a Data Subject opens an account with Vodacom or process a payment whenever they make a purchase.

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- **Traffic data** - this is data Vodacom see as part of providing Data Subjects with connectivity, like the numbers they call, the time and duration of the call or how data is used.
- **Location data** - this can be precise where it uses Global Positioning System (GPS) data or by identifying nearby mobile phone and Wi-Fi hotspots and the Data Subject enables location-based services or features. It can also be less precise where, for example, a location is derived from Data Subject's IP address or data such as a post code or name of a town or city.
- **Correspondence** - such as a note or recording of a call Data Subjects make to one of its contact centres, a Live Chat, an email or letter sent, or other records of any contact with Vodacom.
- **Account information** - such as dates of payment owed or received, subscriptions, account numbers or other information related to an account or included in My Vodacom.
- **Credential information** - Vodacom collects passwords, hints and similar security information used for authentication and access to accounts and services.
- **Preferences for particular products, services and lifestyle activities**
- **Data sessions** - to enable connection to be made and for billing purposes, fraud investigations, network and store planning, campaign planning, marketing specific products such as URL bundles, identify visits to competitor websites, and personalisation of services.
- **Photographs and images** - when attending any of Vodacom's events or functions or accessing premises with surveillance cameras.
- **Information obtained from other sources**, such as credit agencies, fraud-prevention agencies, and from other data providers. This includes demographic data and interest-based data.

### **5.3 The recipients or categories of recipients to whom the Personal Information may be supplied by Vodacom**

Vodacom may supply information or records of information to the following categories of recipients:

- a) its employees as part of executing its business functions;
- b) statutory oversight bodies, regulators (such as the Information Regulator), law enforcement agencies or judicial commissions of enquiry making a request for information;
- c) any court, administrative or judicial forum, arbitration, statutory commission, or ombudsman making a request for data or discovery in terms of the applicable rules;
- d) South African Revenue Services, or another similar authority;

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- e) emergency Service Organisation (if the Data Subject make an emergency call), including their approximate location;
- f) anyone making a successful application for access in terms of PAIA, to the extent that such access is permitted in terms of PAIA, as amended by POPIA.;
- g) subject to the provisions of POPIA and the National Credit Act No. 34 of 2005, Vodacom may share information about a client's creditworthiness with any credit bureau or credit providers;
- h) debt collection agencies or other debt-recovery organisations;
- i) any third party and/or supplier with whom Vodacom conducts its business;
- j) contractors of Vodacom;
- k) partners and agents;
- l) service providers of Vodacom;
- m) third-parties that we use to provide you with marketing and advertisements; and
- n) companies in the Vodacom and Vodafone Group.

#### **5.4 Planned trans-border flows of Personal Information**

Vodacom may transfer Personal Information of Data Subjects to the Vodafone group companies and/or authorised third parties beyond the borders of the countries to achieve a defined purpose, including the achievement of its business functions.

Vodacom will only engage in the cross-border transfer of information if one of the following conditions are met and as approved by the Deputy Information Officer:

- The recipient is subject to existing legislation in his /her/it's country, a binding corporate or binding agreement that provides an adequate level of protection for the personal information that is substantially similar to the data protection laws applicable to South Africa;
- The Data Subject has consented to such cross-border transfer;
- The transfer is necessary for the conclusion and/or performance of a contract between Vodacom and the Data Subject;
- The transfer is necessary for the conclusion or performance of a contract entered into, in the interest of the Data Subject, between Vodacom and the relevant Vodacom group company or the Authorised Third Party;

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- The transfer is to the benefit of the Data Subject and must take place in circumstances under which it is not reasonably possible to obtain the Data Subject's consent and if it were reasonably possible to obtain such consent, the Data Subject would be likely to give it.

The processing of Personal Information in a foreign jurisdiction may be subject to the laws of the country in which it is held, and may be subject to disclosure to the Governments, Courts of law, Enforcement or Regulatory Agencies of such other country, pursuant to the laws of such country. Vodacom will ensure the adequate protection of your Personal Information where such disclosures are required.

