



PAIA MANUAL

FOR

RETIREMENT WELLNESS SA CC

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

TABLE OF CONTENTS

1. PREAMBLE	3
2. DEFINITIONS	4
3. LIST OF ACRONYMS AND ABBREVIATIONS	7
4. PURPOSE OF PAIA MANUAL	8
5. DUTIES OF THE INFORMATION OFFICER	10
6. AVAILABILITY OF THE MANUAL	17
ANNEXURE A: CONTACT DETAILS OF RETIREMENT WELLNESS SA CC	19
ANNEXURE B: SECTION 10 PAIA GUIDE	20
ANNEXURE C: STATUTORY RECORDS	23
ANNEXURE D: AVAILABILTY OF RECORDS	24
ANNEXURE E: REQUEST PROCEDURE	25
ANNEXURE F: PRESCRIBED FEES	29
ANNEXURE G: PROCESSING OF PERSONAL INFORMATION	30
ANNEXURE H: DEPUTY INFORMATION OFFICER APPOINTMENT	33

1. PREAMBLE

Your privacy is very important to us, and we are committed to protecting your right to privacy as well as your right to access any information that our FSP has on you.

The Access to Information Manual ('Manual') is prepared in compliance with the Promotion of Access to Information Act 2 of 2000 ('PAIA') and the Protection of Personal Information Act 4 of 2013 ('POPIA'). In terms of this legislation, everyone has the right to access their personal information. The purpose of the Manual is to enable requesters to get the records to which they are entitled in a quick, easy and accessible manner.

The Promotion of Access to Information Act, 2000 ("**PAIA**") came into operation on 9 March 2001. PAIA seeks, among other things, to give effect to the Constitutional right of access to any information held by the State or by any other person where such information is required for the exercise or protection of any right and gives natural and juristic persons the right of access to records held by either a private or public body, subject to certain limitations, to enable them to exercise or protect their rights. Where a request is made in terms of PAIA to a private body, that private body must disclose the information if the requester is able to show that the record is required for the exercise or protection of any rights and provided that no grounds of refusal contained in PAIA are applicable. PAIA sets out the requisite procedural issues attached to information requests.

1.1. Section 51 of PAIA obliges private bodies to compile a manual to enable a person to obtain access to information held by such private body and stipulates the minimum requirements that the manual has to comply with.

1.2. This Manual is compiled in accordance with section 51 of PAIA as amended by the Protection of Personal Information Act, 2013 ("**POPIA**")

POPIA promotes the protection of personal information processed by public and private bodies, including certain conditions to establish minimum requirements for the processing of personal information. POPIA amends certain provisions of PAIA, balancing the need for access to information against the need to ensure the protection of personal information by providing for the establishment of an Information Regulator to exercise certain powers and perform certain duties and functions in terms of POPIA and PAIA, providing for the issuing of codes of conduct and providing for the rights of persons regarding unsolicited electronic

communications and automated decision making in order to regulate the flow of personal information and to provide for matters concerned therewith.

1.3 This PAIA manual also includes information on the submission of objections to the processing of personal information and requests to delete or destroy personal information or records thereof in terms of POPIA.

1.3.1 This Manual constitutes the RETIREMENT WELLNESS DA CC PAIA manual.

The purpose of the manual is to provide information that is needed by any person who wishes to exercise any right contemplated in the Promotion of Access to Information Act of 2000 (**PAIA**) and Protection of Personal Information Act, 2013 (**POPIA**). Any person, irrespective of citizenship, can apply for access to information under PAIA.

1.4 The objectives of this Manual are:

1. to provide a list of all records held by the legal entity;
2. to set out the requirements with regard to who may request information in terms of PAIA as well as the grounds on which a request may be denied;
3. to define the manner and form in which a request for information must be submitted; and
4. to comply with the additional requirements imposed by POPIA.

2. DEFINITIONS

Data Subject

The person to whom personal information relates.

Deputy Information Officer

The person to whom any power or duty conferred or imposed on an Information Officer by POPI has been delegated.

Head

In relation to a private body means:

- in the case of a natural person, that natural person or any person duly authorised by that natural person; ▪ in the case of a partnership, any partner of the partnership or any person duly authorised by the partnership;
- 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

Information Officer

The head of a private body.

Information Regulator

The Regulator established in terms of Section 39 of POPI.

PAIA

The Promotion of Access to Information Act 2 of 2000.

Person

A natural person or a juristic person.

Personal Information

- 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.

Personal Requester

A requester seeking access to a record containing personal information about the requester.

POPI

The Promotion of Personal Information Act 4 of 2013.

