



PAIA AND POPIA MANUAL

Manual on Access to Information and Protection of Personal Information

Prepared in accordance with section 51 of the Promotion of Access to Information Act 2 of 2000, and to record how CMC Network (Pty) Ltd meets the requirements of the Protection of Personal Information Act 4 of 2013.

This manual applies to **CMC NETWORK (PTY) LTD**

Registration number: **1993/004733/07**

("the Company")

Registered office address:

Building H, 20 Woodlands Drive, Woodmead, Sandton, 2191, Gauteng, RSA

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1. Introduction

The Promotion of Access to Information Act 2 of 2000 ("PAIA") gives effect to the constitutional right of access to any information held by the State and by private bodies that is required for the exercise or protection of any right. It also gives effect to a person's constitutional right to have their personal information protected. This manual is published in terms of section 51 of PAIA.

The Protection of Personal Information Act 4 of 2013 ("POPIA") regulates, in a manner that gives effect to the constitutional right to privacy, the processing of personal information by public and private bodies. This manual also records how the Company gives effect to the conditions for lawful processing set out in POPIA, and the rights that data subjects may exercise.

Nature of Business

CMC Networks is a wholesale services provider of next-generation network connectivity solutions, with a special focus on Africa and the Middle East. The Company provides connectivity solutions such as MPLS, Carrier Ethernet, Direct Internet Access and SD-WAN.

Contact Details

Name of body	CMC Network (Pty) Ltd
Head of body	Mahesh Jaishankar — Managing Director
Information Officer	Nhlanhla Mkhwanazi Group Legal and Compliance Director
Physical address	Building H, 20 Woodlands Drive Woodmead, Sandton, 2191 Gauteng, RSA
Postal address	Same as physical address
Telephone number	011 517 8400
Email address	nhlanhla.mkhwanazi@cmcnetworks.net

Note: the telephone number above carries over from the Company's previous manual and should be confirmed as still correct for the Woodmead office before this manual is circulated externally.

2. The Information Regulator and the Guide on How to Use PAIA

A guide to PAIA (contemplated in section 10 of the Act) is available from the Information Regulator. The guide contains information reasonably required by a person who wishes to exercise a right contemplated in PAIA or POPIA. Since 30 June 2021, the Information Regulator — not the South African Human Rights Commission — is responsible for promoting compliance with PAIA and for receiving and dealing with complaints under both PAIA and POPIA. Enquiries regarding the guide, or complaints regarding this manual or the Company's handling of a request, should be directed to:

The Information Regulator (South Africa)

Physical and postal address: JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001

Telephone: 010 023 5200 | Toll-free: 0800 017 160

General enquiries: enquiries@inforegulator.org.za

PAIA complaints: PAIAComplaints@inforegulator.org.za

POPIA complaints: POPIAComplaints@inforegulator.org.za

Website: www.inforegulator.org.za

3. Access to Records Held by the Company

Records held by the Company may be accessed on request once the requirements for access have been met. A requester is any person making a request for access to a record of the Company. PAIA distinguishes between two types of requesters:

Personal Requester

A personal requester is a requester seeking access to a record containing personal information about that requester. Subject to PAIA and any other applicable law, the Company will provide the requested information, or access to the relevant record. The prescribed fee for reproduction of the information requested will be charged by the Company.

Other Requester

A requester other than a personal requester is entitled to request access to information pertaining to third parties. The Company is not obliged to grant access until the requester has fulfilled the requirements for access set out in PAIA. The prescribed fee for reproduction of the information requested will be charged by the Company.

Request Procedure

A requester must comply with all procedural requirements in PAIA relating to a request for access to a record. A requester must complete the prescribed form set out in Appendix A and submit it, together with payment of a request fee and deposit (if applicable), to the Information Officer at the physical address, postal address or email address stated in this manual. The prescribed form must contain sufficient particularity to enable the Information Officer to identify:

- the record or records requested;
- the identity of the requester;
- what form of access is required; and
- the postal address, fax number or email address of the requester.

A requester must state that the information is required to exercise or protect a right, and must clearly identify the nature of that right and explain why the requested record is required for that purpose.

The Company will process a request within 30 days, unless the requester has stated reasons that satisfy the Information Officer that this period should not apply. The requester will be informed in writing whether access has been granted or refused. Where a request is made on behalf of another person, the requester

must submit proof of the capacity in which the request is made, to the satisfaction of the Information Officer. Where a person is unable to complete the prescribed form due to illiteracy or disability, that person may make the request orally to the Information Officer.

