



VANTAGE CAPITAL

**PROMOTION OF ACCESS TO INFORMATION ACT  
MANUAL**

## **1. INTRODUCTION**

- 1.1. The Promotion of Access to Information Act, 2000 ("PAIA") gives effect to section 32 of the Constitution of the Republic of South Africa which provides that everyone has the right to access information held by the State, as well as information held by another person or private body, when such privately held information is required to exercise a right or to protect a right.
- 1.2. PAIA provides that a person requesting information must be given access to any record of a private body, if that record is required for the exercise of the protection of a right. However, such request has to comply with the procedural requirements laid down by PAIA.
- 1.3. This manual is compiled in accordance with Section 51 of PAIA and contains the following provisions:
  - 1.3.1. Vantage's postal and physical addresses, telephone and fax numbers and email address;
  - 1.3.2. a short description of the guidance document on the application of PAIA and the process to be followed in order to obtain a copy of this guide;
  - 1.3.3. the process to be followed in order to access information held by Vantage;
  - 1.3.4. a description of the typology of records held by Vantage (i.e. various information subjects held on each category type);
  - 1.3.5. a description of records which are freely available without having to submit a formal request to access information in terms of PAIA; and
  - 1.3.6. a description of Vantage's information which are available in accordance with any other legislation.

## 2. PURPOSE OF THE MANUAL

- 2.1. Vantage recognizes every person's right to access to information and is committed to provide access to records where the proper procedural requirements as set out by PAIA and the Protection of Personal Information Act ("POPI") have been met.
- 2.2. The purpose of this manual is to:
  - 2.2.1. foster a culture of transparency and accountability within Vantage by giving effect to the right to access to information; and
  - 2.2.2. actively promote a society in which the people of South Africa have effective access to information to enable them to more fully exercise and protect all of their rights.

## 3. DEFINITIONS

- 3.1. **Data Subject** means the person to whom personal information relates;
- 3.2. **Deputy Information Officer** means the person to whom any power or duty conferred or imposed on an Information Officer by POPI has been delegated;
- 3.3. **Head**, in relation to, a private body means:
  - 3.3.1. in the case of a natural person, that natural person or any person duly authorised by that natural person;
  - 3.3.2. in the case of a partnership, any partner of the partnership or any person duly authorised by the partnership;
  - 3.3.3. in the case of a juristic person:
    - 3.3.3.1. the chief executive officer or equivalent officer of the juristic person or any person duly authorised by that officer; or
    - 3.3.3.2. the person who is acting as such or any person duly authorised by such acting person,

- 3.4. **Information Officer** means the head of a private body;
- 3.5. **Information Regulator** means the Regulator established in terms of Section 39 of POPIA;
- 3.6. **PAIA** means the Promotion of Access to Information Act 2 of 2000
- 3.7. **Person** means a natural person or a juristic person;
- 3.8. **Personal Information** means
- Information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to: information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person;
  - Information relating to the education or the medical, financial, criminal or employment history of the person;
  - Any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person, the biometric information of the person;
  - The personal opinions, views or preferences of the person; correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
  - The views or opinions of another individual about the person; and the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person;
- 3.9. **Personal Requester** means a requester seeking access to a record containing personal information about the requester;
- 3.10. **POPIA** means the Protection of Personal Information Act 4 of 2013 (as amended)
- 3.11. **Private Body** means:

- 3.11.1. a natural person who carries or has carried on any trade, business or profession, but only in such capacity;
  - 3.11.2. a partnership which carries or has carried on any trade, business or profession; or
  - 3.11.3. any former or existing juristic person, but excludes a public body,
- 3.12. **Processing** means any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use, dissemination by means of transmission, distribution or making available in any other form, or merging, linking, as well as restriction, degradation, erasure or destruction of information;
- 3.13. **Public Body** means:
- 3.13.1. any department of state or administration in the national or provincial sphere of government or any municipality in the local sphere of government; or
  - 3.13.2. any other functionary or institution when:
    - 3.13.2.1. exercising a power or performing a duty in terms of the Constitution or a provincial constitution; or
    - 3.13.2.2. exercising a public power or performing a public function in terms of any legislation,
- 3.14. **Record** means any recorded information regardless of the form or medium, in the possession or under the control of the organisation irrespective of whether or not it was created by the organisation;
- 3.15. **Request for access** means a request for access to a record of the organisation in terms of section 50 of PAIA;

