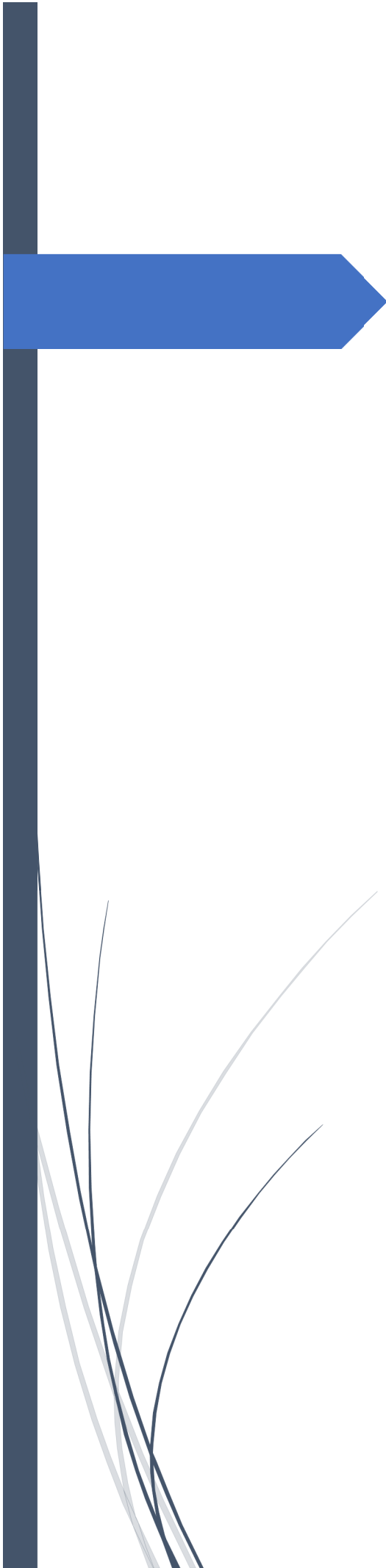




MILRAND INSURANCE BROKERS

Reg no: CK/88/34348/23

SECTION 51 MANUAL

Promotion of access to
Information Act, 2000
(PAIA)



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LIST OF ACRONYMS AND ABBREVIATIONS

1.1	“CEO”	Chief Executive Officer
1.2	“DIO”	Deputy Information Officer
1.3	“IO”	Information Officer
1.4	“Minister”	Minister of Justice and Correctional Services
1.5	“PAIA”	Promotion of Access to Information Act No. 2 of 2000 (as Amended)
1.6	“POPIA”	Protection of Personal Information Act No.4 of 2013
1.7	“Regulator”	Information Regulator
1.8	“Republic”	Republic of South Africa

PURPOSE OF PAIA MANUAL

This PAIA Manual is useful for the public to:

- 2.1 Check the categories of records held by a body which are available without a person having to submit a formal PAIA request
- 2.2 Have a sufficient understanding of how to make a request for access to a record of the body, by providing a description of the subjects on which the body holds records and the categories of records held on each subject
- 2.3 Know the description of the records of the body which are available in accordance with any other legislation
- 2.4 Access all the relevant contact details of the Information Officer and Deputy Information Officer who will assist the public with the records they intend to access
- 2.5 Know the description of the guide on how to use PAIA, as updated by the Regulator

and how to obtain access to it

- 2.6 Know if the body will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto
- 2.7 Know the description of the categories of data subjects and of the information or categories of information relating thereto
- 2.8 Know the recipients or categories of recipients to whom the personal information may be supplied
- 2.9 Know if the body has planned to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied
- 2.10 Know whether the body has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

1. INTRODUCTION

Milrand Insurance Brokers CC trading as Milrand Brokers conducts business as a Short-Term & Long-Term Insurance Broker. We are an Authorized Service Provider in terms of the Financial Advisory & Intermediary Service Act. Our FSP license number is FSP 13942

