

**PROMOTION OF ACCESS TO INFORMATION ACT
SECTION 51 MANUAL
FOR
PRIMEDIA HOLDINGS PROPRIETARY LIMITED
AND
THE PRIMEDIA GROUP**



1 INTRODUCTION

This Manual is published in terms of section 51 of the Promotion of Access to Information Act, 2 of 2000. The Act gives effect to the provisions of section 32 of the Constitution, which provides for the right of access to information held by the State and to information held by another person that is required for the exercise and / or protection of any right.

The reference to any information in addition to that specifically required in terms of section 51 of the Act does not create any right or entitlement (contractual or otherwise) to receive such information, other than in terms of the Act.

This manual applies in respect of each member of the **Primedia Group**. The Information Officer named below is appointed in respect of the **Primedia Group** as a whole and in respect of each of the private bodies constituting the **Primedia Group**.

The **Primedia Group** includes various non-South African entities. Only requests for records of the South African incorporated members of the **Primedia Group** are covered by the Manual and requests for information or records of, or relating to, non-South African entities will not be considered.

2 DEFINITIONS

Unless the context clearly indicates otherwise, the following terms shall have the meanings assigned to them hereunder, namely –

- “**Act**” means the Promotion of Access to Information Act, Act 2 of 2000, as amended from time to time;
- “**Data subject**” means the person to whom the personal information relates;
- “**Information Officer**” means the person acting on behalf of the Primedia Group and discharging the duties and responsibilities assigned to the “head” of the Primedia Group by the Act. The Information Officer is duly authorised to act as such and such authorisation has been confirmed by the “head” of the Primedia Group in writing;
- “**Manual**” means this manual published in compliance with Section 51 of the Act;
- “**Primedia Group**” means the Primedia Group, comprising of Primedia Holdings Proprietary Limited, Primedia Proprietary Limited and its South African subsidiaries and associated companies and associated entities. The South African entities comprising the **Primedia Group** are listed in Annexure 1 to this Manual and this Manual applies to all such South African entities, both jointly and

severally, and such entities are referred to both individually and collectively as the “**Primedia Group**”;

- “**Personal Information**” means information about a data subject’s race, gender, sex, pregnancy, marital status, nationality, ethnic or social origin, sexual orientation, age, physical or mental health, disability, religion, conscience, belief, culture, language, education, medical information, financial information, criminal or employment history, an identifying number, e-mail address, physical address, telephone number, blood type, biometric information, personal opinions, views or preferences of a data subject; correspondence of a private or confidential nature; and the name of the person if it appears with other Personal Information relating to the data subject;
- “**Personnel**” means any person who works for or provides services to or on behalf of the **Primedia Group** and receives or is entitled to receive any remuneration. This includes, without limitation, directors (both executive and non-executive), all permanent, temporary and part-time staff as well as contract workers;
- “**Record**” means any recorded information, regardless of form or medium, which is in the possession or under the control of the **Primedia Group**, irrespective of whether it was created by the **Primedia Group**;
- “**Request**” means a request for access to a record of the **Primedia Group**;
- “**Requestor**” means any person, including a public body or an official thereof, making a request for access to a record of the **Primedia Group** and includes any person acting on behalf of that person; and
- “**SAHRC**” means the South African Human Rights Commission.
Unless a contrary intention clearly appears, words signifying:-
 - the singular includes the plural and vice versa;
 - any one gender includes the other genders and vice versa; and
 - natural persons include juristic persons.
- “**Special Personal Information**” means —
 - a) the religious or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, health or sex life or biometric information of a Data Subject; or
 - b) the criminal behaviour of a Data Subject to the extent that such information relates to—

- the alleged commission by a Data Subject of any offence; or
- any proceedings in respect of any offence allegedly committed by a Data Subject or the disposal of such proceedings.

Terms defined in the Act shall have the same meaning in this Manual.

