

**ACQUIFIN PROPRIETARY LIMITED****ACCESS TO INFORMATION MANUAL**

**PREPARED IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS TO  
INFORMATION ACT 2 OF 2000 (PAIA)**


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Manual Owner	Karien Venter (Deputy Information Officer)
Responsible Business Unit	Legal & Compliance


## MANUAL STATEMENT

- This manual forms part of the manual owner's internal business processes and procedures.
- Any reference to "The Organisation" shall be interpreted to include the "manual owner".
- The Organisation's governing body, its employees, volunteers, contractors, suppliers and any other persons acting on behalf of The Organisation are required to familiarise themselves with the manual's requirements and undertake to comply with the stated processes and procedures.
- Risk owners and control owners are responsible for overseeing and maintaining control procedures and activities.

## MANUAL ADOPTION

By signing this document, we authorise the manual owner's approval and adoption of the processes and procedures outlined herein.

Name & Surname	Gerdouw Steyn
Capacity	Director
Signature	
Date	17 June 2024

Name & Surname	Frederick Nicolaas Van Loggerenberg
Capacity	Director
Signature	
Date	14/06/2024

## TABLE OF CONTENTS

1. INTRODUCTION TO ACQUIFIN .....	4
2. DEFINITIONS.....	4
3. MANUAL PURPOSE.....	5
4. CONTACT DETAILS & BUSINESS TYPE .....	6
5. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE .....	6
6. STATUTORY RECORDS.....	7
7. AVAILABILTY OF RECORDS .....	8
8. DUTIES OF THE INFORMATION OFFICER.....	10
9. REQUEST PROCEDURE.....	13
10. NOTICE.....	16
11. REMEDIES AVAILABLE IF A REQUEST FOR INFORMATION IS REFUSED.....	17
12. AVAILABILITY OF THE MANUAL.....	18
13. ANNEXURE A: FORM 2 – REQUEST FOR ACCESS TO RECORD .....	19
14. ANNEXURE B: PRESCRIBED FEES .....	23
15. ANNEXURE C: FORM 3 – OUTCOME OF REQUEST AND OR FEES PAYABLE.....	24

## 1. INTRODUCTION TO ACQUIFIN

Acquifin Proprietary Limited (**“The Organisation”**) is incorporated as a private company in terms of the laws of the Republic of South Africa. Acquifin is classified as a “private body” within the definition of Section 1 of the Act.

## 2. DEFINITIONS

In this Manual, the following words and expressions bear the meanings ascribed to them:

- 2.1. **“Data Subject”** means the person to whom personal information relates.
- 2.2. **“Deputy Information Officer/s (DIO)”** means the person/persons to whom any power or duty conferred or imposed on an Information Officer by POPI has been delegated.
- 2.3. **“Head”** in relation to a private body means:
  - 2.3.1. in the case of a natural person, that natural person or any person duly authorised by that natural person;
  - 2.3.2. in the case of a partnership, any partner of the partnership or any person duly authorised by the partnership;
  - 2.3.3. in the case of a juristic person:
    - the chief executive officer or equivalent officer of the juristic person or any person duly authorised by that officer; or
    - the person who is acting as such or any person duly authorised by such acting person.
- 2.4. **“Information Officer (IO)”** means the Head of a private body.
- 2.5. **“Information Regulator”** means the Regulator established in terms of Section 39 of POPI.
- 2.6. **“PAIA”** means the Promotion of Access to Information Act 2 of 2000.
- 2.7. **“Person”** means a natural person or a juristic person.
- 2.8. **“Personal Information”** means information relating to an identifiable natural person, including, but not limited to –
  - 2.8.1. 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;
  - 2.8.2. Information relating to the education or the medical, financial, criminal or employment history of the person;
  - 2.8.3. Any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person,
  - 2.8.4. The biometric information of the person;
  - 2.8.5. The personal opinions, views or preferences of the person;
  - 2.8.6. 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;
  - 2.8.7. The views or opinions of another individual about the person; and
  - 2.8.8. 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.

