



**Prepared in terms of section 51 of the Promotion of Access to Information Act 2 of 2000
(as amended)**

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PREAMBLE

Should you require specific information pertinent to Meerkat in terms of the Promotion of Access to Information Act No. 2 of 2000 you will have to prove that the information requested is required in order to exercise or protect your fundamental human rights as set out in the Constitution of 1996. The costs of such request and of the supply of such information shall be borne by the requester.

Any request for information must: -

- (a) identify the record(s) requested;
- (b) identify the requester;
- (c) specify a postal address or email address of the requester within the Republic of South Africa;
- (d) identify the right the requester is seeking to exercise or protect and provide an explanation of why the information requested is required for exercise or protection of such right;
- (e) state the manner in which the requester wishes to be informed of the decision on the request, if other than or in addition to a written reply;
- (f) indicate which form of access is required;
- (g) submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of the head of Meerkat if the request is being made on behalf of a person.

The requester shall be obliged to pay the prescribed request fee before Meerkat processes a request.

It should be noted that Section 36 of the Constitution limits personal rights to the extent that it is reasonable and justifiable taking into consideration:

- (a) the nature of the right;
- (b) the importance of the purpose of the limitation;
- (c) the nature and extent of the limitation;
- (d) the relation between the limitation and its purpose; and
- (e) less restrictive means to achieve the purpose

and the balancing of competing interests of third parties and the company as a juristic entity¹.

1. LIST OF ACRONYMS AND ABBREVIATIONS

1.1	“CEO”	Chief Executive Officer;
1.2	“CIO”	Chief Information Officer;
1.3	“DIO”	Deputy Information Officer;
1.4	“IO”	Information Officer;
1.5	“Minister”	Minister of Justice and Correctional Services;
1.6	“PAIA”	Promotion of Access to Information Act No. 2 of 2000 (as Amended);
1.7	“POPIA”	Protection of Personal Information Act No.4 of 2013;
1.8	“Regulator”	Information Regulator; and
1.9	“Republic”	Republic of South Africa.

2. PURPOSE OF PAIA MANUAL

This PAIA Manual is useful for the public to-

- 2.1 check the categories of records held by a body which are available without a person having to submit a formal PAIA request;
- 2.2 have a sufficient understanding of how to make a request for access to a record of the body, by providing a description of the subjects on which the body holds records and the categories of records held on each subject;
- 2.3 know the description of the records of the body which are available in accordance with any other legislation;
- 2.4 access all the relevant contact details of the Information Officer and Deputy Information Officer who will assist the public with the records they intend to access;
- 2.5 know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;

- 2.6 know if the body will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.7 know the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.8 know the recipients or categories of recipients to whom the personal information may be supplied;
- 2.9 know if the body has planned to transfer or process personal information outside the Republic and the recipients or categories of recipients to whom the personal information may be supplied; and
- 2.10 know whether the body has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

3. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF MEERKAT UTILITIES (PTY) LTD (“Meerkat”)

3.1. Chief Information Officer

Name: Nicholas Crow

Tel: +27 (0)11 312 1118

Email: nick.crow@meerkatutilities.com

3.2. Deputy Information Officer

Name:

Tel:

Email:

3.3 Access to information general contacts

Email: info@meerkatutilities.com

3.4 Head Office

Postal Address: PO Box 2506, Saxonwold, 2132
Physical Address: Waterfall House, Woodmead North Office Park,
54 Maxwell Drive, Jukskei View, Sandton, 2191
Telephone: +27 (0)11 312 1118
Email: info@meerkatutilities.com

4. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

- 4.1. The Regulator has, in terms of section 10(1) of PAIA, updated and made available the revised Guide on how to use PAIA ("Guide"), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.
- 4.2. The Guide is available in each of the official languages and in braille.
- 4.3. The aforesaid Guide contains the description of-
- 4.3.1. the objects of PAIA and POPIA;
 - 4.3.2. the postal and street address, phone and fax number and, if available, electronic mail address of-
 - 4.3.2.1. the Information Officer of every public body, and
 - 4.3.2.2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA²;
 - 4.3.3. the manner and form of a request for-
 - 4.3.3.1. access to a record of a public body contemplated in section 11³;
- and

