

# **Promotion of Access to Information Manual**

**Sanne Management Company  
(RF) (Pty) Ltd**

**September 2022**

**Service**  
defines us,  
empowers you.

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## 1. Introduction

### 1.1 Purpose

This manual has been prepared in terms of section 51 of the Promotion of Access to Information Act, No. 2 of 2000 (“PAIA”) and section 23 of the Protection of Personal Information Act, No.4 of 2013 (“POPIA”). PAIA was enacted to give effect to the constitutional right of access to any information held by public (government) or private (non-government i.e. companies) bodies that is required for the exercise or protection of any rights. POPIA was enacted to promote the protection of personal information processed by public and private bodies. This manual will enable you to know what procedural and other requirements must be met when requesting access to information as prescribed by PAIA. It is important to note that PAIA recognises certain limitations to the right of access to information, including, but not exclusively, limitations aimed at the reasonable protection of privacy, commercial confidentiality, and effective, efficient and good governance, and in a manner which balances that right with any other rights, including such rights contained in the Bill of Rights in the Constitution.

This manual is intended to foster a culture of transparency and accountability by giving effect to the right to information that is required for the exercise or protection of any right and to 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 their rights

### 1.2 Policy Scope

- This policy applies to all staff within Sanne Management Company (RF) (Pty) Ltd.

## 2. Definitions

“**Biometrics**” means a technique of personal identification that is based on physical, physiological or behavioural characterisation including blood typing, fingerprinting, DNA analysis, retinal scanning and voice recognition.

“**Client**” refers to any natural or juristic person that receives services from the Entities.

“**Constitution**” means the Constitution of the Republic of South Africa, 1996.

“**Data Subject**” means the natural or juristic person to whom the personal information relates.

“**Deputy Information Officer**” means the person to whom the Information Officer has delegated their power and duties to. This means that the Deputy Information Officer will receive requests for information, facilitate these requests and provide the necessary assistance to applicants on behalf of the Information Officer.

“**Entities**” means Sanne Management Company (RF) (Pty) Ltd.

“**Information Officer**” means the person tasked with ensuring compliance with the provision of PAIA and POPIA. The position is normally assigned to the head of an entity e.g. Country Head, Managing Director etc. and must be registered with the South African Information Regulator.

“**Information Regulator**” means the Information Regulator established in terms of section 39 of POPIA.

“**Person**” means a natural person or a juristic person.

**“Personal Information”** means information relating to identifiable, living, natural person or an identifiable existing juristic person (company or organisation) 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”** means a requester seeking access to a record containing personal information about themselves.

**"Personnel"** refers to any person who works for or provides services to or on behalf of the Entities, and receives, or is entitled to receive, remuneration and any other person who assists in carrying out or conducting the business of the Entities. It includes, without limitation, directors (executive and non-executive), all permanent, temporary and parttime staff, as well as contract workers.

**“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.

**“Record”** means any recorded information regardless of form or medium, including for example, written documents, video materials etc.

**“Requester”** means any person making an access to information request.

**“Responsible Party”** means a public or private body or any other person which, alone or in conjunction with others, determines the purpose of and means for processing personal information.

**“Staff”** includes full time employees, fixed term contractors, temporary staff, executive and non-executive directors.

**“Third Party”** means any natural or juristic person who is not the requester, or such party acting on behalf of the requester.

### 3. Contact Details: Information Officers

All requests in terms of this Manual should be directed to the Information Officers and Deputy Information Officers:

#### Sanne Management Company (RF) (Pty) Ltd:

<b>Physical Address:</b>	11 <sup>th</sup> Floor, Pier Place, Heerengracht Street, Foreshore, Cape Town, 8001
<b>Telephone:</b>	+27 21 402 1600
<b>Email:</b>	<a href="mailto:SannePOPIA@sannegroup.com">SannePOPIA@sannegroup.com</a>
<b>Website:</b>	<a href="http://snnmanco.com">http://snnmanco.com</a>
<b>Information Officer:</b>	Matthew Pykstra
<b>Deputy Information Officers:</b>	Christine Pretorius

### 4. Guidance

PAIA grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights, specifically around access to personal information rights as described in POPIA. If a public body lodges a request, the public body must be acting in the public interest.

