

TsoGo Sun Hotels Limited

(and its subsidiaries)
("TsoGo Sun Hotels" or "Group")

Manual in terms of The Promotion of Access to Information Act

Contents

1. Introduction to TsoGo Sun Hotels.....	2
2. Purpose of this manual.....	2
3. Contact details of the Information Officer.....	3
4. Contact information of the Information Regulator:.....	3
5. Automatically available information.....	3
6. Categories of records that may be requested.....	3
7. Records available in terms of any other legislation.....	4
8. Purpose for data being processed.....	5
9. Categories of data subjects' and the information collected:.....	5
10. Recipients to whom personal information may be supplied.....	6
11. Transborder flows of personal information.....	7
12. Security measures.....	7
13. Availability of the Manual.....	7
14. Access to Information request in terms of PAIA.....	7
15. Data Subject rights under POPIA.....	9
16. Prescribed forms.....	9

1. Introduction to TsoGo Sun Hotels

TsoGo Sun Hotels is the leading hospitality company in southern Africa. The Group proudly encompasses over 100 hotels across all sectors of the market in South Africa, Africa, the Seychelles and the Middle East, an extensive selection of restaurants and bars and a diverse collection of conference and banqueting facilities. The Group includes a portfolio of owned, operated and managed hotels, resorts, restaurants and conference facilities.

Refer [here](#) for information on our brands and hotels for purposes of this manual.

2. Purpose of this manual

This manual has been completed in accordance with the Promotion of Access to Information Act 2 of 2000 and the Protection of Personal Information Act 4 of 2013, hereafter referred to as PAIA and POPIA respectively.

PAIA gives effect to the Constitutional right of access to information and grants a requester access to records of a company if the record is required for the exercise or protection of any right. If a public body lodges a request, the public body must be acting in the public interest.

Requests in terms of PAIA are required to be made in accordance with the prescribed procedures, at the rates provided. The purpose of this manual is to facilitate requests for access to information of TsoGo Sun Hotels.

POPIA is the South African data privacy and data protection law and amends certain provisions of PAIA in order to balance the need for access to information against the need to ensure the protection of personal information. POPIA also set-outs the rights of a data subject in respect of their personal information.

The purpose of this manual is to facilitate requests for access to information of TsoGo Sun Hotels as well the requests permitted to data subjects as set-out in POPIA.

A "data subject" as defined in POPIA means the person to whom personal information relates and includes a natural or a juristic person.

This manual does not comprehensively deal with every procedure provided for in these Acts.

Requesters of information for purpose of PAIA or where a data subject would like to object to the processing of personal information or require information to be updated / deleted as permitted in POPIA are advised to familiarise themselves with the provisions of the respective Acts, before making any requests to TsoGo Sun Hotels.

TsoGo Sun Hotels makes no representation and gives no undertaking or warranty that the information provided by it to a requester is complete or accurate, or that such information is fit for any purpose. All users of such information shall use such information entirely at their own risk, and the TsoGo Sun Hotels shall not be liable for any loss, expense, liability or claims, howsoever arising, resulting from the use of this manual or any information provided by TsoGo Sun Hotels or any error therein.

3. Contact details of the Information Officer

The responsibility for administration and compliance in terms of PAIA and POPIA have been delegated to the Information Officer.

Requests pursuant to the provisions of PAIA and POPIA must be directed to the below contact details:

Name of Private Body:	Tsogo Sun Hotels limited and its subsidiaries **
Information Officer:	Rosa van Onselen
Street Address:	Palazzo Towers West, Montecasino Boulevard, Fourways
Postal Address:	Private Bag X200, Bryanston 2146
Telephone Number:	(011)510 7495
E-mail:	hotelsprivacy@tsogosun.com
Website:	www.tsogosun.com

** Refer [here](#) for a list of the companies included.

4. Contact information of the Information Regulator:

The Information Regulator oversees compliance to both PAIA and POPIA:

Street Address:	JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001
Postal Address:	The Information Regulator (South Africa) P.O. Box 31533, Braamfontein, Johannesburg, 2017
Telephone Number:	Refer to website
Complaints E-mail:	complaints.IR@justice.gov.za
General enquiries E-mail:	inforeg@justice.gov.za
Website:	https://www.justice.gov.za/inforeg/

5. Automatically available information

Tsogo Sun Hotels, as a private body, may voluntarily make available a description of categories of records available without a person having to request access in terms of PAIA, and the only fee for access to these records may be the prescribed fee for reproduction.