Private body

- a natural person who carries or has carried on any trade, business or profession, but only in such capacity
- a partnership which carries or has carried on any trade, business or profession; or
- any former or existing juristic person, but excludes a public body

Processing

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.

Public body

- any department of state or administration in the national or provincial sphere of government or any municipality in the local sphere of government; or

- 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

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.

Request for access

A request for access to a record of the organisation in terms of Section 50 of PAIA.

Record

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.

Third Party

In relation to a request for access to a record held by the organisation, means any person other than the requester.

3. LIST OF ACRONYMS AND ABBREVIATIONS

- | | | |
|-----|-------------------|--------------------------------------------------------------------|
| 1.1 | “DIO” | Deputy Information Officer; |
| 1.2 | “IO“ | Information Officer; |
| 1.3 | “Minister” | Minister of Justice and Correctional Services; |
| 1.4 | “PAIA” | Promotion of Access to Information Act No. 2 of 2000 (as Amended); |

- | | | |
|-----|--------------------|------------------------------------------------------|
| 1.5 | “POPIA” | Protection of Personal Information Act No.4 of 2013; |
| 1.6 | “Regulator” | Information Regulator; and |
| 1.7 | “Republic” | Republic of South Africa |
| 1.8 | “SAHRC” | South African Human Rights Commission |

4. PURPOSE OF PAIA MANUAL

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.

The purpose of PAIA is to:

This PAIA Manual is useful for the public to-

- 4.1 check the categories of records held by a body which are available without a person having to submit a formal PAIA request;
- 4.2 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;
- 4.3 know the description of the records of the body which are available in accordance with any other legislation;
- 4.4 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;
- 4.5 know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;

- 4.6 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;
- 4.7 know the description of the categories of data subjects and of the information or categories of information relating thereto;
- 4.8 know the recipients or categories of recipients to whom the personal information may be supplied;
- 4.9 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
- 4.10 know whether the body has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

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.

The organisation's PAIA manual is compiled in accordance with section 51 of the Act and contains the following provisions:

Annexure A: Contact Details & Business Type

This section provides the organisations postal and street address, phone and fax number and, if available, the e-mail address of the head of the organisation

Annexure B: Section 10 PAIA Guide

This section provides a description of the guide referred to in Section 10 of PAIA and how you may obtain access to it

Annexure C: Statutory Records

This section provides a description of the various statutes in terms of which the organisation is required to maintain records

Annexure D: Availability of Records

This section provides a list of records held by the organisation along with an indication of whether the record is freely 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 who the respective records relate along with an indication of the purpose for which the record is being kept. Records that are indicated as “Freely Available” can be accessed by contacting the Deputy Information Officer (see Annexure A), without having to follow any formal procedures. Records that are indicated as a “PAIA Request”, requires the requester to lodge a formal request as provided for in Annexure E

Annexure E: Request Procedure

This section sets out the procedure required to obtain access to a record indicated as a “PAIA Request”

Annexure F: Prescribed Fees

This section sets out the fees that are payable to the organisation prior to processing a request to obtain access to a record held by the organisation

Annexure G: Processing of Personal Information

This section sets out the applicable aspects for the processing of personal information

Annexure H: Deputy Information Officer Appointment

This section provides for the formal appointment of a Deputy Information Officer where so required

5. DUTIES OF THE INFORMATION OFFICER

The Information Officer and/or the Deputy Information Officer of the organisation are 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

Right of Access

The Information Officer and/or Deputy Information Officer must assess whether there are any grounds for refusing a request for access.

- Where any grounds for refusal are found, a request for access will not be granted.
 - 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,.
 - Where there are no grounds for refusal, request for access will be granted.
 - 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
-
- The grounds for refusal, or absence thereof, are set out below:

A: Mandatory Protection of privacy of a Third Party who is a Natural Person

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)

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 prepare by the individual in the course of employment

B: Mandatory Protection of Commercial Information of a Third Party

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

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)

C: Mandatory Protection of certain Confidential Information of a Third Party

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

D: Mandatory Protection of Safety of Individuals and Protection of Property

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

E: Mandatory Protection of Records privileged from Production in Legal Proceedings

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

F: Commercial Information of the Organisation

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

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)

G: Mandatory Protection of Research Information of a Third Party and the Organisation

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

NOTICE

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 Annexure F. Personal requesters will not be charged a request fee.

The notice must state:

- The amount of the deposit payable (if any)
- 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
- The procedure (including the period) for lodging the complaint with the Information Regulator or the application.

