



PAIA MANUAL FOR:
Shesha Lifestyle (Pty) Ltd T/A Recess Kids (“Recess Kids”)

Registration number 2013/230600/07

Contents

1. INTRODUCTION.....	2
2. DEFINITION.....	2
3. PURPOSE OF THIS MANUAL	3
4. CONTACT DETAILS OF THE INFORMATION OFFICER (IO).....	3
5. GUIDE TO USE THE ACT	4
6. CATEGORIES OF RECORDS AUTOMATICALLY AVAILABLE	5
7. RECORDS AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION.....	5
8. REQUEST FOR ACCESS TO RECORDS.....	5
9. PROTECTION OF PERSONAL INFORMATION.....	7
10. AVAILABILITY OF THIS MANUAL.....	9



1. INTRODUCTION

Shesha Lifestyle (Pty) Ltd T/A Recess Kids (“Recess Kids”) is a private company which is the retailer and distributor of various brands. A complete list of all retail stores and brands can be accessed through the following link www.recesskids.co.za

Shesha is committed to the Constitution of the Republic of South Africa (“Constitution”) and strives to ensure that the rights of all enshrined in the Bill of Rights are protected and respected. Section 32 of the Constitution gives all citizens of the right to access to information that is required for the protection or exercise of any rights.

The Promotion of Access to Information Act 2002 (“the Act”) gives effect to the rights under the Constitution, and in terms of section 51 of the Act and section 17 of the Protection of Personal Information Act 4 of 2013 (“POPIA”); a private body is required to compile a manual documenting all processing operations under its responsibility. Shesha is a private body as defined in the Act and has compiled this Manual in compliance with the requirements of the Act and POPIA.

2. DEFINITIONS

The following definitions apply in this manual:

“Act”	means the Promotion of Access to Information Act No. 2 of 2000, together with all relevant regulations.
“Data Subject”	means the person to whom personal information relates.
“Information Regulator”	means the regulator established in terms of the Protection of Personal Information Act No. 4 of 2013 (“POPIA”).
“Manual”	means this Manual, which is available at the head office of Shesha and on its website.
“Personal Information / PI”	means information relating to an identifiable, living, natural person and where it is applicable, an identifiable, existing juristic person; as defined in POPIA.
“Record”	means any recorded information held by Shesha regardless of form or medium and whether or not it was created by Shesha.
“Requester”	means any person, including, but not limited to, a public body or an official thereof, or any person acting on behalf of such a person requesting access to a record of Shesha.



“Shesha” means Shesha Lifestyle (Pty) Ltd T/A Recess Kids (“Recess Kids”), a company registered and incorporated in the Republic of South Africa with registration number 2013/230600/07.

3. PURPOSE OF THIS MANUAL

This Manual is intended to provide an outline of the types of records and the PI held by Shesha and sets out the procedure to request access to these records and PI, the requirements to meet such requests, as well as the grounds for refusal or partial refusal of such request by Shesha. In addition, it explains how to access PI held by Shesha in terms of Sections 23 - 25 of POPIA.

In addition the Manual also covers all other Shesha subsidiaries trading in South Africa and in the African continent.

4. CONTACT DETAILS OF THE INFORMATION OFFICER (“IO”)

Shesha Lifestyle (Pty) Ltd T/A Recess Kids (“Recess Kids”) Information Officer (IO)	
Information Officer/IO	Kathleen Merrifield Powell
Street address:	5 Hunter Str, Fernridge Office Park, Building 3, Ground Floor, Ferndale, 2194, Johannesburg, South Africa.
Postal address:	5 Hunter Str, Fernridge Office Park, Building 3, Ground Floor, Ferndale, 2194, Johannesburg, South Africa.
Telephone:	+ 27 (0) 10 492 3741 (Head Office)
Websites:	www.recesskids.co.za
Email:	kathleen@sheshalifestyle.com

5. GUIDE ON HOW TO USE THE ACT

Section 10 of the Act requires the Information Regulator to update and make the existing guide that was compiled by the South African Human Rights Commission (“the Guide”) containing such information, (in an easily comprehensible form and manner) available, as may reasonably be required by a person who wishes to exercise any right contemplated in the Act and POPIA.

