

Moove Motion Fitness Club South Africa (Pty) Ltd

PROMOTION OF ACCESS TO INFORMATION MANUAL

**Prepared in terms of section
51 of the Promotion of Access
to Information Act 2 of 2000
(as amended) (PAIA)**

1. PURPOSE OF PAIA MANUAL

This PAIA Manual has been prepared in accordance with the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) (PAIA) to assist members of the public in exercising their right of access to records held by Moove Motion Fitness Club, subject to the provisions of PAIA and any other applicable legislation.

The Manual is intended to enable members of the public to:

- 1.1 Identify the categories of records held by Moove Motion Fitness Club that are available without the need to submit a formal request for access in terms of PAIA.
- 1.2 Understand the process for requesting access to records held by Moove Motion Fitness Club, including the subjects on which records are maintained and the categories of records available under each subject.
- 1.3 Obtain information regarding records that are available in terms of PAIA and any other applicable legislation.
- 1.4 Access the contact details of Moove Motion Fitness Club's Information Officer and Deputy Information Officer, who are responsible for assisting requesters with access to records.
- 1.5 Obtain information regarding the guide published by the Information Regulator on the use of PAIA and how to access the guide.
- 1.6 Understand whether Moove Motion Fitness Club processes personal information, the purposes for which such personal information is processed, and the categories of data subjects and personal information processed.
- 1.7 Understand the categories of recipients to whom personal information may be disclosed, where such disclosure is lawful and necessary.
- 1.8 Determine whether Moove Motion Fitness Club transfers or processes personal information outside the Republic of South Africa, including the categories of recipients to whom such information may be transferred, where applicable.
- 1.9 Understand the technical and organisational measures implemented by Moove Motion Fitness Club to safeguard the confidentiality, integrity, and availability of the personal information it processes.

2. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF MOOVE

Information Officer

Name: Peter Toich
Tel: 010 595 2262
Email: peter.toich@moovemfc.co.za

Deputy Information Officer

Name: Anzelle Gammage
Tel: 010 595 2262
Email: info.compliance@moovemfc.co.za

National or Head Office

Postal Address: ERF 207, South Africa Drive, Cosmo City
Physical Address: Cnr William Nicol Dr & Sunrise Blvd Shop G22, Upper Level, Fourways
Crossing, Lonehill, Sandton, 2191
Telephone: 010 595 2262
Email: info.compliance@moovemfc.co.za
Website: <https://www.moovemfc.co.za/>

3. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

3.1. Information Regulator's PAIA Guide

In terms of section 10(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) (PAIA), as amended, the Information Regulator has compiled and published a Guide on how to use PAIA (the Guide). The Guide is intended to assist any person who wishes to exercise a right of access to information in terms of PAIA and the Protection of Personal Information Act, 2013 (Act No. 4 of 2013) (POPIA).

3.2. Availability of the Guide

The Guide is available in all official South African languages and in Braille. It may be obtained from the Information Regulator through its website or by contacting the Information Regulator directly.

3.3. Contents of the Guide

The Guide contains, among other things, information relating to:

- 3.3.1. The purpose and objectives of PAIA and POPIA.
- 3.3.2. The contact details of the Information Officers and Deputy Information Officers of public and private bodies.
- 3.3.3. The procedures and prescribed forms for requesting access to records of:
 - 3.3.3.1. Public bodies in terms of section 11 of PAIA; and
 - 3.3.3.2. Private bodies in terms of section 50 of PAIA.
- 3.3.4. The assistance available from the Information Officer of a public body in terms of PAIA and POPIA.
- 3.3.5. The assistance available from the Information Regulator in relation to PAIA and POPIA.
- 3.3.6. The legal remedies available where a right or obligation under PAIA or POPIA has been affected, including the procedures for lodging:
 - 3.3.6.1. An internal appeal (where applicable);
 - 3.3.6.2. A complaint with the Information Regulator; and
 - 3.3.6.3. An application to a court against a decision of an Information Officer of a public body, a decision on internal appeal, a decision of the Information Regulator, or a decision of the head of a private body.

