

PHOENIX DIRECT MARKETING

(PTY) LTD

PAIA MANUAL

Prepared in terms of section 51 of the Promotion of Access to Information Act 2 of 2000, read with the Protection of Personal Information Act 4 of 2013

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Version	1.0 - 21 July 2026

DOCUMENT STATUS

Company contact details have been completed. Before publication, the Information Officer should confirm that the processing activities and safeguards described in this Manual accurately reflect Phoenix's current operations.

1. Introduction and purpose

Phoenix Direct Marketing (Pty) Ltd ("Phoenix", "the Company", "we", "us" or "our") is a South African private company operating in the direct marketing and lead-generation sector. Its activities may include SMS and digital marketing campaigns, inbound response processing, call-centre lead generation, campaign reporting, customer and prospect data management, and the delivery of qualified leads or campaign outcomes to authorised clients and service providers.

This Manual is compiled in accordance with section 51 of the Promotion of Access to Information Act 2 of 2000 ("PAIA"). It also records information about the Company's processing of personal information as contemplated by the Protection of Personal Information Act 4 of 2013 ("POPIA").

The purpose of this Manual is to:

- describe the records held by Phoenix and the categories in which they are maintained;
- explain how a person may request access to a record required for the exercise or protection of a right;
- set out the types of personal information processed by Phoenix, the relevant data-subject categories, recipients, safeguards and any cross-border processing; and
- provide the contact details through which PAIA and POPIA enquiries may be directed.

SCOPE

This Manual does not create an automatic right of access to every record. Access remains subject to PAIA, POPIA, applicable confidentiality obligations, legal privilege and the lawful protection of third-party rights.

2. Company and Information Officer details

Registered name	Phoenix Direct Marketing (Pty) Ltd
Registration number	2019/311762/07
Head / Information Officer	Rodwin Goldstone
Contact number	+27 (10) 056-1559
Physical address	No. 36 Emily Hobhouse Street, Parow North, Cape Town, South Africa, 7500
Postal address	Same as physical address
Email address	rodwin@phoenix-dm.co.za
Website	www.phoenix-dm.co.za

All PAIA requests and POPIA-related access or correction requests should be addressed to the Information Officer using the details above. Any Deputy Information Officer designated by Phoenix must be registered with the Information Regulator before performing that role.

3. The Information Regulator's PAIA Guide

The Information Regulator has published a Guide to assist persons who wish to exercise rights under PAIA and POPIA. The Guide explains, among other matters, how to make a request, the assistance available from Information Officers and the Regulator, applicable remedies, and prescribed forms and fees.

The Guide and current prescribed forms are available from the Information Regulator at <https://inforegulator.org.za/paia/> and <https://inforegulator.org.za/paia-forms/>. A copy may also be requested from Phoenix's Information Officer.

4. Records automatically available

Phoenix has not, as at the date of this Manual, submitted a notice under section 52 of PAIA identifying categories of records that are automatically available without a formal request. Information that Phoenix has deliberately made public on its website, in public marketing material, or through official public filings may ordinarily be accessed without using the PAIA request process, subject to the terms applicable to the relevant channel.

5. Applicable legislation

Phoenix may hold records in accordance with, or relating to, the following legislation, as amended from time to time and to the extent applicable to its operations:

- Basic Conditions of Employment Act 75 of 1997
- Companies Act 71 of 2008
- Compensation for Occupational Injuries and Diseases Act 130 of 1993
- Consumer Protection Act 68 of 2008, including direct-marketing requirements
- Electronic Communications and Transactions Act 25 of 2002
- Employment Equity Act 55 of 1998
- Income Tax Act 58 of 1962 and Tax Administration Act 28 of 2011
- Labour Relations Act 66 of 1995
- National Credit Act 34 of 2005, where applicable to campaigns or clients
- Occupational Health and Safety Act 85 of 1993
- Promotion of Access to Information Act 2 of 2000
- Protection of Personal Information Act 4 of 2013
- Skills Development Act 97 of 1998 and Skills Development Levies Act 9 of 1999
- Unemployment Insurance Act 63 of 2001 and Unemployment Insurance Contributions Act 4 of 2002
- Value-Added Tax Act 89 of 1991
- Financial Advisory and Intermediary Services Act 37 of 2002, where relevant to campaigns conducted for authorised financial-services clients

This list is not exhaustive and does not imply that every listed statute applies to every activity or record held by Phoenix.

