Version 1.0

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Prepared in accordance with Section 51 of the Promotion of Access to Information Act, 2000, as amended by the Protection of Personal Information Act, 2013.

# **1 INTRODUCTION**

On 9 March 2001, the Promotion of Access to Information Act, 2000 ("PAIA") became operative, giving effect to the section 32(2) Constitutional right of access to information. Section 51 of PAIA obliges private bodies to compile a manual to enable a person to obtain access to information held by such private body and stipulates the minimum requirements that the manual has to comply with.

This manual constitutes the PAIA manual of Viacom International Media Networks Africa (Pty) Ltd ("Company"). This manual is compiled in accordance with section 51 of PAIA as amended by the Protection of Personal Information Act, 2013 ("POPIA"), which gives effect to everyone's Constitutional right to privacy. POPIA promotes the protection of personal information processed by public and private bodies, including certain conditions so as to establish minimum requirements for the lawful processing of personal information.

One of the main requirements specified in PAIA is the compilation of an information manual that provides information on both the types and categories of records held by a private body.

This manual also includes information on the submission of objections to the processing of personal information and requests to delete or destroy personal information or records thereof in terms of POPIA.

# **2 SCOPE OF THE MANUAL**

Nature of Business: Media

The scope of the manual is limited only to the records held by the Company, VIACOM INTERNATIONAL MEDIA NETWORKS AFRICA (PTY) LTD

# **3 AVAILABILITY OF THE MANUAL**

A copy of this manual is available, free of charge, to the public for inspection on the Company's websites at <a href="http://www.mtvbase.com">www.mtvbase.com</a> / <a href="http://www.mtvbase.com"/>www.mtvbase.com</a> / <a href="http://www.mtvbase.com"/www.mtvbase.com"/>www.mtvbase.com</a> / <a href="http://www.mtvbase.com"/>www.mtvbase.com</a> / <a href="http://wwww.mtvbase.com"/>www.mtvbase

# **4 CONTACT PERSON**

#### CONTACT DETAILS

Head of Business: Craig Paterson Contact Number: 011 428 2900 Email: <u>Craig.Paterson@vimn.com</u>

The responsibility for administration of, and compliance with PAIA and POPIA has been delegated to the Information Officer. Requests pursuant to the provisions of PAIA should be directed as follows:

PARAMOUNT INTERNAL

Contact person: Richard Hill Postal Address: P O Box 411855 Craighall 2024 Physical Address: Nicol Main Office Park, Block D, 2 Bruton Road, Bryanston, 2191 Phone number: 011 428 2934 E-mail: informationofficer@viacomcbs.com

# **5 INFORMATION REGULATOR'S GUIDE**

## 5.1 GUIDE FOR REQUESTERS ON HOW TO USE PAIA

A Guide has been compiled in terms of Section 10 of PAIA which contains information to assist a person wishing to exercise a right, in terms of PAIA and POPIA ("**Guide**"). This Guide is made available by the Information Regulator (established in terms of POPIA). Copies of the updated Guide are available from Information Regulator in the manner prescribed. The Guide is also available for inspection, inter alia, by accessing the Information Regulator's website at <a href="https://www.justice.gov.za/inforeg/docs/misc/PAIA-Guide-English\_20210905.pdf">https://www.justice.gov.za/inforeg/docs/misc/PAIA-Guide-English\_20210905.pdf</a>

# **6 AUTOMATIC DISCLOSURES**

Marketing and promotional material

# **7 INFORMATION AVAILABLE IN TERMS OF POPIA**

In terms of POPIA, personal information must be processed for a specified purpose. The purpose for which personal information is processed by the Company will depend on the nature of the personal information and the particular data subject. This purpose is ordinarily disclosed, explicitly or implicitly, at the time the personal information is collected. Please also refer to our Privacy Policy

https://privacy.paramount.com/policy or contact us for further information on the following.

