

# SECTION 51 MANUAL ON THE PROMOTION OF ACCESS TO INFORMATION ACT

This manual is owned by Carmen Financial Services CC (FSP 2296) a duly authorised Financial Services Provider (hereunder referred to as the "FSP").

As KeyIndividual of the aforementioned Financial Services Provider I, Elizabeth Jane Snyman hereby confirms the adoption of this manual.

12 June 2013

Elici Sayner



#### 1. INTRODUCTION

The Promotion of Access to Information Act, 2000, PAIA gives effect to section 32 of the Constitution, which provides that everyone has the right to access information held by the State, as well as information held by another person (or private body) when such privately held information is required to exercise a right or to protect a right.

PAIA provides that a person requesting information must be given access to any record of a private body, if that record is required for the exercise or the protection of a right. However, such request has to comply with the procedural requirements laid down by the Act.

This manual is compiled in accordance with Section 51 of PAIA and contains the following provisions:

The FSP's postal address, 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 Request for information

A description of the typology of records held by the FSP (i.e. various information subjects held on each category type). See Record typology. A description of records which are freely available without having to submit a formal request to access information in terms of the Act. See automatically available records.

A description of the FSP's information which are available in accordance with any other legislation.

#### 2. FSP CONTACT DETAILS

	Keyindividual: Elizabeth Jane Snyman				
PHYSICAL ADDRESS	POSTAL ADDRESS	CONTACT DETAILS			
337 Minnesota Street Faerie Glen 0043	P O Box 90655 Garsfontein 0042	Office: 087 943 8087  Fax: 086 557 3592  Mobile: 082 552 6892  e-mail: elne@carmen.co.za			



#### 3. 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 right 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. Acopy of the guide may be obtained by contacting the South African Human Rights Commission at:

The South African Human Rights Commission

**PAIA Unit** 

The Research and Documentation Department

Private Bag 2700

Houghton

2041

Telephone: 011 877 3600

E-Mail: paia@sahrc.orq.za

Website: www.sahrc.org.za

### 4. 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:

	Information Officer: Eduard				
PHYSICAL ADDRESS	POSTAL ADDRESS	CONTACT DETAILS			
337 Minnesota Street Faerie Glen 0043	P O Box 90655 Garsfontein 0042	Office: 087 943 8087  Fax: 086 557 3592  Mobile: 083 994 3508  e-mail: eduard@carmen.co.za			



A request for access to information must be made in the prescribed form to the information officer indicated above. See request for information 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.

Afee of R 60.00 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 searching for and preparing 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 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 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.

#### 5. TYPE 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 is listed in Record typology.

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.



#### 6. 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

Collective Investment Schemes Control Act

Companies Act

Compensation for Occupational Injuries & Diseases Act

Consumer Protection Act

Copyright 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

Friendly Societies Act

Income Tax Act

Insolvency Act

Labour Relations Act

Long-term Insurance Act

Medical Schemes Act

National Credit Act

Occupational Health & Safety Act

Pension Funds Act

Prevention of Organised Crime Act

Promotion of Equality and Prevention of Unfair Discrimination Act

Protection of Constitutional Democracy against Terrorist and related Activities Act

Short-term Insurance Act

Skills Development Act

Skills Development Levies Act

South African Qualifications Authority Act

Stamp Duties Act

Trademarks Act

**Unemployment Insurance Act** 

Value Added Tax Act



#### 7. GROUNDS FOR REFUSAL OF ACCESS TO RECORDS

The Promotion of Access to Information Act provides 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 is indicated within Chapter 4 of the Act.

## 8. MANUAL AVAILABILITY

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



#### **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 is listed hereunder:

#### Administrative Records

These include, but are not limited to the following:

The FSP's license.

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.

#### **Human Resources Records**

These include, but are 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.

Employment and other personnel-related contractual and legal records.

Internal evaluation and training records.

Other internal records and correspondence

#### **Client-related Records**

These include, but are not limited to the following:

Records of advice.

Operational records.

IT and client relationship management systems.

Marketing material.

Internal correspondence.

Product provider records.

Statutory notices.

Policies and procedures.

Financial-related records.

Records held by officials of the FSP

#### Financial Records

These include, but are not limited to the following:

Financial statements.

Audit records.

Assets inventory



## 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 services providers.

These records include:

Service Level Agreements. Financial records. Other 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 or 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.



#### **AUTOMATICALLY AVAILABLE RECORDS**

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

Product summaries Claim forms Other product related documents

Our clients have access to all client related documents via our website by logging into their user profiles.



## **REQUEST FOR IMFORMATION**

## Person requesting information

Name & Surname :		
PHYSICAL ADDRESS	POSTAL ADDRESS	CONTACT DETAILS
		Office:
		Fax:
		Mobile:
		e-mail:
Particulars of person	on whose behalf the requ	est is made
Name & Surname :		
PHYSICAL ADDRESS	POSTAL ADDRESS	CONTACT DETAILS
		Office:
		Fax:
		Mobile:
		e-mail:
Information requeste	ed (provide full description)	
(Indicate the formatin which access in the specified formation	rmation must be supplied the information requested is requiet may depend on the format in whice fused under certain circumstances.	h the record is available. Access in



# Right to be exercised or protected

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

Specify Right & Reason					
Notification					
You will be notified by e-mail 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					