

# **Thawte Consulting (Proprietary) Limited**

## **SECTION 51 MANUAL PROMOTION OF ACCESS TO INFORMATION ACT**

**Date: August 2005**

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## **A. INTRODUCTION**

### **Main Business**

Thawte (Pty) Ltd is of the most established Certification Authorities worldwide, trusted since 1995. We facilitate message encryption by managing security credentials and public keys. *thawte* does this by issuing digital certificates to third parties once independent proof of their identity has been obtained.

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

### **1. Contact details**

Head of the body: Alistair Roman (Finance & Operations)  
Ilse Baxter (Business Strategy, Sales and Marketing)

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Durbanville  
7551

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163 Hendrik Verwoerd Drive  
Tygerberg Hills Office Park  
Platteklouf  
7500

Telephone number: +27 21 937 8900  
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Email address: [alistair@thawte.com](mailto:alistair@thawte.com)  
[ilseb@thawte.com](mailto:ilseb@thawte.com)

### **2. The section 10 Guide on how to use the Act**

The Guide will, according to the South African Human Rights Commission (SAHRC), be available for inspection at the offices of the SAHRC. Please direct any queries to:

#### **The South African Human Rights Commission:**

##### **PAIA Unit**

##### **The Research and Documentation Department**

Postal address: Private Bag 2700  
Houghton  
2041

Telephone: +27 11 484-8300  
Fax: +27 11 484-7146  
Website: [www.sahrc.org.za](http://www.sahrc.org.za)  
E-mail: [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)

### **3. Records available in terms of any other legislation**

Thawte (Pty) Ltd keeps records in terms of the following legislation:

- 1 Basic Conditions of Employment No. 75 of 1997
- 2 Companies Act No. 61 of 1973
- 3 Compensation for Occupational Injuries and Health Diseases Act No. 130 of 1993
- 4 Employment Equity Act No. 55 of 1998
- 5 Income Tax Act No. 95 of 1967
- 6 Intellectual Property Laws Amendments Act No. 38 of 1997
- 7 Labour Relations Act No. 66 of 1995
- 8 Promotion of Access to Information Act
- 9 Regional Services Councils Act No. 109 of 1985
- 10 SA Reserve Bank Act No. 90 of 1989
- 11 Skills Development Levies Act No. 9 of 1999
- 12 Skills Development Act No. 97 of 1998
- 13 Unemployment Contributions Act No. 4 of 2002
- 14 Unemployment Insurance Act No. 63 of 2001
- 15 Value Added Tax Act No. 89 of 1991

### **4. Access to the records held by Thawte Consulting (Proprietary) Limited**

#### **i. Information readily available**

All public information is displayed on the [www.thawte.com](http://www.thawte.com) website as well as on **thawte's** referral channel **t-refer** please see [www.t-refer.com](http://www.t-refer.com)

#### **ii. Records that may be requested:**

The following is a list of records held by Thawte Consulting (Pty) Ltd. Access to these documents may be protected by privacy or the grounds of refusal detailed in the Act.

##### **Statutory Company Information**

- 1 Memorandum and Articles of Association ;
- 2 Certificate of Incorporation;
- 3 Certificate of Change of Name;
- 4 Certificate to Commence Business;
- 5 Combined Company Register and Minute Book;
- 6 Annual Financial Statements

##### **Accounting Records**

- 1 Books of account regarding information required by the Companies Act, No. 61 of 1973, as amended;
- 2 Supporting schedules to books of account and ancillary books of account.
- 3 Books of account including journals and ledgers;

##### **Statutory Employee Records**

- 1 Employees' names and occupations;
- 2 Remuneration paid to each employee;
- 3 Date of birth of each employee;
- 4 Attendance register;
- 5 Employment equity plan;
- 6 Salary and wages register;
- 7 Records of foreign employees;
- 8 Records and determinations made in terms of the Labour Act;
- 9 Staff records (after date of employment ceases);
- 10 Records in terms of the Income Tax .

### **Other Employee Records**

Employee contracts;

- 1 Maternity leave policy;
- 2 Relocation policy;
- 3 Group life;
- 4 Employee stock purchase plan;
- 5 Code of conduct.