Requests in terms of PAIA or POPIA shall be made in accordance with the prescribed procedures. An official guide has been compiled which contains information to assist a person wishing to exercise a constitutional right of access to information in terms of PAIA and POPIA. This Guide in terms of section 10, compiled by the South African Human Rights Commission (“SAHRC”), is made available on the SAHRC website.

	Information Regulator	South African Human Rights Commission
Address:	JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001 P.O. Box 31533, Braamfontein, Johannesburg, 2017	27 Stiemens Street, Braamfontein, Johannesburg, 2001
Telephone Number:	+27 10 023 5207	+27 11 877 3600

Website:	<a href="https://www.justice.gov.za/inforeg">https://www.justice.gov.za/inforeg</a>	<a href="https://www.sahrc.org.za">https://www.sahrc.org.za</a>
Email:	<a href="mailto:inforeg@justice.gov.za">inforeg@justice.gov.za</a>	<a href="mailto:tsebulela@sahrc.org.za">tsebulela@sahrc.org.za</a>

## 5. Types and Categories of Records

### 5.1 Records available in terms of other legislation

A requester may request access to information that is available in terms of other legislation, such as:

- Basic Conditions of Employment Act, 75 of 1997
- Collective Investment Schemes Control Act, 45 of 2002
- Companies Act, 71 of 2008
- Compensation for Occupational Injuries and Diseases Act, 130 of 1993
- Consumer Protection Act, 68 of 2008
- Employment Equity Act, 55 of 1998
- Financial Advisory and Intermediaries Services Act, 37 of 2002
- Financial Intelligence Centre Act, 38 of 2001
- Financial Sector Regulations Act, 9 of 2017
- Income Tax Act, 58 of 1962
- Labour Relations Act, 66 of 1995
- Occupational Health and Safety Act, 85 of 1993
- Prevention of Organised Crime Act, 121 of 1998
- Protection of Personal Information Act, 4 of 2013
- Pension Funds Act, 24 of 1956
- Skills Development Levies Act, 9 of 1999
- Unemployment Insurance Act, 63 of 2001
- Value Added Tax Act, 89 of 1991

### 5.2 Categories of Records

Below are the categories of records that are available for the purpose of PAIA, subject to grounds for refusal to the access thereof:

#### Personnel Records

Personal records include the following:

- Personal records provided to the Entities by their personnel;
- Records provided by a third party relating to the Entities personnel;
- Conditions of employment and other personnel-related contractual and quasi-legal records;
- Internal evaluation records and other internal records;
- Correspondence relating to personnel;
- Training and development plans;
- Payment records (and beneficiary payments), including banking details.

### Client Related Records

Client records include the following:

- Records provided to the Entities by the Client;
- Records pertaining to the Client provided to the Entities by a Third Party acting for or on behalf of the Entities;
- Records pertaining to the Client provided to the Entities by a third party;
- Records generated by or within the Entities relating to its clients, including transactional records.

### Private Body Records

These records include, but are not limited to, the records which pertain to the various Entities own affairs:

These include:

- Financial records;
- Operational records;
- Databases and Information technology;
- Marketing records;
- Administrative records, such as contracts and service level agreements;
- Internal correspondence;
- Products and Services records;
- Statutory records;
- Internal Policies and procedures;
- Securities and equities;
- Records held by officials of the Entities.

### Other Party Records

Records in the possession of or pertaining to other parties e.g. suppliers, subsidiaries/ holding/ sister companies, joint venture companies and service providers.

These include:

- Personnel, client or Entity records which are held by another party, as opposed to the records held by the Entities;
- Records held by the Entities pertaining to other parties, including without limitation, financial records, correspondence, contractual records, records provided by the other party and records third parties have provided about contractors and suppliers.

## 6. Processing of Personal Information

### 6.1 Purpose of Processing

The Entities process the Personal Information under their care for the following purposes:

- In order to comply with their legal obligations under any statutory or regulatory requirements, or for the purpose of law enforcement.