3.4. Contact Details of the Information Regulator

The Guide may be obtained from the Information Regulator using the following contact details:

Information Regulator (South Africa)

Physical Address: JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001

Postal Address: P.O. Box 31533, Braamfontein, Johannesburg, 2017

Telephone: +27 (0)10 023 5200

Email: infoereg@justice.gov.za

Website: <https://infoeregulator.org.za/>

4. RECORDS WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

In terms of PAIA, certain records held by Moove Motion Fitness Club are available to the public without the need to submit a formal request for access.

4.1. Publicly Available Information

Information that is publicly available on the Moove Motion Fitness Club website and other official communication platforms may be accessed without submitting a request in terms of PAIA. Such information is made available voluntarily by Moove Motion Fitness Club and may be viewed subject to any applicable terms and conditions.

4.2. Categories of Records Automatically Available

The following categories of records are generally available without the need for a formal PAIA request, subject to availability and any applicable restrictions:

- 4.2.1. Marketing and promotional material.
- 4.2.2. Public notices, announcements and notifications.
- 4.2.3. Moove Motion Fitness Club's Privacy Policy.
- 4.2.4. Moove Motion Fitness Club's Terms and Conditions.
- 4.2.5. Information published on Moove Motion Fitness Club's official website and social media platforms.
- 4.2.6. Membership information and club operating hours made available to the public.

5. DESCRIPTION OF THE RECORDS OF MOOVE WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION

Certain records held by Moove Motion Fitness Club are available in accordance with the provisions of applicable South African legislation. Access to such records is subject to the requirements, conditions and limitations prescribed by the relevant legislation.

The following legislation, among others, may provide for the disclosure of, or access to, records held by Moove Motion Fitness Club:

- Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997)
- Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003)
- Companies Act, 2008 (Act No. 71 of 2008)
- Compensation for Occupational Injuries and Diseases Act, 1993 (Act No. 130 of 1993)
- Consumer Protection Act, 2008 (Act No. 68 of 2008)
- Electronic Communications and Transactions Act, 2002 (Act No. 25 of 2002)
- Employment Equity Act, 1998 (Act No. 55 of 1998)
- Income Tax Act, 1962 (Act No. 58 of 1962)
- Labour Relations Act, 1995 (Act No. 66 of 1995)
- Occupational Health and Safety Act, 1993 (Act No. 85 of 1993)
- Promotion of Access to Information Act, 2000 (Act No. 2 of 2000)
- Promotion of Equality and Prevention of Unfair Discrimination Act, 2000 (Act No. 4 of 2000)
- Protection of Personal Information Act, 2013 (Act No. 4 of 2013)
- Skills Development Act, 1998 (Act No. 97 of 1998)
- Tax Administration Act, 2011 (Act No. 28 of 2011)
- Unemployment Contributions Act, 2002 (Act No. 4 of 2002)
- Unemployment Insurance Act, 2001 (Act No. 63 of 2001)
- Value-Added Tax Act, 1991 (Act No. 89 of 1991)

The above list is not exhaustive. Moove Motion Fitness Club complies with all legislation applicable to its operations and will make records available where required by law and subject to the provisions of the relevant legislation, including PAIA and POPIA.

6. DESCRIPTION OF THE SUBJECTS ON WHICH MOOVE HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY MOOVE

Moove Motion Fitness Club maintains records relating to its business operations, employees, members, service providers and other stakeholders.

The inclusion of a category or subject matter in this Manual does not mean that access to such records will automatically be granted. Every request for access to records will be assessed individually in accordance with the provisions of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) (PAIA), considering any applicable grounds for refusal.

Many of the records held by Moove Motion Fitness Club contain personal information belonging to members, employees, service providers and other third parties. Moove Motion Fitness Club is committed to protecting such personal information and will only disclose records where permitted or required by law.