2. KEY CONTACT DETAILS FOR ACCESS OF INFORMATION OF MILRAND INSURANCE BROKERS

2.1. Chief Information Officer

Name: Willem Augustinus van Wyk
Tel: (011) 362 - 2352 / 2051
Email: willem@milrandbrokers.co.za
Fax number: (011) 362 – 1993

2.2. Deputy Information Officer

Name: Alexander Erik van Wyk
Tel: (011) 362 - 2352 / 2051
Email: erik@milrandbrokers.co.za
Fax Number: (011) 362 – 1993

2.3 Access to information general contacts

Email: willem@milrandbrokers.co.za

2.4 National or Head Office

Postal Address: PO Box 10128, Strubenvale, 1570
Physical Address: 69 Nigel Road, Selection Park, Springs, 1559
Telephone: (011) 362 - 2352 / 2051
Email: admin@milrandbrokers.co.za
Website: www.milrandbrokers.co.za

3. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

- 3.1.** The Regulator has, in terms of section 10(1) of PAIA, as amended, updated and made available the revised Guide on how to use PAIA ("Guide"), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.
- 3.2** The Guide is available in each of the official languages and in braille.
- 3.3.** The aforesaid Guide contains the description of:
 - 3.3.1.** The objects of PAIA and POPIA;
 - 3.3.2.** The postal and street address, phone and fax number and, if available, electronic mail address of-
 - 3.3.2.1.** The Information Officer of every public body, and
 - 3.3.2.2.** Every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA (1) and section 56 of POPIA (2);
 - 3.3.3.** The manner and form of a request for:
 - 3.3.3.1.** Access to a record of a public body contemplated in section 11(3); and
 - 3.3.3.2.** Access to a record of a private body contemplated in section 504;
 - 3.3.4.** The assistance available from the IO of a public body in terms of PAIA and POPIA;
 - 3.3.5.** The assistance available from the Regulator in terms of PAIA and POPIA;
 - 3.3.6.** All remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging

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- 1 Section 17(1) of PAIA- *For the purposes of PAIA, each public body must, subject to legislation governing the employment of personnel of the public body concerned, designate such number of persons as deputy information officers as are necessary to render the public body as accessible as reasonably possible for requesters of its records.*
 - 2 Section 56(a) of POPIA- *Each public and private body must make provision, in the manner prescribed in section 17 of the Promotion of Access to Information Act, with the necessary changes, for the designation of such a number of persons, if any, as deputy information officers as is necessary to perform the duties and responsibilities as set out in section 55(1) of POPIA.*
 - 3 Section 11(1) of PAIA- *A requester must be given access to a record of a public body if that requester complies with all the procedural requirements in PAIA relating to a request for access to that record; and access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*
 - 4 Section 50(1) of PAIA- *A requester must be given access to any record of a private body if*
 - a) *that record is required for the exercise or protection of any rights;*
 - b) *that person complies with the procedural requirements in PAIA relating to a request for access to that record; and*
 - c) *access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*
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3.3.6.1. An internal appeal;

3.3.6.2. A complaint to the Regulator; and

3.3.6.3. An application with a court against a decision by the information officer of a public body, a decision on internal appeal or a decision by the Regulator or a decision of the head of a private body;

3.3.7. The provisions of sections 145 and 516 requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;

3.3.8. The provisions of sections 157 and 528 providing for the voluntary disclosure of categories of records by a public body and private body, respectively;

3.3.9. The notices issued in terms of sections 229 and 5410 regarding fees to be paid in relation to requests for access; and

3.3.10. The regulations made in terms of section 9211.

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- 5 Section 14(1) of PAIA- *The information officer of a public body must, in at least three official languages, make available a manual containing information listed in paragraph 4 above.*
 - 6 Section 51(1) of PAIA- *The head of a private body must make available a manual containing the description of the information listed in paragraph 4 above.*
 - 7 Section 15(1) of PAIA- *The information officer of a public body, must make available in the prescribed manner a description of the categories of records of the public body that are automatically available without a person having to request access*
 - 8 Section 52(1) of PAIA- *The head of a private body may, on a voluntary basis, make available in the prescribed manner a description of the categories of records of the private body that are automatically available without a person having to request access*
 - 9 Section 22(1) of PAIA- *The information officer of a public body to whom a request for access is made, must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.*