- 2.9. “Personal Requester”** means a requester seeking access to a record containing personal information about the requester.
- 2.10. “POPIA”** means the Promotion of Personal Information Act 4 of 2013.
- 2.11. “Private body”** means –
- 2.11.1.** a natural person who carries or has carried on any trade, business or profession, but only in such capacity
  - 2.11.2.** a partnership which carries or has carried on any trade, business or profession;
  - 2.11.3.** any former or existing juristic person; or
  - 2.11.4.** a political party,
- but excludes a public body.
- 2.12. “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.
- 2.13. “Public body”** means –
- 2.13.1.** any department of state or administration in the national or provincial sphere of government or any municipality in the local sphere of government; or
  - 2.13.2.** in any other functionary or institution when:
    - exercising a power or performing a duty in terms of the Constitution or a provincial constitution; or
    - exercising a public power or performing a public function in terms of any legislation.
- 2.14. “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.
- 2.15. “Request for access”** means a request for access to a record of The Organisation in terms of section 50 of PAIA.
- 2.16. “Record”** means any recorded information regardless of the form or medium, in the possession or under the control of The Organisation and irrespective of whether or not it was created by The Organisation.
- 2.17. “Third Party”** in relation to a request for access to a record held by The Organisation, means any person other than the requester.

### 3. MANUAL PURPOSE

- 3.1.** The Promotion of Access to Information Act, 2000, gives effect to section 32 of the Constitution, which provides that everyone has the right to access information held by the State or any other person (or private body), when that information is required for the exercise or protection of any rights.
- 3.2.** The purpose of PAIA is to:
- 3.2.1.** foster a culture of transparency and accountability in public and private bodies by giving effect to the right of access to information, and to
  - 3.2.2.** 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.
- 3.3.** The Organisation recognises everyone's right to access to information and is committed to provide access to The Organisation's records where the proper procedural requirements as set out by PAIA and POPI have been met.

- 3.4.** The Organisation's PAIA manual is compiled in accordance with section 51 of the Act and the purpose of this Manual is to assist people wishing to access information in terms of PAIA from Acquifin and its subsidiaries.

## **4. CONTACT DETAILS & BUSINESS TYPE**

### **4.1. The Organisation's Contact Details:**

Organisation Name: **Acquifin Proprietary Limited**  
 Registration Number: **2022 / 592566 / 07**  
 Physical address: **Boardwalk Office Park, Block 14, 79 Eros Street, Faerie Glen, Pretoria, 0043**  
 Phone number: **010 494 9289**  
 Email address: [customercare@acquifin.co.za](mailto:customercare@acquifin.co.za)

### **4.2. Head of The Organisation**

Full names & surname: **Gerdouw Steyn (Director/CFO)**  
 Email address: **gerdouw@ifsaprivateequity.com**  
 Phone number: **082 562 7563**

### **4.3. Deputy Information Officers**

Full names & surname: **Anton Gerber**  
 Email address: **anton@bridge.co.za**  
 Phone number: **087 285 0341**

Full names & surname: **Karien Venter**  
 Email address: **compliance@acquifin.co.za**  
 Phone number: **087 285 0341**

## **5. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE**

- 5.1.** The Regulator has, in terms of section 10(1) of PAIA, as amended, updated and made available the revised Guide on how to use PAIA ("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.
- 5.2.** The Guide is available in each of the official languages and in braille.
- 5.3.** The aforesaid Guide contains the description of:
- 5.3.1.** the objects of PAIA and POPIA;
  - 5.3.2.** the postal and street address, phone and fax number and, if available, electronic mail address of-
    - the Information Officer of every public body, and
    - every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA and section 56 of POPIA ;
  - 5.3.3.** the manner and form of a request for-
    - access to a record of a public body contemplated in section 11; and
    - access to a record of a private body contemplated in section 50.
  - 5.3.4.** the assistance available from the IO of a public body in terms of PAIA and POPIA;
  - 5.3.5.** the assistance available from the Regulator in terms of PAIA and POPIA;

