

PAIA & POPIA MANUAL

for

Cogent (Pty) Ltd

Prepared in accordance with Section 51 of the
Promotion of Access to Information Act, No. 2 of 2000

We respect your right for access to information. This document will help you exercise that right as required by section 51 of the Promotion of Access to Information Act 2 of 2000 (PAIA).

TABLE OF CONTENTS

1. DATES AND REVISIONS	2
2. PURPOSE.....	2
3. INTRODUCTION.....	2
4. PURPOSE OF THE MANUAL.....	2
5. PARTICULARS IN TERMS OF SECTION 51	3
6. SECTION 10 GUIDE ON HOW TO USE THE ACT [SECTION 51(1)(B)]	3
7. RECORDS AVAILABLE IN TERMS OF SOUTH AFRICAN LEGISLATION [SECTION 51(1)(D)]	4
8. RECORDS [SECTION 52]	5
9. PROCESSING OF PERSONAL INFORMATION	6
10. PROCEDURE FOR REQUESTING ACCESS TO INFORMATION	6
11. CONSIDERING YOUR REQUEST	7
12. GROUNDS FOR REFUSAL.....	7
13. HOW WE WILL GIVE YOU ACCESS.....	8
14. REMEDIES AVAILABLE WHEN THE COMPANY REFUSES A REQUEST FOR INFORMATION	8
15. AVAILABILITY OF THIS MANUAL.....	8
16. UPDATES TO THIS MANUAL.....	8

1. DATES AND REVISIONS

Date Compiled: 22nd February 2022

Date Revised: 14 January 2026

2. PURPOSE

The Promotion of Access to Information Act, No. 2 of 2000 (“the Act”) was enacted on 3rd February 2000 and gives effect to the constitutional right of access to information held by the State and any other person that is required for the exercise or protection of any rights. Where a request is made in terms of the Act, the body to which the request is made is obliged to release the information, except where the Act expressly provides that the information may or must not be released. The Act sets out the requisite procedural requirements attached to such requests.

3. INTRODUCTION

Cogent (Pty) Ltd is a juristic person incorporated as a private company in terms of the company laws of the Republic of South Africa. The Company is classified as a “private body” within the definition of Section 1 of the Act, and we conduct business in relation to hyper-automation, artificial intelligence, and technology consultancy. This is our ‘Access to Information Manual’. Its purpose is to help you access our information and any other information that we have. PAIA requires us to make it available to you so that you:

- know what types of information we have; and
- can request access to it.

This manual exists to tell you what information we have and help you get access to it.

4. PURPOSE OF THE MANUAL

This manual has been prepared in accordance with Section 51 of the Act. It is intended to foster a culture of transparency and accountability within Cogent (Pty) Ltd, by giving effect:

- to the right to information that is required for the exercise or protection of any right; and
- to actively promote a society in which the members of the public have effective access to information to enable them to more fully exercise and protect their rights.

Section 9 of the Act recognizes that the right to access information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to:

- limitations aimed at the reasonable protection of privacy;
- commercial confidentiality;
- effective, efficient and good governance; and
- in a manner which balances the right of access with any other rights, including such rights contained in the Bill of Rights in Chapter 2 of the Constitution.

5. PARTICULARS IN TERMS OF SECTION 51

5.1 Company Contact Details [Section 51(1)(a)]

Field	Details
Company Name	Cogent (Pty) Ltd
Registration Number	2018/358194/07
Physical Address	Block D, Capital Place, 16 Neutron Road, Technopark, Stellenbosch, 7600, Western Cape
Phone Number	+27 (0) 861 111 202
Information Officer	Andrea Marchetti
Email Address	support@cog3nt.com
Website	https://cog3nt.com/

6. SECTION 10 GUIDE ON HOW TO USE THE ACT [SECTION 51(1)(B)]

If you would like further guidance on how you can get access to information under PAIA, you may contact the Information Regulator to find out more information about PAIA. The Information Regulator is required to compile a guide in each official language of South Africa on how to exercise any right under PAIA. The current guide compiled by the Information Regulator is available here: <https://inforegulator.org.za/wp-content/uploads/2020/07/InfoRegSA-PAIA-Form01-Reg2.pdf>.

In terms of Section 110 of the Protection of Personal Information Act 4 of 2013 the functions of the Human Rights Commission have transferred to the Information Regulator.

Their contact details are as follows:

- **Physical address:** JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001
- **Phone number:** 010 023 5200
- **Website:** <https://inforegulator.org.za/>
- **General email:** enquiries@inforegulator.org.za
- **Complaints email:** PAIAComplaints@inforegulator.org.za

7. RECORDS AVAILABLE IN TERMS OF SOUTH AFRICAN LEGISLATION [SECTION 51(1)(D)]

We hold the following documents, subjects and categories of records in accordance with the following legislation.