10 Section 54(1) of PAIA- The head of a private body to whom a request for access is made must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

11 Section 92(1) of PAIA provides that – “The Minister may, by notice in the Gazette, make regulations regarding-

- (a) any matter which is required or permitted by this Act to be prescribed;
 - (b) any matter relating to the fees contemplated in sections 22 and 54;
 - (c) any notice required by this Act;
 - (d) uniform criteria to be applied by the information officer of a public body when deciding which categories of records are to be made available in terms of section 15; and
 - (e) any administrative or procedural matter necessary to give effect to the provisions of this Act.”
-

3.4. Members of the public can inspect or make copies of the Guide from the offices of the public and private bodies, including the office of the Regulator, during normal working hours.

3.5. The Guide can also be obtained-

4.5.1. Upon request to the Information Officer;

4.5.2. From the website of the Regulator (<https://www.justice.gov.za/infoereg/>).

3.6 A copy of the Guide is also available in the following two official languages, for Public inspection during normal office hours-

3.6.1 English and Afrikaans

4. CATEGORIES OF RECORDS OF WHICH MILRAND INSURANCE BROKERS ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

4.1 The following records are available to the public without a request in terms of PAIA:

- a) Records available on Milrand Insurance Brokers website;
- b) Records maintained at the Companies and Intellectual Property Commission (CIPC);
- c) Public relations brochures and publications; and
- d) Media releases.

4.2 The following records concerning a personnel member's employment or contract with Milrand Insurance Brokers are available to the employee or contractor without a request in terms of PAIA:

- a) Personnel records of an administrative nature;
- b) Records of disciplinary hearings and related matters; and
- c) The company's policies and procedures manuals.
- d) To view any records other than those available on our website or held at the CIPC, you must make an appointment with our Information Officer.

5. DESCRIPTION OF THE RECORDS OF MILRAND INSURANCE BROKERS WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION

<u>No</u>	<u>Reference</u>	<u>Act</u>
1	No 61 of 1973	Companies Act
2	No 98 of 1978	Copyright Act
3	No 55 of 1998	Employment Equity Act
4	No 95 of 1967	Income Tax Act
5	No 66 of 1995	Labour Relations Act
6	No 89 of 1991	Value Added Tax Act
7	No 37 of 2002	Financial Advisory and Intermediary Services Act
8	No 75 of 1997	Basic Conditions of Employment Act
9	No 69 of 1984	Close Corporations Act
10	No 25 of 2002	Electronic Communications and Transactions Act
11	No 2 of 2000	Promotion of Access of Information Act
12	No 30 of 1996	Unemployment Insurance Act

6. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY MILRAND INSURANCE BROKERS

6.1 Administration

- a) FSCA Licenses
- b) CPD records
- c) CMS Licenses

6.2 Constitution

- a) List of members

6.3 Documents relating to legal proceedings

Finances: Annual financial statements.

6.4 Personnel and related records

- a) Personnel information, employment histories and health records
- b) Personal records provided to Milrand Insurance Brokers by its personnel
- c) Records which a third party has provided to Milrand Insurance Brokers about any of its personnel
- d) Training and development
- e) Conditions of employment and other personnel-related contractual and legal records
- f) Internal evaluation records

6.5 Client records

- a) Records about a client provided by the client
- b) Records generated by Milrand Insurance Brokers relating to customers, including transactional records, schedules or certificates

6.6 Milrand Insurance Broker's records

- a) Financial records
- b) Operational records
- c) Databases
- d) Information Technology
- e) Marketing records
- f) Internal correspondence
- g) Retirement fund records
- h) Statutory records
- i) Statutory compliance records
- j) Records held by members of the company
- k) Records held by the key individuals of the company

6.7 Information security

We secure our data by maintaining reasonable measures to protect personal information from loss, misuse, and unauthorised access, disclosure, alteration, and destruction, and ensure that our third parties do too. We also take reasonable steps to keep personal information accurate, current, complete, and reliable for its intended use.