- 5.3.6.** all remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging-
- an internal appeal;
  - a complaint to the Regulator; and
  - an application with a court against a decision by the information officer of a public body, a decision on internal appeal or a decision by the Regulator or a decision of the head of a private body;
- 5.3.7.** the provisions of sections 14 and 51 requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
- 5.3.8.** the provisions of sections 15 and 52 providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
- 5.3.9.** the notices issued in terms of sections 22 and 54 regarding fees to be paid in relation to requests for access; and
- 5.3.10.** the regulations made in terms of section 92.
- 5.4.** Members of the public can inspect or make copies of the Guide from the offices of the public and private bodies, including the office of the Regulator, during normal working hours.
- 5.5.** The Guide can also be obtained-
- 5.5.1.** upon request to the Information Officer;
- 5.5.2.** from the website of the Regulator (<https://www.justice.gov.za/infoereg/>).
- 5.6.** 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.
- 5.7.** Requests in terms of PAIA shall be made in accordance with the prescribed procedures at the rates provided.

## 6. STATUTORY RECORDS

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

Arbitration Act
Basic Conditions of Employment Act
Broad Based Black Economic Empowerment Act
Companies Act and Applicable Regulations
Compensation for Occupational injuries and Diseases Act
Competition Act No
Constitution of RSA Act
Consumer Protection Act
Direct Marketing Association, Code of Ethics & Standards of Practice
Debt Collectors Act
Electronic Communications and Transactions Act
Employment Equity Act
Financial Advisory and Intermediary Services Act
Financial Institutions (Protection of Funds) Act
Financial Intelligence Centre Act

Financial Sector Regulation Act
Identification Act
Income Tax Act
Insolvency Act
King Report on Corporate Governance in South Africa (King III)
Labour Relations Act
Long-term Insurance Act
National Credit Act
National Payment Systems Act
Occupational Health and Safety Act
Payment Association of South Africa Rules
Promotion of Access to Information Act
Protection of Personal Information Act
South African Reserve Bank Act
Unemployment Insurance Act
Value Added Tax Act

## 7. AVAILABILITY OF RECORDS

- 7.1.** This section provides a list of records held by The Organisation along with an indication of whether the record is automatically available or only accessible by way of a formal request in terms of the provisions of PAIA. The section also provides a description of the category of data subject(s) to whom the respective records relate along with an indication of the purpose for which the record is being kept.
- 7.2.** Records that are indicated as “Automatically Available” can be accessed by contacting the Customer Care Department on [customercare@acquirfin.co.za](mailto:customercare@acquirfin.co.za) without having to follow any formal procedures on condition that the necessary consent documents have been provided by the data subject to whom the information relates. Records that are indicated as a “PAIA Request”, requires the requester to lodge a formal request as provided for in paragraph 10.
- 7.3.** The Organisation maintains the following categories of records and related subject matter. The status of the record’s availability, 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:
Public Affairs	Public Product Information	Automatically Available	Convey Public Information	Organisation
	Public Corporate Records	Automatically Available	Convey Public Information	Organisation
	Media Releases	Automatically Available	Convey Public Information	Organisation
	Published Newsletters	Automatically Available	Convey Public Information	Organisation
	Magazine Articles	Automatically Available	Convey Public Information	Organisation
Regulatory & Administrative	Permits, Licenses or Authorities	Automatically Available	Statutory Requirement	Organisation
	Conflict of Interest Management Policy	Automatically Available	Statutory Requirement	Organisation
	Complaints Policy	Automatically Available	Statutory Requirement	Organisation
	FICA Internal Rules	PAIA Request	Statutory Requirement	Organisation



