PAIA MANUAL

of

CALGRO M3 HOLDINGS LIMITED

(Registration Number: 2005/027663/06)

("Company or Calgro M3")

This Manual is prepared in terms of Section 51 of the Promotion of Access to Information Act No 2 of 2000 ("PAIA") as amended by the Protection of Personal Information Act, No 4 of 2013 ("POPIA")

1. INTRODUCTION

1.1 The Promotion of Access to Information Act, 2000 ("PAIA") came into effect on 9 March 2001. PAIA aims to give effect to the Constitutional right of access to information held by both the State and private individuals or entities, where such information is necessary to exercise or protect a specific right. It grants both natural and juristic persons the right to access records held by either public or private bodies, subject to certain exceptions, thereby enabling individuals or organizations to exercise or safeguard their rights. When a request is made under PAIA to a private body, the body must disclose the information if the requester can demonstrate that the record is required for the exercise or protection of their rights, provided that none of the refusal grounds outlined in PAIA apply. PAIA also establishes the procedural requirements for making information requests.

1.2 Section 51 of PAIA mandates that private bodies develop a manual that facilitates access to information held by the body. It further specifies the minimum criteria that the manual must meet

1.3 Conversely, the Protection of Personal Information Act 4 of 2013 ("POPIA") seeks to give effect to the Constitutional right to privacy under section 14, particularly as it pertains to personal information. POPIA reinforces individuals' rights to data privacy, ensuring that personal data or information is only used for a specific and legitimate purpose and is not disclosed to third parties without consent or a lawful reason.

1.4 In balancing the right to privacy with the right to access information, limitations are placed on the full exercise of these Constitutional rights, as well as on those set forth in PAIA and POPIA. Accordingly, both Acts outline the grounds under which public or private bodies may refuse access to information, while POPIA establishes the conditions under which personal information may be collected, used, and/or shared with third parties.

1.5 This Manual has been created in accordance with section 51 of PAIA, as amended by the Protection of Personal Information Act, 2013 ("POPIA"). It provides guidance on submitting objections to the processing of personal information and making requests for the deletion or destruction of personal information or records, in line with the provisions of POPIA.

2. PURPOSE OF THE MANUAL

The Purpose of this PAIA Manual is to understand:

2.1 the categories of Records that are automatically available without a person having to submit a Request for Access;

2.2 a description of the Records which are available per other legislation;

2.3 how Calgro M3 processes personal information, the categories of information and data subjects, the recipients thereof, and the security measures employed;

2.4 the procedure that a Requester must follow to make a Request for Access, the forms to complete, and the way a Request for Access will be facilitated by Calgro M3.

3. COMPANY OVERVIEW

3.1 Established in 1995 and listed on the Johannesburg Stock Exchange Limited, Calgro M3 is a mixed-use/integrated residential development Company, operating through its subsidiaries. In addition to its residential development projects, Calgro M3 also has a Memorial Parks division, which focuses on the development and management of memorial parks.

3.2 As a black-empowered residential developer, Calgro M3 has a 26-year track record in the niche market of integrated housing developments. These projects consisting of a combination of RDP/BNG housing (fully subsidised "give-away" homes), CRU (Community Residential Units – subsidised rental units), GAP and FLISP housing, social housing (subsidised rental units), affordable or bonded housing as well as mid-to-high- income sectional title and full title developments, including retirement and lifestyle estates.

3.3 The Company's end-to-end solutions and separate specialist business units, including the Memorial Parks division, with dedicated management, focus on high growth niche markets, ensuring a deep pool of expertise in each of Calgro's service areas.

3.4 The full range of developments completed by Calgro M3 to date, includes infrastructure such as water reticulation, sewer reticulation and road construction storm water management, hostels redevelopment projects, development and construction of newly built family units and niche security estate developments, and the establishment and management of memorial parks. Projects are carried out alone or in strategic partnerships with the public sector and financial institutions.

4. CONTACT DETAILS OF THE COMPANY [SECTION 51 (1) (A)]

Chief Executive Officer	:	Ben Pierre Malherbe
Physical Address	:	Calgro M3 Building, Ballywoods Office Park,
		33 Ballyclare Drive, Bryanston, Sandton
Postal Address	:	Private Bag X33, Craighall, 2024
Telephone Number	:	(011) 300 7500
E-mail	:	benpierre@calgrom3.com

5. CONTACT DETAILS FOR INFORMATION OFFICER

Calgro M3 has designated its Managing Director as the Information Officer, who shall attend to requests for access to records.