- Personal information is used in employment processes (recruitment, employee contracts, remuneration, disciplinary action, performance management, training etc).
- Administration services for funds and products. This includes sharing Personal Information internally amongst the Entities for the efficient administration and/or servicing of client's investments and/or enforcement of agreements for such services.
- For the identification of Data Subjects when they interact with the Entities and for communicating with Data Subjects.
- Keeping and maintaining of financial, client and operational records.
- Using Personal Information to provide clients with marketing material such as the minimum disclosure documents.
- To meet the Entities responsibilities to clients, including sharing personal information with Third Parties which requires the information to process the client's instructions.
- To detect and prevent fraud, money laundering and financial crimes. This includes providing Personal Information to Third Parties who assist with the verification and screening of client information.
- For the Entities to conduct their business, including general administration, financial and tax purposes, to transact with Third Parties, the management and auditing of the Entities systems and operations, health and safety purposes, to monitor access, secure and manage their premises, for business continuity and disaster recovery purposes.

## 6.2 Description of Data Subject and the Personal Information relating thereto

The Entities may process information containing personal information about the following Data Subjects, including, but not limited to:

Data Subject	Types of Personal Information Processed
Clients – Natural Persons	Full legal name, Surname, Physical and postal addresses, Date of birth, Country of birth, South African identity number or other identifying number e.g. passport number, Age, Marital status, Nationality, Occupation, Telephone numbers, Email address, Income Tax number and other tax related information, Financial and Bank account information, Gender, Unique Identifiers, FICA related information. May also include the personal information of children, minors if they are listed as the clients or beneficiaries or dependants.
Clients – Legal Entities	Founding/incorporation documents, Registered Name, Trading Name, Registration Number, Entity Type, Registered Address, Business Address, Entities Ownership Structure, Contact details, Industry of Entity, Financial and Bank account information, Tax related information, VAT and Income Tax number; Unique



	<p>Identifiers, FICA related information of the entity and authorized persons,</p> <p>Authorised persons: Full Legal Name and Surnames, ID Number/Passport Number, Gender, Date of Birth, Country of Birth, Residential Address, Contact Details.</p> <p>Ultimate Beneficial Owners/Trustees/ Beneficiaries/ Founder: Full Legal Name and Surnames, ID Number/Passport Number, Gender, Date of Birth, Country of Birth, Residential Address, Contact Details, FICA related information.</p>
Advisors, Brokers and Intermediaries	<p>License numbers, Registered name of business, Registration number, Physical and Postal addresses, Contact details, Tax related information, Financial and Bank account information, FICA related information.</p>
Executors	<p>Letters of Executorship, Physical and Postal Addresses, Contact details, ID number, FICA related information.</p>
Directors	<p>Full name and Surnames, Gender, Marital Status, Race, Age, Language, Education information, Financial and Bank account Information, Employment History, ID number, Physical and Postal address, Contact details, Opinions, Criminal &amp; Credit information, FICA related information.</p>
Employees and potential employees	<p>Full name and Surname, ID number/Passport, Gender, Marital Status, Race, Age, Date of Birth, Disability, Language, Education information, Religious beliefs, Financial and Bank account information; Employment History, Physical and Postal address, Contact details, Criminal &amp; Credit information, Background check information, fingerprints, CVs, Income Tax number, remuneration and benefit information, Health information, performance related information, disciplinary information, Next of kin (Name, Contact details, ID number), Beneficiaries / Dependents (Name, Contact details, ID number), Nationality, Car license number, Unique Identifiers.</p>
Consultants/ Contractors	<p>Full name and Surname, Gender, Marital Status, Race, Age, Language, Education information, Financial and Bank account information, Employment History, ID number, Physical and Postal address, Contact details, Opinions, Criminal &amp; Credit information, Health and Disability information.</p>
Service providers, including outsourced or hosting services, auditors, etc.	<p>Entities Full name and Registration number, Physical and Postal addresses, Name and Contact Details of Contact person(s), VAT</p>

	number, Income Tax number, Financial and Bank account information, Contractual agreements, FICA related information.
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### 6.3 Recipients of Personal Information

The Entities may supply Personal Information or records to the following recipients:

- Personal Information may be shared by various Apex Group entities for the purpose of providing the product and services to clients and employees.
- Statutory oversight bodies, regulators, judicial commissions or Enforcement agencies.
- Personal Information provided to Third Parties to fulfil our contractual obligations, or for any other legal obligations we might have.
- Brokers, Prime Brokers, Consultants, Intermediaries, Trustees and Custodians, and Administrators.
- South African Revenue Services, or another similar authority.
- Auditing and Accounting Bodies (Internal and External).
- Medical aid companies.
- IT, Information systems and security.
- Banking/Trading and Transaction services.
- Recruitment and employment services.
- Third parties with whom the Entities have a contractual relationship for the retention of data (for example, a Third-Party storing facility).
- Anyone making a successful application for access in terms of PAIA.

