

ASSET MANAGEMENT

PAIA Manual

Prepared in terms of section 51 of the Promotion of Access to Information Act 2 of 2000 (as amended)

Date of compilation: 20/11/2020 · Date of revision: 22/11/2023

1. List of Acronyms and Abbreviations

Term	Meaning
KI	Key Individual
DIO	Deputy Information Officer
IO	Information Officer
Minister	Minister of Justice and Correctional Services
PAIA	Promotion of Access to Information Act No. 2 of 2000 (as amended)
POPIA	Protection of Personal Information Act No. 4 of 2013
Regulator	Information Regulator
Republic	Republic of South Africa

2. 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; and
- 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.

3. Key Contact Details for Access to Information of Ampersand Asset Management

3.1 Information Officer

Name: Johannes Abraham van Zyl

Tel: 011 803 6597

Email: hannes@ampersandam.co.za

3.3 Access to Information General Contacts

Email: queries@ampersandam.co.za

3.4 National / Head Office

Postal Address: P.O. Box 926, Rivonia, 2128

Physical Address: 1 Tuscany Office Park, 6 Coombe Place, Rivonia, 2191

Telephone: (011) 803 6597

Email: queries@ampersandam.co.za

Website: www.ampersandam.co.za

4. Guide on How to Use PAIA and How to Obtain Access to the Guide

4.1 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.

4.2 The Guide is available in each of the official languages and in braille.

4.3 The aforesaid Guide contains the description of—

- 4.3.1 the objects of PAIA and POPIA;
- 4.3.2 the postal and street address, phone and fax number and, if available, electronic mail address of the Information Officer of every public body, and every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA²;
- 4.3.3 the manner and form of a request for access to a record of a public body contemplated in section 11³; and access to a record of a private body contemplated in section 50⁴;
- 4.3.4 the assistance available from the IO of a public body in terms of PAIA and POPIA;
- 4.3.5 the assistance available from the Regulator in terms of PAIA and POPIA;
- 4.3.6 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 an internal appeal, a complaint to the Regulator, and 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;
- 4.3.7 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;
- 4.3.8 the provisions of sections 15⁷ and 52⁸ providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
- 4.3.9 the notices issued in terms of sections 22⁹ and 54¹⁰ regarding fees to be paid in relation to requests for access; and
- 4.3.10 the regulations made in terms of section 92¹¹.

4.4 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.

4.5 The Guide can also be obtained from the website of the Regulator

(<https://www.justice.gov.za/inforeg/>).

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 that record is required for the exercise or protection of any rights; that person complies with 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.

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."

5. Categories of Records Available Without a Person Having to Request Access

Category of Records	Types of the Record	Available on Website	Available Upon Request
FAIS Records	FSP Statutory Disclosures to clients	✓	
	Representatives		✓
	Representative FAIS profiles / Monthly Minimum Disclosure Documents	✓	

6. Records Available in Accordance with Other Legislation

Category of Records	Applicable Legislation
Memorandum of Incorporation	Companies Act 71 of 2008
PAIA Manual	Promotion of Access to Information Act 2 of 2000
POPIA Manual	Protection of Personal Information Act 4 of 2013
FICA Risk Management Plan	Financial Intelligence Centre Act 38 of 2001
FAIS Statutory Disclosures	Financial Advisory and Intermediary Services Act 37 of 2002

7. Subjects on Which the Body Holds Records

Subjects on Which the Body Holds Records	Categories of Records
Clients	Personal Information; Investment/Insurance portfolios; FICA documentation
Employees	FICA documentation; HR Records
Key Individuals / Representatives	FAIS documentation
Product Suppliers (FAIS)	FAIS documentation; Service Level Agreements
IT Suppliers	Service Level Agreements
External Compliance	FAIS documentation; Service Level Agreements

8. Processing of Personal Information

8.1 Purpose of Processing Personal Information

Personal Information of clients is processed for the purposes of carrying out our intermediary services in terms of the FAIS Act as mandated by the client.

8.2 Categories of Data Subjects and Related Information

Categories of Data Subjects	Personal Information That May Be Processed
Clients	Name, address, registration numbers or identity numbers, employment status and bank details
Service Providers	Names, registration number, VAT numbers, address, trade secrets and bank details
Employees	Address, qualifications, identity numbers, address

8.3 Recipients of Personal Information

Category of Personal Information	Recipients or Categories of Recipients
Clients	Product Suppliers
Clients	FAIS Compliance Officer
Clients	Regulators (FSCA/FIC)

8.4 Information Security Measures

The Company will ensure that Personal Information is processed securely and will use appropriate information technology measures to protect Personal Information against accidental or unlawful destruction, loss, amendment or unauthorized access. Notification of any data breaches will occur timeously. Technical measures will be utilised to secure Personal Information, and such measures may consist of de-identification (anonymization) or encryption. Firewalled leased internet access.

9. Availability of the Manual

9.1 A copy of the Manual is available—

- 9.1.1 on www.ampersandam.co.za;
- 9.1.2 head office of Ampersand Asset Management for public inspection during normal business hours;
- 9.1.3 to any person upon request and upon the payment of a reasonable prescribed fee; and
- 9.1.4 to the Information Regulator upon request.

9.2 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.