Information Officer	:	Allistiar Langson
Telephone Number	:	(011) 300 7500
E-mail	:	allistiar@calgrom3.com

6. GUIDE IN TERMS OF SECTION 10 GUIDE [SECTION 51(1) (B)]

6.1 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. If a public body lodges a request, the public body must be acting in the public interest.

6.2 Requests in terms of the Act shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in paragraphs 6 and 7 of the Act.

6.3 A guide containing information to assist in understanding how to exercise the rights under PAIA is available in all South African official languages. The Guide is currently available on the following site:

https://inforegulator.org.za/wp-content/uploads/2020/07/PAIA-Guide-English_20210905.pdf

6.4 Any queries should be directed to the Information Regulator at:

The Information Regulator (South Africa)

Physical Address	:	JD House, 27 Stiemens St, Braamfontein, Johannesburg, 2001
Postal Address	:	P O Box 31533, Braamfontein, Johannesburg, 2017
Telephone Number	:	010 023 5200
Complaints Email	:	PAIAComplaints@inforegulator.org.za
General enquires	:	enquiries@inforegulator.org.za

7. RECORDS WHICH ARE AUTOMATICALLY AVAILABLE

7.1 All information provided within the public areas of the Calgro M3 Group website is freely available and accessible for download without the need for a formal access request.

7.2 The aforesaid automatically available information is available on the Calgro M3 website: www.calgrom3.com

8. INFORMATION AVAILABLE IN TERMS OF POPIA

8.1 In accordance with the Protection of Personal Information Act (POPIA), personal information must be processed for a specific and lawful purpose. The purpose for which data is processed by Calgro M3 vary based on the nature of the data and the particular data subject. This purpose is generally communicated, either explicitly or implicitly, at the time of data collection.

8.2 The following list outlines the categories of personal information processed by Calgro M3, along with the corresponding categories of data subjects to whom the personal information pertains:

Employees/Directors/Interns/shareholders:	Clients / Prospective Clients:
▪ Name and contact details ▪ Identity number and identity documents including passports ▪ Employment history and references ▪ Employee number ▪ Banking and financial details ▪ Details of payments to third parties (deductions from salary) ▪ Employment contracts ▪ Employment equity plans ▪ Medical aid records ▪ Pension fund records ▪ Remuneration/salary records ▪ Performance appraisals ▪ Disciplinary records ▪ Leave records ▪ Training records ▪ Qualifications ▪ Parental status ▪ Biometrics ▪ Medical records ▪ Marital status ▪ Disability status ▪ Criminal records	▪ Postal and/or street address ▪ Title and name ▪ Contact numbers and/or e-mail address ▪ Ethnic group ▪ Employment history ▪ Age ▪ Gender ▪ Marital status ▪ Nationality ▪ Language ▪ Financial information ▪ Identity or passport number ▪ Banking and financial information ▪ Information about products or services ▪ Other information not specified, reasonably required to be processed for business operations

9. AVAILABILITY OF RECORDS IN TERMS OF OTHER LEGISLATION [SECTION 51 (1) (C)]

A requester is not obliged to request access to information held by the company in terms of the Act, should there be other legislation that provide a requester with access to such a record held by the company. Take note that such other legislation may include, but is not limited to:

Financial related Legislation

1	No 58 of 1962	Income Tax Act
2	No 89 of 1991	Value-Added Tax Act
3	No 31 of 1998 (if applicable)	Uncertified Securities Tax Act
4	No 89 of 1998	Competitions Act
5	No 68 of 2008	Consumer Protection Act
6	No 34 of 2005	National Credit Act
7	No 12 of 2004	Prevention and Combating Corrupt Activities Act

Labour related Legislation

1	No 3 of 1983	Basic Conditions of Employment Act
2	No 130 of 1993	Compensation for Occupational Injuries and Diseases Act
3	No 9 of 1999	Skills Development Levies Act
4	No 55 of 1998	Employment Equity Act
5	No 63 of 2001	Unemployment Insurance Act
6	No 4 of 2002	Unemployment Insurance Contributions Act
7	No 24 of 1956	Pension Fund Act
8	No 131 of 1998	Medical Schemes Act
9	No 66 of 1995	Labour Relations Act
10	No 53 of 2003	Broad Based Black Economic Empowerment Act
11	No 4 of 2000	Promotion of Equality and Prevention of Unfair Discrimination Act
12	No 97 of 1998	Skills Development Act

