



**PAIA MANUAL OF  
EUROP ASSISTANCE WORLDWIDE SERVICES  
(SOUTH AFRICA) (PROPRIETARY) LIMITED  
IN TERMS OF THE PROMOTION OF ACCESS TO  
INFORMATION ACT, 2000 ("the Act")**

**VERSION 3**

Prepared in accordance with Section 51 of the  
Promotion of Access to Information Act No. 2 of 2000

**EFFECTIVE DATE:** \_\_\_\_\_



## A. CONTENTS

Introduction to the manual

1. Contact details of Head of the Body (Information Officer)
2. The Guide
3. Records available in terms of other legislation
4. Access to records held by EASA
  - (i) Subjects and categories of records held by EASA
  - (ii) The request procedures
5. Availability of the manual
6. Prescribed fees and forms for private bodies
7. Grounds for refusal to access records

## B. PARTICULARS IN TERMS OF THE SECTION 51 MANUAL

### Introduction

The Promotion of Access to Information Act, 2000, PAIA gives effect to section 32 of the Constitution, which provides that everyone has the right to access information held by the State, as well as information held by another person (or private body) when such privately held information is required to exercise a right or to protect a right.

PAIA, provides that a person requesting information must be given access to any record of a private body, if that record is required for the exercise or the protection of a right. However, such request has to comply with the procedural requirements laid down by the Act.

Europ Assistance Worldwide Services (South Africa) (Proprietary) Limited ("EASA") is a private company which provides marketing and advertising services. EASA employs approximately 800 employees.



The Head of Legal & Compliance of EASA has been duly appointed by the head of EASA, to act as the person to whom requests for access to information must be made in terms of the Act.

### **1. Contact details of Head of the Body (Information Officer)**

ATT: Head of Legal and Compliance

Postal address: Private Bag X20  
Weltevredenpark  
1715  
South Africa

Physical address: Valley View Office Park,  
680 Joseph Lister Street  
Constantia Kloof  
Ext 31  
South Africa

Tel: +27 11 991 8000/9000

Fax no: +27 11 991 8001

E-mail : [info@europassistance.co.za](mailto:info@europassistance.co.za)

Website : [www.europassistance.co.za](http://www.europassistance.co.za)

### **2. The Guide - PAIA**

The PAIA guide is available in all South African official languages free of charge, and any person may request a copy of the guide. A copy of the guide may be obtained by contacting the South African Human Rights Commission at:



The South African Human Rights Commission:

PAIA Unit

The Research and Documentation Department

Private Bag X2700

Houghton

2041

Telephone : +27 11 877 3600

Facsimile : +27 11 403 0625

Website : [www.sahrc.org.za](http://www.sahrc.org.za)

E-mail : [lidlamini@sahrc.org.za](mailto:lidlamini@sahrc.org.za) / [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)

### **3. Records available in terms of other legislation**

#### 3.1 Companies Act 61 of 1973

3.1.1 All documents of incorporation of Europ Assistance Worldwide Services (South Africa) (Proprietary) Limited are lodged at the offices of the Registrar of Companies, and may be inspected at the Companies office. These documents include the memorandum and articles of association of EASA, as well as the relevant company forms.

3.1.2 The register of members of EASA is open for inspection by any person at the registered office of EASA. Records kept in regard to a register of transfers (of members), pledges and bonds are available for inspection at the registered office of EASA.

3.1.3 Special resolutions are lodged with the Registrar of Companies, and are therefore available for inspection at the Companies office.

3.1.4 A register of the directors' and officials' interests in contracts entered into by EASA is kept at its registered office, and is available for inspection.

### 3.2 Pension Funds Act 24 of 1956

The rules of the fund utilised by EASA as well as the last revenue account and balance sheet of the fund, are available for inspection at the offices of the Registrar of Pension Funds.

### 3.3 Employment Equity Act 55 of 1998

As a designated employer, EASA has lodged a copy of its employment equity report at the Department of Labour.

### **Applicable Legislation**

No	Ref	Act
1	No 61 of 1973	Companies Act
2	No 98 of 1978	Copyright Act
3	No 55 of 1998	Employment Equity Act
4	No 95 of 1967	Income Tax Act
5	No 66 of 1995	Labour Relations Act
6	No 89 of 1991	Value Added Tax Act
7	No 37 of 2002	Financial Advisory and Intermediary Services Act
8	No 75 of 1997	Basic Conditions of Employment Act
9	No 25 of 2002	Electronic Communications and Transactions Act

10	No 2 of 2000	Promotion of Access of Information Act
11	No 30 of 1996	Unemployment Insurance Act
12	No 42 of 1965	Arbitration Act
13	No 130 of 1993	Compensation for Occupational Injuries and Health Diseases Act
14	No 68 of 2008	Consumer Protection Act
15	No 34 of 2005	National Credit Act
16	No 9 of 1933	Currency and Exchanges Act
17	No 114 of 1998	Debt Collectors Act
18	No 24 of 1936	Insolvency Act
19	No 38 of 1997	Intellectual Property Laws Amendment Act
20	No 85 of 1993	Occupational Health & Safety Act
21	No 24 of 1956	Pension Funds Act
22	No 53 of 1998	Short Term Insurance Act
23	No 194 of 1993	Trade Marks Act

#### **4. Access to records held by EASA**

##### (i) Subjects and categories of records held by EASA

Note: This section of the Manual sets out the subject and categories of records held by EASA. The inclusion of any subject or category of records should not be taken as an indication that records falling

within those subjects and/or categories will be made available under the Act. In particular, certain grounds of refusal as set out in the Act may be applicable to a request for such records.

