



**PROMOTION OF ACCESS TO INFORMATION ACT  
(SECTION 51 MANUAL)  
for  
Ambledown Financial Services (Pty) Ltd**



This policy is related to Ambledown Financial Services (Pty) Ltd (Registration number 2004/006271/07) and Unity Health (a division of Ambledown), a duly authorised Financial Service Provider (FSP number 10287) (hereunder referred to as the "FSP").

## TABLE OF CONTENTS

1) Defintions.....	Page 3
2) Purpose of a PAIA Manual.....	Page 4
3) FSP Contact Details.....	Page 5
4) Guide on the Promotion of Access to Information Act (Section 10 guide).....	Page 5
5) Procedure for obtaining access to information.....	Page 5
6) Types of records held by the FSP.....	Page 6
7) Records available in terms of other legislation.....	Page 6
8) Grounds for refusal of access to records.....	Page 7
9) Availability of the manual.....	Page 7
10) Annexure A: Record Typology.....	Page 9
11) Annexure B: Automatically available records.....	Page 10
12) Annexure C: Request for Information Form.....	Page 12

## 1) DEFINITIONS

**PAIA** means the Promotion of Access to Information Act 2 of 2000

**POPI** means the Promotion of Personal Information Act 4 of 2013

**Information Regulator** means the Regulator established in terms of Section 39 of POPI

**Person** means a natural person or a juristic person

**Private body** means:

- 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

**Public body** means:

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

**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** means the head of a private body

**Deputy Information Officer** means the person to whom any power or duty conferred or imposed on an Information Officer by POPI has been delegated

**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 FSP or a person acting on behalf of such person

**Personal Requester** means a requester seeking access to a record containing personal information about the requester

**Personal Information** means 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

**Request for access** means a request for access to a record of the FSP in terms of section 50 of PAIA

**Record** means any recorded information regardless of the form or medium, in the possession or under the control of the FSP irrespective of whether or not it was created by the FSP

**Data Subject** means the person to whom personal information relates

**Third Party** in relation to a request for access to a record held by the FSP, means any person other than the requester

**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, FSP, 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

## 2) PURPOSE OF A 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:

- foster a culture of transparency and accountability in public and private bodies by giving effect to the right of access to information, 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 all of their rights

The FSP recognises everyone's right to access to information and is committed to provide access to the FSP's records where the proper procedural requirements as set out by PAIA and POPI have been met.

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

- the FSP's postal and street address, phone and fax number and e-mail address.
- a short description of the guidance document on the application of the Promotion of Information Act and the process to be followed in order to obtain a copy of this guide (compiled by the Human Rights Commission in terms of section 10 of the Act).
- the process to be followed in order to access information held by the FSP. See Annexure C.
- a description of the typology of records held by the FSP (ie. various information subjects held on each category type). See Annexure A.
- a description of records which are freely available without having to submit a formal request to access information in terms of the Act. See Annexure B.
- a description of the FSP's information which are available in accordance with any other legislation.

### 3) FSP CONTACT DETAILS

<i>Phone Number</i>	0861 262 533
<i>Fax Number</i>	011 463 1600
<i>Email</i>	info@ambledown.co.za
<i>Physical Address</i>	Ambledown House, Eton Office Park East, c/o Sloane & Harrison Streets, Bryanston, 2191
<i>Postal Address</i>	PO Box 1862, Cramerview, 2060

### 4) GUIDE ON THE PROMOTION OF ACCESS TO INFORMATION ACT (SECTION 10 GUIDE)

The guidance document on the application of the Promotion of Access to Information Act has been compiled by the South African Human Rights Commission. The guidance document has been developed in order to assist people to access records and to exercise their rights to information.

The guide is available in all South African official languages free of charge and any person may request a copy of the guide. A copy of the guide may be obtained by contacting the South African Human Rights Commission at:

- Postal Address: **The South African Human Rights Commission, PAIA Unit, Private Bag 2700, Houghton, 2041**
- Telephone Number: **+27(0)11 877 3600**
- Fax Number: **+27(0)11 403 0625**
- Website: **www.sahrc.org.za**

### 5) PROCEDURE FOR OBTAINING ACCESS TO INFORMATION

Any person who wishes to request any information held by the FSP in order to protect or exercise a right may contact the FSP's Information Officer at the following contact details:

<i>Name of Information Officer</i>	Tiago de Carvalho
<i>Phone Number</i>	0861 262 533
<i>Email</i>	compliance@ambledown.co.za
<i>Physical Address</i>	Ambledown House, Eton Office Park East, c/o Sloane & Harrison Streets, Bryanston, 2191
<i>Postal Address</i>	PO Box 1862, Cramerview, 2060

A request for access to information must be made in the prescribed form to the Information Officer indicated above. See Annexure C for the prescribed form.

All required text fields on the annexed "Request for Information Form" must be completed in full and in a legible form. The form (as well as any additional pages attached thereto) must be signed by the person submitting the form.

Once the “Request for Information Form” has been submitted, the Information Officer will notify the person who submitted the request of the prescribed fee (if any) payable before further processing the request.

A fee of R50 will be charged for access to any records. If the request is granted, the person who submitted the request will be accordingly notified and a further fee will be payable. The additional fee would be for the reproduction, preparation and time reasonably required to search for and prepare the disclosure. The person who submitted the request may lodge an application to court against the tender or payment of the fee.

An individual seeking access to a record containing their own personal information will not be charged a request fee.