3 PRIMEDIA GROUP OVERVIEW

The manual was previously filed with the SAHRC in 2003 under the name of Primedia Limited and again in December 2011 following a private equity transaction in 2007. Primedia has undergone a number of restructuring events and the group's holding company is now Primedia Holdings Proprietary Limited. **Primedia Group** is a leading African focused media and advertising Group, targeting premium consumers on the move. It comprises of primary business segments which are constituted on the basis of similar target markets and business models.

These business segments are Broadcasting, Out of Home (comprising of Primedia Instore, Primedia Outdoor, Primedia Out of Home Africa, Primedia Unlimited and its businesses) and; Cinema and Entertainment (comprising of Ster-Kinekor Theatres, Ster-Kinekor Entertainment, Primestars Marketing and various Digital assets such as Primedia Online and Spectrum). Under the Primedia For Good banner we have our CSI related business units.

The simplified view of the **Primedia Group** and its primary brands is as follows:



The **Primedia Group** supports the constitutional right of access to information and we are committed to provide you access to our records in accordance with the provisions of the Act, the confidentiality we owe third parties and the principles of our law.

4 **AVAILABILITY OF THIS MANUAL**

A copy of this Manual is available on our website (www.primedia.co.za) or by sending a request for a copy to the Information Officer by email. The Manual may also be inspected at our head office, subsidiary companies offices and the SAHRC at the respective addresses set out below. This Manual will be updated from time to time, as and when required.

5 **HOW TO REQUEST ACCESS TO RECORDS HELD BY THE PRIMEDIA GROUP**

Requests for access to records held by the **Primedia Group** must be made on the request forms that are available from the SAHRC website (www.sahrc.org.za) or the Department of Justice and Constitutional Development (www.doj.gov.za) (under “regulations”).

For the convenience of requestors, copies of such forms are included in the version of this Manual available at our head office and on our website. Please note that requestors are also required to make payment of the prescribed fees. This issue is dealt with more fully below.

Requests for access to records must be made to our Information Officer at the address, fax number or electronic mail address provided for below.

The requester must provide sufficient detail on the request form to enable the Information Officer to identify the record and the requester. The requester should also indicate which form of access is required and indicate if he or she wishes to be informed in any other manner and state the necessary particulars to be so informed.

Requests will be received by the Primedia Group Information Officer as indicated in the prescribed manner detailed below. The requestor will be notified within 30 days of the receipt of the completed request forms. The request will be evaluated by the Primedia Group Information Officer as well as a representative of the business from which the record is being requested. Primedia Group reserves the right to notify the requestor of an extension period that is required to access the requested information. The said notice will include reasons for such extension, the required extension period which will not exceed 60 days as well as the requestor’s right to approach a court via application proceedings for relief in the event that the requestor is against the extension and/or the procedure. Further to that, the Primedia Group may notify the requestor whether a

deposit is required. This deposit will be determined by factors such as, the format and/or volume of the information requested as well as the time required for the searching and preparation of the records. The notice will set out the required deposit amount as well as the requestor's right to approach a court via application proceedings for relief in the event that the requestor is against the payment of the required deposit and/or the procedure.

Where you know which company in the **Primedia Group** holds the record/s you are requesting, please indicate the name of the company. Where you are unsure which company holds the record/s please provide as much detail as possible about the record to facilitate our search and to avoid any possible delays. Requestors are reminded that Primedia Group can only provide access to records that are in the possession of Primedia Group.

The requester must identify the right that he or she 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 a request is made on behalf of a person, the requester must then submit proof, in the form of an affidavit or letter of consent, of the capacity in which the requester is making the request to the satisfaction of the **Primedia Group** Information Officer.

The standard form that must be used for the making of requests is attached as Annexure 2. Not using this form could cause your request to be refused (if you do not provide sufficient information or otherwise) or delayed.

The requester is required to pay a fee for evaluating the request and then providing the records requested, including the requirement to pay a deposit in certain circumstances. **The list detailing the prescribed fees payable to the Primedia Group in respect of requests and the fees in respect of access to records (if the request is granted) is attached as Annexure 3.**

Annexures 2 and 3 are included in copies of this Manual available on the **Primedia Group** website and head office but need not and are not included in the copy of this Manual delivered to the SAHRC.

