

MANUAL OF CLICKATELL (PROPRIETARY) LIMITED ("THE PRIVATE BODY")

**PREPARED IN ACCORDANCE WITH SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT, NO 2
OF 2000 ("THE ACT")**

1 INTRODUCTION TO THE PRIVATE BODY

Clickatell (Proprietary) Limited sells SMS and mobile messaging capability through various products and solutions.

2 CONTACT DETAILS [SECTION 51(1) (a)]

2.1	Name of private body:	Clickatell (Proprietary) Limited
2.2	Registration No:	2000/013534/07
2.3	VAT Registration No.	4800191746
2.4	Information Officer:	Johan Visser
2.5	Postal address:	PO Box 4929 Tygervalley 7536
2.6	Registered address:	C/o KPMG MSC House, 1 Mediterranean Street, Foreshore, Cape Town, 8000
2.7	Physical address:	7th Floor, Manhattan Plaza, 100 Edward Street, Bellville, 7530, Cape Town
2.8	Telephone number:	021 - 910 7700
2.9	Fax:	021 - 910 7701
2.10	Email address:	johan.visser@clickatell.com
2.11	Website address:	http://www.clickatell.com

3 GUIDE OF SOUTH AFRICAN HUMAN RIGHTS COMMISSION [SECTION 51(1) (b)]

The South African Human Rights Commission says it has compiled the guide contemplated in Section 10 of the Act. It contains information required by a person wishing to exercise any right, contemplated by the Act. It is available in all of the official languages.

According to the South African Human Rights Commission, the Guide is available for inspection, inter alia, at the office of the offices of the Human Rights Commission at 29 Princess of Wales Terrace, cnr York and St. Andrews Street, Parktown and on its website at www.sahrc.org.za.

4 RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION [SECTION 51(1) (d)]

The private body from time to time may keep and have available certain records in terms of *inter alia* the following legislation:

<u>Basic Conditions Of Employment Act No. 75 of 1997</u>	<u>Interception And Monitoring Prohibition Act No. 127 of 1992</u>
<u>Companies Act No. 61 of 1973</u>	<u>Labour Relations Act No. 66 of 1995</u>
<u>Compensation For Occupational Injuries And Diseases Act No. 130 of 1993</u>	<u>Manpower Training Act No. 56 of 1981</u>
<u>Competition Act No. 89 of 1998</u>	<u>Patents Act No. 57 of 1978</u>
<u>Constitution Of The Republic Of South Africa No. 108 of 1996</u>	<u>Skills Development Act No. 97 of 1998</u>
<u>Consumer Affairs (Unfair Business Practises Act) No. 71 of 1988</u>	<u>Skills Development Levies Act No. 9 of 1999</u>
<u>Copyright Act No. 98 of 1978</u>	<u>South African Reserve Bank Act No. 90 of 1989</u>
<u>Currency And Exchanges Act No. 9 of 1933</u>	<u>Telecommunications Act No. 103 of 1996</u>
<u>Customs And Excise Act No. 91 of 1964</u>	<u>Trade Marks Act No. 194 of 1993</u>
<u>Electronic Communications And Transactions Act No. 25 of 2002</u>	<u>Unemployment Insurance Act No. 63 of 2001</u>
<u>Employment Equity Act No. 55 of 1998</u>	<u>Unemployment Insurance Contribution Act No. 4 of 2002</u>
<u>Income Tax Act No. 58 of 1962</u>	<u>Usury Act No. 73 of 1968</u>
<u>Insolvency Act No. 24 of 1936</u>	<u>Value-Added Tax Act No. 89 of 1991</u>

5 PRIVATE BODY DOCUMENTS AND RECORDS AND CATEGORIES IN WHICH SUBJECTS ARE CLASSED

5.1 INCORPORATION RECORDS

5.1.1	Company secretarial documents	5.1.5	Statutory returns
5.1.2	Constitution of the business	5.1.6	Powers of Attorneys
5.1.3	Memorandum and Articles of Association	5.1.7	Shareholders Agreement
5.1.4	Registers	5.1.8	Minute of meetings
		5.1.9	Share Certificates

5.2 FINANCIAL DOCUMENTS AND RECORDS

5.2.1	Regional Services Council records	5.2.9	Order forms
5.2.2	VAT records	5.2.10	Invoices
5.2.3	Tax records	5.2.11	Statements
5.2.4	PAYE records	5.2.12	Debtors and Creditors details
5.2.5	UIF records	5.2.13	Debit notes
5.2.6	Stock records	5.2.14	Credit notes
5.2.7	Asset inventory	5.2.15	Banking details and account records
5.2.8	Asset register		

