

LA MONTAGNA

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# PAIA Manual

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

Name of private body: **La Montagna**

Registration number: 2019/439338/07

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## 1. List of acronyms and abbreviations

Abbreviation	Meaning
CEO	Chief Executive Officer
DIO	Deputy Information Officer
IO	Information Officer
Minister	Minister of Justice and Correctional Services
PAIA	Promotion of Access to Information Act 2 of 2000 (as amended)
POPIA	Protection of Personal Information Act 4 of 2013
Regulator	Information Regulator (South Africa)
Republic	Republic of South Africa
the Company / La Montagna	La Montagna

## 2. Purpose of this PAIA Manual

This PAIA Manual is intended to assist any person to:

- 2.1 check the categories of records held by the Company that are available without a person having to submit a formal PAIA request;
- 2.2 have a sufficient understanding of how to make a request for access to a record of the Company, through the description of the subjects on which the Company holds records and the categories of records held on each subject;
- 2.3 know the description of the records of the Company that are available in accordance with any other legislation;
- 2.4 access the contact details of the Information Officer and Deputy Information Officer (if any) who will assist with records;
- 2.5 know about the Guide on how to use PAIA, as updated by the Regulator, and how to obtain access to it;
- 2.6 know whether the Company processes personal information and the purpose of such processing;
- 2.7 know the categories of data subjects and the information or categories of information relating thereto;
- 2.8 know the recipients or categories of recipients to whom personal information may be supplied;
- 2.9 know whether the Company plans to transfer or process personal information outside the Republic; and
- 2.10 know whether the Company has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information processed.

## 3. Key contact details for access to information

### 3.1 Information Officer

<b>Name</b>	Domenico Cosentino
<b>Telephone</b>	+27 82 413 2888
<b>Email</b>	dom@lamontagna.co
<b>Fax</b>	Not applicable

### 3.2 Deputy Information Officer

Not applicable. No Deputy Information Officer has been designated.

### 3.3 General access-to-information contact

Email: dom@lamontagna.co

*Default — set up a dedicated access-to-information mailbox (e.g. info@lamontagna.co) if you would prefer to separate it from the Information Officer's personal address.*

### 3.4 Head office

<b>Postal address</b>	Sunningdale, 7441
<b>Physical address</b>	Sunningdale, 7441
<b>Telephone</b>	+27 82 413 2888
<b>Email</b>	dom@lamontagna.co
<b>Website</b>	<a href="https://lamontagna.co">https://lamontagna.co</a>

## 4. Guide on how to use PAIA and how to obtain it

- 4.1** The Regulator has, in terms of section 10(1) of PAIA, updated and made available the revised Guide on how to use PAIA (“the Guide”), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.
- 4.2** The Guide is available in each of the official languages and in braille.
- 4.3** The Guide contains a description of, among other things:
- the objects of PAIA and POPIA;
  - the contact details of the information officers and deputy information officers of public and private bodies;
  - the manner and form of a request for access to a record of a public or private body;
  - the assistance available from information officers and from the Regulator;
  - the remedies available in law, including the manner of lodging a complaint with the Regulator and an application to court;
  - the provisions requiring public and private bodies to compile a manual, and how to obtain access to a manual; and
  - the notices regarding fees, and the regulations made under PAIA.
- 4.4** Members of the public may inspect or make copies of the Guide at the offices of public and private bodies, including the office of the Regulator, during normal working hours.
- 4.5** The Guide can also be obtained on request to the Information Officer, or from the Regulator’s website at [info regulator.org.za](http://info regulator.org.za).

- 4.6** A copy of the Guide is available in the following two official languages for public inspection during normal office hours: English and Afrikaans.

*Default languages (4.6) — change if you keep the Guide in a different pair of official languages.*

## 5. Records available without a request

In terms of **section 52 of PAIA**, the following categories of records are available without a person having to submit a formal PAIA request.

Category of records	Types of record	On website	On request
<b>Marketing &amp; portfolio</b>	Service descriptions, portfolio and project examples	Yes	Yes
<b>Policies &amp; notices</b>	Privacy policy, PAIA Manual, terms of service	Yes	Yes
<b>General company information</b>	Business overview and contact details	Yes	Yes

## 6. Records available under other legislation

Certain records held by the Company are available, or required to be kept, in terms of legislation other than PAIA. Access in those instances is governed by the relevant legislation. This list may not be exhaustive and will be updated as necessary.

Category of records	Applicable legislation
<b>Memorandum of Incorporation &amp; statutory records</b>	Companies Act 71 of 2008
<b>PAIA Manual</b>	Promotion of Access to Information Act 2 of 2000
<b>Tax &amp; financial records</b>	Income Tax Act 58 of 1962; Value-Added Tax Act 89 of 1991; Tax Administration Act 28 of 2011
<b>Employee records</b>	Labour Relations Act 66 of 1995; Basic Conditions of Employment Act 75 of 1997; Employment Equity Act 55 of 1998; Unemployment Insurance Act 63 of 2001; Compensation for Occupational Injuries and Diseases Act 130 of 1993
<b>Personal information records</b>	Protection of Personal Information Act 4 of 2013

## 7. Subjects on which records are held

The following describes the subjects on which the Company holds records and the categories of records held on each subject, in sufficient detail to facilitate a request.

