

## TBWA GROUP

### MANUAL IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000 (PAIA)

#### 1. INTRODUCTION

The TBWA group is a group of advertising, public relations, branding strategists and shopper marketing companies.

The TBWA group is made up of several companies which are listed below. In accordance with PAIA the head of each of TBWA group company is the Information Officer.

Accordingly, each of these heads has delegated this designation to the individual set out below in order that the TBWA group may have one consolidated PAIA Manual.

#### 2. COMPANY INFORMATION

<b>COMPANY NAME</b>	<b>REGISTRATION NUMBER</b>	<b>PHYSICAL ADDRESS</b>	<b>HEAD OF PRIVATE BODY PER PAIA</b>
<b>TBWA South Africa Proprietary Limited</b>	1983/0011116/07	3 Sandown Valley Crescent, Sandown, Sandton, 2196	Derek Bouwer
<b>TBWA Hunt Lascaris (Johannesburg) Proprietary Limited</b>	1992/004490/07	3 Sandown Valley Crescent, Sandown, Sandton, 2196	Karabo Denalane
<b>TBWA Hunt Lascaris (Durban) Proprietary Limited</b>	1969/014138/07	Southend, Essex Garden, Nelson Road, Westville, Durban, 3629	Sean O'Dannabhain
<b>TBWA Hunt Lascaris (Cape Town) Proprietary Limited</b>	1986/002510/07	3rd Floor, Block C, Boulevard Office Park, Searle Street, Woodstock, 7925	Sean O'Dannabhain
<b>TBWA Digital Arts Network Proprietary Limited</b>	1997/011174/07	3 Sandown Valley Crescent, Sandown, Sandton, 2196	Eunene Levine

<b>eg Plus Worldwide Proprietary Limited</b>	2001/029385/07	3 Sandown Valley Crescent, Sandown, Sandton, 2196	Alison Serfontein
<b>Integer Marketing Communications Proprietary Limited</b>	2000/017217/07	3 Sandown Valley Crescent, Sandown, Sandton, 2196	Craig Lodge
<b>Magna Carta Reputation Management Proprietary Limited</b>	1994/002166/07	3 Sandown Valley Crescent, Sandown, Sandton, 2196	Vincent Magwenya
<b>Grid Worldwide Branding and Design Proprietary Limited</b>	2006/001052/07	First Floor, 198 Oxford Road, Illovo, Gauteng, 2196	Nathan Reddy
<b>Yellowwood Future Architects Proprietary Limited</b>	1997/004544/07	3 Sandown Valley Crescent, Sandown, Sandton, 2196	David Blyth
<b>Hot Dogz Marketing t/a HDI Youth Marketeers</b>	2006/001052/07	168 Grosvenor Road, Bryanston, 2191	Jason Levin
<b>Openco Proprietary Limited</b>	2008/008272/07	3 Sandown Valley Crescent, Sandown, Sandton, 2196	Louis Gavin

3. **INFORMATION OFFICER** (section 51(1)(a) of PAIA)

Name: Stephanie Jearey  
Postal Address: PO Box 785203  
Sandton  
2146  
Physical Address: 3 Sandown Valley Crescent  
Sandown, Sandton  
2196  
Gauteng  
South Africa  
Telephone number: 011 322 3200  
Fax number: 011 322 3201  
Email: stephanie.jearey@tbwa.co.za

4. **A DESCRIPTION OF THE GUIDE REFERRED TO IN SECTION 10** (section 51(1)(b)(i) of PAIA)

A Guide has been compiled in terms of Section 10 of PAIA by the Human Rights Commission. It contains information required by a person wishing to exercise any right, contemplated by PAIA. It is available in all of the official languages.

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, corner York and St Andrews Street, Parktown and on its website [www.sahrc.org.za](http://www.sahrc.org.za)

5. **LATEST NOTICE IN TERMS OF SECTION 52(2)** (section 51(1)(b)(ii) of PAIA)

At this stage no notice(s) has/have been published on the categories of records that are automatically available without a person having to request access in terms of PAIA.