Decision

The Company will, within 30 days of receipt of a request, decide whether to grant or refuse the request and give notice of that decision, with reasons if required. This 30-day period may be extended by a further period of not more than 30 days where the request is for a large volume of information, or where the search for the information must be carried out at another office of the Company and cannot reasonably be completed within the original period. The Information Officer will notify the requester in writing of any such extension.

4. Fees

PAIA provides for two types of fees: a request fee (a standard fee payable by a requester other than a personal requester before a request is processed further) and an access fee, calculated with reference to reproduction costs, search and preparation time, and postal costs where applicable, in accordance with the tariffs prescribed under PAIA from time to time.

Where a search for a record and its preparation for disclosure requires more than the hours prescribed in the PAIA regulations, the Information Officer will notify the requester of the deposit payable before the request is processed further. The Information Officer may withhold a record until the applicable fee has been paid. If a deposit has been paid in respect of a request that is subsequently refused, the deposit will be refunded to the requester.

5. Categories of Records Held by the Company: Section 51(1)(e)

Companies Act Records
Documents of incorporation / registration documents
Memorandum of Incorporation
Minutes of Board and shareholder meetings
Records relating to the appointment of directors, auditors, company secretary, public officer and other officers
Company share register and other statutory registers
Financial and Tax Records
Tax returns and income tax records
Accounting records, annual financial statements and asset register
Banking records, including bank statements and electronic banking records
Invoices, contracts and credit applications
Customer VAT numbers, delivery addresses, email addresses and client company details
PAYE, UIF, COID, skills development levy and other SARS-related records

Personnel Documents and Records

Employment contracts and disciplinary records

Employment Equity Plan and SETA records

Salary and leave records

Training records and manuals

Employee identity numbers, CVs and medical records

Employee names, addresses and biometric data (fingerprints), where applicable

Client and Supplier Documents and Records

Customer contracts, customer details and client company/trading details (VAT numbers, registration details)

Supplier contracts and supplier contact details

Copies of compliance certification, insurance and public liability insurance

Building layout and floor plans; emergency planning and operational data; environmental plans

Physical security, transport, delivery and waste management plans and contracts

Client and third-party professional qualifications and professional body registration details

6. Processing of Personal Information Under POPIA

Purpose of Processing

The Company processes personal information under its control for the following purposes:

- performance of contractual services, including connectivity, support and maintenance provided to clients;
- performance of employment contracts and management of the employment relationship;
- compliance with legal, regulatory and statutory requirements, including requirements imposed by telecommunications, tax, exchange control and labour legislation; and
- pursuing the Company's legitimate business interests, including network security, fraud prevention and the management of supplier and client relationships.

Lawful Basis for Processing

In line with section 8 read with sections 9 to 12 of POPIA, the Company only processes personal information where one or more of the following grounds applies:

- the data subject or a competent person consents to the processing;
- the processing is necessary to carry out actions for the conclusion or performance of a contract to which the data subject is party;
- the processing complies with an obligation imposed by law on the Company;
- the processing protects a legitimate interest of the data subject;
- the processing is necessary for the proper performance of a public law duty by a public body; or
- the processing is necessary to pursue the legitimate interests of the Company or of a third party to whom the information is supplied.

Categories of Data Subjects and their Personal Information

Entity Type	Personal Information Processed
Clients: Natural Persons	Names; contact details; physical and postal addresses; date of birth; identity number; tax-related information; nationality; gender; confidential correspondence
Clients – Juristic Persons / Entities	Names of contact persons; name of legal entity; physical and postal address and contact details; financial information; registration number; founding documents; tax-related information; authorised signatories; beneficiaries; ultimate beneficial owners
Clients – Foreign Persons / Entities	Names; contact details; physical and postal addresses; date of birth; passport number; tax-related information; nationality; gender; confidential correspondence

Intermediaries / Advisors	Names of contact persons; name of legal entity; physical and postal address and contact details; financial information; registration number; founding documents; tax-related information; authorised signatories
Contracted Service Providers	Names of contact persons; name of legal entity; physical and postal address and contact details; financial information; registration number; founding documents; tax-related information; authorised signatories
Employees / Directors	Gender; marital status; age; language; education information; financial information; employment history; identity number; physical and postal address; contact details; disciplinary and performance information