Kindly note that all requests to the **Primedia Group** or any of its constituent companies will be evaluated and considered in accordance with the Act. Publication of this manual and describing the categories and subject matter of information held by the Primedia Group does not give rise to any rights (in contract or otherwise) to access such information or records except in terms of the Act.

If it is reasonably suspected that a requestor has obtained access to the Primedia Group's records through the submission of materially false or misleading information, legal proceedings may be instituted against such requestor.

6 Contact details

Name of Private Body	The Primedia Group
Designated Information Officer	Essop Sather
Email address of Information Officer	info@primedialtd.co.za
Postal address	P O Box 652110 Benmore 2010
Street address	Primedia Place 5 Gwen Lane (Cnr Fredman Drive) Sandton 2196
Phone number	011 506 3136
Fax number	011 506 3185

7 HOW TO ACCESS THE GUIDE AS DESCRIBED IN SECTION 10 OF THE ACT

The Guide can be obtained from the South African Human Rights Commission. Please direct any queries to:

The South African Human Rights Commission:

PAIA Unit

The Research and Documentation Department

Postal address: Private Bag 2700
Houghton
2041

Telephone: +27 11 877-3600

Fax: +27 11 403-0625

Website: www.sahrc.org.za

E-mail: paia@sahrc.org.za

8 VOLUNTARY DISCLOSURE

The **Primedia Group** is not obliged to and has not published a notice in terms of Section 52(2) of the Act. Nevertheless the **Primedia Group** does make certain information freely available, including the most recent Annual Report of Primedia Holdings Proprietary Limited. Other information relating to the **Primedia Group** is freely available on the **Primedia Group** website at www.primedia.co.za. Certain other information relating to the **Primedia Group** is also made available on such website from time to time as well as on several of the other websites operated by the **Primedia Group**.

Certain information is also made available to employees of the **Primedia Group**, which is not generally made available to the public. To avoid confusion, these items of information are not listed here but may be obtained by **Primedia Group** employees from any group HR office.

9 RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION

Information is retained in terms of the following legislation. The information retained in terms of this legislation will only be **made available to the persons or entities specified in the legislation:**

Companies Act 71 of 2008

Income Tax Act 58 of 1962

Value Added Tax Act 89 of 1991

Labour Relations Act 66 of 1995

Basic Conditions of Employment Act 75 of 1997

Employment Equity Act 55 of 1998

Skills Development Act 97 of 1998

Skills Development Levies Act 9 of 1999

Unemployment Insurance Act 63 of 2001

Unemployment Contributions Act 4 of 2002

Compensation for Occupational Injuries and Health Diseases Act 130 of 1993

Occupational Health & Safety Act 85 of 1993

Protection of Businesses Act 99 of 1978

Regional Services Councils Act 109 of 1985

Stamp Duties Act 77 of 1968

Stock Exchanges Control Act 1 of 1985 and the rules and listings requirements of the JSE Securities Exchange authorised in terms thereof

Trade Marks Act 194 of 1993

The Independent Broadcasting Authority Act 153 of 1993, the Broadcasting Act 4 of 1999 and the licences issued and the regulations prescribed thereunder.

10 RECORDS HELD BY THE PRIMEDIA GROUP

The **Primedia Group** maintains records on the following categories and subject matters. **However, 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 granted.**

All requests for access will be evaluated on a case by case basis in accordance with the provisions of the Act.

In the event that there is no extension period or deposit required then the requestor will be notified within 30 days of the outcome of their request. If the request is successful then the requestor will be notified of the access fee payable upon gaining access to the record (if any), an indication of the form in which the access will be granted as well as the a notice of the requestor's right to approach a court via application proceedings for relief in the event that the requestor is against the payment of the required access fee and/or the procedure.

If the record requested contains information about a third party the **Primedia Group** is obliged to inform them of such request. This serves to allow the third party the opportunity to respond by either granting consent to the access request or to provide reasons why the request should be denied. The reasons provided by the third party either for consent or denying access will be considered by the **Primedia Group** Information Officer in making a final decision regarding whether access should be granted or refused.