(Please note that this is not an exhaustive list):

Business Operations

- Consumer Protection Act 68 of 2008
- Copyright Act no 98 of 1978
- Insolvency Act 24 of 1936
- Long Term Insurance Act no 52 of 1998
- National Credit Act No 34 of 2005
- Protection of Businesses Act 99 of 1978
- Short Term Insurance Act 53 of 1998
- Trade Marks Act 194 of 1993

Finance

- Income Tax Act no 95 of 1967
- Debtors Collectors Act no 114 of 1988
- Financial Advisory and Intermediary Services Act no 37 of 2002
- Financial Intelligence Centre Act 38 of 2001
- Value Added Tax Act No 89 of 1991

General

- Applicable Regulations Competition Act No 89 of 1998
- Companies Act no 61 of 1973 and Companies Act No 71 of 2008
- Intellectual Property Laws Amendments Act 38 of 1997
- Intellectual Property Laws Amendment Act 28 of 2013
- Promotion of Access to Information Act 2 of 2000

Governance

- King Report on Corporate Governance in South Africa (King III & IV)

Human Resources

- Basic Conditions of Employment Act No 57 of 1997
- Broad Based Black Economic Empowerment Act No 53 of 2003
- Compensation for Occupational injuries and Diseases Act No 130 of 1993
- Employment Equity Act No 55 of 1998
- Labour Relations Act No 66 of 1995
- Occupational Health and Safety Act No 85 of 1993
- Skills Development Act 97 of 1998
- Skills Development Levies Act 9 of 1999
- Unemployment Insurance Act 63 of 2001
- Unemployment Insurance Contributions Act 4 of 2002

IT and Communication

- Electronic Communications and Transactions Act No 25 of 2002
- Regulation of Interception of Communications and Provision of Communication related Information Act 70 of 2002

Money Laundering and Criminal

- Financial Intelligence Centre Act No 38 of 2001
- Prevention & Combating of Corrupt Activities Act 12 of 2004
- Protection of Constitutional Democracy against Terrorist and Related Activities Act 33 of 2004
- Prevention of Organised Crime Act 121 of 1998

8. RECORDS [SECTION 52]

Please note that records that are “not automatically available”, must be requested using the process outlined in the “Procedure for requesting access to information” section of this manual. We hold various subjects and categories of records in electronic or physical form that are available automatically or in other ways.

8.1 Records Automatically Available

Records that are automatically available to the public are:

- booklets, newsletters and pamphlets published by the Company, which are available on the Company’s website [Section 51(1) (e)].

8.2 Records that may be requested (Not automatically available)

These records referred to below include, but are not limited to, records which pertain to the Company’s own affairs. These records are not automatically available and can only be made available by facilitating a request in terms of the Act.

8.2.1 Personnel Documents and Records

- Personal Information relating to past, present and prospective employees.
- Records provided by third parties relating to personnel.
- Records relating to conditions of employment.
- Records relating to personnel-related contracts and quasi-legal records.
- Records containing the results of internal evaluations.
- Correspondence relating to employees.
- Disciplinary Records.
- Records of salaries paid, other remuneration and benefits.
- SETA Records.
- Policies and procedures relating to employees.
- Leave Records, Pension Fund Records, Provident Fund Records, and IRP5’s.

8.2.2 Customer Related Records

- Records provided by customers in respect of their business.
- Records generated by or within the Company relating to its customers.
- Records pertaining to third party information provided by customers.

8.2.3 Statutory Company Records / Corporate Records

- Minutes of executive and other decision-making operational bodies.
- Documents of Incorporation.
- Memorandum and Articles of Association.
- Minutes of Board of Directors’ Meetings.
- Share Register and other Statutory Registers.

8.2.4 Other Company Records

- Commercial and other legal contracts or agreements.
- Client and other databases.
- Information on existing and past litigation.
- Trade Mark and Intellectual Property applications.
- Insurance Policies.
- Marketing records.
- Internal and external correspondence.
- Disaster recovery plans.

8.2.5 Other Party Records

- Personnel, customer or private body records which are held by another party as opposed to the records held by the Company itself.
- Records held by the Company pertaining to other parties (contractors, suppliers, subsidiaries).

8.3 Website

The Company's website address is www.cog3nt.com and is accessible to anyone who has access to the Internet.

9. PROCESSING OF PERSONAL INFORMATION

9.1 Purpose of Processing

Cogent processes personal information for various purposes, including providing professional services, automation solutions, employee administration, marketing, and complying with legal obligations.

