

**INFORMATION MANUAL**  
**PREPARED IN TERMS OF SECTION 51 OF**  
**THE PROMOTION OF ACCESS TO INFORMATION ACT, No. 2 of 2000**  
**(“the ACT”)**  
for  
**Leaply Corporation (Pty) Ltd**  
**(“Leaply”)**

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## 1. INTRODUCTION

The Promotion of Access to Information Act 2 of 2000 (“the Act”) gives effect to the right of access to information in records held by public or private bodies that is required for the exercise or protection of any rights as enshrined in the Bill of Rights forming part of The Constitution of The Republic of South Africa, 1996 (“the Constitution”).

The Act sets out the requisite procedural issues attached to such a request, the requirements with which such a request must comply as well as the grounds for refusal of such request.

This manual informs requesters of the procedural and other requirements with which a request must comply in terms of the Act.

The Act recognizes that the right to access of information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to:

1. Limitations aimed at reasonable protection of privacy;
2. Commercial confidentiality;
3. Effective, efficient and good governance.

The right to access to information must also be balanced against any other rights contained in the Constitution.

**Leaply Corporation (Pty) Ltd (“Leaply”)** is a private company, incorporated according to the laws of the Republic of South Africa.

Leaply offers software as a service by building clever talent matching software that enables hiring companies to effortlessly source, screen and place graduate talent.

Further public information relating to Leaply can be viewed below in this manual.

## 2. CONTACT DETAILS AND GENERAL INFORMATION

All requests for information in terms of the Act must be in writing and addressed to the Information officer of Leaply as set out below: -

**Company name:** Leaply Corporation (Pty) Ltd

**Registration number:** 2013/203143/07

**Registered address:** The Launchlab,  
11 Hammanshand Road, Stellenbosch Central,  
Stellenbosch, 7599

**Postal address:** The Launchlab,  
11 Hammanshand Road, Stellenbosch Central  
Stellenbosch, 7599

**Telephone number:** 021 808 9173

**Email address:** [hello@leap.ly](mailto:hello@leap.ly)

**Website:** <https://leap.ly>

**Chief Executive Officer:** Tiaan van der Spuy

**Information Officer:** Marthe-Lee Kempen (Account Director) - [marthelee@leap.ly](mailto:marthelee@leap.ly)

### **3. GUIDELINES IN TERMS OF SECTION 10 ON HOW TO USE THE ACT**

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.

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

Requesters are referred to the Guide in terms of section 10 which has been compiled by the South African Human Rights Commission (“SAHRC”), which will contain information for the purposes of exercising Constitutional Rights. The Guide is available from the SAHRC and queries can be directed at the Commission.

The contact details of the Commission are:

**Postal address:** Private Bag X2700 Houghton 2041

**Telephone number:** +27 11 877 3600

**Facsimile number:** +27 11 877 3750

**Email address:** [PAIA@sahrc.co.za](mailto:PAIA@sahrc.co.za)

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

### **4. RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION**

Records available in terms of other legislation, as amended, are as follows:

- 4.1. Labour Relations Act 66 of 1995;
- 4.2. Employment Equity Act 55 of 1998;
- 4.3. Basic Conditions of Employment Act 75 of 1997;
- 4.4. Compensation of Occupational Injuries and Diseases Act 130 of 1993;
- 4.5. Companies Act 71 of 2008;
- 4.6. Unemployment Insurance Act 63 of 2001;
- 4.7. Value Added Tax Act 89 of 1991;
- 4.8. Income Tax Act 58 of 1962;

- 4.9. Employment Services Act 4 of 2014;
- 4.10. Skills Development Act 9 of 1999.

## **5. ACCESS TO RECORDS**

### **5.1. Records readily available**

- 5.1.1. <https://leap.ly>;
- 5.1.2. Any other literature intended for public viewing.

### **5.2. Records that may be requested**

The following records of Leaply may be made available upon request:

- 5.2.1. Leaply Annual Report;
- 5.2.2. Companies Act Records;
- 5.2.3. Financial records;
- 5.2.4. Tax records;
- 5.2.5. Asset records;
- 5.2.6. Income and other tax records;
- 5.2.7. Employment records;
- 5.2.8. Employment policies;
- 5.2.9. Information technology records;
- 5.2.10. Procurement records;
- 5.2.11. Other party records.