6. Subjects and categories of records held

The inclusion of a category below does not mean that a particular record exists, is retained indefinitely, or must be disclosed. Records may be held electronically, in cloud services, on business systems, or in physical form.

Record area	Examples of records
Corporate and governance	Company registration documents; statutory registers; shareholder and director records; resolutions; policies; licences and registrations; organisational records; management and meeting records.
Finance, tax and insurance	Accounting records; budgets; invoices; bank

Record area	Examples of records
	and payment records; tax records; audit or review records; asset registers; insurance policies and claims; pricing, billing and profitability records.
Human resources	Recruitment records; employee and contractor records; employment agreements; attendance, leave, payroll, remuneration, disciplinary, performance, training, equity, health and safety, and statutory employment records.
Clients and commercial relationships	Client and customer registers; proposals; quotations; service-level agreements; data-supply, lead-generation and campaign agreements; instructions; correspondence; billing records; campaign approvals; client due-diligence and compliance records.
Direct marketing and campaigns	Campaign briefs; approved SMS or digital copy; keywords; suppression and opt-out rules; target criteria; campaign schedules; outbound message records; delivery reports; inbound replies; consent or lawful-basis records where applicable; lead qualification outcomes; call scripts; call recordings where lawfully made; performance and profitability reports.
Leads, prospects and data subjects	Identity and contact details; demographic and segmentation data; product-interest and response data; campaign source and timestamp data; consent, objection, opt-out and suppression records; lead status; client delivery status; validation and deduplication results; complaints and data-subject requests.
Suppliers and operators	Supplier and service-provider registers; contracts; due diligence; data-processing arrangements; invoices; service records; security and compliance information; correspondence.
Information technology and security	Systems architecture; network diagrams; application and database records; user manuals; access-control records; logs; backups; incident records; vulnerability and security

Record area	Examples of records
	assessments; disaster-recovery and business-continuity records; software and hosting agreements.
Legal, regulatory and compliance	PAIA and POPIA records; Information Officer documentation; processing registers; risk assessments; complaints; legal advice and privileged material; litigation records; regulatory correspondence; DNC and opt-out records; internal policies, procedures, training and audit evidence.
Intellectual property and strategy	Business methods; software, source code and configurations; trademarks and branding; marketing plans; product and pricing strategy; research; analytics; campaign models; confidential know-how and trade secrets.

7. Processing of personal information under POPIA

7.1 Purposes of processing

Phoenix processes personal information only for lawful, specific and defined business purposes, which may include:

- planning, executing and measuring direct-marketing and lead-generation campaigns for Phoenix or authorised clients;
- sending approved SMS or digital communications and receiving, interpreting and routing responses;
- identifying interested prospects, qualifying leads and delivering authorised lead records to contracted clients or platforms;
- honouring objections, opt-outs, suppression requests and direct-marketing preferences;
- validating, standardising, deduplicating, matching, enriching or segmenting data where lawfully permitted;
- managing client, supplier, employee and contractor relationships;
- billing, accounting, tax, audit, fraud prevention, security, system administration and business continuity;
- responding to enquiries, complaints, PAIA requests, POPIA requests and legal or regulatory obligations; and
- establishing, exercising or defending legal rights and maintaining evidence of compliance.