The Guide must include a description of the following (amongst others): (a)

- Object of the Act, as well as POPIA;
- (b) Manner and form of a request for access to a record of either a public or private body;
- (c) Assistance available from the IO/DIO of a private body;
- (d) Assistance available from the Information Regulator in terms of the Act and POPIA;
- (e) Remedies available in terms of law for any act or failure to act in respect of a duty imposed by the Act or POPIA;



- (f) Provisions requiring a public or private body to compile this Manual and how to access it;
- (g) Notices regarding fees payable for requests for access; (h) Any regulations issued under section 92 of the Act.

For a copy of the Guide in English or Afrikaans please click on the following [link](#). A copy of the Guide in all official languages can be obtained from the Information Regulator who may be contacted at:

The Information Regulator	
Physical address:	JD House, 27 Stiemens Street, Braamfontein, 2001
Postal address:	P.O Box 31533 Braamfontein Johannesburg 2017
Telephone:	+27 (0) 10 023 5200
Website:	https://www.justice.gov.za/inforeg/index.html
E-mail:	inforeg@justice.gov.za .

6. CATEGORIES OF RECORDS AUTOMATICALLY AVAILABLE

All records regarding the logon details for the website (including registration details), terms and conditions and customer records are automatically available to a Requester without having to request these records in terms of the Act, on receipt of positive proof of identification from the Requester. These records may be requested by contacting the Shesha Information Officer on the details specified in paragraph 8.2 of this Manual.

7. RECORDS AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION

Shesha keeps information or documents in accordance with the legislation* listed in Annexure “A” as amended or replaced from time to time (please note that this is not an exhaustive list).

8. REQUEST FOR ACCESS TO RECORDS

8.1. Who may request access to records?

Any person who requires information for the exercise or protection of any rights may request information from a private body. The Act provides that a Requester must be given access to any record of a private body if:

- (a) that record is required for the exercise or protection of any rights;
- (b) that person complies with the procedural requirements for a request for access to that record; and
- (c) access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4, Part 3 of the Act.

8.2. Procedure to request access of records not automatically available:



- Requestor must contact the Shesha Information Officer, who will assist with the completion of the prescribed form attached to this Manual as annexure “B”. The Shesha Information Officer can be contacted on:

IO – Kathleen Merrifield Powell

Tel: + 27 (0) 10 492 3741

A completed copy of the form will be provided to the Requester

As an alternative, the requester can complete the prescribed form him/herself and email it to:

Email: kathleen@sheshalifestyle.com

The form should be completed with all the information necessary for the IO to identify the Requester and locate the records being requested.

Should a Requester be unable to complete the form for disability reasons, the Shesha Information Officer may be contacted telephonically to complete the form on the Requester’s behalf whereafter a copy of the completed form will be provided to the Requester.

8.3. Grounds for refusal of access

Chapter 4 of the Act provides circumstances under which a request for access to records may/must be refused by Shesha, which include:

- (a) mandatory protection of privacy of a third party who is natural person;
- (b) mandatory protection of commercial information of a third party;
- (c) mandatory protection of certain confidential information of a third party;
- (d) mandatory protection of safety of individuals, and protection of property;
- (e) mandatory protection of records privileged from production in legal proceedings;
- (f) commercial information of Shesha;
- (g) mandatory protection of research information of a third party, and protection of research information of Shesha.

8.4. Outcome of request

Shesha will process the request within thirty (30) calendar days of receipt of the request, unless the request contains considerations that are of such a nature that an extension of the 30 day time limit is necessitated. Should an extension be required, Shesha will notify the Requester.

The IO will provide the Requester with written notification (in the form of annexure “C” attached to this Manual) of the outcome of the request for access to records. In the event that the request is granted, this notification will include any fees payable or, where required, any deposit that will have to be paid in order for the required records to be retrieved/reproduced.

Should the request be refused the Requester will also receive a written notification of the outcome in the form of annexure “C”, which will contain the reason for the request being declined.

8.5. Fees



Should the request for access be granted, Shesha may require payment of the required fees before any access to the records will be provided or any records need to be reproduced, whatever the case may be.

If, in the sole discretion of the IO, Shesha requires more than six hours to search for, and prepare, the requested records, the written notification of the outcome of the request will include the payment of a deposit as a portion of the access fee.