The records are divided into those that are generic to the **Primedia Group** and those that relate to specific businesses. Notwithstanding that records relate to a specific business, you must still make your request to the **Primedia Group** Information Officer at the address set out above and not to the business directly.

All records in the possession of the **Primedia Group** that possess Special Personal Information shall only be provided to the person to whom the Personal Information pertains. In the event that the requestor is not the subject of the Special Personal

Information then the requestor must submit proof of consent to request such record for their use or on behalf of the data subject.

The **Primedia Group** may legitimately refuse to grant access to records that fall within certain categories. The grounds to refuse access to a particular record/s include:

- records contain Personal Information of a third party and must be protected from unreasonable disclosure including records of a deceased person;
- records containing third party commercial information that must be protected from unreasonable disclosure;
- disclosure of a record would result in a breach of a duty of confidence owed in terms of an agreement to a third party;
- disclosure of a record would result in an individual's life being endangered;
- disclosure of a record would prejudice or impair the security of property;
- disclosure of a record would prejudice or impair the protection of a person under witness protection;
- disclosure of a record would prejudice or impair public safety;
- disclosure of a record is privileged in terms of legal proceedings, unless such privilege has been waived;
- disclosure of a record would harm the commercial and financial interests of the group; and
- disclosure of a record would put the **Primedia Group** at a disadvantage in contractual or other negotiations or prejudice it in commercial competition.

In the event that the requested record cannot be located and it is believed that the record does not exist or merely cannot be located, then the **Primedia Group** will inform the requestor by way of affidavit or affirmation of the reason for delay or inability to locate the record.

10.1 **GENERIC RECORDS**

10.1.1 **Internal records**

The following are records pertaining to the **Primedia Group's** own affairs and those of its constituent companies:

- Memorandum of Incorporation
- Financial records
- Operational records
- Intellectual property
- Marketing records;
- Internal correspondence;

- Product records;
- Statutory records;
- Internal policies and procedures;
- Records held by officials of the **Primedia Group**.

10.1.2 **Personnel records (these records can only be requested by the person the record pertains to)**

Personnel records include the following:

- Any personal records provided to the Primedia Group by its personnel;
- Any records a third party has provided to the Primedia Group about any of its personnel;
- Conditions of employment and other personnel-related contractual and quasi-legal records;
- Internal evaluation records; and
- Other internal records and correspondence.

10.1.3 **Other Parties**

Records are kept in respect of other parties, including without limitation contractors, commercial banks, auditors and consultants, suppliers, joint venture companies and service providers, and general market conditions. In addition, such other parties may possess records which can be said to belong to the **Primedia Group**. The following records fall under this category:

- Personnel, customer, or **Primedia Group** records which are held by another party as opposed to being held by the **Primedia Group**; and
- Records held by the **Primedia Group** pertaining to other parties, including financial records, correspondence, contractual records, records provided by the other party, and records third parties have provided about the contractors or suppliers.

10.1.4 **Other Records**

Further records are held including:-

- Information relating to the **Primedia Group**'s own commercial activities; and
- Research information belonging to the **Primedia Group** or carried out on behalf of a third party.

10.2 **ADVERTISING RELATED RECORDS**

10.2.1 **Listener/Reader/Viewer-related Records**

Listener/Reader/Viewer-related information includes the following:

- Any records a Listener/Reader/Viewer has provided to the Primedia Group or a third party acting for or on behalf of the Primedia Group;
- Any credit records or other research conducted by the Primedia Group in respect of its Listeners/Readers/Viewers or research derived by the Primedia Group from its Listeners/Readers/Viewers and their activities;
- Any records a third party has provided to the Primedia Group either directly or indirectly; and
- Records generated by or within the Primedia Group pertaining to the Listeners/Readers/Viewers.

10.2.2 **Radio Related Records**

Specific records are held regarding:

- Schedules;
- Content; and
- Listener provided records.

