



MO WORLDWIDE (PTY) LTD

PAIA MANUAL

Promotion of Access to Information Act, No. 2 of 2000

Section 51 Manual for a Private Body

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1. Introduction

MO Worldwide (Pty) Ltd, trading as MO Agency (“**MO Agency**”, “**we**”, “**us**” or “**the Company**”) is committed to promoting transparency, accountability and the right of access to information held by it, in accordance with the Promotion of Access to Information Act, No. 2 of 2000 (“PAIA”), as amended, and the Protection of Personal Information Act, No. 4 of 2013 (“POPIA”).

This Manual is published in terms of Section 51 of PAIA, read together with the relevant provisions of POPIA, and is intended to assist any person (“**Requester**”) in exercising their constitutional right of access to information held by MO Agency.

This Manual is updated from time to time. The most recent version is available on our website at <https://www.mo.agency/paia-manual> and at our principal place of business during normal business hours.

2. Purpose of this Manual

The purpose of this Manual is to:

- Inform Requesters of the categories of records held by MO Agency;
- Explain how a Requester may request access to a record held by MO Agency;
- Describe the procedure that MO Agency follows when responding to a request for access to a record;
- Identify the Information Officer and any Deputy Information Officers responsible for receiving and processing requests;
- Provide details about the personal information that MO Agency processes for the purposes of POPIA, including the categories of data subjects, the recipients of personal information, and any cross-border transfers; and
- Describe the security safeguards that MO Agency has in place to protect personal information.

3. Definitions and Abbreviations

In this Manual, unless the context indicates otherwise, the following definitions apply:

Company / MO Agency: MO Worldwide (Pty) Ltd, registration number 2020/875895/07, a private company registered in the Republic of South Africa and trading as MO Agency.



Head of the Private Body: The person responsible for the management and control of the Company, being the Chief Executive Officer.

Information Officer: The Head of the Private Body, or any person duly authorised by the Head, who is responsible for the duties imposed by PAIA and POPIA.

PAIA: The Promotion of Access to Information Act, No. 2 of 2000, as amended.

Personal Information: Information relating to an identifiable, living, natural person, and where applicable, an identifiable, existing juristic person, as defined in POPIA.

POPIA: The Protection of Personal Information Act, No. 4 of 2013, as amended.

Record: Any recorded information, regardless of form or medium, in the possession or under the control of MO Agency, whether or not it was created by MO Agency.

Regulator: The Information Regulator established in terms of Section 39 of POPIA.

Requester: Any person, including a public body or an authorised representative thereof, who makes a request for access to a record held by MO Agency.

Responsible Party: MO Agency, being the party that determines the purpose and means of processing personal information.

4. Particulars of MO Worldwide (Pty) Ltd

In terms of Section 51(1)(a) of PAIA:

Name of Private Body	MO Worldwide (Pty) Ltd
Registration number	2020/875895/07
VAT number	4090301534
Type of entity	Private Company registered in terms of the Companies Act, No. 71 of 2008, in the Republic of South Africa
Trading name	MO Agency (also operating internationally as MO Worldwide)
Registered address	Building 2, First Floor, Hyde Park Manor, 79 Hyde Lane, Hyde Park, Johannesburg, 2196, South Africa
Postal address	Building 2, First Floor, Hyde Park Manor, 79 Hyde Lane, Hyde Park, Johannesburg, 2196, South Africa
Telephone	+27 11 447 0903
Website	https://www.mo.agency
Privacy and PAIA enquiries	privacy@mo.agency



Nature of business	Digital marketing, HubSpot CRM implementation, revenue operations, demand generation, digital experience and innovation services
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5. Information Officer and Deputy Information Officer

In terms of Section 17 of POPIA and Section 51 of PAIA, the Information Officer of MO Agency is:

Information Officer	Details
Name	Gregory Luke Marthinusen
Position	Chief Executive Officer
Postal address	Building 2, First Floor, Hyde Park Manor, 79 Hyde Lane, Hyde Park, Johannesburg, 2196
Telephone	+27 11 447 0903
Email	privacy@mo.agency

The Information Officer has been registered with the Information Regulator in accordance with Section 55(2) of POPIA.