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:

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

If the request for access is granted, the notice must state:

- The access fee (if any) to be paid upon access
- The form in which access will be given, and
- 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

If the request for access is refused, the notice must:

- State adequate reasons for the refusal, including the relevant provision of PAIA that was relied on
- Exclude, from any such reasons, any reference to the content of the records' and
- 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
- Should all reasonable steps have been taken to find a record requested, and there are reasonable grounds for believing that the record:
 - Is in the organisation's possession, but cannot be found, or
 - 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.

6. AVAILABILITY OF THE MANUAL

A copy of the Manual is available-

From RETIREMENT WELLNESS SA CC at offices for public inspection during normal business hours.

The is also available on the Website.

- to any person

- to the Information Regulator

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

7. UPDATING OF THE MANUAL

DHEVAN NAICKER of RETIREMENT WELLNESS SA CC will on a regular basis update this manual.

The Document has been compiled with the guidance from the Information Regulator template as well as the Information Regulator PAIA manual in reference on website.



DHEVAN NAICKER (Information Officer)
Member of the Close Corporation

ANNEXURE A: CONTACT DETAILS OF RETIREMENT WELLNESS SA CC

1. Head of the Organisation/ Information Officer

Name: DHEVAN NAICKER
Tel: 087 354 9015
Email: dhevan@retiresa.co.za

2. Deputy Information Officer

Name: SHIVA NAICKER

3. Office of RETIREMENT WELLNESS SA CC

Postal Address: Suite F110A, iZulu Office Park, Rey's Place, Ballito, 4399

Physical Address: Suite F110A, iZulu Office Park, Rey's Place, Ballito, 4399

Telephone: 087 354 9015
Email: dhevan@retiresa.co.za
Website: <https://www.retiresa.co.za>

4. Access to information general contacts

Email: dhevan@retiresa.co.za

5. BUSINESS TYPE

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

ANNEXURE B: SECTION 10 PAIA GUIDE

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.

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

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.

- The Guide is available in each of the official languages and in braille.
- The aforesaid Guide contains the description of-
 - i. the objects of PAIA and POPIA;
 - ii. the postal and street address, phone, and fax number and, if available, electronic mail address of-
 1. the Information Officer of every public body, and
 2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA²;
 - iii. the manner and form of a request for-
 1. access to a record of a public body contemplated in section 11³; and

¹ Section 17(1) of PAIA- *For the purposes of PAIA, each public body must, subject to legislation governing the employment of personnel of the public body concerned, designate such number of persons as deputy information officers as are necessary to render the public body as accessible as reasonably possible for requesters of its records.*

² Section 56(a) of POPIA- *Each public and private body must make provision, in the manner prescribed in section 17 of the Promotion of Access to Information Act, with the necessary changes, for the designation of such a few persons, if any, as deputy information officers as is necessary to perform the duties and responsibilities as set out in section 55(1) of POPIA.*

³ Section 11(1) of PAIA- *A requester must be given access to a record of a public body if that requester complies with all the procedural requirements in PAIA relating to a request for access to that record; and access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*

2. access to a record of a private body contemplated in section 50⁴;
- iv. the assistance available from the IO of a public body in terms of PAIA and POPIA;
- v. the assistance available from the Regulator in terms of PAIA and POPIA;
- vi. 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-
 1. an internal appeal;
 2. a complaint to the Regulator; and
 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;
- vii. the provisions of sections 14⁵ and 51⁶ requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
- viii. the provisions of sections 15⁷ and 52⁸ providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
- ix. the notices issued in terms of sections 22⁹ and 54¹⁰ regarding fees to be paid in relation to requests for access; and

⁴ Section 50(1) of PAIA- A requester must be given access to any record of a private body if-

- a) that record is required for the exercise or protection of any rights;
- b) that person complies with the procedural requirements in PAIA relating to a request for access to that record; and
- c) access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.

⁵ Section 14(1) of PAIA- The information officer of a public body must, in at least three official languages, make available a manual containing information listed in paragraph 4 above.

⁶ Section 51(1) of PAIA- The head of a private body must make available a manual containing the description of the information listed in paragraph 4 above.

⁷ Section 15(1) of PAIA- The information officer of a public body, must make available in the prescribed manner a description of the categories of records of the public body that are automatically available without a person having to request access

⁸ Section 52(1) of PAIA- The head of a private body may, on a voluntary basis, make available in the prescribed manner a description of the categories of records of the private body that are automatically available without a person having to request access

⁹ Section 22(1) of PAIA- The information officer of a public body to whom a request for access is made, must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

¹⁰ Section 54(1) of PAIA- The head of a private body to whom a request for access is made must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

x. the regulations made in terms of section 92¹¹.

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.

