

MANUAL ON THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000 FOR GLENWOOD BROKERS (PTY) LTD

Prepared in accordance with section 51 of the Promotion of Access to
Information Act 200, (Act 2 of 2000)

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1. INTRODUCTION

Glenwood Brokers (Pty) Ltd is a private body and is an authorised financial services provider. It is duly licensed by the Financial Sector Conduct Authority in terms of the Financial Advisory and Intermediary Services Act, Act 37 of 2002. The registration number is 63. It provides financial advisory and intermediary services to clients on the following type of product:

- Short-term insurance

The business has been active since 1997. Currently the business employs 6 persons of which 6 are representatives and 5 employed in administrative roles. The business activities are monitored externally by Syncerus Business Solutions, a FAIS Act compliance practice (License number CO1).

The purpose of this manual is to facilitate requests for access to information of the private body.

This manual is not exhaustive of, nor does it comprehensively deal with, every procedure provided for in the Act. Requesters are advised to familiarise themselves with the provisions of the Act before making any requests in terms of the Act to the body.

The business recognizes a person's right of access to information held by another person when that information is required for the exercise or protection of any rights.

2. CORPORATE DETAILS [sec 51(1)(a)]

Name of Body: Glenwood Brokers (Pty) Ltd

Registration number: 2013/121231/07

VAT registration number: 4610163299

Head of Body: Marina Croukamp

Registered address: 1st Floor Block 9, Boardwalk Office Park, 107 Haymeadow street, Faerie Glen, 0081

Street address: 1st Floor, Block 9, Boardwalk Office Park, 107 Haymeadow street, Faerie Glen, 0081

Postal address: PO Box 101284, Moreleta Plaza, 0167

Telephone number: 012 993 9660

E-mail address: info@glenwoodbrokers.co.za

Website address: www.glenwoodbrokers.co.za

Information Officer: Marina Croukamp

Information Officer Contact Details: marina@glenwoodbrokers.co.za

Directors / Members: Marina Croukamp and André Kruger

3. GUIDE ON HOW TO USE THE ACT [sec 51(1)(b)]

- 3.1 The Act grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.
- 3.2 Requests in terms of the Act shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in the Act.
- 3.3 Requesters are referred to the Guide in terms of Section 10 which has been compiled by the Information Regulator which will contain information for the purposes of exercising Constitutional Rights. The guide is available in different official languages on the website of the Regulator at www.justice.gov.za/infoereg.
- 3.4 The Guide may be obtained from our offices at the above address.
- 3.5 The Information Regulator can be contacted at the following address or telephone numbers:
 - **General enquiries:** infoereg@justice.gov.za.
 - **Complaints:** complaints.IR@justice.gov.za

4. COPY OF NOTICE IN TERMS OF THE ACT [sec 51(1)(c)]

This part is currently not applicable and the body does not have any proprietary or confidential information that will be supplied to the public without following the application process. The body is in possession of marketing and promotional materials that is freely available to the public and may be obtained from the office of the body at its physical address or from most of its staff members.

The website of the body also contains information on the body and its operations that is available to the public at no charge. It is accessible to anyone who has access to the internet. The Website contains various categories of information relating to the company.

5. RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION [sec 51(1)(d)]

Records are generated and maintained in terms of various Acts that applies to the body, which includes but is not limited to, the legislation as listed hereunder. Requesters are advised that although the body keeps such records of transactions, correspondence and returns where required in terms of these laws, access may be refused on the grounds recognised in terms of Section 68 of the Promotion of Access to Information Act and clause 10 below. Some of these Acts, although applicable to the body, does in any event not generally generate forms applicable to it or require the keeping of records.

Where the Financial Advisory and Intermediary Services Act, the Protection of Personal Information Act or any other relevant legislation prohibits the divulging of information of a person/entity, such information will not be made available without consent of such person/entity.

Constitution of South Africa (108 of 1996)

Companies Act 71 of 2008

Competition Act (89 of 1998)

Financial Advisory and Intermediary Services Act (37 of 2002)

Financial Sector Regulation Act (9 of 2017)

Inspection of Financial Institutions Act (18 of 1998)

Financial Intelligence Centre Act (38 of 2001)

Prevention of Organised Crime Act (121 of 1998)

Protection of the Constitutional Democracy against Terrorism Act (33 Of 2004)