7. PROCESSING OF PERSONAL INFORMATION

7.1 Milrand Insurance Brokers processes the following information

Data Subject	Personal Information	Purpose of Processing
Employees, members, past and present including applicants for any such positions	Personnel related information concerning applications for employment, employment records, reviews and notes concerning such data subjects, income and benefits records, performance and disciplinary records, payment-related records, relating to leave and termination of employment and identifying and contact information	Management of employees, members and management of Milrand Insurance Brokers hiring and termination of employment processes
Clients, business partners, past and present	Identifying and contact information of clients and business partners including of relevant employees, payment-related records, reviews, and notes concerning such customers and business partners, contractual information	Management of contracts and relations including potential future relations

7.2 Personal information may only be accessed:

- a) By the relevant data subject who has made a request for access to their personal information in terms of the Protection of Personal Information Act, 2013 (POPIA); and
- b) By any other person in terms of a law, subpoena, or order of a competent court compelling disclosure of the personal information by Airlink to that person.

7.3 Milrand Insurance Brokers retains the right to process all personal information in accordance with all applicable laws including POPIA.

7.4 Milrand Insurance Brokers may transmit any personal information offsite for storage purposes

8. AVAILABILITY OF THE MANUAL

8.1 A copy of the Manual is available:

- 8.1.1** On www.milrandbrokers.co.za, if any;
- 8.1.2** Head office of Milrand Insurance Brokers for public inspection during normal business hours;
- 8.1.3** To any person upon request and upon the payment of a reasonable prescribed fee; and
- 8.1.4** To the Information Regulator upon request.

8.2 A fee for a copy of the Manual, as contemplated in annexure B of the Regulations, shall be payable per each A4-size photocopy made.

9. UPDATING OF THE MANUAL

The Key Individuals of Milrand Insurance Brokers will on a regular basis update this manual.
Issued by

Mr. WA van Wyk
Managing Member, Key Individual, Chief Information Officer

ANNEXURE A

RECORDS HELD BY THIS FSP

Milrand Brokers maintain records on the following categories and subject matters. However, please note that recording a category or subject matter in this Manual does not imply that a request for access to such records would be honored. All requests for access will be evaluated on a case-by-case basis in accordance with the provisions of the Act.

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 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
- any records which a third party has provided to the FSP about any of 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
- 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

Customer records

Kindly note that this FSP is very concerned about protecting the confidential information of its customers. Please motivate any request for customer information very carefully, having regard to Sections 63 to 67 of the Act.

These include, but are not limited to the following:

- advice records
- 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 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
- correspondence

ANNEXURE B

FEE STRUCTURE FOR REQUEST OF RECORDS

Reproduction Fees:

Where the FSP has voluntarily provided the Minister with a list of categories of records that will automatically be made available to any person requesting access thereto, the only charge that may be levied for obtaining such records, will be a fee for reproduction of the record in question.

Information relating to personal records of the person requesting the information would not be subject to a charge.

The applicable fees for reproduction of information requested as referred to above:

Description	Amount
For every photocopy of an A4-size page or part thereof	R1.10
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
For a copy in a computer-readable form on Stiffy disc	R7.50
Compact disc	R70.00
For a transcription of visual images, for an A4-size page or part thereof	R40.00
For a copy of visual images	R60.00
For a transcription of an audio record, for an A4-size page or part thereof	R20.00
For a copy of an audio record	R30.00

Request Fees:

Where a requester submits a request for access to information held by a private body on a person other than the requester himself/herself, a request fee in the amount of **R 50.00** is payable up-front before the Company will further process the request.

Access Fees:

An access fee is payable in all instances where a request for access to information is granted, except in those instances where payment of an access fee is specifically excluded in terms of the Act or an exclusion is determined by the Minister in terms of section 54(8).

