



NAMSOB ENTERPRISES (PTY) LTD T/A COVER4U
FSP47044

hereinafter referred to as the FSP

Promotion of Access to Information Act Manual

1. PURPOSE AND SCOPE

One of the main requirements specified in PAIA is the compilation of a manual that provides information on both the categories and types of records held by the public or private body. In terms of PAIA, a private body includes any former or existing juristic person. Therefore, the FSP is regarded as a “private body” and both the manual and requirements regarding access must be in compliance with the provisions of PAIA relevant to private bodies.

This document serves as the manual in terms of PAIA to provide a reference to the FSP, its subsidiaries and their divisions, as to the records held and the process that needs to be followed to request access to such records in terms of both PAIA and POPIA.

2. DEFINITIONS

“employee”	means any person who works for or provides services to or on behalf of FSP NAME, and receives or is entitled to receive remuneration;
“Guide”	means the guide published by the SAHRC in terms of section 10 of PAIA, as amended and updated by the Information Regulator from time to time;
“Information Regulator”	means the juristic person established under section 39 of POPIA;
“PAIA”	means the Promotion of Access to Information Act 2 of 2000 and any Regulations published thereunder, as amended from time to time;
“personal information”	has the same meaning as set out in section 1 of POPIA;
“POPIA”	means the Protection of Personal Information Act 4 of 2013 and any regulations, guidelines or codes of conduct published thereunder, as amended from time to time;
“requester”	means any person or entity requesting access to a record that is under the control of the FSP;
“SAHRC”	means the South African Human Rights Commission;
“special personal information”	has the same meaning as set out in section 1 of POPIA;
“the head of the FSP”	means the Chief Executive Officer of the FSP, or any person duly authorised by him or her to carry out the duties ascribed to the “head” of a private body by PAIA;
“the manual”	means this manual which is published in accordance with section 51 of PAIA and “this manual” shall have the same meaning;

“the Minister”

means the Cabinet member responsible for the administration of justice, presently the Minister of Justice and Constitutional Development.

3. ADMINISTRATION OF PAIA AND POPIA

To enable ease of access to the information, the duly authorised contact person is detailed below to ensure that the requirements of both POPIA and PAIA are administered in a fair, objective and unbiased manner.

The duly appointed Information Officer of the FSP is Bosman Grobler, the person to whom requests for access to records should be addressed. His contact details are as follows:

Physical Address:	77 Hospitaal Street, Middelburg, 1050		
Telephone Number:	083 697 0747	Email:	info@cover4u.co.za

The South African Human Rights Commission (SAHRC) compiled a guide to facilitate the ease of the Act for a person requesting access to information. The guide is available from the SAHRC.

The South African Human Rights Commission

Phone Number: +27 (11) 877-3600

Website: www.sahrc.org.za

For all other queries or complaints relating to PAIA or POPIA, please contact:

The Information Regulator (South Africa)

Phone Number: +27 (10) 023 5200

Email: enquiries@inforegulator.org.za

Website: <https://inforegulator.org.za/>

4. RECORDS AVAILABLE IN ACCORDANCE WITH OTHER LEGISLATION

Certain records held by the FSP are available in terms of legislation other than PAIA. The specific records which are available in terms of such legislation are set out herein and these records may in certain instances only be accessed by the persons specified in the relevant legislation.

The legislation is as follows:

- Basic Conditions of Employment Act No 75 of 1997;
- Companies Act No. 61 of 1973;
- Companies Act No. 71 of 2008;
- Compensation for Occupational Injuries and Health Diseases Act No. 130 of 1993;
- Consumer Affairs Act No. 71 of 1988;
- Consumer Protection Act No. 68 of 2008;
- Copyright Act No. 98 of 1978;
- Employment Equity Act No. 55 of 1998;
- Financial Advisory and Intermediary Services Act No. 37 of 2002;
- Financial Intelligence Centre Act No. 38 of 2001;
- Financial Markets Control Act No. 55 of 1989;

- Financial Sector Regulations Act (Act No. 9 of 2017)
- Health Act No 63 of 1977;
- Income Tax Act No. 58 of 1962;
- Insolvency Act No. 24 of 1936;
- Insurance Act No. 27 of 1943;
- Intellectual Property Laws Amendment Act No 38 of 1997;
- Labour Relations Act No. 66 of 1995;
- Long Term Insurance Act No. 52 of 1998;
- Medical Schemes Act No. 131 of 1998;
- National Health Act No. 61 of 2003;
- Occupational Health and Safety Act No. 85 of 1993;
- Pension Fund Act No. 24 of 1956;
- Prescription Act No. 68 of 1969;
- Short Term Insurance Act No. 53 of 1998;
- Skills Development Levies Act No. 9 of 1999;
- Skills Development Act No. 97 of 1998;
- Trade Marks Act No. 194 of 1993;
- Unemployment Contributions Act No. 4 of 2002;
- Unemployment Insurance Act No. 30 of 1966;
- Value-Added Tax Act No. 89 of 1991.