### 6.4 Planned Transborder Flows of Personal Information

The Entities may transfer Personal Information outside the borders of South Africa but may only do so subject to the provisions and requirements of POPIA. Apex Group is an international business and located in different jurisdictional locations. As a result, Personal Information of Clients, employees or other Data Subjects may be transferred into South Africa for processing, following which it is transferred back to the country of origin. In such instances Sanne will ensure that sufficient legislation or agreements are in place for the information to remain adequately protected. All Entities are required to abide by the Apex Group Privacy Policy, procedures and guidelines for privacy and data protection, including any statutory or regulatory requirements in these jurisdictions.

### 6.5 Information Security

The Entities takes extensive information security measures to protect the confidentiality, integrity and availability of Personal Information that they process. These measures include:

- Identity and biometric access management.
- Network Security and Secure remote working.
- Viruses and other malware protection.
- Encryption of laptops and blocking of USB ports.
- IT disaster recovery and backup procedures.

- Physical and Environmental security controls.
- Training and awareness initiatives.
- Cyber Security monitoring.

## 7. Request Procedure to Access Information

If you wish to obtain access to a record pursuant to this manual, the following procedure as set out below should be followed.

1. Submit a request form contained in Annexure A for the attention of the appropriate Information Officers to the address or electronic mail address provided in this manual.
2. The Requester must provide sufficient details to enable us to identify the record and the requester. The Requester should also indicate if he/she wishes to be informed in any manner and state the necessary particulars to be informed.
3. The requester must identify the right that he/she wish to protect or exercise and provide an explanation of why the requested record is required for the exercise or protection of that right.
4. If a request is made on behalf of another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the Information Officer.
5. Pay a non-refundable fee of R50.00 + VAT at our offices or request our banking details. If you are an employee or an ex-employee requesting access to your personal information, then you do not have to pay this fee.
6. The Information Officer will assess the request and advise the requester of the decision in writing, no more than 30 calendar days after we receive your request, unless the request contains considerations that are of such a nature that an extension of the 30-days is necessitated.
7. Where an extension of the 30-day time limit is required, the Requester must be notified, together with reasons explaining why such an extension is necessary.
8. The information, if granted, will be supplied to the Requester in a format applicable to the request. If declined the Requester will be notified in writing and will be provided with the reason for the decision.
9. If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally.
10. If the request pertains to a Third Party, the Information Officer must take all reasonable steps to inform the Third Party of the request within 21-days of receipt of the request. The Third Party may within 21-days thereafter either make representation as to why the request should be denied or grant written consent to the disclosure. The third party may lodge a complaint to the Information Regulator or an application with a court against the decision within 30 days after notice is given, after which the requester will be given access to the record after the expiry of the 30-day period.

## 8. Prescribed Fees

In terms of PAIA there are two fees, namely,

- A request fee, which will be a standard non-refundable administration fee, payable prior to the request being considered; and

- An access fee, payable when access is granted, which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal cost.

A Requester who seeks access containing Personal Information about the Requester is not required to pay the request fee. The Information Officer must notify the Requester by notice, requiring the Requester to pay the prescribed fee (if any) before further processing of the request. The Information Officer may withhold a record until the Requester has paid the fee.

A requestor is required to pay the prescribed fees (R50.00) before a request will be processed. If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted). A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit. For a complete fee schedule please visit the South African Human Rights Commission at [www.sahrc.co.za](http://www.sahrc.co.za).

## 9. Rights of Access and Refusal

### 9.1 Your right of access to information

PAIA entitles you to have access to our records, if

- Access is needed to exercise or protect any of your rights.
- You apply for access according to the procedure set out in this manual.
- The Entities do not have grounds for refusing you access.

### 9.2 Grounds for Refusal

The main grounds for the Entities to refuse a request for information relates to:

- The record would unreasonably disclose Personal Information about a natural person, including a deceased individual (unless that third party or a representative of the deceased gives written permission for access).
- Protection of the commercial information if the record contains:
  - trade secrets, or
  - financial, commercial, scientific or technical information, or
  - information disclosed in confidence, which could put the Entity at a disadvantage in a negotiation or commercial competition.
- Access would put us in breach of a duty of confidence which we owe to a third party (unless that third party gives written permission for access).
- Mandatory protection of the safety of individuals and the protection of property.
- Protection of the records which could be regarded as privileged in legal proceedings.
- Request for information that is not legitimate, trivial or nuisance, or which involve an unreasonable diversion of resources shall be refused.