Categories of Recipients of Personal Information

The Company may supply personal information to the following categories of recipients, for the purposes indicated, subject in each case to appropriate contractual safeguards:

- Group companies and affiliates, for group reporting, IT and shared-services purposes;
- Contracted service providers responsible for capturing, hosting and storing data, and for network and IT support;
- Professional advisors, including auditors, and legal and compliance advisors;
- Banks and payment processors, for billing and settlement purposes;
- Regulators, government bodies and agencies, including the Independent Communications Authority of South Africa (ICASA) and other communications regulators in the countries where the Company operates, and judicial bodies, where legally required; and
- Parties engaged to send correspondence, notices or marketing communications to clients, subject to the data subject's rights described in section 7 below.

Actual or Planned Transborder Flows of Personal Information

The Company operates a pan-African and Middle Eastern network, and as a result, personal information is transferred to, and accessed from, other jurisdictions in which the Company and its group of companies operate, and in which its contracted service providers are located. This includes the transfer of client, supplier and employee information between CMC Network (Pty) Ltd and other CMC Networks group entities and offices across Africa and the Middle East for the purposes described in this manual, including the provision of connectivity services, network management and support, and group financial, IT and administrative functions.

Any such transfer is made subject to the conditions in section 72 of POPIA. Before personal information is transferred to a recipient in a foreign country, the Company satisfies itself that one of the following applies: the recipient is subject to a law, binding corporate rules or a binding agreement that provides an adequate level of protection substantially similar to POPIA and that includes similar onward-transfer provisions; the data subject has consented to the transfer; the transfer is necessary for the performance of a contract between the data subject and the Company, or for the implementation of pre-contractual measures taken in response to the data subject's request; the transfer is necessary for the conclusion or performance of a

contract concluded in the interest of the data subject between the Company and a third party; or the transfer is for the benefit of the data subject and it is not reasonably practicable to obtain their consent, and they would likely give it if asked.

7. The Rights of Data Subjects

In accordance with section 5 of POPIA, every data subject whose personal information is processed by the Company has the right, subject to the exceptions and limitations set out in POPIA, to:

- be notified that personal information about them is being collected, and the purpose of that collection;
- be notified in the event that their personal information has been accessed or acquired by an unauthorised person;
- establish whether the Company holds personal information about them, and to request access to that information;
- request the correction, destruction or deletion of personal information about them that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading or obtained unlawfully;
- object, on reasonable grounds, to the processing of their personal information, including for purposes of direct marketing;
- not be subject to a decision based solely on the automated processing of their personal information that is intended to produce legal effects concerning, or significantly affects, them;
- submit a complaint to the Information Regulator regarding the alleged interference with the protection of their personal information, or to institute civil proceedings regarding the alleged interference; and
- be informed of the Information Officer's details, as recorded in this manual, in order to exercise any of the above rights.

A data subject who wishes to exercise any of these rights may contact the Information Officer using the details set out in section 1 of this manual.

8. Security Safeguards and Data Breach Notification

Security Safeguards

In accordance with section 19 of POPIA, the Company has implemented appropriate, reasonable technical and organisational measures to secure the integrity and confidentiality of personal information in its possession or under its control, to prevent loss of, damage to, or unauthorised destruction of personal information, and to prevent unlawful access to or processing of personal information. These measures include role-based access controls, network and endpoint security controls, contractual security obligations imposed on operators and service providers, and periodic review of the Company's information security practices.

Data Breach Notification

Where the Company has reasonable grounds to believe that personal information has been accessed or acquired by an unauthorised person, it will, in accordance with section 22 of POPIA, notify the Information Regulator and the affected data subjects as soon as reasonably possible after discovery, taking into account the legitimate needs of law enforcement or any measures reasonably necessary to determine the scope of the breach and restore the integrity of the Company's information systems.

9. Remedies Available if a Request for Information Is Refused

Internal Remedies

The Company does not have internal appeal procedures. The decision made by the Information Officer regarding a request is final, and requesters who are not satisfied with that decision must pursue the external remedies described below.