### **Retirement Funding Records**

- 1 Provident Fund Rules;
- 2 Provident Fund account records;
- 3 Actuarial Valuation Reports;
- 4 Contribution Records;
- 5 Annual accounts.

### **Intellectual Property**

- 1 Trademarks, trade names and protected names;
- 2 Copyrights;
- 3 Agreements relating to intellectual property such as license agreements, secrecy agreements, research and development agreements, consulting agreements, use agreements, joint venture agreements and joint development agreements.

### **Agreements and Contracts**

- 1 Material agreements concerning provision of services or goods;
- 2 Joint venture agreements, partnership agreements, participation, franchise, co-marketing, co-promotion or other alliance agreements;
- 3 Agreements with shareholders, officers or directors;
- 4 Acquisition or disposal documentation;
- 5 Agreements with contractors and suppliers;
- 6 Agreements with customers;
- 7 Sales agreements;
- 8 Distributor, dealer or agency agreements;
- 9 Restraint agreements;
- 10 Agreements with governmental agencies;
- 11 Purchase or lease agreements.

### **Taxation**

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

### **Information Technology**

- 1 Hardware;
- 2 Operating Systems;
- 3 Telephone Exchange Equipment;
- 4 Telephone Lines, Leased Lines and Data Lines;
- 5 LAN Installations;
- 6 Software Packages;
- 7 Disaster Recovery;
- 8 Internal Systems Support and Programming / Development;
- 9 Capacity and Utilization of Current Systems;
- 10 Development or Investment Plans;
- 11 Agreements;
- 12 Licenses;
- 13 Audits.

### **Technical support**

- 1 Product and Software Support;
- 2 Internal policies and procedures;
- 3 Internal training documentation;

### **Customer support**

- 1 Internal training documentation
- 2 Internal policies and procedures
- 3 VeriSign Verification Policies and Procedures
- 4 Supporting documents used in order processing, e.g. Proof of Right, Domain Auth Letters, etc. received from customers

### **Sales and Marketing**

#### **The following Marketing information is made publicly available:**

- 1 Detailed product information and white papers/guides
- 2 Information on various Partner channels – i.e. Reseller Partner Channel, SPKI Program and **t-refer** referral channel.
- 3 Information and guides on how to purchase, renew and/or reissue our products;
- 4 News articles and monthly newsletters
- 5 Press releases (current and previous)
- 6 Corporate information including **thawte's** history/timeline, upcoming conferences, legal notices
- 7 Certification Practices Statement outlining the policies and processing of the business which is audited by KPMG
- 8 Certificate Free Trial documentation

- 9 Consumer Education/Awareness covering **thawte's** policies when authenticating certificates, **thawte** Trusted Site Seal
- 10 General information on SSL
- 11 Detailed Contact Us information
- 12 Official Privacy Policy reviewed by TrustE.

Please see [www.thawte.com](http://www.thawte.com) for more details.

**iii. The request procedures:**

**Form of request:**

- The requester must use the prescribed form to make the request for access to a record. This must be made to the head of the private body. This request must be made to the address, fax number or electronic mail address of the body concerned.
- The requester must provide sufficient detail on the request form to enable the head of the private body to identify the record and the requester. The requester should also indicate which form of access is required. The requester should also indicate if any other manner is to be used to inform the requester and state the necessary particulars to be so informed.
- The requester must identify the right that is sought to be exercised or to be protected and provide an explanation of why the requested record is required for the exercise or protection of that right.
- 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 head of the private body.

**Fees:**

A requester who seeks access to a record containing personal information about that requester is not required to pay the request fee. Every other requester, who is not a personal requester, must pay the required request fee:

- The head of the private body 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.
- The fee that the requester must pay to a private body is R50. The requester may lodge an application to the court against the tender or payment of the request fee.
- After the head of the private body has made a decision on the request, the requester must be notified 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 has exceeded the prescribed hours to search and prepare the record for disclosure.

**5. Other information as may be prescribed**

The Minister of Justice and Constitutional Development has not made any regulations in this regard.

**6. Availability of the manual**

The manual is also available for inspection during office hours at the offices of Thawte Consulting (Proprietary) Limited free of charge. Copies are available from the SAHRC and on our website (<http://www.thawte.com>).