- 3.16. **Requester** in relation to a private body, means any person, including, but not limited to public body or an official thereof, making a request for access to a record of the organisation or a person acting on behalf of such person; and
- 3.17. **Third Party** in relation to a request for access to a record held by the organisation, means any person other than the requester.

#### **4. DUTIES OF THE INFORMATION OFFICER**

- 4.1. The Information Officer and/or the Deputy Information Officer of the organisation are responsible for:
- 4.1.1. publishing and proper communication of the manual i.e. creating policy awareness;
  - 4.1.2. the facilitation of any request for access;
  - 4.1.3. providing adequate notice and feedback to the requester;
  - 4.1.4. determining whether to grant a request for access to a complete/full record or only part of a record;
  - 4.1.5. ensuring that access to a record, where so granted, is provided timeously and in the correct format; and
  - 4.1.6. reviewing the policy for accuracy and communicating any amendments.

#### **4.2. Right of Access**

The Information Officer and/or Deputy Information Officer may only provide access to any record held by the organisation to a requester if:

- 4.2.1. the record is required for the exercise or protection of any right;
- 4.2.2. the requester complies with the procedural requirements relating to a request for access to that record; and

- 4.2.3. access to that record is not refused in terms of any of the grounds for refusal listed below.

#### 4.3. **Grounds for Refusal**

- 4.3.1. The Information Officer and/or Deputy Information Officer must assess whether there are any grounds for refusing a request for access.
- 4.3.2. Where any grounds for refusal are found, a request for access will not be granted.
- 4.3.3. However, despite finding any grounds for refusal, access to the record(s) will be provided where:
  - 4.3.3.1. the disclosure of the record would reveal evidence of a substantial contravention of, or failure to comply with the law or imminent and serious public or environmental risk, and
  - 4.3.3.2. the public interest in disclosing record, will clearly outweigh the harm contemplated in the provision in question.
- 4.3.4. Where there are no grounds for refusal, request for access will be granted.
- 4.3.5. If a request for access is made with regards to a record containing information that would justify a ground for refusal, every part of the record which:
  - 4.3.5.1. does not contain, and
  - 4.3.5.2. can reasonably be severed from any part that contains, any such information must, despite any other provision of PAIA, also be disclosed.
- 4.3.6. The grounds for refusal, or absence thereof, are set out below:

