Manual in terms of the Promotion of Access to Information Act, No. 2 of 2000 for Financial Services Provider (FSP) S and S Insurance Brokers (Pty) Ltd, FSP Number 51433

1. Introduction

This manual is published in accordance with Section 51 of the Promotion of Access to Information Act 2 of 2000 ("PAIA" or "the Act") and gives effect to the constitutional right of access to any information held by the state and any information that is held by another person and that is required for the exercise or protection of any rights. The Protection of Personal Information Act 2013 has amended the PAIA and also requires private bodies to disclose certain information through the relevant organisation's PAIA Manual.

Specifically, section 51(1) of the Act, read with the Protection of Personal Information Act of 2013, requires a private body to compile a manual that must contain information as specified and required by both PAIA and POPI. In addition, the PAIA manual must set out the formal procedure that a person must follow in order to request to view, update or delete personal information held by the private body.

In this context, a "private body" is defined as any natural person who carries or has carried on any trade, business, or profession, but only in such capacity or any partnership which carries or has carried on any trade, business, or profession or any former or existing juristic person (e.g. any company, close corporation, or business trust).

This organisation, S and S Insurance Brokers (Pty) Ltd falls within the definition of a "private body" and this Manual has been compiled in accordance with the said provisions to fulfil the requirements of the Act.

In terms of the Act, where a request for information is made to a body, there is an obligation to provide the information, except where the Act expressly provides that the

information may not be released. In this context, Section 9 of the Act recognises that access to information can be limited. In general, the limitations relate to circumstances where such release would pose a threat to the protection of privacy, commercial confidentiality, and the exercising of efficient governance.

This manual provides a reference to the records held by S and S Insurance Brokers (Pty) Ltd, a Financial Services Provider registered in terms of the Financial Advisory and Intermediary Services Act, 37 of 2002 ('FAIS Act") and the process that needs to be adopted to access such records.

All requests for access to information (other than information that is available to the public) must be addressed to the Head of the organisation named in section 2 of this Manual.

2. Business and Contact Details of the FSP

- Name of Business – S and S Insurance Brokers (Pty) Ltd
- Registration Number – 2020/800399/07
- FSP Number – 51433
- Physical & Registered Address – 293 Bulwer Street Pietermaritzburg, 3201
- Postal Address – 293 Bulwer Street, Pietermaritzburg, 3201
- Telephone Number – 033 345 5931
- E-Mail address – joe@sandsinsurancebrokers.co.za
- Head of Business – Joe Smit
- Position – Director & Information Officer
- E-Mail Address – admin@sandsinsurance.co.za

3. Guide on how to use PAIA

The official guide on how to use the Promotion of Access to Information Act (PAIA) is available from the Information Regulator of South Africa's website, which provides the updated guide in all official languages. It is designed to assist persons in exercising their rights to access information.

Key locations to obtain the PAIA guide:

- Information Regulator Website: The primary source for the updated, official guide is https://inforegulator.org.za/.
- Physical Offices: Copies can be inspected or requested from the offices of public and private bodies, as well as the Information Regulator's office.
- Government Websites: Older versions or related documents may be found on government portals such as https://www.justice.gov.za/inforeg/.
- Email/Contact: Information can be requested via email, for example, from the Centre for Environmental Rights (info@cer.org.za).

The guide outlines the procedure for requesting access to records from both public and private bodies, including the required forms and fees

In terms of Section 51(1) of the Promotion to Access to Information Act (THE ACT):-

- 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.
- Requests in terms of the Act must be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in regulations 6 and 7 of the Act.
- Requesters are referred to the Guide which, in terms of Section 10 as amended, has been compiled by the Information Regulator established in terms of section 39 of the Protection of Personal Information Act, 2013, and which contains information for the purposes of exercising Constitutional Rights.

