

**MANUAL OF KANTAR SOUTH AFRICA (PTY) LIMITED**

**PREPARED IN TERMS OF THE PROMOTION OF ACCESS TO INFORMATION ACT 2 OF  
2000**

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## **B. PARTICULARS IN TERMS OF THE SECTION 51 MANUAL**

### **Overview and objectives of the manual**

The Promotion of Access to Information Act 2 of 2000 ("PAIA") gives effect to section 32 of the Constitution, which provides that everyone has the right to access information held by the State, as well as information held by another person (or private body) when such privately-held information is required for the exercise and protection of rights.

More broadly, PAIA aims to underline the importance of access to information in a democratic society by fostering a culture of transparency and accountability. PAIA does this by requiring public (government) and private (non-government) bodies to create both a manual describing the type of records they hold, and procedures for others to access that information. PAIA also sets limits on the types of information that can be accessed.

This manual is compiled in accordance with Section 14 of PAIA and offers an outline of Kantar South Africa's information, which is accessible to the public.

### **Introduction to Kantar South Africa (Pty) Ltd**

Kantar South Africa (Pty) Ltd ("KANTAR") is a leading market research agency and is part of the global group of Kantar companies. It is not a statutory body.

KANTAR has roughly 400 full-time employees

The direction and control of KANTAR's activities and the management of its affairs are the responsibilities of a Board, comprising 6 directors.

The administrative office of KANTAR is in Cape Town. The Board consists of six directors and one company secretary.

### 1. **Contact details of KANTAR**

Physical Address: 13th Floor, Roggebaai Place, 4 Jetty Street, Foreshore, Cape Town

Postal Address: PO Box 929, Cape Town, 8000

Telephone: (021) 657 9500

E-mail: Rob.Jones@Kantar.com

Head of Body: Ivan Moroke

### 2. **The Information Officer**

In terms of PAIA and the Protection of Personal Information Act 4 of 2013 (POPIA), Ivan Moroke is KANTAR's Information Officer and Rob Jones is KANTAR's Deputy Information Officer.

The Information Officers' contact details:

Postal address : PO Box 929, Cape Town, 8000

Physical address : 13<sup>th</sup> Floor, Roggebaai Place, 4 Jetty Street, Foreshore, Cape Town 8001

Telephone : 021 657 9500

E-mail : ivan.moroke@kantar.com / rob.jones@kantar.com

### 3. **The Section 10 Guide on how to use PAIA**

The South African Human Rights Commission ("SAHRC") published a Guide as prescribed by Section 10 of PAIA.

The Guide, as updated by the Information Regulator, will be available at the offices of the Information Regulator and on its website as prescribed by Section 10 of PAIA, and in accordance with POPIA. Please direct any queries regarding the Guide to:

#### **Information Regulator:**

The Research and Documentation Department

33 Hoofd Street, Forum III, 3<sup>rd</sup> Floor Braampark

P.O. Box 31533, Braamfontein, Johannesburg, 2017

Telephone Number: 010 023 5200

Website: [www.justice.gov.za/inforeg/](http://www.justice.gov.za/inforeg/)

Email (complaints): [complaints.IR@justice.gov.za](mailto:complaints.IR@justice.gov.za)

Email (general enquiries): [inforeg@justice.gov.za](mailto:inforeg@justice.gov.za)

#### **4. Records available in terms of other legislation**

A requester may request information which is available in terms of the following legislation, provided that the requester complies with the requirements set out in such legislation, this manual and PAIA:

- 4.1 Basic Conditions of Employment Act, 1997;
- 4.2 Broad-Based Black Economic Empowerment Act, 2003;
- 4.3 Compensation for Occupational Injuries and Diseases Act, 1993;
- 4.4 Income Tax Act, 1962;
- 4.5 Labour Relations Act, 1995;
- 4.6 Occupational Health and Safety Act, 1993;
- 4.7 Promotion of Access to Information Act, 2000;
- 4.8 Protection of Personal Information Act, 2013;
- 4.9 Skills Development Levies Act, 1999;
- 4.10 Unemployment Insurance Act, 2001; and
- 4.11 Value Added Tax Act, 1991.
- 4.12 Companies Act 61 of 1973
- 4.13 Pension Funds Act 24 of 1956
- 4.14 Employment Equity Act 55 of 1998