A person submitting the request must:

- indicate the identity of the person seeking access to the information
- provide sufficient particulars to enable the 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 reason 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 authorization to do so.

## 6) TYPES OF RECORDS HELD BY THE FSP

Request for access to documents held by the FSP will be in accordance with the Act. The type of records available to the person requesting the information are listed in Annexure A.

A description of records which are freely available without having to submit a formal request to access information in terms of the Act are listed in Annexure B.

## 7) RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION

The person requiring the information may also request information which is available in terms of the following legislation:

- Administration of Estates Act
- Arbitration Act
- Auditing Professions Act
- Basic Conditions of Employment Act
- Companies Act
- Compensation of Occupational Injuries & Diseases Act
- Consumer Protection Act
- Copyright Act
- Disaster Management Act
- Electronic Communications and Transactions Act

- Employment Equity Act
- Financial Advisory & Intermediary Services Act
- Financial Institutions (Protection of Funds) Act
- Financial Intelligence Centre Act
- Financial Services Board Act
- Financial Services Ombud Schemes Act
- Income Tax Act
- Labour Relations Act
- Long-term Insurance Act
- Medical Schemes Act
- National Credit Act
- Occupational Health and Safety Act
- Policyholder Protection Rules
- Prevention of Organised Crime Act
- Prevention and Combatting of Corrupt Activities Act
- Protection of Constitutional Democracy against Terrorist and related Activities Act
- Protection of Personal Information Act
- Promotion of Equality and Prevention of Unfair Discrimination Act
- Short-term Insurance Act
- Skills Development Act
- Trademarks Act
- Unemployment Insurance Act
- Value Added Tax Act

## 8) GROUNDS FOR REFUSAL OF ACCESS TO RECORDS

The Promotion of Access to Information Act provides for a number of grounds on which a request for access to information must be refused. These grounds mainly concern 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, as well as the mandatory protection of certain confidential information of a third party.

A complete list of the grounds for refusal are indicated within Chapter 4 of the Act.

## 9) AVAILABILITY OF THE MANUAL

The manual is available for inspection at the FSP's office free of charge. Copies of this manual is also available at the South African Human Rights Commission.

## ANNEXURE A – RECORD TYPOLOGY

Request for access to documents held by the FSP will be in accordance with the Act. The type of records available to the person requesting the information are listed hereunder

### **Administrative Records**

These include, but not limited to the following:

- the FSP's licence
- the FSP's compliance manual
- the FSP's policies
- the FSP's internal rules and procedures
- any personal records provided to the FSP by its personnel
- any records which a third party has provided to the FSP about any of its personnel

### **Human Resources Records**

These include, but not limited to the following:

- any personal records provided to the FSP by its personnel
- any records which a third party has provided to the FSP about any of its personnel
- conditions of employment and other personnel-related contractual and quasi-legal records
- internal evaluation and training records
- other internal records and correspondence

### **Client-related Records**

These include, but not limited to the following:

- operational records
- databases
- information technology
- marketing records
- internal correspondence
- product records
- statutory records
- internal policies and procedures
- treasury-related records
- securities and equities
- records held by officials of the FSP

### **Financial Records**

These include, but not limited to the following:

- financial statements
- audit records
- asset register

### **Other parties**

The FSP may possess records pertaining to other parties, including without limitation, contractors, suppliers, subsidiary / holding companies, joint venture companies and other Financial Service Providers.



These records include:

- service level agreements
- financial records
- correspondence

Alternatively, such other parties may possess records which can be said to belong to the FSP. The following records fall under this category:

- personnel, client and FSP records which are held by another party
- records held by FSP pertaining to other parties, including without limitation:
  - financial records
  - correspondence
  - contractual records
  - records provided by the other party

## ANNEXURE B – AUTOMATICALLY AVAILABLE RECORDS

The following records are automatically available without having to submit a formal request to access the information in terms of the Act.

- Public Product Information
- Public Corporate Records
- Media Releases
- Published Newsletters
- Magazine Articles
- Permits, Licenses or Authorities
- Conflict of Interest Management Policy
- Complaints Policy

**ANNEXURE C – REQUEST FOR INFORMATION FORM**

**1 PARTICULARS OF PERSON REQUESTING ACCESS TO INFORMATION**

<i>Full Names &amp; Surname</i>
<i>Identification Number</i>
<i>Telephone Number</i>
<i>Fax Number</i>
<i>Email</i>

<i>Postal Address</i>

**2 PARTICULARS OF PERSON ON WHOSE BEHALF THE REQUEST IS MADE**

<i>Full Names &amp; Surname</i>
<i>Identification Number / Company Registration</i>

**3 PARTICULARS OF REQUESTED INFORMATION**

*Provide full particulars of the information to which access is required. If the provided space is inadequate, please continue on a separate page and attach it to this form. Please sign all additional pages.*


**4 FORMAT IN WHICH INFORMATION IS REQUIRED**

*Indicate the format in which the information requested is required. Please note that the request for access in the specific format may depend on the format in which the record is available. Access in the requested format may be refused under certain circumstances.*

--

**5 RIGHT TO BE EXERCISED OR PROTECTED**

*Indicate the right that is to be exercised and / or protected and why the information is required to protect and / or exercise this right.*


**6 NOTIFICATION**

You will be notified by email and / or post whether your request has been approved or denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars.


Signed at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
Signature of person submitting the request