7.2 Categories of data subjects and personal information

Data-subject category	Examples of personal information
Prospects, consumers and leads	Names; title; identity number where relevant and lawful; age or date of birth; gender where relevant; mobile and other contact details; location; product interest; marketing source; campaign and keyword; message or call response; consent/lawful-basis and timestamp evidence; opt-out/DNC status; lead and delivery outcome; recordings where lawfully made.
Clients and client representatives	Names; roles; employer; business contact details; instructions; correspondence; contract, billing, compliance and access-control information.
Employees, applicants and contractors	Identity and contact details; employment history; qualifications; payroll, banking and tax details; attendance, performance, training, disciplinary and health-and-safety records; background information where lawful.
Suppliers, operators and service providers	Business and representative details; contracts; payment and banking information; due-

Data-subject category	Examples of personal information
	diligence, security and performance information.
Website, system and communication users	Identifiers; IP address; device/browser and access information; authentication and audit logs; enquiries and communications; cookies or similar data where used.
Regulators, advisers and other third parties	Names; roles; professional and business contact details; correspondence; case, complaint or regulatory reference information.

7.3 Recipients or categories of recipients

Subject to lawful authority, contractual restrictions and data minimisation, personal information may be shared with:

- contracted campaign clients, insurers, financial-services businesses, call centres, lead buyers and customer relationship management or lead-management platforms where authorised;
- SMS aggregators, mobile network operators, telecommunications providers and message-routing platforms;
- cloud hosting, software, database, analytics, security, backup and technical support providers acting as operators;
- data validation, suppression, deduplication, compliance or enrichment providers where the processing is lawful;
- payment providers, banks, accountants, auditors, insurers, legal advisers and other professional advisers;
- employees, contractors and authorised agents who require access for their duties; and
- courts, law-enforcement bodies, regulators, the Information Regulator, SARS and other public authorities where disclosure is required or permitted by law.

7.4 Cross-border flows

Phoenix may use hosting, communications, software, support or lead-management services whose infrastructure or authorised support personnel are located outside South Africa. Any cross-border transfer must comply with section 72 of POPIA, including through an adequate level of protection, a binding agreement, data-subject consent, contractual necessity, or another lawful basis recognised by POPIA. Phoenix should maintain an up-to-date internal register of the countries, providers and safeguards applicable to material cross-border processing.

7.5 Security measures

Phoenix applies reasonable technical and organisational safeguards appropriate to the sensitivity, volume and risk of the information processed. These may include:

- role-based access, unique user accounts, strong authentication and least-privilege controls;

- encryption or secure transmission controls where appropriate, including secured connections to service providers;
- network, endpoint, server and database security controls, logging and monitoring;
- backups, resilience, recovery and continuity arrangements;
- operator and supplier contracts containing confidentiality, security and processing obligations;
- data minimisation, retention, secure deletion, deduplication and suppression controls;
- incident identification, escalation, containment, investigation and notification procedures;
- staff confidentiality undertakings, acceptable-use rules and privacy/security awareness; and
- periodic risk, access and control reviews, with remediation where required.

OPERATIONAL NOTE

The final published Manual should describe safeguards truthfully. Remove or amend any measure above that Phoenix has not implemented, and add any material safeguards that are in place.

8. How to request access to a record

A requester seeking access to a Phoenix record under PAIA must use the prescribed Form 2: Request for Access to Record. The current Form 2 can be obtained from the Information Regulator's PAIA forms page or requested from Phoenix's Information Officer.

1. Complete Form 2 with enough detail to enable Phoenix to identify the requester and locate the requested record.
2. Identify the right the requester seeks to exercise or protect and explain why the requested record is required for that purpose. A request to a private body is not granted merely because the requester would like the information.
3. Specify the preferred form of access and provide contact details for notices. If a disability affects the requested form of access, state the reasonable accommodation required.
4. If acting for another person, attach satisfactory proof of authority or capacity and appropriate proof of identity.
5. Submit the signed Form 2 and supporting documents to the Information Officer at the address or email in section 2.
6. Pay any prescribed request fee when notified, unless an exemption applies. Any access, search, preparation, reproduction or postage fees must be determined under the applicable PAIA Regulations.