Please see annexure “D” for a full list of the fees payable.

9. PROTECTION OF PERSONAL INFORMATION

9.1. Description of categories of Data Subjects and the main types of PI. Please refer to Shesha Privacy Statement on our website, or by clicking on the following [link](#), for additional information.

Category of Data Subject	Main types of Personal Information processed
Customers and visitors	Name, contact information, identification information, employment information, banking details, credit information, Shesha website preferences, marketing preferences, delivery information and other information shared with Shesha by customers (e.g. via social media or product reviews) and any other information required to carry out a legal duty or contractual obligation.
Employees	The same categories as customers but includes other information relating to the employment and possible employment relationship with Shesha, and any other information required to carry out a legal duty or contractual obligation.
Suppliers, service providers and third Parties	Name or company information, contact information, banking details and any other information required to carry out a legal duty or contractual obligation.

9.2. We may process PI for the purpose of:

- Performing any duties in terms of any agreement concluded with our customers.
- Conducting credit assessments during Shesha Account application process.
- Managing customers’ Shesha Accounts which includes various correspondences addressed to such customers.
- Developing and/or improving products offered to our customers.
- Recovering debt owed to us.
- Conducting market research, statistical analysis and making strategic business decisions.
- Marketing any products or offerings to customers which may be of interest to them.
- Ensuring that the legitimate interests of Shesha or the Data Subject concerned are protected.
- Complying with Occupational Health and Safety laws when Data Subjects are on Shesha premises.
- Testing various IT system and application changes and managing employee training.
- Managing our relationship with Shesha employees and suppliers, service providers and third parties for operational reasons.



9.3. Categories of recipients of PI

The following categories of Recipients (with a legitimate need to know and process PI for operational requirements) may receive PI:

- Suppliers, service providers, contractors and third parties as required for Shesha business to function.
- Registered credit bureaus, the South African Credit and Risk Reporting Association, and any organization representing credit bureaus.
- The Department of Home Affairs and other sources for purposes of providing Shesha Account.
- Law enforcement, fraud prevention agencies and the SAPS.
- Regulatory authorities, government authorities, industry ombudsmen and local and international tax authorities;
- Financial institutions and payment processing providers.
- Shesha employees.
- Shesha subsidiary companies; and
- Persons to whom we cede our rights and delegate our authority to.

9.4. Transborder flows of PI:

Shesha transfers, processes and stores PI outside of South Africa and receives, processes and stores PI from Shesha affiliates outside of South Africa. Where PI crosses South Africa's borders, technical and organisational security measures are in place to ensure the safety of PI and Shesha will also rely on the consent of the Data Subject in this regard and have service level agreements in place with the parties concerned to ensure that the PI is adequately protected (where possible).

9.5. General description of the technical and organisational security in place to keep PI secure:

Shesha has taken appropriate and reasonable technical and organisational steps to protect the PI in its possession to ensure that it remains secure, including, physical, technological and procedural safeguards which are in line with industry best practice.

For more detail on these technical and organisation security measures, please refer to Shesha's Privacy Statement which is available on our website.

10. AVAILABILITY OF THIS MANUAL

This Manual is available for inspection during office hours, at no cost, at Recess's Head Office, situated at 5 Hunter Str, Fernridge Office Park, Building 3, Ground Floor, Ferndale, 2194, Johannesburg, South Africa.

A copy of this Manual can also be obtained from either:

- 10.1. Our head office;
- 10.2. The Information Regulator, whose details are set out in paragraph 5 of this Manual;
- 10.3. our website at <https://recesskids.co.za/>

ANNEXURE "A"