¹ Section 17(1) of PAIA- *For the purposes of PAIA, each public body must, subject to legislation governing the employment of personnel of the public body concerned, designate such number of persons as deputy information officers as are necessary to render the public body as accessible as reasonably possible for requesters of its records.*

² Section 56(a) of POPIA- *Each public and private body must make provision, in the manner prescribed in section 17 of the Promotion of Access to Information Act, with the necessary changes, for the designation of such a number of persons, if any, as deputy information officers as is necessary to perform the duties and responsibilities as set out in section 55(1) of POPIA.*

³ Section 11(1) of PAIA- *A requester must be given access to a record of a public body if that requester complies with all the procedural requirements in PAIA relating to a request for access to that record; and access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*

- 4.3.3.2. access to a record of a private body contemplated in section 50⁴;
- 4.3.4. the assistance available from the IO of a public body in terms of PAIA and POPIA;
- 4.3.5. the assistance available from the Regulator in terms of PAIA and POPIA;
- 4.3.6. all remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging-
 - 4.3.6.1. an internal appeal;
 - 4.3.6.2. a complaint to the Regulator; and
 - 4.3.6.3. an application with a court against a decision by the information officer of a public body, a decision on internal appeal or a decision by the Regulator or a decision of the head of a private body;
- 4.3.7. the provisions of sections 14⁵ and 51⁶ requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
- 4.3.8. the provisions of sections 15⁷ and 52⁸ providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
- 4.3.9. the notices issued in terms of sections 22⁹ and 54¹⁰ regarding fees to be paid in relation to requests for access; and
- 4.3.10. the regulations made in terms of section 92¹¹.

⁴ Section 50(1) of PAIA- 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 in PAIA relating to 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 of this Part.

⁵ Section 14(1) of PAIA- The information officer of a public body must, in at least three official languages, make available a manual containing information listed in paragraph 4 above.

⁶ Section 51(1) of PAIA- The head of a private body must make available a manual containing the description of the information listed in paragraph 4 above.

⁷ Section 15(1) of PAIA- The information officer of a public body, must make available in the prescribed manner a description of the categories of records of the public body that are automatically available without a person having to request access

⁸ Section 52(1) of PAIA- The head of a private body may, on a voluntary basis, make available in the prescribed manner a description of the categories of records of the private body that are automatically available without a person having to request access

⁹ Section 22(1) of PAIA- The information officer of a public body to whom a request for access is made, must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

¹⁰ Section 54(1) of PAIA- The head of a private body to whom a request for access is made must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

¹¹ Section 92(1) of PAIA provides that –“The Minister may, by notice in the Gazette, make regulations regarding-

- (a) any matter which is required or permitted by this Act to be prescribed;
- (b) any matter relating to the fees contemplated in sections 22 and 54;
- (c) any notice required by this Act;
- (d) uniform criteria to be applied by the information officer of a public body when deciding which categories of records are to be made available in terms of section 15; and

4.4. Members of the public can inspect or make copies of the Guide from the offices of the public and private bodies, including the office of the Regulator, during normal working hours.

4.5. The Guide can also be obtained-

4.5.1. upon request to the Information Officer;

4.5.2. from the website of the Regulator (<https://www.justice.gov.za/infoeq/>).

4.6 A copy of the Guide is also available in the following two official languages, for public inspection during normal office hours-

4.6.1 English and Zulu.

5. CATEGORIES OF RECORDS OF MEERKAT WHICH ARE AVAILABLE THROUGH AN ACCESS REQUEST

Category of records	Available on Website	Available upon request
Companies Act Records		X
Financial records		X
Income Tax records		X
Personal documents and records		X
Procurement records		X
Customer records		X
Marketing Records		X
Risk Management and Audit		X
IT Records		X

(e) any administrative or procedural matter necessary to give effect to the provisions of this Act.”