##### 4.1 Incorporation documents

5.1.1 The memorandum and articles of association.



5.1.2 The incorporation forms of EASA.

#### 4.2 Constitution of EASA

5.2.1 The shares register of EASA.

5.2.2 Shareholders' agreements of EASA.

5.2.3 Minutes of general meetings of the shareholders of EASA.

5.2.4 Register or list of directors of EASA.

5.2.5 Minute books and internal resolutions of EASA.

5.2.6 Power of attorney agreements and a list of persons authorised to bind EASA.

5.2.7 Statutory registers of EASA, including a register of bonds and pledges, and a register of directors' interests in contracts.

#### 4.3 Financial and tax records of EASA

5.3.1 Accounting records, books and documents of EASA.

5.3.2 Interim and annual financial reports of EASA.

5.3.3 Details of auditors of EASA.

5.3.4 External auditors' reports in respect of audits conducted on EASA.

5.3.5 Details of actuaries of the pension scheme utilised by EASA.

5.3.6 Tax returns of EASA.

5.3.7 Other documents and agreements relating to taxation.

#### 4.4 Banking details of EASA

5.4.1 Bank facilities and accounts details.

5.4.2 Bank statements.

5.4.3 Guarantees given by, or in respect of, EASA.

#### 4.5 Human resources / employment records

- 5.5.1 List of employees.
- 5.5.2 Contracts of employment with directors, officers and employees of EASA.
- 5.5.3 Expenditure or reimbursement agreements with directors of EASA.
- 5.5.4 Documents relating to employee benefits.
- 5.5.5 Compensation or redundancy payments.
- 5.5.6 Documents and information in respect of the EASA share incentive scheme or trust.
- 5.5.7 Personnel files.
- 5.5.8 Employee code of conduct.
- 5.5.9 Employment equity plan of EASA.
- 5.5.10 Procedural agreements and policies of EASA.
- 5.5.11 Disciplinary records and documentation pertaining to disciplinary proceedings.
- 5.5.12 Training manuals.
- 5.5.13 Other information relating to employees of EASA.

#### 4.6 Intellectual Property

- 5.6.1 Trade-marks, patents, copyrights, designs held by EASA.
- 5.6.2 Licences relating to intellectual property rights.
- 5.6.3 Other agreements relating to intellectual property rights.

#### 4.7 Permits

- 5.7.1 Licences, material permits, consents, approvals, authorisations and certificates.
- 5.7.2 Applications for permits and licences.
- 5.7.3 Registrations and declarations of permits.



#### 4.8 Insurance records

Insurance policies taken out for the benefit of EASA and its employees.

#### 4.9 Immovable and movable property

5.9.1 Title deeds of land owned by EASA.

5.9.2 Agreements for the lease or sale of land and/or other immovable property by EASA.

5.9.3 Agreements for the lease or sale of movable property by EASA.

5.9.4 Mortgage bonds, liens, notarial bonds or security interests on property.

5.9.5 Other agreements for the purchase, ordinary sale, conditional sale, or hire of assets.

#### 4.10 Information technology

5.10.1 Computer software support and maintenance agreements.

5.10.2 Web site development, support and maintenance agreements.

5.10.3 Computer software licence agreements.

5.10.4 Agreements in respect of computer hardware used by EASA.

5.10.5 Agreements with Internet Service Providers, and other telecommunications entities.

5.10.6 Leased line agreements.

5.10.7 Other documentation pertaining to computer systems and computer programs held by EASA.

5.10.8 Individual contracts in respect of usage of cellular telephones.

5.10.9 SITA agreements.

#### 4.11 Specific agreements relating to the business activities of EASA

5.11.1 Indemnity, confidentiality and non-disclosure agreements.

5.11.2 Regulatory agreements.

5.11.3 Agreements relating to transactions.



5.11.4 Presentations to clients.

5.11.5 Research information.

#### 4.12 Policy documents

5.12.1 Corporate governance.

5.12.2 Ethics policy.

5.12.3 Environmental policy.

#### 4.13 Miscellaneous agreements of EASA

5.13.1 Loans from third parties (including banks).

5.13.2 Loans to third parties.

5.13.3 Suretyship agreements.

5.13.4 Agreements restricting the trading activities of EASA.

5.13.5 Agency, management and distribution agreements.

5.13.6 Royalty agreements.

5.13.7 Agreements in terms of which EASA is a member of a joint venture, consortium, partnership, incorporated or unincorporated association, and shareholders' agreements of another entity which EASA is a party to.