A copy of the guide is available in the following two official languages for public inspection during normal working hours: English and Afrikaans.

The Guide can also be obtained-

- a. upon request to the Information Officer;
- b. from the website of the Regulator (<https://www.justice.gov.za/inforeg/>).

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.

¹¹ Section 92(1) of PAIA provides that – “The Minister may, by notice in the Gazette, make regulations regarding-

- (a) any matter which is required or permitted by this Act to be prescribed;
- (b) any matter relating to the fees contemplated in sections 22 and 54;
- (c) any notice required by this Act;
- (d) uniform criteria to be applied by the information officer of a public body when deciding which categories of records are to be made available in terms of section 15; and
- (e) any administrative or procedural matter necessary to give effect to the provisions of this Act.”

ANNEXURE C: STATUTORY RECORDS

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

Basic Conditions of Employment Act
Collective Investment Schemes Control Act
Companies Act
Employment Equity Act
Financial Advisory and Intermediary Services Act
Financial Intelligence Centre Act
Income Tax Act
Long term Insurance Act
Labour Relations Act
Medical Schemes Act
Pension Funds Act
Prevention of Organised Crime Act
Short-term Insurance Act
Tax on Retirement Funds Act
Unemployment Insurance Act
Value-Added Tax Act
Skills Development Act

The above is not an exhaustive list of statutes that may require the FSP to keep records of.

ANNEXURE D: AVAILABILTY OF RECORDS

DESCRIPTION OF THE RECORDS OF RETIREMENT WELLNESS SA CC WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION

Category of Records	Applicable Legislation
Memorandum of incorporation	Companies Act 71 of 2008
PAIA Manual	Promotion of Access to Information Act 2 of 2000
Privacy Policy	Protection of Personal Information Act, no 4 of 2013 ("POPIA") which became operational on 01 July 2020 and section 58-2, effective on 01 July 2021.
FSCA License Certificate	Financial Advisory and Intermediary Services Act No 37 of 2002
Statutory Disclosures	FAIS ACT
FAIS (Complaints process and Conflict of interest management policies)	FAIS ACT

ANNEXURE E: REQUEST PROCEDURE

To facilitate the processing of your request, kindly complete and submit the form below to the e-mail address of the Information Officer

The Deputy Information Officer 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. Please refer to Annexure F for a full breakdown of fees payable. Personal requesters will not be charged a request fee.

Once the request has been processed, the Deputy Information Officer will inform you of the outcome of your request and any additional fees that may fall due.

Please be advised that PAIA provides a number of grounds on which a request for access to information must be refused. These grounds mainly comprise instances where:

- the privacy and interests of other individuals are protected
- where such records are already otherwise publicly available
- instances where public interest are not served
- the mandatory protection of commercial information of a third party ▪ the mandatory protection of certain confidential information of a third party

When completing the form please:

- indicate the identity of the person seeking access to the information
- provide sufficient particulars to enable the deputy information officer to identify the information requested
- specify the format in which the information is required
- indicate the contact details of the person requiring the information
- 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
- 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

- 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

A. Particulars of Private Body

The Head: Information Officer

B. Particulars of person requesting access to the record

- (i) The particulars of the person who requests access to the record must be recorded below
- (ii) Furnish an address and/or fax number in the Republic to which information must be sent
- (iii) Proof of the capacity in which the request is made, if applicable, must be attached

Full names & surname:

Identity number:

Postal address:

Fax number:

Telephone number:

Email address:

C. Particulars of person on whose behalf request is made

This section must be completed *ONLY* if a request for information is made on behalf of another person

Full names & surname:

Identity number:

D. Particulars of Record

- (i) Provide full particulars of the record to which access is requested, including the reference number if that is known to you
- (ii) If the provided space is inadequate, please continue on a separate page and attach to this form. Please sign any additional pages

Description of record:

Reference number:

Any further particulars:

E. Fees

- (i) A request for access to a record, other than a record containing personal information about yourself, will be processed only after a request fee has been paid
- (ii) You will be notified of the amount required to be paid as the request fee
- (iii) 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
- (iv) If you qualify for exemption of the payment of any fee, please state the reason therefore;

Reason for
exemption:

F. Form of access to record

If you are prevented by a disability to read, view or listen to the record in the form of access provided hereunder, please state your disability and indicate in which form the record is required

Disability:

Form in which required:

Mark the appropriate box with an "X"

- (i) Your indication as to the required form of access depends on the form in which the record is available
 - (ii) Access in the form requested may be refused in certain circumstances, In such a case you will be informed of access will be granted in another form
 - (iii) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested
- 1) If the record is in written or printed form:
 - copy of record
 - inspection of record
 - 2) If record consists of visual images:
 - view the images
 - copy of the images

- transcription of the images
- 3) If the record consists of recorded words or information which can be reproduced in sound:
- listen to the soundtrack
 - transcription of the soundtrack
- 4) If the record is held on computer or in an electronic or machine-readable form:
- printed copy of record
 - copy in computer readable form

Please indicate the preferred method of delivery

- By hand
- Email
- Post

G. Particulars of right to be exercised or protected

If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all additional folios.