6. DESCRIPTION OF THE RECORDS OF MEERKAT WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION

Applicable Legislation
Companies Act 71 of 2008
Basic Conditions of Employment Act No. 53 of 2003
Broad-Based Black Economic Empowerment Act 53 of 2003
Compensation for Occupational Injuries and Health Diseases Act No. 130 of 1993
Income Tax Act No. 58 of 1962
Labour Relations Act No. 66 of 1995
Occupational Health and Safety Act No. 85 of 1993
Promotion of Access to Information Act No. 2 of 2000
Protected Disclosures Act No. 26 of 2000
Protection of Personal Information Act No. 4 of 2013
Skills Development Levies Act No 9 of 1999
Value Added Tax Act No 89 of 1991

7. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY MEERKAT

Category of records	Available on Website	Available upon request
Companies Act Records		X
Financial records		X
Income Tax records		X
Personal documents and records		X
Procurement records		X
Customer records		X
Marketing Records		X

Risk Management and Audit		X
IT Records		X

8. PROCESSING OF PERSONAL INFORMATION

8.1 Purpose of Processing Personal Information

- To support the management of assets of our clients;
- To support the administration of contractors;
- To support the administration of suppliers;
- To support the administration of staff;
- To support engagement with suppliers;
- To support engagement with the general public;
- To support engagement with investors and the media.

8.2 Description of the categories of Data Subjects and of the information or categories of information relating thereto

Categories of Data Subjects	Personal Information that may be processed
Customers	Customer details to manage utility account
Contractors	Contractor details to manage contractual projects
Employees	Record of employee life cycle
General public	Tracking general enquires
Media	Record of media interactions

8.3 The recipients or categories of recipients to whom the personal information may be supplied

Category of personal information	Recipients or Categories of Recipients to whom the personal information may be supplied
Identity number and names, for criminal checks	South African Police Services
Identity number and names and contact details for rates and taxes billing purposes	City of Johannesburg
Qualifications, for qualification verifications	South African Qualifications Authority
Credit and payment history, for credit information	Credit Bureaus
Customer/member information, visitor information, employee Information	Service Providers
Returns e.g. Employment Equity returns.	Statutory authorities
Income tax information.	Tax Authorities
Financials information relating to Meerkat's business.	Financial institutions

8.4 General description of Information Security Measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information

- Physical security measures;
- Cyber security measures;
- Training in information security;
- Policies in information security;
- Audit of information security ;

- Any particular security framework implemented.

9. DETAIL ON HOW TO MAKE A REQUEST FOR ACCESS

9.1. PAIA FORM 02: REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY

In terms of Section 53 (1) of the PAIA [Regulation (7)], Form 02 should be used to request access to a record held by a Public or Private body in terms of PAIA. Form 02 can be downloaded from the Information Regulator website under Documents/Forms. It can also be downloaded using the link below.

[Form 02: Request for Access to Record](#)

Please note: Do not use Form 02 for personal information requests (Data Subject Requests). The appropriate form for these requests is described in point 9.2 below.

9.2. POPIA FORM 2: REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION OR DESTROYING OR DELETION OF RECORD OF PERSONAL INFORMATION IN TERMS OF SECTION 24 (1) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)

In terms of the POPI, Section 24 and the Regulations relating to the POPI, 2017, [Regulation 3(2)] Form 2 should be used to raise requests for the correction or deletion of personal information, or destroying or deletion of record of personal information. Form 2 is available on the Information Regulator website under Documents/Forms. It can be downloaded using the link below:

[Form 2: Request for Correction or Deletion of Personal Information or Destroying or Deletion of Record of Personal Information](#)

10. AVAILABILITY OF THE MANUAL

10.1 A copy of the Manual is available-

10.1.1 Meerkat office for public inspection during normal business hours;

10.1.2 to any person upon request and upon the payment of a reasonable prescribed fee; and

10.1.3 to the Information Regulator upon request.

10.2 A fee for a copy of the Manual, as contemplated in annexure B of the Regulations, shall be payable per each A4-size photocopy made.

11. UPDATING OF THE MANUAL

Meerkat will on a regular basis update this manual.

Issued by

Nicholas Crow

Information Officer

ⁱ Wording obtained from Futuregrowth Asset Management