5.13.8 Any other agreements.

#### 4.14 Correspondence

Correspondence of EASA, including internal and external memoranda.

#### 4.15 Information relating to legal proceedings

Records relating to legal proceedings involving EASA.



#### 4.16 Overseas interests and Investments of EASA

Agreements with foreign entities.

#### 4.17 Records pertaining to clients of EASA

5.17.1 Agreements with clients of EASA.

5.17.2 Service Level Agreements

5.17.3 Agency Agreements.

5.17.4 Business strategies

5.17.5 Budgets

5.17.6 Creative (artwork)

5.17.7 Signed Cost Estimates

5.17.8 Organograms

5.17.9 Contact lists

5.17.10 Brand/Corporate Identity documents

5.17.11 Contact/Status Reports

5.17.12 Agenda's and minutes of meetings

5.17.13 Marketing plans

5.17.14 Sales results

5.17.15 Dealer letters/sheets

5.17.16 Client briefs

5.17.17 Client access card lists

5.17.18 Media schedules/chase lists

5.17.19 Client E-mails

5.17.20 Faxes to and from Client

5.17.21 ASA Complaints and outcomes

- 5.17.22 Birthday lists
- 5.17.23 Client's supplier lists
- 5.17.24 Sponsorship plans
- 5.17.25 Image library
- 5.17.26 Lists of Purchase Order numbers
- 5.17.27 Legal clauses
- 5.17.28 Sponsorship sports library

(ii) The request procedures

**Form of request:**

- The requester must use the prescribed form (Annexure A) to make the request for access to a record. This must be made to the head of EASA. This request must be made to the address, fax number or electronic mail address of the head of EASA.
  
- The requester must provide sufficient detail on the request form to enable the head of EASA to identify the record and the requester. The requester should also indicate which form of access is required. The requester should also indicate if he or she wishes to be informed in any other manner and state the necessary particulars to be so informed.
  
- The requester must identify the right that he or she is seeking to exercise or protect and provide an explanation as to why the requested record is required for the exercise or protection of that right.
  
- If a request is made on behalf of a person, the requester must submit proof of the capacity in which the requester is making the request to the satisfaction of the head of EASA.

**Fees:**

- The head of EASA must notify the requester (other than a personal requester) by notice, requiring the requester to pay the fee of R50 before further processing the request. A personal requester does not pay such fee.
  
- The requester may lodge an internal appeal or an application to the court against the tender or payment of the request fee.
  
- The head of EASA will then make a decision on the request and notify the requester in the required form.
  
- If the request is granted then a further access fee must be paid for the search, reproduction, preparation and for any time that had exceeded the prescribed hours to search and prepare the record for disclosure.

**5. Availability of the manual**

The manual is available for inspection at the offices of EASA free of charge and on the EASA web site, [www.europassistance.co.za](http://www.europassistance.co.za). Copies are also available with the SAHRC.

**6. Prescribed fees and forms in respect of private bodies**

- 7.1. The fee for a copy of the manual as contemplated in regulation 9(2)(c) is R1,10 for every photocopy of an A4-size page or part thereof.
- 7.2. The fees for reproduction referred to in regulation 11(1) are as follows:

(a) For every photocopy of an A4-size page or part thereof	1,10
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,75
(c) For a copy in a computer-readable form on -	
(i) stifty disc	7,50
(ii) compact disc	70,00
(d) (i) For a transcription of visual images, for an A4-size page or part thereof	40,00
(ii) For a copy of visual images	60, 00
(e) (i) For a transcription of an audio record, for an A4-size page or part thereof	20,00
(ii) For a copy of an audio record	30,00

3. The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2) is R50,00.

4. The access fees payable by a requester referred to in regulation 11(3) are as follows:

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(1) (a) For every photocopy of an A4-size page or part thereof	1,10
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,75
(c) For a copy in a computer-readable form on -	
(i) stifty disc	7,50
(ii) compact disc	70,00
(d) (i) For a transcription of visual images, for an A4-size page or part thereof	40,00
(ii) For a copy of visual images	60, 00



(e) (i) For a transcription of an audio record, for an A4-size page or part thereof	20,00
(ii) For a copy of an audio record	30,00
(f) To search for and prepare the record for disclosure, for each hour or part of an hour reasonably required for such search and preparation.	30,00

(2) For purposes of section 54(2) of the Act, the following applies:

(a) Six hours as the hours to be exceeded before a deposit is payable; and

(b) one third of the access fee is payable as a deposit by the requester.

(3) The actual postage is payable when a copy of a record must be posted to a requester.

## **7. Grounds for refusal to access records**

The Promotion of Access to Information Act provides several grounds on which a request for access to information must be refused. These grounds mainly concern instances where the privacy and interests of other individuals are protected, where such records are already otherwise publicly available, where public

interests are not served, the mandatory protection of commercial information of a third party, and the mandatory protection of certain confidential information of a third party.

A complete list of the grounds for refusal is available in Chapter 4 of the Act.

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