	Health & Safety Plan	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 (e-mails/memos)	PAIA Request	Internal Communications	Employees
	Insurance Policies held by organisation	PAIA Request	Risk Management	Organisation
Human Resources	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
	Pension Fund Records	PAIA Request	Internal Referencing	Employees
	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
Financial	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	PAIA Request	Internal Referencing	Organisation
	Vouchers, Cash Books and	PAIA Request	Internal Referencing	Organisation
	Banking Records and Statements	PAIA Request	Internal Referencing	Organisation
	Electronic Banking Records	PAIA Request	Internal Referencing	Organisation
Marketing	Market Information	PAIA Request	Internal Referencing	Organisation
	Product Brochures	PAIA Request	Internal Referencing	Organisation
	Advertisements	PAIA Request	Internal Referencing	Organisation
	Field Records	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

Client Customer	Customer / Client Database	PAIA Request	Internal Referencing	Customers
	Customer / Client agreements	Automatically Available	Internal Referencing	Customers
	Customer / Client Files	Automatically Available	Internal Referencing	Customers
	Customer / Client Instructions	Automatically Available	Internal Communications	Customers
	Customer / Client Correspondence	Automatically Available	External Communications	Customers
	Customer/ Client Account Statement	Automatically Available	Internal Referencing	Customers
Third Party	Rental agreements	PAIA Request	Contractual Agreement	Third Party
	Franchise 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

## 8. DUTIES OF THE INFORMATION OFFICER

**8.1.** The Information Officer and/or the Deputy Information Officers of The Organisation are responsible for:

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

### 8.2. Right of Access

**8.2.1.** The Information Officer and/or Deputy Information Officers may only provide access to any record held by The Organisation to a requester if:

- The record is required for the exercise or protection of any right, and
- The requester complies with the procedural requirements relating to a request for access to that record, and
- Access to that record is not refused in terms of any of the grounds for refusal listed below.

### 8.3. Confidentiality and Access to Information Policy

- 8.3.1.** The Organisation will protect the confidentiality of information provided to it by third parties, subject to The Organisation's obligations to disclose information in terms of any applicable law or a court order requiring disclosure of the information. If access is requested to a record that contains information about a third party, the Deputy Information Officers are obliged to attempt to contact this third party to inform them of the request.
- 8.3.2.** This enables the third party the opportunity of responding by either consenting to the access or by providing reasons why the access should be denied. In the event that the third-party furnishing reasons for the support or denial of access, the Deputy Information Officers will consider these reasons in determining whether access should be granted, or not.

#### **8.4. Grounds for Refusal**

- 8.4.1.** The Information Officer and/or Deputy Information Officers must assess whether there are any grounds for refusing a request for access.
- 8.4.2.** Where any grounds for refusal are found, a request for access will not be granted.
- 8.4.3.** However, despite finding any grounds for refusal, access to the record(s) will be provided where:
- 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
  - the public interest in disclosing record, will clearly outweigh the harm contemplated in the provision in question.
- 8.4.4.** Where there are no grounds for refusal, request for access will be granted.
- 8.4.5.** 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:
- does not contain, and
  - can reasonably be severed from any part that contains, any such information must, despite any other provision of PAIA, also be disclosed.
- 8.4.6.** The grounds for refusal, or absence thereof, are set out below.

#### **8.5. Mandatory Protection of privacy of a Third Party who is a Natural Person**

- 8.5.1.** Grounds for Refusal:
- The disclosure would involve the unreasonable disclosure of personal information about a third party that is a natural person (including a deceased individual).
- 8.5.2.** No Grounds for Refusal:
- The record consists of information that concerns an individual who has already consented in writing to its disclosure to the requester concerned.
  - The record consists of information that is already publicly available.
  - 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.
  - 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.
  - The record consists of information about an individual who is deceased, and the requester is the individual's next of kin or making the with the written consent of the individual's next of kin.
  - 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

#### **8.6. Mandatory Protection of Commercial Information of a Third Party**

- 8.6.1.** Grounds for Refusal:
- The record consists of information that contains trade secrets of a third party.

- 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.
- 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.

**8.6.2. No Grounds for Refusal:**

- 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.
- 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).

**8.7. Mandatory Protection of certain Confidential Information of a Third Party**

**8.7.1. Grounds for Refusal:**

- 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.