5.2.16	Cash records	5.2.18	Financial reports and statements
5.2.17	Financial documentation and other accounting records		
5.3	OPERATIONAL DOCUMENTS AND RECORDS		
5.3.1	Minutes of Management meetings	5.3.16	Product / Service manuals
5.3.2	Distribution Agreements	5.3.17	Customer database
5.3.3	Supply Agreements	5.3.18	Customer application forms
5.3.4	Exchange Control Regulation records	5.3.19	Correspondence with customers
5.3.5	Internal telephone directory	5.3.20	Customer account records
5.3.6	Legal and insurance records and correspondence (including claims and policies)	5.3.21	Sales records
		5.3.22	Records with regards to scheduling and supply of goods
5.3.7	Leases	5.3.23	Business plan records
5.3.8	Goods received vouchers	5.3.24	Strategy records
5.3.9	Goods returned vouchers	5.3.25	Vision Statement
5.3.10	Promotional records	5.3.26	Mission Statement
5.3.11	Legal and insurance records and correspondence	5.3.27	Action plan records
		5.3.28	Price lists
5.3.12	Business plan policies	5.3.29	Customer assessments/complaints records
5.3.13	Designs, patents or trademarks registration records	5.3.30	Costing/quoting records
5.3.14	Records regarding written product / service specifications	5.3.31	Product research records
		5.3.32	Market research records
5.3.15	Permits, licences, consents, approvals, authorisations, applications and registrations	5.3.33	Independent contractors documentation and records
		5.3.34	Identification records
5.4	INTELLECTUAL PROPERTY		
5.4.1	Trade Marks	5.4.4	Designs
5.4.2	Patents	5.4.5	Know-how
5.4.3	Copyright	5.4.6	Licensing Agreements
5.5	INSURANCE		
5.5.1	Policies		
5.5.2	Insurance claims files		
5.6	HUMAN RESOURCES DOCUMENTS AND RECORDS		
5.6.1	Personal records provided by employees and other records including but not limited to:		
5.6.1.1	Personnel files	5.6.1.10	Training records
5.6.1.2	Employment contracts / Letter of Appointment	5.6.1.11	Training manuals
		5.6.1.12	Employment Equity Plan
5.6.1.3	Salary advice slips / Remuneration records	5.6.1.13	Workplace Skills Plan
		5.6.1.14	SETA records
5.6.1.4	Curriculum Vitae	5.6.1.15	Attendance register
5.6.1.5	Leave records	5.6.1.16	Unemployment Insurance records
5.6.1.6	Educational history record		
5.6.1.7	Increase records	5.6.1.17	Medical aid records
5.6.1.8	Disciplinary codes, policies, procedures and records	5.6.1.18	Records relating to deductions
5.6.1.9	Performance management records		
5.7	SAFETY RECORDS		
5.7.1	Records relating to incidents in the workplace	5.7.3	Council for Occupational Injuries and Diseases records
5.7.2	Occupational Health & Safety Act records	5.7.4	Quality control test results records
5.8	INFORMATION TECHNOLOGY RECORDS		
5.8.1	Software licences	5.8.4	Computer generated databases
5.8.2	Software programs	5.8.5	Internet connectivity reports
5.8.3	Software applications		
5.9	ADMINISTRATION		
5.9.1	Correspondence with internal and external parties		

6 AVAILABILITY OF THE MANUAL

This manual has been made available in terms of paragraph 9 of Regulation Number R. 187 of 15 February 2002 by lodging a copy with the Human Rights Commission and publishing a copy on the private body's website.

7 ACCESS TO RECORDS HELD BY THE PRIVATE BODY

Records held by the private body may be accessed by requests only once the prerequisite requirements for access have been met.

8 DETAIL ON HOW TO MAKE A REQUEST FOR ACCESS – SECTION 51(E)

The requester must complete Form C and submit this form together with a request fee, to the head of the private body.

The form must be submitted to the head of the private body at the address, fax number, or email address.

The form must –

- provide sufficient particulars to enable the head of the private body to identify the record/s requested and to identify the requester;
- indicate which form of access is required;

- specify a postal address or fax number of the requester in the Republic;
- identify the right that the requester is seeking to exercise or protect and provide an explanation of why the requested record is required for the exercise or protection of that right;
- if in addition to a written reply, the requester wishes to be informed of the decision on the request in any other manner, to state that manner and the necessary particulars to be informed in the other manner;
- if the request is made on behalf of another person, to submit proof of the capacity in which the requester is making the request, to the reasonable satisfaction of the head of the private body.