Labour Relations Act (66 of 1995)
Basic Conditions of Employment Act (75 of 1997)
Short Term Insurance Act (53 of 1998)
Insurance Act (18 of 2017)
Protected Disclosures Act (26 of 2000)
Prevention and Combating of Corrupt Activities Act (12 of 2004)
Electronic Communications and Transactions Act (48 of 2008)
Regulation of Interception of Communications Act (70 of 2002)
Protection of Personal Information Act (4 of 2013)
Unemployment Insurance Fund Act (63 of 2001)
Income Tax Act (95 of 1967)
Value Added Tax Act (89 of 1991)
Broad-Based Black Economic Empowerment Act (53 of 2003)
Occupational Health and Safety Act (85 of 1993)
Compensation for Occupational Injuries and Diseases Act (130 of 1993)
Skills Development Act (85 of 1996)
Skills Development Levies Act (9 of 1999)
Employment Equity Act (55 of 1998)

6. ACCESS TO THE RECORDS HELD BY THE PRIVATE BODY [sec 51(1) (c) and (e)]

6.1 Records that should be formally requested in terms of PAIA.

Operational Information

The body keeps and maintains various administration, human resources, operations and financial records that are necessary for the day-to-day running of the body. Not all information so retained will be made available to the public as it may contain proprietary or third-party confidential information and that may in any event be subject to a legal prohibition to disclosure. Documents necessary for the running of the private body include:

- Organisational and business plans (will not be made available);
- MOI (will be made available);
- Company registration forms (will be made available);
- Minutes of general meetings of shareholders' (will not be made available);
- Register of list of directors (will be made available);
- Minute books of internal resolutions (will not be made available);
- Occupational health and safety plan (will be made available);
- Litigation matters (will not be made available);
- ICT policies and procedures manuals (will not be made available);
- Financial records (will not be made available);
- Interim and annual financial reports (will not be made available);
- Tax returns (will not be made available);
- Financial reporting (will not be made available);
- Asset management (will not be made available);
- Management accounting (will not be made available);
- Internal phone lists (will not be made available);
- Address lists (will not be made available);
- Company policies (will not be made available);
- Directives (will not be made available);

- Training manuals (will not be made available);
- Contracts with product suppliers (underwriters) (will not be made available);
- Contracts and transaction records relating to suppliers and vendors (will not be made available);
- FICA manual (Internal Procedures) (will not be made available);
- FICA training manuals and training records (will not be made available);
- Registers of Key Individuals and representatives (will be made available);
- Promotional material (will not be made available);
- Registered designs, patents or trademarks (will not be made available);
- Marketing call reports (will not be made available);
- Employee records (will not be made available);
- HR policies and procedures (will not be made available);
- Employment equity plan and statistics (will not be made available);
- Labour relations procedure (will not be made available);
- List of employees (will not be made available);
- Arbitration orders and agreements (will not be made available);
- Attendance registers at working stations and head office (will not be made available);
- Any other information pertaining to employees (will not be made available);
- Pension and provident fund records (will not be made available);
- Insurance records (will not be made available);
- Asset register (will not be made available);
- Agreements of lease (will not be made available);
- Details of clients and correspondence (will not be made available);
- Requisitions (will not be made available);
- Permits (will not be made available);
- Licenses (will not be made available);
- Authorizations (will not be made available);
- Compliance reports (will not be made available);
- Complaints records (will not be made available);
- Registers relating to conflicts of interest (will not be made available);
- Approvals (will not be made available);
- Applications (will not be made available);
- Consents (will not be made available); and
- General "house-keeping" information (will not be made available).

Communications

- Website content (will be made available);
- Official external communications records e.g.: media releases (will not be made available);
and
- Corporate identity (will be made available).

Other Sources of Information

The body does not keep a library or archive which houses information to which access may be requested.

No records may be requested from the business for the purpose of criminal or civil proceedings if the production of or access to that record is provided for in any other law or if so requested after the commencement of such proceedings.

7. PRESCRIBED REQUEST PROCEDURES

7.1.1 Form of request: (ANNEXURE A)

The requester must use the prescribed form to make the request for access to a record. This must be made to the Information Officer of the private body. This request must be made to the address or electronic mail address of the body concerned.

The requester must provide sufficient detail on the request form to enable the Information Officer to identify the record or records requested and the requester. The requester should also indicate which form of access is required. The requester should also indicate, in addition to a written reply, if any other manner is to be used to inform the requester and state the necessary particulars to be so informed. The requester must provide the email address, postal address or fax number of the requester in the Republic.

The requester must identify the right that is sought to be exercised or to be protected and provide an explanation of why the requested record is required for the exercise or protection of that right.

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.

The Information Officer is required to take a decision on the request within 30 days (60 days in certain circumstances) of receipt of the request or particulars required failing which the request is deemed to have been refused.

The requester will be notified of the Information Officer's decision in the manner specified in the request form. If the request is refused, the requester may lodge an application with a court against the refusal of the request. If the request is granted the requester may lodge an application with a court against the access fee to be paid or the form of access granted. If the 30-day period was extended the requester may lodge an application with a court against the extension.

