

**MANUAL PREPARED IN ACCORDANCE WITH SECTION 51 OF THE
PROMOTION OF ACCESS TO INFORMATION ACT (ACT NO. 2 OF 2000)
(THE “ACT”)**

FOR

EPROFILER DIAGNOSTICS (PTY) LTD
(Company Registration Number: 2011/009925/07)
TRADING AS EWELLNESS SOLUTIONS

A COMMISSION AGENT ON BEHALF OF MTV UP ENERGY DRINK
BEVERAGES AND VIACOM INC.

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1. INTRODUCTION

MTV UP SA is a business division of a private body conducting business as FMCG, Clothing, Accessories and Online Retailer. This manual sets out the procedure to be followed by a requester when requesting access to information / documents from MTV UP SA as contemplated in terms of the Act.

The manual may be amended from time to time and the latest version of this manual will be made public as soon as any amendments have been finalised. Any Requester is advised to contact (contact person's name) should he/she require any assistance in respect of the utilisation of this manual and/or requesting of documents / information from MTV UP SA and its team.

In this manual, unless the context indicates otherwise:

“the Act” – shall mean the Promotion of Access to Information act No. 2 of 2000 (as amended), together with all relevant regulations published;

“the/this manual” – shall mean this manual together with all annexures hereto as available from the offices or website of MTV UP SA as set out in paragraph 8 below and the SAHRC from time to time.

“requester” – shall mean any person or entity requesting information / documents from MTV UP SA as contemplated in terms of the Act; and

“SAHRC” – shall mean the South African Human Rights Commission.

2. CONTACT DETAILS

Section 51(1)(a) of the Act - Within six months after the commencement of this section or the coming into existence of the private body concerned, the head of a private body must compile a manual containing- (a) the postal and street address, phone and fax number and, if available, electronic mail address of the head of the body;

Name of body:	eProfiler Diagnostics (Pty) Ltd trading as eWellness Solutions
Directors:	Kagisho Machacha
Authorised head:	Kagisho Machacha
Physical address:	33 Ballyclare Drive, Ballywoods Office Park, Cedarwood House, Bryanston, 2191, Johannesburg
Postal address:	P.O. Box 784563 Sandton City 2146
Telephone:	+27 10 007 5705

Fax:	-
Email:	hello@mtvup.co.za

3. THE ACT AND GUIDE IN TERMS OF SECTION 10 OF THE ACT (Section 51(b) of the Act)

The Act grants a requester access to records of a private body, if the records are required for the exercise of protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.

Request in terms of the Act shall be made in accordance with the prescribed procedures and tariffs. The request form and prescribed tariffs are set out in paragraphs 9 and 10 of this manual.

A guide has been compiled by the SAHRC in terms of section 10 of the Act. The guide *inter alia* contains information as may reasonably be required by a person who wishes to exercise any right contemplated in the act. The guide is available in all official languages. The guide is available from the SAHRC.

The contact details of the South African Human Rights Commission are:

Physical address: Braampark Forum 3, 33 Hoofd Street, Braamfontein, Johannesburg

Postal Address: Private Bag X2700, Houghton, 2041

Telephone: +27 11 877 23600

Fax: +27 11 403 0668

Website: www.sahrc.org.za

Email: paia@sahrc.org.za

4. NOTICE(S) IN TERMS OF SECTION 52(2) OF THE ACT (Section 51(1)(c) of the Act)

The Minister of Justice and Constitutional Development must on a periodic basis and by notice in the Gazette publish or update any description of certain records. The Minister of Justice and Constitutional Development has to date not published any notice(s) in terms of section 52(2) of the Act.

5. INFORMATION / DOCUMENTS AVAILABLE IN ACCORDANCE WITH OTHER LEGISLATION (Section 51(1)(d) of the Act)

MTV UP SA keep such information / documents as required in accordance with the following legislation:

- Basic Conditions of Employment Act No. 75 of 1997
- Broad Based Black Economic Empowerment Act No. 130 of 1993
- Companies Act No. 71 of 2008
- Compensation for Occupational Injuries and Diseases Act No. 130 of 1993
- Competition Act No. 89 of 1998
- Consumer Protection Act No. 68 of 2008
- Customs and Excise Act No. 91 of 1964
- Electronic Communications and Transactions Act No. 25 of 2002
- Employment Equity Act No. 55 of 1998
- Income Tax Act No. 58 of 1962
- Labour Relations Act No. 66 of 1995
- National Credit Act No. 34 of 2005
- Occupational Health and Safety Act No. 85 of 1993
- Pension Funds Act No. 2 of 1956
- Promotion of Access to information Act No. 2 of 2000
- Skills Development Act No. 97 of 1998
- Skills Development Levies Act No. 9 of 1999
- Trade Marks Act No. 194 of 1993
- Unemployment Insurance Act No. 63 of 2001
- Unemployment Insurance Contributions Act No. 4 of 2002
- Value-Added Tax Act No. 89 of 1991

*Please note that the above is not an exhaustive list.

6. INFORMATION / DOCUMENTS HELD BY MTV UP SA IN TERMS OF THE ACT

MTV UP SA webpage/web store

The MTV UP SA webpage (<http://www.mtvup.co.za>), accessible to anyone with access to the internet, include but are not limited to the following categories:

- Company profile and information (including but not limited to, company strategy, news, career opportunities, office and warehouse addresses);
- Online retail products (including but not limited to, product images, prices, information and departments);
- Retail terms and policies (including but not limited to, terms and conditions for the use of the website, returns policy, frequently asked questions and answers);
- Secured personal user account (including but not limited to, login page, personal details, order history, invoices, exchanges and returns).