Administration of Estates Act, No. 66 of 1965	Intellectual Property Laws Amendments Act No. 38 of 1997
Alienation of Land Act No. 68 of 19814	Labour Relations Act No. 66 of 1995
Arbitration Act No. 42 of 1965	Long Term Insurance Act No. 52 of 1998
Banks Act No. 94 of 1990	Medical Schemes Act No. 131 of 1998
Basic Conditions of Employment No.75 of 1997 (including Sectoral Determination 9: Wholesale and Retail Sector)	Merchandise Marks Act No. 17 of 1941
Broad Based Black Economic Empowerment Act No. 53 of 2003	National Building Regulations and Building Standards Act No. 103 of 1977
Closed Pension Fund Act No. 197 of 1993	National Credit Act No. 34 of 2005
Companies Act No. 61 of 1973	National Environmental Management: Waste Act No. 59 of 2008
Companies Act No. 71 of 2008	Occupational Health & Safety Act No. 85 of 1993
Compensation for Occupational Injuries and Diseases Act No.130 of 1993	Pension Funds Act No. 24 of 1956
Competition Act No. 89 of 1998	Post and Telecommunications-Related Matters Act No. 44 of 1958
Consumer Protection Act No. 68 of 2008	Prescribed Rate of Interest Act No. 55 of 1975
Copyright Act No. 98 of 1978	Prevention and Combating of Corrupt Activities Act No. 12 of 2004
Credit Agreements Act No. 75 of 1980	Promotion of Access to Information Act No. 2 of 2000
Criminal Procedure Act No. 51 of 1977	Protected Disclosures Act No. 26 of 2000
Currency and Exchanges Act No. 9 of 1933	Protection of Businesses Act No. 99 of 1978
Customs and Excise Act No. 91 of 1964	Protection of Personal Information Act No. 4 of 2013
Debt Collectors Act No. 114 of 1998	Regulation of Interception of Communications and Provision of Communication Related Information Act No 70 of 2002 (as amended)
Employment Equity Act No. 55 of 1998	SA Reserve Bank Act No. 90 of 1989
Electronic Communications and Transactions Act No. 25 of 2002	Second Hand Goods Act No. 23 of 1955
Financial Advisory and Intermediary Services Act No. 37 of 2003	Securities Services Act No. 36 of 2004
Financial Intelligence Centre Act No. 38 of 2001	Securities Transfer Tax Act no.25 of 2007
Financial Markets Act No. 19 of 2012	Short Term Insurance Act No. 53 of 1998
Financial Sector Regulation Act No. 9 of 2017	Skills Development Levies Act No. 9 of 1999
Financial Services Board Act No. 97 of 1990	Skills Development Act No. 97 of 1998
Foodstuffs, Cosmetics and Disinfectants Act No. 54 of 1972	Standards Act No. 29 of 1993
General Pensions Act No. 29 of 1979	Stock Exchange Control Act No. 1 of 1985
Harmful Business Practices Act No. 23 of 1999	Tax on Retirement Funds Act No. 38 of 1996
Import and Export Control Act No. 45 of 1963	Trade Marks Act No. 194 of 1993
Income Tax Act No. 95 of 1967	Unemployment Contributions Act No. 4 of 2002
Insider Trading Act No. 135 of 1998	Unemployment Insurance Act No. 63 of 2001
Insolvency Act No. 24 of 1936	Usury Act No 73 of 1968
Insurance Act No 27 of 1943	Value Added Tax Act No. 89 of 1991.



Annexure "B"

REQUEST FOR ACCESS TO RECORD

[Regulation 7]

Note: If requests made on behalf of another person, proof of the capacity in which the request is made, must be attached to this form.

TO: The information officer

(Address)

E-mail address: _____ Fax number: _____

Mark with an "X"

Request is made in my own name

Request is made on behalf of another person.

PERSONAL INFORMATION	
Full names:	_____
Identity number:	_____
Capacity in which request is made (when made on behalf of another person):	_____
Postal Address:	_____
Street Address:	_____
E-mail address:	_____
Contact numbers:	Tel. (B): _____ Facsimile: _____
	Cellular: _____
Full names of person on whose behalf request is made (if applicable):	_____
Identity number:	_____
Postal Address:	_____
Street Address:	_____
E-mail address:	_____
Contact numbers:	Tel. (B): _____ Facsimile _____
	Cellular: _____
PARTICULARS OF RECORD REQUESTED	
<i>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. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)</i>	