4. Legislation applicable to S and S Insurance Brokers (Pty) Ltd

- This FSP is subject to, inter alia, the following legislation which may be relevant to records held:
- Financial Advisory and Intermediary Services Act, 37 of 2002 (FAIS)
- Financial Intelligence Centre Act, 38 of 2001 (FICA)
- Companies Act, 71 of 2008

- Income Tax Act, 58 of 1962
- Protection of Personal Information Act, 4 of 2013 (POPIA)
- Employment Equity Act, 55 of 1998
- Basic Conditions of Employment Act, 75 of 1997
- Labour Relations Act, 66 of 1995
- Occupational Health and Safety Act, 85 of 1993
- Electronic Communications and Transactions Act, 25 of 2002
- Consumer Protection Act, 68 of 2008

5. Records held by S and S Insurance Brokers (Pty) Ltd

Records are held in the following categories and may be available upon request:-

- Statutory Company Records
    - Certificate of Incorporation
    - Memorandum of Incorporation
    - Share registers and resolutions

- Financial Records
    - Annual Financial Statements
    - Tax returns
    - Accounting records
    - Invoices and receipts

- Human Resources Records
    - Employee personal information
    - Employment contracts
    - Payroll and remuneration records
    - Disciplinary records

- Client Records
    - Client application forms
    - Advice records (in terms of FAIS)

  - Client FICA documentation
  - Correspondence and communications
  - Policy schedules, investment mandates, or product information

- Operational and Administrative Records
  - Internal policies and procedures
  - Compliance reports and audit findings
  - Complaints registers and resolutions
  - Training materials and attendance records

- Information Technology and Communication
  - IT usage and security policies
  - Emails and correspondence records
  - Website analytics and user data

6. Information available without request

Certain information is automatically available without a formal PAIA request, such as:

- FSP disclosure documents
- Conflict of interest management policy
- Complaints management process
- Treating Customers Fairly (TCF) policy summary
- Website content and marketing material
- Company profile

7. Processing of personal information

7.1. Purpose of Processing

- Fulfilling statutory obligations in terms of applicable legislation
- Historical record keeping, research and recording statistics necessary for fulfilling your business objectives.
- Keeping accounts and records
- Marketing and advertising

- Monitoring, maintaining and managing our contractual obligations to customers, clients, suppliers, service providers, employees, directors and other third parties
- Obtaining information necessary to provide contractually agreed services to a customers and clients
- Resolving and tracking complaints
- Staff administration
- Verifying information provided to us

7.2. Categories of Data Subjects

- Clients and client's employees, representatives, agents, contractors and service providers
- Existing and former employees (including contractors, agents, temporary and casual employees)
- Healthcare patients and healthcare providers associated with patients
- Our stakeholders
- Suppliers and service providers and their respective authorised employees, representatives, agents, contractors and service providers of such suppliers and service providers

7.3. Categories of Personal Information processed

Natural Persons

- Names
- Physical and postal addresses
- Date of birth
- ID number
- Tax related information
- Medical, dental, mental and/or other healthcare related information
- Nationality
- Gender
- Confidential correspondence

- Email address
- Telephone number

Juristic Persons

- Names of contact persons
- Name of Legal Entity
- Registration Number
- Physical and Postal address and contact details
- Financial information
- Founding documents
- Tax related information
- Authorised signatories, beneficiaries, ultimate beneficial owners
- BBBEE information

7.4. Categories of special information processed

- Racial / ethnic origin
- Physical / mental health details

7.5. Possible Recipients of Personal Information

- Auditors
- Banks and other financial institutions.
- Claims investigators
- Educators and examining bodies
- Employees of the organisation
- Employment and recruitment agencies
- Family, associates and representatives of the person whose personal information is processed
- Healthcare, social and welfare organisations
- Ombudsman and regulatory authorities
- Patient associated healthcare facilities and professionals

- Police / courts where necessary
- Regulatory, statutory and government bodies
- Suppliers, service providers, vendors, agents and representatives of such entities
- Third party verification agencies and credit bureau

7.6. Trans-border / cross border flows of personal information

It may be required from time to time to share personal information on data subjects with third parties in other countries. Any sharing of personal information of data subjects with third parties in other countries will be done only if the recipient of the information is subject to a law, binding corporate rules or binding agreement which provide an adequate level of protection which effectively upholds principles for reasonable processing of the information that are substantially similar to the conditions for the lawful processing of personal information relating to a data subject who is a natural person and, where applicable, a juristic person, as set out in the Protection of Personal Information Act and the data subject consents to the transfer.