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| <b>A: Mandatory Protection of Privacy of a Third Party who is a Natural Person</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b><i>Grounds for Refusal</i></b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <ul style="list-style-type: none"> <li>▪ The disclosure would involve the unreasonable disclosure of personal information about a third party that is a natural person (including a deceased individual).</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b><i>No Grounds for Refusal</i></b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <ul style="list-style-type: none"> <li>▪ The record consists of information that concerns an individual who has already consented in writing to its disclosure to the requester concerned;</li> <li>▪ The record consists of information that is already publicly available;</li> <li>▪ The record consists of information that was given to the organisation by the individual to whom it relates and the individual was informed by or on behalf of the organisation, before it is given, that the information belongs to a class of information that would or might be made available to the public;</li> <li>▪ The record consists of information about an individual's physical or mental health, or well-being, who is under the care of the requester and who is under the age of 18; or incapable of understanding the nature of the request, and if giving access would be in the individual's best interest;</li> <li>▪ The record consists of information about an individual who is deceased and the requester is the individual's next of kin or making the request with the written consent of the individual's next of kin; and</li> <li>▪ The record consists of information about an individual who is or was an official of the organisation and which relates to the position or functions of the individual, including, but not limited to the title, work address, work phone number, the classification, salary scale or remuneration and responsibilities of the position held or services performed by the individual and the name of the individual on a record prepared by the individual in the course of employment.</li> </ul> |
| <b>B: Mandatory Protection of Commercial Information of a Third Party</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b><i>Grounds for Refusal</i></b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <ul style="list-style-type: none"> <li>▪ The record consists of information that contains trade secrets of a third party;</li> <li>▪ The record consists of information that contains financial, commercial, scientific or technical information, other than trade secrets, of a third party, the disclosure of which would be likely to cause harm to the commercial or financial interests of that third party; and</li> <li>▪ The record consists of information supplied in confidence by a third party, the disclosure of which could reasonably be expected to put that third party at a disadvantage in contractual or other negotiations or to prejudice that third party in commercial competition.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b><i>No Grounds for Refusal</i></b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <ul style="list-style-type: none"> <li>▪ The record consists of information about a third party who has consented who has already consented in writing to its disclosure to the requester concerned; and</li> <li>▪ The record consists of information about the results of any product or environmental testing or other investigation supplied by a third party or the results of any such testing or investigation carried out by or on behalf of a third party and its disclosure would reveal a serious public safety or environmental risk (the results of any product or environmental testing or other investigation do not include the results of preliminary testing or other investigation conducted for the purpose of developing methods of testing or other investigation).</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>C: Mandatory Protection of Certain Confidential Information of a Third Party</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

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| <b>Grounds for Refusal</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <ul style="list-style-type: none"> <li>▪ The record consists of information the disclosure of which would constitute an action for breach of a duty of confidence owed to a third party in terms of an agreement.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>D: Mandatory Protection of Safety of Individuals and Protection of Property</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>Grounds for Refusal</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <ul style="list-style-type: none"> <li>▪ The record consists of information that if disclosed could reasonably be expected to endanger the life or physical safety of an individual;</li> <li>▪ The record consists of information that if disclosed would likely prejudice or impair the security of a building, a structure or system, a computer or communication system, a means of transport, any other property; and</li> <li>▪ The record consists of information that if disclosed would likely prejudice or impair the security of methods, systems, plans or procedures for the protection of an individual in accordance with a witness protection scheme, the safety of the public, or any part of the public, or the security of property.</li> </ul>                                                                                                                                             |
| <b>E: Mandatory Protection of Records privileged from Production in Legal Proceedings</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Grounds for Refusal</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <ul style="list-style-type: none"> <li>▪ The record consists of information privileged from production in legal proceedings unless the person entitled to the privilege has waived the privilege.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>F: Commercial Information of the Organisation</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Grounds for Refusal</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <ul style="list-style-type: none"> <li>▪ The record consists of information that contains trade secrets of the organization;</li> <li>▪ The record consists of information that contains financial, commercial, scientific or technical information, other than trade secrets, of the organisation, the disclosure of which would likely cause harm to the commercial or financial interests of the organization;</li> <li>▪ The record consists of information, the disclosure of which, could reasonably be expected to put the organisation at a disadvantage in contractual or other negotiations or prejudice the organisation in commercial competition; and</li> <li>▪ The record is a computer program as defined in section 1(1) of the Copyright Act, owned by the organisation, except insofar as it is required to give access to a record to which access is granted in terms of PAIA.</li> </ul> |
| <b>No Grounds for Refusal</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <ul style="list-style-type: none"> <li>▪ The record consists of information about the results of any product or environmental testing or other investigation supplied by the organisation or the results of any such testing or investigation carried out by or on behalf of the organisation and its disclosure would reveal a serious public safety or environmental risk (the results of any product or environmental testing or other investigation do not include the results of preliminary testing or other investigation conducted for the purpose of developing methods of testing or other investigation).</li> </ul>                                                                                                                                                                                                                                                                                |
| <b>G: Mandatory Protection of Research Information of a Third Party and the Organisation</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Grounds for Refusal</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

- The record consists of information that contains information about research being or to be carried out by or on behalf of a third party, the disclosure of which would be likely to expose the third party, a person that is or will be carrying out the research on behalf of the third party, or the subject matter of the research to serious disadvantage; and
- The record consists of information that contains information about research being or to be carried out by or on behalf of the organisation, the disclosure of which would be likely to expose the organisation, a person that is or will be carrying out the research on behalf of the organisation, or the subject matter of the research to serious disadvantage.