#### **5. Access to records held by KANTAR**

##### **(i) Subjects and categories of records held by KANTAR**

**Note: This section of the manual sets out the subject and categories of records held by KANTAR. The inclusion of any subject or category of records should not be taken as an indication that records falling within those subjects and/or categories will be made available under the Act. In particular, certain grounds of refusal as set out in the Act may be applicable to a request for such records.**

#### **5.1 Constitution of KANTAR**

- i. Constitutional documents (including incorporation documents, the memorandum of incorporation and the membership agreement).
- ii. Minute books and internal resolutions of KANTAR.
- iii. Details concerning the identity of directors.
- iv. Annual Reports.

#### **5.2 Financial and tax records of KANTAR**

- i. Accounting records, books and documents of KANTAR.
- ii. Annual financial reports of KANTAR.
- iii. Details of auditors of KANTAR.
- iv. External auditors' reports in respect of audits conducted on KANTAR.
- v. Tax returns of KANTAR.
- vi. Other documents and agreements relating to taxation.
- vii. Financial accounting.

#### **5.3 Banking details of KANTAR**

- i. Bank facilities and accounts details.
- ii. Bank statements.

#### **5.4 Human resources / employment records**

- i. List of employees.
- ii. Contracts of employment with employees of KANTAR.
- iii. Personnel files.
- iv. HR policies and procedures.

- v. Staff records.
- vi. Leave records.
- vii. Sick leave records.
- viii. Disciplinary records and documentation pertaining to disciplinary proceedings.
- ix. Performance management.
- x. Training and skills development records.

#### **5.5 Intellectual Property**

- i. Trade-marks, patents, copyrights, designs held by KANTAR.
- ii. Licences relating to intellectual property rights.
- iii. Other agreements relating to intellectual property rights.
- iv. Education and examination material and records.

#### **5.6 Permits**

- i. Licences, material permits, consents, approvals, authorisations and certificates.
- ii. Applications for permits and licences.
- iii. Registrations and declarations of permits.

#### **5.7 Insurance records**

- i. Insurance policies taken out for the benefit of KANTAR and its employees.

#### **5.8 Immovable and movable property**

- i. Other agreements for the purchase, ordinary sale, conditional sale, or hire of assets.

#### **5.9 Information technology**

- ii. Computer software support and maintenance agreements.
- iii. Web site development, support and maintenance agreements.
- iv. Computer software licence agreements.
- v. Agreements in respect of computer hardware used by KANTAR.

- vi. Agreements with Internet Service Providers, and other telecommunications entities.
- vii. Leased line agreements.
- viii. Other documentation pertaining to computer systems and computer programs held by KANTAR.

**5.10 Specific agreements relating to the business activities of KANTAR**

- i. Indemnity, confidentiality and non-disclosure agreements.
- ii. Regulatory agreements.
- iii. Agreements relating to transactions.
- iv. Presentations to clients.
- v. Research information.

**5.11 Policy documents**

**5.12 Miscellaneous agreements of KANTAR**

- i. Loans from third parties (including banks).
- ii. Loans to third parties.
- iii. Suretyship agreements.
- iv. Agreements restricting the trading activities of people related to KANTAR.
- v. Agency, management and distribution agreements.
- vi. Royalty agreements.
- vii. Agreements in terms of which KANTAR is a member of a joint venture, consortium, partnership, incorporated or unincorporated association, and shareholders' agreements of another entity which KANTAR is a party to.
- viii. Any other agreements.

**5.13 Correspondence**

- i. Correspondence of KANTAR, including internal and external memoranda and electronic communications.