- Categories of personal information collected by the Company:
  - We collect information from and about you in connection with your use of our services. Some of this information may be considered "personal information" or "personal data" (as defined under applicable law) which is information that identifies you or your device or is reasonably associated with you. We also collect, use, and disclose aggregated or de-identified information that does not reasonably identify you or your device, and is not considered personal information. A detailed list of categories is available in our Privacy Policy [HYPERLINK].
- The purpose of processing personal information:
  - We describe how we use your personal information in our Privacy Policy https://privacy.paramount.com/policy.
- A description of the categories of data subjects and of the information or categories of information relating thereto:
  - We process different types of personal information for different categories of data subjects as further detailed in our Privacy Policy.

PARAMOUNT INTERNAL

- The recipients or categories of recipients to whom the personal information may be supplied:
  - We may share personal information with the ViacomCBS family of companies and with other select entities as further described in our Privacy Policy
- Planned transborder flows of personal information:
  - Information that is collected from South Africa may be transferred outside of South Africa. We have implemented measures and executed agreements where necessary to ensure the Personal Information is subject to applicable level of protection and at the minimum complies with standards akin to that under POPIA.
- A general description of information security measures to be implemented by the Company:
  - We are committed to protecting your information. We have adopted commercially reasonable technical, administrative, and physical security procedures to help protect your information from loss, misuse, unauthorized access, and alteration. Please note that no data transmission or storage can be guaranteed to be 100% secure. We want you to feel confident using our services, but we cannot ensure or warrant the security of any information you transmit to us.

# **8 LEGISLATIVE RECORDS**

#### RECORDS HELD IN ACCORDANCE WITH LEGISLATION

Records are held by the Company in accordance with the following legislation:

- Basic Conditions of Employment Act, 1997
- Broad-Based Black Economic Empowerment Act, 2003
- Broadcasting Act, 1999 (Act No. 4 of 1999) Companies Act 1973
- Companies Act 2008 (Act No. 71 of 2008)
- Competition Act, 1998
- Compensation for Occupational Injuries and Diseases Act, 1993
- Constitution of the Republic of South Africa, 1996
- Copyright Act, 1978
- Consumer Protection Act, 2008
- Electronic Communications Act, 2005
- Electronic Communications and Transactions Act, 2002
- Employment Equity Act, 1998
- Films and Publications Act, 1996
- Finance Act, 2007
- Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972)
- Income Tax Act, 1962
- Independent Communications Authority of South Africa Act, 2000 (Act No. 13 of 2000)
- Labour Relations Act, 1995
- Occupational Health and Safety Act, 1993
- Pension Funds Act, 1956 (Act No. 24 of 1956)
- Promotion of Access to Information Act, 2000
- Safety at Sports and Recreational Events Act, 2010
- Skills Development Act, 1998
- Skills Development Levies Act, 1999
  PARAMOUNT INTERNAL

- Trade marks Act, 1993
- Unemployment Insurance Act, 2001
- Unemployment Insurance Contributions Act, 2002
- Value-Added Tax Act, 1991

# **9 RECORDS AVAILABLE UPON REQUEST**

The Company maintains records on the categories and subject matters listed below. Please note that recording a category or subject matter in this manual does not imply that a request for access to such records would be honoured. All requests for access will be evaluated on a case by case basis in accordance with the provisions of PAIA, confidentiality, contractual and other legal obligations.

Category of records	Records
Internal records	Memorandum of Incorporation
The records listed pertain to the Company's	Financial records
own affairs	Operational records
	Intellectual property
	Marketing records
	Internal correspondence
	Service records
	Statutory records
	Internal policies and procedures
	Minutes of meetings
Personnel records	Any personal records provided to us by our
For the purposes of this section, "personnel"	personnel
means any person who works for or provides services to or on behalf of the	Any records a third party has provided to us about any of their personnel
Company and receives or is entitled to	Conditions of employment and other
receive any remuneration and any other	personnel-related contractual and quasi
person who assists in carrying out or conducting the business of the Company.	legal records
This includes partners, directors, all	Employment policies and procedures
permanent, temporary and part-time staff as well as consultants and contract workers.	Internal evaluation and disciplinary records and
	Other internal records and correspondence.