The automatically available information includes:

- Information available on the Tsogo Sun Hotels website
- Marketing material which includes (brochures, pamphlets and advertisements)
- Information already available in the public domain

6. Categories of records that may be requested

Tsogo Sun maintains records on the following categories as detailed below. Each request for this information will be individually assessed and does not imply that a request for access to the record will be honoured. There are a number of grounds for refusal of access to records.

The below is not an exhaustive list.

Company Secretarial / Legal

- General contracts
- Statutory records
- Licences
- Minutes of meetings
- Title Deeds
- Correspondence
- Organogram
- Management Agreements
- Leases
- Limits of Authority
- Registered trademarks, trade names, protected names and other copyright items

Human Resources

- Staff records
- Contracts of employment
- Employment equity
- Policies and Procedures
- Pension and Provident Fund details
- Remuneration Committee reports
- Disciplinary Code
- Collective Agreements
- B-BBEE Verification Certificate

Financial

- Audit Committee reports
- Audited financial statements
- Taxation records
- Asset registers
- Management accounts
- Banking details
- Treasury documents
- Insurance documentation
- Information technology

7. Records available in terms of any other legislation

Records are kept and are available upon specified conditions in accordance with such other legislation as is applicable to the Tsogo Sun Hotels, including:

- Basic Conditions of Employment Act 75 of 1997
- Compensation for Occupational Injuries and Health Diseases Act 130 of 1993
- Competition Act 89 of 1998
- Consumer Protection Act 68 of 2008
- Eastern Cape Liquor Act 10 of 2003
- Employment Equity Act 55 of 1998
- Environmental Health and Safety Act 1989
- Free State Liquor Act 3 of 2007
- Gauteng Liquor Act 2 of 2003
- Immigration Act 13 of 2002
- Income Tax Act 95 of 1967
- KwaZulu-Natal Liquor Act 27 of 1989
- Medical Schemes Act 131 of 1998
- Mpumalanga Liquor Act 5 of 2006
- National Credit Act 34 of 2006

- National Liquor Act 59 of 2003
- Northern Cape Liquor Act 2 of 2008
- Occupational Health and Safety Act 85 of 1993
- Pension Funds Act 24 of 1956
- Safety at Sports and Recreational Events Act 2 of 2010
- Share Blocks Control Act 59 of 1980
- Skills Development Levies Act 9 of 1999
- The Companies Act 71 of 2008 (as amended)
- The Labour Relations Act 66 of 1995
- Tobacco Products Control Act 83 of 1993
- Unemployment Insurance Act 63 of 2001
- Value Added Tax Act 89 of 1991
- Western Cape Liquor Act 4 of 2008

This is not an exhaustive list of laws and regulations that may require records to be kept.

8. Purpose for data being processed

In terms of POPIA, data must be processed for a specified purpose, and should not be retained for any longer than what the information is required for. The purpose for which information is processed by Tsogo Sun Hotels will depend on the nature of the information and the particular data subject. This purpose is ordinarily disclosed either explicitly or implicitly at the time when the information is processed and generally includes the following:

- to provide our products and services – such as fulfilling the contract; managing our relationship with clients, before, during and after the stay or when making use of our products and services; managing the Tsogo Sun Hotels Rewards programme, client surveys etc.
- legitimate purposes – such as wanting to protect our legitimate interest or that of yours
- marketing purposes – such as pursuing lawful related marketing activities for our legitimate interest;
- business purposes – such as internal audit, accounting, vendor management and procurement, statistical, business planning, HR & payroll, joint ventures, disposals of business, or other proposed and actual transactions; and
- legal purposes – such as where necessary in the performance of a contract; handling claims, complying with regulations, or pursuing good governance.