**8.8. Mandatory Protection of Safety of Individuals and Protection of Property**

**8.8.1. Grounds for Refusal:**

- The record consists of information that if disclosed could reasonably be expected to endanger the life or physical safety of an individual.
- 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.
- 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.

**8.9. Mandatory Protection of Records privileged from Production in Legal Proceedings**

**8.9.1. Grounds for Refusal:**

- The record consists of information privileged from production in legal proceedings unless the person entitled to the privilege has waived the privilege.

**8.10. Commercial Information of The Organisation**

**8.10.1. Grounds for Refusal:**

- The record consists of information that contains trade secrets of The Organisation.
- 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 Organisation.
- 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.

- The record is a computer program as defined in section 1(1) of the Copyright Act (Act 98 of 1978), 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.

#### **8.10.2. No Grounds for Refusal:**

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).

### **8.11. Mandatory Protection of Research Information of a Third Party and The Organisation**

#### **8.11.1. Grounds for Refusal:**

- 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.
- 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.

## **9. PROCESSING OF PERSONAL INFORMATION IN TERMS OF THE POPI ACT**

### **9.1. Processing of personal information of data subjects.**

#### **9.1.1. The Organisation processes personal information of data subjects for the following purposes:**

- Fulfilling its statutory obligations in terms of applicable legislation;
- Verifying information provided to The Organisation;
- Obtaining information necessary to provide contractual agreements;
- Monitoring, maintaining and managing contractual obligations to customers, clients, suppliers, service providers, employees, directors and other third parties;
- Marketing and advertising;
- Resolving and tracking complaints;
- Monitoring and securing the assets, employees and visitors to the premises of The Organisation;
- Historical record keeping, research and recording statistics necessary for fulfilling The Organisations objectives.

### **9.2. Categories of personal information processed.**

#### **9.2.1. The Organisation may process the personal information of the following categories of data subjects. This includes current, past and prospective data subjects:**

- Customer and employees, representatives, agents, contractors and service providers of such customers;
- Suppliers, service providers to and vendors of The Organisation and employees, representatives, agents, contractors and service providers of such suppliers and service providers;
- Directors and officers of The Organisation;
- Shareholders;
- Job applicants;

- Visitors to any premises of The Organisation;
- Complaints, correspondents and enquiries.

### **9.3. Nature of personal information processed.**

**9.3.1.** The nature of personal information processed in respect of the data subjects listed above may include:

- Name, identifying number, symbol, email address, physical address, telephone number, location information, online identifier or other particular assignment to the person;
- Biometric information;
- Information relating to the education or the medical, financial, criminal or employment history of the data subject;
- Information relating to the race, gender, marital status, national origin, age disability, language and birth of the data subject;
- The personal opinions, views or preferences of the data subject;
- Confidential correspondence sent by the data subject;
- The views of opinions of another individual about the data subject.

### **9.4. Recipients to which information may be supplied.**

**9.4.1.** The Organisation may supply personal information to the following recipients:

- Regulatory, statutory and government bodies;
- Suppliers, service providers, vendors, clients, agents and representatives of The Organisation;
- Employees of The Organisation;
- Shareholders and other stakeholders;
- Third party verification agencies and credit bureau;
- Collection agencies;
- Banks and other financial institutions;

### **9.5. Planned or prospective transborder flow of personal information.**

**9.5.1.** The Organisation do not have any planned or prospective transborder flow of any personal information of data subjects at this stage.

### **9.6. Security measures to ensure confidentiality, integrity and availability of personal information.**

**9.6.1.** The Organisation continuously establishes and maintains appropriate, reasonable technical and organisational measures to ensure that the integrity of the personal information in its possession or under its control is secure and that such information is protected against unauthorized or unlawful processing, accidental loss, destruction or damage, alteration or access by having regard to the requirements set forth in law, in industry practice and generally accepted information security practices and procedures which apply.