Category of records	Records
Client-related records	Contracts with the client and the Company and contracts between the client and other
	persons
Other third-party records	Personnel, client, or the Company records
Records are kept in respect of other parties, including without limitation joint ventures	which are held by another party as opposed to being held by the Company
and consortia to which the Company is a	Records held by the Company pertaining to
party, contractors and sub-contractors,	other parties, including financial records,
suppliers, service providers, and providers of	correspondence, contractual records,
information regarding general market conditions. In addition, such other parties	records provided by the other party, and records third parties have provided about
may possess records which can be said to	the contractors or suppliers
belong to the Company.	
Other records	Information relating to the Company
	Research information belonging to the Company or carried out on behalf of a third party

# **10 ACCESS REQUESTS**

## **10.1 ACCESS REQUEST PROCEDURE**

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. An application to access to a record is subject to certain limitations if the requested record falls within a certain category as specified with Part 3 and Chapter 4 of PAIA.

### 10.1.1 COMPLETION OF ACCESS REQUEST FORM

In order to facilitate a timely response to requests for access, all requesters should take note of the following when completing the Access Request Form (**Appendix A**):

- The Access Request Form must be completed
- Proof of identity is required to authenticate the identity of the requester. Therefore in addition to the access form, requestors will either be required to supply a copy of their identification document or to comply with another identity confirmation process at the Company's discretion.

Complete the form in BLOCK LETTERS and answer every question.

- If a question does not apply state N/A in response to that question
- If there is nothing to disclose in reply to a particular question state "nil" in response to that question.

- If there is insufficient space on a printed form, additional information may be provided on an attached folio
- When the use of an attached folio is required, precede each answer with the applicable title

#### 10.1.2 SUBMISSION OF ACCESS REQUEST FORM

The complete Access Request Form either with a copy of the identity document of the requester or another identification confirmation at the Company's discretion must be submitted either via post, e-mail or fax and must be addressed to the contact person as indicated above or by other methodology acceptable to the Company.

POPIA provides that a data subject may, upon proof of identity, request the Company 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.

An initial, request fee of R50.00 (excluding VAT) is payable on submission. The access fee is calculated by taking into account reproduction costs, search and preparation costs, as well as postal costs. These fees are set out below in **Appendix A**.

Section 54 of PAIA entitles the Company to levy a charge or to request a fee to enable it to recover the cost of processing a request and providing access to records. The fees that may be charged are set out in Regulation 9(2)(c) promulgated under PAIA. Where a decision to grant a request has been taken, the record will not be disclosed until the necessary fees have been paid in full.

#### 10.1.3 PAYMENT OF FEES

Payment details can be obtained from the contact person as indicated above and can be made via a payment methodology prescribed by Company. Proof of payment must be supplied.

The access fee must be paid **prior** to access being given to the requested record.

If the request for access is successful an access fee may be required for the search, reproduction and/or preparation of the record(s) and will be calculated based on the Prescribed Fees.

If a deposit has been paid in respect of a request for access which is refused then the Information Officer must refund the deposit to the requester.

### **10.2 ACCESS REQUEST PROCEDURE NOTIFICATION**

The Company will within 30 days of receipt of the request decide whether to grant or decline the request and give notice with reasons to that effect.

The 30 day period within which the Company has to decide whether to grant or refuse the request, may be extended for a further period of not more than thirty days, if the request is for a large volume of information and the information cannot be reasonably obtained within the original 30 day period.

The Company will notify the requester in writing should an extension be sought.

### **10.3 GROUNDS FOR REFUSAL OF ACCESS TO RECORDS**

The main grounds for refusal of a request for information are: PARAMOUNT INTERNAL

- Mandatory protection of the privacy of a third party who is natural person, which would involve the unreasonable disclosure of personal information of that natural person.
- Mandatory protection of the commercial information of a third party, if the record contains:
  - Trade secrets of that party
  - Financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that party
  - Information disclosed in confidence by a third party to the company if the disclosure could put that third party to a disadvantage in negotiations or 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 the Company which may include:
  - Trade secrets of the company
  - Financial, commercial, scientific or technical information which disclosure thereof could likely cause harm to the financial or commercial interests of the Company.

Section 70 of PAIA contains an overriding provision. Disclosure of a record is compulsory if it would reveal (i) a substantial contravention of, or failure to comply with the law; or (ii) there is an imminent and serious public safety or environmental risk; and (iii) the public interest in the disclosure of the record in question clearly outweighs the harm contemplated by its disclosure.