10. Updating of the Manual

The head of Ampersand Asset Management will on a regular basis update this manual.

11. POPIA

This Manual is to be read together with the Protection of Personal Information (POPI) Manual of Ampersand Asset Management.

Issued by

Ian David Peters (Director)

Form 2 — Request for Access to Record

[Regulation 7]

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

To: The Information Officer, Ampersand Asset Management (Pty) Ltd
1 Tuscany Office Park, 6 Coombe Place, Rivonia, 2191
Email: hannes@ampersandam.co.za · Tel: 011 803 6597

- ☐ 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) / CELLULAR

FULL NAMES OF PERSON ON WHOSE BEHALF REQUEST IS MADE (IF APPLICABLE)

IDENTITY NUMBER

POSTAL ADDRESS

Particulars of Record Requested

DESCRIPTION OF RECORD OR RELEVANT PART OF THE RECORD

REFERENCE NUMBER, IF AVAILABLE

ANY FURTHER PARTICULARS OF RECORD

If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.

Type of Record

- ☐ Record is in written or printed form
- ☐ Record comprises virtual images (photographs, slides, video recordings, computer-generated images, sketches, etc)
- ☐ 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

Form of Access

- ☐ Printed copy of record (including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)
- ☐ Written or printed transcription of virtual images (photographs, slides, video recordings, computer-generated images, sketches, etc)
- ☐ Transcription of soundtrack (written or printed document)
- ☐ Copy of record on flash drive (including virtual images and soundtracks)
- ☐ Copy of record on compact disc drive (including virtual images and soundtracks)
- ☐ Copy of record saved on cloud storage server

Manner of Access

- ☐ Personal inspection of record at registered address of public/private body (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)
- ☐ Postal services to postal address
- ☐ Postal services to street address
- ☐ Courier service to street address

- ☐ Facsimile of information in written or printed format (including transcriptions)
- ☐ E-mail of information (including soundtracks if possible)
- ☐ Cloud share / file transfer

PREFERRED LANGUAGE (IF THE RECORD IS NOT AVAILABLE IN THE LANGUAGE YOU PREFER, ACCESS MAY BE GRANTED IN THE LANGUAGE IN WHICH THE RECORD IS AVAILABLE)

Particulars of Right to be Exercised or Protected

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

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.

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

Form 3 — Outcome of Request and of Fees Payable

[Regulation 8]

Note: 1. If your request is granted—(a) the amount of the deposit (if any) is payable before your request is processed; and (b) the requested record/portion of the record will only be released once proof of full payment is received. 2. Please use the reference number hereunder in all future correspondence.

REFERENCE NUMBER

TO

Your request dated _____ refers.

1. You requested

- ☐ Personal inspection of information at registered address of public/private body (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) is free of charge. You are required to make an appointment for the inspection of the information and to bring this Form with you. If you then require any form of reproduction of the information, you will be liable for the fees prescribed in Annexure B.

2. You requested

- ☐ Printed copies of the information (including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)
- ☐ Written or printed transcription of virtual images (photographs, slides, video recordings, computer-generated images, sketches, etc)
- ☐ Transcription of soundtrack (written or printed document)
- ☐ Copy of information on flash drive (including virtual images and soundtracks)
- ☐ Copy of information on compact disc drive (including virtual images and soundtracks)
- ☐ Copy of record saved on cloud storage server

3. To be submitted

- ☐ Postal services to postal address
- ☐ Postal services to street address
- ☐ Courier service to street address
- ☐ Facsimile of information in written or printed format (including transcriptions)

☐ E-mail of information (including soundtracks if possible)

☐ Cloud share / file transfer

PREFERRED LANGUAGE (IF THE RECORD IS NOT AVAILABLE IN THE LANGUAGE YOU PREFER, ACCESS MAY BE GRANTED IN THE LANGUAGE IN WHICH THE RECORD IS AVAILABLE)

Kindly note that your request has been:

☐ Approved

☐ Denied, for the following reasons:

4. Fees Payable with Regards to Your Request

Item	Cost per A4-size Page or Part Thereof / Item	Number of Pages / Items	Total
Photocopy / Printed copy			
For a copy in a computer-readable form on: Flash drive (to be provided by requestor) / Compact disc (if provided by requestor / if provided to the requestor)	R40.00 / R40.00 / R60.00		
For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on the quotation of the service provider		
Copy of visual images			
Transcription of an audio record, per A4-size	R24.00		
Copy of an audio record: Flash drive (to be provided by requestor) / Compact disc (if provided by requestor / if provided to the requestor)	R40.00 / R40.00 / R60.00		
Postage, e-mail or any other electronic transfer	Actual costs		
Total			

5. Deposit Payable (if search exceeds six hours)

☐ Yes

☐ No

HOURS OF SEARCH

AMOUNT OF DEPOSIT (CALCULATED ON ONE THIRD OF TOTAL AMOUNT PER REQUEST)

The amount must be paid into the following bank account:

NAME OF BANK

NAME OF ACCOUNT HOLDER

TYPE OF ACCOUNT

ACCOUNT NUMBER

BRANCH CODE

REFERENCE NR

SUBMIT PROOF OF PAYMENT TO

Signed at _____ this _____ day of _____ 20_____

Information Officer