6. **RECORDS OF THE BODY WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION** (section 51(1)(b)(iii) of PAIA)

Certain records held by the TBWA group are available in terms of legislation other than the Act. The specific records which are available in terms of such legislation are set out in that legislation and these records may in certain instances only be accessed by the persons specified in the relevant legislation

Records are kept in accordance with the following legislation:

1. Basic Conditions of Employment Act No. 75 of 1997
2. Broad Based Black Economic Empowerment Act 53 of 2003
3. Compensation for Occupational Injuries and Disease Act 130 of 1993
4. Companies Act 2008 Act No 71 and Companies Amendment Act No 3 of 2011
5. Electronic Communications and Transactions Act 25 of 2002
6. Employment Equity Act No. 55 of 1998
7. Income Tax Act 89 of 1991 and amendments
8. Labour Relations Act 66 of 1995
9. Occupational Health & Safety Act No. 85 of 1993
10. Skills Development Act 9 of 1999 and amendments
11. Trade Marks Act 194 of 1993
12. Unemployment Insurance Act 63 of 2001
13. Value Added Tax Act 89 of 1991

The following is a list of the subjects on which TBWA holds records and the categories into which these fall.

7. **RECORD SUBJECTS AND CATEGORIES** (section 51(1)(b)(iv) of PAIA)

<b>Categories of records</b>	<b>Description of records held</b>
Companies Act	Statutory records Memorandum of incorporation Share registration records

	Appointment of directors records
Finance	Annual financial statements Tax returns Tax clearance records Accounting records Banking records Bank statements Asset register Rental agreements Invoices Trust account records
Tax	PAYE records Employees income tax documents VAT number Skills Development Levies UIF Workmen's compensation
Corporate communications	News releases / statements Media cuttings Brochures
Human resources	B-BBEEE certificate Employment Equity Plan Medical Aid records Pension Fund records Disciplinary records Salary records SETA records Company policies and procedures Health and Safety records Leave records
Clients	Client information Client agreements
Suppliers	Supplier information Supplier agreements
Information technology	IT contracts and agreements IT operational records IT testing records Asset records Policy records

**8. REQUEST FOR ACCESS** (section 51(1)(b)(iv) of PAIA)

8.1 The requester must complete form C below and submit this form together with a request fee, to the Information Officer identified above.

8.2 The form must be submitted to the Information Officer at his/her address, fax number, or electronic mail address as provided under paragraph 3.

8.3 The form must:

8.3.1 provide sufficient particulars to enable the Information Officer to identify the record/s requested and to identify the requester;

8.3.2 indicate which form of access is required;

8.3.3 specify a postal address or fax number of the requester in South Africa;

- 8.3.4 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 or protection of that right;
- 8.3.5 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;
- 8.3.6 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 Information Officer.

## **9. PRESCRIBED FEES**

9.1 A requester has to pay a request fee of R50.00, other than where the requester is seeking access to a record containing personal information about him, her or itself. This request fee may be paid at the time a request is made, or the person authorised to deal with such requests on TBWA's behalf may notify the requester to pay the request fee before processing the request any further. A requester may make an application to Court to be exempted from the requirement to pay the request fee.

9.2 If the preparation of the record requested requires more than the prescribed six hours, a deposit shall be required and paid (of not more than one third of the access fee which would be payable if the request were granted).

9.3 Records may be withheld until the fees have been paid.

9.4 The fee structure is available on the website of the South African Human Rights Commission at [www.sahrc.org.za](http://www.sahrc.org.za)

## **10. INFORMATION OR RECORDS NOT FOUND**

10.1 If all reasonable steps have been taken to find a record, and such a record cannot be found or if the records do not exist, then TBWA will notify the requester, by way of an affidavit or affirmation, that it is not possible to give access to the requested record.

10.2 The affidavit or affirmation will provide a full account, of all the steps taken to find the record or to determine the existence thereof, including details of all communications by TBWA with every person who conducted the search.

10.3 If the record in question should later be found, the requester shall be given access to the record in the manner stipulated by the requester unless access is refused by TBWA as permitted by PAIA.

## **11. INFORMATION REQUESTED ABOUT A THIRD PARTY**

Where any information is requested from TBWA that relates to a third party, TBWA is required to notify the third party of the request. The third party has an opportunity to grant his, her or its consent to the disclosure of the record or to make representations as to why the requested record should not be disclosed to the requester. If TBWA

decides to grant access to the record, it will notify the affected third party again. The third party is entitled to apply to court in relation to that decision. The court will then determine whether the record should be disclosed by TBWA or not.