9.2 Categories of Data Subjects and Information

We process information regarding:

- **Clients:** Names, registration numbers, VAT numbers, contact details.
- **Employees:** Names, ID numbers, tax details, banking details, addresses.
- **Service Providers:** Company details, banking details, BEE certificates.

9.3 Transborder Flows of Information

Cogent may transfer personal information to cloud storage providers (e.g., Microsoft Azure) or service providers situated outside South Africa. We ensure that such transfers comply with Section 72 of POPIA.

9.4 General Security Measures

We employ up-to-date technology and encryption to ensure the confidentiality, integrity, and availability of the Personal Information under our care.

10. PROCEDURE FOR REQUESTING ACCESS TO INFORMATION

We have authorised and designated our information officer to deal with all matters relating to PAIA in order to comply with our obligations in terms of PAIA.

10.1 Access to records held by Company

Records held by the company may be accessed by requests only once the prerequisite requirements for access have been met. A requestor must use the prescribed form to make a request for access to a record.

- **Personal Requester:** A requester who seeks access to a record containing personal information about the requester. The Company will voluntarily provide the requested information.

- **Other Requester:** This requester (other than a personal requester) is entitled to request access to information on third parties.

10.2 Form of request

10.2.1 To request access to a record, the requester must complete **Form 2** which is available from the Information Regulator website at <https://inforegulator.org.za/wp-content/uploads/2020/07/InfoRegSA-PAIA-Form02-Reg7.pdf>.

10.2.2 The request should be made to the Designated Information Officer at the address or email address as stated above.

10.2.3 The prescribed form must be filled in with sufficient detail to enable the Designated Information Officer to identify [Section 53]:

- The record or records requested.
- The form of access required.
- The postal address, fax number or e-mail address of the requester.
- The right the requester is seeking to exercise or protect.

10.3 Fees

The Act provides for two types of fees, namely:

- A **request fee**, which will be a standard fee. The fee that the requester must pay to a private body is **R140.00**; and
- An **access fee**, which must be calculated by considering reproduction costs, search and preparation time and cost, as well as postal costs.

The requester may lodge a complaint to the Information Regulator or an application to the court against the tender or payment of the request fee or access fee [Section 54(3)(b)].

Further details on the prescribed fees are available on the Information Regulator's website: <https://inforegulator.org.za/>

10.3.1 The requester must pay the prescribed request fee before any further processing can take place.

10.3.2 A requester who seeks access to a record containing personal information about themselves is not required to pay the request fee. Every other requester must pay the prescribed request fee.

10.3.3 If the search for the record requires more than the prescribed hours, the Information Officer shall notify the requester to pay a deposit (no more than one third of the access fee).

10.3.4 If a deposit has been paid and the request is refused, the deposit must be repaid.

11. CONSIDERING YOUR REQUEST

11.1 The Company will, within 30 days of receipt of the request, decide whether to grant or decline the request and give notice with reasons to that effect [Section 56].

11.2 The 30-day period may be extended for a further period of not more than 30 days if the request is for a large number of records or requires a search through a large number of records.

12. GROUNDS FOR REFUSAL

The main grounds for the Company to refuse a request for information relates to the:

12.1 Mandatory protection of the privacy of a third party who is a natural person [Section 63].

12.2 Mandatory protection of the commercial information of a third party, if the record contains trade secrets or financial/commercial information [Section 64].

12.3 Mandatory protection of confidential information of third parties if it is protected in terms of any agreement [Section 65].

12.4 Mandatory protection of the safety of individuals and the protection of property [Section 66].

12.5 Mandatory protection of records which would be regarded as privileged in legal proceedings [Section 67].

12.6 The commercial activities of the Company, which may include trade secrets or financial information [Section 68].

12.7 The research information of the Company or a third party [Section 69].

12.8 Requests for information that are clearly frivolous or vexatious.

13. HOW WE WILL GIVE YOU ACCESS

We will evaluate and consider all requests to us in terms of PAIA. If we approve your request for access to our records, then we will decide how to provide access to you – unless you have asked for access in a specific form. Publication of this manual does not give rise to any rights to access information records, except in terms of PAIA.

14. REMEDIES AVAILABLE WHEN THE COMPANY REFUSES A REQUEST FOR INFORMATION

14.1 Internal Remedies

The Company does not have an internal appeals procedure. As such, the decision made by the Designated Information Officer is final.

14.2 External Remedies [Section 78]

A requester that is dissatisfied with the Designated Information Officer's refusal to disclose information may, within 30 days of notification of the decision, apply to a Court for relief. The Information Regulator may also be approached.

15. AVAILABILITY OF THIS MANUAL

This manual is available in English for inspection by the general public, upon request and on our website at: <https://cog3nt.com/popia-compliance-protocols/>.

16. UPDATES TO THIS MANUAL

This manual will be updated whenever we make material changes to the current information.