### **9.7. Specific policies relating to the protection of personal information.**

**9.7.1.** The following policies can be obtained from The Organisation, pertaining to the protection of personal information as contemplated in the Protection of Personal Information Act no.4 of 2013:

- Protection of Personal Information Policy
- Personal Information Retention Policy
- Data Breach Policy
- Data Subject Access Request Policy

- 9.8.** The form to be used to request access to personal information of a data subject can be found in the Protection of Personal Information Policy.

## **10. REQUEST PROCEDURE**

- 10.1.** This section sets out the procedure required to obtain access to a record indicated as a “PAIA Request” in paragraph 7.
- 10.2.** To facilitate the processing of a request, a requestor must complete and submit the Form 2 as set out in Annexure A of this manual to the e-mail address of the Deputy Information Officers indicated in paragraph 4.
- 10.3.** The Deputy Information Officers will notify the requester that a request for access has been received and that the prescribed fee (if any) is payable prior to processing the request.
- 10.4.** The Act provides that a requester is only entitled to access to a record if the record is required for the exercise or protection of a right. Only requests for access to a record, where the requester has satisfied the Deputy Information Officers that the record is required to exercise or protect a right, will be considered. A requester may act in different capacities in making a request for a record.
- 10.5.** Requesters may make a request as:
- 10.5.1.** A personal requester who requests a record about him/herself;
  - 10.5.2.** An agent requester who requests a record on behalf of someone else with that person’s consent and where it is required for the protection of that person’s legal right;
  - 10.5.3.** A third-party requester who requests a record about someone else with that person’s consent and where it is required for the protection of that person’s legal right; and
  - 10.5.4.** A public body who may request a record if:
    - It fulfils the requirements of procedural compliance;
    - The record is required for the exercise or protection of a right; and
    - No grounds for refusal exist.
- 10.6.** Personal requesters will not be charged a request fee.
- 10.7.** Once the request has been processed, the Deputy Information Officers will inform the requestor of the outcome of their request and any additional fees that may fall due.
- 10.8.** PAIA provides a number of grounds on which a request for access to information must be refused. These grounds mainly comprise instances where:
- 10.8.1.** the privacy and interests of other individuals are protected;
  - 10.8.2.** where such records are already otherwise publicly available;
  - 10.8.3.** instances where public interest are not served;
  - 10.8.4.** the mandatory protection of commercial information of a third party;
  - 10.8.5.** the mandatory protection of certain confidential information of a third party.
- 10.9.** When completing the form as set out in Annexure A the requester must:
- 10.9.1.** indicate the identity of the person seeking access to the information;
  - 10.9.2.** provide sufficient particulars to enable the Deputy Information Officer to identify the information requested;
  - 10.9.3.** specify the format in which the information is required;
  - 10.9.4.** indicate the contact details of the person requiring the information;

- 10.9.5.** indicate the right to be exercised and/or to be protected, and specify the reasons why the information required will enable the person to protect and/or exercise the right;
- 10.9.6.** where the person requesting the information wishes to be informed of the decision of the request in a particular manner, state the manner and particulars to be so informed;
- 10.9.7.** if the request for information is made on behalf of another person, submit proof that the person submitting the request, has obtained the necessary authorisation to do so.