The applicable access fees which will be payable are:

Description	Amount
For every photocopy of an A4-size page or part thereof	R1.10
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
For a copy in a computer-readable form on • Stiffy disc • Compact disc	R7.50 R70.00
For a transcription of visual images, for an A4-size page or part thereof	R40.00
For a copy of visual images	R60.00

For a transcription of an audio record, for an A4-size page or part thereof	R20.00
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For a copy of an audio record	R30.00
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To search for and prepare the record for disclosure, for each hour or part of an hour reasonably required for such search and preparation	R30.00
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Deposits:

Where the Company receives a request for access to information other than personal information and the head of Compliance upon receipt of the request is of the opinion that the preparation of the required records for disclosure will take more than 6 (six) hours, a deposit is payable by the requester.

The amount of the deposit is equal to one-third of the amount of the applicable access fee. If the request has been refused, the deposit will be repaid.

Application to waive request fee and deposit

The requester may lodge an application with a court against the payment of the request fee and deposit if the requester believes that the request fee or deposit is not required.

Postage

The actual postage is payable when a copy of a record must be posted to a requester.



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]

1. Particulars of private body

The Head:

2. Particulars of person requesting access to the record

- 1.The particulars of the person who requests access to the record must be given below.
- 2.The address and/or fax number in the Republic to which the information is to be sent must be given.
- 3.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:

3. 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:

4. Particulars of record

1. 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.
2. 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:

5. Fees

1. 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.
2. You will be notified of the amount required to be paid as the request fee.
3. 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.
4. If you qualify for exemption of the payment of any fee, please state the reason for exemption.

Reason for exemption from payment of fees:

6. 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: 1. Compliance with your request in the specified form may depend on the form in which the record is available. 2. 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. 3. The fee payable for access for 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" ☐	transcription of the image ☐
3. If record consists of recorded words or information which can be reproduced in sound		
☐ listen to sound track	☐ transcription of soundtrack*	
4. If record is held on computer or in an electronic or machine-readable form:		
printed copy of record* ☐	printed copy of information ☐	computer readable form ☐
'If you requested a copy or transcription of a record (above), do you wish the copy or transcription posted to you?		
Postage is payable. YES NO		

7. Particulars of right to be exercised or protected

If the provided space is inadequate, please continue on a separate folio and attach 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:

8. 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 of20



NOTICE OF INTERNAL APPEAL

(Section 75 of the Promotion of Access to Information Act 2000 (*Act No. 2 of 2000*))

[Regulation 8]

A. Particulars of body

The Information Officer / Deputy Information Officer:

B. Particulars of requester/third party who lodges the internal appeal

- (a) The particulars of the person who lodge the internal appeal must be given below.
- (b) Proof of the capacity in which appeal is lodged, if applicable, must be attached.
- (c) If the appellant is a third person and not the person who originally requested the information, the particulars of the requester must be given at C below.

Full names and surname:

Identity number:

Postal address:

Fax number:

Telephone number:

E-mail address:

Capacity in which an internal appeal on behalf of another person is lodged:

C. Particulars of requester

This section must be completed **ONLY** if a third party (other than the requester) lodges the internal appeal.

Full names and surname:

Identity number:

D. The decision against which the internal appeal is lodged

Mark the decision against which the internal appeal is lodged with an X in the appropriate box:

	Refusal of request for <i>access</i>
	<i>Decision</i> regarding fees prescribed in terms of section 22 of the Act
	Decision regarding the extension of the period within which the request must be
	Decision in terms of section 29(3) of the Act to refuse access in the form
	Decision to grant request for access

E. Grounds for appeal

If the provided space is inadequate, please continue on a separate folio and attach it to this form. You must sign all the additional folios.

State the grounds on which the internal appeal is based:

State any other information that may be relevant in considering the appeal:

F. Notice of decision on appeal

You will be notified in writing of the decision on your internal appeal. *If* you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

State the manner:

Particulars of manner:

Signed at..... this day of20.....