#### 4.4. Notice

4.4.1. Where a request for access has been received the Information Officer and/or Deputy Information Officer will notify the requester of receipt and the prescribed fee (if any) that is payable prior to processing the request. Please refer to the relevant **Annexure** for a full breakdown of fees payable. Personal requesters will not be charged a request fee.

4.4.2. The notification must state:

4.4.2.1. The amount of the deposit payable (if any);

4.4.2.2. That the requester may lodge a complaint with the Information Regulator or an application with a court against the tender or payment of the request fee, or the tender or payment of a deposit, as the case may be; and

4.4.2.3. The procedure (including the period) for lodging the complaint with the Information Regulator or the application.

4.4.3. Except to the extent that the provisions regarding third party notification may apply, the Information Officer and/or Deputy Information Officer to whom the request is made, must as soon as reasonably possible, but in any event within 30 days, after the request has been received in the prescribed format:

4.4.3.1. Decide in accordance with PAIA whether to grant the request, and

- 4.4.3.2. Notify the requester of the decision and, if the requester stated that he or she wishes to be informed of the decision in any other manner, inform him or her in that manner, if it is reasonably possible.
- 4.4.4. If the request for access is granted, the notice must state:
  - 4.4.4.1. The access fee (if any) to be paid upon access
  - 4.4.4.2. The form in which access will be given, and
  - 4.4.4.3. That the requester may lodge a complaint with the Information Regulator or an application with a court against the access fee to be paid or the form of access granted, and the procedure, including the period allowed, for lodging a complaint with the Information Regulator or the application
- 4.4.5. If the request for access is refused, the notice must:
  - 4.4.5.1. State adequate reasons for the refusal, including the relevant provision of PAIA that was relied on
  - 4.4.5.2. Exclude, from any such reasons, any reference to the content of the records' and
  - 4.4.5.3. State that the requester may lodge a complaint with the Information Regulator or an application with a court against the refusal of the request, and the procedure (including the period) for lodging a complaint with the Information Regulator or the application
- 4.4.6. Should all reasonable steps have been taken to find a record requested, and there are reasonable grounds for believing that the record:
  - 4.4.6.1. is in the organisation's possession, but cannot be found, or
  - 4.4.6.2. simply does not exist,

the head of the organisation must, by way of affidavit or affirmation, notify the requester that it is not possible to provide access to that record. The affidavit or affirmation must provide full account of all steps taken to find the record in question or to determine whether the record exists, as the case may be, including all communication with every person who conducted the search on behalf of the head.

## **ANNEXURE A: CONTACT DETAILS AND BUSINESS TYPE**

### **1. ORGANISATION CONTACT DETAILS**

|                        |                                                 |                        |                                                                       |
|------------------------|-------------------------------------------------|------------------------|-----------------------------------------------------------------------|
| <b>Postal Address:</b> | PO Box 280<br>Parklands<br>Johannesburg<br>2121 | <b>Street Address:</b> | 1st Floor<br>Future Space<br>61 Katherine Street<br>Johannesburg 2196 |
| <b>Phone Number:</b>   | +27 11 530 9100                                 | <b>Fax Number:</b>     | +27 11 530 9101                                                       |

### **2. HEAD OF ORGANISATION**

|                                   |                                                   |
|-----------------------------------|---------------------------------------------------|
| <b>Name:</b> Warren van der Merwe | <b>Email Address:</b> warren@vantagecapital.co.za |
|-----------------------------------|---------------------------------------------------|

### **3. DEPUTY INFORMATION OFFICER**

|                              |                                                    |
|------------------------------|----------------------------------------------------|
| <b>Name:</b> Siyanda Khumalo | <b>Email Address:</b> siyanda@vantagecapital.co.za |
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### **4. BUSINESS TYPE**

The organisation conducts its main type of business in the Financial Services Sector.