Other

- Standard employment contracts
- Human resources policies and procedures
- List of trademarks and pending applications
- Insurance policies
- Other commercial contracts
- Marketing material

It is recorded that any and all documents / information requested pertaining to the aforesaid shall always only be made available to a requester subject to the provisions of the Act.

7. OTHER INFORMATION (Section 51(10)(f) of the Act)

The Minister of Justice and Constitutional Development has to date not published any notice(s) in terms of this section of the Act.

8. AVAILABILITY OF THE MANUAL (Section 51(3) of the Act)

This manual is available for inspection free of charge at the offices of MTV UP SA.

Copies of the manual may be obtained, subject to payment of the prescribed fees, at the offices of MTV UP SA.

The manual may also be accessed on the websites of SAHRC (www.sahrc.org.za), MTV UP SA (<http://www.mtvup.co.za>) and may be published in the Government Gazette.

9. FORM OF REQUEST
(Section 53(1) of the Act)

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY
(Section 53(1) of the Promotion of Access to information Act No. 2 of 2000)

[Regulation 10, read with Form C of Annexure B]

A. PARTICULARS OF PRIVATE BODY

The Head:

B. PARTICULARS OF PERSON REQUESTING ACCESS TO THE RECORD

- (a) The particulars of the person who requests access to the record must be given below.*
(b) The address and/or fax number in the Republic to which the information is to be sent, must be given.
(c) Proof of the capacity in which the request is made, if applicable, must be attached.

Full names and surname:

Identity number:

Postal Address:

Fax number:

Telephone number:

E-mail address:

Capacity in which request is made, when made on behalf of another person:

C. PARTICULARS OF PERSON ON WHOSE BEHALF THE REQUEST IS MADE

This section must be completed ONLY if a request for information is made on behalf of another person.

Full names and surname:

Identity number:

D. PARTICULARS OF RECORD

*(a) 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.
(b) If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.*

1. Description of record or relevant part of the record:

2. Reference number, if applicable:

3. Any further particulars of record:

E. FEES

*(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.
(b) You will be notified of the amount requested to be paid as the request fee.
(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.
(d) If you qualify for exemption of the payment of any fee, please state the reason therefor.*

Reason for exemption from payment of fees:

F. FORM OF ACCESS TO RECORD

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 below, state your disability and indicate in which form the record is required.			
Disability: _____ _____ _____		Form in which record is required: _____ _____ _____	
<p>Mark the appropriate box with an X:</p> <p>Notes:</p> <p>(a) Compliance with your request for access in the specified form may depend on the form in which the record is available.</p> <p>(b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.</p> <p>(c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.</p>			
1. If the record is in written or printed form:			
<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record
2. If record consists of visual images: (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.)			
<input type="checkbox"/>	view the images	<input type="checkbox"/>	copy the images*
<input type="checkbox"/>		<input type="checkbox"/>	transcription of the images*
3. If record consists of recorded works or information which can be reproduced in sound:			
<input type="checkbox"/>	listen to the soundtrack (audio cassette)	<input type="checkbox"/>	transcription of soundtrack* (written or printed document)
4. If record is held on computer or in an electronic or machine readable form:			
<input type="checkbox"/>	printed copy of record*	<input type="checkbox"/>	printed copy of information derived from the record*
<input type="checkbox"/>		<input type="checkbox"/>	copy in computer readable form* (stiffy or compact disc)
*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.			<input type="checkbox"/> Yes <input type="checkbox"/> No

G. PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED

If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

1. Indicate which right is to be exercised or protected:

2. Explain why the requested record is required for the exercising or protection of the aforementioned right:

H. NOTICE OF DECISION REGARDING REQUEST FOR ACCESS

You will be notified in writing whether your request has been approved / denied. If you wish to be informed thereof in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

Signed _____ this _____ day of _____ of 20____

SIGNATURE OF REQUESTER / PERSON ON
WHOSE BEHALF REQUEST IS MADE

10. PRESCRIBED FEES

10.1 The fee for a copy of the manual as contemplated in regulation 9(2)(c) is R1.10 for every photocopy of an A4-size page or part thereof.

10.2 The fee for reproduction referred to in regulation 11(1), is as follows:

	<u>Rand amount</u>
(a) For every photocopy of an A4-size page or part thereof	1.10
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form;	0.75
(c) For a copy in a computer-readable form on: i) compact disc	70.00
(d) i) For a transcription of visual images, for an A4-size page or part thereof	40.00
ii) For a copy of visual images	60.00
(e) i) For a transcription of audio record, for an A4-size page or part thereof	20.00
ii) For a copy of audio record	30.00

10.3 The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2) is R50.00

10.4 The access fees payable by a requester referred to in regulation 11(3) are as follows:

	<u>Rand amount</u>
(1) (a) For every photocopy of an A4-size page or part thereof	1.10
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form	0.75
(c) For a copy in a computer-readable form on: i) compact disk	70.00
(d) i) For a transcription of visual images, for an A4-size page or part thereof	40.00

- ii) For a copy of visual images 60.00
- (e) i) For a transcription of an audio record, for an A4-sizing page or part thereof 20.00
- ii) For a copy of an audio record 30.00
- (f) To search for the record for disclosure, R30.00 for each hour or part of an hour reasonably required for such search and operation.

(2) For purposes of section 54(2) of the Act, the following applies:

- (a) six hours as the hours to be exceeded before a deposit is payable; and
- (b) one third of the access fee is payable as a deposit by the requester.

(3) The actual postage is payable when a copy of a record must be posted to a requester.

SIGNED: _____

Kagisho Machacha