## 5.5 General Description of Information Security Measures

- Vodacom is committed to continuously implement security safeguards to protect Personal Information. For this reason, Vodacom has specialised security teams that constantly review and improve its measures to secure the integrity and confidentiality of Personal Information by taking appropriate, reasonable technical and organisational measures to protect it from unauthorised or unlawful access, accidental loss, damage, disclosure or destruction. This includes firewalls, password access and encryption methods, role-based access.
- If Vodacom has an agreement with another organisation to provide services on its behalf, Vodacom will take reasonable steps to ensure that they have appropriate security measures in place that are substantially similar to the security measures implemented by Vodacom. These organisations will not be entitled to use Personal Information for their own purposes. If necessary, the security teams will conduct an audit on them to ensure they meet Vodacom's security requirements.

## 6 Request Procedure

### 6.1 Procedure to be followed by the Requester

- A request for access to a record must be made in a prescribed Form 2 (Annexure A) to Vodacom at its address, fax number, or electronic email address outlined in paragraph 1.2.2. The form is available on request from Vodacom Customer Care or from the website on [www.vodacom.co.za](http://www.vodacom.co.za).
- The Requester must provide sufficient information for identification purposes. Therefore, proof of identity is required to authenticate the Requester such as a certified copy of their identity document, driver's license or passport.
- If the request is made on behalf of another person, the Requester must provide proof of the capacity in which they are making the request and authorisation to make such request.
- In instances where information or records pertaining to any of Vodacom's products (other than marketing information) is requested, the Requester must prove ownership of the MSISDN (Mobile Station International Subscriber Directory Number, i.e., the mobile phone number) to which the requested information or records

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relate. The Requester may also be required to provide further particulars to prove ownership or to provide an explanation why access to the identified records is required.

A request which does not comply with the formalities contained in this Manual (including Forms not completed correctly) will be referred back to the Requester with advice on the necessary steps for compliance.

**Note:** Information will not be furnished unless a person clearly provides sufficient particulars to enable Vodacom to identify the right the Requester seeks to protect as well as an explanation of why the requested information is required for the exercise or protect that right.

## 6.2 Procedure to be followed by Vodacom after receipt

The following procedure will be followed by Vodacom after receipt of the request for access:

- Once a request is made in the prescribed Form 2, Vodacom will send an acknowledgment of receipt.
- The Requester will receive notice from Vodacom to pay a request fee of R140.00 (if applicable).
- The prescribed fee must be paid before the request is processed.
- Payment of this fee should be made as directed by Vodacom.
- If the request is granted then the Requester might be required to pay a further access fee for the search, reproduction and preparation of the record as well as for the time that has exceeded the prescribed hours to search and to prepare the record for disclosure. This includes for Personal Information requests, where applicable.

## 6.3 Guidance for completing the request Form

The Requester can contact Vodacom using the details outlined in paragraph 1.2.2 or any Vodacom shop for guidance on how to complete Form 2, and the documents that need to be submitted or applicable fees.

An oral request for access to a record(s) may be made as a result of the illiteracy or disability of the Requester. The Deputy Information Officer, LEA department or any Vodacom shops will assist the Requester to complete the prescribed form on behalf of such Requester and provide him/her with a copy of the completed form.

## 6.4 Response Time

- All requests complying with the requirements set out above will be processed and a written notice of the decision provided to the Requester within 30 days after receiving the completed Form 2. In case of a request being refused, the notification will include the reasons for the refusal.
- Vodacom may request an extension of the 30-day notice period for a further period not exceeding 30 days due to the nature of the request and the amount of time required to gather the requested information.

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- Vodacom will make the extension request prior to the expiry of the 30-day period and provide reasons for the extension.

## 6.5 Granting or Refusal of a Request

6.5.1 If the request for access is granted, then Vodacom will advise the Requester of:

- the prescribed reproduction fees for accessing the information or documentation,
- payable deposit fee and balance outstanding (if any),
- the form in which access will be given, and
- the right to lodge an application in court or complain to the Information Regulator against the access fee to be paid or the form of access to be granted, within 180 days of Vodacom notifying the Requester of its decision.

6.5.2 If the request for access is refused, Vodacom will advise the Requester about the reasons for refusal of access and may advise the Requester that they may lodge an application in court or complain the Information Regulator against the refusal of the request.

