

Fintura (Proprietary) Ltd

PAIA MANUAL

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

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1. LIST OF ACRONUMNS AND ABBREVIATIONS

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| 1.1 “IO” | Information Officer; |
| 1.2 “Minister” | Minister of Justice and Correctional Services; |
| 1.3 “PAIA” | Promotion of Access to Information Act No. 2 of 2000 (as amended); |
| 1.4 “POPIA” | Protection of Personal Information Act No. 4 of 2013; |
| 1.5 “Regulator” | Information Regulator; |
| 1.6 “Republic” | Republic of South Africa. |

2. PURPOSE OF PAIA MANUAL

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

3. KEY CONTACT DETAILS

3.1. Chief Information Officer

Name: Bernice Christine Houy

Tel: +27720685274

Email: bernice@fintura.io

3.2. Deputy Information Officer

Name: Reece Bailey

Tel: +27720685274

Email: reece@fintura.io

3.3. Head office

Postal Address: 704 Touchstone House

7 Bree Street

Cape Town

8001

Physical Address: 704 Touchstone House

7 Bree Street

Cape Town

8001

Telephone: +27720685274

Email: bernice@fintura.io

Website: www.fintura.io

4. HOW TO USE PAIA GUIDE AND HOW TO OBTAIN ACCESS TO THE GUIDE

4.1. 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.

4.2. The Guide is available in each of the official languages and in braille

4.3. The aforesaid Guide contains the description of-

4.3.1. the objects of PAIA and POPIA;

4.3.2. the postal and street address, phone and fax number and, if available, electronic mail address of-

4.3.2.1. the Information Officer of every public body, and

4.3.2.2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA and section 56 of POPIA ;

4.3.3. the assistance available from the IO of a public body in terms of PAIA and POPIA;

4.3.4. the assistance available from the Regulator in terms of PAIA and POPIA;

4.3.5. 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-

4.3.5.1. an internal appeal;

4.3.5.2. a complaint to the Regulator; and

4.3.5.3. 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;

4.3.6. the provisions of sections 14[5] and 51[8] requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;

4.3.7. the provisions of sections 15[1] and 52[2] providing for the voluntary disclosure of categories of records by a public body and private body, respectively;

- 4.3.8. the notices issued in terms of sections 22[1] and 54[2] regarding fees to be paid in relation to requests for access; and
- 4.3.9. regulations made in terms of section 92[11].

5. CATEGORIES OF RECORDS

(Records that are not automatically available must be requested via the “Request to Access Process” outlined in this manual)

- 5.1 Administration Records
- 5.2 Human Resource Records
- 5.3 Operation Records
- 5.4 Finance Records
- 5.5 Information Technology Records

6. RECORDS HELD IN ACCORDANCE WITH ANY OTHER LEGISLATION

Basic Conditions of Employment 75 of 1997
Companies Act 71 of 2008
Compensation for Occupational Injuries and Disease Act 130 of 1993
Consumer Protection Act 68 of 2008
Copyright Act 98 of 1978
Electronic Communications Act 36 of 2005
Electronic Communications and Transactions Act 25 of 2002
Employment Equity Act 55 of 1998
Financial Intelligence Centre Act 38 of 2001
Income Tax Act 58 of 1962
Labour Relations Act 66 of 1995
National Credit Act 34 of 2005
Occupational Health and Safety Act 85 of 1993
Protection of Personal Information Act 4 of 2013
Skills Development Act 97 of 1998
Skills Development Levies Act 9 of 1999
Trade Marks Act 194 of 1993
Unemployment Insurance Act 63 of 2001
Unemployment Insurance Contributions Act 4 of 2002
Value Added Tax Act 89 of 1991

7. DESCRIPTION OF THE SUBJECTS

7.1 Administration Records

- Attendance registers
- Correspondence
- Founding Documents
- Licences (categories)
- Minutes of Management Meetings
- Minutes of Staff Meetings
- Shareholder Register

7.2 Human Resource Records

- Conditions of Service
- Employee Records
- Employment Contracts
- Employment Equity Records
- General Correspondence
- Industrial and Labour Relations Records
- Information relating to Health and Safety Regulations
- Pension and Provident Fund Records
- Medical Aid Records
- Performance Appraisals
- Personnel Guidelines, Policies and Procedures
- Remuneration Records and Policies
- Skills Requirements
- Staff Recruitment Policies
- Statutory Records
- Training Records

7.3 Operation Records

- Brochures on Company Information
- Client and Customer Registry
- Contracts
- General Correspondence
- Information relating to Employee Sales Performance
- Information relating to Work-In-Progress
- Marketing and Future Strategies
- Marketing Records
- Production Records
- Sales Records
- Suppliers Registry

7.4 Finance Reports

- Annual Financial Statements
- Asset Register
- Banking Records
- Budgets
- Contracts
- Financial Transactions
- General Correspondence
- Insurance Information
- Internal Audit Records
- Management Accounts
- Purchase and Order Information
- Tax Records (company and employee)

7.5 Information Technology Records

- IT Policies and Procedures
- Network Diagrams
- User Manuals

8. PROCESSING OF PERSONAL INFORMATION

8.1. Purpose of Processing Personal Information

8.2. Description of the categories of Data Subjects and of the information or categories of information relating thereto

Personal Information that may be processed

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

8.2.1. Purpose of Processing

- Fulfilling statutory obligations in terms of applicable legislation
- Historical record keeping, research and recording statistics necessary for fulfilling your business objectives
- Keeping of accounts and records
- Marketing and advertising
- Monitoring, maintaining and managing our contractual obligations to customers, clients, suppliers, service providers, employees, directors and other third parties
- Obtaining information necessary to provide contractually agreed services to clients
- Resolving and tracking complaints
- Staff administration
- Verifying information provided to us

