

**THE PROMOTION OF ACCESS TO INFORMATION ACT**

**SECTION 51 MANUAL FOR**

**Hulkmobile Ltd**

**Private Body**

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## INTRODUCTION

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**HULKMOBILE LTD** is a mobile marketing and technology services company.

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## CONTACT DETAILS

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### INFORMATION REQUIRED UNDER SECTION 51(1)(a) OF THE ACT

Full Name of Juristic Person: HULKMOBILE LIMITED  
Registration Number: 10507317  
Postal Address: The Shard, TOG 24/25, 32 London Bridge, SE1 9SG, UK  
Street Address: The Shard, TOG 24/25, 32 London Bridge, SE1 9SG, UK  
Head / CEO: Ms. María Listón  
Tel. No: +27212048181  
E-Mail address: support@hulkmobile.com  
Website: www.hulkmobile.com

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## SECTION 10 GUIDE TO THE ACT

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### INFORMATION REQUIRED BY SECTION 51(1)(b) OF THE ACT

A guide has been compiled, in terms of Section 10 of the Act, by the South African Human Rights Commission. It contains information required by a person wishing to exercise any right, contemplated by PAIA.

The Guide is available for inspection, *inter alia*, at the offices of:

Contact body	The Human Rights Commission
Postal address	Private Bag 2700, Houghton 2041
Physical address	PAIA Unit 29 Princess of Wales Terrace Cnr York and Andres Streets Parktown
Telephone:	+27 11 484 8300
Fax:	+27 11 484 0582
Email:	paia@sahrc.org.za

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## *RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION*

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### *INFORMATION REQUIRED BY SECTION 51(1)(d) OF THE ACT*

Records available in terms of other legislations are as follows:

- Labour Relations Act 66 of 1995;
- Employment Equity Act 55 of 1998;
- Basic Conditions of Employment Act 75 of 1997;
- Compensation for Occupational Injuries and Disease Act 130 of 1993;
- Companies Act 71 of 2008;
- Unemployment Insurance Act 63 of 2001;
- Value Added Tax Act 89 of 1991;
- Income Tax Act 58 of 1962;
- Skills Development Act 9 of 1999;
- Insolvency Act No. 24 of 1936 (sections 134 and 155);
- Occupational Health and Safety Act No. 85 of 1993;
- Consumer Protection Act 68 of 2008;
- Electronic Communications and Transactions Act 25 of 2002.

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## *SUBJECTS AND CATEGORIES OF RECORDS*

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### *INFORMATION REQUIRED BY SECTION 51(1)(d) OF THE ACT*

The following subjects and categories of records are held: -

#### **I. COMPANIES ACT RECORDS**

- i. Documents of incorporation;
- ii. Memorandum and Articles of Association;
- iii. Minutes of Board of Directors meetings;
- iv. Records relating to the appointment of directors / auditor / secretary / public officer and other officers;
- v. Share Register and other statutory registers.

#### **II. FINANCIAL RECORDS**

- i. Annual Financial Statements;
- ii. Tax Returns;
- iii. Accounting Records
  1. Banking Records;
  2. Bank Statements;
  3. Paid Cheques;
  4. Electronic banking records.

- iv. Asset Register;
- v. Rental Agreements;
- vi. Invoices.

### **III. INCOME TAX RECORDS**

- i. PAYE Records;
- ii. Documents issued to employees for income tax purposes;
- iii. Records of payments made to SARS on behalf of employees;
- iv. All other statutory compliances:
  1. VAT;
  2. Regional Services Levies;
  3. Skills Development Levies;
  4. UIF;
  5. Workmen's Compensation.

### **IV. PERSONNEL DOCUMENTS AND RECORDS (where applicable)**

- i. Employment contracts;
- ii. Employment Equity Plan;
- iii. Medical Aid records;
- iv. Pension Fund records;
- v. Disciplinary records;
- vi. Salary records;
- vii. SETA records;
- viii. Disciplinary code;
- ix. Leave records;
- x. Training records;
- xi. Training Manuals.

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#### *DETAIL ON HOW TO MAKE A REQUEST FOR ACCESS*

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#### *INFORMATION REQUIRED BY SECTION 51(1)(e) OF THE ACT*

It is important to note that the successful completion and submission of an access request form does not automatically allow the requester access to the requested record. The application is subject to limitations if the record falls under a certain category deemed to contain confidential personal information as detailed below under Chapter 4 requirements.