## **11. NOTICE**

- 11.1.** Where a request for access has been received the Information Officer and/or Deputy Information Officers will notify the requester in writing of receipt and the prescribed fee (if any) that is payable prior to processing the request.
- 11.2.** Please refer to Annexure B for a full breakdown of fees payable. Personal requesters will not be charged a request fee.
- 11.3.** The notice must also be accompanied by a completed Form 3 as set out in Annexure C.
- 11.4.** The notice must state:
  - 11.4.1.** The amount of the deposit payable (if any)
  - 11.4.2.** 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;
  - 11.4.3.** The procedure (including the period) for lodging the complaint with the Information Regulator or the application
- 11.5.** Except to the extent that the provisions regarding third party notification may apply, the Information Officer and/or Deputy Information Officers 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:
  - 11.5.1.** Decide in accordance with PAIA whether to grant the request, and
  - 11.5.2.** 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.
- 11.6.** The 30 day period within which The Organisation is to decide whether to grant or refuse the request may be extended for a further period of not more than 30 days if:
  - 11.6.1.** the request is for a large number of records or requires a search through a large number of records and compliance with the original period would unreasonably interfere with the activities of the private body concerned;
  - 11.6.2.** the request requires a search for records in, or collection thereof from, an office of the private body not situated in the same town or city as the office of the head that cannot reasonably be completed within the original period;
  - 11.6.3.** consultation among divisions of The Organisation or with another private body is necessary or desirable to decide upon the request that cannot reasonably be completed within the original period;
  - 11.6.4.** more than one of the circumstances contemplated in the paragraphs above exist in respect of the request making compliance with the original period not reasonably possible;
  - 11.6.5.** the requester consent in writing to such extension.



- 11.7.** If the period is extended, the Designated Information Officer will within 30 days after the request is received notify the requester of:
- 11.7.1.** The period of the extension;
  - 11.7.2.** The reasons for the extension, including the provisions of this Act relied upon; and
  - 11.7.3.** That the requester may lodge an application with a court against the extension, and the procedure (including the period) for lodging the application.
- 11.8.** If the request for access is granted, the notice must state:
- 11.8.1.** The access fee (if any) to be paid upon access;
  - 11.8.2.** The form in which access will be given, and
  - 11.8.3.** 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.
- 11.9.** If the request for access is refused, the notice must:
- 11.9.1.** State adequate reasons for the refusal, including the relevant provision of PAIA that was relied on;
  - 11.9.2.** Exclude, from any such reasons, any reference to the content of the records; and
  - 11.9.3.** 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.
- 11.10.** Should all reasonable steps have been taken to find a record requested, and there are reasonable grounds for believing that the record:
- 11.10.1.** Is in The Organisation's possession, but cannot be found, or
  - 11.10.2.** Simply does not exist,
- the head of The Organisation or delegated individual 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.

## **12. REMEDIES AVAILABLE IF A REQUEST FOR INFORMATION IS REFUSED**

### **12.1. Internal Remedies**

The Organisation does not have an internal appeals procedure. As such, the decision made by the Designated Information Officer/ Deputy Information Officers is final. The requesters will have to exercise such external remedies at their disposal, if the request for information is refused and the requester is not satisfied with the answer supplied by the Designated Information Officer/ Deputy Information Officers.

### **12.2. External Remedies**

A requester that is dissatisfied with the Designated Information Officer's/ Deputy Information Officer's refusal to disclose information may, within 30 days of notification of the decision, apply to a Court for relief.

## 13. AVAILABILITY OF THE MANUAL

**13.1.** A copy of the Manual is available:

- On The Organisations website ([www.acquifin.co.za](http://www.acquifin.co.za)) and at the operations office of The Organisation for public inspection during normal business hours;
- to any person upon request and upon the payment of a reasonable prescribed fee; and
- to the Information Regulator upon request.

**13.2.** A fee for a copy of the Manual, as contemplated in annexure B of the Regulations, shall be payable per each A4-size photocopy made.

## 14. ANNEXURE A: FORM 2 – REQUEST FOR ACCESS TO RECORD

## 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


(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 <i>(when made on behalf of another person)</i>			
Postal Address			
Street Address			
E-mail Address			
Contact Numbers	Tel. (B):		Facsimile:
	Cellular:		
Full names of person on whose behalf request is made <i>(if applicable)</i> :			
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> (Mark the applicable box with an "X")</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> <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> <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 <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> <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 (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: (State Rank, Name And Surname of Information Officer)	
Date received:	
Access fees:	
Deposit (if any):	

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

## 15. ANNEXURE B: PRESCRIBED FEES

The following applies to requests (other than personal requests):

- A requester is required to pay a preliminary request fee before a request will be processed.
- If the preparation of the record requested requires more than the prescribed hours (six), an additional deposit shall be paid (of not more than one third of the access fee which would be payable if the request was granted).
- A requestor may lodge an application with a court against the tender / payment of the request fee and/or deposit.
- Records may be withheld until the fees have been paid.