## **ANNEXURE B: SECTION 10 PAIA GUIDE**

PAIA grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights. Where a public body lodges a request, the public body must be acting in the public interest.

Requests in terms of PAIA shall be made in accordance with the prescribed procedures at the rates provided.

Requesters are referred to the guide in terms of section 10 of the Act which has been compiled by the South African Human Rights Commission. The guide contains information for the purposes of exercising Constitutional rights.

The guide is available in all South African official languages free of charge and any person may request a copy of the guide.

A copy of the guide may be obtained by contacting the South African Human Rights Commission at:

- **Postal Address:** The South African Human Rights Commission, PAIA Unit, Private Bag 2700, Houghton, 2041
- **Telephone Number:** +27 11 877 3600
- **Fax Number:** +27(0)11 403 0625
- **Website:** [www.sahrc.org.za](http://www.sahrc.org.za)

## **ANNEXURE C: STATUTORY RECORDS**

The organisation maintains statutory records and information in terms of the following legislation:

- Basic Conditions of Employment Act;
- Companies Act;
- Compensation of Occupational Injuries and Diseases Act;
- Employment Equity Act;
- Financial Advisory and Intermediary Services Act;
- Financial Intelligence Centre Act;
- Income Tax Act;
- Labour Relations Act;
- Occupational Health and Safety Act;
- Prevention of Organised Crime Act;
- Prevention and Combatting of Corrupt Activities Act;
- Unemployment Insurance Act; and
- Value Added Tax Act.

## ANNEXURE D: AVAILABILITY OF RECORDS

Vantage maintains the following categories of records and related subject matter. The availability of the records, the purpose for its processing and the relevant data subject category to whom the record relates are set out below:

| Category                               | Record                                 | Availability     | Purpose                   | Data Subject |
|----------------------------------------|----------------------------------------|------------------|---------------------------|--------------|
| <b>Public Affairs</b>                  | Public Corporate Records               | Freely Available | Convey Public Information | Organisation |
|                                        | Media Releases                         | Freely Available | Convey Public Information | Organisation |
|                                        | Magazine Articles                      | Freely Available | Convey Public Information | Organisation |
| <b>Regulatory &amp; Administrative</b> | Permits, Licenses or Authorities       | Freely Available | Statutory Requirement     | Organisation |
|                                        | Conflict of Interest Management Policy | Freely Available | Statutory Requirement     | Organisation |
|                                        | Complaints Policy                      | Freely Available | Statutory Requirement     | Organisation |
|                                        | FICA Internal Rules                    | PAIA Request     | Statutory Requirement     | Organisation |
|                                        | Memorandum of Incorporation            | PAIA Request     | Statutory Requirement     | Organisation |
|                                        | Minutes of Board or Directors Meetings | PAIA Request     | Statutory Requirement     | Organisation |
|                                        | Register of Members                    | PAIA Request     | Statutory Requirement     | Organisation |
|                                        | Register of Board of Directors         | PAIA Request     | Statutory Requirement     | Organisation |
|                                        | Internal correspondence                | PAIA Request     | Internal Communications   | Employees    |
|                                        | Insurance Policies held                | PAIA Request     | Risk Management           | Organisation |
| <b>Human Resources</b>                 | Employment Applications                | PAIA Request     | Internal Referencing      | Employees    |
|                                        | Employment Contracts                   | PAIA Request     | Contractual Agreement     | Employees    |
|                                        | Personal Information of Employees      | PAIA Request     | Internal Referencing      | Employees    |
|                                        | Employment Equity Plan                 | PAIA Request     | Statutory Requirement     | Organisation |
|                                        | Disciplinary Records                   | PAIA Request     | Statutory Requirement     | Employees    |
|                                        | Performance Management Records         | PAIA Request     | Internal Referencing      | Employees    |
|                                        | Salary Records                         | PAIA Request     | Internal Referencing      | Employees    |
|                                        | Employee Benefit Records               | PAIA Request     | Internal Referencing      | Employees    |
|                                        | PAYE Records                           | PAIA Request     | Statutory Requirement     | Employees    |
|                                        | Seta Records                           | PAIA Request     | Statutory Requirement     | Employees    |
|                                        | Disciplinary Code                      | PAIA Request     | Statutory Requirement     | Organisation |
|                                        | Leave Records                          | PAIA Request     | Internal Referencing      | Employees    |
|                                        | Training Records                       | PAIA Request     | Internal Referencing      | Employees    |
|                                        | Training Manual                        | PAIA Request     | Internal Referencing      | Organisation |
| <b>Financial</b>                       | Financial Statements                   | PAIA Request     | Internal Referencing      | Organisation |
|                                        | Financial and Tax Records              | PAIA Request     | Statutory Requirement     | Organisation |
|                                        | Asset Register                         | PAIA Request     | Internal Referencing      | Organisation |
|                                        | Management Accounts and Reports        | PAIA Request     | Internal Referencing      | Organisation |
|                                        | Vouchers, Cash Books and Ledgers       | PAIA Request     | Internal Referencing      | Organisation |
|                                        | Banking Records and Statements         | PAIA Request     | Internal Referencing      | Organisation |
|                                        | Electronic Banking Records             | PAIA Request     | Internal Referencing      | Organisation |
| <b>Marketing</b>                       | Market Information                     | PAIA Request     | Internal Referencing      | Organisation |
|                                        | Performance Records                    | PAIA Request     | Internal Referencing      | Organisation |
|                                        | Product / Service Sales Records        | PAIA Request     | Internal Referencing      | Organisation |
|                                        | Marketing Strategies                   | PAIA Request     | Internal Referencing      | Organisation |
| <b>Client Customer</b>                 | Customer / Client Database             | PAIA Request     | Internal Referencing      | Customers    |
|                                        | Customer / Client agreements           | PAIA Request     | Internal Referencing      | Customers    |
|                                        | Customer / Client Files                | PAIA Request     | Internal Referencing      | Customers    |
|                                        | Customer / Client Instructions         | PAIA Request     | Internal Communications   | Customers    |
|                                        | Customer / Client Correspondence       | PAIA Request     | External Communications   | Customers    |
| <b>Third Party</b>                     | Rental agreements                      | PAIA Request     | Contractual Agreement     | Third Party  |
|                                        | Non-disclosure agreements              | PAIA Request     | Risk Management           | Third Party  |
|                                        | Letters of Intent                      | PAIA Request     | Contractual Agreement     | Third Party  |
|                                        | Supplier Contracts                     | PAIA Request     | Contractual Agreement     | Third Party  |

## **ANNEXURE E: DEPUTY INFORMATION OFFICER APPOINTMENT**

In terms of the Protection of Personal Information Act the head of a private body is the designated Information Officer for that private body. The Information Officer may delegate any power or duty conferred or imposed in terms of POPI to the Deputy Information Officer.

The organisation has appointed a Deputy Information Officer to facilitate any requests to access records held by the organisation. This delegation does not prohibit the person who made the delegation from exercising power concerned or performing the duty concerned himself or herself. The delegation may at any time be withdrawn or amended in writing by the person who made the delegation.

The Deputy Information Officer need not have any specific qualifications but must have a thorough knowledge of the organisation's functional departments and business processes.