## 10. Remedies available when an institution refuses a request for information

### 10.1 Internal Remedies

The Entities does not have internal appeal procedures. Therefore, the decision made by the Information Officer is final. Requesters who are dissatisfied with a decision of the Information Officer will have to exercise external remedies at their disposal.

### 10.2 External Remedies

The Requester may submit a complaint in writing to the Information Regulator, within 180 days of the decision, alleging that the decision was not in compliance with the provisions of PAIA. The Information Regulator will investigate the complaint and reach a decision - which may include a decision to investigate, to take no further action or to refer the complaint to the Enforcement Committee established in terms of POPIA. The Information Regulator may serve an enforcement notice confirming, amending or setting aside the impugned decision, which must be accompanied by reasons.

The Requester that is dissatisfied with the Information Officers refusal to disclose may, within 30-days of notification of the decision, apply to the Constitutional Court, the High Court or another court of similar status for relief.

## 11. Availability of the Manual

This manual will be available on the relevant websites of the Entities as detailed in paragraph 3 above. This manual is also available for inspection, free of charge, at the offices of Sanne.

## 12. Document Version Control

Version	Date	Name	Role	Summary of changes
1.0	11/10/2017	Karen Hiss	Company Secretary	Initial drafting
2.0	22/06/2021	Christine Pretorius	Head of Compliance	Amendments and POPIA requirements added
2.1	12/09/2022	Christine Pretorius	Head of Compliance	Update to deputy information officer

FORM C

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY

(Section 53 (1) of the Promotion of Access to Information Act, 2000

(Act No. 2 of 2000)) [Regulation 10]

A. Particulars of private body

The Head:

.....  
.....  
.....  
.....

B. Particulars of person requesting access to the record

- The particulars of the person who requests access to the record must be given below.
- The address and/or fax number in the Republic to which the information is to be sent must be given
- Proof of the capacity in which the request is made, if applicable, must be attached.

Full names and surname: .....

.....

Identity Number:.....

Postal address: .....

.....

.....

..... Fax number: .....

Telephone number: ..... E-mail address: .....

Capacity in which request is made, when made on behalf of another person: .....

.....

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 and surname: .....

.....

Identity number:.....

**D. Particulars of record**

- 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 folio and attach it to this form. The requester must sign all the additional folios.

1. Description of record or relevant part of the record: .....

.....  
 .....  
 .....

2. Reference number, if available: .....

3. Any further particulars of record: .....

.....  
 .....

**E. Fees**

- 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
- You will be notified of the amount required to be paid as the request fee.
- 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
- If you qualify for exemption of the payment of any fee, please state the reason for exemption

Reason for exemption from payment of fees: .....

.....  
 .....

**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 for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.

Disability: .....

.....  
 .....

Form in which record is required: .....

.....  
 .....

Mark the appropriate box with an X.

Notes:

- Compliance with your request in the specified form may depend on the form in which the record is available.
- Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.
- 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 (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):**

View the images	Copy of the images*	Transcript of the images*
-----------------	---------------------	---------------------------

**3. If record consists of recorded words or information which can be reproduced in sound:**

Listen to the soundtrack (audio cassette)	Transcript of soundtrack* (written or printed document)
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**4. If record is held on computer or in an electronic or machine-readable form:**

Printed copy of record*	Printed copy of information derived from the record*	Copy in computer readable form* (USB drive/online)		
*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;"><b>Yes</b></td> <td style="width: 50%; text-align: center;"><b>No</b></td> </tr> </table>	<b>Yes</b>	<b>No</b>
<b>Yes</b>	<b>No</b>			

**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 the additional folios.

1. Indicate which right is to be exercised or protected: .....

.....

2. Explain why the record requested is required for the exercise or protection of the aforementioned right:.....

.....



**H. Notice of decision regarding request for access**

- You will be notified in writing whether your request has been approved/denied. If you wish to be informed 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?.....  
.....

Signed at ..... this..... day of..... 20.....

.....  
SIGNATURE OF REQUESTER/PERSON ON WHOSE BEHALF  
REQUEST IS MADE