5.14 **Information relating to legal proceedings**

- i. Records relating to legal proceedings involving KANTAR.

5.15 **Overseas interests and Investments of KANTAR**

- i. Agreements with foreign entities.

**Data subject categories and their personal information**

Subject	Category
Data subject categories and their personal information	<p>Employees: record of employee life cycle</p> <p>General public: general enquiries and viewing the company website; name, e-mail address</p> <p>Clients: record of client details and service life cycle data</p> <p>Media: records of media interactions</p> <p>Service providers: record of service provider details and service life cycle</p> <p>Survey participant data</p>
Recipients of personal information	<p>Employee pension fund schemes</p> <p>Clients</p> <p>Industry bodies</p> <p>Medical aid schemes</p> <p>Third-Party operators (service providers)</p> <p>Statutory authorities</p>
Expected trans-national transfer of personal information	Transfer of personal information to operators
Security measures to protect personal information	<p>We use reasonable security methods to protect data that is provided to us and resides on our servers. We have established security management controls which ensure the protection of the Personal Data that we process:</p> <ul style="list-style-type: none"> <li>• The Kantar Data Classification and Data Handling Policy outline the requirements to help ensure that data is processed appropriately and securely at all times</li> <li>• Our network uses several layers of security to prevent unauthorised access to its systems and data, including complimentary technologies at the endpoint that are monitored 24x7</li> <li>• Where data is secured on database servers, application servers, and</li> </ul>

	<p>network servers they reside on backend servers that are behind layered firewall architecture which are managed by IT</p> <ul style="list-style-type: none"> <li>• Where data is secured in the cloud Kantar operates cloud landing zones to ensure resources are implemented and managed in a consistent and secure way</li> <li>• Data is stored in secure, access-controlled facilities</li> <li>• Data centre backup and archive tapes are couriered to an industry standard archive storage provider</li> <li>• Internal and demilitarised servers are checked routinely by vulnerability management tooling. Internet-facing services are subjected to penetration testing by qualified resources</li> <li>• Personal data are transferred using an encrypted file transfer system (Accellion), or client approved equivalent</li> <li>• We use ISO standard user access controls and password policies and leverage multi-factor authentication for SaaS services such as Microsoft 365</li> <li>• Client specific data is stored in restricted access data directories controlled by Access Control Lists</li> <li>• Inbound remote access is controlled through firewalled encrypted VPN tunnels authenticated with two factor authentication for those that require it in the course of their work</li> </ul>
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## (ii) The request procedures

### Form of request:

- A request for information must be made in the prescribed form, a copy of which is annexed hereto as **Annexe A**, must be addressed to the head of KANTAR and must be submitted with the prescribed fee.
- The prescribed request form and details regarding the prescribed fees are available from the official website of the Information, whose contact details are set out above.
- The requester must use the prescribed form to make the request for access to a record. This must be made to the head of KANTAR. This request must be made to the address, fax number or electronic mail address of the head of KANTAR.
- The requester must provide sufficient detail on the request form to enable the head of KANTAR to identify the record and the requester. The requester should also indicate which

form of access is required. The requester should also indicate if he or she wishes to be informed in any other manner and state the necessary particulars to be so informed.

- The requester must identify the right that he or she is seeking to exercise or protect and provide an explanation as to 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 submit proof of the capacity in which the requester is making the request to the satisfaction of the head of KANTAR.

**Fees:**

- The head of KANTAR must notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed fee, if any, before further processing the request. A personal requester does not pay such fee.
- The requester may lodge an internal appeal or an application to the court against the tender or payment of the request fee.
- The head of KANTAR will then make a decision on the request and notify the requester in the required form.
- If the request is granted then a further access fee must be paid for the search, reproduction, preparation and for any time that had exceeded the prescribed hours to search and prepare the record for disclosure.
- The prescribed fees are available from the head of KANTAR or the Information Regulator, whose contact details are set out above.