The Information Officer of a private body considering a request for access to a record that might be a record contemplated in section 63(1), 64(1), 65 or 69(1) of the Act, must take all reasonable steps to inform the third party to whom the record relates of the request as soon as reasonably possible, within 21 days after the request was received in the prescribed form.

The third party may, within 21 days after receipt of the notice make written or oral representations to the Information Officer on what basis the request for access should be refused or give consent for the disclosure of the record to the requester.

The Information Officer must as soon as reasonably possible, within 30 days after the third party was informed of the request decide whether to grant the request for access and notify

the third party before the decision is taken of the decision and notify the requester. If the request is granted the third party must be notified in the prescribed form.

The third party may lodge an application with a court against the decision of the Information Officer within 30 days after the notice was received. The requester will be granted access to the record after the expiry of the 30-day period unless an application with a court is lodged within this period.

7.1.2 Fees: (ANNEXURE B)

A requester who seeks access to a record containing personal information about that requester is not required to pay the request fee. Every other requester, who is not a personal requester, must pay the required request fee.

The Information Officer must notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed fee (if any) before further processing the request.

The fee that the requester must pay to a private body is R50. The requester may lodge an application to the court against the tender or payment of the request fee.

After the Information Officer decided on the request, the requester must be notified in the required form.

If the request is granted then a further access fee must be paid for the search, reproduction, preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

8. OTHER INFORMATION AS MAY BE PRESCRIBED [sec 51(1)(f)]

The Minister of Justice and Constitutional Development has not made any regulations in this regard.

The Information Regulator has not issued any prescriptions in this regard.

9. AVAILABILITY OF THE MANUAL [sec 51(3)]

The manual is available during office hours for inspection at the offices of the relevant private body, free of charge.

Copies are available on the body's website.

10. PRESCRIBED FORMS AND FEE STRUCTURE

10.1 The fee for a copy of the manual as contemplated in regulation 9(2)(c) is R1,10 for every photocopy of an A4-size page or part thereof.

10.2 The fees for reproduction referred to in regulation 11(1) are as follows:

10.2.1 For every photocopy of an A4-size page or part thereof R1,10

- 10.2.2 For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form R0,75
 - 10.2.3 For a copy in a computer-readable form on a compact disc R70,00
 - 10.2.4 For a transcription of visual images, for an A4-size page or part thereof R40,00, and for a copy of visual images R60,00
 - 10.2.5 For a transcription of an audio record, for an A4-size page R20,00 and for a copy of an audio record R30,00
- 10.3 The request fee payable by a requester, other than a personal requester, is R50,00.
- 10.4 The access fees payable by a requester referred to in regulation 11(3) are as follows:
- 10.4.1 For every photocopy of an A4-size page or part thereof R1,10
 - 10.4.2 For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form R0,75
 - 10.4.3 For a copy in a computer-readable form on a compact disc R70,00
 - 10.4.4 For a transcription of visual images, for an A4-size page R40,00 and for a copy of visual images R60,00
 - 10.4.5 For a transcription of an audio record, for an A4-size page R20,00 and for a copy of an audio record R30,00
 - 10.4.6 To search for and prepare the record for disclosure, R30,00 for each hour or part of an hour reasonably required for such search and preparation.
- 10.5 For purposes of section 54(2) of the Act, the following applies:
Six hours as the hours to be exceeded before a deposit is payable; and
One third of the access fee is payable as a deposit by the requester.
- 10.6 The actual postage is payable when a copy of a record must be posted to a requester.

11. GROUNDS FOR REFUSAL

The main grounds for the body to refuse a request for information relate to the –

- 11.1 mandatory protection of privacy of a third party who is a natural person;
- 11.2 mandatory protection of the commercial information of a third party;
- 11.3 mandatory protection of confidential information of third parties if it is protected in terms of any agreements;
- 11.4 mandatory protection of the safety of individuals and protection of property;
- 11.5 mandatory protection of records which would be regarded as privileged in legal proceedings;
- 11.6 mandatory protection of the commercial activities of the body;
- 11.7 the research information of the body or of a third party, if its disclosure would disclose the identity of the body, the researcher or the subject matter of the research and would place the research at a serious disadvantage; and

11.8 requests for information that are clearly frivolous or which involve an unreasonable diversion of resources shall be refused.

12. RECORDS THAT CANNOT BE FOUND

If the body searches for a record and it is believed that the record either does not exist or cannot be found, the requester will be notified by way of an affidavit or affirmation. This will include the steps that were taken to try to locate the record.