9. Categories of data subjects’ and the information collected:

The below table is grouped into the 3 categories of data subjects and the categories of information collected for each. This is not an exhaustive list of all the categories of information collected.

Data Subject	Definition	Type of information collected
Client Records	A client (natural or juristic entity) that enquires about or makes use of our products and services. Refer to our Privacy Policy for more information.	Identifying information, contact information, address information, reservation information, history and future reservation information, Tsogo Sun Hotels Rewards programme information, technical and location information, financial information, medical and health information, company information

Data Subject	Definition	Type of information collected
Employee Records	Employee refers to any person who works for Tsogo Sun Hotels and receives, or is entitled to receive, remuneration from Tsogo Sun Hotels. The list includes but are not limited to directors (executive and non-executive), permanent, temporary and part-time staff, as well as contract workers.	Psychometric assessment and criminal record results, identifying information, contact information, address information, financial information, medical and health information, pension and provident fund, tax, employee performance assessments, leave records, training records, biometric information for clock-in and accessing certain systems
Third Party Records	Third party refers to for example contractors, suppliers and service providers.	Company information, address and contact information, financial information, tax clearance and B-BBEE certificate

10. Recipients to whom personal information may be supplied

Depending on the nature of the personal information, Tsogo Sun Hotels may supply information or records to the following categories of recipients:

- Anyone making a successful application for access in terms of PAIA;
- Employees, that require the personal information to do their jobs and rendering our products and services to you. These include our responsible hotel staff, management, sales and marketing, accounting, HR & payroll, audit, compliance, information technology, or other personnel.
- Other hotels or divisions within the Group to which we belong so as to provide joint content and services like registration, for transactions and customer support; Tsogo Sun Hotels Rewards programme; to help detect and prevent potentially illegal acts and violations of our policies, and to guide decisions about our products, services, and communications;
- Travel Agents and Corporates where for example stays are to be billed back for payment by these parties;
- Our service providers under contract who help provide certain goods or services or help with parts of our business operations, including Audit (Internal and External), IT sub-contractors, fraud prevention, invoicing portal, marketing, technology services, offsite contracted document storage facilities. Our contracts dictate that these goods or services providers only use information in connection with the goods or services they supply or services they perform for us and not for their own benefit;
- Credit bureaus to report account information, as permitted by law;
- Banking partners as required by credit card association rules; and
- Regulators, as required by law or governmental audit.
- Medical, Pension and Provident funds
- Marketing purposes to for example disclose aggregate statistics (information about the customer population in general terms) about the personal information to advertisers or business partners to provide services (e.g. maintenance, analysis, audit and marketing). They will have access to your information as reasonably necessary to perform these tasks on our behalf and are obligated not to disclose or use it for other purposes.
- Law enforcement if required:
 - by a subpoena or court order;
 - to comply with any law;
 - to protect the safety of any individual or the general public; and
 - to prevent violation of our customer relationship terms.

11. Transborder flows of personal information

Tsogo Sun Hotels manage central booking engines in order to collect the information pertaining to reservations and then distribute this to the hotel booked. The Group also manages a global database of clients staying in our various Hotels as well as managing the Tsogo Sun Hotels Rewards programme. Since the Group operates in multiple countries, information might be transmitted or transferred outside of the country in which it was collected to a foreign country and process it in that country. Personal information may be stored on servers located outside the country in which it was collected in a foreign country whose laws protecting personal information may not be as stringent as the laws in the country in which it was collected.

12. Security measures

Tsogo Sun Hotels take the security of personal information very seriously and always endeavour to comply with applicable data protection laws. The Group takes practical and reasonable steps to secure personal information from unauthorised access, use or disclosure. When personal information (such as a credit card number) is transmitted to other websites, it is protected through the use of encryption, such as the Secure Socket Layer (SSL) protocol. The hosting companies and service providers host our website and other systems in a secure server environment that uses a firewall and other advanced security measures to prevent interference or access from outside intruders. Tsogo Sun Hotels have organisational measures such as access controls e.g. User IDs and passwords for accessing systems and authorise access to personal information only for those employees who require it to fulfil their job responsibilities.