Deputy Information Officer

MO Agency may from time to time designate one or more Deputy Information Officers to render the Company as accessible as reasonably possible to Requesters. Where a Deputy Information Officer is appointed, this Manual will be updated to reflect the relevant details. As at the date of this Manual, no Deputy Information Officer has been formally designated, and all duties are performed by the Information Officer.

6. The PAIA Guide

The Information Regulator has, in terms of Section 10(1) of PAIA, updated and made available the PAIA Guide, which contains information necessary to enable a person to exercise rights contemplated in PAIA and POPIA. The Guide is available in all official languages, free of charge, from the Information Regulator at:

- Postal address: PO Box 31533, Braamfontein, Johannesburg, 2017
- Physical address: 27 Stiemens Street, Braamfontein, Johannesburg, 2001
- Telephone: 010 023 5200



- Email: enquiries@inforegulator.org.za
- Website: <https://inforegulator.org.za>

7. Categories of Records Held by MO Worldwide (Pty) Ltd

MO Worldwide (Pty) Ltd, trading as MO Agency, holds records relating to its business operations, employees, clients, suppliers and prospective clients. These records are categorised as follows:

7.1 Records relating to the Company

- Memorandum of Incorporation (MOI) and other constitutional documents of the company
- Share registers, director registers and minutes of meetings
- Annual financial statements and management accounts
- Statutory registers and returns required by the Companies and Intellectual Property Commission (CIPC)
- Tax records, VAT returns and SARS correspondence
- Insurance policies
- Internal policies, procedures, strategy and governance documents

7.2 Records relating to employees

- Employment contracts, offer letters and addenda
- Confidentiality and restraint agreements
- Personnel records, including identification documents, qualifications and references
- Payroll records, including salary, benefits, leave and PAYE/UIF/SDL submissions
- Performance reviews, training records and disciplinary records
- Records relating to compliance with the Basic Conditions of Employment Act, Labour Relations Act, Employment Equity Act, Skills Development Act and the Compensation for Occupational Injuries and Diseases Act

7.3 Records relating to clients and prospective clients

- Client master data, including company and contact information
- Statements of Work, contracts, proposals and pricing documentation
- Project documentation, deliverables and correspondence



- Marketing engagement records (e.g. email opens, form submissions, page views)
- CRM records held within HubSpot and connected systems
- Invoices, payment records and billing correspondence

7.4 Records relating to suppliers and service providers

- Supplier master data and contact details
- Vendor agreements, service-level agreements and data processing agreements
- Purchase orders, invoices and payment records
- Vendor security and due-diligence assessments

8. Records Available in Terms of Other Legislation

Certain records held by MO Agency are required to be kept and may be accessed in terms of the legislation set out below. This list is not exhaustive.

- Basic Conditions of Employment Act, No. 75 of 1997
- Broad-Based Black Economic Empowerment Act, No. 53 of 2003
- Companies Act, No. 71 of 2008
- Compensation for Occupational Injuries and Diseases Act, No. 130 of 1993
- Electronic Communications and Transactions Act, No. 25 of 2002
- Employment Equity Act, No. 55 of 1998
- Income Tax Act, No. 58 of 1962
- Labour Relations Act, No. 66 of 1995
- Occupational Health and Safety Act, No. 85 of 1993
- Protection of Personal Information Act, No. 4 of 2013
- Skills Development Act, No. 97 of 1998
- Skills Development Levies Act, No. 9 of 1999
- Tax Administration Act, No. 28 of 2011
- Unemployment Insurance Act, No. 63 of 2001
- Value-Added Tax Act, No. 89 of 1991

9. Personal Information Processing (POPIA)

MO Worldwide (Pty) Ltd, trading as MO Agency, processes personal information in the course of its business. This section is included in compliance with Section 17 of POPIA,



read with regulation 4 of the Regulations Relating to the Protection of Personal Information, and is to be read together with the MO Agency Privacy Policy at <https://www.mo.agency/privacy-policy>.