#### **Completion of Access Request form**

- Complete Form C attached hereunder;
- Proof of identity is to be provided in order to authenticate the identity of the requester.
- Type or print in BLOCK LETTERS and complete each question;

- If a question does not apply, please use N/A
- The form must:
  - Provide sufficient particulars to enable the head of the private body to identify the record/s and to identify the requester;
  - Indicate which form of access is required, specify a postal address or fax number of the requester in the Republic;
  - Identify the right that the requester 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 in addition to a written reply, the requester wishes to be informed of the decision on the request in any other manner, to state that manner and the necessary particulars to be informed in the other manner;
  - If the request is made on behalf of another person, to submit proof of the capacity in which the requester is making the request, to the reasonable satisfaction of the head of the private body.

### **Submission of Access Request form and request fee payable**

The Access Request form together with proof of identity is to be submitted either via post, email or fax and must be addressed to the designated contact person as indicated above.

An initial request fee of R57,00 (incl. VAT) is payable on submission.

This fee is not applicable to Personal Requesters referred to in section 54(1) of the Act being any person seeking access to records that contain their personal information.

### **Notification**

Hulkmobile Ltd will, within 30 days of receipt of the request, decide whether to grant or decline the request and give notice with reasons (if required) to that effect.

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## *GROUPS FOR REFUSAL OF ACCESS TO RECORDS*

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### *CHAPTER 4 OF THE ACT*

The main grounds for refusal of a request for access to records are: -

- Mandatory protection of the privacy of a third party who is a natural person if its disclosure would involve the unreasonable disclosure of personal information;
- Mandatory protection of the commercial information of a third party if its disclosure contains trade secrets, financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or

- commercial interests of that third party or information disclosed in confidence by a third party if the disclosure thereof could reasonably put that third party at a disadvantage in contractual negotiations or in a commercial competition;
- Mandatory protection of confidential information of third parties if it is protected in terms of any agreement;
  - Mandatory protection of the safety of individuals and the protection of property;
  - Mandatory protection of records which could be regarded as privileged in legal proceedings;
  - The commercial information of Hulkmobile Ltd which may include trade secrets, financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of Hulkmobile Ltd, or information, the disclosure thereof could reasonably put Hulkmobile Ltd at a disadvantage in contractual negotiations or in commercial competition; and
  - Mandatory protection of research information of a third party or Hulkmobile Ltd.

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*APPROVAL OF INFORMATION MANUAL*

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This information manual has been prepared in accordance with Section 51(1) of the Promotion of Access to Information Act, No. 2 of 2000 and is hereby approved:

Signed at London  
Date 12/04/2019

Ms María Listón  
Managing Director

Signature *María Listón*

## FORM C

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY  
(Section 53(1) of the Promotion of Access to Information Act, 2000  
(Act No. 2 of 2000)

[Regulation 10]

**A. Particulars of private body**

The Head:

**B. Particulars of person requesting access to the record**

- |     |   |
|-----|---|
| (a) | The particulars of the person who requests access to the record must be given below.                |
| (b) | The address and/or fax number in the Republic to which the information is to be sent must be given. |
| (c) | Proof of the capacity in which the request is made, if applicable, must be attached.                |

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:

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

This section must be completed <i>ONLY</i> if a request for information is made on behalf of another person.
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Full names and surname:

Identity number:

**D. Particulars of record**

- |     |  |
|-----|--|
| (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 folio and attach it to this form. The requester must sign all the additional folios.          |

1 Description of record or relevant part of the record:

2 Reference number, if available:

3 Any further particulars of record:

**E. Fees**

- |     |  |
|-----|--|
| (a) | A request for access to a record, other <i>than</i> a record containing personal information about yourself, will be processed only after a request fee has been paid.           |
| (b) | You will be <i>notified</i> of the amount required to be paid as the request fee.  |
| (c) | The fee payable for access to a record depends <i>on</i> the form <i>in which</i> access is required and the reasonable time <i>required</i> to search for and prepare a record. |
| (d) | If you qualify for exemption <i>of</i> the payment of any fee, please state the reason for exemption.  |

Reason for exemption from payment of fees:

**F. Form of access to record**

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.
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Disability: Mark the appropriate box with an X.  NOTES: (a) Compliance with your request in the specified form may depend on the form in which the record is available. (b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form. (c) The fee payable for access for the record, if any, will be determined partly by the form in which access is requested.	Form in which record is required
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<b>1. If the record is in written or printed form:</b>			
	copy of record*		inspection of record
<b>2. If record consists of visual images</b> this includes photographs, slides, video recordings, computer-generated images, sketches, etc)			
	view the images	copy of the images*	transcription of the images*
<b>3. If record consists of recorded words or information which can be reproduced in sound:</b>			
	listen to the soundtrack audio cassette	transcription of soundtrack* written or printed document	
<b>4. If record is held on computer or in an electronic or machine-readable form:</b>			
	printed copy of record*	printed copy of information derived from the record"	copy in computer readable form* (stiffy or compact disc)
*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.			YES      NO