6.5.3 Chapter 4 of the PAIA stipulates the following grounds for refusing requests for information:

- protection of the privacy of a third party who is a natural person;
- protection of commercial information of a third party;
- protection of certain confidential information of a third party;
- protection of safety of individuals and protection of property;
- protection of records privileged from production in legal proceedings;
- commercial information of the Private Body;
- protection of research information of a third party and of the Private Body.

6.5.4 These grounds of refusal are also endorsed in section 23(4)(a) of PoPIA. If a request for access to Personal Information is made and part of that information may or must be refused in terms of PAIA, every other part will be disclosed.

## 6.6 Records that cannot be located or do not exist

Where records cannot be located but to which a Requester would have had access if the record was available, Vodacom will provide a response in the form of an affidavit or affirmation. This also applies where the requested records do not exist.

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## 7 Prescribed Fees

The Act entitles a Private Body to levy a prescribed fee to a Requester before further Processing the request.

According to section 23(3) of PoPIA, a Responsible Party may require payment of a prescribed fee for the provision of a record of Personal Information about the Data Subject in its possession. Vodacom will provide the Requester a written estimate of the fee before providing the services; and may require the Requester to pay a deposit for all or part of the fee.

Please see below prescribed fees applicable that have been published in the Annexure B of PAIA Regulations, 2021.

Item	Description	Amount
1	Request fee payable by every Requester	R140.00
2	Photocopy/printed black and white copy of a 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 flash drive (provided by Requester)	R40.00
5	For a copy in a computer-readable form on compact disc (if provided by Requester)	R40.00
6	For a copy in a computer-readable form on compact disc (if provided to the Requester)	R60.00
7	For a transcription of visual images per A4-size page	Services to be outsourced, will depend on quotation from Service Provider
8	Copy of visual images	
9	Transcription of an audio record per A4-size page	R24.00
10	For a copy of an audio record on Flash drive (to be provided by Requester)	R40.00
11	For a copy of an audio record on compact disc (if provided by Requester)	R40.00
12	For a copy of an audio record on compact disc (if provided to the Requester)	R60.00
13	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:	R 145.00  R 435.00
14	Deposit: If search exceeds 6 hours	One third of the amount per request calculated in terms of above items

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15	Postage, email or any other electronic transfer	Actual expense, if any
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Vodacom, as a private body registered under the Value Added Tax Act, 1991 will add VAT to all the above-mentioned fees

## 8 Lodgment of Complaints

The Act makes provision for the lodgment of a complaint to the Information Regulator by any person who alleges that the decision was not in compliance with the Act for refusing access, aggrieved by a decision regarding fees prescribed, the extension of the period within which the request must be dealt; or refusing access in the form requested by the Requester. The complainant may also apply to a court with appropriate jurisdiction. The complaint to the Information Regulator must be in the prescribed manner and form as published on the website of the Information Regulator and lodged within 180 days of the decision from Vodacom.

## 9 Revision History

Revision History		
Date	Version	Summary of changes since the last version
Never published	1	Updated the Manual to be in line with the Promotion of Access to Information Act
2014-03-16	2	Document Formally registered
2019-05-16	3	Manual updated to be in line with the Protection of Personal Information Act
2021-06-30	4	Manual reviewed and updated in line with ISO standards
2022-09-30	5	Manual reviewed and updated in line with new PAIA Regulations, 2021

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## ANNEXURE A: PRESCRIBED FORM 2

### REQUEST FOR ACCESS TO RECORDS HELD BY VODACOM

*(Regulation 7 of the Promotion of Access to Information Act, 2 of 2000)*

#### A. Particulars of Vodacom

##### The Head: Vodacom

082 Vodacom Boulevard

Vodacom Valley

Midrand

1685

or

Private bag x 9904

Sandton

2146

#### Select Type of Request

Type of Request	Where to send the request?
Request for records or description of Personal Information that Vodacom holds about the Requester <i>(any record excluding itemized billing older than 90 days, call data records, RICA / Ownership details)</i>	<a href="mailto:customercare@vodacom.co.za">customercare@vodacom.co.za</a>

