



Nimble Group

PAIA AND POPIA MANUAL

Version 2.1

Dated Oct. 2023

Table of Contents

1	INTRODUCTION	3
2	BACKGROUND AND FUNCTION OF NIMBLE GROUP	3
3	PAIA MANUAL	3
4	CONTACT DETAILS	3
4.1	SECTION 51(1)A	3
4.2	SECTION 51(1)B	6
4.3	SECTION 52(2)	7
4.4	SECTION 51(1)D	7
4.5	SECTION 51(1)E	8
4.6	ACCOUNTING RECORDS	8
4.7	STATUTORY EMPLOYEE RECORDS	8
1)	EMPLOYEES' NAMES AND OCCUPATIONS	8
2)	TIME WORKED BY EACH EMPLOYEE	8
3)	REMUNERATION PAID TO EACH EMPLOYEE	8
4)	DATE OF BIRTH OF EACH EMPLOYEE	8
5)	ATTENDANCE REGISTER	8
6)	SALARY AND WAGES REGISTER	8
7)	INDUSTRIAL TRAINING RECORDS	8
8)	TAX RETURNS OF EMPLOYEES	8
4.8	OTHER EMPLOYEE RECORDS	8
4.9	MOVABLE PROPERTY	9
4.10	AGREEMENTS AND CONTRACTS	9
4.11	TAXATION	9
1)	COPIES OF ALL INCOME TAX RETURNS AND OTHER TAX RETURNS AND DOCUMENTS.....	9
4.12	INSURANCE	9
4.13	INFORMATION TECHNOLOGY	9
4.14	SALES AND MARKETING	10
5	ACCESS TO RECORDS	10
5.1	PERSONAL REQUESTER	10
5.2	OTHER REQUESTER	10
6	REQUEST PROCEDURE	10
7	DECISION	11
8	GROUND FOR REFUSAL OF ACCESS TO RECORDS IN TERMS OF PAIA	11
9	INTERNAL REMEDIES	12
10	EXTERNAL REMEDIES	12
11	FEES	12
12	PROTECTION OF PERSONAL INFORMATION THAT IS PROCESSED BY NIMBLE GROUP	13

1 Introduction

The promotion of Access to Information Act, 2000 (the “Act”) gives third parties the right to approach private bodies and the government to request information held by them, which is required in the exercise and/or protection of any rights. On request, the private body or government is obliged to release such information unless the Act expressly states that the records containing such information may or must not be released. This manual informs requestors of procedural and other requirements which a request must meet as prescribed by the Act.

2 Background and Function of Nimble Group

Nimble Group (Pty) Ltd and its subsidiaries (“Nimble”)

Nimble operates in the credit Management market providing a range of solutions across the life cycle of consumer and corporate debt. Our offerings include receivables management, arrears recoveries, debt purchases and ancillary advisory work. With solutions driven by data and delivered through sophisticated technologies, Nimble is a leader in its industry.

3 PAIA Manual

Section 51 Manual for Private Bodies

This manual has been prepared in terms of section 51 of the Promotion of Access to Information Act2/2000

4 Contact Details

4.1 Section 51(1)a

A)

Name of Business:	Nimble Group (Proprietary) Limited
Registration Number:	2008/ 017612/07
Contact Person:	Marius Smith

Physical Address:
35 Brickfield Road
Saltriver
Cape Town
7925

Postal Address:
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7951

Telephone: + 27 (0) 21 830 0700
E-mail: Mariuss@Normanbissett.co.za
Web Site: WWW.Nimblegroup.co.za

and Subsidiaries:

B)

Name of Business: Nimble Credit Solutions 2
Registration Number: 2003/032000/07
Contact Person: Marius Smith
Web Site: WWW.Nimblegroup.co.za

Physical Address:
35 Brickfield Road
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C)

Name of Business: **Nimble Credit Solutions 3**
Registration Number: 1969/015054/07
Contact Person: Patrick Smart

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Wes Site: WWW.Nimblegroup.co.za

D)



Name of Business: **Nimble Credit Solutions 1**
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Contact Person: Marius Smith

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35 Brickfield Road
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E)

Name of Business: **Norman Bissett & Associates Group (Proprietary) Limited (Botswana)**
Registration Number: CO.99/3980
Contact Person: Madeleine Gerber

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CBD,
1st Floor,
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Telephone: 021 8300783
Email: madeleineg@normanbissett.co.za
Web Site: WWW.Nimblegroup.co.za

F)

Name of Business: **Norman Bissett & Associates Group (Proprietary) Limited Group (Namibia)**
Registration Number: 99/199
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4.2 Section 51(1)b






Description of the section 10 Guide





A Guide has been compiled in terms of Section 10 of PAIA by the Human Rights Commission. It contains information required by a person wishing to exercise any right, contemplated by PAIA. It is available in all of the official languages.

The Guide is available for inspection at the Human Rights Commission at 29 Princess of Wales Terrace, cnr York and St. Andrews Street, Parktown 2193 and on its website at www.sahrc.org.za.

RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION: SECTION 51(1)(d)

Where applicable to our operations, information is available in terms of certain provisions of the following statutes:

-  Labour Relations Act 66 of 1995
-  Employment Equity Act 55 of 1998
-  Basic Conditions of Employment Act 75 of 1997
-  Compensation for Occupational Injuries and Disease Act 130 of 1993
-  Companies Act No. 61 of 1973

-  Unemployment Insurance Act 63 of 2001
-  Value Added Tax Act 89 of 1991
-  Income Tax Act 58 of 1962
-  Skills Development Act 9 of 1999

4.3 Section 52(2)

Records, which are available without a person having to request access in terms of PAIA.

At this stage, no notice(s) has been published on the categories of records that are automatically available without a person having to request access in terms of PAIA

4.4 Section 51(1)d

Records available in terms of other legislation Information is available in terms of the following legislation, if and where applicable:

- 1) *Basic Conditions of Employment Act No 75 of 1997*
- 2) *Companies Act No 71 of 2008*
- 3) *Compensation of Occupational Injuries and Diseases Act No 130 of 1993*
- 4) *Electronic Communications and Transactions Act No 25 of 2002*
- 5) *Employment Equity Act No 55 of 1998*
- 6) *Income Tax Act No 58 of 1962*
- 7) *Labor Relations Act No 66 of 1995*
- 8) *Occupational Health and Safety Act No 85 of 1993*
- 9) *Promotion of Access to Information Act No 2 of 2000*
- 10) *Skills development Levies Act No 9 of 1999*
- 11) *Unemployment Insurance Act No 30 of 1966*
- 12) *Value Added Tax Act No 89 of 1991*

4.5 Section 51(1)e

4.6 Accounting Records

- 1) Annual Financial Statements, including annual accounts and the report of the accounting officer.
- 2) Accounting records, including supporting schedules to accounting records and ancillary accounting records
- 3) Books of Account including journals and ledgers
- 4) Delivery notes, orders, invoices, statements, receipts, vouchers and bills of exchange.

4.7 Statutory Employee Records

- 1) Employees' names and occupations
- 2) Time worked by each employee
- 3) Remuneration paid to each employee
- 4) Date of birth of each employee
- 5) Attendance register
- 6) Salary and wages register
- 7) Industrial training records
- 8) Tax returns of employees

4.8 Other Employee Records

- 1) Employee contracts
- 2) Maternity leave policy
- 3) Code of conduct

4.9 Movable Property

- 1) Asset register
- 2) Finance and Lease Agreements

4.10 Agreements and Contracts

- 1) Agreements with shareholders, officers, or directors
- 2) Acquisition or disposal documentation
- 3) Agreements with contractors and suppliers
- 4) Agreements with customers
- 5) Sale agreements
- 6) Purchase or lease agreements

4.11 Taxation

- 1) Copies of all Income Tax Returns and other tax returns and documents

4.12 Insurance

- 1) Insurance policies
- 2) Claim records.
- 3) Details of insurance coverage, limits, and insurers

4.13 Information Technology

- 1) Hardware
- 2) Operating Systems
- 3) Telephone Lines, Leased Lines and Data Lines
- 4) LAN Installations
- 5) Software Packages
- 6) Disaster Recovery

7) Licenses

8) Audits

4.14 Sales and Marketing

1) Products

2) Customers

5 Access to records

Records held by Nimble Group may be accessed on request only once the requirements for access have been met. A requester is any person making a request for access to a record of Nimble Group and in this regard, the Act distinguishes between two types of requesters:

5.1 Personal Requester

A personal requester is a requester who is seeking access to a record containing personal information about the requester. Subject to the provisions of the Act and applicable law, Nimble Group will provide the requested information, or give access to any record about the requester's personal information. The prescribed fee for reproduction of the information requested will be charged by Nimble Group.

5.2 Other Requester

This requester (other than a personal requester) is entitled to request access to information pertaining to third parties. However, Nimble Group is not obliged to grant access prior to the requester fulfilling the requirements for access in terms of the Act. The prescribed fee for reproduction of the information requested will be charged by.

6 Request Procedure

A requester must comply with all the procedural requirements contained in the Act relating to a request for access to a record. The requester must use the prescribed form (*form available from the offices and/or website of the South African Human Rights Commission – www.sahrc.org.za*) to make the request for access to a record. This must be made to the head of the Firm. This request must be made to the address, fax number or electronic mail address of the Firm.

A requester must state that he or she requires the information to exercise or protect a right, and clearly state what the nature of the right is, so to be exercised or protected. The requester must also provide an explanation of why the requested record is required for the exercise or protection of that right. Nimble Group will process a request within 30 days, unless the requestor has stated special reasons which would satisfy the information officer that circumstances dictate that this period not be complied with. The requester shall be informed in writing whether access has been granted or denied. If, in addition, the



requester requires the reasons for the decision in any other manner, he or she must state the way it is required. If a request is made on behalf of another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the information officer. If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally to the information officer.