The Information Officer will take into consideration section 7 of the manual to decide on whether or not access to any of the information stated above should be given to the requester.

5. DESCRIPTION OF SUBJECTS ON WHICH RECORDS ARE HELD PER CATEGORY

CATEGORIES OF RECORDS

DESCRIPTION OF RECORDS HELD

Administration

Minutes of meetings of directors
Resolutions of the directors of Namsob Enterprises
Applicable statutory documents, including but not limited to, certificates of incorporation and certificates to commence business;
Memorandum of Incorporation
Statutory returns to relevant authorities
Trademark documentation

Corporate Governance

Codes of Conduct
Corporate social and investment records
Minutes of meetings of committees and sub committees
Executive committee meeting minutes
Legal compliance records
Policies

Finance

Accounting records
Tax records
VAT records
PAYE records
Debtors' records
Creditors' records
Insurance records
Auditors' reports
Interim and annual financial statements
Bank statements and other banking records for business and

	trust accounts Invoices issued in respect of debtors and billing information Records regarding FSP NAME's financial commitments Statistic SA returns
Human Resources	List of employees Statistics regarding employees Employment contracts Conditions of employment Information relating to prospective employees Personnel records including personal details, disciplinary records, performance and internal evaluation records Employee tax information Records of Unemployment Insurance Fund contributions Records regarding group life assurance and disability income protection Provident fund records Payroll records Health and safety records Workplace skills plans Codes of conduct Disciplinary code and procedure Grievance procedure Appeal procedure Remuneration policy Internal policies and procedures regarding dismissals, performance appraisal, recruitment, selection, advertising of positions, appointments, retirement, promotions, leave, extended sick leave, study leave, salaries, overtime, bonuses, medical aid, health and safety, adoption leave and benefits, BEE procurement, loans, working parents, black economic empowerment, smoking, use of company resources including telephones, motor vehicles and computers, sexual harassment, HIV-Aids and Pro Bono policy. Training schedules and material Training records and statistics Training Agreements Learnership Programmes Correspondence relating to personnel
Operations	Supplier lists and details of suppliers Agreements with suppliers Access control records Insurance documentation Travel documentation Client transaction records in respect of services and products, as well as FAIS disclosure documents where applicable
Information Technology	Computer software Support and maintenance agreements Records regarding computer systems and programmes
Property	Asset registers Lease agreements in respect of immovable property Records regarding insurance in respect of movable property Records regarding insurance in respect of immovable property
Miscellaneous	Internal correspondence

6. PROCESSING PERSONAL INFORMATION UNDER POPIA

The FSP collects and processes personal information for various purposes including but not limited to the following:

- to meet the FSP's responsibilities to customers, employees, suppliers and other natural or juristic persons across our business segments;
- to comply with legislative, regulatory, risk and compliance requirements (including directives, sanctions and rules), voluntary and involuntary codes of conduct and industry agreements or to fulfil reporting requirements and information requests;
- to respond to customers/suppliers' enquiries and complaints;
- to inform customers of new products and/or services;
- to maintain employees', customers' and suppliers' records;
- for recruitment, employment and/or apprenticeship purposes;
- for general administration, financial and tax purposes;
- for legal or contractual purposes;
- for health and safety purposes;
- to monitor access, secure and manage the FSP's premises and facilities;
- to transact with the FSP's suppliers and business partners;
- to help the FSP improve the quality of its products and/or services;
- to detect, prevent and report theft, fraud, money laundering and other crimes. This may include the processing of special personal information, e.g. alleged criminal behaviour, or the supply of false, misleading or dishonest information;
- to enforce and collect on any agreement when the FSP needs to recover debts; and
- to identify other products and services which might be of interest to data subjects and to inform them about the FSP's products and services.

The FSP may share the personal information of data subjects for any of the purposes outlined above with the following:

- The FSP, its subsidiaries and their divisions;
- The FSP's authorised service providers;
- any operators who perform services on behalf of the FSP;
- any applicable medical aid funds, pension funds, provident funds, credit bureau, and/or recruitment companies;
- the Financial Sector Conduct Authority and the regulators appointed for the various financial sectors; and
- other industry regulators in order to comply with any regulation passed under the relevant legislation, or any legal process.

The FSP has implemented reasonable technical and organisational measures for the protection of personal information processed by the FSP and its operators (i.e. third parties that process personal information on behalf of the FSP).

The FSP continuously implements and monitors technical and organisational security measures to protect the personal information in its possession and control against unauthorised access, accidental or wilful manipulation, loss or destruction.

The FSP will take steps to ensure that its operators that process personal information on its behalf apply adequate safeguards as outlined above.

The FSP has implemented 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.