Subjects on which the body holds records	Categories of records
Member (Client) Records	• Membership application forms and agreements • Membership contracts and related documentation • Member correspondence and communication records • Membership billing and payment records • Access control and club usage records • Health declarations and indemnities (where applicable)
Corporate Records	• Memorandum of Incorporation (MOI) • Shareholding and equity records • Statutory compliance records • Records relating to directors and officers • Company policies and governance documents • Marketing and promotional material • Market research and business development records

Subjects on which the body holds records	Categories of records
Employee Records	• Employment contracts • Personal information provided by employees • Recruitment and onboarding records • Payroll, remuneration and benefits records • Leave and attendance records • Performance management records • Training and development records • Disciplinary and grievance records • Exit documentation
Financial Records	• Accounting records • Financial statements • Audit reports • Bank statements and banking records • Accounts payable and receivable • Vendor invoices and remittance advice • Budgets and management accounts • Asset registers • Insurance records • Financial correspondence
Human Resources Records	• Human Resources policies and procedures • Recruitment records and curriculum vitae • Attendance registers • Employment equity records • Skills development records
Information and Communication Technology records	• IT policies, standards and procedures • Software licence agreements • Hardware and software maintenance agreements • System security records • Internal IT reports and correspondence
Legal Records	• Contracts and agreements

Subjects on which the body holds records	Categories of records
	• Legal opinions • Litigation and dispute records • Records relating to legal proceedings • General legal correspondence
Operational Records	• Business plans and operational strategies • Club operating procedures • Health and safety records • Visitor registers • Supplier and contractor records • Operational policies and procedures • Internal and external correspondence
Third-party Records	• Records relating to suppliers, contractors and service providers • Contracts with third parties • Correspondence with third parties • Records received from or held on behalf of third parties, where permitted by law
Property Records	• Lease agreements • Property ownership records • Building compliance certificates • Municipal approvals and permits
Procurement and Supply Chain Records	• Procurement policies and procedures • Supplier agreements • Approved supplier lists • Purchase orders and procurement documentation
Tax Records	• Tax returns submitted to the South African Revenue Service (SARS) • Correspondence with SARS • Tax opinions and advice

Subjects on which the body holds records	Categories of records
	• Tax compliance records and supporting documentation

The above categories are not exhaustive. Moove Motion Fitness Club may create, receive, retain and dispose of additional records in the ordinary course of conducting its business. Access to all records is subject to the provisions of PAIA, POPIA and any other applicable legislation.

7. PROCESSING OF PERSONAL INFORMATION

7.1. Purpose of Processing Personal Information

Moove Motion Fitness Club processes personal information to operate and manage its business effectively while providing members, employees, and prospective members with safe, efficient, and high-quality services. Personal information is processed for purposes that are lawful, relevant, and necessary to support the organisation's day-to-day operations and business objectives.

Moove Motion Fitness Club processes personal information only for legitimate business purposes, in accordance with the Protection of Personal Information Act (POPIA) and implements appropriate safeguards to ensure that personal information is processed securely, confidentially, and responsibly.

Moove Motion Fitness Club processes personal information for purposes including:

- administration of memberships;
- processing payments;
- providing fitness and wellness services;
- managing employee relationships;
- recruitment;
- customer support;
- security and access control;
- compliance with legal obligations;
- fraud prevention;

- health and safety;
- marketing (where permitted);
- management reporting and business administration.

7.2. Description of the categories of Data Subjects and of the information or categories of information relating thereto

Moove Motion Fitness Club processes personal information relating to various categories of data subjects in the ordinary course of its business. Personal information is collected, used, stored and disclosed only where permitted or required by applicable legislation, including the Protection of Personal Information Act, 2013 (Act No. 4 of 2013) (POPIA). The categories below provide a general description of the data subjects, the types of personal information that may be processed, and the categories of recipients to whom such information may be disclosed where lawful and necessary.