Company related Legislation

1	No 61 of 2008	Companies Act
2	No 194 of 1993	Trade Mark Act
3	No 57 of 1978	Patent Act

Other Legislation

1	No 98 of 1978	Copyright Act
2	No 36 of 2005	Electronic Communications Act
3	No 107 of 1998	National Environmental Management Act
4	No 5 of 2008	National Regulator for Compulsory Specifications Act
5	No 85 of 1993	Occupational Health and Safety Act

10. **SCHEDULE OF RECORDS** [SECTION 51 (1) (D)]

Records	Subject
Companies Act Records	**Documents of incorporation** **Memorandum of Incorporation** **Minutes of Board of Directors meetings** **Records relating to the appointment of directors/auditor/secretary/public officer other officers** **Share Register and other statutory registers**
Financial Records	**Annual Financial Statements** **Tax Returns** **Accounting Records** **Banking Records** **Paid Cheques** **Electronic banking records** **Asset Register** **Rental Agreements** **Invoices**
Income Tax Records	**PAYE Records** **Documents issued to employees for income tax purposes** **Records of payments made to SARS on behalf of employees** **All other statutory compliances:** - **VAT** - **Regional Service Levies** - **Skills Development Levies** - **UIF** - **Workmen's Compensation**
Personnel Documents and Records	**Employment contracts** **Employment Equity Plan (if applicable)** **Medical Aid records** **Pension Fund records** **Disciplinary records** **Salary records**

SETA records
Disciplinary code
Leave records
Training records
Training manuals

11. CATEGORIES OF RECORDS HELD BY THE COMPANY

11.1 Operational Information

Such information is required for the day to day running of the company and include, but is not limited to company policies, employee records, permits, licenses, authorisations, approvals and general “housekeeping” information.

11.2 Communications

This includes correspondence between persons within and without the company.

12. SECURITY MEASURES

12.1 Calgro M3 implements comprehensive information security measures to safeguard the security, confidentiality, integrity, and availability of personal information under its control.

12.2 These measures are reinforced through the application of suitable technical and organizational safeguards, ensuring that personal data remains protected against unauthorized or unlawful processing, as well as against accidental loss, destruction, or damage.

13. HOW TO FACILITATE A REQUEST FOR ACCESS TO INFORMATION [SECTION 51 (1) (E)]

13.1 Introduction

13.1.1 Access to information held by the company is not automatically available and can be refused by the company on any of the grounds for refusal contemplated in Chapter 4 of Part 3 of the Act.

13.1.2 In order to request access to information held by the company, the person requesting access to such information (hereinafter referred to as the “requester”) must not only identify the right it is seeking to exercise or protect and explain why the record requested is required for the exercise or protection of that right but must also comply with all the procedural requirements set out in the Act. Should the person requesting access to the information be a public body (i.e. state), such

person must identify that it is requesting such information in the public's interest by stipulating adequate reasons.

13.1.3 A request for access to information which does not comply with the formalities as prescribed by PAIA will be returned to you.

13.2 Procedural Requirements

13.2.1 In order to facilitate such a request for access to information, the requester need to complete the *prescribed access form* attached hereto as Annexure "A". Please note that the prescribed access form must be completed in full of which failure to do so may result in the process being delayed until such additional information is provided.

13.2.2 *Proof of identity* is required to authenticate the request and the requester. Therefore in addition to the prescribed access form, requestors will be required to supply a certified copy of their identification document or any other legally acceptable form of identification.

13.2.3 A request will not be processed until the *request fee* of R140.00 (one hundred and forty rand) and a deposit of the access fee (if applicable) have been paid. The request fee is an administration fee that must be paid before the request is considered and is not refundable. However, a requester requesting information containing personal information about the requester is excluded from paying the request fee.

13.2.4 The *access fee* is intended to reimburse the company for the costs involved in searching and preparing the record requested for delivery and is payable once access to the record requested is granted. Should this request for access to information be about a person other than the requester himself/herself and the company is of the opinion that the preparation of the required record will take more than six hours, a deposit (which is 1/3) of the access fee is payable before the request will be processed by the company.

13.2.5 A *fee*, as set out in Annexure "B" attached hereto, is payable by the requester, in case of the reproduction of a record requested, notwithstanding the fact that it is automatically available.

13.2.6 POPIA provides that a data subject may, upon proof of identity, request Calgro M3 to confirm, free of charge, all the information it holds about the data subject and may request access to such information, including information about the identity of third parties who have or have had access to such information.