***Note:*** 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 on their own merits, **and Leaply reserves the right to decline to grant access to records in accordance with the provisions of the Act.**

### **5.3. Request procedures**

Any person wishing to gain access to information (“the requester”) must use the prescribed form (see Annexure A hereto) to make the request for access to information. This request

must be made in writing and addressed to the Information Officer at the contact details set out in 2 above.

5.3.1. The requester must:

5.3.1.1. Provide sufficient detail on the request form to enable the Information Officer to identify the record and the requester; and

5.3.1.2. Indicate in which form access is required; and

5.3.1.3. Specify a postal address or fax number within South Africa; and

5.3.1.4. 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 of that protection.

5.3.2. If a request is made on behalf of another person, the requester must submit proof of the capacity in which the requester is making the request to the satisfaction of the Information Officer.

5.3.3. The Information Officer will make a decision whether to grant the request or to decline the request and must notify the requestor in the required form.

5.3.4. If the request is granted, then an access fee must be paid for the search, reproduction and preparation, and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

5.3.5. If, after reasonable steps have been taken to find a record requested and same cannot be located or does not appear to exist, Leaply will advise the requester accordingly.

## **6. AVAILABILITY OF THE MANUAL**

Leaply's manual is available for inspection free of charge at the registered address as set out in the contact details at 2 above. Furthermore, a copy is available from the SAHRC (see contact details in 3 above) and on Leaply's website as set out in 2 above.

## **7. FEES**

Copies of the manual are subject to the prescribed fees payable by the requester.

## **8. DEPOSIT**

In accordance with s54(2) of the Act, Leaply may require a deposit in cases where searching for a record exceeds 6 hours. The deposit will represent one third of the access fees payable by the requester.

## **9. GROUNDS FOR REFUSAL OF ACCESS TO RECORDS OF A PRIVATE BODY**

See Annexure B attached.

## **10. RIGHT OF APPEAL**

A requester that is dissatisfied with the Information Officer's refusal to grant access to any information may –

- Within 30 days of being informed that the request was not granted lodge an internal appeal; or
- Within 30 days of notification of the decision apply to court for relief.

Likewise, a third party dissatisfied with the Information Officer's decision to grant a request may, within 30 days of notification of the decision, apply to court for relief.

## **11. PRESCRIBED FORMS**

See Annexure A attached.

## ANNEXURE A

### FORM C

#### 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]

#### **A. Particulars of private body**

##### **Leaply Corporation (Pty) Ltd**

The Information Officer: Marthe-Lee Kempen

#### **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:

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 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 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:
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### **Mark the appropriate box with an X**

#### **NOTES:**

- (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 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 for 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:**

<input type="checkbox"/>	Copy of record*	<input type="checkbox"/>	Inspection of record
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#### **2. If record consists of visual images:**

This includes photographs, slides, video recordings, computer-generated images, sketches, etc)

<input type="checkbox"/>	View the images	<input type="checkbox"/>	Copy of the images	<input type="checkbox"/>	Transcription of the images
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**H. 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?

Signed at ..... on this ..... day of ..... 20.....

SIGNATURE OF REQUESTER / PERSON ON WHOSE BEHALF REQUEST IS MADE

## **ANNEXURE B**

### **GROUNDINGS FOR REFUSAL OF ACCESS TO RECORDS OF A PRIVATE BODY**

The information contained in this section is a summary of the grounds upon which a private body is entitled to raise, as grounds for the refusal of access to its records. The information is intended to provide a requester with clarity as to the reasons why a request may be refused by the private body.

#### **A. Section 63: Mandatory protection of privacy of a third party who is a natural person**

The head of a private body must refuse a request for access to a record of that body if its disclosure would involve the unreasonable disclosure of personal information about a third party, including a deceased individual.

***However, a record may not be refused if it consists of information:***

- a) About an individual who has consented in writing to the disclosure of the information;
- b) Already publicly available;
- c) Given to the private body by the individual to whom it relates, and that individual was informed by the private body before it is disclosed that the information belongs to a class of information that may already be publicly available;
- d) About an individual's physical or mental health, or well-being, who is under the care of the requester, and who is under the age of 18 years or incapable of understanding the nature of the request, and further if the disclosure would be in the individual's best interests;
- e) About an individual who is deceased and the requester is the individual's next of kin, or is making the request with the written consent of the individual's next of kin;
- f) About an individual who is or was an official of a private body, and the information relates to the position or functions of the individual.