The Deputy Information Officer has the authority to approach all staff members of the organisation and to request all records held by the organisation. Where a manager is of the opinion that access to a record should not be granted to the Deputy Information Officer, reasons for this decision shall be given to the Information Officer who will make a final decision on the matter.

Together with the Information Officer, the Deputy Information Officer is responsible for:

- Publishing and proper communication of the manual i.e. creating policy awareness.
- The facilitation of any request for access.
- Providing adequate notice and feedback to the requester.
- Determining whether to grant a request for access to a complete/full record or only part of a record.
- Ensuring that access to a record, where so granted, is provided timeously and in the correct format.
- Reviewing the policy for accuracy and communicating any amendments.

I, Warren Van Der Merwe, as the Managing Partner, hereby appoint Siyanda Khumalo as the Organisation's Deputy Information Officer.

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**W van der Merwe**

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**Date**

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**S Khumalo**

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**Date**

|                     |                  |
|---------------------|------------------|
| Version             | 10               |
| Publishing Date     | 31 December 2021 |
| Last Review Date    | 07 July 2026     |
| Frequency of Review | Annually         |
| Next Review Date    | 06 July 2027     |

# FORM 2

## REQUEST FOR ACCESS TO RECORD

[Regulation 7]

**NOTE:**

1. Proof of identity must be attached by the requester.
2. If requests made on behalf of another person, proof of such authorisation, must be attached to this form.

**TO:** The Information Officer

|  |
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|  |
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|  |

(Address)

E-mail address: 

|  |
|--|
|  |
|--|

Fax number: 

|  |
|--|
|  |
|--|

Mark with an "X"

☐

Request is made in my own name

☐

Request is made on behalf of another person.

| PERSONAL INFORMATION                                                         |           |  |                                                         |  |
|------------------------------------------------------------------------------|-----------|--|---------------------------------------------------------|--|
| Full Names                                                                   |           |  |                                                         |  |
| Identity Number                                                              |           |  |                                                         |  |
| Capacity in which request is made<br>(when made on behalf of another person) |           |  |                                                         |  |
| Postal Address                                                               |           |  |                                                         |  |
| Street Address                                                               |           |  |                                                         |  |
| E-mail Address                                                               |           |  |                                                         |  |
| Contact Numbers                                                              | Tel. (B): |  | Facsimile: <table border="1"><tr><td></td></tr></table> |  |
|                                                                              |           |  |                                                         |  |
| Cellular:                                                                    |           |  |                                                         |  |
| Full names of person on whose behalf request is made (if applicable):        |           |  |                                                         |  |
| Identity Number                                                              |           |  |                                                         |  |
| Postal Address                                                               |           |  |                                                         |  |

|                                                                                                                                                                                                                                                                                                                                                                                        |          |  |           |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|--|-----------|
| Street Address                                                                                                                                                                                                                                                                                                                                                                         |          |  |           |
| E-mail Address                                                                                                                                                                                                                                                                                                                                                                         |          |  |           |
| Contact Numbers                                                                                                                                                                                                                                                                                                                                                                        | Tel. (B) |  | Facsimile |
|                                                                                                                                                                                                                                                                                                                                                                                        | Cellular |  |           |
| <p align="center"><b>PARTICULARS OF RECORD REQUESTED</b></p> <p><i>Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)</i></p> |          |  |           |
| Description of record or relevant part of the record:                                                                                                                                                                                                                                                                                                                                  |          |  |           |
|                                                                                                                                                                                                                                                                                                                                                                                        |          |  |           |
|                                                                                                                                                                                                                                                                                                                                                                                        |          |  |           |
|                                                                                                                                                                                                                                                                                                                                                                                        |          |  |           |
|                                                                                                                                                                                                                                                                                                                                                                                        |          |  |           |
| Reference number, if available                                                                                                                                                                                                                                                                                                                                                         |          |  |           |
| Any further particulars of record                                                                                                                                                                                                                                                                                                                                                      |          |  |           |
|                                                                                                                                                                                                                                                                                                                                                                                        |          |  |           |
|                                                                                                                                                                                                                                                                                                                                                                                        |          |  |           |
|                                                                                                                                                                                                                                                                                                                                                                                        |          |  |           |
|                                                                                                                                                                                                                                                                                                                                                                                        |          |  |           |
| <p align="center"><b>TYPE OF RECORD</b></p> <p align="center"><i>(Mark the applicable box with an "X")</i></p>                                                                                                                                                                                                                                                                         |          |  |           |
| Record is in written or printed form                                                                                                                                                                                                                                                                                                                                                   |          |  |           |
| Record comprises virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>                                                                                                                                                                                                                                                 |          |  |           |
| Record consists of recorded words or information which can be reproduced in sound                                                                                                                                                                                                                                                                                                      |          |  |           |
| Record is held on a computer or in an electronic, or machine-readable form                                                                                                                                                                                                                                                                                                             |          |  |           |