13.2.7 POPIA provides that a data subject may, upon proof of identity, request Calgro M3 to confirm, free of charge, all the information it holds about the data subject and may request access to such

information, including information about the identity of third parties who have or have had access to such information.

13.2.8 POPIA provides that a data subject may object, at any time, to the processing of personal information by Calgro M3, on reasonable grounds relating to his/her particular situation, unless legislation provides for such processing. The data subject must complete the prescribed form attached hereto as Annexure C and submit it to the Information Officer at the postal or physical address or electronic mail address set out above.

13.2.9 A data subject that wishes to request a correction or deletion of personal information or the destruction or deletion of a record of personal information must submit a request to the Information Officer at the postal or physical address, facsimile number or electronic mail address set out above on the form attached hereto as Annexure D.

12.3 Timelines for consideration of a request for access

13.2.10 Upon receipt of a Request for Access, the Information Officer will consult with all relevant personnel within the Group who are involved or associated with the record in question.

13.2.11 Requests will be processed within 30 (thirty) days, unless the nature of the request necessitates an extension of the time limit.

13.2.12 The requester will be notified within 30 (thirty) days of the receipt of the Request for Access, in accordance with Section 56 of PAIA.

13.2.13 In the event that an extension is required, the initial 30 (thirty) days may be extended by no more than an additional 30 (thirty) days. The requester will be informed of the reasons for the extension and the necessity thereof.

14. DECISION ON REQUEST

14.1 If no extension period or access fee deposit is required, the requester will be notified by the Information Officer within the stipulated period regarding the decision on their Request for Access. In the event that the Request for Access to a record is successful, the requester will be informed of the following:

14.1.1 The amount of any access fee payable for obtaining access to the record, if applicable;

14.1.2 The format in which access to the record will be granted.

14.2 If the Request for Access to a record is unsuccessful, the requester will be notified and provided with sufficient reasons for the refusal (refer to the Grounds for Refusal section below). Furthermore, the Information Officer will inform the requester of their right to lodge a complaint with the Regulator or to submit an application to the court challenging the decision.

15. GROUNDS FOR REFUSAL OF ACCESS AND PROTECTION OF INFORMATION

15.1 There are several grounds upon which a request for access to a record may be refused. These include:

15.1.1 Protection of the personal information of a third party (who is a natural person) from unreasonable disclosure;

15.1.2 Protection of commercial information of a third party, such as trade secrets, or financial, commercial, scientific, or technical data that could harm the commercial or financial interests of the third party;

15.1.3 If the disclosure would result in the breach of a duty of confidence owed to a third party;

15.1.4 If the disclosure would jeopardize the safety of an individual or harm the property rights of a third party;

15.1.5 If the record was produced during legal proceedings, unless legal privilege has been waived;

15.1.6 If the record contains trade secrets, financial information, or sensitive data that could disadvantage Calgro M3 in negotiations or harm its position in commercial competition; and/or

15.1.7 If the record pertains to research being conducted or planned on behalf of a third party or by Calgro M3.

15.2 Section 70 of PAIA contains an overriding provision stipulating that disclosure of a record is mandatory if it would reveal: (i) a significant contravention of, or failure to comply with, the law; (ii) an imminent and serious risk to public safety or the environment; and (iii) if the public interest in disclosing the record clearly outweighs the potential harm resulting from its disclosure.

15.3 If the request for access to information concerns a third party, that third party must be notified within 21 (twenty-one) days of receiving the request. The third party will then have an additional 21 (twenty-one) days to make representations and/or submissions regarding the granting of access to the record.

16. REMEDIES AVAILABLE TO A REQUESTER

16.1 There is no internal right of appeal regarding the decision of the Information Officer. The decision of the Information Officer is final, and the requester or a third party must pursue external remedies.

16.2 The external remedies available are outlined in section 56(3)(c) and section 78 of PAIA, whereby the requester may lodge a complaint with the Regulator or apply to the court for relief. Such actions must be taken within 180 days of receiving notification of the decision.

17. AVAILABILITY OF MANUAL

The Manual is available for inspection, free of charge, at the offices of the company as set out above as well as the company's website at www.calgrom3.com.

ANNEXURE "A"

Request for access to record of private body
(Section 53(1) of the Promotion of Access to Information Act, 2000 (Act 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 ONLY if a request for information is made on behalf of another person.

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.

Description of record or relevant part of the record:

Reference number, if available:

Any further particulars of record:

E 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 a 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:

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.

Disability:	Form in which record is required:

Mark the appropriate box with an X.