#### **B. Section 64: Mandatory protection of commercial information of a third party**

The head of a private body must refuse a request for access to a record of that private body if it contains:

- a) Trade secrets of a third party;
- b) Financial, commercial, scientific or technical information of a third party, other than trade secrets, where the disclosure thereof would be likely to cause harm to the commercial or financial interests of that third party;

- c) Information supplied to the third party in confidence, and if disclosed would place the third party at a disadvantage in contractual or other negotiations, or prejudice the third party in commercial competition.

***However, a record may not be refused if it consists of information:***

- a) About a third party who has already consented in writing, to its disclosure to the requester;
- b) About the results of any product or environmental testing or other investigation supplied by the private body or the results of any such testing or investigation carried out on by or on behalf of the private body and its disclosure would reveal a serious public safety or environmental risk.

**C. Section 65: Mandatory protection of certain confidential information of a third party**

The head of a private body must refuse a request for access to a record of that body, if its disclosure would constitute an action for breach of a duty of confidence owed to a third party in terms of an agreement.

**D. Section 66: Mandatory protection of safety of individuals, and protection of property**

- a) The head of a private body must refuse a request for access to a record of that body, if its disclosure could reasonably be expected to endanger the life or physical safety of an individual.
- b) The head of a private body may refuse a request for access to a record of that body if its disclosure would be likely to prejudice or impair:
  - i) The security of a building, structure, or system, including a computer or communication system; a means of transport or any other property; The methods, systems, plans or procedures for the protection of an individual in accordance with a witness protection scheme; the safety of the public or part of the public or the security of a building, structure, or system, including a computer or communication system, a means of transport or any other property.

## **E. Section 67: Mandatory protection of records privileged from production in legal Proceedings**

The head of a private body must refuse a request for access to a record of that body, if the record is privileged from production in legal proceedings unless the person entitled to the privilege has waived such privilege.

## **F. Section 68: Commercial information of a private body**

- 1) The head of a private body may refuse a request for access to a record of that body if the record:
  - a) Contains trade secrets of the private body;
  - b) Contains financial, commercial, scientific or technical information, other than trade secrets of the private body, and the disclosure thereof would likely cause harm to the commercial or financial interests of that body;
  - c) Contains information, the disclosure of which could reasonably be expected to put the private body at a disadvantage in contractual or other negotiations; or prejudice the body in commercial competition;
  - d) Is a computer programme as defined in the Copyright Act, No. 98 of 1978, which is owned by the private body, unless it is required to give access to a record in terms of PAIA.

***However, a record may not be refused if it consists of information:***

About the results of any product or environmental testing or investigation (excluding the results of preliminary testing or investigations conducted for developing methods of testing), carried out by or for the public body, and the disclosure thereof would reveal a serious public safety or environmental risk.

## **G. Section 69: Mandatory protection of research information of a third party, and protection of research information of a private body**

- 1) The head of a private body must refuse a request for access to a record of that body, if the record contains information about research being carried out or to be carried out, by or on behalf of a third party, and if this were to be disclosed, it would be likely to:

- a) Expose the third party, or
  - b) the person carrying out the research or will be carrying out the research on behalf of the third party, or
  - c) the subject matter of the research,
- to a serious disadvantage.

- 2) The head of a private body may refuse a request for access to a record of that body, if the record contains information about research being carried out or about to be carried out, by or on behalf of the private body, and if this were to be disclosed, it would likely to:

Expose

- a) the private body or
- b) the person carrying out the research or will be carrying out the research on behalf of the private body, or
- c) the subject matter of the research

to a serious disadvantage.

#### **H. Section 70: Mandatory disclosure in the public interest**

- a) Despite the above listed grounds for refusal, the head of a private body must grant a request for access to a record of that body if, the disclosure thereof would reveal evidence of:
  - i) A substantial contravention of, or failure to comply with the law; or
  - ii) An imminent and serious public safety or environmental risk; and
- b) the public interest in the disclosure of the record, outweighs the harm contemplated under the ground for refusal.