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:

H. Notice of decision regarding the request for access

You will be notified in writing whether your request has been approved / denied. If you wish to be informed thereof in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request

How would you prefer to be informed of the decision regarding your request for access to the record?

I. Signature page

Signed at:

Date:

Signature of Requester / Person on whose behalf request is made:

ANNEXURE F: PRESCRIBED FEES

- **Form 3: Outcome of request and of fees payable** (Regulation 8) – applicable to public and private bodies.
This form must be completed by the Information officer of the private or public body, which must then be sent to the requester.

ANNEXURE G: PROCESSING OF PERSONAL INFORMATION

Purpose of Processing Personal Information

The purpose or reasons for processing personal information in your organisation.

1. to provide you with a service which you have requested from RETIRMENT WELLNESS SA CC communication with data subjects;
2. provision of services to data subjects;
3. preparing financial needs analysis and reports;
4. to provide financial planning service and process requests in line with personal portfolio
5. to assess the suitability of advise and recommendations of products
6. meeting legal obligations equity and to comply with other applicable laws.

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

The categories of data subjects in respect of whom the body processes personal information and the nature or categories of the personal information being processed is listed below. The purpose of the processing of personal information is to provide financial planning solutions to Data Subjects.

Categories of Data Subjects	Personal Information that may be processed
Customers / Clients	name, last name, address, registration numbers or identity numbers, nationality, marital status, email details, employment status and bank details as per the Data Inventory of the business.
Service Providers	names, registration number, vat numbers, address, email details and bank details
Employees	address, qualifications, gender and race, banking details, id number, same, Surname, contact number as per the Data Inventory of the business.

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

Category of personal information	Recipients or Categories of Recipients to whom the personal information may be supplied
Identity number and names, for criminal checks	South African Police Services
Qualifications, for qualification verifications	South African Qualifications Authority
Credit and payment history, for credit information	Credit Bureaus

2. Planned transborder flows of personal information

RETIREMENT WELLNESS SA will wilfully comply with the applicable data privacy and protection legislation. Any transfer of personal information cross border shall be with data subject's consent.

As an example it could be Offshore investment companies, where an offshore investment is concluded.

No personal information is stored/transferred outside the Republic of South Africa.

The business does not have any planned transborder flows of personal information.

Currently RETIREMENT WELLNESS SA does not have any planned transborder flows of personal information.

If RETIREMENT WELLNESS SA transfers personal information outside of South Africa, RETIREMENT WELLNESS SA will make sure that the information is protected in the same way as if it was being used in South Africa. RETIREMENT WELLNESS SA will use one of the following safeguards:

3.1 transfer to another country whose privacy legislation ensures an adequate level of protection of personal information similar or equivalent to South Africa;

Or

3.2 put in place a contract with the third-party that means they must protect personal information to the same standards as South Africa.

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

The nature of the security safeguards to be implemented or under implementation to ensure the confidentiality and integrity of the personal information under the care of the body. This may, for example, include Data Encryption, Antivirus and Anti-malware Solutions.

RETIREMENT WELLNESS SA continuously establishes and maintains appropriate, reasonable technical and organisational measures by taking appropriate, reasonable technical and organisational measures to prevent

- loss of, damage to or unauthorised destruction of personal information;
- and unlawful access to or processing of personal information.

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

Measures taken by RETIREMENT WELLNESS SA includes, amongst others

- Access Control to Old Mutual Wealth website is utilised for all personal information and this is protected with passwords and usernames.
- Using MAC and there is no further need for antivirus as the protection from MAC is of high quality
- Not using Windows as the systems is run through MAC
- Utilise GOOGLE Drive to ensure protection of all information
 - GOOGLE Drive is username and password protected.

ANNEXURE H: DEPUTY INFORMATION OFFICER APPOINTMENT

The organisation does not have an appointed Deputy Information Officer to facilitate any requests to access records held by the organisation. Should this change in the future then the following will be recognised.

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.

- 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

Head of organisation:

DHEVAN NAICKER

Signature:



Date:

09/11/2023

Deputy Information Officer:

SHIVA NAICKER

Signature:



Date:

09/11/2023