Categories of Data Subjects	Personal Information that may be processed	Categories of Recipients to whom the personal information may be supplied
Directors	• Name and contact details • Identity/passport number and date of birth • Physical and postal address • Biometric information (where applicable) • Financial information required for statutory reporting	• Affiliated companies • Professional advisers • Auditors • Regulatory authorities • Financial institutions • Courts and law enforcement agencies • Persons granted access in terms of PAIA
Employees	• Name and contact details • Identity/passport number and date of birth • Physical and postal address • Biometric information (where applicable)	• Payroll and benefit administrators • Medical aid and retirement fund administrators • Professional advisers • Background verification service providers

Categories of Data Subjects	Personal Information that may be processed	Categories of Recipients to whom the personal information may be supplied
	• Payroll, remuneration and tax information • Banking details • Leave, attendance and time records • Training records • Electronic access logs, CCTV footage and system usage records • Emergency contact details	• Regulatory authorities • SARS • Courts and law enforcement agencies • Persons granted access in terms of PAIA
Job applicants	• Name and contact details • Identity information • Curriculum vitae and qualifications • Employment history • Interview notes and assessment results • References • Correspondence relating to recruitment	• Recruitment service providers • Background verification agencies • Professional advisers • Regulatory authorities • Persons granted access in terms of PAIA
Members (including former members)	• Name and contact details • Identity/passport number and date of birth • Physical and postal address • Membership information • Banking and payment information • Biometric information used for access control (where applicable) • Health declarations and medical information voluntarily provided or required for participation (where applicable)	• Payment service providers • Banking institutions • Service providers supporting membership administration • Professional advisers • Regulatory authorities • Courts and law enforcement agencies • Persons granted access in terms of PAIA

Categories of Data Subjects	Personal Information that may be processed	Categories of Recipients to whom the personal information may be supplied
	- Emergency contact information - Guardian information for minors	
Persons who contact Moove Motion Fitness Club	- Name and contact details - Enquiries and correspondence - Information voluntarily provided	- Professional advisers - Service providers assisting with customer support - Regulatory authorities - Persons granted access in terms of PAIA
Suppliers and service providers	- Contact details - Company registration information - Tax and VAT registration details - Banking information - Invoices and payment records - Contracts and agreements - Director and authorised representative information - Business correspondence	- Financial institutions - Professional advisers - Auditors - Regulatory authorities - SARS - Courts and law enforcement agencies - Persons granted access in terms of PAIA
Tenants and independent contractors	- Name and contact details - Identity information - Company registration documents (where applicable) - Banking information - Contracts and agreements - Correspondence	- Professional advisers - Regulatory authorities - Financial institutions - Courts and law enforcement agencies - Persons granted access in terms of PAIA
Visitors to Moove Motion Fitness Club premises	- Name and contact details (where recorded) - Visitor register information - Vehicle registration details (where applicable)	- Security service providers - Regulatory authorities - Courts and law enforcement agencies - Persons granted access in terms of PAIA

Note: The above categories are not exhaustive. The specific personal information processed and the recipients to whom it may be disclosed will depend on the nature of the relationship between Moove Motion Fitness Club and the relevant data subject, the purpose for which the information is processed, contractual requirements, and applicable legal obligations. Moove Motion Fitness Club only discloses personal information where there is a lawful basis to do so in accordance with POPIA and other applicable legislation.

7.3. Planned transborder flows of personal information

Personal information may be transferred to, processed in, or stored on secure servers located outside the Republic of South Africa where cloud hosting providers, technology service providers, or other authorised data processors operate. The specific country or countries will depend on the location of the approved service provider's infrastructure and may include countries that do not have data protection laws equivalent to those of South Africa.

Where personal information is transferred outside South Africa, Moove Motion Fitness Club implements appropriate contractual, technical, and organisational safeguards to ensure that the information receives an adequate level of protection in accordance with the Protection of Personal Information Act, 2013 (POPIA), and other applicable data protection legislation.

7.4. General description of Information Security Measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information

Moove Motion Fitness Club implements appropriate technical, physical, and organisational security measures to ensure the confidentiality, integrity, and availability of personal information under its control. These safeguards are designed to protect personal information against unauthorised or unlawful access, processing, disclosure, alteration, loss, destruction, or damage.