### **10.4 REMEDIES AVAILABLE TO A REQUESTER ON REFUSAL OF ACCESS**

If the Information Officer decides to grant you access to the particular record, such access must be granted within 30 (thirty) days of being informed of the decision.

There is no internal appeal procedure that may be followed after a request to access information has been refused. The decision made by the Information Officer is final. In the event that you are not satisfied with the outcome of the request, you are entitled to apply to a court of competent jurisdiction to take the matter further.

# **11 OBJECTION, CORRECTION AND DELETION REQUESTS**

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

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 **Appendix C**.

Proof of identity is required to authenticate your identity and the request. You will, in addition to this prescribed form, be required to submit acceptable proof of identity such as a certified copy of your identity document or other legal forms of identity or to

comply with another mechanism to confirm your identity at Company's discretion.

If the request for access to information affects a third party, then such third party must first be informed within 21 (twenty one) days of receipt of the request. The third party would then have a further 21 (twenty one) days to make representations and/or submissions regarding the granting of access to the record.

Where a third party is affected by the request for access and the Information Officer has decided to grant you access to the record, the third party has 30 (thirty) days in which to appeal the decision in a court of competent jurisdiction. If no appeal has been lodged by the third party within 30 (thirty) days, you must be granted access to the record. A data subject may also request the Company to correct or delete personal information about the data subject in its possession or under its control that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading or obtained unlawfully; or destroy or delete a record of personal information about the data subject that the Company is no longer authorised to retain records in terms of POPIA's retention and restriction of records provisions.

# **12 FORMS**

#### APPENDIX A: ACCESS REQUEST FORM

(Section 53(1) of the Promotion of Access of Information Act, 2000 (Act No 2 of 2000)

[Regulation 10]

Particulars of Private Body

Requests can be submitted either via post, e-mail or fax and should be addressed to the relevant contact person as indicated below:

Contact person	Richard Hill	
Postal Address	P O Box 411855 Craighall 2024	
Physical Address	Nicol Main Office Park, Block D, 2 Bruton Road,	Bryanston, 2191
Phone number	011 428 2934	
E-mail	InformationOfficer@viacomcbs.com	

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 physical address in the Republic and e-mail address to which the information is to be sent must be given
- c. Proof of capacity in which request is made, if applicable, must be attached.

Full names and surname :

Identity number : PARAMOUNT INTERNAL

Postal address:

Fax number:

Telephone number:

E-mail address:

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

Particulars of person requesting access to the record (if a legal entity)

- (a) The particulars of the entity who requests access to the record must be given below
- (b) The physical address in the Republic and e-mail address to which the information is to be sent must be given
- (c) Proof of capacity in which request is made, if applicable, must be attached.

Name of entity:

Registration number:

Postal address:

Fax number:

Telephone number:

E-mail address:

Particulars of person on whose behalf request is made:

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

Full names and surname:

Identity number:

Particulars of record

- (a) Provide full particulars of the record to which access is requested, including the reference number if it is known to you, to enable the record to be requested
- (b) If the provide space is inadequate, please use a separate folio and attach it to this form. Please sign additional folios.

Description of record of relevant part of the record:

Reference number (if available): PARAMOUNT INTERNAL Any further particulars of record:

#### 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 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 of payment of fees:

#### FORM OF ACCESS TO RECORD

Form which record is required Mark the appropriate box with an X

- (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 under certain circumstances. In such a case you will be informed whether 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.
- 1. If the record is in written or printed form
  - Copy of record

Inspection of record

2. If record consists of visual images

View the images Copy of the images Transcription of the images

3. If the record consists of recorded information that can be reproduced in sound:

Listen to the	Transcription of

soundtrack (audio) soundtrack

4. If the record is held on computer or in an electronic or machine-readable form (this includes photographs, slides, video recordings, computer generated images, sketches etc.)

Printed copy of record	Printed copy of	Copy in computer
	information derived from	readable form
	the record	

If you requested a copy or transcription of a record (above) do you wish the copy of transcription to be posted to you? Postage is payable Yes No

Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available.