7 Decision

Nimble Group will decide whether to grant or decline a request and give notice with reasons (if required) to that effect. The 30-day period within which Nimble Group has to decide whether to grant or refuse a request, may be extended for a further period of not more than 30 days if the request is for a large quantity of information, or the request requires a search for information that has been backup up and stored offsite and the information cannot reasonably be obtained within the original 30-day period. The information officer will notify the requester in writing should an extension be necessary.

8 Grounds For Refusal Of Access To Records In Terms Of PAIA

The following are the grounds on which Nimble Group may, subject to the exceptions contained in Chapter 4 of PAIA, refuse a Request for Access in accordance with Chapter 4 of PAIA:

- 8.1 Financial/commercial, scientific, or technical information, the disclosure of which could likely cause harm to the financial or commercial interests of Nimble Group.
- 8.2 Information which, if disclosed, could put Nimble Group at a disadvantage in contractual or other negotiations or prejudice Nimble Group in commercial competition; and/or
- 8.3 Computer programs which are owned by Nimble Group, and which are protected by copyright and intellectual property laws.
- 8.4 Research information of Nimble Group or a third party, if such disclosure would place the research or the researcher at a serious disadvantage, and
- 8.5 Requests for Records that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources.
- 8.6 Remedies Available To The Requester Upon Refusal Of A Request For Access Of PAIA

- 8.7 Mandatory protection of the privacy of a third party who is a natural person, including a deceased person, where such disclosure of Personal Information would be unreasonable.
- 8.8 Mandatory protection of the commercial information of a third party, if the Records contain:
- 1) Trade secrets of that third party.
 - 2) Financial, commercial, scientific, or technical information of the third party, the disclosure of which could likely cause harm to the financial or commercial interests of that third party; and/or
 - 3) Information disclosed in confidence by a third party to Nimble Group, the disclosure of which could put that third party at a disadvantage in contractual or other negotiations or prejudice the third party in commercial competition
 - 4) Mandatory protection of confidential information of third parties if it is protected in terms of any agreement.
 - 5) Mandatory protection of the safety of individuals and the protection of property.
 - 6) Mandatory protection of Records that would be regarded as privileged in legal proceedings.
 - 7) Protection of the commercial information of Nimble Group, which may include:
 - 8) Trade secrets

9 Internal remedies

Nimble Group does not have internal appeal procedures. As such, the decision made by the Information Officer is final, and Requesters will have to exercise such external remedies at their disposal if the Request for Access is refused.

10 External remedies

In accordance with sections 56(3) (c) and 78 of PAIA, a Requestor may apply to a court for relief within 180 days of notification of the decision for appropriate relief.

11 FEES

The Act provides for two types of fees:

A request fee, (which will be a standard fee) and an access fee, which must be calculated by considering reproduction costs, search and preparation time and cost, as well as postal costs where applicable. When a request is received by the information officer of, the information officer shall by notice require the requester, other than a personal requester, to pay the prescribed request fee, if any, before further processing of the request can take place. If a search for the information is necessary and the preparation and disclosure of the information for disclosure, requires more time than prescribed in the regulations for this purpose, the information officer shall notify the requester to pay as a deposit if the request is granted.

The information officer shall withhold information until the requester has paid the fee or fees indicated. A requester whose request for access to information has been granted, must

pay an access fee reproduction, for search, preparation, and for any time in excess of the prescribed hours to prepare the information for disclosure including making arrangements to make it available in the request form. If a deposit has been paid in respect of a request for access, which is refused, then the information officer shall repay the deposit to the requester.

12 Protection of Personal Information that is Processed by Nimble Group

The requester must:

- 1) provide sufficient particulars to enable NimbleGroup (Pty) Ltd to identify the record(s) requested and to identify the requester.*
- 2) indicate which form of access is required.*
- 3) specify a postal address or email address of the requester in the Republic; and*
- 4) identify the right that the requester is seeking to exercise or protect and provide an explanation of why the requested record is required for the exercise or protection of that right.*

If in addition to a written reply, the requester wishes to be informed of the decision on the request in any other manner, the requester must state that manner and the necessary particulars to be informed in the other manner.

If the request is made on behalf of another person, proof must be submitted of the capacity in which the requester is making the request, to the reasonable satisfaction of Nimble Group (Pty) Ltd.

NOTE: All requests to access records must be done via the "PAIA Request for access to Data Form" which can be found on the Nimble Group (Proprietary) Limited website: "www.Nimblegroup.co.za"

No correspondence will be entered into unless the PAIA request to access information form has been completed.

FEES IN RESPECT OF REQUESTS FOR INFORMATION

FEES IN RESPECT OF PRIVATE BODIES

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.
2. The fees for reproduction referred to in regulation 11(1) 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 -
 - (i) 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
3. The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2) is R50,00.
4. The access fees payable by a requester referred to in regulation 11(3) are as follows:
5.
 - (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 on in electronic or machine-readable form R0,75
 - (c) For a copy in a computer-readable form on -
 - (i) compact disc R70,00
 - (d)
 - (ii) For a transcription of visual images, for an A4-size page or part thereof R40,00
 - (iii) 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, R30,00 for each hour or part of an hour reasonably required for such search and preparation.
6. 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.
7. The actual postage is payable when a copy of a record must be posted to the requester.