9.1 Categories of data subjects

- Employees, contractors and prospective employees
- Clients, prospective clients and their representatives
- Suppliers and service providers and their representatives
- Website visitors and marketing subscribers
- Members of the public who interact with MO Agency

9.2 Categories of personal information processed

- Identifying information (name, surname, identity or passport number where required by law)
- Contact information (email address, telephone number, postal address)
- Employment-related information (employment history, qualifications, salary, banking details for payroll)
- Marketing engagement data (email opens, clicks, form submissions, website behaviour)
- Client and supplier business information (company name, role, business contact details)
- Financial information limited to that necessary for invoicing, payment and tax compliance
- Special personal information is not routinely processed; where processed, it is done in accordance with Sections 27 to 33 of POPIA

9.3 Purpose of processing

- To provide services to clients and to perform contractual obligations
- To manage employment relationships and comply with labour and tax legislation
- To engage with prospective clients and conduct lawful marketing activities
- To manage supplier and vendor relationships
- To comply with statutory and regulatory obligations
- To protect MO Agency's legitimate business interests, including the prevention of fraud and the security of information



9.4 Recipients of personal information

Personal information may be shared with the following categories of recipients, in each case under appropriate contractual and security safeguards:

- Employees and authorised contractors of the Company, on a need-to-know basis
- Operators (sub-processors) engaged to provide services to the Company, including the third-party service providers listed in Annexure B
- Clients of the Company, where personal information forms part of services delivered
- Professional advisors, including auditors, legal counsel and tax advisors
- Regulatory and law enforcement authorities, where required by law

9.5 Cross-border transfers

Some of the Company's operators are located outside the Republic of South Africa, primarily in the United States and the European Union. Where personal information is transferred across borders, the Company does so in accordance with Section 72 of POPIA, relying on contractual safeguards (including EU Standard Contractual Clauses where applicable) and the binding privacy commitments of the recipient.

A summary of relevant operators and the regions in which personal information is processed is provided in Annexure B.

9.6 Retention of personal information

The Company retains personal information only for as long as is necessary to fulfil the purpose for which it was collected, or as required by law, including:

- Employment records: minimum periods as prescribed by the Basic Conditions of Employment Act, the Labour Relations Act and the Income Tax Act
- Tax records: minimum five years from the end of the relevant tax period in terms of the Tax Administration Act
- Client records: for the duration of the engagement and a reasonable period thereafter to address any post-termination matters
- Marketing records: until consent is withdrawn or the contact ceases to be engaged

9.7 Information security safeguards



The Company takes appropriate, reasonable, technical and organisational measures to safeguard the integrity and confidentiality of personal information, in accordance with Section 19 of POPIA. These measures include:

- Two-factor authentication (2FA) on all systems holding personal information
- Encryption of data in transit (TLS) and at rest within hosted environments
- Network protection through firewalls and managed content delivery and security services
- Role-based access controls applied on the principle of least privilege
- Documented information security and acceptable use policies, communicated to all employees
- Confidentiality undertakings with all employees and contractors
- Vendor security assessments for material operators and sub-processors
- Periodic review of access to client systems and revocation upon termination of employment or engagement

10. Procedure for Requesting Access to a Record

10.1 Form of request

A Requester must complete the prescribed Form 02, Request for Access to Record of Private Body, set out in Annexure A. The completed Form 02 must be submitted to the Information Officer by:

- Email to privacy@mo.agency; or
- Hand delivery, courier or registered post to the address of the Information Officer set out in Section 5 above.

10.2 Information to be provided

In completing Form 02 the Requester must:

- Provide sufficient detail to enable the Information Officer to identify the record requested and the Requester
- Provide an address and contact details to which the response should be sent
- Specify the form of access required
- Specify the right that the Requester is seeking to exercise or protect, and provide an explanation of the reason why the record is required for the exercise or protection of that right

- Where the request is made on behalf of another person, submit proof of the capacity in which the Requester is making the request

10.3 Decision and notification

The Information Officer will notify the Requester of the decision in respect of the request within 30 (thirty) days of receipt of a properly completed Form 02 and any required fees. The 30-day period may be extended for a further period of not more than 30 days where it is reasonable to do so, as contemplated in Section 57 of PAIA. The Information Officer will inform the Requester of any extension and the reasons for it.