Subject	Categories of records
<b>Company records</b>	Registration and statutory records, directors' information, resolutions, licences and registrations

Subject	Categories of records
<b>Financial records</b>	Financial statements, management accounts, invoices, bank records, tax records, payroll
<b>Client &amp; project records</b>	Client contracts and briefs, proposals and quotes, project files, design and development assets, correspondence
<b>Marketing records</b>	Campaign material, analytics and reporting, website content, social media records
<b>Personnel records</b>	Employment contracts, personnel files, remuneration and benefits, leave and training records
<b>Supplier records</b>	Supplier and contractor agreements, correspondence and invoices
<b>IT &amp; operational</b>	Systems, hosting and infrastructure records, access logs, backups, internal policies
<b>Legal &amp; compliance</b>	Contracts and agreements, intellectual-property records, regulatory and compliance records, insurance

## 8. Processing of personal information

### 8.1 Purpose of processing personal information

The Company processes personal information in order to provide its web development and digital marketing services; to respond to enquiries and prepare quotes; to manage client projects; to invoice and process payments; to send marketing communications where permitted; to maintain, secure and improve its website; and to comply with its legal and regulatory obligations.

### 8.2 Categories of data subjects and personal information

Categories of data subjects	Personal information that may be processed
<b>Clients / customers</b>	Names, contact details, business and registration information, billing and bank details, correspondence
<b>Prospective clients</b>	Names, contact details, enquiry and proposal information
<b>Employees / contractors</b>	Identity and contact details, remuneration, banking details, qualifications, employment records
<b>Suppliers / service providers</b>	Contact details, registration and VAT numbers, banking details, contract information
<b>Website / campaign users</b>	Contact details, IP address, device and usage data, and analytics information

### 8.3 Recipients of personal information

Category of personal information	Recipients or categories of recipients
Banking and billing details, for payment processing	Payment processors and banks

Category of personal information	Recipients or categories of recipients
Accounting and tax records	Accountants and the South African Revenue Service
Hosting and technical data	Cloud hosting and IT service providers
Information required by law	Regulatory and statutory authorities

#### 8.4 Planned transborder flows of personal information

Personal information may be stored or processed outside the Republic where the Company uses cloud-based hosting, email and software services whose servers are located abroad. Any such transfer is subject to the safeguards required by section 72 of POPIA.

#### 8.5 Information security measures

The Company implements reasonable technical and organisational measures to ensure the confidentiality, integrity and availability of personal information, including access controls, secure hosting, encryption where appropriate, antivirus and anti-malware solutions, regular backups, and internal policies governing data handling.

## 9. Availability of this manual

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**9.1** A copy of this manual is available:

- on the Company website at [lamontagna.co/paia](http://lamontagna.co/paia);
- at the Company's head office for public inspection during normal business hours;
- to any person upon request and upon payment of a reasonable prescribed fee; and
- to the Information Regulator upon request.

**9.2** A fee for a copy of the manual, as contemplated in Annexure B of the Regulations, is payable per A4-size photocopy made.

## 10. Updating of this manual

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The head of the Company will update this manual on a regular basis. The version and revision date appear on the cover page.

**Issued by:**

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**Domenico Cosentino**  
Information Officer / Head of the Private Body

*Additional information for requesters*

## 11. How to request access to a record

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A request for access to a record of the Company must be made in terms of **section 53 of PAIA** using the prescribed **Form 02 (Request for Access to Record of Private Body)**, available from the Regulator (see Annexure A).

1. Complete Form 02 in full and submit it to the Information Officer at the contact details in section 3.
2. Provide sufficient detail to identify the record requested and to identify you as the requester.
3. Identify the right you are seeking to exercise or protect, and explain why the requested record is required for that purpose.
4. State the form of access required and how you wish to be notified of the outcome.
5. Pay the prescribed request fee when required to do so (see section 12).

The Information Officer will decide on the request **within 30 days** of receiving it (or of receiving any required fee). This period may be extended in the circumstances permitted by PAIA, in which case you will be notified. The outcome is communicated using the prescribed notice (Form 03).

## 12. Fees

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Two types of fee may apply, as prescribed in Annexure B to the PAIA Regulations (2021):

- a **request fee**, payable on submission before the request is processed; and
- an **access fee**, calculated on reproduction, search and preparation time and the form of access, payable before access is given.

Where an access fee applies, the Information Officer will provide a written estimate beforehand and may require a deposit. The Information Officer will confirm the current prescribed amounts on request.

## 13. Grounds for refusal

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Access to a record may be refused on the grounds set out in **Chapter 4 of Part 3 of PAIA**.

These include, among others:

- mandatory protection of the privacy of a third party who is a natural person;
- mandatory protection of the commercial information of a third party;
- mandatory protection of confidential information of a third party;
- mandatory protection of the safety of individuals and protection of property;
- mandatory protection of records privileged from production in legal proceedings;
- commercial information of the Company; and
- mandatory protection of research information of a third party or of the Company.

Where access is refused, the Company will provide adequate reasons as required by PAIA. If a requested record cannot be found or does not exist, the Company will notify the requester by way of an affidavit or affirmation in terms of section 55 of PAIA.

## 14. Remedies available to a requester

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A requester who is dissatisfied with a decision of the Company has the following remedies. There is **no internal appeal** against a decision of a private body.

- **Complaint to the Information Regulator** — within 180 days of the decision, in the prescribed manner.
- **Application to court** — a requester may apply to a court with appropriate jurisdiction for relief.

The Regulator may be contacted at: JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001; tel 010 023 5200; [PAIAComplaints@inforegulator.org.za](mailto:PAIAComplaints@inforegulator.org.za); [inforegulator.org.za](http://inforegulator.org.za).

## Annexure A — Prescribed forms

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The prescribed PAIA forms are available from the Information Regulator:

- [Form 02 — Request for Access to Record of Private Body](#)
- [Form 03 — Outcome of Request and of Fees Payable](#)
- [Form 05 — Complaint to the Information Regulator](#)