13. Availability of the Manual

This Manual is available for inspection as follows:

- Tsogo Sun Hotels website
- Tsogo Sun Hotels Head Office
- Upon request and payment of a reasonable amount where required to be printed

14. Access to Information request in terms of PAIA

14.1 The request procedure

To facilitate the processing of the request, kindly:

- Use the prescribed form (refer to point 17 of this manual for further details on the form to be used).
- In addition to the prescribed form, requesters will be required to supply a certified copy of their identification document or any other legally acceptable form of identification.
- Address the request to the Information Officer at the address or e-mail address already provided (unless the online form is being completed).
- Provide sufficient details to enable Tsogo Sun Hotels to identify the following:
 - (a) record(s) requested;
 - (b) requester (and if an agent is lodging the request, proof of capacity);
 - (c) the form of access required;
 - postal address or facsimile number of the requester in the Republic;
 - if the requester wishes to be informed of the decision in any manner (in addition to written), the manner and particulars thereof;
 - (d) the right which the requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.

14.2 Notification

Requesters will be informed within 30 days if Tsogo Sun Hotels’ decision is to refuse access to the information requested based on any of the grounds for refusal as contemplated in the Act. Take note that the 30-day period may be extended for a further 30-day period should more time be required to gather the requested information. The requester will, however, be notified if the initial 30-day notice period is to be extended for a further 30 days.

14.3 Prescribed Fees

The following applies to requests (other than personal requests):

- A requester is required to pay the prescribed fees (R50,00) before a request will be processed;
- If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted);
- A requester may lodge an application with a court against the tender/payment of the request fee and/or deposit;
- Records may be withheld until the fees have been paid.
- Requesters are required to pay fees for accessing the records and include fees for the search, preparation and reproduction of the documents.
- The fees are as follows:

(a)	For every photocopy of an A4-size page or part thereof	R1,10
(b)	For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine- readable form	R0,75
(c)	For a copy in a computer-readable form on a compact disc	R70,00
(d)	i. For a transcription of visual images, for an A4-size page or part thereof	R40,00
	ii. For a copy of visual images	R60,00
(e)	i. For a transcription of an audio record, for an A4-size page or part thereof	R20,00
	ii. For a copy of an audio record	R30,00
(f)	To search for and prepare the record for disclosure for each hour or part of an hour reasonably required for such search and preparation.	R30,00
(g)	The postage payable when a copy of record must be posted to a requester.	Actual

15. Data Subject rights under POPIA

POPIA grants the following rights to a data subject after providing proof of identity that allows the data subject to request:

- Confirmation, free of charge whether personal information is kept about the data subject.
- Request the record or a description of the personal information about the data subject held, including information about the identity of all third parties, or categories of third parties, who have, or have, had access to the information.

On the latter if a fee is payable for the services rendered a written estimate of the fee must be provided, before providing the service and a deposit might be payable.

Furthermore, a data subject may in the prescribed manner or a form that is similar (refer to point 17 of this manual for further details on the form to be used):

- Object to the processing of personal information in terms of section 11(3).
- Request in terms of section 24(1) for the:
 - Correction or deletion of personal information about the data subject in its possession or under its control that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading or obtained unlawfully; or
 - Destroying or deletion of a record of personal information about the data subject that TsoGo Sun Hotels is no longer authorised to retain.

TsoGo Sun Hotels do have an obligation to retain personal information as required in the respective laws and regulations that are applicable to TsoGo Sun Hotels. Any request would, therefore, first need to be assessed terms of the retention requirements.

A client will be able to correct personal information when staying at a TsoGo Sun Hotel property. Members of the TsoGo Sun Hotels Rewards programme can access the TsoGo Sun Hotels website and log in using their membership number and PIN in order to update their personal details.

Updates to the details of Third Party Records can be requested through the relevant Hotel, Department or Head Office.

16. Prescribed forms

The respective regulations refer to the forms that are to be completed. Where the form is not completed any form which is substantially similar to the form required is to be completed.

There are two options made available that can be accessed [here](#), namely, complete the relevant online form, or download and complete the pdf and return it to us at the address supplied.