No.	Description	Fee
1.	The request fee payable by every requester	R140.00
2.	Photocopy/printed black & white copy of A4-size page	R2.00
3.	Printed copy of an A4 size page	R2.00
4.	For a copy in a computer-readable form on:	
	i. Flash drive (to be provided by requester)	R40.00
	ii. Compact disc:	
	- If provided by requestor	R40.00
	- If provided to the requestor	R60.00
5.	For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on quotation from Service provider.
6.	Copy of visual images	
7.	Transcription of an audio record, per A4-size page	R24.00
8.	Copy of an audio record on:	
	i. Flash drive (to be provided by requester)	R40.00
	ii. Compact disc:	
	- If provided by requestor	R40.00
	- If provided to the requestor	R60.00
9.	To search for and prepare the record for disclosure for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation.	R145.00
	To not exceed a total cost of	R435.00
10.	Deposit: If search exceeds 6 hours	One third of amount per request to items 2-8.
11.	Postage, e-mail or any other electronic transfer	Actual expense, if any."

## 16. ANNEXURE C: FORM 3 – OUTCOME OF REQUEST AND OR FEES PAYABLE

**FORM 3**  
**OUTCOME OF REQUEST AND OF FEES PAYABLE**

[Regulation 8]

Note:

1. If your request is granted the—
  - (a) amount of the deposit, (if any), is payable before your request is processed; and
  - (b) requested record/portion of the record will only be released once proof of full payment is received.
2. Please use the reference number hereunder in all future correspondence.

Reference number: \_\_\_\_\_

TO: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Your request dated \_\_\_\_\_, refers.

**1. You requested:**

Personal inspection of information at registered address of public/private body (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) is free of charge. You are required to make an appointment for the inspection of the information and to bring this Form with you. If you then require any form of reproduction of the information, you will be liable for the fees prescribed in Annexure B.	
--	--

**OR**

**2. You requested:**

Printed copies of the information (including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)	
Written or printed transcription of virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)	
Transcription of soundtrack (written or printed document)	
Copy of information on flash drive (including virtual images and soundtracks)	
Copy of information on compact disc drive (including virtual images and soundtracks)	
Copy of record saved on cloud storage server	

**3. To be submitted:**

Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format (including transcriptions)	
E-mail of information (including soundtracks if possible)	
Cloud share/file transfer	
Preferred language: (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)	

Kindly note that your request has been:

☐

Approved

☐

Denied, for the following reasons:



--

**4. Fees payable with regards to your request:**

Item	Cost per A4-size page or part thereof/item	Number of pages/items	Total
Photocopy			
Printed copy			
For a copy in a computer-readable form on:			
(i) Flash drive	R40.00		
• To be provided by requestor			
(ii) Compact disc	R40.00		
• If provided by requestor	R60.00		
• If provided to the requestor			
For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on the quotation of the service provider		
Copy of visual images			
Transcription of an audio record, per A4-size	R24.00		
Copy of an audio record			
(i) Flash drive	R40.00		
• To be provided by requestor			
(ii) Compact disc	R40.00		
• If provided by requestor	R60.00		
• If provided to the requestor			
Postage, e-mail or any other electronic transfer:	Actual costs		
<b>TOTAL:</b>			

**5. Deposit payable (if search exceeds six hours):**

☐

Yes

☐

No

Hours of search	Amount of deposit (calculated on one third of total amount per request)

The amount must be paid into the following Bank account:

Name of Bank: \_\_\_\_\_  
 Name of account holder: \_\_\_\_\_  
 Type of account: \_\_\_\_\_  
 Account number: \_\_\_\_\_  
 Branch Code: \_\_\_\_\_  
 Reference Nr: \_\_\_\_\_  
 Submit proof of payment to: \_\_\_\_\_

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

\_\_\_\_\_  
 Information officer