NOTES:

a. Compliance with your request in the specified 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 to the record, if any, will be determined partly by the form in which access is requested.

If the record is in written or printed form:

☐ copy of record* ☐ inspection of record

If the record consists of visual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):

☐ view the images ☐ copy the images* ☐ transcription of the images

If record consists of recorded words or information which can be reproduced in sound:

☐ listen to the soundtrack (audio cassette)

☐ transcription of soundtrack* (written or printed document)

If record is held on computer or in an electronic or machine-readable form:

☐ printed copy of record*

☐ printed copy of information derived from the record

☐ copy in computer readable form* (stiffy or compact disc)

G Particulars of right to be exercised or protected

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.

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:

H 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?

Signed at _____ this _____ day of _____

_____

Signature of requester/person on whose behalf request is made

ANNEXURE "B"

FEE PAYABLE (IF APPLICABLE)

	Rand
For every photocopy of an A4-size page or part thereof	R2.00
For every printed copy of an A4-size page or part thereof held on a computer or in electronic form	R2.00
For a copy in a computer readable form:	
Flash drive	R40.00
Compact disc (If provided by requester) Compact disc (If provided to requester)	R40.00 R60.00
A transcription of visual images, for and A4-size page or part thereof	Service to be outsourced therefore dependent on quotation from service provider
For a copy of visual images	R60.00
A transcription of an audio record, for an A4-size page or part thereof	R24.00
For a copy of an audio record	R40.00
To search a record that must be disclosed, per hour or part of the hour	R40.00
Where a copy of the record needs to be posted the actual postal fee is payable	

Deposit Payable (If search exceeds 6(six) hours: _____ YES _____ NO

ANNEXURE "C"

OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION IN TERMS OF SECTION 11(3) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)

REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2017
[Regulation 2(1)]

Note:
1. *Affidavits or other documentary evidence in support of the objection must be attached.*
2. *If the space provided for in this Form is inadequate, submit information as an Annexure to thisForm and sign each page.*

Reference Number….

A	**DETAILS OF DATA SUBJECT**
Name and surname of data subject:	
Residential, postal or business address:	
	Code ( )
Contact number(s):	
Fax number:	
E-mail address:	
B	**DETAILS OF RESPONSIBLE PARTY**
Name and surname of responsible party*(if the responsible party is a natural)*:	
Residential, postal or business address:	
	Code ( )
Contact number(s):	
Fax number:	
E-mail address:	

Name of public or private body*(if the responsible party is not a natural person)*:	
Business address:	
	Code ( )
Contact number(s):	
Fax number:	
E-mail address:	

C	**REASONS FOR OBJECTION** *(Please provide detailed reasons for the objection)*

Signed at ..... this ..... day of .....20……..

.....
Signature of data subject (applicant)

ANNEXURE "D"

REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION OR DESTROYING OR DELETION OF RECORD OF PERSONAL INFORMATION IN TERMS OF SECTION 24(1) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)

REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2017
[Regulation 3(2)]

Note:
1. *Affidavits or other documentary evidence in support of the request must be attached.*
2. *If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.*

Reference Number….

Mark the appropriate box with an "x".

Request for:

☐ Correction or deletion of the personal information about the data subject which is in possession or under the control of the responsible party.

☐ Destroying or deletion of a record of personal information about the data subject which is in possession or under the control of the responsible party and who is no longerauthorised to retain the record of information.

A	**DETAILS OF THE DATA SUBJECT**
Surname:	
Full names:	
Identity number:	
Residential, postal or business address:	
	Code ( )
Contact number(s):	
Fax number:	
E-mail address:	
B	**DETAILS OF RESPONSIBLE PARTY**
Name and surname of responsible party*(if the responsible party is a natural person)*:	
Residential, postal or business address:	
	Code ( )
Contact number(s):	
Fax number:	
E-mail address:	

Name of public or private body *(if the responsible party is not a natural person)*:	
Business address:	
	Code ( )
Contact number(s):	
Fax number:	
E-mail address:	

C	**REASONS FOR *CORRECTION OR DELETION OF THE PERSONAL INFORMATION ABOUT THE DATA SUBJECT/*DESTRUCTION OR DELETION OF A RECORD OF PERSONAL INFORMATION ABOUT THE DATA SUBJECT WHICH IS IN POSSESSION OR UNDER THE CONTROL OF THE RESPONSIBLE PARTY.** *(Please provide detailed reasons for the request)*

***** *Delete whichever is not applicable*

Signed at ..... this ..... day of .....20……...

.....
Signature of Data subject