**6. Grounds for refusal of access to records as stipulated in section 63 to 69 of PAIA and POPIA:**

KANTAR may deny access to certain records on the basis of the grounds set out in PAIA. These include:

- mandatory protection of the privacy of a third party who is a natural person, including a deceased individual;
- mandatory protection of commercial information of a third party;
- mandatory protection of certain confidential information, special personal information and confidential information of a third party;
- mandatory protection of the safety of individuals and protection of property;
- mandatory protection of records privileged from production in legal proceedings; or

- mandatory protection of research information of a third party.

KANTAR may deny access to commercial information if the record:

- contains trade secrets of a third party;
- contains financial, commercial, scientific or technical information, the disclosure of which would be likely to harm the commercial or financial interests of a third party's company; or
- contains information, the disclosure of which would reasonably be expected to put a third party's company at a disadvantage in contractual or other negotiations, or to prejudice the company in commercial competition.

KANTAR must refuse a request for access to a record if its disclosure would constitute an action for breach of a duty of confidence owed to a third party in terms of an agreement.

#### **7. Availability of the manual**

The manual is available for inspection at the offices of KANTAR free of charge and on the KANTAR web site, available at [www.kantar.com](http://www.kantar.com).

#### **8. Prescribed fees and forms in respect of private bodies**

The prescribed forms and fees for requests to private bodies, are available on the website of the Department of Justice and Constitutional Development: [www.doj.gov.za](http://www.doj.gov.za) as well as the Information Regulators website: <https://www.justice.gov.za/inforeg/index.html>.

Updated on 14th December 2021



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Ivan Moroke  
CHIEF EXECUTIVE OFFICER

**Request for access to record**

**Particulars of [the company]**

Name of [the company]:  
Registration number:  
The Head:

Physical Address:

Postal Address:

Telephone:

Telefacsimile:

E-mail:

**Particulars of person requesting access to the record**

The full particulars of the person who requests access to the record must be given below.  
The address and/or fax number in the Republic to which the information is to be sent must be given.  
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:** \_\_\_\_\_

**Particulars of person on whose behalf 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:** \_\_\_\_\_

**Particulars of record**

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.

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

**Description of record or relevant part of the record:**

\_\_\_\_\_

**Reference number, if available:**

\_\_\_\_\_

**Any further particulars of record:**

\_\_\_\_\_

\_\_\_\_\_

**Fees**

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.

You will be notified of the amount required to be paid as the request fee.

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.

If you qualify for exemption of the payment of any fee, please state the reason for exemption.

**Reason for exemption from payment of fees:**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Form of access to record**

If you are prevented by an impediment or disability to read, view or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.

Disability:  <hr/> <hr/> <hr/>		Form in which record is required:  <hr/> <hr/> <hr/>	
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Mark the appropriate box with an "X":

NOTES:

6.1 Compliance with your request in the specified form may depend on the form in which the record is available.

6.2 Access in the form requested may be refused in certain circumstances. In such case, you will be informed if access will be granted in another form.

6.3 The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

<b>1. If the record is in written or printed form:</b>			
	Copy of record*		Inspection of record
<b>2. If the record consists of visual images</b> (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):			
	View the images		Copy of the images*
			Transcription of the images*
<b>3. If the record consists of recorded words or information which can be reproduced in sound:</b>			
	Listen to the soundtrack (audio cassette)		Transcription of soundtrack (written or printed document)*

<b>4. If the record is held on computer or in an electronic or machine-readable form:</b>					
	Printed copy of record*		Printed copy of information derived from the record*		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?				<b>YES</b>	<b>NO</b>
<b>Postage is payable.</b>					

**8. Particulars of the 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.**

**Indicate which right is to be exercised or protected:**

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**Explain why the record requested is required for the exercise or protection of the aforementioned right:**

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**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 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?**



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Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_.

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SIGNATURE OF REQUESTER/PERSON ON

WHOSE BEHALF REQUEST IS MADE