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Other requests of records held by Vodacom ( <i>any and all call data records, RICA / Ownership details and itemized billing older than 90 days, including third party requests</i> )	<a href="mailto:accesslea@vodacom.co.za">accesslea@vodacom.co.za</a>
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## B. Particulars of person requesting access to the record

- a) *The particulars of the person who requests access to the record must be completed below*  
 b) *Proof of identity must be attached by the Requester*  
 c) *If request is made on behalf of another person, proof of such authorisation must be attached to this form*  
 d) *An affidavit as part of this form must be completed and signed where the request is made on behalf of another person*

Mark with an "X"

Request is made in my own name

Request is made on behalf of another person

### PERSONAL INFORMATION

Full names and surname: \_\_\_\_\_

Identity number: \_\_\_\_\_

Postal address: : \_\_\_\_\_

Fax number: \_\_\_\_\_

Telephone number: \_\_\_\_\_

E-mail address: \_\_\_\_\_

Capacity in which request is made, when made on behalf of another person:

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**C. Particulars of person on whose behalf request is made**

*This section must be completed ONLY if a request for information is made on behalf of another person*

Full names and surname: \_\_\_\_\_

Identity number / Company Registration Number: \_\_\_\_\_

**D. Particulars of record requested**

*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 page and attach it to this form.*  
**The Requester must sign all the additional pages**

1) Description of record or relevant part of the record:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Reference number, if available: \_\_\_\_\_

3. Any further particulars of record: \_\_\_\_\_

\_\_\_\_\_

**E. Type of Record**

Mark the applicable box with an "X"

Record is in written or printed form	
Record comprises virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.)	

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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	

#### F. Form of access to record

Mark the applicable box with an "X"

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

#### G. Manner of Access

Mark the applicable box with an "X"

Personal inspection of record at registered address of Vodacom <i>(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)</i> <b>Note: Call recordings will be made available to be heard at a Vodacom shop</b>	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed <i>format (including transcriptions)</i>	
E-mail of information <i>(including soundtracks if possible)</i>	
Cloud share/file transfer	
Preferred language: Note: If the record is not available in the language you prefer, access may be granted in the language in which the record is available)	

#### H. Particulars of right to be exercised or protected

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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**

1. Indicate which right is to be exercised or protected:

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2. Explain why the record requested is required for the exercise or protection of the aforementioned right:

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**I. 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 such 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:

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**J. 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? Select preference (Postal address, Fax, Electronic communication such as email)

\_\_\_\_\_

\_\_\_\_\_

Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20

\_\_\_\_\_  
SIGNATURE OF REQUESTER / PERSON  
ON WHOSE BEHALF THE REQUEST IS MADE

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**AFFIDAVIT**

I, the undersigned, ..... (Please insert full names) do hereby make oath and say:

1.

I am an adult male/female residing at ..... I am the Requester in terms of the Promotion of Access to Information Act, No 2 of 2000.

2.

The facts herein contained are true and correct and within my personal knowledge, unless indicated to the contrary, and are in all respects true correct.

3.

I am the owner and user of a cellular telephone with cellular number \_\_\_\_\_. I am duly authorised to lodge this request in terms of the Promotion of Access to Information Act, No 2 of 2000.

4.

The information requested pertains to call data (details of outgoing calls and SMS's as well as base station (tower) information on cellular number ..... for the period between ..... and ..... (also include time period as well).

5.

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My Identity number is ..... and I attach hereby a certified copy of my identity document.

6.

I am the owner or authorised user of a Vodacom cellular telephone with cellular telephone number \_\_\_\_\_ allocated to me and I am duly authorised to consent to a third-party requesting information on my behalf in terms of the Promotion of Access to Information Act 2 of 2000.

7.

I hereby confirm that I have given consent to \_\_\_\_\_ request and receive information (which is more fully detailed in the document attached hereto and marked Annexure \_\_\_\_\_ which has been initialed by me for purpose of identification) from Vodacom LEA Support requested on my behalf in terms of the Promotion of Access to Information Act 2 of 2000. Furthermore, I hereby waive any rights that I may have against Vodacom in regard to any damages that I may suffer arising from the release by Vodacom LEA Support to \_\_\_\_\_ in the information referred to in Annexure \_\_\_\_\_

8.