Phoenix will acknowledge and process a valid request in accordance with PAIA. The statutory decision period is generally 30 days, subject to a lawful extension. The requester will be notified of the decision and, where applicable, the access fee and method of access.

9. Grounds on which access may be refused

Phoenix may refuse access where PAIA requires or permits refusal. Depending on the record and circumstances, this may include protection of:

- the privacy and personal information of third parties;
- commercial information, trade secrets, confidential information or contractual confidentiality of Phoenix or a third party;
- the safety of individuals and the security of property, systems or methods;

- records protected by legal professional privilege;
- research information and intellectual property;
- information whose disclosure would breach a legal duty of confidence; or
- records where another statutory ground of refusal applies.

Where reasonably possible, Phoenix may sever exempt information and grant access to the remainder of a record. Third-party notification procedures may apply. Nothing in this Manual limits the public-interest override in PAIA where its legal requirements are satisfied.

10. Fees

Fees are governed by PAIA and the Regulations Relating to the Promotion of Access to Information, 2021, as amended. Phoenix will not substitute its own fee schedule for the prescribed fees. A personal requester seeking access to a record containing their own personal information may be exempt from the request fee, although lawful reproduction or access costs may still apply. Phoenix will issue the prescribed notice of outcome and fees where required.

11. Remedies and complaints

A private body does not provide an internal PAIA appeal. If a requester is dissatisfied with Phoenix's decision, the fees charged, the form of access offered, an extension, or a failure to respond, the requester may lodge a complaint with the Information Regulator using prescribed Form 5, subject to PAIA's requirements and time limits. A requester may also have a right to approach a competent court after exhausting any remedy that must first be used.

Information Regulator website	https://inforegulator.org.za
PAIA information and forms	https://inforegulator.org.za/paia/ and https://inforegulator.org.za/paia-forms/
General enquiries	enquiries@inforegulator.org.za
PAIA complaints	PAIAComplaints@inforegulator.org.za
Toll-free number	0800 017 160

Contact details may change. Requesters should verify the current details on the Information Regulator's official website before lodging a complaint.

12. Availability of this Manual

Once finalised, a copy of this Manual will be available:

- on Phoenix's website, if it operates a public website;
- for public inspection during normal business hours at Phoenix's principal place of business, subject to reasonable security and access procedures;
- from the Information Officer upon request, with any permitted copying charge; and
- to the Information Regulator upon request.

13. Updating and approval

The Information Officer will review this Manual periodically and update it when material changes occur, including changes to Phoenix's contact details, operations, categories of records, processing activities, recipients, cross-border arrangements, security measures, prescribed forms or applicable law.

Approved and issued by:

 Rodwin Goldstone
 Information Officer / Head of Private Body
 Phoenix Direct Marketing (Pty) Ltd

Date: _____

Annexure A - PAIA request submission checklist

USE PRESCRIBED FORM 2

This checklist assists with completeness but does not replace the Information Regulator's prescribed Form 2: Request for Access to Record.

- ☐ Current prescribed Form 2 completed and signed
- ☐ Requester full names, identity/registration details and contact details supplied
- ☐ Proof of identity attached, with unnecessary information appropriately protected
- ☐ If acting for another person, proof of authority or capacity attached
- ☐ Requested record described precisely, including date range and reference number if known
- ☐ Preferred form of access identified
- ☐ Right to be exercised or protected identified
- ☐ Explanation supplied showing why the record is required for that right
- ☐ Disability-related accommodation stated, if applicable
- ☐ Request submitted to the Information Officer using the details in section 2

Annexure B - Final checks before publication

Item	Action required
Contact details	Periodically confirm that the address, telephone number, email and website remain current.
Website publication	Publish the approved Manual at www.phoenix-dm.co.za and keep the published copy current.
Information Officer registration	Confirm Rodwin Goldstone is registered with the Information Regulator as Information Officer for Phoenix.
Processing description	Confirm that the listed data categories, recipients, cross-border processing and security measures accurately reflect actual operations.
Approval	Sign and date section 13, then retain an approved master copy.