8.2.2. Data Subjects

- Clients and client's employees, representatives, agents, contractors and service providers
- Existing and former employees (including contractors, agents, temporary and casual employees)
- Our stakeholders
- Suppliers and service providers and their respective authorised employees, representatives, agents, contractors and service providers of such suppliers and service providers

8.2.3. Natural Persons

- Confidential correspondence
- Date of birth
- Email address
- Gender
- ID number
- Names
- Nationality
- Physical and postal addresses
- Tax related information
- Telephone number

8.2.4. Juristic Persons

- Authorised signatories, beneficiaries, ultimate beneficial owners
- BBBEE information
- Financial information
- Founding documents
- Name of Legal Entity
- Names of contact persons
- Physical and Postal address and contact details
- Registration Number
- Tax related information

8.2.5. Special Information

- Racial / ethnic origin
- Religious or other beliefs

8.3. The recipients or categories of recipients to whom the personal information may be supplied

- Acceptable usage of personal information
- Auditors
- Banks and other financial institutions
- Employees of the organisation
- Employment and recruitment agencies

- Regulatory, statutory and government bodies
- Suppliers, service providers, vendors, agents and representatives of such entities
- Trade unions

8.4. General description of Information Security Measures by the responsible party to ensure the confidentiality, integrity and availability of the information

We have implemented generally accepted standards of technology and operational security in order to protect personal information from loss, misuse, alteration or destruction. We also take reasonable steps to keep personal information accurate, current, complete, confidential and reliable for its intended use.

9. REQUEST TO ACCESS PROCESS

9.1. WHO MAY REQUEST INFORMATION

PAIA provides that a requester is only entitled to access a record required for the exercise or protection of a right. Only requests for access to a record, where the requester has satisfied the Information Officer 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. This will influence the amount to be charged when a request has been lodged.

Requesters may make a request as:

- A personal requester who requests a record about him/herself;
- 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;
- 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
- 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.

9.2. FORM REQUEST (SECTION 53)

To request access to a record, below process is to be followed:

9.2.1. Use the prescribed Form C, which is available from SAHRS website at this link:

<http://www.treasury.gov.za/PAIA/PAIA%20-%20Form%20A.pdf>

9.2.2. Submit your request with the completed form and relevant prescribed fee to our Information Officer via email or physical address (details provided above);

9.2.3. Please ensure that your application provides sufficient details and information to enable the Information Officer to identify:

- The record/s requested;
- The requester;
- Form of access required;
- Postal address or email address of requester (or provide any other way you would like to be informed of our decision other than in writing);

- The right which the requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.

If the standard form is not used, we may reject the request due to lack of compliance and refuse application if insufficient information is provided.

9.2.4. Grounds for Refusal

We are entitled as a Private Body to refuse a request for information. Access may have to be refused to certain records in terms of PAIA to protect:

- Privacy of a third party who is a natural person or a juristic (including personal information);
- Company's confidential information;
- Commercial information of a third party;
- Safety of individuals and property;
- Records regarded as privileged in legal proceedings; or
- Research information.

Should the request for access be denied, you may apply to a court or lodge a complaint with the Information Regulator for relief.

9.3. PRESCRIBED FEE (SECTION 54)

- 9.3.1.** A requester who seeks access to a record containing Personal Information about that requestor is not required to pay the request fee. Every other requester, who is not a personal requester, must pay the required request fee.
- 9.3.2.** The IO will notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed fee before further processing the request.
- 9.3.3.** The fee that the requester must pay to is R 50.00. The requester may lodge an application to the court against the tender or payment of the request fee.
- 9.3.4.** After the IO has made a decision on the request, the requester will be notified in the required form.
- 9.3.5.** If the request is granted then a further access fee will be payable for the search, reproduction, preparation and for any time that has exceeded the prescribed hours (currently six) to search and prepare the record for disclosure. One third of the fee will become payable as a deposit by the requester.
- 9.3.6.** Postage is payable when a copy of a record must be posted to a requester.

10. FEE STRUCTURE

NO	ITEM	AMOUNT
1	For every photocopy of an A4-size page or part thereof	R 1.10
2	For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	R 0.75
3	For a copy in a computer-readable form on – <ul style="list-style-type: none"> a. USD or other external storage device b. Compact disc c. Stiffy disc 	R 70.00 R 70.00 R 7.50
4	For a transcription of visual images, for an A4-size page or part thereof	R 40.00
	For a copy of visual images	R 60.00
5	For a transcription of an audio record, for an A4-size page or part thereof	R 20.00
	For a copy of an audio record	R 30.00
6	The request fee payable by a requester, other than a person requester	R 50.00
7	To search for a record of disclosure	R 30.00 p/hr

11. AVAILABILITY OF THE MANUAL

11.1. A copy of the Manual is available in English –

11.1.1. On our website;

11.1.2. Our Head office for public inspection during normal business hours;

11.1.3. To the Information Regulator upon request;

11.1.4. To any person upon request and upon the payment of a reasonable prescribed fee.

12. UPDATING OF THE MANUAL

The head of Fintura Proprietary Limited will update this manual at such intervals as may be deemed necessary.

Issued by



Bernice Christine Houy

Chief Information Officer