In which language would you prefer the record:

In the event of a disability

If you are prevented by a disability from reading, viewing or listening to the record in the form of access provided for in 1 to 4 above, state your disability and indicate in the form in which the record is required

Disability:

Form in which record is required:

#### PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED

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

- 1. Indicate the right to be exercised or protected:
- 2. Explain why the record requested is required for the exercise or protection of the aforementioned right:

#### NOTICE OF DECISION REGARDING REQUEST FOR ACCESS

You will be notified in writing whether your request has been approved or 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?

SIGNATURE OF REQUESTER/PERSON ON WHOSE BEHALF REQUEST IS MADE

#### YOU MUST

- 1. Complete all necessary spaces
- 2. Sign the access request form
- 3. Sign additional folios completed

#### SEND WITH THIS APPLICATION

- 1. The request fee (if not personal requester)
- 2. Any additional folios completed
- 3. Copy of Identity Document

#### PRESCRIBED FEES

(Section 54(7) of the Promotion of Access to Information Act, 2000 (Act No.2 of 2000) [Fees for record of Private Body]

(a) Fo	(a) For every photocopy of an A4 size page or part thereof, for every photocopy of an			
A	I-size page or part thereof, of the manual	R	1.10	
(b)	For every printed copy of an A4 size page or part thereof held on computer or in	R	0.75	
	an electronic or machine readable form			
(c)	For a copy in a computer-readable form on			
	(i) stiffy desk	R	7.50	
(d)	(i) For a transcription of visual images, for an A4 size page or part thereof	R	40.00	
	(ii) For a copy of visual images	R	60.00	
(e)	(i) For a transcription of an audio record, for an A4 size page or part thereof	R	20.00	
	(ii) For a copy of audio record	R	30.00	

(f) To search for and prepare the record for disclosure – R50.00 for each hour or part thereof reasonably required for such search and preparation

(Section 54(2) of the Promotion of Access to Information Act, 2000 (Act No.2 of 2000) [Regulation 11(3)]

- (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

(Section 54(7) of the Promotion of Access to Information Act, 2000 (Act No.2 of 2000) [Regulation 11(3)]

The actual postage fee is payable when a copy of a record must be posted to a requester

# APPENDIX B - 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, 2018**

[Regulation 2]

Note:

- 1. Affidavits or other documentary evidence as applicable in support of the objection may 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.
- 3. *Complete as is applicable.*

А	DETAILS OF DATA SUBJECT
Name(s) and surname/ registered name of data subject:	
Unique Identifier/ Identity Number	
Residential, postal or business address:	
	Code ( )
Contact number(s):	

PARAMOUNT INTERNAL

Fax number / E-mail address:	
В	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname/ Registered name of responsible party:	
Residential, postal or	
business address:	
	Code ( )
Contact number(s):	
Fax number/ E-mail address:	
с	<b>REASONS FOR OBJECTION IN TERMS OF SECTION 11(1)(d) to (f)</b> ( <i>Please</i> provide detailed reasons for the objection)

.....

Signature of data subject/designated person

### APPENDIX C: 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, 2018

[Regulation 3]

Note:

1. Affidavits or other documentary evidence as applicable in support of the request may 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.

3. *Complete as is applicable.* 

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 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 longer authorised to retain the record of information.

А	DETAILS OF THE DATA SUBJECT
Name(s) and surname / registered name of data subject:	
Unique identifier/ Identity Number:	
Residential, postal or business address:	

	Code ( )
Contact number(s):	
Fax number/E-mail address:	
В	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname / registered name of responsible party:	
Residential, postal or business address:	
	Code ( )
Contact number(s):	
Fax number/ E-mail address:	
с	INFORMATION TO BE CORRECTED/DELETED/ DESTRUCTED/ DESTROYED
D	REASONS FOR *CORRECTION OR DELETION OF THE PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(a) WHICH IS IN POSSESSION OR UNDER THE CONTROL OF THE RESPONSIBLE PARTY ; and or

REASONS FOR *DESTRUCTION OR DELETION OF A RECORD OF PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(b)
WHICH THE RESPONSIBLE PARTY IS NO LONGER AUTHORISED TO RETAIN. (Please provide detailed reasons for the request)

Signature of data subject/ designated person

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