10.2.3 **Publishing Related Records**

Specific records are held regarding:

- Content (for both own and client publications); and
- Subscriber provided information.

10.3 **CONTENT RELATED RECORDS**

10.3.1 **Cinema-attendee-related Records**

Cinema-attendee related information includes the following:

- Any records a cinema-attendee has provided to the Primedia Group or a third party acting for or on behalf of the Primedia Group;
- Any research conducted by the Primedia Group in respect of its cinema-attendees or research derived by the Primedia Group from its cinema-attendees and their activities;
- Any records a third party has provided to the Primedia Group either directly or indirectly; and
- Records generated by or within the Primedia Group pertaining to the cinema-attendees.

10.3.2 **Filmed Entertainment Related Records**

- Release schedules;
- Products; and
- Stock.

ANNEXURE 1

THE PRIMEDIA GROUP
Primedia Holdings Proprietary Limited
Primedia (Pty) Limited
Prime Talent (Pty) Limited
Go Transit (Pty) Limited
Primestars Marketing (Pty) Limited
Roga Properties (Pty) Limited
Xprocure (Pty) Limited
Icon Media (Pty) Limited
Wideopen Platforms (Pty) Limited
Primedia Lifestyle (Pty) Limited
Primedia Interactive (Pty) Limited
Primall Media (Pty) Limited
Primedia Interactive Properties (Pty) Limited
Giant Signs (Pty) Limited
Summer Sun Trading (Pty) Limited
Primedia Digital (Pty) Limited
Primedia Online (Pty) Limited
Primedia Events (Pty) Limited
New Africa Investments Limited
Ruskolor (Pty) Limited
Inside Job Productions (Pty) Limited
Silly Seasons One (Pty) Limited
Silly Seasons Two (Pty) Limited
DORMANT
Primedia Broadcasting (Proprietary) Limited
Cape Talk (Proprietary) Limited
Africa On Air (Proprietary) Limited
New Africa Media Holdings (Pty) Limited
KFM Radio (Pty) Limited
Fleetbridge Investments (Pty) Limited

WIP Media (Pty) Limited
Francolin Investments (Pty) Limited
Primedia Outdoor (Proprietary) Limited
Cartad In-Store Media (Proprietary) Limited
Primedia Face2Face (Proprietary) Limited
Primedia Route 2 Marketing (Pty) Limited
Primedia Sport (Pty) Limited
Signet Licensing & Marketing (Pty) Limited
Warwick Hospitality & Events (Pty) Limited
Comutanet (Pty) Limited
Forecourt Television Networks (Pty) Limited
MegaPro Marketing (Pty) Limited
Matchworld (Pty) Limited
Primovie Management (Pty) Limited
Primovie Finance (Pty) Limited
Ster-Kinekor Films (Pty) Limited
Cinemark (Pty) Limited
Beatrixstraat Beleggings (Pty) Limited
Primedia Pictures (Pty) Limited
Ster Inryteater Vereeniging (Pty) Limited
Velskoen Inry-teaters (Edms) Limited
Trade Up-Front 151 (Pty) Limited
Workless Data (Pty) Limited
Itransi (Pty) Limited
Fincor Leasing (Pty) Limited
Aconcagua 2 (Pty) Limited
Metropolis Transactive Holdings Limited
Wideopen Airports (Pty) Limited
Wideopen Leasing (Pty) Limited
Primedia Unlimited Middle East (Pty) Limited
Mamba Media (Pty) Limited
Prezence (Pty) Limited

Old Primedia Limited
Wild Coast Films (Pty) Limited
New Africa Media Films (Pty) Limited
New Africa Broadcasting (Pty) Limited
ERF 1132 Arcadia (Pty) Limited

Please note that several of the above named entities are dormant. In some circumstances the **Primedia Group** continues to trade using the trading name of such dormant entity, but as a division of the **Primedia Group** or one of its constituents. When submitting a request, please provide the Information Officer with as much information as possible about the record and the entity to which it relates when making your request to enable the record to be located quickly and efficiently, should your request be granted.