Any such transfer will have to be shown to be necessary for the performance of a contract between the data subject and the recipient in question, or for the implementation of pre- contractual measures taken in response to the data subject's request.

7.7. General Description of Information Security Measures

Up to date technology is employed to ensure the confidentiality, integrity and availability of Personal Information under our care.

Measures include:-

- Acceptable usage of personal information
- Access control to personal information
- All third parties with whom any contract exists are required to ensure that appropriate security, privacy and confidentiality obligations are observed.
- Computer and network security including Firewalls, Virus protection software and

update protocols

- Governance and regulatory compliance
- Information security and HR policies include confidentiality clauses for employees
- Internal process to report security breach or anticipated security breach
- Investigating and reacting to security incidents.
- Logical and physical access control
- Monitoring access and usage of private information
- Physical security
- Retention and disposal of information
- Secure communications
- Security in the outsourcing of any activities or functions through appropriate contracts
- Training of staff members

We continuously establish and maintain appropriate, reasonable technical and organisational measures to ensure that the integrity of the Personal Information which may be in our possession or under our control, is secure and that such information is protected against unauthorised or unlawful processing, accidental loss, destruction or damage, alteration or access by having regard to the requirements set forth in law, in industry practice and generally accepted information security practices and procedures applicable.

8. Information available without request

Certain information is automatically available without a formal PAIA request, such as:

- FSP disclosure documents
- Conflict of interest management policy
- Complaints management process
- Treating Customers Fairly (TCF) policy summary
- Website content and marketing material
- Company profile

9. Request Procedure for Access to Records.

A request for access to information must be made on the prescribed Form C (available from the Information Regulator's website or the FSP) and submitted to Head of Business / Information Officer of S and S Insurance Brokers (Pty) Ltd at the contact details provided above.

The request must include:

- Full particulars of the requester and proof of identity

If a request is made on behalf of another person, the requester must submit proof of the capacity to which the requester is making the request to the satisfaction of the Head of Business aforesaid.

- The specific information requested

The requester must provide sufficient detail on the request form to enable the Head of Business to identify the record and the requester.

- The reason for the request

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

- The form of access required

The requester should also indicate if any other manner should be used to inform the requester, and if so, furnish the necessary particulars to be so informed.

The prescribed request fee, as per PAIA regulations, must be attached and payable before the request is processed. The requester will be informed of any fees payable.

We will respond to your request within 30 days of receiving the request by indicating whether your request for access has been granted or denied.
Kindly note that the successful completion and submission of a request for access form does not automatically allow the requestor access to the requested record.

Access will be granted to a record only if the following criteria are fulfilled:-

- The record is required for the exercise or protection of any right; and
- The requestor complies with the procedural requirements set out in the Act relating to a request; and
- Access to the record is not refused in terms of any ground for refusal as contemplated in Chapter 4 of Part 3 of the Act.

10. Grounds for Refusal of Request

Access to any record may be refused under certain limited circumstances. These include:

- The protection of personal information from unreasonable disclosure concerning any natural person;
- The protection of commercial information held concerning any third party (for example trade secrets);
- The protection of financial, commercial, scientific or technical information that may harm the commercial or financial interests of any third party;
- Disclosures that would result in a breach of a duty of confidence owed to a third party;
- Disclosures that would jeopardize the safety or life of an individual;
- Disclosures that would prejudice or impair the security of property or means of transport;
- Disclosures that would prejudice or impair the protection of a person in accordance with a witness protection scheme;
- Disclosures that would prejudice or impair the protection of the safety of the public;
- Disclosures that are privileged from production in legal proceedings unless the privilege has been waved;
- Disclosures of details of any computer program;
- Disclosures that will put S and S Insurance Brokers (Pty) Ltd at a disadvantage in contractual or other negotiations or prejudice it in commercial competition;

- Disclosures of any record containing any trade secrets, financial, commercial, scientific, or technical information that would harm the commercial or financial interests of S and S Insurance Brokers (Pty) Ltd;
- Disclosures of any record containing information about research and development being carried out or about to be carried out by S and S Insurance Brokers (Pty) Ltd

If access to a record or any other relevant information is denied, our response will include:

- Adequate reasons for the refusal; and
- Notice that you may lodge an application with the court against the refusal and the procedure including details of the period for lodging the application.