Description of record or relevant part of the record:	
Reference number, if available:	
Any further particulars of record:	
TYPE OF RECORD <i>(Mark the applicable box with an "X")</i>	
Record is in written or printed form	
Record comprises virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>	
Record consists of recorded words or information which can be reproduced in sound	
Record is held on a computer or in an electronic, or machine-readable form	
FORM OF ACCESS <i>(Mark the applicable box with an "X")</i>	
Printed copy of record <i>(including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)</i>	
Written or printed transcription of virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>	
Transcription of soundtrack <i>(written or printed document)</i>	
Copy of record on flash drive <i>(including virtual images and soundtracks)</i>	
Copy of record on compact disc drive <i>(including virtual images and soundtracks)</i>	
MANNER OF ACCESS <i>(Mark the applicable box with an "X")</i>	
Personal inspection of record at registered address of public/private body <i>(including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)</i>	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format <i>(including transcriptions)</i>	
E-mail of information <i>(including soundtracks if possible)</i>	
Preferred language: <i>(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)</i>	
PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED <i>If the provided space is inadequate, please continue on a separate page and attach it to this Form. The requester must sign all the additional pages.</i>	
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:	
FEES	
<p>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.</p> <p>b) You will be notified of the amount required to be paid as the request fee.</p> <p>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.</p> <p>d) If you qualify for exemption of the payment of any fee, please state the reason for exemption</p>	
Reason:	

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

Postal address	Post to street address	Facsimile	E-mail

Signed at _____ this _____ day of _____ 20 _____

Signature of requester / person on whose behalf request is made

FOR OFFICIAL USE

Reference number:	
Request received by: (state rank, name and surname of information officer)	
Date received:	
Access fees:	
Deposit (if any):	

Signature of information officer

Annexure "C"

**OUTCOME OF REQUEST AND OF FEES
PAYABLE
[Regulation 8]**

Note:

1. If your request is granted the—
 - (a) amount of the deposit, (if any) is payable before your request is processed; and
 - (b) requested Guide/portion of the Guide/record, will only be released once proof of full payment is received.
2. Please use the reference number hereunder in all future correspondence.

Reference number: _____

TO: _____

Your request dated _____, refers.

1. You requested:

Personal inspection of information at registered address of public/private body (including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)	
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which is free of charge. You are required to make an appointment for the inspection of the information and to bring this Form with you. If you then require any form of reproduction of the information, you will be liable for the fees prescribed in Annexure B.

OR

2. You requested:

Printed copies of the information (including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)	
Written or printed transcription of virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)	
Transcription of soundtrack (written or printed document)	
Copy of information on flash drive (including virtual images and soundtracks)	
Copy of information on compact disc drive (including virtual images and soundtracks)	

3. To be submitted:

Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format (including transcriptions)	
E-mail of information (including soundtracks if possible)	
Preferred language: (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)	



Kindly note that your request has been:

Approved

Denied, for the following reasons

4. Fees payable with regards to your request:

Item	Cost per A4-size page or part thereof/item	Number of pages/items	Total
Copy of Guide	R3.90		
Photocopy	R3.90		
Printed copy	R4.80		
Copy in a computer-readable form on:			
a) Flash drive	a) R0.00		
b) Compact disc	b) 56.00		
Transcription of visual Images	Service to be outsources Will depend on quotation from Service Provider.		
Copy of visual images			
Transcription of an audio record			
Copy of an audio record	R56.00		
Postage	Actual cost		
TOTAL:			

5. Deposit payable (if search exceeds six hours):

Yes

No

Hours of search	Amount of deposit <i>(calculated on one third of total amount per request)</i>

The amount must be paid into the following Bank account:

Name of Bank: _____

Name of account holder: _____

Type of account: _____

Account number: _____



Branch Code: _____
Reference Nr: _____
Submit proof of payment to: _____

Signed at _____ this _____ day of _____ 20 _____

Information Regulator/information officer

Annexure "D"

Fees payable

Item	Description	Amount
1.	Copy of Guide per A4-size page	R3.90 per page.
2.	Photocopy of A4-size page	R3.90 per page or part thereof.
3.	Printed copy of A4-size page	R4.80 per page or part thereof.
4.	For a copy in a computer-readable form on: a) Flash drive b) Compact disc	a) R0 b) R56. 00
5.	For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on quotation from Service provider.
6.	Copy of visual images	
7.	Transcription of an audio record, per A4-size page	
8.	Copy of an audio record	
9.	Deposit: If search exceeds 6 hours	One third of amount per request calculated in terms of items 2 to 8.
10.	Postage	Actual expense.