7. DECISION MAKING PROCESS

In terms of Section 55, the information officer will take all reasonable steps to find a record that has been requested. If the record cannot be found or does not exist, the information officer must notify the requester by way of affidavit or affirmation, that it is not possible to give access to the record. This is deemed to be a refusal of the request. If, however, the record is later found, the requester must be given access if the requester would otherwise have been granted.

Section 56 provides that the information officer must within 30 days of receipt of a correctly completed request; notify the requester of the decision as to whether or not to grant the request. If the request is:

- Granted: the notification must state the applicable access fee required to be paid, together with the procedure to be followed should the requester wish to apply to court against such fee, and the form in which access will be given.
- Declined: the notification must include adequate reasons for the decision, together with the relevant provisions of the Act relied upon, and provide the procedure to be followed should the requester wish to apply to court against the decision.

The information officer may extend the period of 30 days by a further period not exceeding 30 days if:

- The requester is for a large number of records or requires a search through a large number of records;
- Consultation between divisions of the FSP, or with another private body is required; or
- The requester consents to the extension

The requester must be notified within the initial 30-day period in writing of the extension, together with reasons therefore, and the procedure involved should the requestor wish to apply to court against the extension.

The information officer's failure to respond to the requester within the 30-day period constitutes a deemed refusal of the request.

Section 59 provides that the information officer may sever a record and grant access only to that portion which the law does not prohibit access to.

If access is granted, access must be given in the form that is reasonably required by the requester, or if the requester has not identified a preference, in a form reasonably determined by the information officer.

The FSP may, and must in certain instances, refuse access to records on any of the grounds set out in Chapter 4 of Part 3 of PAIA which include: that access would result in the unreasonable disclosure of personal information about a third party, that it is necessary to protect the commercial information of a third party or of the FSP itself, that it is necessary to protect the confidential information of a third party, that it is necessary to protect the safety

of individuals or property, that a record constitutes privileged information for the purpose of legal proceedings, and that it is necessary to protect the research information of a third party or the FSP itself. Access to documents may also be refused on the basis of professional privilege.

Where a request is refused, a requester may lodge a complaint in writing with the Information Regulator or apply to the High Court within 180 days of being informed of the refusal of the request, for an order compelling the record or records requested to be made available to the requester or for another appropriate order. The Court will determine whether the records should be made available or not.

ANNEXURE A

Form 2 – Request for Access to Record.

FORM 2

REQUEST FOR ACCESS TO RECORD

[Regulation 7]

NOTE:

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

TO: The Information Officer

(Address)

E-mail address:

Fax number:

Mark with an "X"

☐

Request is made in my own name

☐

Request is made on behalf of another

person.

PERSONAL INFORMATION			
Full Names			
Identity Number			
Capacity in which request is made (when made on behalf of another person)			
Postal Address			
Street Address			
E-mail Address			
Contact Numbers	Tel. (B):		Facsimile:
	Cellular:		

Full names of person on whose behalf request is made (if applicable):			
Identity Number			
Postal Address			
Street Address			
E-mail Address			
Contact Numbers	Tel. (B)		Facsimile
	Cellular		
<p align="center">PARTICULARS OF RECORD REQUESTED</p> <p><i>Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)</i></p>			
Description of record or relevant part of the record:			
Reference number, if available			
Any further particulars of record			
<p align="center">TYPE OF RECORD</p> <p align="center"><i>(Mark the applicable box with an "X")</i></p>			

Record is in written or printed form	
Record comprises virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>	
Record consists of recorded words or information which can be reproduced in sound	
Record is held on a computer or in an electronic, or machine-readable form	
<p align="center">FORM OF ACCESS <i>(Mark the applicable box with an "X")</i></p>	
Printed copy of record <i>(including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)</i>	
Written or printed transcription of virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>	
Transcription of soundtrack <i>(written or printed document)</i>	
Copy of record on flash drive <i>(including virtual images and soundtracks)</i>	
Copy of record on compact disc drive <i>(including virtual images and soundtracks)</i>	
Copy of record saved on cloud storage server	
<p align="center">MANNER OF ACCESS <i>(Mark the applicable box with an "X")</i></p>	
Personal inspection of record at registered address of public/private body <i>(including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)</i>	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format <i>(including transcriptions)</i>	
E-mail of information <i>(including soundtracks if possible)</i>	
Cloud share/file transfer	
Preferred language <i>(Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available)</i>	

PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED	
If the provided space is inadequate, please continue on a separate page and attach it to this Form. The requester must sign all the additional pages.	
Indicate which right is to be exercised or protected	
Explain why the record requested is required for the exercise or protection of the aforementioned right:	
FEES	
a) A request fee must be paid before the request will be considered. b) You will be notified of the amount of the access fee to be paid. c) 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. d) If you qualify for exemption of the payment of any fee, please state the reason for exemption	
Reason	

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

Postal address	Facsimile	Electronic communication (Please specify)

Signed at _____ this _____ day of _____ 20 _____

Signature of Requester / person on whose behalf request is made

FOR OFFICIAL USE

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

Signature of Information Officer