I am aware that I could be prosecuted for making a statement knowing it might be used in court proceedings and known by me to be false and intended to mislead.

I know and understand the contents of this statement. I have no objections in taking the prescribed oath. I consider the prescribed oath to be binding on my conscience.

SIGNED AT \_\_\_\_\_ ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
Deponent (Signature of person swearing or affirming the statement)



I certify that the deponent has acknowledged that he/she knows and understands the contents of this affidavit, which was signed and sworn to, before me at this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_ and that he/she has no objection to taking the prescribed oath.

\_\_\_\_\_

(Signature Commissioner of Oaths  
or other official before whom the statement  
is sworn/affirmed). .....

Full Names and Surname

.....

Business Address (Street Address)

.....

.....

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## ANNEXURE B: LEGISLATION IN TERMS OF WHICH RECORDS ARE KEPT

Vodacom keeps information and/or documents in accordance with the following legislation (This is not an exhaustive list):

Legislation	Type of information to be retained
a) Basic Conditions of Employment Act No. 75 of 1997	Records of information containing the personal details of all its employees, working times and remuneration package.
b) Broad Based Black Economic Empowerment Act No. 53 of 2003 ("BBBEE")	Records of activities undertaken in order to promote economic transformation and meaningful participation of black people in the mainstream economy.
a) Companies Act No. 71 of 2008	Company documents and records, Memorandum of incorporation and records of their directors.
b) Compensation for Occupational Injuries and Health Diseases Act No. 130 of 1993	Employee record or reproduction of same relating of wages, time worked, payment for piece work and overtime
c) Consumer Protection Act No. 68 of 2008	Records of transactions aimed at promoting and protecting the economic interests of consumers.
d) Criminal Procedure act No. 51 of 1977	The Act makes provision for the admissibility of documents as evidence where such documents were compiled in the course of trade or business by persons who have personal knowledge of matters contained in the document.
e) Electronic Communications and Transactions Act No. 25 of 2002	Records of electronic transactions.
f) Employment Equity Act No. 55 of 1998	Records relating to the workforce, employment equity plans and other relevant employment related records.
g) Financial Intelligence and Centre Act No. 38 of 2001	Records necessary to establish a relationship <ul style="list-style-type: none"> <li>▪ Client's Identity Document</li> <li>▪ ID of a person on whose behalf the client is acting and proof of authority</li> <li>▪ Nature of business relationship/transaction</li> <li>▪ Amounts involved</li> <li>▪ Details of employee who captured info on behalf of company</li> </ul>
h) Labour Relations Act No. 66 of 1995	Records of disciplinary transgressions against employees, actions taken and reasons for the action
i) National Credit Act No. 34 of 2005	Records of all applications for credit, credit agreements and credit accounts in the prescribed manner and form and for the prescribed time.
j) Occupational Health and Safety Act No. 85 of 1993	Records relating to the health and safety of persons in the workplace
k) Pension Funds Act 24 of 1956	Every fund is expected to maintain books of account and other records as may be necessary for the purpose of the fund. All the money and assets belonging to the fund may

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	be kept in the name of the pension fund by other institutions subject to conditions determined by the Minister.
l) Prevention and Combating of Corrupt Activities Act No. 12 of 2004	Records relating to any offer of improper gratification relating to the procurement or execution of contracts or employment relationship.
m) Regulation of Interception of Communications and Provision of Communication Related Information Act No. 70 of 2002 ("RICA")	The Act requires the following information to be stored in respect of all customers: <ul style="list-style-type: none"> <li>▪ Name, surname, ID number, MSISDN and one address</li> <li>▪ For businesses: name, registration number, business address, name and surname of business representative, his or her ID number as well as the address</li> </ul>
n) Skills Development Act no. 97 of 1998	Records of all learnership agreements.
o) Skills Development Levies Act No. 9 of 1999	Every employer is expected to make payments towards the skills development levy at a rate of 1% of the leviable amount. Records detailing payments made by the Employer are expected to be kept.
p) Unemployment Insurance Act No. 30 of 1996	Records relating to payment of contributions to the Unemployment Insurance Fund relating to: illness, maternity and for dependents.

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