The security measures implemented include:

7.4.1. Data Security and IT Controls

- 7.4.1.1.** Secure servers and IT infrastructure for the storage of personal information.
- 7.4.1.2.** Up-to-date anti-virus and anti-malware software with regular security updates.
- 7.4.1.3.** Secure configuration and maintenance of hardware and software.
- 7.4.1.4.** Electronic access controls to restrict access to authorised personnel only.
- 7.4.1.5.** Regular system updates and security protocols to protect against cyber threats.

7.4.2. Physical Security Measures

- 7.4.2.1.** Physical access controls to facilities where personal information is processed or stored.
- 7.4.2.2.** Controlled access to equipment and records containing personal information.

7.4.3. Organisational Security Measures

- 7.4.3.1.** Information security policies and procedures governing the collection, processing, storage, and disposal of personal information.
- 7.4.3.2.** Confidentiality obligations for employees, contractors, and third-party service providers.
- 7.4.3.3.** Service providers who process personal information on behalf of Moove are contractually required to implement appropriate security controls and comply with applicable data protection requirements.
- 7.4.3.4.** Personal information is shared only where authorised, necessary, and on a confidential basis, with third parties prohibited from using or disclosing the information for any unauthorised purpose.

7.4.4. Access and Identity Management

- 7.4.4.1.** Personal information is accessible only to authorised individuals who require it for legitimate business purposes.

- 7.4.4.2. Identity verification procedures may be implemented before personal information is disclosed to ensure information is released only to authorised individuals.

7.4.5. Information Sharing and Disclosure Controls

- 7.4.5.1. Personal information is not sold or disclosed for commercial purposes.
- 7.4.5.2. Information is disclosed only where required by law, to enforce contractual obligations, to protect the rights or safety of Moove Motion Fitness Club and its members, or for fraud prevention and credit risk management where legally permitted.

These safeguards are regularly maintained and reviewed to support ongoing compliance with the Protection of Personal Information Act (POPIA) and to ensure the continued protection of personal information throughout its lifecycle.

8. REQUEST PROCEDURE

8.1. Submission of Requests for Access

- 8.1.1. Any person requesting access to a record held by Moove Motion Fitness Club in terms of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) (PAIA) must submit a request using the prescribed Form 2, as set out in Annexure A to the PAIA Regulations, 2021 (Government Notice No. R.757 of 27 August 2021).
- 8.1.2. The request must provide sufficient detail to enable Moove Motion Fitness Club to identify:
 - 8.1.2.1. the record requested;
 - 8.1.2.2. the identity of the requester;
 - 8.1.2.3. the form of access required; and
 - 8.1.2.4. the right the requester seeks to exercise or protect, where applicable.
- 8.1.3. Requests that do not substantially comply with the requirements of PAIA may be returned to the requester for completion or correction. Assistance with

completing the prescribed request form may be obtained from Moove Motion Fitness Club's Information Officer or Deputy Information Officer.

8.2. Requests by Data Subjects in Terms of POPIA

- 8.2.1. In terms of the Protection of Personal Information Act, 2013 (Act No. 4 of 2013) (POPIA), a data subject may, upon providing adequate proof of identity, request confirmation as to whether Moove Motion Fitness Club holds personal information relating to them.
- 8.2.2. Where personal information is held, the data subject may request access to such information, including information relating to the identity or categories of third parties who have had access to the personal information, where permitted by law.
- 8.2.3. A data subject may also request Moove Motion Fitness Club to:
 - 8.2.3.1. correct or update personal information that is inaccurate, incomplete, misleading, excessive, irrelevant or out of date;
 - 8.2.3.2. delete personal information that has been unlawfully obtained or processed; or
 - 8.2.3.3. destroy or delete records that Moove Motion Fitness Club is no longer authorised or required to retain in terms of POPIA or any other applicable legislation.
 - 8.2.3.4. Requests relating to the correction, deletion or destruction of personal information must be submitted to the Information Officer or Deputy Information Officer using the prescribed procedures available on Moove Motion Fitness Clubs's website or by contacting the Information Officer directly.

8.3. Proof of Identity

- 8.3.1. Before processing any request for access to records or personal information, Moove Motion Fitness Club must verify the identity of the requester.
- 8.3.2. The requester may be required to submit certified copies of an identity document, passport, driver's licence or any other acceptable form of identification before the request is processed.