External Remedies

A requester who is dissatisfied with the Information Officer's refusal to disclose information may lodge a complaint with the Information Regulator, or apply to a court for relief. Likewise, a third party dissatisfied with the Information Officer's decision to grant a request for information may lodge a complaint with the Information Regulator, or apply to a court for relief. For purposes of PAIA, the courts with jurisdiction over such applications are the Constitutional Court, the High Court, or another court of similar status. The Information Regulator's contact details are set out in section 2 of this manual.

10. List of Applicable Legislation

Records of the Company, and of other legal entities in which the Company has a direct or indirect controlling interest through its subsidiaries, may be kept in accordance with the following legislation (some of which may not apply to the Company), as well as any other legislation that may apply to the Company and/or its subsidiaries from time to time:

- Basic Conditions of Employment Act 75 of 1997
- Broad-Based Black Economic Empowerment Act 53 of 2003
- Companies Act 71 of 2008
- Compensation for Occupational Injuries and Diseases Act 130 of 1993
- Copyright Act 98 of 1978
- Currencies and Exchanges Act 9 of 1933
- Cybercrimes Act 19 of 2020
- Electronic Communications Act 36 of 2005
- Electronic Communications and Transactions Act 25 of 2002
- Employment Equity Act 55 of 1998
- Financial Intelligence Centre Act 38 of 2001
- Financial Institutions (Protection of Funds) Act 28 of 2001
- Financial Sector Regulation Act 9 of 2017

- Income Tax Act 58 of 1962
- Inspection of Financial Institutions Act 80 of 1998
- Labour Relations Act 66 of 1995
- Occupational Health and Safety Act 85 of 1993
- Promotion of Access to Information Act 2 of 2000
- Protection of Personal Information Act 4 of 2013
- Regulation of Interception of Communications and Provision of Communication-Related Information Act 70 of 2002
- Prevention of Organised Crime Act 121 of 1998
- Prevention and Combating of Corrupt Activities Act 12 of 2004
- Protected Disclosures Act 26 of 2000
- Protection of Constitutional Democracy Against Terrorist and Related Activities Act 33 of 2004
- Skills Development Act 97 of 1998
- Skills Development Levies Act 9 of 1999
- Securities Transfer Tax Act 25 of 2007
- Securities Transfer Tax Administration Act 26 of 2007
- Trade Marks Act 194 of 1993
- Trust Property Control Act 57 of 1988
- Unemployment Insurance Act 63 of 2001
- Unemployment Insurance Contributions Act 4 of 2002
- Value-Added Tax Act 89 of 1991

11. Availability of the Manual

This manual is available for inspection, on reasonable prior notice, at the registered office of the Company, free of charge. It is also available on request from the Information Officer at the contact details set out in section 1.

12. Approval

Signed on behalf of the Company on this 07 September 2026.



Mahesh Jaishankar
Managing Director

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13. Appendix A: Prescribed Form to Be Completed by a Requester

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, Form C

A. Particulars of Private Body

Name of body	CMC Network (Pty) Ltd
Information Officer	Nhlanhla Mkhwanazi — Group Legal and Compliance Director
Physical address	Building H, 20 Woodlands Drive, Woodmead, Sandton, 2191, Gauteng
Email address	nhlanhla.mkhwanazi@cmcnetworks.net
Telephone number	011 517 8400

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, email 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	
Telephone number	
Email 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 known, to enable the record to be located. (b) If the space provided is inadequate, continue on a separate folio and attach it to this form. The requester must sign all additional folios.

Description of record or relevant part of the record	
Reference number, if available	
Any further particulars of record	

E. Fees

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. You will be notified of the amount payable as the request fee. 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 the record. If you qualify for exemption from payment of any fee, state the reason for the exemption below.

Reason for exemption from payment of fees	
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F. Form of Access to Record

If a disability prevents you from reading, viewing or listening to the record in the form of access provided for below, state your disability and indicate the form in which the record is required.

Disability	
Form in which record is required	
Preferred language for the record (if the record is not available in the preferred language, access may be granted in the language in which it is available)	

G. Notice of Decision Regarding Request for Access

Requesters will be notified in writing whether their request has been approved or denied. If you wish to be informed in another manner, specify the manner and provide the particulars necessary to enable compliance with your request.

Preferred manner of notification	
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H. Particulars of Right to Be Exercised or Protected

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

Right to be exercised or protected	
Explain why the record requested is required for the exercise or protection of the right stated above	

Signed at this day of 20.....

Signature of requester / person on whose behalf request is made

Handwritten signature