11. Prescribed Fees

Fees in respect of requests are prescribed by the Information Regulator and are payable as follows, subject to amendment by Government Gazette from time to time:

- Request fee: a non-refundable request fee of R50.00 is payable upon submission of a request, save where the Requester is requesting access to records containing their own personal information, in which case no request fee is payable
- Access fee: an access fee is payable for the actual reproduction, search, preparation and postage costs of providing the requested record, calculated in terms of the prescribed tariff
- Deposit: where the Information Officer estimates that the access fee will exceed R100.00, a deposit equal to one-third of the access fee may be required before the request is processed

The current fee schedule is published by the Information Regulator and is available at <https://inforegulator.org.za/paia-fees-structure-2/>.

12. Refusal of Access

MO Agency may refuse access to a record on any of the grounds set out in Chapter 4 of Part 3 of PAIA, including but not limited to:

- The mandatory protection of the privacy of a third party who is a natural person (Section 63)
- The mandatory protection of the commercial information of a third party (Section 64)
- The mandatory protection of certain confidential information of a third party (Section 65)



- The protection of the safety of individuals and the protection of property (Section 66)
- The protection of records privileged from production in legal proceedings (Section 67)
- The protection of MO Agency's commercial activities (Section 68)
- The protection of research information of MO Agency or a third party (Section 69)

Where access is refused, the Information Officer will provide written reasons for the refusal and inform the Requester of the right to lodge a complaint with the Information Regulator and to apply to court.

13. Remedies

A Requester whose request has been refused, or who is otherwise dissatisfied with a decision of the Information Officer, may:

- Lodge a complaint with the Information Regulator using Form 05 (Complaint Form), which must be lodged within 180 days of the date on which the request was refused or not responded to; or
- Apply to a court of competent jurisdiction for appropriate relief in terms of Section 78 of PAIA.

Form 05 may be obtained from <https://inforegulator.org.za/paia/>.

14. Availability of the Manual

This Manual is available:

- On the MO Agency website at <https://www.mo.agency/paia-manual>
- At the principal place of business of the Company during normal business hours, for inspection and copying upon request and payment of the prescribed fee
- By email to privacy@mo.agency, upon request
- At the office of the Information Regulator (where lodged in the future)

15. Updates to the Manual

This Manual will be reviewed annually and updated when there is any material change to the operations of the Company, the categories of records held, the personal information processed, or the legislative framework. The latest version is available on the MO Agency website.



Annexure A: Form 02 – Request for Access to Record of Private Body

Form 02, prescribed in terms of Regulation 7 of the PAIA Regulations, is to be used by all Requesters seeking access to a record held by the Company. The official form is available from the Information Regulator at:

<https://inforegulator.org.za/wp-content/uploads/2020/07/InfoRegSA-PAIA-Form02-Reg7.pdf>

A printable copy of Form 02 is annexed to this Manual when published on the MO Agency website. Completed forms must be submitted to the Information Officer in accordance with Section 10 of this Manual.



Annexure B: Sub-processors and Third-party Service Providers

The Company engages the following operators (sub-processors) in the processing of personal information. This list is updated from time to time and corresponds to the sub-processor list maintained in the MO Agency Privacy Policy at <https://www.mo.agency/privacy-policy>.

Sub-processor	Purpose	Service description	Processing locations
Amazon Web Services, Inc.	Hosting and infrastructure	On-demand cloud computing platform and API	United States; Germany
Cloudflare, Inc.	Content delivery and security	Web infrastructure, CDN, DDoS mitigation, DNS and security services	Global routing; nearest data centre
Google LLC	Infrastructure and email	Data hosting and corporate email provider (Google Workspace)	United States; Germany
HubSpot, Inc.	CRM and content management	Customer relationship management, communications, website CMS, personal data storage and access control	United States; Germany
Snowflake, Inc.	Infrastructure	Cloud data warehouse serving as repository of data	United States; Germany

Note: Where any new operator is engaged that materially affects the processing of personal information, this Manual and the MO Agency Privacy Policy will be updated and, where applicable, data subjects will be notified.



— End of Manual —

MO Worldwide (Pty) Ltd | Reg. 2020/875895/07 | Trading as MO Agency
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