| <b>FORM OF ACCESS</b><br><i>(Mark the applicable box with an "X")</i>                                                                                                |  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| Printed copy of record <i>(including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)</i> |  |
| Written or printed transcription of virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>            |  |
| Transcription of soundtrack <i>(written or printed document)</i>                                                                                                     |  |
| Copy of record on flash drive <i>(including virtual images and soundtracks)</i>                                                                                      |  |
| Copy of record on compact disc drive <i>(including virtual images and soundtracks)</i>                                                                               |  |
| Copy of record saved on cloud storage server                                                                                                                         |  |

| <b>MANNER OF ACCESS</b><br><i>(Mark the applicable box with an "X")</i>                                                                                                                                                                               |  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| Personal inspection of record at registered address of public/private body <i>(including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)</i> |  |
| Postal services to postal address                                                                                                                                                                                                                     |  |
| Postal services to street address                                                                                                                                                                                                                     |  |
| Courier service to street address                                                                                                                                                                                                                     |  |
| Facsimile of information in written or printed format <i>(including transcriptions)</i>                                                                                                                                                               |  |
| E-mail of information <i>(including soundtracks if possible)</i>                                                                                                                                                                                      |  |
| Cloud share/file transfer                                                                                                                                                                                                                             |  |
| Preferred language<br><i>(Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available)</i>                                                                            |  |

| <b>PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED</b><br><i>If the provided space is inadequate, please continue on a separate page and attach it to this Form. The requester must sign all the additional pages.</i> |  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| Indicate which right is to be exercised or protected                                                                                                                                                                     |  |
|                                                                                                                                                                                                                          |  |
|                                                                                                                                                                                                                          |  |

|                                                                                                          |  |
|----------------------------------------------------------------------------------------------------------|--|
| Explain why the record requested is required for the exercise or protection of the aforementioned right: |  |
|                                                                                                          |  |
|                                                                                                          |  |

| FEES   |                                                                                                                                                                    |
|--------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| a)     | <i>A request fee must be paid before the request will be considered.</i>                                                                                           |
| b)     | <i>You will be notified of the amount of the access fee to be paid.</i>                                                                                            |
| c)     | <i>The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.</i> |
| d)     | <i>If you qualify for exemption of the payment of any fee, please state the reason for exemption</i>                                                               |
| Reason |                                                                                                                                                                    |
|        |                                                                                                                                                                    |
|        |                                                                                                                                                                    |

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

| Postal address | Facsimile | Electronic communication<br>(Please specify) |
|----------------|-----------|----------------------------------------------|
|                |           |                                              |

Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
**Signature of Requester / person on whose behalf request is made**

-----  
**FOR OFFICIAL USE**

|                                                                               |  |
|-------------------------------------------------------------------------------|--|
| Reference number:                                                             |  |
| Request received by:<br>(State Rank, Name And Surname of Information Officer) |  |
| Date received:                                                                |  |
| Access fees:                                                                  |  |
| Deposit (if any):                                                             |  |

\_\_\_\_\_  
**Signature of Information Officer**