11. Right to challenge Decision

The FSP is not a public body referred to in paragraph (a) of the definition of "public body" in section 1 of the Act. Therefore, no internal appeal lies against the decision of the Information Officer regarding access to information.

If a requester does not agree with the decision, the requester may apply, within 180 days of being advised of the Head of Business's decision, to the High Court having jurisdiction, for an appropriate order.

A requester may also seek relief from any court with appropriate jurisdiction in respect of the following decisions of the Information Officer:

- The amount of fees required to be paid; and / or
- The extension of the period within which the information will be provided.

12. FEES

The applicable fees are prescribed in terms of the Regulations promulgated under the Act. There are two basic types of fees payable in terms of the Act:-

- **Request Fee**

The non-refundable request fee of R 50 (excluding VAT) is payable on submission of any request for access to any record. This does not apply if the request is for the personal records of the requestor. No fee is payable in such circumstances.

- **Access Fee**

The access fee is payable prior to being permitted access to the records in the required form. The applicable fees are prescribed in terms of Part III of Annexure A as identified in Government Notice Number 187, Regulation 11.

13. Protection of Personal Information

In terms of the Protection of Personal Information Act (POPIA), the FSP is committed to ensuring that all personal information is processed lawfully, minimally, and securely.

S and S Insurance Brokers (Pty) Ltd's POPIA Compliance Framework outlines:

- Purpose of data collection
- Categories of personal information processed
- Data subjects' rights
- Data retention periods
- Security measures in place

Data subjects may request:

- Confirmation of whether their personal information is held
- Access to their personal information
- Correction or deletion of personal information

Requests must be directed to the Information Officer.

14. Processing Personal Information in terms of Protection of Personal Information in terms of the Protection of Personal Information Act No. 4 of 2013

S and S Insurance Brokers (Pty) Ltd must collect and use information, including personal information as defined in the Protection of Personal Information Act, to the extent that it is necessary to properly perform the functions, obligations and duties.

S and S Insurance Brokers (Pty) Ltd processes personal information of the following data subject categories:

- Information required for the rendering of Financial services in terms of Advice and Intermediary services for which the FSP is authorized by the FSCA to render.
- FSP employees and job applicants
- Third party suppliers
- Regulatory bodies that the FSP is governed by
- The following categories of personal information are processed to fulfil the functions:-
    - Identifying number (employee number; company registration numbers, ID number)
    - Email-addresses, physical address, telephone number
    - Names, surname, marital status, nationality, sexual orientation, age, physical health status, mental health status, well-being, disability status, language, birthplace, date of birth.
    - Biometric information
    - Information on your race, ethnic or social origin, criminal recordings /proceedings
    - Education, medical, financial, employment information

Personal information is only disclosed if it is necessary to fulfil our legislative mandate for business purposes, where there is a legal obligation, there is a public duty to disclose the information, or the legitimate interests of the data subject require

disclosure or consent was provided by data subject to disclose the information. The recipients of information include FSP service providers, other regulators (including foreign regulators), law enforcement agencies, and verification agents.

Personal information may be processed in other jurisdictions outside of South Africa for business purposes, sharing with foreign regulators for fulfilling a legislative mandate or law enforcement agencies for investigation purposes.

Where appropriate, we request the third parties with whom we share information with, to take adequate measures and comply with applicable data protection laws and protect the information we are disclosing to them. We do this through contractual arrangements with these third parties. We also take internal measures to ensure that the third parties we appoint have appropriate measures to protect the information we provide to them

15. Availability of Manual

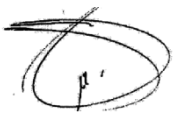
This manual is available:

- On request from the Head of Business / Information Officer referred to above
- Free of charge on the company's website (if applicable)
- In hard copy at the FSP's registered office

Any transmission costs or postage required in respect of hard copies of the Manual will be for the account of the requester.

16. UPDATING OF THE MANUAL

This manual will be updated as and when there are material changes to the information herein.

Approved by: 

Name: Joe Smit

Designation: Director / Key Individual

Date: 20/01/2026