8.4. Processing of Requests

- 8.4.1. Moove Motion Fitness Club will consider and respond to requests within 30 (thirty) calendar days after receipt of a valid request, unless an extension is permitted under PAIA.
- 8.4.2. The requester will be informed in writing of the decision to grant or refuse access using the prescribed Form 3 contained in the PAIA Regulations, 2021.
- 8.4.3. Where an extension of the prescribed period is necessary, Moove Motion Fitness Club will notify the requester in writing of:
 - 8.4.3.1. the period of the extension;
 - 8.4.3.2. the reasons for the extension; and
 - 8.4.3.3. the requester's rights under PAIA

8.5. Grounds for Refusal of Access

Moove Motion Fitness Club may refuse access to records on any of the grounds provided for in Chapter 4 of PAIA, including where disclosure would:

- 8.5.1. Constitute an unreasonable disclosure of the personal information of a third party.
- 8.5.2. Reveal confidential commercial information or trade secrets of a third party.
- 8.5.3. Constitute a breach of a duty of confidence owed to a third party under an agreement or law.
- 8.5.4. Endanger the life or physical safety of an individual or prejudice the security of property.
- 8.5.5. Reveal legally privileged information or records prepared for the purposes of legal proceedings where privilege has not been waived.
- 8.5.6. Reveal Moove Motion Fitness Club's confidential commercial information, including trade secrets, financial information, strategic business information or information that may prejudice Moove Motion Fitness Club in commercial negotiations or competition.
- 8.5.7. Reveal confidential research information carried out by or on behalf of Moove Motion Fitness Club or a third party where disclosure could prejudice the research or the legitimate interests of the parties involved.
- 8.5.8. If a requester is dissatisfied with the outcome of a request for access to records, they may lodge a complaint with the Information Regulator or institute proceedings in a court of competent jurisdiction in accordance with PAIA.

8.6. Mandatory Disclosure in the Public Interest

Notwithstanding any grounds for refusal, section 70 of PAIA provides that access to a record must be granted where:

- 8.6.1. The disclosure would reveal evidence of a substantial contravention of, or failure to comply with, the law, or an imminent and serious public safety or environmental risk; and
- 8.6.2. The public interest in the disclosure clearly outweighs any harm contemplated in the applicable ground for refusal.

8.7. Notification of Third Parties

Where a request relates to records containing information about a third party, Moove Motion Fitness Club will comply with the consultation requirements contained in PAIA. Where required by PAIA, the relevant third party will be notified of the request within the prescribed timeframes and afforded an opportunity to make representations regarding whether access should be granted before a final decision is made.

8.8. Fees

Access to records may be subject to the payment of the prescribed request fee and access fee in accordance with the PAIA Regulations, 2021.

Where applicable, the requester will be informed of:

- the request fee;
- the reproduction fee;
- postage/courier costs;
- search and preparation fees where applicable.

No request will proceed until any applicable fees have been paid.

9. AVAILABILITY OF THE MANUAL

This PAIA Manual is available for inspection and may be obtained through the following channels:

- 9.1. On Moove Motion Fitness Club's official website at <https://www.moovemfc.co.za/>
- 9.2. At Moove Motion Fitness Club's registered office during normal business hours at:
Cnr William Nicol Dr & Sunrise Blvd Shop G22, Upper Level, Fourways Crossing, Lonehill,
Sandton, 2191
- 9.3. A copy of this Manual may be requested from the Information Officer or Deputy
Information Officer. Where a hard copy is requested, Moove Motion Fitness Club may
charge a reasonable reproduction fee in accordance with the fees prescribed under PAIA.

10. UPDATING OF THE MANUAL

- 10.1. This PAIA Manual will be reviewed and updated by the Information Officer from time to time to ensure that it remains accurate, current and compliant with the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000), the Protection of Personal Information Act, 2013 (Act No. 4 of 2013), and any other applicable legislation.
- 10.2. Any amendments or updated versions of this Manual will be made available on Moove Motion Fitness Club's website and, where applicable, at its registered office.